

# LOCAL PLANNING PANEL AGENDA

26 February 2024

# MATTERS FOR THE LOCAL PLANNING PANEL'S DETERMINATION

**Monday, 26 February 2024**

To be held via  
**MS Teams**  
Commencing at 2:00PM

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Submissions by the applicant and concerned parties will be considered at the meeting. A concerned party is deemed to be a person who has made a written submission in respect to the application. The Panel shall, upon request, hear submissions from persons who identify prior to a meeting that they wish to make a submission to be considered by the Panel. Presentations to the Panel by the applicant and concerned parties shall be restricted to **3 minutes each**. The Panel Chairperson has the discretion to extend the period if considered appropriate.

Should you wish to address the Panel, please advise Amanda Merchant, Panel Support Officer on 8711 7712, by 4pm, 23<sup>rd</sup> February 2024.

For further information relating to the Local Planning Panel please refer to Council's web page:

[Liverpool Local Planning Panel | Liverpool City Council \(nsw.gov.au\)](#)

ITEM No.	SUBJECT	PAGE No.
1	DEVELOPMENT APPLICATION DA-129/2023  CONSTRUCTION OF STORMWATER INFRASTRUCTURE  LOT 4 DP 1249397  LOT 4 CROATIA AVENUE, EDMONDSON PARK NSW 2174	4 - 39

<b>Item Number:</b>	1
<b>Application Number:</b>	DA-129/2023
<b>Proposed Development:</b>	Construction of stormwater infrastructure. The proposed development is Nominated Integrated Development and requires approval from the DPE - Water under the Water Management Act 2000
<b>Property Address</b>	Lot 4 Croatia Avenue, Edmondson Park
<b>Legal Description:</b>	Lot 4 DP1249397
<b>Applicant:</b>	Site Plus Pty Ltd
<b>Land Owner:</b>	Liverpool City Council
<b>Cost of Works:</b>	\$212,822.22
<b>Recommendation:</b>	Approved subject to Deferred Commencement Consent
<b>Assessing Officer:</b>	Margaret Roberts – GAT & Associates

## 1 EXECUTIVE SUMMARY

Council has received a Development Application (DA No. DA-129/2023) seeking consent for the construction of stormwater infrastructure at Lot 4 Croatia Avenue, Edmondson Park. The subject DA was lodged to satisfy Condition No.2 under a previous Development Consent for the site, being DA-279/2020, which was approved for the subdivision of two (2) lots and multi-dwelling housing comprising the staged construction of 30 townhouses and associated visitor car-parking, subdivision, civil works including the construction of two roads (including on an adjoining allotment to the south) for premises known as 50 Croatia Avenue, Edmondson Park. Condition No. 2 of the consent reads:

*2. An easement is to be obtained and registered on title in favour of the development site over Lot 4 DP 1228502 (30 Croatia Avenue) for the works on 30 Croatia Avenue referred to in concept civil works plans prepared by Site Plus, reference number 19172.S34.C01-C13, revision H, dated 14/1/2021 which are excepted from this development consent.*

*The works on 30 Croatia Avenue are to be the subject of any further necessary development consent and/or approval which (if necessary) must be obtained and in force before the consent in Part 2 shall become operative.*

The site is zoned RE1 Public Recreation pursuant to *Liverpool Local Environmental Plan 2008* (LLEP 2008) and the proposed development is permissible with consent.

The proposed development is Nominated Integrated Development and requires approval from the Department of Planning and Environment - Water under the Water Management Act 2000. The development application was advertised between 22 November 2023 and 20 December 2023 in accordance with Community Participation Plan 2022. No submissions were received during the advertising period.

The application is referred to the Liverpool Local Planning Panel (LLPP) in accordance with the *Local Planning Panels Direction – Development Applications and Applications to Modify Development Consent, endorsed by the Minister for Planning and Public Spaces on 30 June 2020*, as the development falls in the categories of:

- *conflict of interest.*

*Development for which the applicant or land owner is:*

*(a) the council*

The subject site is owned by Liverpool City Council and is classified as 'Operational Land' according to Council's mapping system.





The application has been assessed pursuant to the provisions of the Environmental Planning and Assessment (EP&A) Act 1979. Based on the assessment of the application, it is recommended that the application be approved as a Deferred Commencement, subject to the imposition of conditions.

**2. SITE DESCRIPTION AND LOCALITY**

**2.1 The locality**

The area is a newly developed residential area within Edmondson Park and is characterised by low density residential development.

Photos of the site and adjoining properties to the development site are detailed in the following table.

<p>Subject site at Lot 4 Croatia Avenue, Edmondson Park.</p>	
<p>Single storey dwelling located to the south of the site at 50 Croatia Avenue, Edmondson Park.</p>	
<p>Vacant lot located to the north of the site at 30 Kibby Road, Edmondson Park.</p>	
<p>Residential development located opposite to the site.</p>	

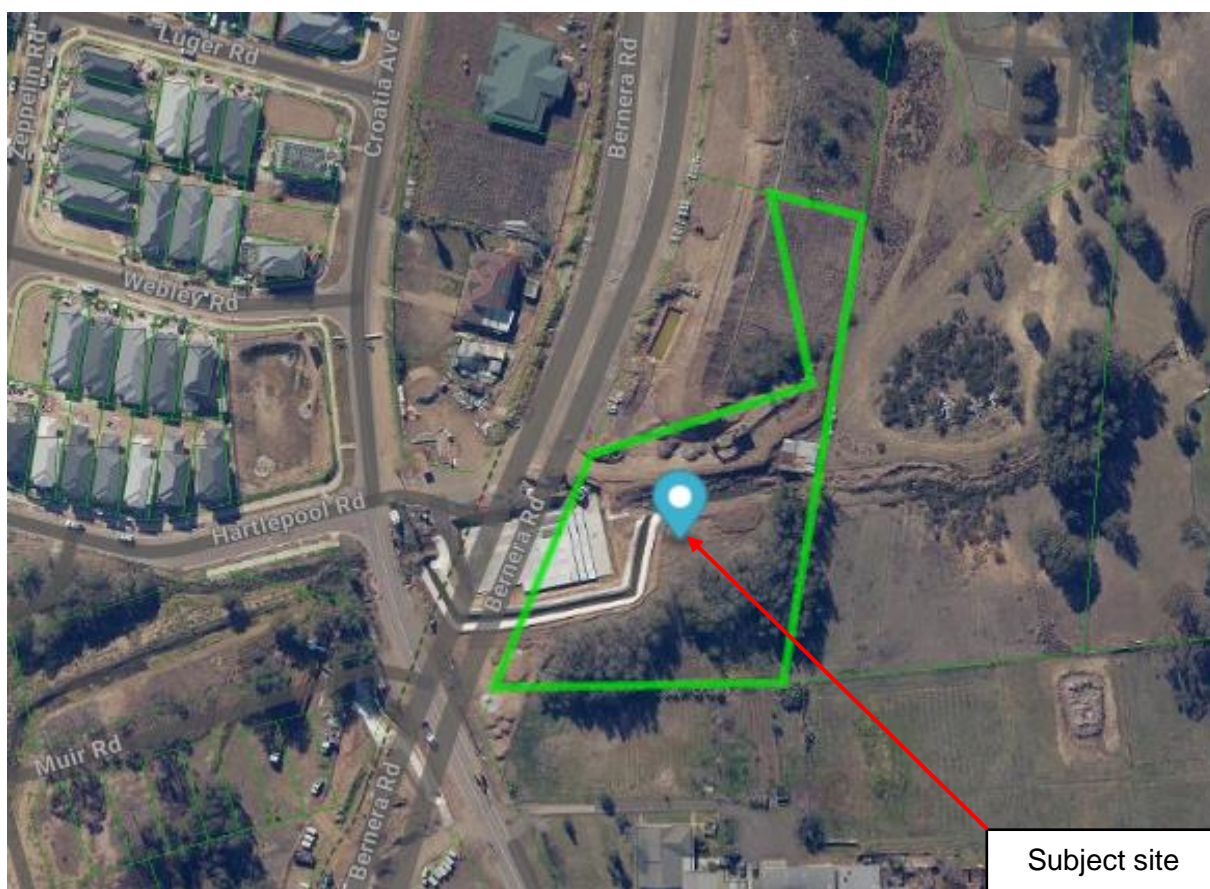


Figure 1: Locality Surrounding the Proposed Development (Source: Mecone Mosaic)

## 2.2 The site

The subject site is legally identified as Lot 4 in DP 1249397 and is commonly known as Lot 4 Croatia Avenue, Edmondson Park. It is irregular in shape with an eastern boundary of 145.405m. The northern and southern boundaries measure 28.19m and 85.995m respectively. The western boundary measures 78.83m before extending to the northeast by 68.295m, and then extends to the northwest by 60.05m to meet the northern boundary.

The site is owned by Liverpool City Council and is classified as 'Operational Land' according to Council's mapping system. Currently, the subject site is vacant with an existing watercourse. The proposed development is Nominated Integrated Development and requires approval from the Department of Planning and Environment - Water under the Water Management Act 2000.



Figure 2: Aerial view of the site (Source: Mecone Mosaic)

### 3. BACKGROUND/HISTORY

The proposal is for the construction of a stormwater drainage system within an easement on Lot 4 in DP 1249397 to benefit Council and Lot 6 DP 1228502, which adjoins the subject site to the south. The subject DA was lodged to satisfy Condition No.2 under a previous Development Consent (DA-279/2020), which was approved for the subdivision of two (2) lots and multi-dwelling housing comprising the staged construction of 30 townhouses and associated visitor car-parking, subdivision, civil works including the construction of two roads (including on an adjoining allotment to the south) for premises known as 50 Croatia Avenue, Edmondson Park. Condition No. 2 of the consent reads:

*2. An easement is to be obtained and registered on title in favour of the development site over Lot 4 DP 1228502 (30 Croatia Avenue) for the works on 30 Croatia Avenue referred to in concept civil works plans prepared by Site Plus, reference number 19172.S34.C01-C13, revision H, dated 14/1/2021 which are excepted from this development consent.*

*The works on 30 Croatia Avenue are to be the subject of any further necessary development consent and/or approval which (if necessary) must be obtained and in force before the consent in Part 2 shall become operative.*



There is a discrepancy between the legal description of the subject land, being Lot 4 DP 1249397, and the land identified in Condition No.2 under Development Consent DA-279/2020, being Lot 4 DP 1228502. A review of the survey plan submitted under DA-279/2020 and title search on NSW Land Registry Services shows that there has been a change in the legal description of the subject land. The land to which this application refers to is the same as the land referred to in Condition No.2 under Development Consent DA-279/2020.

Two modifications to Development Consent DA-279/2020 have been lodged. A history of the modifications is provided below:

<b>DA Number</b>	<b>Date of Lodgment</b>	<b>Proposal</b>
DA-279/2020/A	2 November 2021	<p>Modification of Development Consent DA-279/2020 under Section 4.56 of the Environmental Planning and Assessment Act 1979, by proposing a substation, main switch board, amendments to the internal layout for type A townhouse, amendments to external colours and materials, amendments to balconies to both type A and type B townhouses, minor amendment to relocate waste provision for townhouse 24, minor amendment to relocate rainwater tank, amendment to north-east turning head, revised staging from four (4) stages to three (3) stages and removal of deferred commencement conditions 1, 3 &amp; 4.</p> <p>The modification was approved on 28 June 2023.</p>
DA-279/2020/B	23 February 2023	<p>Modification of development consent by extending the lapsing date by 24 months.</p> <p>The modification was withdrawn on 17 April 2023.</p>
DA-129/2023 (Current DA)	14 March 2023	<p>Construction of stormwater infrastructure at Lot 4 Croatia Avenue, Edmondson Park.</p> <p>The proposed development is Nominated Integrated Development and requires approval from the Department of Planning and Environment - Water under the Water Management Act 2000. The application was advertised between 22 November 2023 and 20 December 2023. No submissions were received during the advertising period.</p>

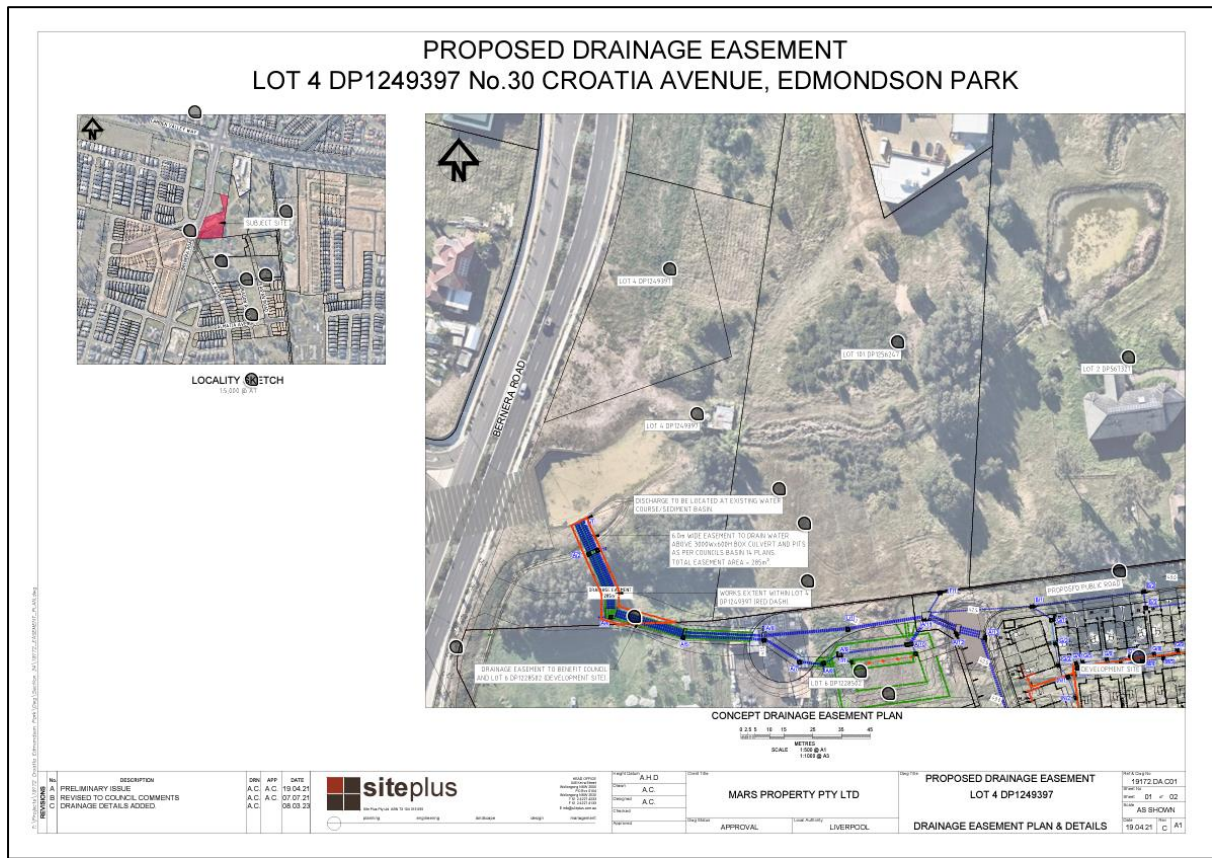
An initial preliminary assessment of the proposal demonstrated that the proposal was satisfactory. The documents submitted along with this application were reviewed by Council’s Engineer, Flooding Section and Property Services Section, who raised no objection, subject to conditions.

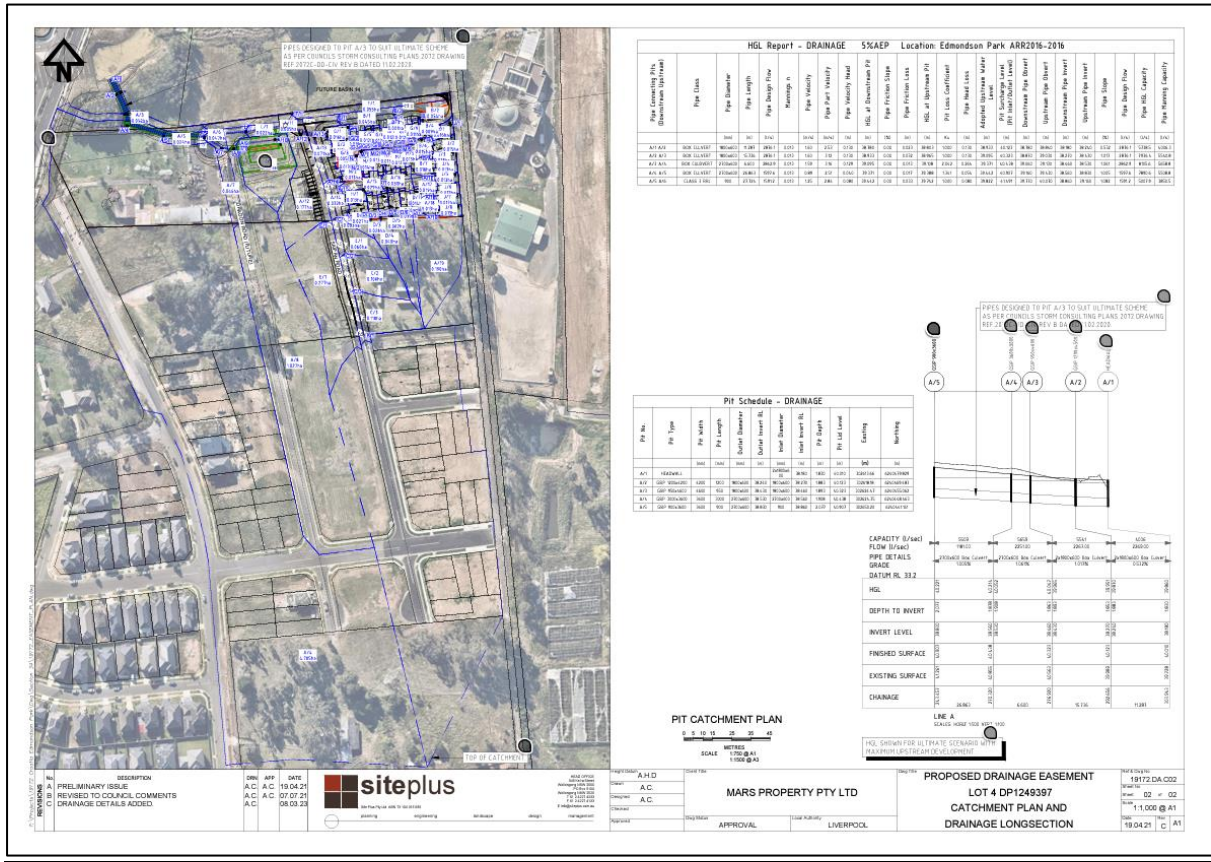
The applicant is to enter into a Deed of Agreement with Council in relation to the creation of the easement prior to the commencement of any construction works on Council land. As such, the proposal is recommended to be approved as a Deferred Commencement, subject to the imposition of conditions.

**4. DETAILS OF THE PROPOSAL**

The development application seeks approval for the ‘*construction of stormwater infrastructure*’

The proposed development is for the construction of four (4) box culverts with a length of 48m and 3 drainage pits to accommodate the upstream catchment. The proposal is Nominated Integrated Development and requires approval from the Department of Planning and Environment - Water under the Water Management Act 2000.





**5. STATUTORY CONSIDERATIONS**

**5.1 Relevant matters for consideration**

The relevant planning instruments/policies applicable to the proposed development are as follows:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Liverpool Local Environmental Plan (LLEP) 2008;
- Liverpool Development Control Plan (LDCP) 2008;
  - Part 1: General Controls for All Development

**6. ASSESSMENT**

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.15 Evaluation of the EP&A 1979 and the Environmental Planning and Assessment Regulation 2021, as follows:

**6.1 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument**

**(a) State Environmental Planning Policy (Resilience and Hazards) 2021**

Pursuant to Clause 4.6 of SEPP (Resilience and Hazards) 2021, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state, or can be remediated to be made suitable for the purposes for which the development is proposed to be carried out.

<b>Clause 4.6 - Contamination and remediation to be considered in determining development application</b>	<b>Comment</b>
(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 is submitted along with the application. The report concluded that the potential for significant contamination of soil and groundwater is low.
(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 land is suitable for the proposed works and it is unlikely that the land is contaminated as per the submitted Preliminary Site Investigation Report.
(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 land does not require remediation.

A Targeted Preliminary Site Investigation Report has been submitted to support the application. The report concludes that the potential for significant contamination of soil and groundwater is low, and that the proposed development is suitable without the need for further investigation or remediation.

Based on the above assessment, the proposal is considered to satisfy the relevant objectives and provisions of Chapter 4 of SEPP (Resilience and Hazards) 2021, therefore, it is considered that the subject site is suitable for the proposed development.

**(b) State Environmental Planning Policy (Biodiversity and Conservation) 2021**

Chapter 2: Vegetation in non-rural areas

Chapter 2 of this policy applies to all non-rural land across the state. The provisions of Chapter 2 aim to protect the biodiversity values of trees and other vegetation in non-rural

areas of the State and preserve the amenity of such areas through the preservation of trees and other vegetation.

A Statement of Vegetation Impact Minimisation is submitted to support the application, outlining the procedures prior to and during the clearing of vegetation, and that a suitably qualified Ecologist will undertake an assessment of vegetation at least seven (7) days prior to the clearing of vegetation. A condition is to be applied to ensure the identification of the species and location of any vegetation growing within the area is done prior to any works commencing.

### Chapter 6: Water Catchments

The subject site is located within the Georges River Catchment area. As such, the provisions of Chapter 6: Water Catchment of the SEPP (Biodiversity and Conservation) 2021 apply to the application. The objectives and provisions of Chapter 6 generally aim to protect the environment of the Georges River Catchment by ensuring that the impacts of future land uses are considered in a regional context.

The DA was referred to Council's Land Development Engineer and Flood Engineer who reviewed the Drainage Easement Plan, Catchment Plan and Drainage Long Section for the proposal. The proposal is supported by Council's Engineer, subject to conditions.

The proposed development is Nominated Integrated Development and requires approval from the Department of Planning and Environment - Water under the Water Management Act 2000. The proposal was referred to the Department on 15 November 2023 and General Terms of Approval were issued on 18 January 2024. The proposal is considered to satisfy Clause 6.7(2)(c) of the SEPP (Biodiversity and Conservation) 2021.

The proposal is considered to be consistent with the provisions of Chapter 6 of SEPP (Biodiversity and Conservation) 2021.

### **(c) State Environmental Planning Policy (Transport and Infrastructure) 2021**

Permissibility of the stormwater management system is provided under the provisions of Clause 2.138 of this SEPP, which specifies that:

#### ***2.138 Development permitted with consent***

*Development for the purpose of a stormwater management system may be carried out by any person with consent on any land.*

In accordance with this SEPP, the proposed stormwater infrastructure works would be defined as a stormwater management system, the definition reads:

**stormwater management system** means—

- (a) works for the collection, detention, harvesting, distribution or discharge of stormwater (such as channels, aqueducts, pipes, drainage works, embankments, detention basins and pumping stations), and
- (b) stormwater quality control systems (such as waste entrapment facilities, artificial wetlands, sediment ponds and riparian management), and
- (c) stormwater reuse schemes.

**(d) Liverpool Local Environmental Plan 2008**

**(i) Zoning**

The subject site is zoned RE1 Public Recreation pursuant to the LLEP 2008. An extract of the zoning map is provided in Figure 3 below.

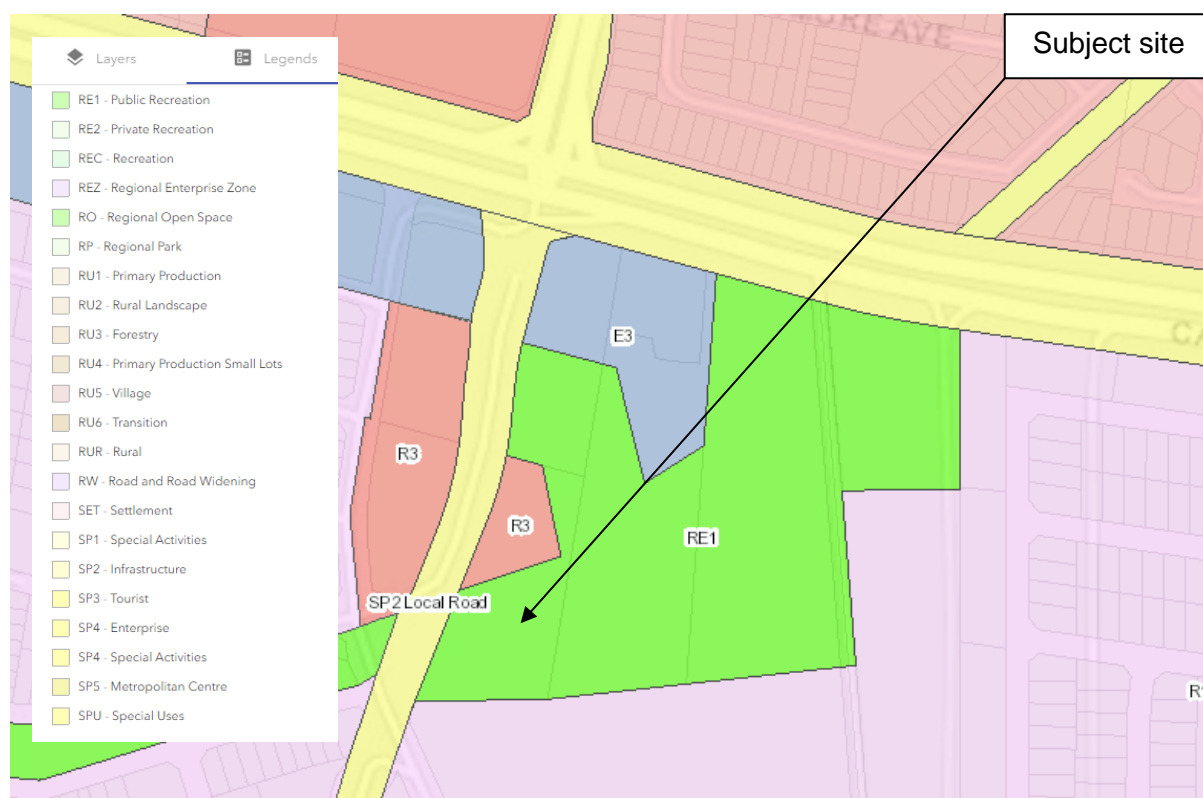


Figure 3: Zoning Map (source: NSW Planning Portal Spatial Viewer)

**(ii) Permissibility**

The subject site is zoned RE1 – Public Recreation. As discussed under the State Environmental Planning Policy (Transport & infrastructure) 2021 section of this report, permissibility for the proposed stormwater works is gained under Clause 2.138 of the State Environmental Planning Policy (Transport & infrastructure) 2021, which specifies that:

**2.138 Development permitted with consent**

*Development for the purpose of a stormwater management system may be carried out by any person with consent on any land.*

In accordance with this SEPP, the proposed stormwater infrastructure works would be defined as a stormwater management system which is defined as:

**stormwater management system means—**

- (a) works for the collection, detention, harvesting, distribution or discharge of stormwater (such as channels, aqueducts, pipes, drainage works, embankments, detention basins and pumping stations), and
- (b) stormwater quality control systems (such as waste entrapment facilities, artificial wetlands, sediment ponds and riparian management), and
- (c) stormwater reuse schemes.

**(iii) Objectives of the zone**

The objectives of the RE1 Public Recreation zone are as follows:

- 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.

The proposal is considered to be consistent with the objectives of the zone in that the proposed stormwater infrastructure will allow for the disposal of stormwater in a suitable manner for the subject land and Lot 6 1228502, which adjoins the site to the south. The proposed works will not compromise the potential for the land to be used for public open space or recreational purposes.

**(iv) Principal Development Standards**

LLEP 2008 contains a number of principal development standards which are relevant to the proposal, as detailed below.

<b>Development Provision</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Comment</b>
<b>Part 4 Principal Development Standards</b>			
2.7 Demolition	The demolition of a building or work may be carried out only with development consent	None proposed	<b>Not applicable</b>
4.1 Minimum subdivision lot size	N/A	N/A	<b>Not applicable</b>
4.3 Height of Buildings	N/A	No built form proposed for this development	<b>Not applicable</b>
4.4 Floor Space Ratio	N/A	No built form proposed for this development	<b>Not applicable</b>

5.11 Bush fire hazard reduction	The site is partially identified as Vegetation Buffer	No built form proposed for this development	<b>Complies</b> No further consideration is required as no built form is proposed within bushfire prone land.
5.21 Flood planning	The site is partially identified as flood prone land	The proposal is for the construction of stormwater drainage infrastructure	<b>Complies</b> The proposal was referred to Council's Flooding Section, who raised no objection subject to conditions.
6.5 Public Utility Infrastructure	Public utility infrastructure must be available	No built form proposed for this development	<b>Not applicable</b>

As demonstrated in the above compliance table, the proposed development is consistent with the provisions of LLEP 2008.

## **6.2 Section 4.15(1)(a)(ii) - Any Draft Environmental Planning Instrument**

There are no draft Environmental Planning Instruments which apply to the development.

## **6.3 Section 4.15(1)(a)(iii) - Any Development Control Plan**

### **(a) Liverpool Development Control Plan (LDCP) 2008**

1. The application has also been assessed against the relevant controls of the LDCP 2008, particularly *Part 1 General Controls for all Development*.

2. The development is found to achieve full compliance with the provisions of the LDCP, as detailed within attachment 2.

## **6.4 Section 4.15(1)(a)(iii) - Planning Agreements**

There are no Planning Agreements which apply to the development.

## **6.5 Section 4.15(1)(a)(iv) - The Regulations**

The proposal complies with the *Environmental Planning and Assessment Regulation 2021*. Accordingly, appropriate conditions of consent will be imposed.



**6.6 Section 4.15(1)(b) - The Likely Impacts of the Development**

**Natural and Built Environment**

The proposed development is unlikely to create a detrimental impact on the natural environment surrounding the subject site, subject to the imposition of appropriate conditions of consent.

The proposed development is unlikely to create any adverse impacts on the surrounding built environment. The proposed development is unlikely to create any detrimental impacts on the adjoining properties or the locality as a whole. The proposed development will assist to facilitate residential development on the adjoining site to the south (Lot 6 DP 1228502) which is consistent with the relevant zoning of that land and the desired future built character of the locality.

**Social Impacts and Economic Impacts**

The proposal will result in a positive economic impact in the locality through the generation of employment opportunities during the construction phase and is unlikely to generate any identifiable detrimental social impacts.

**6.7 Section 4.15(1)(c) - The Suitability of the Site for the Development**

The proposal generally complies with the relevant planning controls and the site is considered to be suitable for the proposed development.

**6.8 Section 4.15(1)(d) - Any submissions made in accordance with the Act or the Regulations**

**(a) Internal Referrals**

The following comments have been received from Council's Internal Departments:

<b>DEPARTMENT</b>	<b>COMMENTS</b>
Development Engineer	Approval subject to conditions of consent
Flooding	Approval subject to conditions of consent
Property Services	Approval subject to conditions of consent

**(b) External Referrals**

<b>DEPARTMENT</b>	<b>COMMENTS</b>
Department of Planning and Environment – Water	The application was referred on 15 November 2023 as the proposed development requires a Controlled Activity approval under the Water Management Act 2000. General Terms of Approval were issued on 18 January 2024.

**(c) Community Consultation**

The proposal was advertised between 22 November 2023 and 20 December 2023 in accordance with the Community Participation Plan 2022, and no submissions were received.

**6.9 Section 4.15(1)(e) - The Public Interest**

The proposed development is considered to be in the public interest.

**7. DEVELOPMENT CONTRIBUTIONS**

N/A

**8. CONCLUSION**

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, and the Environmental Planning Instruments, including the applicable State Environmental Planning Policies, Liverpool LEP 2008, LDCP 2008, and the relevant codes and policies of Council.

The proposed development is unlikely to result in any adverse impact upon neighbouring properties and the locality.

Based on the assessment of the application, it is recommended that the application be approved as a Deferred Commencement, subject to the imposition of conditions.

**9. RECOMMENDATION**

That Development Application DA No. DA-129/2023 seeking consent for the construction of stormwater infrastructure be approved as a Deferred Commencement, subject to conditions of consent.

**ATTACHMENTS**

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1. Conditions of Consent
2. Liverpool Development Control Plan Assessment
3. Architectural Plans

## ATTACHMENT 1 – LIVERPOOL CITY COUNCIL STANDARD CONDITIONS

### ATTACHMENT 1 – DEFERRED COMMENCEMENT

Development consent shall be deferred pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, until the submission to Council of:

- 1) The applicant shall submit valid/updated documentary evidence that the proposed Deeds of Agreement to Grant Easement over Lot 4 DP1249397, Lot 4 Croatia Avenue have been registered on the title of the affected lots for piping and acquisition of a drainage easement over the drainage pipeline proposed in Lot 4 DP 1249397.

**Note: The items raised within Part 1, above, are to be addressed within twenty-four (24) months of the date shown on Council's determination notice. The consent shall become operative once Council has notified the applicant in writing that the evidence submitted in response to the "Deferred Commencement" conditions is acceptable.**

### ATTACHMENT 2 – CONDITIONS OF APPROVAL

**On the submission of the required evidence and on the applicant receiving written notification that Council is satisfied that the matters listed in "Part 1" have been satisfied, then the consent shall become operative subject to compliance with conditions outlined in "Part 2".**

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

#### A. THE DEVELOPMENT

##### Approved Plans

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

Plan Name	Prepared By	Issue	Sheet no.	Job No.	Date
Drainage Easement Plan & Details	Site Plus Pty Ltd	C	19172.DA.C01	--	08.03.2023
Catchment Plan and Drainage Longsection	Site Plus Pty Ltd	C	19172.DA.C02	--	08.03.2023

##### Approved Documents

- a) Statement of Vegetation Impact Minimisation, prepared by Site Plus Pty Ltd, job no. 19172, dated 25 August 2021.

**General Terms of Approval**

2. All General Terms of Approval issued by Department of Planning and Environment - Water, shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated 18.01.2024 (Attachment 3).

**Stormwater Easement Works**

3. The deeds of agreement between the parties for Lot 4 Croatia Avenue and 50 Croatia Avenue, Edmondson Park are to be complied with before, during and after the construction of the proposed development.

**Comply with EP&A Act**

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

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

**National Construction Code**

5. In accordance with section 4.16(11) of the Environmental Planning & Assessment Act 1979 and clause 69 of the Environmental Planning & Assessment Regulation 2021, it is a prescribed condition that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:
  - (a) Complying with the Deemed to Satisfy Provisions; or
  - (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

**Works at no cost to Council**

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

**B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

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

**Design and construction of stormwater infrastructures**

7. The design and construction of stormwater infrastructures including box culverts and pits shall be in accordance with Design of Stormwater Detention Basin 14, Edmondson Park, Rev E dated 06.04.2022 prepared by Storm Consulting.

**S138 Roads Act - Minor Works in the public road**

8. Prior to the issue of a Construction Certificate, a Section 138 Roads Act application/s, including payment of fees, shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to:
- (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings),
  - (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or
  - (c) Road occupancy or road closures.

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

Note: Approvals may also be required from the Transport for NSW for classified roads.

**S68 Local Government Act - Stormwater drainage works**

9. Prior to the issue of a Construction Certificate, the Principal Certifying Authority and/ or Certifying Authority shall ensure that an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council for connection to existing drainage channel.

Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and best engineering practice.

**Construction Certificate**

10. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plan/s prepared by Site plus, reference number 19172, revision C, dated 08.03.2023 and that all construction works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

The construction works may include but are not limited to the following:

- (a) Public and private roads
- (b) Stormwater drainage including water quantity and quality treatment measures
- (c) Interallotment drainage
- (d) Private access driveways
- (e) Sediment and erosion control measures
- (f) Overland flowpaths
- (g) Flood control measures
- (h) Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- (i) Earthworks
- (j) Bridges, culverts, retaining walls and other structures
- (k) Landscaping and embellishment works
- (l) All works required for conversion of the proposed sediment basin to a bio retention function

- (m) All works required for the decommissioning temporary OSD systems including pipe removal, basin filling and works to existing pit structures if required

The Construction Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

#### **Stormwater Concept Plan**

11. A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Site plus, reference number 19172, revision C, dated 08.03.23.
- (a) The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.
  - (b) Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate. The plan shall indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finish surface levels and sizes of all pipes.
  - (c) Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

#### **Dilapidation report**

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

#### **Gross pollutants traps**

13. **Gross pollutants traps** (GPT) are to be provided prior to discharge to Maxwell Tributary Creek in accordance with Council's Construction Specifications. The type and size of GPT unit must be approved by Council prior to its installation.

#### **Fee Payments**

14. Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. The following fees are applicable and payable:
- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
  - (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.

These fees are reviewed annually and will be calculated accordingly.

**Waste management plan - an approved document of this consent**

15. A Waste Management Plan (WMP) is to be submitted to the principal certifying authority for approval prior to the issue of any Construction Certificate. The Waste Management Plan is to be in accordance with the provisions of the Liverpool Development Control Plan and is to include the demolition, construction and post-construction phases of the development.

**C. PRIOR TO WORKS COMMENCING**

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

**Construction Certificates**

16. Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

**Site Notice Board**

17. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work and removed at the completion of work. The sign must state:
- (a) The name, address and telephone number of the principal certifying authority for the work; and
  - (b) The name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - (c) Unauthorised entry to the premises is prohibited.

**Commencement of Building work**

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

**“DIAL BEFORE YOU DIG”**

19. Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the

relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

#### **Sediment & Erosion Control**

20. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".  
The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

#### **Environmental Management**

21. Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum:
- (a) Siltation fencing;
  - (b) Protection of the public stormwater system; and
  - (c) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

#### **Waste Classification and Disposal of Contaminated Soil and Material**

22. All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, in particular the NSW EPA Waste Classification Guidelines, prior to off-site disposal.

All Waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to the Principal Certifying Authority within 30 days of the waste being disposed of.

All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage, and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

#### **Site Facilities**

23. Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:
- (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
  - (c) be a temporary chemical closet approved under the Local Government Act 1993.



## **D. DURING CONSTRUCTION**

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

### **Construction Requirements**

24. The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

### **Hours of Construction Work and Deliveries**

25. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

### **Construction Noise and Vibration**

26. Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).

### **Implementation of the site management plans**

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

### **Drainage Connection**

28. Prior to the connection of private drainage to Council's drainage system, an inspection is to be carried out by Liverpool City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges, and is to be paid prior to the inspection.

### **Environmental Controls**

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

30. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
31. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days.
32. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.

#### **Toilet Facilities**

33. Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:
  - (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
  - (c) be a temporary chemical closet approved under the Local Government Act 1993.

#### **Security Fence**

34. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.

Note: Fencing is not to be located on Council's reserve area.

#### **Refuse Disposal**

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

#### **Craning and Hoardings**

36. If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works.

#### **General Site Works – Surface Contours**

37. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

#### **Removal of dangerous and/or hazardous waste**

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

**Discovery of relics and Aboriginal objects**

39. While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:

- a) the work in the area of the discovery must cease immediately;
- b) the following must be notified
  - i. for a relic – the Heritage Council; or
  - ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- i. for a relic – the Heritage Council; or
- ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

**Vegetation - Existing Vegetation**

40. All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This Protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.

**Air Quality**

- 41. Dust screens shall be erected and maintained in good repair around the perimeter of the area being remediated for the duration of works and until such time as dust nuisance is unlikely.
- 42. During construction where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, the consent holder is to ensure dust is suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifying Authority may direct that such work is not to proceed.
- 43. The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent.
- 44. Measures must be implemented to prevent tracking of sediment by vehicles onto roads.

Vehicle loads must be covered when entering and exiting the site with material.

**Water Quality**

45. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.

**Pollution Control**

46. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.
47. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
48. During construction, building operations including but not limited to brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like must not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.
49. The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent.

Measures must be implemented to prevent tracking of sediment by vehicles onto roads.

Vehicle loads must be covered when entering and exiting the site with material.

**Earthworks**

50. All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works. The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

**E. PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE**

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

**Certificates**

51. Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.
52. The Principal Certifying Authority shall ensure that all compliance certificates required by this development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.

**Dilapidation**

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

## G. ADVISORY

- a) Sections 8.2, 8.3, 8.4 & 8.5 of the Environmental Planning and Assessment Act 1979 allow you to request the consent authority to review this determination notice if you are dissatisfied with it or the conditions contained within this determination notice. This right must be exercised within six (6) months from the date of this notice with the appropriate fee.
- b) Under Sections 8.7 & 8.10 of the Environmental Planning and Assessment Act 1979 applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice of determination.
- c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- d) To confirm the date upon which this consent becomes effective, refer to Section 4.20 of the Environmental Planning and Assessment Act, 1979. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- e) To confirm the likelihood of consent lapsing, refer to Section 4.53 of the Act. Generally consent lapses if the development is not commenced within five years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- f) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the applicant should investigate their liability under the Act.
- g) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- h) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)  

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.
- i) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability

for damage occurring to any construction of any type affected by soil and or ground water Salinity.

- j) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.
- k) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- l) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

## ATTACHMENT 3 – DEPARTMENT OF PLANNING AND ENVIRONMENT - GENERAL TERMS OF APPROVAL

### Department of Planning and Environment



Contact: Department of Planning and Environment-Water  
Phone: 1300081047  
Email: [waterlicensing.servicedesk@dpie.nsw.gov.au](mailto:waterlicensing.servicedesk@dpie.nsw.gov.au)

Our ref: IDAS-2023-10754  
Your ref: DA-129/2023

18 January 2024

The General Manager  
LIVERPOOL CITY COUNCIL  
33 MOORE STREET LIVERPOOL 2170

Attention: Eunice Pedrosa

Uploaded to the ePlanning Portal

Dear Sir/Madam

**Re:** IDAS-2023-10754 - Integrated Development Referral – General Terms of Approval  
**Dev Ref:** DA-129/2023  
**Description:** Installation of Drainage infrastructure including drainage pits and box culverts. Including the registration of a drainage easement.  
**Location:** Lot 4, DP1249397, CROATIA AVENUE EDMONDSON PARK 2174

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



**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

<b>Reference Number:</b>	IDAS-2023-10754
<b>Issue date of GTA:</b>	18 January 2024
<b>Type of Approval:</b>	Controlled Activity
<b>Location of work/activity:</b>	Lot 4, DP1249397, CROATIA AVENUE EDMONDSON PARK 2174
<b>Waterfront Land:</b>	Soldiers Creek
<b>DA Number:</b>	DA-129/2023
<b>LGA:</b>	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
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- |                |  |
|----------------|--|
| <b>TC-G001</b> | 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.   |
| <b>TC-G004</b> | <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-129/2023 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>  |
| <b>TC-G005</b> | <p>A. The application for a controlled activity approval must include the following plan(s):</p> <ul style="list-style-type: none"> <li>• Erosion and sediment control plans</li> <li>• Construction detailed drainage plans</li> <li>• Construction stormwater drainage outlet plan</li> </ul> <p>B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website <a href="https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines">https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines</a></p> |



## 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-2023-10754 as provided by Council:

- Easement Plan D, prepared by Site Plus, dated 17.01.24
- Statement of Environmental Effects Letter, prepared by Site Plus, dated 23.01.23
- Statement of Vegetation Impact Minimisation Letter, prepared by Site Plus, dated 25.08.21

**ATTACHMENT 2: LIVERPOOL DEVELOPMENT CONTROL PLAN****ASSESSMENT Liverpool Development Control Plan (LDCP) 2008**

The application has also been assessed against the relevant controls of the LDCP 2008, particularly *Part 1 General Controls for all Development*.

<b>LDCP 2008 Part 1: General Controls for All Development</b>			
<b>Development Control</b>	<b>Required</b>	<b>Provided</b>	<b>Complies</b>
2. Tree Preservation	Consider the impact of development on existing vegetation	A statement of Vegetation Impact Minimisation is submitted to support the application, outlining vegetation retention and clearing procedures. A site inspection revealed that there are no significant trees within the site.	Complies
3. Landscaping and Incorporation of Existing Trees	Incorporation of existing trees into development where appropriate	A statement of Vegetation Impact Minimisation is submitted to support the application, outlining vegetation retention and clearing procedures. A site inspection revealed that there are no significant trees within the site.	Complies
4. Bushland and Fauna Habitat Preservation	Consider the impact of development on bushland and habitats	Not Applicable	N/A
5. Bush Fire Risk	Land on or adjacent to bushfire-prone land to comply with RFS requirements	No further consideration is required as no built form is proposed for this development.	Complies
6. WaterCycle Management	Stormwater runoff shall be connected to Council's drainage system by gravity means. A stormwater drainage concept plan is to be submitted.	The proposal was referred to Council's Land Development Engineers who has recommended conditions of consent.	Complies
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 proposed development is Nominated Integrated Development and requires approval from the Department of Planning and Environment – Water under the Water Management Act 2000. The proposal was referred to the Department on 15 November 2023 and General Terms of Approval were issued on 18 January 2024.	Complies

LDCP 2008 Part 1: General Controls for All Development			
Development Control	Required	Provided	Complies
8. Erosion and Sediment Control	A Sediment Control Plan or Soil and Water Management Plan is required	No Sediment and Erosion control plan was submitted with the application. The Statement of Vegetation Impact Minimisation states that erosion and sediment controls will be in place as required during the vegetation clearing stage. Conditions of consent will be imposed to ensure that erosion and sediment control measures are implemented during the construction of the development.	Complies with conditions
9. Flooding Risk	Provisions relating to development on flood prone land.	The property is mapped within a flood planning area. The proposal was referred to Council's Flooding Section who raised no concerns, subject to conditions.	Complies
10. Contaminated Land Risk	Previous use to be considered in assessing risk	A Targeted Preliminary Site Investigation Report has been submitted to support the application. The report concludes that the potential for significant contamination of soil and groundwater is low, and that the proposed development is suitable without the need for further investigation or remediation.	Complies
11. Salinity Risk	Salinity Management response required for affected properties	The subject site is not affected by saline soil. Appropriate conditions of consent are proposed to address this.	Complies with Condition
12. Acid Sulphate Soils	Affected properties to consider the impact of development on soils	Not Applicable	N/A
13. Weeds	Noxious weeds are to be removed as part of development where applicable	Not Applicable	N/A
14. Demolition of Existing Development	Provisions relating to demolition works	The site is currently vacant with no structures. No demolition work is proposed.	N/A
15. On Site Sewage Disposal	Provisions relating to OSMS.	OSMS is not proposed. No further consideration is required as no built form is proposed.	N/A

<b>LDCP 2008 Part 1: General Controls for All Development</b>			
<b>Development Control</b>	<b>Required</b>	<b>Provided</b>	<b>Complies</b>
16. & 17. Aboriginal Archaeology	An initial investigation must be carried out to determine if the proposed development or activity occurs on land potentially containing an item of Aboriginal archaeology.	The property is not associated with items of Aboriginal archaeology or heritage items, and it is unlikely that it would contain Aboriginal archaeology.	N/A
19. Used Clothing Bins	Provisions relating to used clothing bins.	The DA does not propose used clothing bins	N/A
20. Car Parking and Access	N/A	N/A	N/A
21. Subdivision of Land and Buildings	N/A	N/A	N/A
22. Energy Conservation	New dwellings, including multi-unit development within a mixed-use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX). A complying BASIX report is to be submitted with all development applications containing residential activities.	No dwellings are proposed for this development.	N/A
23. Reflectivity	Provisions relating to the use of reflective materials on the exterior of buildings.	No built form is proposed for this development.	N/A
25. Waste Disposal and Re-use Facilities	Waste Management Plan shall be submitted for demolition, construction and ongoing waste management.	No waste management plan has been submitted along with this application. Conditions regarding the construction phase are to be included in the consent.	Complies by conditions

### ATTACHMENT 3 – ARCHITECTURAL PLANS

**PROPOSED DRAINAGE EASEMENT**  
**LOT 4 DP1249397 No. 30 CROATIA AVENUE, EDMONDSON PARK**

<p>REVISIONS</p> <p>NO. DESCRIPTION</p> <p>1. INITIAL DESIGN</p> <p>2. PRELIMINARY DESIGN</p> <p>3. PRELIMINARY DESIGN COMMENTS</p> <p>4. PRELIMINARY DESIGN COMMENTS</p> <p>5. PRELIMINARY DESIGN COMMENTS</p>	<p>DATE</p> <p>1. 01/01/23</p> <p>2. 01/01/23</p> <p>3. 01/01/23</p> <p>4. 01/01/23</p> <p>5. 01/01/23</p>	<p>BY</p> <p>1. [Signature]</p> <p>2. [Signature]</p> <p>3. [Signature]</p> <p>4. [Signature]</p> <p>5. [Signature]</p>	<p>CHKD BY</p> <p>1. [Signature]</p> <p>2. [Signature]</p> <p>3. [Signature]</p> <p>4. [Signature]</p> <p>5. [Signature]</p>
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**siteplus**  
 100 Years of Service  
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PROJECT: PROPOSED DRAINAGE EASEMENT  
 CLIENT: MARS PROPERTY PTY LTD  
 ADDRESS: LOT 4 DP1249397  
 DRAWING: DRAINAGE EASEMENT PLAN & DETAILS

DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 DATE: 01/01/23

