

Attachment A – Reasons for Refusal

1. The application was unable to be assessed and receive concurrence by the NSW Rural Fire Service under Section 100B of the *Rural Fires Act 1997*, as the applicant has not paid the prescribed fees. In accordance with Part 15, Division 1, Clause 256 of the *Environmental Planning and Assessment Regulation 2021*, the consent authority may refuse to grant development consent where the required fees have not been paid. As such, the application is refused on this basis.
2. The proposed development is inconsistent with the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021. Insufficient information has been submitted to satisfy the consent authority that the land is or will be suitable for the purpose for which the development is to be carried out.
3. The proposed development does not comply with Chapter 6 Water catchments of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The proposed development is considered unacceptable pursuant to Section 4.15(1)(a)(i), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
4. The proposed development does not comply with Chapter 3 - Educational Establishments and Childcare Facilities of State Environment Planning Policy (Transport and Infrastructure) 2021. Insufficient information has been provided to ascertain that the Childcare complies with the requirements under Chapter 3, and therefore it is considered unacceptable pursuant to Section 4.15(1)(a)(i), 4.15(1)(b), and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
5. The proposed development does not comply with Part 4.3 of the Education and Care Services National Regulation 2011. Insufficient information has been provided to determine that the childcare complies with these requirements, and therefore it is considered unacceptable pursuant to Section 4.15(1)(a)(i), 4.15(1)(b), and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
6. The proposed development could not be assessed against Section 100B of the Rural Fires Act 1997, as the NSW Rural Fire Service rejected the referral due to the applicant's failure to pay the required referral fees. As a result, the proposal is considered unacceptable pursuant to Sections 4.15(1)(a)(i), 4.15(1)(b), and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
7. The proposed development does not comply with Clause 5.11 Bushfire Hazard Reduction of State Environmental Planning Policy (Precincts – Western Parkland City) 2021 as the NSW Rural Fire Service rejected the referral due to the applicant's failure to pay the required referral fees. As a result, the proposal is considered unacceptable pursuant to Sections 4.15(1)(a)(i), 4.15(1)(b), and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
8. The proposed development does not achieve satisfactory compliance with Part 4.4 of the Liverpool Growth Centre Precincts Development Control Plan 2021. As a result, the proposal is unacceptable pursuant to Sections 4.15(1)(a)(iii), 4.15(1)(b), and

4.15(1)(c) of the Environmental Planning and Assessment Act 1979, in terms of the following:

- 4.1.2 Cut and Fill
- 4.1.1 Salinity, sodicity and aggressivity
- 4.4.1 Site Coverage
- 4.4.1 Bulk, Scale and Height
- 4.4.3 Car Parking

9. Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the proposed development has not adequately demonstrated the suitability of the site for the development.
10. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposal is not considered to be in the public interest, having regard to the above reasons of refusal.