



RFS



Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Your reference: DA-441/2024 (CNR-75002)
Our reference: DA20241028004481-S38-2

ATTENTION: Nabil Alaeddine

Date: Friday 5 September 2025

Dear Sir/Madam,

Integrated Development Application
s100B - Subdivision - Torrens Title Subdivision
Pleasure Point Road Pleasure Point NSW 2172, 1//DP875804

I refer to your correspondence dated 02/09/2025 seeking general terms of approval for the above Integrated Development Application.

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

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the dwellings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate and in perpetuity, to ensure ongoing protection from the impact of bush fires, the entirety of the proposed residential lots within Stage 1 of the proposal comprising a residential subdivision of 380 lots broken into 7 substages, must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

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

Postal address

NSW Rural Fire Service
Locked Bag 17
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Street address

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- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

2. At the issue of a subdivision certificate, a suitably worded instrument(s) must be created pursuant to section 88 of the *Conveyancing Act 1919* over the lots shown in Figure 09 of the Bushfire Assessment Report (ref: 240556, dated 12 June 2025, prepared by Building Code & Bushfire Hazard Solutions) to provide minimum required asset protection zones (APZs) listed in the compliance table within section 5.0 of the report. The instrument will prohibit the construction of buildings other than class 10b structures within the lots. The instrument may be lifted upon commencement of any future proposed development on the adjoining land, but only if the bush fire hazard is removed as part of the proposal. The name of authority empowered to release, vary or modify the instrument shall be Liverpool Council.

3. A Plan of Management must be prepared for the foreshore park along Georges River shown on the Landscape Masterplan (ref: H8-24016-2, revision G, dated 29 August 2024, prepared by HABIT8), except the area shown under Vegetation Management Zone.

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

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

Access – Public Roads

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

5. Public access roads must be as shown in Attachment One of the Traffic Response Letter (Ref: 23459, dated 20 February 2025, prepared by The Transport Planning Partnership (TPPP)) and comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:

- are two-way sealed roads with minimum 8 metre carriageway width kerb to kerb for perimeter roads and minimum 5.5 metre carriageway width kerb to kerb for non-perimeter roads;
- a minimum vertical clearance of 4 metre to any overhanging obstructions, including tree branches, is provided.
- parking is provided outside of the carriageway width;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500 metre;



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- curves of roads have a minimum inner radius of 6 metre;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles; bridges/causeways are to clearly indicate load rating;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; and
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - *Fire hydrant installations System design, installation and commissioning*.

6. Proposed upgrades to the Heathcote Road/ Pleasure Point Road Intersection must be undertaken as per the recommendations of the Transport Assessment (Ref: 23459, dated 4 September 2024, updated 20 February 2025) prepared by The Transport Planning Partnership (TPPP).

7. Temporary turning heads must be provided to temporary dead end roads incorporating either a minimum 12 metre radius turning circle or turning heads compliant with A3.3. Vehicle turning head requirements of *Planning for Bush Fire Protection 2019*. The turning areas may be removed upon opening of future proposed through roads.

Water and Utility Services

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

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

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - (a) lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
 - (b) no part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.



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General Advice - Consent Authority to Note

- Development applications lodged on lots created within this subdivision may be subject to further assessment under the *Environmental Planning & Assessment Act 1979*. Future dwellings are required to address the requirements of *Planning for Bush Fire Protection 2019*.
- The performance solution provided in the Bushfire Assessment Report (ref: 240556, dated 12 June 2025, prepared by Building Code & Bushfire Hazard Solutions) proposing parking restrictions not to be applied to the sections of road that are not located on bushfire prone land, is not acceptable considering the high bush fire risk to the subject site.
- In absence of any previous strategic bush fire studies undertaken, the consent authority will be required to consider and understand bushfire risk including access and evacuation as relevant considerations when assessing and determining the DA for the cumulative impact of population from all the stages of subdivision. This will include any future dual occupancy developments permissible on residential lots which will further increase the density within the subdivision.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 03/07/2025.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Srv (Est)
Built & Natural Environment



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BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
Pleasure Point Road Pleasure Point NSW 2172, 1//DP875804
RFS Reference: DA20241028004481-S38-2
Your Reference: DA-441/2024 (CNR-75002)

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

This authority supersedes the previous Bush Fire Safety Authority DA20241028004481-S38-1 issued on 03/07/2025 and confirms that, subject to the attached reissued General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Nika Fomin

**Manager Planning & Environment Srv (Est)
Built & Natural Environment**

Friday 5 September 2025



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-441/2024	CNR-75002	Nabil Alaeddine	28/10/2024	18/11/2024	28/10/2024

Address	Land Title
HEATHCOTE ROAD PLEASURE POINT NSW 2172	Lot 1 DP 875804, Lot 2 DP 817692

Scope of Development Application or Planning Proposal

Concept Development Application for Torrens Title Subdivision including: General arrangement of roads, identification of land for public open spaces, establishment of environmental corridors, and stormwater infrastructure on both lots; and - Stage 1 works comprising a residential subdivision of approximately 380 lots over 7 substages, including the construction of internal roads and dedication and embellishment of the environmental corridor on part of Lot 1 DP 875804, and stormwater infrastructure for stage 1 on Lot 2 DP817692.

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

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

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
☒ 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:	☐	☐	☐	☐

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.

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 to 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.

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

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Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

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**Endeavour
Energy**

**POWER
together**



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

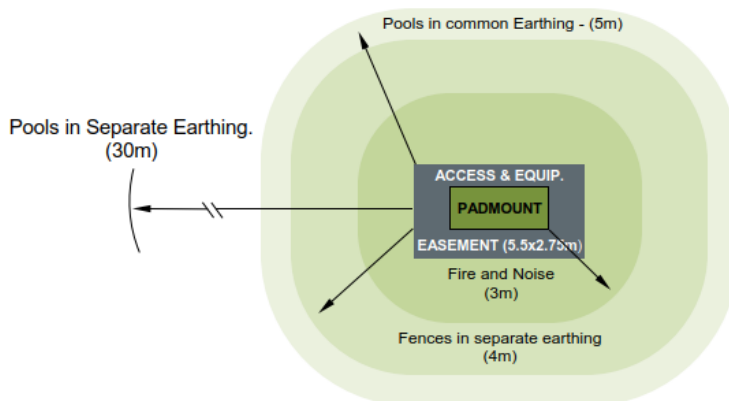
Reason(s) for Conditions or Objection (If applicable)

- 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:

- 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.
- As shown in the following extract of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Figure A4.3 'Padmount easements and clearances', in addition to the easement, padmount substations now also require additional clearances / restriction for:
 - Fire rating which usually extends 3 metres horizontally from the base of the substation footing / plinth.
 - Swimming pools which extends 5 metres from the easement.

A4.3 - Padmount easements and clearances



These clearances were introduced on a case for case basis from 2003 before becoming standard in 2009. The easement for padmount substation no. 20708 created by a transfer granting easement registered on 19 July 2001 (please refer to the copy below) does not include the restrictions. Whilst the restrictions are not included with the easement registered on title, Endeavour Energy strongly recommends that they be considered and adopted for any new development.

- 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 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 required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling 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.

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

- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
- Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The Servicing Report prepared by ADW Johnson dated September 2024 provides the following advice regarding whether the available electricity services are adequate for the proposed development facilitated by the Planning Proposal.

5.2 FEASIBILITY APPLICATION

Power Line Design (PLD) submitted a feasibility application to Endeavour Energy in April 2024 to determine the capacity of the existing network to service the development. PLD has prepared a feasibility report which can be seen in **Appendix B**.

The PLD report indicates the following:

- The existing network near the development is serviced from two 11 kV feeders originating from the 'Anzac Village' Zone substation;
- The existing feeders do not have capacity to service the ultimate development;
- Cross-feeder ties would be required to connect to the existing networks east and west of the site;
- A new 11 kV feeder from Anzac Village Zone substation will be required to service the ultimate development;
- Staging of the development may allow for the supply of up to 130 lots from the existing feeders prior to the requirement of the new feeder.

From the advice received from Endeavour Energy and PLD, it is clear that the development can be serviced, albeit with staged upgrades being required.

- The electricity distribution network relies in part on the retention of appropriate building setbacks to the road frontages to allow for line route / network design options and to provide safety clearances to conductors. Particular regard needs to be had to secondary road frontages or where overhead power lines are located near side or rear boundaries where lesser building setbacks apply. The higher the voltage, the greater the safety clearance required. This is also in keeping with a policy of prudent avoidance.

The encroachment of building setbacks (including by roof structures or projections from external walls constructed with conductive materials) may transfer fault currents to the main building / dwelling. It can also result in construction works being required within the minimum safe approach distance and may require the application to Endeavour Energy for appropriate network outages eg. when erecting and dismantling scaffold, and may also be an issue for the ongoing maintenance of the building or structure.

Endeavour Energy's recommendation is that whenever reasonably possible buildings and structures be located and designed to avoid the need to work within the safe approach distances for ordinary persons eg. not having parts of the building normally accessible to persons in close proximity of the overhead power lines; the use of durable / low maintenance finishes. Alternatively, in some instances the adoption of an underground solution may be warranted ie. particularly for low voltage which can be more readily (in shorter distances) and comparatively economically be undergrounded.

As a guide, Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 – 'Minimum easement widths', requires a minimum easement width of 9 metres for low voltage up to 22,000 volt / 22 kilovolt (kV) high voltage overhead power lines ie. 4.5 metres to both sides of the centreline of the poles / conductors. For higher voltages, the wider the required minimum easement width.

- The minimum required safety clearances and controls for buildings and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building or structure, consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV). It also includes the following requirements for work near low voltage overhead power / service lines.

TABLE 4

Approach distances for work near low voltage overhead service lines

Ordinary Persons (m)				
Hand held tools	Operation of crane or mobile plant	Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc)	Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc)	Driving or operating vehicle
0.5	3.0	4.0	1.5	0.6

- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

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

Endeavour Energy'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'.

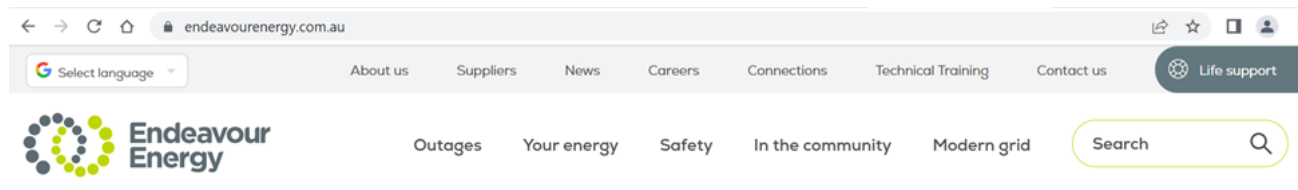
Objection

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.

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.

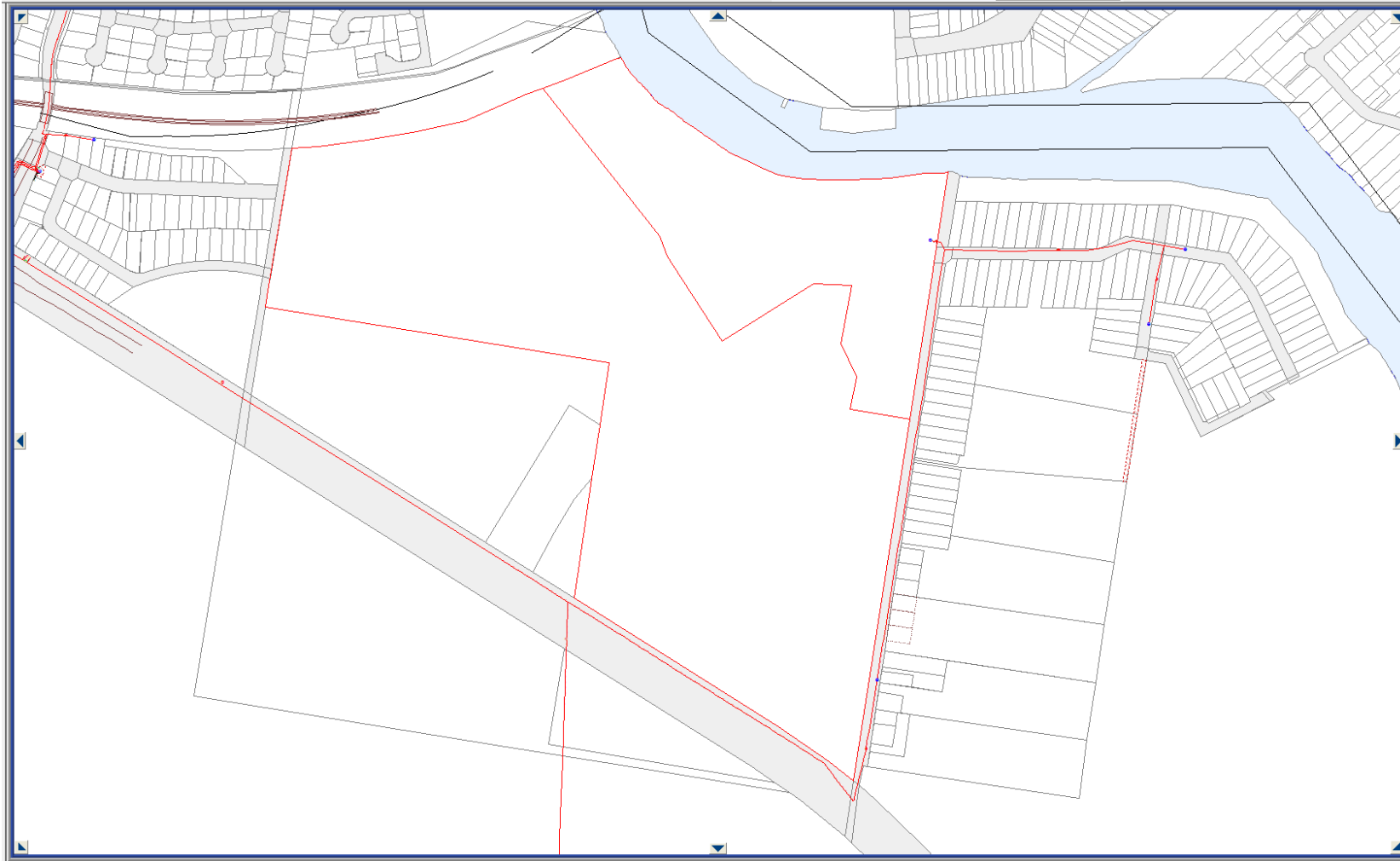
Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

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:

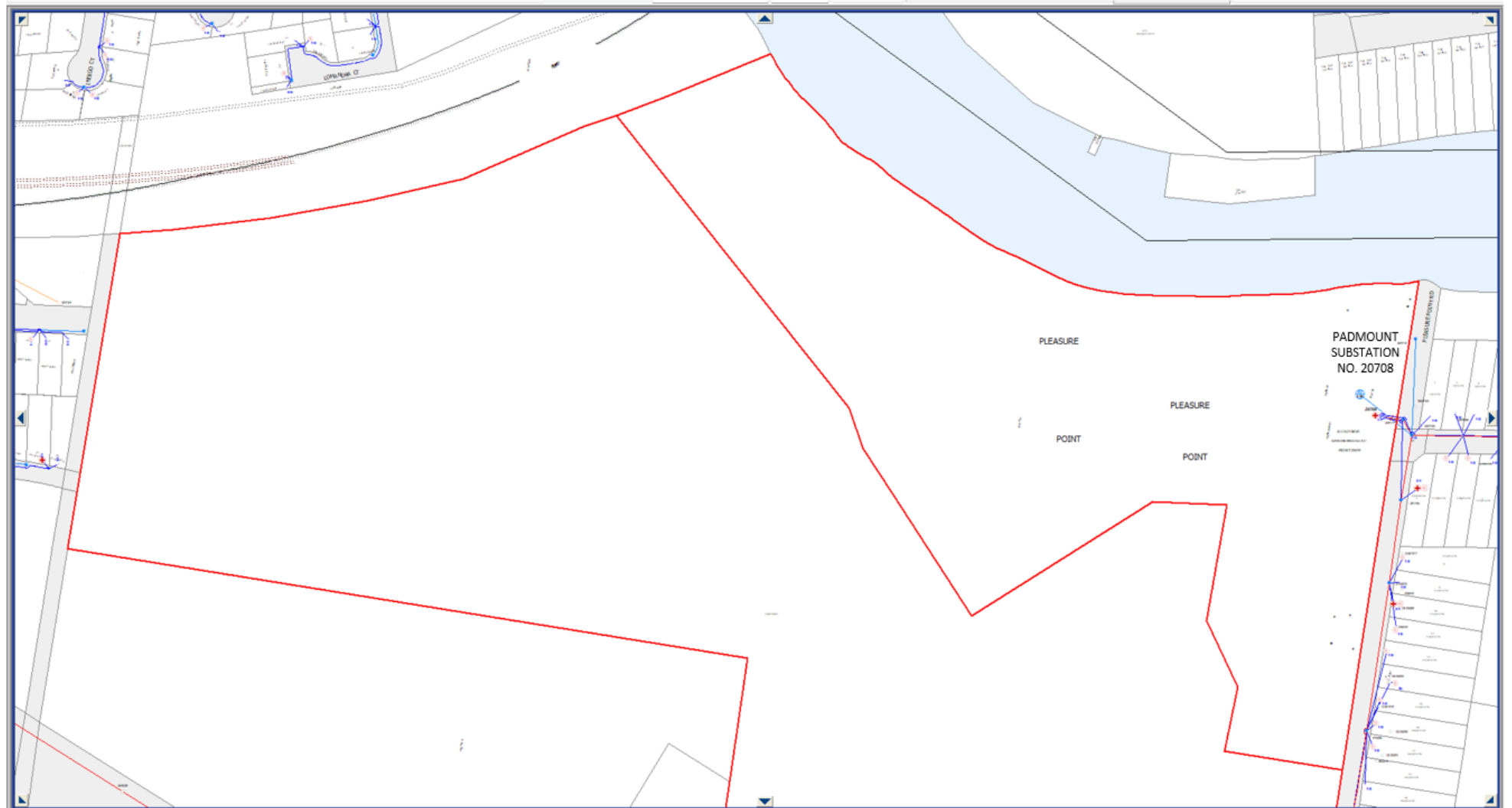
- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed 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.

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

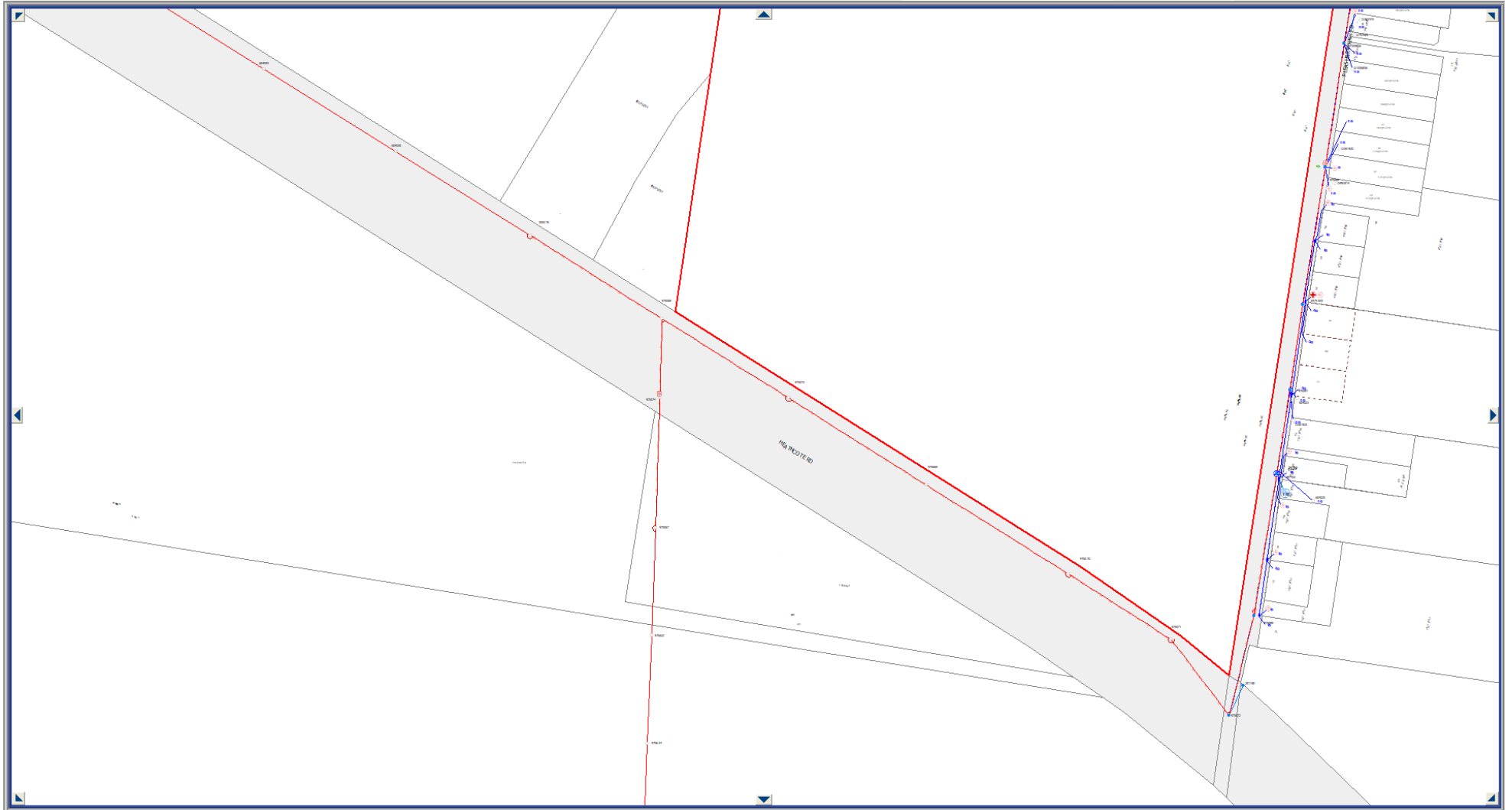


Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of 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).

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



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



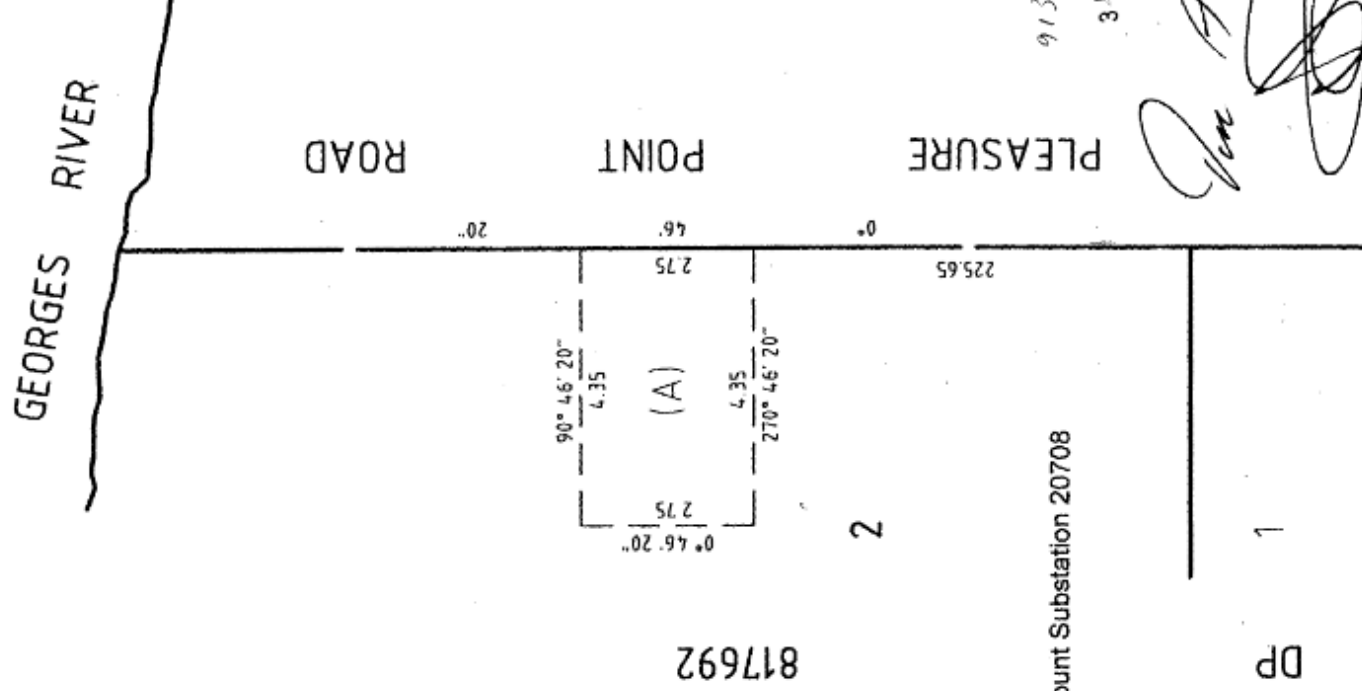
LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Voltage regulator
	Customer connection point
	Low voltage pillar
	Streetlight column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

TRANSFER GRANTING EASEMENT

Annexure A

LAND	Land Burdened	Land Benefitted
	2/817692	Easement in Gross
TRANSFEROR	Ficorp Pty Ltd	
EASEMENT	Easement for Padmount Substation 20708	
TRANSFeree	Integral Energy Australia	

LGA Liverpool
 Locality **Pleasure Point**
 Parish Holsworthy
 County Cumberland



(A) Easement for Padmount Substation 20708

9137-634441

30 JUL 2001

Paul A. Hodge
[Signature]

DP

1

RPM9464



Pleasure Point Rd



Heathcote Rd

Holsworthy, New South Wales



Google Street View

Sept 2023

[See more dates](#)



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Google

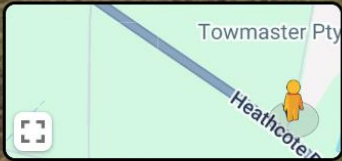
Image capture: Sept 2023 © 2024 Google Australia Terms Privacy Report a problem

Google Maps Street View



Pleasure Point Rd

76 Pleasure Point Rd
Holsworthy, New South Wales
 Google Street View
Jan 2023 [See more dates](#)



Google

Google Maps Street View. Padmount substation no. 20708.



Liverpool City Council
Attn: Nabil Alaeddine

Re: DA-441/2024, CNR-75002 – Concept DA for Proposed Subdivision and Stage 1 Works – Heathcote Road & Pleasure Point Road, Pleasure Point NSW 2172 – Lot 1 DP 875804 & Lot 2 DP 8176922

Dear Nabil,

Thank you for your referral of this integrated development application dated 28 October 2024 to DPIRD Fisheries, a division of NSW Department of Primary Industries & Regional Development.

DPIRD Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPIRD Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management* (2013). DPIRD Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves in NSW.

It is understood that the subject proposal involves a residential subdivision and development, which will include the construction of roads, environmental corridors and stormwater infrastructure adjacent to the key fish habitat (KFH) of Georges River.

The Georges River is a Class 1 waterway adjacent to the site and is considered an important key fish habitat, best practice development of this site should ensure the maintenance and improvement of key fish habitat by:

- protection and improvement of riparian habitat values;
- protection of aquatic habitat; and
- protection or improvement of water quality through water sensitive urban design, adequate stormwater treatment and best practice erosion and sediment control measures during construction.

Key fish habitats include those habitats that are crucial to the survival of native fish stocks. The degradation of aquatic habitat is a major threat to the abundance and diversity of native fishes in NSW. As such, a primary objective for conserving fishes is to conserve the habitats that fish are dependent upon for survival.

The proposal site contains coastal wetlands and wetlands proximity area, mapped under the Resilience and Hazards SEPP (the SEPP). Under s.3.2 of DPI's policy and guidelines, aquatic habitat in this location is classified as being Type 1 – highly sensitive key fish habitat. Modification to hydrological regimes in this area could impact negatively upon fish by altering flow velocities, and increasing turbidity. In particular, increased runoff adjacent to urban developments has been cited as a contributing factor to the widening and deepening of streams. In light of this, DPIRD Fisheries' highlight that the proposal should follow the principles set out for Water Sensitive Urban Designs. DPIRD Fisheries recommends that in accordance with section 2.7 (4) of the SEPP, development be designed to protect, and where possible enhance, the biophysical, hydrological and ecological integrity of the coastal wetland. This includes the improvement of water quality and quantity entering the mapped coastal wetland due to the development.

It is recommended that the Vegetation Management Plan (Restore, V3, 9/9/2024) include the restoration and/or rehabilitation of the entire Georges River foreshore of the site to ensure the ongoing health of the highly sensitive key fish habitat (coastal wetlands and mangroves) at the site.

DPIRD Fisheries has reviewed the proposal in light of those provisions and has no objections, subject to the proponent meeting the General Terms of Approval (GTAs) that follow. As per s.4.47(3) of the *Environmental Planning and Assessment Act 1979*, any consent issued by Council must be consistent with these GTAs.

1. A Vegetation Management Plan (VMP) should include native in-stream vegetation and snags where appropriate. Local native riparian vegetation species should be used across the riparian buffer zone to improve riparian habitat values.
2. Riparian buffer zone widths should be implemented as outlined in DPIRD Fisheries P&Gs s.3.2.3.2 where possible. Riparian buffer zones should be measured from the top of the bank in Class 1 waterways. It is recommended that the design of riparian buffer zones incorporate the maintenance of lateral connectivity between aquatic and riparian habitat. Installation of infrastructure, terraces, retaining walls, cycle ways, pathways and grass verges within the riparian buffer zone should be avoided or minimised.
3. Erosion and sedimentation impacts during the land forming and development of the area presents a significant risk to key fish habitat values. It is important that these works are staged to minimise the area of exposed earth in forming these areas.
4. Environmental safeguards (silt curtains, booms etc.) are to be used during the land forming stages and during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a

deleterious effect on benthic organisms. Sediment and erosion controls are to be implemented in line with Best Management Practice as outlined in the publication “Managing Urban Stormwater: Soils and Construction” (4th Edition Landcom, 2004), commonly referred to as “The Blue Book” (see <https://www.environment.nsw.gov.au/research-and-publications/managing-urban-stormwater-soils-and-construction-volume-1-4th-edition>).

5. Any material temporarily deposited or stockpiles on land is to be located well away from the waterway and to be contained by appropriate sediment control devices.

For any further information, please contact me at jess.hyland@dpi.nsw.gov.au or 0455 794 560.

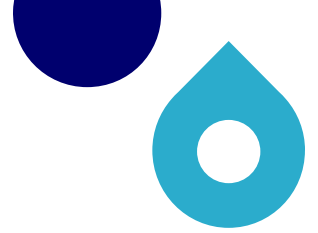
Sincerely,



Jessica Hyland

Fisheries Manager, Coastal Systems

DPIRD Fisheries



27 November 2024

Our reference: 219893, 214770

Nabil Alaeddine

Liverpool City Council

alaeddinen@liverpool.nsw.gov.au

RE: Development Application DA-441/2024 at Lot 1 DP 875804 Heathcote Road and Lot 2 DP 817692 Pleasure Point Road, Pleasure Point (proposed by Hodge Developments Pty Ltd)

Thank you for notifying Sydney Water of DA-441/2024 at Lot 1 DP 875804 Heathcote Road and Lot 2 DP 817692 Pleasure Point Road, Pleasure Point, which proposes a concept development application for the following:

- A Concept approval for road arrangements, land identification for public open space, environmental corridors and stormwater infrastructure on both t Lot 1 DP 875804 Heathcote Road and Lot 2 DP 817692, ultimately **anticipating a total yield of approximately 462 dwellings** across the entire site.
- Proposed 'Stage 1' works, which comprises a residential subdivision of approximately 380 lots broken into 7 substages, including the construction of internal roads and dedication and embellishment of the environmental corridor on part of Lot 1 DP 875804, and stormwater infrastructure. The remaining lots ('Stage 2' works) will be subject to a future DA.

Sydney Water notes that the applicant had lodged a Feasibility application under CN 214770, which appears to be related to this DA and to which we provided advice in August 2024.

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 Servicing

- The development is located in between East Hills and Voyager Point Water Supply Zone. Based on the estimated flow requirement, **the current system has no capacity to service the development**
- **As noted in the Feasibility Advice Letter, Sydney Water requires the proponent to engage a water consultant to carry out an options assessment. This should be done prior to the proponent lodging a Section 73 application or any further DA's.**

Wastewater Servicing

- The proposed development lies in Pleasure Point North and Pleasure Point South which drain to Panania SCAMP which will drain to SP1110. SP1110 pumps to East Hill Low Level carrier that transfer flow to North Georges River System.
- The development is comprised of two catchments. The eastern catchment will drain to SP1110 and the western catchment will drain to DN150 main in Lilli Pilli Drive.
- The proposed concept plan for servicing the development is acceptable. However, the developer needs to:
 - Provide the total number of dwellings draining to SP1110 and DN150 main in Lilli Pilli Dr
 - Submit an EP catchment plan and flow schedule, all the designs and long sections to Sydney Water for review and approval.

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** for this development as outlined in the enclosed Growth Data Form. The developer has an existing **Feasibility application** which will enable them to progress to options planning. Their growth staging intel should be provided as part of this application and to progress their options planning.

Next steps

- Should the Council decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent.
 - Section 73 Compliance Certificate
 - Building Plan ApprovalFurther details of the conditions can be found in **Attachment 1**.
- **Given the scale and complexity of the proposed development, further investigations will be required to determine the servicing requirements for this site. It is recommended that a Water Servicing Coordinator is engaged as soon as possible, and the Feasibility application is used to start the options planning requirements, prior to lodging a Section 73 or any future DA's.**
- 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](#).

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



Council can read further advice on requirements for this proposal in Attachment 1. If the proponent has any questions, they should contact their Sydney Water case manager once a Feasibility is lodged. Should Council require further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Manager, Growth Planning
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

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](#).

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



Department of Planning and Environment



Contact: Department of Planning and Environment-Water

Phone: 1300081047

Email: waterlicensing.servicedesk@dpie.nsw.gov.au

Our ref: IDAS-2024-10796

Your ref: DA-441/2024

30 January 2025

The General Manager
LIVERPOOL CITY COUNCIL
33 MOORE STREET LIVERPOOL 2170

Attention: Nabil Alaeddine

Uploaded to the ePlanning Portal

Dear Sir/Madam

Re: IDAS-2024-10796 - Integrated Development Referral – General Terms of Approval

Dev Ref: DA-441/2024

Description: This Concept Development Application seeks consent for:

- a. A Concept approval that provides for the general arrangement of roads, identification of land for public open space, environmental corridors, and stormwater infrastructure, and
- b. Stage 1 works comprising a residential subdivision of approximately 380 lots broken into 7 substages, including the construction of internal roads and dedication and embellishment of the environmental corridor on part of Lot 1 DP 875804, and stormwater infrastructure.

Location: Lot 2, DP817692, PLEASURE POINT ROAD PLEASURE POINT 2172
Lot 1, DP875804, HEATHCOTE ROAD PLEASURE POINT 2172

I refer to your recent referral regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Planning and Environment-Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the department requests these GTA be included (in their entirety) in Council's development consent. Please also note the department requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

The Department of Planning and Environment-Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s4.46 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, the department recommends the following condition be included in the development consent:

The attached GTA issued by the Department of Planning and Environment-Water do not constitute an approval under the *Water*

Management Act 2000. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.

A completed application must be submitted to the department together with any required plans, documents, application fee and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at:

<https://www.planningportal.nsw.gov.au/>

The Department of Planning and Environment-Water requests that Council provide a copy of this letter to the development consent holder.

The Department of Planning and Environment-Water also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely



**For
Patrick Pahlow
Team Leader
Licensing and Approvals
Department of Planning and Environment-Water**



General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS-2024-10796
Issue date of GTA:	30 January 2025
Type of Approval:	Controlled Activity
Location of work/activity:	Lot 2, DP817692, PLEASURE POINT ROAD PLEASURE POINT 2172 Lot 1, DP875804, HEATHCOTE ROAD PLEASURE POINT 2172
Waterfront Land:	Georges River and a 2nd order stream
DA Number:	DA-441/2024
LGA:	LIVERPOOL

The GTA issued by Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the Department of Planning and Environment-Water for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
------------------	---------

- | | |
|---------|---|
| TC-G001 | Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment-Water, and obtained, for a controlled activity approval under the Water Management Act 2000. |
| TC-G004 | <p>A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA-441/2024 provided by Council to Department of Planning and Environment-Water.</p> <p>B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment-Water, must be notified in writing to determine if any variations to the GTA will be required.</p> |
| TC-G005 | <p>A. The application for a controlled activity approval must include the following plan(s):</p> <ul style="list-style-type: none">• Site plans• Detailed civil construction plans• Construction streamworks plans - For reshaping of the 2nd order stream and proposed sewer line.• Construction watercourse crossing design plans - For the proposed culvert• Soil and water management plan• Erosion and sediment control plans• Construction detailed drainage plans• Construction stormwater drainage outlet plan• Vegetation management plan - For the 2nd order stream and the Georges River• Riparian offset plan• Construction detailed basin design plans• Itemised VMP Costings• Civil and Streamworks Itemised Costings• Construction detailed bulk earthworks plans |

B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website

<https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines>

TC-G006 A. A security deposit must be provided, if required by Department of Planning and Environment-Water.

B. The deposit must be:

- a bank guarantee, cash deposit or equivalent, and
 - equal to the amount required by Department of Planning and Environment-Water for that controlled activity approval.
-



General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by Department of Planning and Environment-Water for integrated development associated with IDAS-2024-10796 as provided by Council:

- Concept Engineering Plans_PAN-466786
- Ecological & Riparian Issues & Assessment Report_PAN-466786
- Landscape Plans - Street Trees and Entry Statement_PAN-466786
- Proposed Engineering Plans - Stage 1-7_PAN-466786
- Statement Of Environmental Effects_PAN-466786
- Stream and Riparian Management Plan_PAN-466786
- Vegetation Management Plan_PAN-466786
- Water Cycle Management Plan_PAN-466786

The General Manager
Liverpool City Council
lawsone@liverpool.nsw.gov.au

30 June 2025

**STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021
DEVELOPMENT APPLICATION – DA-441/2024 (CNR-75002)
Lot 1, DP875804, Lot 2, DP 8176922**

Dear Sir/Madam,

I refer to Council's referral via the NSW Planning Portal requesting concurrence for the above Development Application (DA) in accordance with Section 2.99 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)*.

Council is advised that TfNSW, via Instruments of Delegation, has been delegated to act as the rail authority for the heavy rail corridor operated by Sydney Trains (including infrastructure), and to process the concurrence for this Development Application.

As such, TfNSW (as Rail Authority) advises that the proposed development has been assessed in accordance with the requirements of Section 2.99(4) of the Transport and Infrastructure SEPP being:

- a) *the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:*
 - i) *the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and*
 - ii) *the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and*
- b) *what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.*

We have taken the above requirements into consideration and have decided to grant concurrence to the development proposed in Development Application **[DA-441/2024]** subject to Council imposing the operational conditions as written in Attachment A that will need to be complied with.

Should Council choose not to impose the conditions as written in Attachment A, then concurrence from TfNSW (as Rail Authority) has not been granted to the proposed development.

If, at any point, the DA is amended prior to the consent authority's determination, please ensure that the amended DA and any new or amended supporting documents are provided to TfNSW for further assessment. Any amendments to the DA may alter the impacts of the proposed development on the heavy rail corridor assessed by TfNSW, so TfNSW may need to amend any requested conditions, or recommend that the amended DA should not be approved.

Council is also advised that this concurrence is not to be amended, replaced, or superseded by any concurrence issued by any other rail authority, without further agreement from TfNSW (as

Rail Authority).

In the event that this proposed development is the subject of a Land and Environment Court appeal, Council's attention is drawn to Section 8.12 of the Environmental Planning and Assessment Act 1979 which requires Council to give notice of that appeal to a concurrence authority. We therefore request that Council comply with this requirement should such an event occur.

Please contact TfNSW Town Planning Management via email to DA_sydneytrains@transport.nsw.gov.au should you wish to discuss this matter. Finally, it is requested that when the proposed development's Determination is issued by the Council, a copy of the Notice of Determination and conditions of consent are provided.

Sincerely,

A handwritten signature in black ink that reads "Anthony Moeller".

Anthony Moeller
Director Property & Commercial Services
Transport for NSW

ATTACHMENT A

1. *No works or access to Transport Asset Manager of NSW (TAM) owned land or easements is approved as part of this application. Prior to the issue of a Construction Certificate all documentation must be updated to remove any reference to works or access to land or easements owned by TAM.*
2. *Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken. All existing corridor fencing must be retained and protected.*
3. *The proposed acoustic fence and any retaining wall must be constructed with an adequate setback from the rail corridor while maintaining existing rail chain wire fence, as shown on plans prepared by ADW Johnson, marked Plan No. 202 Rev D, 'Rear fence detail – rail corridor'. Safe, legal access to the area between the two fences must be provided for future owners/occupants to enable maintenance of the acoustic fence as necessary, without relying on access from the corridor. Compliance with this condition must be demonstrated to Sydney Trains' satisfaction prior to the issue of an Occupation Certificate/Subdivision Certificate whichever occurs first.*
4. *The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains. In this regard, the applicant must provide a drainage diagram demonstrating how lots that share a boundary with the rail corridor and any detention basin will drain without discharging into TAM land as part of the overall drainage design of the development, to Council's satisfaction and for final approval of Sydney Trains prior to the issue of any Construction Certificate/Subdivision Certificate whichever occurs first.*
5. *Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.*
6. *Prior to the commencement of any works a Registered Surveyor shall peg-out the common property boundary between the development site and TAHE (Transport Asset Holding Entity) land and easements. A copy of the survey report indicating the location of pegs must be provided to Sydney Trains prior to the commencement of works.*

7. *Prior to the issue of a Construction Certificate, the Applicant shall undertake a Dial Before You Dig search to establish the existence and location of any rail services. Persons performing the Dial Before You Dig search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.*
8. *The Applicant shall provide a Geotechnical Engineering report to Sydney Trains for review by Sydney Trains' Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by Sydney Trains. The report shall include the potential impact of demolition and excavation, and demolition- and excavation-induced vibration in rail facilities, and loadings imposed on Sydney Trains Facilities by the development.*
9. *If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.*
10. *No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.*
11. *During all stages of the development the Applicant must take extreme care to prevent any form of pollution (including dust) entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
12. *Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.*
13. *There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Trains. No construction certificate can be issued until written confirmation has been received from Sydney Trains confirming that this condition has been complied with.*

14. *The Applicant/Developer shall not at any stage block any nearby corridor access gates and should make provision for easy and ongoing 24/7 access by rail vehicles, plant, and equipment to support maintenance and emergency activities.*
15. *The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:*
 - *oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;*
 - *acts as the authorised representative of the Applicant; and*
 - *is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.*
16. *Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.*
17. *Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is West_ Interface, and they can be contacted via email on west_Interface@transport.nsw.gov.au.*
18. *Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Manager of NSW) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.*

HMS ID: 9265

Ms Emily Lawson

Planner

Liverpool City Council

450 Hume Highway

Liverpool NSW 2170

Email: lawsone@liverpool.nsw.gov.au

Letter uploaded to the NSW Planning Portal

Address: Heathcote Road and Pleasure Point Road, Lot DP875804 and Lot 2 DP817692, Pleasure Point NSW 2172

Proposal: Concept approval and Stage 1 works comprising a residential subdivision of approximately 380 lots broken into 7 substages, including the construction of internal roads and dedication and embellishment of the environmental corridor on part of Lot 1 DP 875804, and stormwater infrastructure.

Development Application no: DA-441/2024, CNR-75002, A-97279

Received: 26 February 2025

Subject: Advice for Integrated Development Application, *National Parks and Wildlife Act 1974*

Dear Ms Lawson,

Thank you for referring the above integrated development application to our office. We understand that Council is seeking our general terms of approval pursuant to s4.46 of the *Environmental Planning and Assessment Act 1979*.

Documentation provided by the applicant in support of this application states that there are no known Aboriginal objects within the subject land.

It is stated in s.4.46(2)(a) of the *Environmental Planning and Assessment Act 1979* that development is not integrated development in respect of an Aboriginal Heritage Impact Permit under Part 6 of the *National Parks and Wildlife Act 1974* unless an Aboriginal object is known, immediately before the development application is made, to exist on the land to which the development application applies.

Accordingly, our understanding is that since there are no known Aboriginal objects on the subject site, the development is not integrated for the purposes of the *National Parks and Wildlife Act 1974* and we cannot provide general terms of approval.

If Council considers approving the development, Heritage NSW have provided recommended conditions of consent for Aboriginal cultural heritage matters in **Attachment A**.

If you have any questions in relation to this matter, please contact Kosta Contos, Senior Assessments Officer, at Heritage NSW on 9873 8500 or kosta.contos@environment.nsw.gov.au.

Yours sincerely



Kym McNamara
Strategic Manager, Heritage Referrals
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*

14 August 2025

Attachment A - Recommended Conditions of Consent for Lot DP875804 and Lot 2 DP817692, Pleasure Point NSW 2172, Development Application: DA-441/2024, CNR-75002

If Council consider approving the Development Application, Heritage NSW recommend the following conditions to ensure the protection of known Aboriginal sites and ensure that no additional harm is caused should Aboriginal cultural heritage be encountered:

- No Aboriginal objects may be harmed without an approval from Heritage NSW under the *National Parks and Wildlife Act 1974*.
- If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - Not further harm the object(s)
 - Immediately cease all work at the particular location
 - Secure the area so as to avoid further harm to the Aboriginal object(s)
 - Notify NSW Environment Line as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location
 - Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
- If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit must be prepared and submitted to Heritage NSW before work may continue.
- In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.