

# ATTACHMENT BOOKLET

LOCAL PLANNING PANEL MEETING  
24 FEBRUARY 2025

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### NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

<b>Application number</b>	DA-51/2024 PAN-400856
<b>Applicant</b>	PLANZONE PTY LTD PO BOX 3 LIVERPOOL NSW 1871
<b>Description of development</b>	seeking consent for the conversion of existing dwelling house into 119 children childcare Centre and car park with associated excavation, earthworks, stormwater, and landscaping works at 14 Horningsea Park Drive, Horningsea Park.
<b>Property</b>	HORNINGSEA PARK HOUSE 14 HORNINGSEA PARK DRIVE HORNINGSEA PARK NSW 2171 LOT 1 DP 1018964
<b>Determination:</b>	<TBC> Consent Authority - Local Planning Panel
<b>Date of determination</b>	24/02/2025
<b>Date from which the consent operates</b>	24/02/2025
<b>Date on which the consent lapses</b>	24/02/2030
<b>Approval bodies that have given general terms of approval</b>	Heritage Act 1977

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of approved consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

#### Reasons for approval

This Development Application be **APPROVED** pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent.

#### Right of appeal / review of determination

If you are dissatisfied with this determination:

#### Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

#### Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this consent.

ITEM 01            DA-51/2024 - HORNINGSEA PARK HOUSE, 14 HORNINGSEA PARK DRIVE, HORNINGSEA  
                      PARK NSW 2171  
*Attachment 1*    Conditions of Consent (draft)

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<Signature Required>

**Manager of Development Assessment**  
Person on behalf of the consent authority

For further information, please contact Ben Paterson / Development Assessment Planner

**Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

**General Conditions**

<b>1. (A950) Materials, Finishes and Colours</b>				
The development approved by this consent is to be constructed in accordance with the materials, finishes and colours indicated on the photomontage and the external material and finishes schedule submitted with the application. The certifying authority shall ensure approved materials and finishes are shown on plans accompanying the construction certificate application.				
<b>Condition reason:</b> To ensure fairness, transparency and probity.				
<b>2. (A002) Approved plans and supporting documentation</b>				
Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
Approved plans				
Plan number	Revision number	Plan title	Drawn by	Date of plan
A005	A	SITE PLAN - DEMOLITION	SQC GROUP	29.10.24
A010	A	SITE PLAN - PROPOSED	SQC GROUP	29.10.24
-	-	SITE PLAN - COUNCIL MARKUP	-	17.01.25
A011	A	SITE PLAN - EROSION AND SEDIMENT CONTROL AND WASTE MANAGEMENT PLAN	SQC GROUP	29.10.24
A040	A	SITE DETAILS - FENCE PLAN	SQC GROUP	29.10.24
A110	A	DEMOLITION PLAN - GROUND FLOOR	SQC GROUP	29.10.24
A111	A	DEMOLITION PLAN - FIRST FLOOR	SQC GROUP	29.10.24
A120	J	GENERAL ARRANGEMENT PLAN - GROUND FLOOR	SQC GROUP	29.10.24
A121	C	GENERAL ARRANGEMENT PLAN - FIRST FLOOR	SQC GROUP	29.10.24
A160	A	ROOF PLAN	SQC GROUP	29.10.24
A210	B	ELEVATIONS & EXTERNAL FINISHES SCHEDULE	SQC GROUP	29.10.24
A211	B	ELEVATIONS & EXTERNAL FINISHES SCHEDULE	SQC GROUP	29.10.24
A212	B	COURTYARD ELEVATIONS & EXTERNAL FINISHES SCHEDULE	SQC GROUP	29.10.24
A300	A	SITE SECTIONS	SQC GROUP	29.10.24
A480	A	COMMERCIAL KITCHEN	SQC GROUP	29.10.24
A500	A	CONSTRUCTION DETAILS - POD	SQC GROUP	29.10.24
A502	A	FENCE DETAIL	SQC GROUP	29.10.24

L_P_01.13A	13A	LANDSCAPE PLAN	Annabel Doone Murray	08.11.2024
L_IPS_01.13A	13A	INDICATIVE PLANTING SCHEDULE 1	Annabel Doone Murray	05.11.2024
L_IPS_02.03	03	INDICATIVE PLANTING SCHEDULE 2 - DDAR	Annabel Doone Murray	29.10.2024
L_D01.13	13	INDICATIVE PLANTING DETAIL	Annabel Doone Murray	29.10.2024
L_D02.03A	03A	INDICATIVE PLANTING DETAIL	Annabel Doone Murray	05.11.2024
L_D03.05A	05A	INDICATIVE PERMEABLE RESIN BOUND GRAVEL DETAIL	Annabel Doone Murray	05.11.2024
L_SI_01.06	05	INDICATIVE SIGNAGE & INTERPRETATION	Annabel Doone Murray	29.10.2024
L_LM_01.01	5	LANDSCAPE MAINTENANCE	Annabel Doone Murray	29.10.2024
L_MS01.13	13	LANDSCAPE - MATERIALS SELECTION	Annabel Doone Murray	29.10.2024

Approved documents			
Document title	Version number	Prepared by	Date of document
Aboriginal Heritage Due Diligence Assessment Report	A	Danny O'Brien	7/8/24
Access Review	Final Plan	Access Right	25.10.24
Acoustic Assessment	Rev 5	Sound Acoustic Consultants	29/10/2024
Arboricultural Impact Assessment Report	1.1	Arborist Network	29 October 2024
Archaeological Assessment	DRAFT	Heritage Now	18/06/2024
Conservation Management Plan	D	Howard Tanner	22.08.2024
Demolition Statement	2.0	PLANZONE	29 October 2024
Evacuation Diagram	-	Workplace Emergency Management	October 2024
Heritage Interpretation Strategy	v03	H Tanner & A Murray	29.10.2024
NCC 2022 Assessment Report	1	Vast Consulting	01.08.2023
Noise Management Plan	-	Sound Acoustic Consultants	22/10/2024
Plan of Management	-	Sarah George Consulting	November 2024
Stage 1 Preliminary and Stage 2 Detailed Site Investigation	v1f	Sydney Environmental Group	19 December 2023
Traffic Impact Assessment	3.0	Fernway Engineering	October 2024
Waste Management Plan	2.0	PLANZONE	29/10/2024

In the event of any inconsistency between the approved plans and documents, the approved **Plans**

	<p>prevail.</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p><b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>
3.	<p><b>(A015) General Terms of Approval</b></p> <p>All General Terms of Approval issued by Heritage Council of NSW, shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated 6 December 2024. A copy of the General Terms of Approval are attached to this decision notice.</p> <p><b>Condition reason:</b> To ensure General Terms of Approvals are fulfilled in accordance with the relevant agency requirements.</p>
4.	<p><b>(A025) Comply with EP&amp;A Act</b></p> <p>The requirements and provisions of the Environmental Planning &amp; Assessment Act 1979 and Environmental Planning &amp; Assessment Regulation 2021, must be fully complied with at all times.</p> <p>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.</p> <p><b>Condition reason:</b> This condition is imposed to ensure compliance with legislative requirements.</p>
5.	<p><b>(A032) Shoring and adequacy of adjoining property</b></p> <ol style="list-style-type: none"> <li>1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.</li> <li>2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense— <ol style="list-style-type: none"> <li>1. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and</li> <li>2. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.</li> </ol> </li> <li>3. This section does not apply if— <ol style="list-style-type: none"> <li>1. the person having the benefit of the development consent owns the adjoining land, or</li> <li>2. the owner of the adjoining land gives written consent to the condition not applying.</li> </ol> </li> </ol> <p><b>Condition reason:</b> Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.</p>
6.	<p><b>(A040) Compliance with the Building Code of Australia</b></p> <ol style="list-style-type: none"> <li>1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the <i>Building Code of Australia</i>.</li> <li>2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the <i>Home Building Act 1989</i>, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.</li> <li>3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the <i>Building Code of Australia</i>.</li> <li>4. In subsection (1), a reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.</li> <li>5. In subsection (3), a reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.</li> <li>6. This section does not apply— <ol style="list-style-type: none"> <li>1. to the extent to which an exemption from a provision of the <i>Building Code of Australia</i> or a fire safety standard is in force under the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>, or</li> <li>2. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.</li> </ol> </li> </ol>

	<b>Condition reason:</b> Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.
7.	<b>(A050) Works at no cost to Council</b>
	All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
8.	<b>(A060) Erection of signs</b>
	<ol style="list-style-type: none"> <li>1. This section applies to a development consent for development involving building work, subdivision work or demolition work.</li> <li>2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— <ol style="list-style-type: none"> <li>1. showing the name, address and telephone number of the principal certifier for the work, and</li> <li>2. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and</li> <li>3. stating that unauthorised entry to the work site is prohibited.</li> </ol> </li> <li>3. The sign must be— <ol style="list-style-type: none"> <li>1. maintained while the building work, subdivision work or demolition work is being carried out, and</li> <li>2. removed when the work has been completed.</li> </ol> </li> <li>4. This section does not apply in relation to— <ol style="list-style-type: none"> <li>1. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or</li> <li>2. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</li> </ol> </li> </ol>
	<b>Condition reason:</b> Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
9.	<b>(A130) Council Wastewater Requirements</b>
	The development must provide for a physical sewerage connection to each created allotment to enable the method of sewage disposal by gravity reticulation mains to either, Sydney Water branch and trunk sewers or Sydney Water point of treatment. Liverpool City Council will not accept any temporary facilities to service the site, including pump-out sewage systems.
	<b>Condition reason:</b> To promote orderly development supported by adequate infrastructure.

**Building Work  
Before Issue of a Construction Certificate**

10.	<p><b>(B008) Housing and Productivity Contribution</b></p> <p>Before the issue of a <b>Construction Certificate</b>, the housing and productivity contribution (HPC) set out in the table below is required to be made.</p> <table border="1"> <thead> <tr> <th>Housing and productivity contribution</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Housing and productivity contribution (base component)</td> <td>\$30 per square metre of new GFA</td> </tr> <tr> <td>Strategic Biodiversity Component</td> <td>-</td> </tr> <tr> <td><b>Total housing and productivity contribution</b></td> <td><b>\$29,809.51</b></td> </tr> </tbody> </table> <p>The HPC must be paid using the NSW planning portal.</p> <p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$30 per square metre of new GFA	Strategic Biodiversity Component	-	<b>Total housing and productivity contribution</b>	<b>\$29,809.51</b>
Housing and productivity contribution	Amount								
Housing and productivity contribution (base component)	\$30 per square metre of new GFA								
Strategic Biodiversity Component	-								
<b>Total housing and productivity contribution</b>	<b>\$29,809.51</b>								
11.	<p><b>(B010) Design amendments</b></p> <p>Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:</p> <ol style="list-style-type: none"> <li>1. A pedestrian path alongside the northern driveway connecting Horningsea Park Drive footpath to the internal car park walkway.</li> </ol> <p><b>Condition reason:</b> To require minor amendments to the plans endorsed by the consent authority following assessment of the development.</p>								
12.	<p><b>(B017) Provision of detailed plans for construction certificate application</b></p> <p>Before the issue of a construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent.</p> <p>Detailed plans must also show the following:</p> <ol style="list-style-type: none"> <li>1. Signage location and structures</li> </ol> <p>Signage must be consistent with the approved Indicative Signage &amp; Interpretation, prepared by Annabel Doone Murray, Rev 05, dated 29.10.2024.</p> <p><b>Condition reason:</b> To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation</p>								
13.	<p><b>(B020) Equal access to the premises</b></p> <p>Before the issue of a construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier.</p> <p><b>Condition reason:</b> To ensure safe and easy access to the premises for people with a disability</p>								
14.	<p><b>(B048) A • Provision of Services • Street Lighting</b></p>								

	<p>The applicant/developer shall engage the services of an Endeavour Energy accredited ASP Level 3 service provider who shall request Council's Transport Management Team's endorsement of a Public Street Lighting Design Brief.</p> <p>The consultant is to lodge Endorsement of Public Lighting Design Application Form. The application is available on Council website and should be lodged online.</p> <p>Once endorsed, the Designer is to carry out assessment of the existing street lighting and carry out a street lighting improvement design. This is to be submitted to and approved by Endeavour Energy.</p> <p>The upgrade may include undergrounding of existing aerial power lines, communication cables and replacement of existing street light poles with Endeavour Energy approved Macarthur Poles as specified by Council in the public lighting design brief.</p> <p><b>Condition reason:</b> To ensure adequate street lighting is provided for the development.</p>
15.	<p><b>(B054) Retaining Walls on Boundary</b></p> <p>All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.</p> <p>Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
16.	<p><b>(B055) S138 Roads Act • roadworks requiring approval of civil drawings</b></p> <p>Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of stormwater connection to existing kerb inlet pit in Horningsea Park Drive.</p> <p>Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.</p> <p>Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
17.	<p><b>(B075) Fee Payments</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.</li> <li>(c) Long Service Levy – based on 0.25% of the cost of building work where the costing of the CC is \$250,000 or more.</li> </ul> <p>These fees are reviewed annually and will be calculated accordingly.</p> <p><b>Condition reason:</b> To ensure statutory or associated fees are paid prior to construction commencing.</p>
18.	<p><b>(B081) Site Development Work</b></p> <p>Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a CC has been issued.</p> <p><b>Condition reason:</b> To prevent unauthorised commencement of building works.</p>

19.	<b>(B112) Notification</b>
	In the event that Council is not the Principal Certifier (PC), the PC must advise Council, in writing of:
	(a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
	(b) The name and permit of the owner-builder who intends to do the work.
	If these arrangements are changed, or if a contact is entered into for the work to be done by a different licensee, Council must be immediately informed.
	<b>Condition reason:</b> To advise Council of the details of licensed contractors or owner-builder for the approved development.
20.	<b>(B116) Products banned under the Building Products (Safety) Act 2017</b>
	No building products that are banned, or products that are subject to a ban if used in a particular way under the Building Products (Safety) Act 2017 are to be used in the construction of the development.
	<b>Condition reason:</b> To ensure no banned products are used for a building's external cladding.
21.	<b>(B120) Cladding</b>
	Prior to issue of a construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2G2 of BCA Volume 1 for all products/systems proposed.
	<b>Condition reason:</b> To ensure that the external cladding installed on a building is compliant.
22.	<b>(B135) Provision of Services • Sydney Water</b>
	Prior to the issue of a Construction Certificate, an application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, is to be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a> , or telephone 13 20 92.
	Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA, prior to the issue of a Subdivision Works Certificate.
	The Principal Certifier shall be satisfied that service delivery to John Edmondson High School is not affected. If upgrades are required, they will be at the expense of the developer.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
23.	<b>(B136) Provision of Services • Endeavour Energy</b>
	Prior to the issue of a Construction Certificate, a written clearance from Endeavour Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development must be submitted to the Principal Certifier.
	The written clearance letter must confirm that service delivery to John Edmondson High School is not affected. If upgrades are required, they will be at the expense of the developer.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
24.	<b>(B137) Provision of Services • Telecommunications</b>

	<p>Prior to the issue of a Construction Certificate, the Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997:</p> <ol style="list-style-type: none"> <li>1. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and</li> <li>2. For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.</li> </ol> <p>Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.</p> <p>The Principal Certifier shall be satisfied that service delivery to John Edmondson High School is not affected. If upgrades are required, they will be at the expense of the developer.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
25.	<p><b>(B149) S138 Roads Act • Minor Works in the public road</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>(a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings),</li> <li>(b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or</li> <li>(c) Road occupancy or road closures.</li> </ol> <p>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.</p> <p>Note: Approvals may also be required from the Transport for NSW for classified roads.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
26.	<p><b>(B156) Waste Storage Room</b></p> <p>Prior to the issuing of a construction certificate, the principal certifier shall be satisfied that the designated garbage/waste storage area shall comply with the following requirements:</p> <ol style="list-style-type: none"> <li>1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls covered to the floor;</li> <li>2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and</li> <li>3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation.</li> </ol> <p>Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction standards for waste storage areas.</p> <p><b>Condition reason:</b> To ensure compliance with construction requirements and to mitigate risks to human health and the environment.</p>
27.	<p><b>(B162) Recommendations of Acoustic Report</b></p> <p>Before the issue of a construction certificate, the certifier must be satisfied that the recommendations provided in the approved acoustic report are implemented and incorporated into the design and construction of the development, and shown on plans accompanying the construction certificate application.</p> <p>The construction methodology and plans accompanying the construction certificate application must be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. The written certification from the suitably qualified acoustic consultant must be submitted to and approved by the certifier before issue of the construction certificate.</p> <p>Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.</p>

	<b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.
28.	<b>(B165) Tree protection measures</b>
	Tree protection measures are to be put in place in accordance with the recommendations of the arborist report provided.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
29.	<b>(B166) Landscape Plan</b>
	Amended detailed landscape plan prepared by a suitably qualified person is to be submitted to the Principle Certifier prior to the issue of any Construction Certificate. The detailed landscape plan is to incorporate the following:
	<ol style="list-style-type: none"> <li>1. Illustrate the AC Unit adjacent to the Preschool 02 Room, and demonstrate how it will be visual screened with vegetation.</li> <li>2. A pedestrian path alongside the northern driveway connecting Horningsea Park Drive footpath to the internal car park walkway.</li> </ol>
	<b>Condition reason:</b> To help create a functional and pleasant private open space.
30.	<b>(B355) Food Premises • Construction</b>
	Before the issue of a construction certificate, the certifier must be satisfied the relevant construction certificate plans demonstrate that the fit-out and construction of the premises complies with the following requirements:
	<ul style="list-style-type: none"> <li>• Building Code of Australia</li> <li>• AS4674-2004 – Design, construction and fit-out of food premises</li> <li>• Australia New Zealand Food Standards Code, and</li> <li>• Australian Standard 1668 (Part 1 &amp; 2).</li> <li>• Sydney Water Trade Waste requirements.</li> </ul>
	<b>Condition reason:</b> To mitigate public health risks and ensure compliance with relevant legislative requirements.
31.	<b>(B360) Construction Environmental Management Plan (CEMP)</b>
	Prior to issue of a construction certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Principal Certifying Authority for approval. The environmental site management measures must remain in place and be maintained throughout the period of the development. The CEMP must address all environmental aspects of the development's construction phases, and include (where relevant), but not be limited to, the following:
	<ol style="list-style-type: none"> <li>1. Asbestos Management Plan;</li> <li>2. Project Contact Information;</li> <li>3. Site Security Details;</li> <li>4. Timing and Sequencing Information;</li> <li>5. Site Soil and Water Management Plan;</li> <li>6. Noise and Vibration Control Plan;</li> <li>7. Dust Control Plan;</li> <li>8. Air Monitoring;</li> <li>9. Odour Control Plan;</li> <li>10. Health and Safety Plan;</li> <li>11. Waste Management Plan;</li> <li>12. Incident management Contingency; and</li> <li>13. Unexpected Finds Protocol.</li> </ol>
	The CEMP must address the neighbouring John Edmondson High School as a sensitive receiver.
	The CEMP must be kept on site for the duration of the works and must be made available to Council Officers upon request
	<b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
32.	<b>(B361) Construction Site Management Plan</b>

	<p>Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the principal certifier. The plan must include the following matters:</p> <ol style="list-style-type: none"> <li>1. The location and materials for protective fencing and hoardings on the perimeter of the site;</li> <li>2. Provisions for public safety;</li> <li>3. Pedestrian and vehicular site access points and construction activity zones;</li> <li>4. Details of construction traffic management including: <ul style="list-style-type: none"> <li>• Proposed truck movements to and from the site, including scheduled times; Estimated frequency of truck movements; and</li> <li>• Measures to ensure pedestrian safety near the site;</li> </ul> </li> <li>5. Details of bulk earthworks to be carried out;</li> <li>6. The location of site storage areas and sheds;</li> <li>7. The equipment used to carry out works;</li> <li>8. The location of a garbage container with a tight-fitting lid;</li> <li>9. Dust, noise and vibration control measures;</li> <li>10. The location of temporary toilets;</li> <li>11. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> <li>• AS 4970 – Protection of trees on development sites; An</li> <li>• applicable Development Control Plan;</li> <li>• An arborist's report approved as part of this consent</li> </ul> </li> </ol> <p>The Certifier must be satisfied that truck movements to and from the site are avoided as much as possible during school drop-off and pick-up periods.</p> <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p><b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
33.	<p><b>(B380) Mechanical Plant and Equipment</b></p> <p>Before the issue of a construction certificate, the certifier must be satisfied that mechanical plant and equipment were selected in consultation with a suitably qualified acoustic consultant in accordance with the recommendations of the approved acoustic report.</p> <p>Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
34.	<p><b>(B404) Road Safety Audit</b></p> <p>A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application.</p> <p>Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
35.	<p><b>(B408) Access, Car Parking and Manoeuvring • General</b></p> <p>The Certifying Authority shall ensure and certify that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development have been designed and are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Council's Development Control Plan.</p> <p><b>Condition reason:</b> To ensure that the design of the facilities is in accordance with the required specifications.</p>
36.	<p><b>(B410) Access, Car Parking and Manoeuvring • Detail</b></p>

	<p>The Certifying Authority shall ensure and certify that:</p> <ol style="list-style-type: none"> <li>1. Off street access and parking complies with AS2890.1,</li> <li>2. Vehicular access and internal manoeuvring have been designed for the longest vehicle expected to service the development site, in accordance with AS2890.1,</li> <li>3. Sight distance at the street frontage has been provided in accordance with AS 2890.1,</li> <li>4. All vehicles can enter and exit the site in a forward direction,</li> <li>5. Vehicular access to the site is to be restricted to left-in and left-out only with appropriate management measures to be implemented to enforce this,</li> <li>6. Vehicle movement within the site is to be in one-way direction,</li> <li>7. Requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.</li> </ol> <p><b>Condition reason:</b> To ensure that the design of the access arrangement, car parking and maneuvering are in accordance with the required specifications including AS2890.</p>
37.	<p><b>(B414) Transport for NSW Consultation • Signage</b></p> <p>Prior to the issue of a Construction Certificate, approval from TfNSW must be obtained for:</p> <ol style="list-style-type: none"> <li>1. The relocation of existing school zone speed limit signage;</li> <li>2. Double dividing (BB) line along the centre of the carriageway of Horningsea Park Drive, along the northern frontage.</li> </ol> <p><b>Condition reason:</b> To ensure the required bus tops are designed in accordance with Disability Discrimination Act 2002.</p>
38.	<p><b>(B456) On-Site Detention</b></p> <p>On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Abcon, reference number 23087, revision G, dated 08/11/2024.</p> <p>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.</p> <p>Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.</p> <p>Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-Site Stormwater Detention policy and Technical Specification.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
39.	<p><b>(B462) Water Quality</b></p> <p>Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that details of a stormwater pre-treatment system have been provided on the stormwater plans and that the design meets pollutant retention criteria in accordance Council's Development Control Plan.</p> <p>The Construction Certificate must be supported by:</p> <ol style="list-style-type: none"> <li>(a) Specification &amp; installation details of the stormwater pre-treatment system</li> <li>(b) The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system</li> </ol> <p>A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of the Construction Certificate issue.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
40.	<p><b>(B500) Heritage Architect/Specialist</b></p>

	<p>A suitably qualified and experienced Heritage Architect must be employed to oversee the development, as approved, including any approved demolition works. Details of the Heritage Architect employed to oversee the development shall be submitted to Liverpool City Council prior to Issue of Construction Certificate.</p> <p>The heritage consultant must sign off the completed project and submit a final report to Council's Manager Development Assessment specifying how the heritage conditions are satisfied prior to the issue of an Occupation Certificate or the commencement of the use, whichever occurs first.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
41.	<p><b>(B503) Section 60 Heritage Permit</b></p> <p>Prior to issue of Construction Certificate, a Section 60 Permit under the Heritage Act 1977 is to be applied for and received from Heritage NSW. The Section 60 permit shall be submitted in accordance with the General Terms of Approval attached to this consent notice and the relevant guidelines published by Heritage NSW.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
42.	<p><b>(B504) Provision of Section 60 Permit to Council</b></p> <p>Prior to issue of Construction Certificate, a copy of the Section 60 Permit, application and supporting information is to be provided to Council's Heritage Officer.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
43.	<p><b>(B505) Heritage Management Plan</b></p> <p>Prior to issue of Construction Certificate, the applicant shall prepare a Heritage Management Plan (HMP) to ensure construction impacts on Aboriginal or non-Aboriginal heritage will be appropriately avoided, minimised and managed. The HMP shall include, but not necessarily be limited to the mitigation and protection measures included in the Statement of Heritage Impact approved as a part of this development consent. The plan shall be submitted to and approved by the Manager Development Assessment prior to commencement of works. The applicant shall ensure that the HMP is implemented during demolition and construction.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
44.	<p><b>(B510) Photographic Archival Recording</b></p> <p>Prior to issue of Construction Certificate, a digital photographic archival recording is to be submitted and approved by Liverpool City Council's Heritage Officer. The photographic archival recording is to be a PDF report with title page, summary significance of the site, measured drawings, inventory of archival documents, location plan, annotated base plans and images of the building/place/item.</p> <p>All images in the report are to be annotated as to their direction and position on the base plans and all meta data, including photographic equipment used and settings are to be included for each image.</p> <p>A separate folder is also to be provided with all images in TIFF format in Colour and Black and White.</p> <p>The photographic archival recording should be provided to Council on an Archival Quality DVD or delivered via digital file transfer on agreement with Council's Heritage Officer.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>

45.	<p><b>(B511) Heritage Interpretation Plan</b></p>
	<p>Prior to issue of Construction Certificate, a Heritage Interpretation Plan is to be prepared and submitted to Council for approval of Councils Heritage Officer.</p> <p>The Heritage Interpretation Plan is to include:</p> <ol style="list-style-type: none"> <li>1. a brief summary of the history of the site</li> <li>2. a brief description of the site</li> <li>3. identification of key themes for interpretation</li> <li>4. target audience of heritage interpretation</li> <li>5. potential locations for heritage interpretation</li> <li>6. identified options for interpretation and align with themes, including benchmarking with examples.</li> <li>7. specifications including materials, text, content, images, colours</li> <li>8. finalised options</li> <li>9. compliance with the Burra and ENAME Charters</li> </ol>
	<p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
46.	<p><b>(B515) Materials and colour finishes schedule</b></p>
	<p>A detailed sample board of materials and colour finishes shall be submitted to the satisfaction of Council's Heritage Advisor prior to the issue of any Construction Certificate.</p> <p>The selected materials and colour finishes shall incorporate a palette of materials and finishes that have a tactility, tone and hue that is complementary to the heritage item adjoining. The sample board shall include clear notations or be accompanied by a reference plan to indicate how the proposed tactile materials and colour finishes relate to the various elements and fabric of the building.</p>
	<p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
47.	<p><b>(B532) Waste Management Plan requirements</b></p>
	<p>Before the issue of a Construction Certificate, a waste management plan for the development must be prepared and provided to the principal certifier. The plan must be prepared in accordance with;</p> <ol style="list-style-type: none"> <li>1. the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and</li> <li>2. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out; and</li> <li>3. include the following information— <ul style="list-style-type: none"> <li>• the contact details of the person removing waste; an</li> <li>• estimate of the type and quantity of waste;</li> <li>• whether waste is expected to be reused, recycled or sent to landfill; the</li> <li>• address of the disposal location for waste.</li> </ul> </li> </ol> <p>A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.</p>
	<p><b>Condition reason:</b> To ensure resource recovery is promoted and local amenity protected during construction.</p>
48.	<p><b>(B555) Detailed Design Drawings</b></p>

	<p>The applicant is to undertake detailed design of traffic facilities, signs and linemarking in the existing and/or proposed public domain. The following items must be incorporated:</p> <ol style="list-style-type: none"> <li>1. Prohibit right turns movements to and from Horningsea Park Road -       <ol style="list-style-type: none"> <li>(a) provide a physical median within the driveway itself which will force a left in left out arrangement preventing vehicles from turning right into or out of the site. The median triangle is to be wide enough to deter vehicles from turning right into Horningsea Park Drive. Note: the median triangle in Site Circulation Plan (Drawing no. A035 dated 29/10/2024) is not wide enough to be effective.</li> <li>(b) Provide sign posting of no right turns into and out of the site;</li> <li>(c) BB line along the centre of the carriageway of Horningsea Park Drive, across the site frontage is to be provided</li> </ol> </li> <li>2. Traffic flow within the site is to be in one-way direction and ensure availability of space to accommodate two or more vehicle queues on site.</li> <li>3. Relocate the existing TfNSW School Zone sign approximately 5m west due to the proposed driveway access to the child care centre. The applicant is to liaise with TfNSW and obtain their approval and implement the relocation.</li> <li>4. Provide appropriate treatments to the footpath where it crosses the proposed driveway that can sufficiently manage the potential vehicle-pedestrian conflicts. The treatments to the footpath need to identify and mark pedestrian priority for the footpath in accordance with the NSW Movement and Place - Design Solutions.</li> <li>5. The proposed driveway is not to impact the existing bus zone on Horningsea Park Drive.</li> </ol> <p>Detailed design drawings of the proposed traffic facilities, signs and line markings in the existing and proposed public domain areas are to be submitted to Council for approval using Approval of Traffic Facilities including Signs and Line Marking Schemes Application Form. The application is available on Council website and should be lodged online. The drawings are to be prepared by a suitably qualified person.</p> <p>NOTE: It is advised that the applicant discuss with Council's Traffic Management Section of the traffic requirements prior to preparation of the detailed design drawings.</p> <p><b>Condition reason:</b> To ensure that detailed design of the required traffic facilities is submitted and approved.</p>
49.	<p><b>(B560) Road Works</b></p>
	<p>Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section.</p>
	<p><b>Condition reason:</b> To ensure that works on the public road reserve are approved prior to commencement of works.</p>
50.	<p><b>(B590) Public Domain Works – Street Lighting</b></p>
	<p>The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council.</p>
	<p>All street lighting must comply with the service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.</p>
	<p>All cost associated with the installation of street lighting shall be borne by the developer.</p>
	<p><b>Condition reason:</b> To ensure adequate street lighting is provided for the development.</p>
51.	<p><b>(B950) Fire Safety Measures</b></p>
	<p>A schedule specifying all of the essential fire safety services, which are required for the building, shall be attached to the CC and submitted to Council, in compliance with the provisions of the EP&amp;A Regulation.</p>
	<p>The schedule must distinguish:</p>
	<p>(a) The measures that are to be proposed to be implemented in the building premises, and</p>
	<p>(b) The minimum standard of performance for each measure.</p>

	<b>Condition reason:</b> To ensure fairness, transparency and probity.
52.	<b>(B951) NCC Assessment Report Recommendations</b>
	All comments and requirements requested in the BCA report, titled NCC 2022 Assessment Report; prepared by Vast Consulting; Revision 1; dated 01.08.2023; are to be addressed and endorsed by the PCA prior to issuing any Construction Certificate.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
53.	<b>(B952) BCA Assessment</b>
	A full BCA assessment by the PCA is required before issuing any Construction Certificate.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
54.	<b>(B953) Driveway material</b>
	Before the issue of a construction certificate, the certifier must be satisfied that the driveway is to be of a suitable hardstand material such as concrete or AC bitumen.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
55.	<b>(B954) Heritage Report Recommendations</b>
	Prior to the issue of a Construction Certificate the recommendations provided in the below approved documents shall be implemented and incorporated into the design and construction of the development and be shown on plans accompanying the Construction Certificate application.
	1. Aboriginal Heritage Due Diligence Assessment Report; prepared by Danny O'Brien; Rev A; dated 25.10.2024.
	2. Archaeological Assessment, prepared by Heritage Now; Rev DRAFT; dated 18.06.2024.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
56.	<b>(B955) Information Day</b>
	Prior to the issue of any Construction Certificate a community information day is to be held is to be held in accordance with the Heritage Interpretation Strategy, prepared by H Tanner & A Murray, v03, dated 29.10.2024.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
57.	<b>(B956) Consultation • NSW Department of Education • Management Plan</b>
	Before the issue of a construction certificate, the applicant must consult with NSW Department of Education (DoE) to ensure any management plan addresses construction traffic, air quality, noise and vibration impacts.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
58.	<b>(B957) Public Domain Plan</b>

A Public Domain Plan shall be submitted to and approved by the Manager Urban Design & Public Domain of Liverpool City Council prior to the issue of a Construction Certificate. Public Domain works within the street frontages is to be provided. Drawings and annotations should include (but not limited to) the following:

- a. Driveways including laybacks, proposed finishes.
- b. Driveway and footpath intersection treatments and spot RLs, pedestrian priority to be maintained.
- c. Embellishments of existing kerb and gutter to Council specifications.
- d. Upgrades, embellishments and widening where required to the pedestrian footpath to Council specifications.
- e. Connection paths, linking all pedestrian access points to the public footpath.
- f. Pedestrian connection from the public footpath to the internal footpath near the driveway to prevent safety issues of families walking up the driveway from the school.
- g. Proposed planting and turf upgrades in the public domain.
- h. Shared pedestrian and cycle paths where required in the Liverpool City Council Bike Plan 2018-2023, including markings, widths.
- i. Detail of fencing and/or retaining walls, RLs and level changes at the boundary interface.

The pedestrian footpath widths in the public domain along the street frontages should be upgraded to accommodate the increased demand from the new child care centre in accordance with the approved SITE PLAN - COUNCIL MARKUP; dated 17.01.2025. The footpath widths and landscaping must be illustrated on the Public Domain Plan, including:

- a. The area highlighted in yellow and orange is to be a shared pedestrian and bicycle path as per the Liverpool City Council Bike Plan 2018-2023 mapping. As such, a 2.5m wide path is required. The area highlighted yellow contains existing mature street trees, therefore the path cannot be widened in the direction of the kerb. The path should be widened in the direction of and up to the site boundary only.
- b. The area highlighted orange should be widened up to 2.5m, or to the width achievable while maintaining a 600mm landscape buffer between the path and the kerb.
- c. The area highlighted purple is not part of the Bike Plan route, however should be widened to 1.5m to enable two prams to pass, in accordance with the Child Care Planning Guideline C35. This area contains existing mature street trees, therefore the path cannot be widened in the direction of the kerb. The widening should be in the direction of and up to the site boundary only.
- d. The area highlighted orange the landscaped area between the footpath and the site boundary must incorporate low native ground cover plant species, such as Lomandra and/or Dianell.

**Condition reason:** To ensure fairness, transparency and probity.

59. **(B958) Shadow Diagrams**

Before the issue of a Construction Certificate a consolidated shadow diagram plans should be provided demonstrating adherence with the Child Care Planning Guidelines requirements for shade across the site and solar access in mid-winter must be submitted to the satisfaction of the Certifier. The areas used for calculations should be hatched and annotated, shadow diagrams should be hourly, for summer and winter, and shade structures and tree canopy consolidated as part of these diagrams.

**Condition reason:** To ensure fairness, transparency and probity.

60. **(B959) Bus Stop Shelter Upgrade**

Before the issue of Construction Certificate, the principal certifier must be satisfied that Transport for NSW have been engaged regarding the installation of bus shelters at the following bus stops:

1. Bus Stop ID No 2171123 on the southern side of Horningsea Park Drive.
2. Bus Stop ID No 2171195 on the northern side of Horningsea Park Drive.

**Condition reason:** To ensure fairness, transparency and probity.

### Before Building Work Commences

61.	<p><b>(C005) Construction Certificates</b></p> <p>Prior to the commencement of any building works, the following requirements must be complied with:</p> <ul style="list-style-type: none"> <li>(a) Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning &amp; Assessment Act 1979,</li> <li>(b) Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act,</li> <li>(c) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment,</li> <li>(d) A Principal Certifier (PC) must be appointed to carry out the necessary building inspections and to issue an occupation certificate, and</li> <li>(e) The PC must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.</li> </ul> <p><b>Condition reason:</b> To require approval to proceed with building work.</p>
62.	<p><b>(C006) Survey Requirements</b></p> <p>Prior to the commencement of building works the proposed building works shall be pegged out by a registered surveyor. For reference during construction, a benchmark shall be identified at the site, preferably on the kerb and gutter where it exists. The peg out report prepared by the registered surveyor shall be forwarded to the Principal Certifier prior to the first inspection. Note: In the event that a kerb and gutter does not exist, a permanent structure shall be used as a benchmark such as a manhole, power/light pole or the top of an existing retaining wall.</p> <p><b>Note:</b> In the event that a kerb and gutter does not exist, a permanent structure shall be used as a benchmark such as a manhole, power/light pole or the top of an existing retaining wall.</p> <p><b>Condition reason:</b> To ensure the development is carried out in accordance with relevant approvals and land restrictions.</p>
63.	<p><b>(C010) Construction Certificates</b></p> <p>Any Construction Certificate 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.</p> <p><b>Condition reason:</b> To ensure details and plans for CC are consistent with the approved DA.</p>
64.	<p><b>(C012) Commencement of building works</b></p> <p>Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the Environmental Planning and Assessment Act, 1979 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.</p> <p><b>Condition reason:</b> To require approval to proceed with building work.</p>
65.	<p><b>(C039) Construction Requirements</b></p> <p>Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer. Retaining walls on any boundary are to be of masonry construction or if treated timber is used, all vertical support members (soldiers) shall be of galvanised steel.</p>

	<p><b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
66.	<p><b>(C055) Site Facilities</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented before the commencement of building work.</p>
67.	<p><b>(C065) Sydney Water</b></p> <p>Development plans must be processed and approved by Sydney Water.</p> <p><b>Condition reason:</b> To require Sydney Water approval to proceed with building work.</p>
68.	<p><b>(C070) "DIAL BEFORE YOU DIG"</b></p> <p>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 <a href="http://www.1100.com.au">www.1100.com.au</a> 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.</p> <p><b>Condition reason:</b> To ensure building works do not impact local underground assets.</p>
69.	<p><b>(C095) Tree protection measures</b></p> <p>Before any site work commences, the principal certifier, or Council where a principal certifier is not required, must be satisfied the measures for tree protection detailed in the construction site management plan are in place.</p> <p><b>Condition reason:</b> To protect and retain trees.</p>
70.	<p><b>(C101) Vegetation • Existing Vegetation</b></p> <p>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.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
71.	<p><b>(C117) Erosion and sediment controls in place</b></p> <p>Before any site work commences, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p><b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
72.	<p><b>(C126) Environmental Management</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>1. Siltation fencing;</li> <li>2. Protection of the public stormwater system; and</li> <li>3. Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.</li> </ol>

	<b>Condition reason:</b> To ensure fairness, transparency and probity.
73.	<b>(C149) Driveway Crossing Application</b>
	In accordance with S138 Roads Act an 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 the following:
	(a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
	(b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
	(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.
	<b>Note:</b> Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.
	<b>Condition reason:</b> To ensure that all construction work is undertaken to an approved standard and related approvals.
74.	<b>(C155) Work Zone</b>
	A Works Zone application is required.
	Work zones are not permitted in locations that will compromise pedestrian, cyclist and vehicular access to John Edmondson High School and associated drop-off and pick-up spaces.
	A Works Zone Application Form is available on Council website and can be lodged online by attaching all required documents indicated on the application form.
	<b>Condition reason:</b> To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
75.	<b>(C158) Construction Traffic Management Plan (CTMP)</b>
	A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. If any impacts to school bus services are anticipated, these must be addressed and mitigated through the CTMP. The CTMP is to be submitted using Assessment of Construction Traffic Management Plan application form. The application is available on Council website and can be lodged online. Comments on the CTMP will be provided and the updated CTMP are to be implemented during construction.
	A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers.
	Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction.
	<b>Condition reason:</b> To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.
76.	<b>(C201) Road Occupancy Permit</b>
	Road occupancy and road opening approvals will be required from Council to undertake works within the existing road reserve. The following applications are available on Council's website and can be lodged online attaching all required documents indicated on the application form.
	<ul style="list-style-type: none"> <li>• Road Occupancy Application Form</li> <li>• Road Opening Application Form</li> </ul>
	<b>Condition reason:</b> To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
77.	<b>(C205) Traffic Control Plan</b>

	<p>Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.</p> <p>Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.</p> <p>Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
78.	<p><b>(C400) Pre-commencement dilapidation report</b></p> <p>The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of the heritage item and ancillary structures at 14 Horningsea Park Drive. The dilapidation report shall be undertaken by a qualified Structural Engineer, with proven experience in dealing with structures with heritage significance.</p> <p>A copy of the report must be provided to the satisfaction of Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
79.	<p><b>(C466) Dilapidation report</b></p> <p>Before any site work commences, a dilapidation report must be prepared prepared by a suitably qualified engineer detailing all infrastructure fronting the development in Horningsea Park Drive, to the satisfaction of the principal certifier or Council (where a principal certifier is not required). 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.</p> <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), that all reasonable steps were taken to obtain access to the adjoining properties.</p> <p>Before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time.</p> <p><b>Condition reason:</b> To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.</p>
80.	<p><b>(C560) Road Works</b></p> <p>Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section.</p> <p><b>Condition reason:</b> To ensure that works on the public road reserve are approved prior to commencement of works.</p>
81.	<p><b>(C950) Acoustic Barrier • DoE Consultation</b></p> <p>Before any site work commences, the developer must consult with the Department of Education (DoE) to obtain agreement to the location of the acoustic barrier along the western boundary; its construction method; and any access requirements.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>

### During Building Work

82.	<p><b>(D005) Building Work</b></p> <p>The building works must be inspected by the Principal Certifier (PC), in accordance with Sections 6.5 of the Environmental Planning &amp; Assessment Act 1979, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.</p> <p><b>Condition reason:</b> To require stage inspection and approval by the PC in accordance with EP &amp; A Regulation clause 162A.</p>
83.	<p><b>(D010) Building Work</b></p> <p>The Principal Certifier (PC) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PC, prior to proceeding to the subsequent stages of construction or finalisation of the works.</p> <p><b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
84.	<p><b>(D015) Surveys by a registered surveyor</b></p> <p>While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:</p> <ol style="list-style-type: none"> <li>1. All footings / foundations in relation to the site boundaries and any registered and proposed easements</li> <li>2. At other stages of construction – any marks that are required by the principal certifier.</li> </ol> <p><b>Condition reason:</b> To ensure buildings are sited and positioned in the approved location.</p>
85.	<p><b>(D020) Identification Survey Report</b></p> <p>The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the Principal Certifier has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the Principal Certifier has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.</p> <p>In the event that Council is not the Principal Certifier, a copy of the survey shall be provided to Council within three (3) working days.</p> <p><b>Condition reason:</b> To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.</p>
86.	<p><b>(D025) Identification Survey Report</b></p> <p>On placement of the concrete, works again shall not continue until the Principal Certifier has issued a letter stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.</p> <p><b>Condition reason:</b> To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.</p>
87.	<p><b>(D028) Responsibility for changes to public infrastructure</b></p> <p>While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.</p> <p><b>Condition reason:</b> To ensure payment of approved changes to public infrastructure.</p>
88.	<p><b>(D038) Toilet Facilities</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>(a) be a standard flushing toilet connected to a public sewer, or</li> <li>(b) have an on-site effluent disposal system approved under the Local Government Act 1993, or</li> <li>(c) be a temporary chemical closet approved under the Local Government Act 1993.</li> </ol>

	<p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
89.	<p><b>(D042) Procedure for critical stage inspections</b></p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p><b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
90.	<p><b>(D045) Hours of work</b></p> <p>Site work must only be carried out between the following times – From 7am to 6pm on Monday to Friday From 8am to 1pm on Saturday Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Condition reason:</b> To protect the amenity of the surrounding area.</p>
91.	<p><b>(D049) Security Fence</b></p> <p>A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.</p> <p><b>Note:</b> Fencing is not to be located on Council's reserve area.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
92.	<p><b>(D055) Refuse Disposal</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
93.	<p><b>(D061) Craning and Hoardings</b></p> <p>Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.</p> <p><b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
94.	<p><b>(D063) Craning and Hoardings</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the required traffic management measures are implemented during construction.</p>
95.	<p><b>(D070) Notification of Damage</b></p> <p>The applicant/ builder shall be responsible to report to the Council of 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 and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost.</p> <p><b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.</p>
96.	<p><b>(D096) Disabled Access</b></p>

	<p>Access, parking and facilities for persons with disabilities to be provided in accordance with the provisions of the National Construction Code (NCC/BCA).</p> <p><b>Condition reason:</b> To require any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, National Construction Code (NCC/BCA) and Australian Standard.</p>
97.	<p><b>(D100) General Site Works • Surface Contours</b></p> <p>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.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood.</p>
98.	<p><b>(D105) General Site Works</b></p> <p>All roofwater is to be connected to an approved stormwater system.</p> <p><b>Condition reason:</b> To ensure environmental impacts and impacts to neighbouring properties are minimised.</p>
99.	<p><b>(D110) General Site Works</b></p> <p>Stormwater pipeline connections to the street kerb shall be constructed in the following manner:</p> <p>(a) the kerb shall be sawcut on both sides of the proposed pipe outlet.</p> <p>(b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter.</p> <p>(c) the kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb.</p> <p><b>Condition reason:</b> To ensure any alteration to Council infrastructure is to a suitable standard.</p>
100.	<p><b>(D115) General Site Works • Existing Hydrology</b></p> <p>Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
101.	<p><b>(D120) General Site Works • Runoff</b></p> <p>Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
102.	<p><b>(D125) General Site Works • Sediment</b></p> <p>The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
103.	<p><b>(D130) Removal of dangerous and/or hazardous waste</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure safe removal and disposal of dangerous and/or hazardous material.</p>
104.	<p><b>(D140) Car Parking Areas</b></p>

	<p>All parking spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities.</p> <p>The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off-Street Car Parking.</p> <p>All car parking areas are to be appropriately line marked and sign posted in accordance with the Council approved stamped plans.</p> <p>All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.</p> <p>The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.</p> <p><b>Condition reason:</b> To ensure the facilities are constructed appropriately to comply with the DCP and AS2890.</p>
105.	<p><b>(D146) Directional Signage</b></p> <p>Directional signage indicating the location of customer parking, “in” and “out”, crossings and directional arrows are to be provided in accordance with the Council approved stamped plans.</p> <p>Additional no right turn signage is to be provided in accordance with Figure 10 of the Traffic Impact Assessment, prepared by Fernway Engineering, Rev 3.0, dated October 2024.</p> <p><b>Condition reason:</b> To ensure that appropriate signs are installed.</p>
106.	<p><b>(D165) Public Domain Works</b></p> <p>All works within the road reserve, including the approved sign and line making scheme, are to be carried out by the applicant, at no cost to Council, in accordance with the TfNSW/RMS 'Delineation Guidelines'.</p> <p><b>Condition reason:</b> To ensure that the development covers all required costs associated with the development.</p>
107.	<p><b>(D170) Council On Street Assets</b></p> <p>Council's on-street assets and local road network are to be protected and kept in a serviceable state at all times. At the direction of Council, the applicant/project manager shall undertake remediation works, at no cost to Council and to Council's satisfaction.</p> <p><b>Condition reason:</b> To ensure that the development covers all required costs associated with the development.</p>
108.	<p><b>(D180) Waste management</b></p>

	<p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. all waste management must be undertaken in accordance with the waste management plan;</li> <li>2. Bin collection is to occur during off-peak drop off and pick up times in accordance with the approved waste management plan;</li> <li>3. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier detailing the following: <ol style="list-style-type: none"> <li>1. The contact details of the person(s) who removed the waste;</li> <li>2. The waste carrier vehicle registration;</li> <li>3. The date and time of waste collection;</li> <li>4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;</li> <li>5. The address of the disposal location(s) where the waste was taken;</li> <li>6. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ol> </li> </ol> <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.</p>
	<p><b>Condition reason:</b> To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
109.	<p><b>(D190) Discovery of relics and Aboriginal objects</b></p> <p>While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:</p> <ol style="list-style-type: none"> <li>(a) the work in the area of the discovery must cease immediately;</li> <li>(b) the following must be notified <ol style="list-style-type: none"> <li>i. for a relic – the Heritage Council; or</li> <li>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.</li> </ol> </li> </ol> <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> <li>(a) for a relic – the Heritage Council; or</li> <li>(b) 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.</li> </ol>
	<p><b>Condition reason:</b> To ensure the protection of objects of potential significance during works.</p>
110.	<p><b>(D205) Vegetation • Existing Vegetation</b></p> <p>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.</p>
	<p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
111.	<p><b>(D240) Vegetation • Weeds</b></p> <p>No known environmental weeds or known invasive plant species shall be included in the landscaping or revegetation. Hygiene practices shall be employed to avoid the spread of invasive plants.</p>
	<p><b>Condition reason:</b> To limit the spread of weeds.</p>
112.	<p><b>(D245) Vegetation • Rehabilitation</b></p> <p>Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.</p>
	<p><b>Condition reason:</b> To ensure that valuable natural resources impacted by the development are utilised.</p>

113.	<b>(D250) Vegetation • Mulch</b>
	Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.
	<b>Condition reason:</b> To limit the spread of weeds.
114.	<b>(D255) Vegetation • Imported Soil or Mulch</b>
	Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.
	<b>Condition reason:</b> To limit the spread of weeds.
115.	<b>(D275) Hygiene and contamination</b>
	Imported mulch and soils will be certified and free of any disease and pathogens and tested to ensure they meet the standards of drainage, particle size, purity, and consistency.
	<b>Condition reason:</b> To minimise the spread of disease and pathogens.
116.	<b>(D330) Switchboards</b>
	Switchboards for utilities shall not be attached to the street and/or road elevations of the development.
	<b>Condition reason:</b> To ensure switchboards are sited and positioned away from the public domain.
117.	<b>(D335) External Lighting</b>
	Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users.
	<b>Condition reason:</b> To protect the amenity of the neighbourhood.
118.	<b>(D340) Glass Reflectivity</b>
	The reflectivity index of glass used in the external facade of the building is not to exceed 20%.
	<b>Condition reason:</b> To restrict the reflection of sunlight from buildings to surrounding areas and buildings.
119.	<b>(D350) Window Glazing</b>
	The windows of all bathrooms, W.C. and ensuites shall be fitted with translucent obscure glazing to the satisfaction of the Principle Certifier.
	<b>Condition reason:</b> This condition prevents overlooking of the (private open space, etc) of the adjoining property to the (direction) and will ensure a satisfactory privacy relation between the site and (adjoining property).
120.	<b>(D360) Graffiti</b>
	A graffiti resistant coating shall be applied to any fences or structures that have frontage to a public area, for example a roadway, public reserve etc.
	<b>Condition reason:</b> To protect the amenity of the neighbourhood.
121.	<b>(D426) Soil management</b>

	<p>While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>2. All fill material imported to the site must be: <ol style="list-style-type: none"> <li>1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ol> </li> </ol> <p><b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
122.	<p><b>(D430) Unidentified Contamination</b></p> <p>Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council.</p> <p>A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent.</p> <p><b>Condition reason:</b> To ensure the suitability of land for the development.</p>
123.	<p><b>(D445) Air Quality</b></p> <p>Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
124.	<p><b>(D450) Air Quality</b></p> <p>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 Certifier may direct that work is not to proceed.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in air pollution.</p>
125.	<p><b>(D455) Dropped Edge Beam</b></p> <p>The proposed concrete slab construction must incorporate drop edge beams to ensure any fill is adequately retained within the envelope of the building. The external masonry wall shall extend from the concrete beam at natural ground level.</p> <p><b>Condition reason:</b> To ensure that all construction work is undertaken to an approved standard and relevant controls.</p>
126.	<p><b>(D460) Salinity</b></p> <p>The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2013.</p> <p>The development shall be carried out in accordance with Part 1, Section 11 'Salinity Risk' of the Liverpool Development Control Plan 2008.</p> <p><b>Condition reason:</b> To ensure that all construction work is undertaken to an approved standard.</p>
127.	<p><b>(D465) Air Conditioning</b></p>

	<p>The plant associated with any air conditioning system shall not cause any offensive noise as defined under the Protection of the Environment Operations Act 1997.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
128.	<p><b>(D475) Imported Fill Material</b></p> <p>During construction the consent holder is to ensure fill imported on to the site is be compatible with the existing soil characteristic for site drainage purposes.</p> <p><b>Condition reason:</b> To ensure soils introduced onsite do not result in drainage issues.</p>
129.	<p><b>(D480) Acoustic Report</b></p> <p>The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development.</p> <p><b>Condition reason:</b> To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.</p>
130.	<p><b>(D552) Implementation of the site management plans</b></p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and</li> <li>2. a copy of these plans must be kept on site at all times and made available to Council officers upon request.</li> </ol> <p><b>Condition reason:</b> To ensure site management measures are implemented during the carrying out of site work.</p>
131.	<p><b>(D553) Erosion &amp; Sediment Control</b></p> <p>Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised. 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.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
132.	<p><b>(D554) Erosion &amp; Sediment Control</b></p> <p>The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
133.	<p><b>(D560) Erosion Control</b></p> <p>Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
134.	<p><b>(D565) Water Quality</b></p> <p>During construction the consent holder is to ensure all topsoil, sand, aggregate, spoil or any other material that can be moved by water is stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in water pollution.</p>
135.	<p><b>(D570) Pollution Control • Site Operations</b></p> <p>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.</p>

	<p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
136.	<p><b>(D574) Pollution Control • Truck Movements</b></p> <p>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.</p> <p>Measures must be implemented to prevent tracking of sediment by vehicles onto roads.</p> <p>Vehicle loads must be covered when entering and exiting the site with material.</p> <p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
137.	<p><b>(D581) Historic Archaeology</b></p> <p>Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the <i>Heritage Act 1977</i></p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
138.	<p><b>(D582) Aboriginal Cultural Heritage • Staff and Contractors</b></p> <p>All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW <i>National Parks and Wildlife Act 1974</i> and the NSW <i>Heritage Act 1977</i>. They are to be informed of what the potential heritage on the site will be and its significance. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Occupation Certificate.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
139.	<p><b>(D583) Aboriginal Cultural Heritage • Unexpected Finds</b></p> <p>As required by the <i>National Parks and Wildlife Service Act 1974</i> and the <i>Heritage Act 1977</i>, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage Division of the Office of Environment and Heritage (OEH) must be notified of the discovery.</p> <p>In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the <i>Heritage Act 1977</i> to obtain the necessary approvals/permits from the Heritage Division of the OEH.</p> <p><b>Note:</b> The <i>National Parks and Wildlife Service Act 1974</i> and the <i>Heritage Act 1977</i> impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
140.	<p><b>(D584) Skeletal Remains</b></p> <p>In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
141.	<p><b>(D585) Conservation Works (1)</b></p> <p>Conservation works are to be designed and documented under the supervision of a qualified architect with demonstrated experience in conservation and heritage works.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>

142.	<b>(D590) Public Domain Works • Street Lighting</b>
	Street lights are to be installed in accordance with the Endeavour Energy certified plans to their satisfaction.
	<b>Condition reason:</b> To ensure that the development covers all required costs associated with the development.
143.	<b>(D596) Drainage Connection</b>
	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.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
144.	<b>(D597) Major Filling/ Earthworks</b>
	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.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
145.	<b>(D600) Correct waste separation and removal</b>
	All demolition, excavation and construction wastes must be separated as they are generated and kept in separate spoil piles, bays, builder's skips and/or site bins. No wastes other than those noted on the approved waste management plan as being re-used on site, are to be left on site after the completion of the works.
	<b>Condition reason:</b> To ensure that separation of waste by type is undertaken in an ongoing basis throughout the building process, and that the wastes are kept separate and not mixed, to facilitate waste management and recycling.
146.	<b>(D605) Containment of site wastes during building</b>
	All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.
	<b>Condition reason:</b> To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.
147.	<b>(D650) Noise and vibration • an approved document of this consent</b>
	While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.
	<b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.
148.	<b>(D655) Noise and Vibration requirements</b>
	While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5dB>(A) above background noise, when measured at a lot boundary of the site.
	<b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.
149.	<b>(D660) Construction Noise and Vibration</b>

	<p>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).</p> <p>All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP).</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.</p>
150.	<p><b>(D664) Contamination</b></p> <p>The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
151.	<p><b>(D666) Record Keeping of Imported Fill</b></p> <p>Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:</p> <ol style="list-style-type: none"> <li>1. The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration;</li> <li>2. The results of a preliminary contamination assessment carried out on any fill material used in the development.</li> <li>3. The results of any chemical testing of fill material.</li> </ol> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
152.	<p><b>(D668) Traffic Management</b></p> <p>Applications must be made to Council's Traffic &amp; Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
153.	<p><b>(D670) Construction Traffic Management Plan</b></p> <p>The endorsed Construction Traffic Management Plan is to be implemented during the entire construction phase.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
154.	<p><b>(D829) Food Premises • Construction</b></p> <p>The construction, fit-out and finishes of the premises must comply with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard AS 4674-2004 Design, construction and fit-out of food premises. The food premises' construction must include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>(a) All walls (including partition walls) within the kitchen, food preparation, storage and display areas must be of solid construction (eg., bricks, cement or other approved material). These walls are to be finished with glazed tiles, stainless steel or other approved material adhered directly to the wall to a height of 2 metres above floor level;</li> <li>(b) Walls within the kitchen, food preparation, storage and display areas which are not of solid construction (e.g. stud walls) must be finished in tiles or other approved material from the floor level to the underside of the ceiling;</li> <li>(c) The floors within the kitchen, food preparation, storage and display areas must be constructed of a suitable material which is non-slip, durable, resistant to corrosion, non-toxic, non-absorbent and impervious to moisture. The floor is to be graded and drain to an appropriate floor waste fitted with a basket arrestor;</li> <li>(d) If the floor in the food preparation and storage areas is constructed of tiles, the joints between</li> </ol>

- the tiles must be of a material that is non-absorbent and impervious to moisture;
- (e) The intersection of walls with floors and exposed plinths in the kitchen, food preparation, storage and display areas are to be coved to a minimum radius of 25mm;
  - (f) All plinths are to be constructed of a material which is of solid construction and impervious to moisture. The plinths must be:
    - (i) at least 75mm high;
    - (ii) finished level to a smooth even surface;
    - (iii) recessed under fittings to provide a toe space of not more than 50mm;
    - (iv) rounded at exposed edges; and
    - (v) coved at the intersection of the floor and wall to a minimum radius of 25mm.
  - (g) The ceiling is to be constructed of a material that is rigid, smooth faced and impervious to moisture. The ceiling over the food preparation, storage and display areas must be painted with a washable paint of a light colour. The surface finish is to be free of open joints, cracks, crevices or openings (drop ceiling panel is not permitted). The intersections of walls and the ceiling are to be tight jointed, sealed and dust-proof;
  - (h) The drop-in panel ceiling in the food preparation and storage areas must be replaced with an approved rigid, smooth faced and impervious material which is free of open joints, cracks, crevices or openings. The ceiling is to be painted with a light coloured washable paint;
  - (i) All service pipes and electrical conduits must be either:
    - (i) concealed in floors, walls, ceiling or concrete plinths, or
    - (ii) fixed with brackets so as to provide at least:
      - 25mm clearance between the wall and the pipe/conduit; &
      - 100mm between the floor and the pipe/conduit
      - pipes so installed are not to run underneath fittings.
  - (j) All architraves, skirting boards, picture rails and the like are not permitted within the kitchen, food preparation and storage areas;
  - (k) All openings in the walls, floors and ceilings through which service pipes and electrical conduits pass through are to be designed and constructed so as to prevent the access of vermin;
  - (l) The internal and external surfaces, including exposed edges to all benches, counters and shelving in the food preparation, storage, display and serving areas are to be finished with a rigid, smooth faced and non-absorbent material (e.g. laminate, stainless steel or other approved material) that is capable of being easily cleaned;
  - (m) All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. NOTE: The lowest shelf must be a minimum of at least 150mm above the floor level;
  - (n) The hot water service unit must be positioned a minimum of 75mm clear of the adjacent wall surface and mounted a minimum of 150mm above the floor level on a stand of non-corrosive metal construction;
  - (o) A free standing, hands free hand wash basin must be provided in a convenient position within the food preparation and serving areas. The hand wash basin must be provided with hot and cold water supplied through a single outlet and fitted with an approved mixing device to enable hands to be washed under hot running water at a temperature of at least 40°C;
  - (p) Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage of vermin are not permitted to be formed in the construction of the premises or in the installation of fixtures, fittings and equipment;
  - (q) A double bowl sink or two-compartment tub must be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs must be supplied with water of at least: 45°C in one bowl for washing purposes; and 77°C in the other bowl for rinsing purposes, together with a thermometer accurate to 1°C.
  - (r) Discharge of commercial trade wastewater is to be approved by Sydney Water. Before selecting or installing trade wastewater pre-treatment devices at a retail food business, refer to Plumbing for retail food businesses produced by Sydney Water.
  - (s) A cleaners sink must be provided. The sink is NOT to be within an area where open food is

	<p>handled.</p> <p>(t) The grease trap is NOT to be located within an area where food is being handled.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and facilitate compliance with legislative requirements.</p>
155.	<p><b>(D950) Termite Protection</b></p> <p>To protect the buildings from subterranean termite, termite barriers must be installed in accordance with AS 3660.1 to the underside and penetrations of the concrete slab floor. In addition a durable notice must be permanently fixed inside the metre box indicating:</p> <ol style="list-style-type: none"> <li>the method of protection,</li> <li>the date of installation of the system,</li> <li>where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label, and</li> <li>the need to maintain and inspect the system on a regular basis.</li> </ol> <p>Certification from a licensed pest controller shall be submitted to the Principle Certifier certifying that the termite protection system installed complies with AS3660.1.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
156.	<p><b>(D951) Truck Movements</b></p> <p>The movement of construction vehicles, including delivery vehicles, is prohibited from entering and exiting the site during the school drop-off and pick up times (30 minutes before and after school start and finish times) of John Edmondson High School.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
157.	<p><b>(D952) Vehicle/Plant Access</b></p> <p>A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any place.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>

### Before Issue of an Occupation Certificate

158.	<p><b>(E001) Payment of development contributions</b></p> <p><b>Payment of section 7.12 contributions</b></p> <p>Before the issue of an occupation certificate, the applicant must pay the following contributions to Council for:</p> <table border="1"> <tr> <td>District Drainage - Land</td> <td>\$150,079</td> </tr> <tr> <td>District Drainage - Works</td> <td>\$17,779</td> </tr> <tr> <td>Local Trunk Drainage</td> <td></td> </tr> <tr> <td>Prestons West - Land</td> <td>\$54,543</td> </tr> <tr> <td>Prestons West - Works</td> <td>\$59,948</td> </tr> <tr> <td>Streetscape - Land</td> <td>\$16,890</td> </tr> <tr> <td>Streetscape - Works</td> <td>\$3,329</td> </tr> <tr> <td>Administration</td> <td>\$7,112</td> </tr> <tr> <td>Professional and Legal Fees</td> <td>\$7,104</td> </tr> </table> <p>The total contribution payable to Council under this condition is \$316,784 as calculated at the date of this consent, in accordance with LIVERPOOL CONTRIBUTIONS PLAN 2009.</p> <p>The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the LIVERPOOL CONTRIBUTIONS PLAN 2009.</p> <p>A copy of the development contributions plan is available for inspection at <a href="http://www.liverpool.nsw.gov.au">www.liverpool.nsw.gov.au</a>.</p>	District Drainage - Land	\$150,079	District Drainage - Works	\$17,779	Local Trunk Drainage		Prestons West - Land	\$54,543	Prestons West - Works	\$59,948	Streetscape - Land	\$16,890	Streetscape - Works	\$3,329	Administration	\$7,112	Professional and Legal Fees	\$7,104
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	<p><b>Condition reason:</b> To ensure development contributions are paid to address increased demand for public amenities and services or to address increased demand for regional infrastructure or to ensure any planning agreement is finalised at the specified time.</p>
159.	<p><b>(E003) Works-as-executed plans and any other documentary evidence</b></p> <p>Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> <li>1. All stormwater drainage systems and storage systems; and</li> <li>2. A copy of the plans must be provided to Council</li> </ol> <p><b>Condition reason:</b> To confirm the location of works once constructed that will become council assets.</p>
160.	<p><b>(E005) Occupation Certificates</b></p> <p>The premises must not be occupied until an Occupation Certificate (OC) is issued by the certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.</p> <p><b>Condition reason:</b> To ensure the development is in accordance with the approval and the use meets health, safety and amenity provisions.</p>
161.	<p><b>(E007) Obtain occupation certificate for change of use</b></p> <p>The premises must not be utilised until an Occupation Certificate is issued by the Principal Certifier. A single and complete Fire Safety Certificate certifying the operation of all of the fire safety measures within the building must be submitted to Council with the Occupation Certificate.</p> <p><b>Condition reason:</b> To ensure an Occupation Certificate is obtained when a change of use (no works) is proposed, and fire safety upgrade works are required under Clause 62 of the Environmental Planning and Assessment Regulation.</p>
162.	<p><b>(E010) Certificates</b></p> <p>All required documentary evidence for the critical stage inspections carried out prior, during and at the completion of construction, must be submitted to Council together with the required registration fee payment.</p> <p><b>Condition reason:</b> To ensure the use meets health, safety and amenity provisions.</p>
163.	<p><b>(E026) Removal of Waste Upon Completion</b></p> <p>Before the issue of an Occupation Certificate:</p> <ol style="list-style-type: none"> <li>1. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and</li> <li>2. written evidence of the waste removal must be provided to the satisfaction of the principal certifier.</li> </ol> <p><b>Condition reason:</b> To ensure waste material is appropriately disposed or satisfactorily stored.</p>
164.	<p><b>(E030) Section 73 Sydney Water Certificate</b></p> <p>A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained and submitted to the Principal Certifier prior to issue of Occupation Certificate.</p> <p><b>Condition reason:</b> To ensure relevant utility and service providers requirements are provided to the certifier.</p>
165.	<p><b>(E032) Pedestrian safety signage</b></p> <p>Before the issue of an occupation certificate, ensure an appropriate sign(s) is provided and maintained within the site to advise all vehicles to be aware of pedestrians within the shared driveway.</p> <p><b>Condition reason:</b> To make drivers aware of pedestrians and to ensure the safety of pedestrians using the shared driveway</p>
166.	<p><b>(E033) Cladding</b></p> <p>Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, BCA and relevant Australian Standards.</p>

	<p><b>Condition reason:</b> To ensure that the external cladding installed on a building is compliant.</p>
167.	<p><b>(E035) Completion of public utility services</b></p> <p>Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p> <p><b>Condition reason:</b> To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.</p>
168.	<p><b>(E037) Liverpool City Council clearance • Roads Act/ Local Government Act</b></p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
169.	<p><b>(E050) Display of Street Numbers</b></p> <p>Street numbers must be prominently displayed at the front of the development in a contrasting colour to the building materials and at the front of each individual unit to comply with the Local Government Act 1973, Section 124(8). The number should be a minimum height of 120mm and be visible at night.</p> <p><b>Condition reason:</b> To ensure street number of the site is displayed in accordance with the Local Government Act.</p>
170.	<p><b>(E064) Completion of landscape and tree works</b></p> <p>Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.</p> <p><b>Condition reason:</b> To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).</p>
171.	<p><b>(E065) Landscaping</b></p> <p>Upon completion of the approved landscape works associated with the development and prior to the issue of any Occupation Certificate, an Implementation Report is to be submitted to the Principal Certifier attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.</p> <p><b>Condition reason:</b> To help ensure landscaping works have been carried to a high standard and in accordance with the original design plans.</p>
172.	<p><b>(E105) Certification of acoustic measures</b></p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent</p> <p><b>Condition reason:</b> To protect the amenity of the local area</p>
173.	<p><b>(E106) Recommendations of Acoustic Report</b></p> <p>Upon completion of works and before the issue of any occupation certificate, written certification prepared by a suitably qualified acoustic consultant must be submitted to and approved by the certifier. The written certification prepared by the suitably qualified acoustic consultant must confirm that the development complies with all requirements and recommendations detailed within the approved acoustic report titled "ACOUSTIC ASSESSMENT PROPOSED CHILD CARE CENTRE 14 HORNINGSEA PARK DRIVE HORNINGSEA PARK" (Ref: CC23-004 Rev: 5 Final Updated) prepared by Mark. K for Sound Acoustic Consultants dated 29th October 2024. The acoustic consultant must confirm that the development or use is capable of operating in accordance with the design criteria.</p> <p>Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.</p> <p><b>Condition reason:</b> To mitigate potential acoustic impacts by ensuring that the development or use complies with the specified design criteria.</p>

174.	<p><b>(E156) Waste Storage Room</b></p> <p>Prior to the issuing of an occupation certificate, the principal certifier shall be satisfied that the designated garbage/waste storage area shall comply with the following requirements:</p> <ol style="list-style-type: none"> <li>1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor;</li> <li>2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and</li> <li>3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation.</li> </ol> <p>Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction standards for waste storage areas.</p> <p><b>Condition reason:</b> To ensure compliance with construction requirements and to mitigate risks to human health and the environment.</p>
175.	<p><b>(E250) Mechanical Ventilation Certification</b></p> <p>Upon completion of works and before the issue of any occupation certificate, a Mechanical Ventilation Certificate of Completion and Performance prepared by a professional engineer or other suitably qualified person must be submitted to certifier for their review and approval. The certification must be accompanied by details of the tests carried out in relation to ventilation and acoustics and confirm that the systems comply with the approved plans, specifications, Building Code of Australia and Australian Standard AS 1668 Parts 1 and 2.</p> <p><b>Condition reason:</b> To facilitate compliance with legislative requirements.</p>
176.	<p><b>(E255) Notice of food business</b></p> <p>Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW <i>Food Act 2003</i> and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.</p> <p><b>Condition reason:</b> To enable council to ensure compliance with the consent when the business is operating</p>
177.	<p><b>(E260) Food Premises Final Inspection</b></p> <p>Before the issue of an occupation certificate, the food premises shall be inspected by an Authorised Officer of Liverpool City Council under the Food Act 2003, to determine compliance with the Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises.</p> <p><b>Condition reason:</b> To enable council to ensure compliance with the Food Act 2003 before the business commences</p>
178.	<p><b>(E400) Stormwater Compliance</b></p> <p>Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the:</p> <ol style="list-style-type: none"> <li>(a) On-site detention system/s,</li> <li>(b) Stormwater pre-treatment system/s <ol style="list-style-type: none"> <li>1. Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent,</li> <li>2. Have met the design intent with regard to any construction variations to the approved design, and</li> <li>3. Any remedial works required to been undertaken have been satisfactorily completed.</li> </ol> </li> </ol> <p>Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
179.	<p><b>(E404) Restriction as to User and Positive Covenant</b></p>

	<p>Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the following shall be registered on the title of the property:</p> <p>(a) On-site detention system/s, (b) Stormwater pre-treatment system/s,</p> <p>The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
180.	<p><b>(E408) Rectification of Damage</b></p> <p>Prior to the issue of an Occupation Certificate, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.</p> <p>Any rectification works within Horningsea Park Drive will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
181.	<p><b>(E424) Directional Signage</b></p> <p>Prior to the issue of an Occupation Certificate, directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
182.	<p><b>(E432) Shared Cycleway</b></p> <p>Prior to Occupation Certificate the pedestrian footpath widths and landscaped area in the public domain along the street frontages should be upgraded in accordance with the approved Public Domain Plan.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
183.	<p><b>(E436) Dilapidation Report</b></p> <p>Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
184.	<p><b>(E450) Conservation Works Certification</b></p> <p>All conservation and restoration works approved as a part of the development, or are the subject of an approved Schedule of Conservation Works, are to be completed and signed off by an experienced heritage architect and all documentation submitted to Council for approval by Manager Development Assessment prior to Issue of Occupation Certificate.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
185.	<p><b>(E451) Heritage Interpretation</b></p> <p>Heritage Interpretation as outlined in the interpretation plan approved by Councils Heritage Officer is to be implemented in its entirety prior to issue of Occupation Certificate.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
186.	<p><b>(E454) Conservation Management Plan</b></p>

	<p>Prior to Issue of Occupation Certificate, a Conservation Management Plan including a landscape assessment is to be prepared and submitted to Council for approval by Council's Heritage Officer.</p> <p>The CMP shall include the current legislative framework, developmental changes to the site since date of current plan, the current structural and cosmetic condition of buildings, structures and landscape features, current constraints and opportunities, legislative requirements and obligations, and best practice heritage management and conservation methodology.</p> <p>The CMP shall be prepared in accordance with the principles and provisions of the Burra Charter, The Conservation Plan by J.S Kerr and any guidelines prepared by Heritage NSW.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
187.	<p><b>(E456) Built Heritage</b></p> <p>Prior to issue of occupation certificate, a report is to be submitted to Council by a suitably qualified and experienced heritage architect. Outlining the completed works, issues identified during works, outcomes and a schedule of suppliers and contractors The report is to outline compliance with the identified heritage conditions of consent, the general terms of approval and section 60 (if applicable).</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
188.	<p><b>(E590) Street Lighting</b></p> <p>The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. Endeavour Energy pole numbers and the date poles were energised are to be submitted to Council's Traffic Management Section prior to submitting OC or SC application.</p> <p>All cost associated with the installation of street lighting shall be borne by the developer.</p> <p><b>Condition reason:</b> To ensure adequate street lighting is provided for the development.</p>
189.	<p><b>(E592) Operational Plan of Management</b></p> <p>An amended plan of management shall be prepared addressing the Site Servicing Arrangements, particularly that service vans are to attend the site outside the peak drop-off/pick-up hours. The plans shall also ensure parents use the on-site parking provisions when attending the site. A 3-strike policy for those noted as using on-street parking spaces will need to be in place and enforced. The Plan of Management is to also include the following:</p> <ul style="list-style-type: none"> <li>• advice to staff and patrons that as a result of the left-in and left-out arrangement eastbound traffic approaching the site will be required to approach the roundabout, make a full 360 degree turn at the roundabout and return westbound on Horningsea Park Drive for a left turn into the site.</li> <li>• implement one-way traffic flow on site and ensure availability of adequate queueing space within the parking area so that vehicles entering the site will not block through traffic on Horningsea Park Drive.</li> <li>• Allocate parking spaces 1 to 12 (located farther from the entry) to parents and the rest of the spaces to staff to maximise the available queueing space on site. Refer to Site Circulation Plan (Drawing no. A035 dated 29/10/2024)</li> <li>• provide for a traffic marshal at the driveway during the peak periods of the site to manage potential conflicts at this location between vehicles entering and exiting the driveway and pedestrians and vehicles entering/exiting between parked vehicles and buses.</li> <li>• All windows within the indoor play areas of the proposed child care centre are to remain operable while mechanical ventilation is operating and children are in the indoor areas.</li> </ul> <p>A copy of the plan shall be submitted to and endorsed by Council's Transport Management Team prior to the issue of any occupation Certificate.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
190.	<p><b>(E950) Bus Stop Shelter Upgrade</b></p>

	<p>Before the issue of an Occupation Certificate, the principal certifier must be satisfied that in consultation with Transport for NSW bus shelters have been installed at the following bus stops:</p> <ol style="list-style-type: none"> <li>1. Bus Stop ID No 2171123 on the southern side of Horningsea Park Drive.</li> <li>2. Bus Stop ID No 2171195 on the northern side of Horningsea Park Drive.</li> </ol>
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
191.	<b>(E954) Noise Management Plan</b>
	<p>An amended Noise Management Plan shall be prepared reflecting any amendments to the Plan of Management. The Plan of Management is to also include the following:</p> <ul style="list-style-type: none"> <li>• All windows within the indoor play areas of the proposed child care centre are to remain operable while mechanical ventilation is operating and children are in the indoor areas.</li> </ul> <p>A copy of the plan shall be submitted to and endorsed by Council's Environmental Health Team prior to the issue of any occupation Certificate.</p>
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
192.	<b>(E952) Fencing • Art</b>
	<p>Prior to the issue of any occupation certificate a community information day is to be held in accordance with the Heritage Interpretation Strategy, prepared by H Tanner &amp; A Murray, v03, dated 29.10.2024.</p> <p>Any fencing artwork is to be informed by community findings and is to be provided to Council's Public Arts Officer for comment and approval.</p>
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
193.	<b>(E953) Heritage Report Recommendations</b>
	<p>Prior to the issue of a Occupation Certificate the recommendations provided in the below approved documents shall be carried out for the proposed development.</p> <ol style="list-style-type: none"> <li>1. Aboriginal Heritage Due Diligence Assessment Report; prepared by Danny O'Brien; Rev A; dated 25.10.2024.</li> <li>2. Archaeological Assessment; prepared by Heritage Now; Rev DRAFT; dated 18.06.2024.</li> </ol>
	<b>Condition reason:</b> To ensure fairness, transparency and probity.

### Occupation and Ongoing use

194.	<b>(G004) Plan of Management</b>
	<p>The approved Plan of Management must be complied with at all times. A copy of the Plan of Management must be kept on-site at all times and be provided to Council officers on request.</p>
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
195.	<b>(G050) Goods in Building</b>
	<p>All materials and goods associated with the use shall be contained within the building at all times.</p>
	<b>Condition reason:</b> To ensure all materials and goods associated with the use are appropriately stored.
196.	<b>(G060) Graffiti</b>
	<p>During ongoing use of the premises, ensure graffiti is removed from the exterior of the building or associated structures, including any fences, site services and retaining/planter bed walls within 48 hours.</p>
	<b>Condition reason:</b> To protect and preserve the visual amenity of the surrounding public domain
197.	<b>(G065) Unreasonable Noise and Vibration</b>

	<p>The use of the premises and/or machinery equipment installed must not give rise to offensive noise so as to interfere with the amenity of the neighbouring properties.</p> <p>Should an offensive noise complaint be received and by Liverpool City Council, an acoustic assessment must be undertaken by a suitably qualified acoustic consultant and an acoustic report must be submitted to Liverpool City Council for review if requested. Any noise attenuation recommendations approved by Liverpool City Council must be implemented.</p> <p>Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.</p> <p><b>Condition reason:</b> To mitigate potential offensive noise and amenity impacts.</p>
198.	<p><b>(G095) Location of mechanical ventilation</b></p> <p>During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5dBa above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises.</p> <p><b>Condition reason:</b> To protect the residential amenity of neighbouring properties.</p>
199.	<p><b>(G100) Waste Collection and Management</b></p> <p>Waste and recyclable material must be managed in a satisfactory manner, covered at all times and not give rise to offensive odour or encourage pest activity. All solid and liquid waste must be removed regularly from the site by a registered waste contractor. Waste must not be permitted to accumulate near the waste storage bins.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
200.	<p><b>(G130) Waste Storage Area</b></p> <p>Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
201.	<p><b>(G160) Storage of goods during ongoing use</b></p> <p>During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
202.	<p><b>(G165) Storage of Flammable and Combustible Liquids</b></p> <p>Flammable and combustible liquids must be stored in accordance with AS 1940:2017– The Storage and Handling of Flammable and Combustible Liquids.</p> <p><b>Condition reason:</b> To promote safety of persons and prevent damage to property and the environment.</p>
203.	<p><b>(G170) Storage and Handling of Corrosive Substances</b></p> <p>Corrosive Substances must be stored and handled in accordance with AS 3780-2008 The Storage and Handling of Corrosive Substances.</p> <p><b>Condition reason:</b> To promote safe storage and handling of corrosive substances.</p>
204.	<p><b>(G190) Parking Spaces • Assessment Planner</b></p> <p>The following parking spaces should be used solely for the purpose it has been provided.</p> <ol style="list-style-type: none"> <li>1. Unrestricted staff car parking</li> <li>2. Visitor car parking</li> <li>3. Accessible car parking</li> <li>4. Cycle parking</li> <li>5. Delivery area</li> <li>6. Garbage pick-up area</li> </ol>

	<b>Condition reason:</b> To ensure that adequate parking and loading are provided.
205.	<b>(G200) Car Parking/Loading Provisions</b> A total of 34 off street car parking spaces must be provided in accordance with Council's requirements. The parking spaces shall be allocated as follows: 1. 22 spaces for staff 2. 12 spaces for visitors
	<b>Condition reason:</b> To ensure that adequate parking and loading are provided.
206.	<b>(G210) Car Parking Management</b> All parking areas shown on the approved plans must be used solely for this purpose.  Car parking spaces 1 to 12 (located farther from the entry) are to be allocated to parents and the rest of the spaces (closer to the driveway to staff in order to maximise the available queueing space on site.
	<b>Condition reason:</b> To ensure that adequate parking and loading are provided.
207.	<b>(G220) Loading Areas</b> All loading and unloading must take place from the designated loading dock/bay. This area is to be clearly marked/signposted for use by delivery vehicles only.
	<b>Condition reason:</b> To ensure that adequate parking and loading are provided.
208.	<b>(G230) Vehicle Access</b> Vehicles entering or leaving the development site should be in forward direction.
	<b>Condition reason:</b> To ensure safety.
209.	<b>(G240) Advertising</b> Advertising matter not approved in conjunction with this decision notice, must not be erected, painted or displayed without the prior approval of Council.
	<b>Condition reason:</b> To require approval for advertising matter/structures that is not approved as part of this consent.
210.	<b>(G250) Operating hours</b> During ongoing use of the premises, the hours of operation of the childcare centre are restricted to:  7am - 7pm Monday to Friday.  The premises is not to operate on Saturdays, Sundays or Public Holidays
	<b>Condition reason:</b> To protect the amenity of the local area
211.	<b>(G260) Deliveries and waste collection times for food and drink and mixed use developments</b> During ongoing use of the childcare centre, all deliveries, waste and recycling collection carried out by heavy vehicles:  1. are undertaken only to occur between 9am - 5pm Monday - Friday; 2. only occur in designated loading and unloading areas on the property; 3. do not occur on the street; 4. do not obstruct other operations; 5. minimise disruption to public spaces; 6. maintain a clear service vehicle dock, car parking spaces and access driveways at all times; and 7. all vehicles must enter and leave in a forward direction.
	<b>Condition reason:</b> To ensure deliveries to the premises are carried out safely and protect the amenity of the local area
212.	<b>(G310) Childcare Centres</b>

	<p>Approval is granted for a maximum of 119 children to be on the premises at one time, in accordance with the following groupings:</p> <p>(a) (24 children) 0 – 2 years;</p> <p>(b) (35 children) 2 – 3 years; and</p> <p>(c) (60 children) 3 years and over.</p>
	<p><b>Condition reason:</b> To ensure that childcare centres maintain the maximum number of places in each age group approved with this consent.</p>
213.	<p><b>(G320) Childcare Centres</b></p> <p>A maximum number of 22 permanent staff members are permitted to work at the childcare centre at any given time.</p> <p><b>Condition reason:</b> To ensure that childcare centres maintain the maximum number of permanent staff approved with this consent.</p>
214.	<p><b>(G340) Noise Complaints register</b></p> <p>The operator must keep a legible record of all complaints received in an up-to date Complaints Register. The Complaints Register must record, but not necessarily be limited to:</p> <p>(a) the date and time, where relevant, of the complaint;</p> <p>(b) the means by which the complaint was made (telephone, mail or email);</p> <p>(c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</p> <p>(d) the nature of the complaint;</p> <p>(e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</p> <p>(f) allocate an individual "complaint number" to each complaint received.</p> <p>The Complaints Register must be made available for inspection when requested by Liverpool City Council.</p> <p>The industry must be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times.</p> <p><b>Condition reason:</b> To mitigate potential impacts associated with the development and establish a procedure for responding to enquiries.</p>
215.	<p><b>(G345) Lighting</b></p> <p>Illumination of the site must be arranged in accordance with the requirements and specifications of AS 4282:2019 - Control of obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby premises.</p> <p><b>Condition reason:</b> To mitigate potential lighting impacts and protect the amenity of the surrounding area.</p>
216.	<p><b>(G350) Noise • Spruiking</b></p> <p>No persons, such as those commonly known as 'spruikers' must operate either with or without sound amplification equipment for the purpose of advertising the use of the premises, the sale and availability of goods, services, entertainment or similar announcements.</p> <p><b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.</p>
217.	<p><b>(G360) Noise • Silent Building Intruder Alarm System</b></p> <p>Any building intruder alarm installed at the site must be a "silent back to base" type.</p>

	<p><b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.</p>
218.	<p><b>(G390) Noise • General</b></p> <p>Noise associated with the use of the premises, including mechanical plant and equipment, must not give rise to any one or more of the following:</p> <p>(a) The use of the premises including the cumulative operation of any mechanical plant, equipment, public address system or other amplified sound equipment must not give rise to the emission of 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.</p> <p>(b) The operation of any mechanical plant, equipment, public address system or other amplified sound equipment installed on the premises must not cause:</p> <ol style="list-style-type: none"> <li>i. The emission of noise as measured over a 15 minute period (LAeq (15 minute)) that exceeds the LA90 (15 minute) background noise level by more than 5 dB(A) when measured at the most affected residential boundary. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017);</li> <li>ii. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors;</li> <li>iii. 'offensive noise' as defined by the Protection of the Environment Operations Act 1997; and</li> <li>iv. Transmission of vibration to any place of different occupancy greater than specified in AS 2670.</li> </ol>
	<p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
219.	<p><b>(G392) Noise Management Plan</b></p> <p>The approved Noise Management Plan must be complied with at all times.</p> <p><b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.</p>
220.	<p><b>(G393) Acoustic Report</b></p> <p>An acoustic report prepared by a suitably qualified acoustic consultant must be submitted to Liverpool City Council for its assessment and approval within three (3) months of occupation/completion of the development. The report must include but not be limited to the following information:</p> <p>(a) Noise measurements taken during a time of peak occupation at the most affected noise sensitive locations as indicated in the approved acoustic report titled ACOUSTIC ASSESSMENT PROPOSED CHILD CARE CENTRE 14 HORNINGSEA PARK DRIVE HORNINGSEA PARK" (Ref: CC23-004 Rev: 5 Final Updated) prepared by Mark. K for Sound Acoustic Consultants dated 29th October 2024;</p> <p>(b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report;</p> <p>(c) All complaints received from local residents in relation to the operation of the premises/development; and</p> <p>(d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations must be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.</p> <p>Following written approval from Liverpool City Council, recommendations provided under point d) above must be implemented fully.</p> <p>Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.</p>

	<p><b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.</p>
221.	<p><b>(G395) Managing noise</b></p> <p>During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent.</p> <p><b>Condition reason:</b> To protect the amenity of the local area</p>
222.	<p><b>(G400) Environment</b></p> <p>The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
223.	<p><b>(G402) Air Handling System</b></p> <p>Any liquid discharge from the air handling system resulting from the operation, maintenance and/or cleaning operations are to be disposed of into the sewer system. Discharge into the stormwater disposal system is not permitted.</p> <p><b>Condition reason:</b> To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
224.	<p><b>(G410) Landscaping</b></p> <p>Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development.</p> <p>If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.</p> <p>An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.</p> <p><b>Condition reason:</b> To require records to be provided, after occupation, documenting that landscaping is appropriately maintained.</p>
225.	<p><b>(G468) Smoke-free Requirements</b></p> <p>The requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016 must be complied with at all times.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and facilitate compliance with legislative requirements and relevant standards.</p>
226.	<p><b>(G470) Food Premises • Use of Charcoal</b></p> <p>The use of charcoal for the purposes of heating, cooking or smoking food on the premises is strictly prohibited.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
227.	<p><b>(G566) No Amplified Sound Equipment or Music Outside</b></p> <p>Music and other amplified sound played on the premises must not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997. The sound pressure level as measured over a 15 minute period (LAeq (15 minute)) must not exceed 5 dB(A) above the ambient background noise level (LA90 (15 minute)) at the boundary of the premises.</p> <p>Sound amplification equipment and music are not permitted in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.</p> <p><b>Condition reason:</b> To mitigate potential acoustic impacts associated with the development.</p>
228.	<p><b>(G666) Childcare Centre • Music</b></p>

	<p>The doors and windows of the childcare centre must be closed at all times when used for noise generating activities including but not limited to singing, musical instruments and amplified sound equipment.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
229.	<p><b>(G668) Childcare Centre • Car Park Signage</b></p> <p>Prominent notices must be installed at the entry and exit to the car park and the entry and exit to the building informing people to enter and leave the car park and premises quietly.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
230.	<p><b>(G670) Educational Establishments • Supervision</b></p> <p>Students must be supervised at all times during arrival, departure and outdoor play activities to minimise noise impacts at the school.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
231.	<p><b>(G680) Educational Establishment</b></p> <p>Information packages/letter drops are to be provided to all properties within a 250m radius of the school advising of any event (including both during and after scheduled school hours such as award and presentation nights, end of year celebrations etc) where an increase in the demand for off site car parking is expected.</p> <p><b>Condition reason:</b> To ensure that neighbouring properties are not adversely affected from any operation on site.</p>
232.	<p><b>(G804) Advertising</b></p> <p>Advertising not approved in conjunction with the decision notice, must not be erected, painted or displayed without the prior approval of Council. Any temporary signage is to be displayed in accordance with Liverpool Local Environmental Plan 2008.</p> <p><b>Condition reason:</b> To prohibit advertising matter/structures that is not approved as part of this consent.</p>
233.	<p><b>(G809) Food Business Notification Requirements • Food Business</b></p> <p>All retail food businesses must notify Liverpool City Council of their food activity details. The food business notification must be completed in the approved form and comprise all information specified in the Food Safety Standards. The completed registration form/s must be submitted to Council prior to the commencement of the business.</p> <p><b>Condition reason:</b> To address legislative requirements.</p>
234.	<p><b>(G817) Food Safety Supervisor • Food Business</b></p> <p>A Food Safety Supervisor must be appointed to the food premises. A copy of the Food Safety Supervisor certificate must be kept onsite and presented to Council's Authorised Officer upon request. Further information can be obtained in the "Guideline to Food Safety Supervisor Requirements" published by the NSW Food Authority.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health.</p>
235.	<p><b>(G824) Appliances and Cool Rooms</b></p> <p>Appliances used to store potentially hazardous food must have a capacity to keep foods hotter than 60 degrees Celsius, refrigerated foods below 5 degrees Celsius and frozen foods below 18 degrees Celsius and are to be provided with a digital thermometer accurate to 1 degree Celsius that can be easily observed from outside the appliance.</p> <p><b>Condition reason:</b> To address legislative requirements.</p>
236.	<p><b>(G950) Linen and mattresses</b></p>

	<p>The provision and management of linen must comply with the following:</p> <ol style="list-style-type: none"> <li>1. The premises operator must ensure provision of clean linen for the use of each child;</li> <li>2. All mattresses must be fitted with washable waterproof mattress protectors.</li> <li>3. Evidence of a commercial contract to launder linen must be provided to Council upon request. Alternatively, a commercial washing machine capable of washing at a temperature of not less than 70 degrees Celsius must be installed on the premises and provided with hot water at all times.</li> <li>4. Should linen be laundered onsite, an appropriate clothes dryer is to be made available for the drying of linen and towels.</li> </ol>
	<b>Condition reason:</b> To ensure fairness, transparency and probity.
237.	<b>(G951) First Floor Use</b>
	The first floor of the homestead is not to be used, occupied or advertised as separate residences or domiciles.
	<b>Condition reason:</b> To ensure fairness, transparency and probity.

### Demolition Work Before Demolition Work Commences

238.	<b>(C040) Demolition Works</b>
	Demolition works shall be carried out in accordance with the following: <ol style="list-style-type: none"> <li>(a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.</li> <li>(b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.</li> <li>(c) The handling or removal of any asbestos product from the building/site must be carried out by a SafeWork NSW licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with SafeWork NSW requirements.</li> </ol>
	<b>Condition reason:</b> To ensure that the demolition of buildings is carried out without impacting on public and environmental safety.
239.	<b>(C055) Site Facilities</b>
	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.
	<b>Condition reason:</b> To ensure the required site management measures are implemented before the commencement of building work.
240.	<b>(C117) Erosion and sediment controls in place</b>
	Before any site work commences, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	<b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
241.	<b>(C501) Return of existing bins</b>

Prior to commencing demolition or site clearing works, any existing domestic waste bins that have been issued to (insert address), must be returned to Liverpool City Council. Please ring Council on 1300 36 2170 to advise that the bins are empty and ready to be removed, so their removal can be noted on Council's rates system.

**Condition reason:** To protect against Council-issued residential waste bins being used and potentially damaged by builders using them as site waste bins for waste building materials.

### During Demolition Work

242.	<b>(D028) Responsibility for changes to public infrastructure</b>
	While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.
	<b>Condition reason:</b> To ensure payment of approved changes to public infrastructure.
243.	<b>(D045) Hours of work</b>
	Site work must only be carried out between the following times – From 7am to 6pm on Monday to Friday From 8am to 1pm on Saturday Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	<b>Condition reason:</b> To protect the amenity of the surrounding area.
244.	<b>(D049) Security Fence</b>
	A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.
	<b>Note:</b> Fencing is not to be located on Council's reserve area.
	<b>Condition reason:</b> To ensure the required site management measures are implemented during construction.
245.	<b>(D055) Refuse Disposal</b>
	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.
	<b>Condition reason:</b> To ensure the required site management measures are implemented during construction.
246.	<b>(D070) Notification of Damage</b>
	The applicant/ builder shall be responsible to report to the Council of 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 and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost.
	<b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.
247.	<b>(D130) Removal of dangerous and/or hazardous waste</b>
	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.
	<b>Condition reason:</b> To ensure safe removal and disposal of dangerous and/or hazardous material.
248.	<b>(D180) Waste management</b>

	<p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. all waste management must be undertaken in accordance with the waste management plan; and</li> <li>2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier detailing the following: <ol style="list-style-type: none"> <li>1. The contact details of the person(s) who removed the waste;</li> <li>2. The waste carrier vehicle registration;</li> <li>3. The date and time of waste collection;</li> <li>4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;</li> <li>5. The address of the disposal location(s) where the waste was taken;</li> <li>6. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ol> </li> </ol> <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.</p> <p><b>Condition reason:</b> To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
249.	<p><b>(D190) Discovery of relics and Aboriginal objects</b></p> <p>While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:</p> <ol style="list-style-type: none"> <li>(a) the work in the area of the discovery must cease immediately;</li> <li>(b) the following must be notified <ol style="list-style-type: none"> <li>i. for a relic – the Heritage Council; or</li> <li>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.</li> </ol> </li> </ol> <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> <li>(a) for a relic – the Heritage Council; or</li> <li>(b) 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.</li> </ol> <p><b>Condition reason:</b> To ensure the protection of objects of potential significance during works.</p>
250.	<p><b>(D426) Soil management</b></p> <p>While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>2. All fill material imported to the site must be: <ol style="list-style-type: none"> <li>1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ol> </li> </ol>

	<p><b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
251.	<p><b>(D430) Unidentified Contamination</b></p> <p>Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council.</p> <p>A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent.</p> <p><b>Condition reason:</b> To ensure the suitability of land for the development.</p>
252.	<p><b>(D450) Air Quality</b></p> <p>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 Certifier may direct that work is not to proceed.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in air pollution.</p>
253.	<p><b>(D552) Implementation of the site management plans</b></p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and</li> <li>a copy of these plans must be kept on site at all times and made available to Council officers upon request.</li> </ol> <p><b>Condition reason:</b> To ensure site management measures are implemented during the carrying out of site work.</p>
254.	<p><b>(D565) Water Quality</b></p> <p>During construction the consent holder is to ensure all topsoil, sand, aggregate, spoil or any other material that can be moved by water is stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in water pollution.</p>
255.	<p><b>(D574) Pollution Control • Truck Movements</b></p> <p>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.</p> <p>Measures must be implemented to prevent tracking of sediment by vehicles onto roads.</p> <p>Vehicle loads must be covered when entering and exiting the site with material.</p> <p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
256.	<p><b>(D584) Skeletal Remains</b></p> <p>In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and probity.</p>
257.	<p><b>(D655) Noise and Vibration requirements</b></p> <p>While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5dB&gt;(A) above background noise, when measured at a lot boundary of the site.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.</p>

ITEM 01            DA-51/2024 - HORNINGSEA PARK HOUSE, 14 HORNINGSEA PARK DRIVE, HORNINGSEA  
                          PARK NSW 2171  
*Attachment 1*    Conditions of Consent (draft)

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**General advisory notes**

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

## Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

**Council** means LIVERPOOL CITY COUNCIL.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** means LIVERPOOL LOCAL PLANNING PANEL.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:  
 the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means SYDNEY WESTERN CITY PLANNING PANEL.

**Schedule 5 Assessment Criteria**

In accordance with SEPP (industry and Employment) 2021 » Part 3.2 » 3.6(b) the signage the subject of the application must satisfy the assessment criteria specified in Schedule 5. The key controls are discussed in the following table:

Requirement	Yes	No	N/A	Comments
<b>Schedule 5 – Assessment Criteria</b>				
<b>1. Character of the area</b>				
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed signage is consistent with the (former) rural character of the area or locality, including built forms and landscapes which are respected by low key elements of timber. Colours and images respond to the landmark trees and rural style fences of the existing site.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no prevalent theme for outdoor advertising in the locality, however, the proposal is consistent with character of the surrounding landmark trees.
<b>2. Special areas</b>				
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed signage would not detract from the visual quality of the site, it does not protrude above any building or tree canopies when viewed from the ground.  The proposal has been reviewed by NSW Heritage and the locations were inspected on site. No objection was raised.
<b>3. Views and vistas</b>				
<i>Does the proposal obscure or compromise important views?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed signage would not obscure any important views.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed signage does not dominate the skyline or reduce the quality of any vistas.

<i>Does the proposal respect the viewing rights of other advertisers?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed signage is appropriately integrated into the site frontage blending in with the earthy brown and green off the surrounding landscape and would not impact on nearby bus stop and school signage.
<b>4. Streetscape, setting or landscape</b>				
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each sign will have maximum dimensions of 2 metres in height by 1.15 metres in width. This is considered a suitable scale that would not detract from the existing streetscape, setting and landscape.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed signage creates visual interest as the colours, and images respond to the landmark trees and rural style fences of the existing site.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No existing signage on the subject site.
<i>Does the proposal screen unsightliness?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The signage is designed to promote identification and wayfinding, rather than conceal unsightliness.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No protrusion over buildings, structures or tree canopies in the area or locality.
<i>Does the proposal require ongoing vegetation management?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No vegetation involved that would not be part of regular maintenance.
<b>5. Site and building</b>				
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which proposed signage is to be located?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is considered that the proposed building identification signage is consistent and respective of the scale of the existing heritage structure and proposed additions.

Does the proposal respect important features of the site or building, or both?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The sign is not visually dominant and reflects important features of the site via the colours, and images which respond to the landmark trees and rural style fences of the existing site.
Does the proposal show innovation and imagination in its relationship to the site or building or both?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As above.
<b>6. Associated devices and logos with advertisements and advertising structures</b>				
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is displayed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is displayed.
<b>7. Illumination</b>				
Would illumination result in unacceptable glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No illumination proposed.
Would illumination affect safety for pedestrians, vehicles or aircraft?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No illumination proposed.
Would illumination detract from the amenity of any residence or other form of accommodation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No illumination proposed.
Can the intensity of the illumination be adjusted, if necessary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No illumination proposed.
Is the illumination subject to a curfew?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No illumination proposed.
<b>8. Safety</b>				
Would the proposal reduce the safety for any public road?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed signage is not considered to impact the safety of the public. Visually obvious colour schemes and considered location placement ensures that the signs are clearly visible without intruding on sight lines.
Would the proposal reduce the safety for pedestrians or bicyclists?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above

<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sight lines from public areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above
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**Part 3.3 Early education and care facilities – specific development controls**

This proposal has been assessed under the provisions of *SEPP (Transport and Infrastructure) 2021*, specifically Chapter 3 – Educational establishments and child care facilities (previously known as *SEPP (Educational Establishments and Child Care Facilities) 2017*). The key controls are discussed in the following table:

<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>			
<b>Chapter 3 – Educational Establishments and child care facilities</b>			
<b>Part 3.3 Early education and care facilities – specific development controls</b>			
<b>Clause</b>	<b>Requirements</b>	<b>Proposed</b>	<b>Comment</b>
3.22 - Centre-based child care facility— concurrence of Regulatory Authority required for certain development	This clause applies to development for the purpose of a centre-based child care facility if:	Regulations 107 and 108 of Educational and Care Services National Regulation specifies the following:	
	(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i> , or	<ul style="list-style-type: none"> <li>• Indoor - 3.25m<sup>2</sup> per child</li> <li>• Outdoor - 7.0m<sup>2</sup> per child</li> </ul> <p><b>Required Indoor:</b> (119 x 3.25sqm) = 386.75sqm</p> <p>Nursery Rm 01: 0-2 Years – 41.30sqm Nursery Rm 02: 0-2 Years – 37.3sqm</p> <p>Toddler Rm 01: 2-3 Years – 66.75sqm Toddler Rm 02: 2-3 Years – 49.30sqm</p> <p>Preschool Rm 01: 3-5 Years – 97.00sqm Preschool Rm 02: 3-5 Years – 99.63sqm</p> <p><b>Proposed indoor</b> = 391.28sqm</p>	<b>Complies</b>
	(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations	<p><b>Required outdoor:</b> (119 x 7) = 833sqm</p> <p>Outdoor Play Area 1: 136.75sqm</p> <p>Outdoor Play Area 2: 346.91sqm</p>	

		Outdoor Play Area 3: 395.55sqm  <b>Proposed outdoor</b> = 879.21sqm	<b>Complies</b>
<b>23</b> - Centre-based child care facility—matters for consideration by consent authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development	The assessment of the proposed is in accordance with the Child Care Planning Guidelines.	<b>Complies</b>
<b>24-</b> Centre-based child care facility in Zone IN1 or IN2—additional matters for consideration by consent authorities	To minimise land use conflicts with existing industrial development	The site is zoned R2 Low Density Residential and is not located in proximity to industrial development.	<b>Complies</b>
<b>25</b> - Centre-based child care facility—floor space ratio	FSR in zone R2 – Low Density Residential is not to exceed 0.5:1 unless specified elsewhere.	Site area: 8,778sqm  GFA 935.32sqm = 0.11:1	<b>Complies</b>
<b>26</b> - Centre-based child care facility—non-discretionary development standards	To identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters. –  a) the development may be located at any distance from an existing or proposed early education and care facility  b) indoor and outdoor space complies with regulation 107 and 108 of the Education and Care Services National	Noted  Complies as per Clause 3.22 above.	<b>Complies</b>

	<p>Regulations</p> <p>c) the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>d) the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p>	<p>Noted</p> <p>The site is listed as a State heritage item. The provided Conservation Management Plan notes that the presentation of the Homestead is to remain unaltered from all public viewing points, though with an enhanced landscape setting. No alteration is proposed to the colour scheme of the existing façade.</p>	
<p><b>27</b> - Centre-based child care facility— development control plans</p>	<p>1) A provision of a development control plan that specifies a requirement, standard or control does not apply in relation to</p> <p>a) Operational or management plans or arrangements (including hours of operation)</p> <p>b) Demonstrated need or demand for child care services</p> <p>c) Proximity of facility to other early education and care facilities</p> <p>d) Any matter in relation to development for the purpose of a centre-based child care facility contained in design principles set out in Part 2 of the <i>Child Care planning Guideline</i> or matter for consideration set out in</p>	<p>The assessment was accompanied by a PoM. The proposed hours of operation are Monday to Friday: 7:00am to 7:00pm. Closed Saturdays, Sundays, and Public Holidays</p> <p>A detailed Social Impact Comment has been provided demonstrating a growing need for childcare centres is required in the locality.</p> <p>The nearest childcare centre is approximately 200m north-west of the site.</p> <p>Noted.</p>	<p><b>Noted</b></p> <p><b>Noted</b></p> <p><b>Noted</b></p> <p><b>Noted</b></p>

**LIVERPOOL  
CITY  
COUNCIL**

4

**LOCAL PLANNING PANEL MEETING  
24 FEBRUARY 2025**

**LPP ITEMS**

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	Part 3 of the requirements set out in Part 4 of Guideline other than height, side and rear setback or car parking rates		
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**Education and Care Services National Regulations 2011**

In accordance with the Child Care Planning Guideline 2021, Chapter 4 of the *Education and Care Services National Regulations 2011* is to be applied. The key controls are discussed in the following table:

<b>Education and Care Services National Regulations 2011</b>			
<b>Chapter National Regulations</b>	<b>4 Requirement</b>	<b>Assessment</b>	<b>Comment</b>
<b>97 Emergency and Evacuation Procedures</b>	The emergency and evacuation procedures required under regulation 168 must set out — (a) instructions for what must be done in the event of an emergency; and  (b) an emergency and evacuation floor plan.	A PoM and an emergency evacuation plan has been submitted with DA-51/2024. These procedures would form part of the licensing requirements.	<b>Complies</b>
<b>104 Fencing</b>	The approved provider of an education and care service must ensure that any outdoor space used by children at the education and care service premises is enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	<u>Outdoor Play Area 1:</u> This internally located play area is enclosed by a 1.2m palisade fence with no climbable areas.  <u>Outdoor Play Area 2:</u> Is largely enclosed by built form, however the northern boundary is fenced with a 1.8m hardwood timber fence which also prevents the climbing over, under or through.  <u>Outdoor Play Area 3:</u> The northern boundary is enclosed by the same 1.8m hardwood timber fence as that of Play Area 2.  Along the western boundary, adjacent to the high school, careful removal of the existing timber fence is proposed. This is to be replaced by a new 2.1m high two-sided capped and lapped non-climbable acoustic barrier in collaboration with school	<b>Complies</b>

		<p>authorities.</p> <p>To the southern boundary a new 1.8m acoustic fence with hardwood posts and non-climbable acrylic panels etched with interactive graphics is proposed.</p> <p><b>Note:</b> Conditions of consent would be imposed ensuring all fencing adheres to the relevant Australian Standards. Palisade railing is to include a non-climbable zone, latches located on the outside of gates, and gaps between railing pickets are a maximum of 100mm to prevent children climbing over, under or through.</p> <p>It is also noted that Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.</p>	
<b>106 Laundry and Hygiene Facilities</b>	The proposed development includes laundry facilities or access to laundry facilities OR explain the other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage of soiled clothing, nappies and linen prior to their disposal or laundering. Laundry/hygienic facilities are located where they do not pose a risk to children	Laundry and hygiene facilities have appropriately been located away from children's play areas, utilizing the 'in-between' spaces of each wing.	<b>Complies</b>
<b>107 Indoor Space Requirements</b>	3.25m <sup>2</sup> of unencumbered space per child.	<p>Refer to detailed SEPP (Transport and Infrastructure) 2021 &gt; Clause 3.22 assessment in ATTACHMENT 3.</p> <p><b>Required Indoor:</b> (1119 x</p>	<b>Complies</b>

		3.25sqm) = 386.75sqm  <b>Proposed indoor</b> = 391.28sqm	
	It is <u>recommended</u> that a child care facility provide: • a minimum of 0.3m <sup>3</sup> per child of external storage space • a minimum of 0.2m <sup>3</sup> per child of internal storage space.	<b>Recommended:</b> External – (19 x 0.3) 35.7 m <sup>3</sup>  Proposed external storage including dedicated storage room and pram store: 47 m <sup>3</sup>  <b>Recommended:</b> Internal – (119 x 0.2) 23.8 m <sup>3</sup>  Proposed internal: >23.8 m <sup>3</sup>	<b>Complies</b>
<b>108 Outdoor Space Requirements</b>	7m <sup>2</sup> of unencumbered space per child.	<i>Refer to detailed SEPP (Transport and Infrastructure) 2021 &gt; Clause 3.22 assessment in ATTACHMENT 3.</i>  <b>Required outdoor:</b> (119 x 7) = 833sqm  <b>Proposed outdoor</b> = 879.21sqm	<b>Complies</b>
<b>109 Toilet and Hygiene Facilities</b>	The proposed development includes adequate, developmentally and age appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service. The location and design of the toilet, washing and drying facilities enable safe and convenient use by the children.	The proposed development provides for toilets and hygiene facilities that are located adjacent to each playroom allowing surveillance.  It was, however, noted that Nursery Room 02 does not offer this same level of surveillance to the adjacent bathroom. Provided that Nursery 02 is within the existing heritage listed Homestead Council accepts that accommodating an additional bathroom within this area would be problematic with the current layout. To resolve this issue the Plan of Management was amended to ensure a qualified staff member is always available to escort children to the bathroom under	<b>Complies</b>

		supervision, ensuring no rooms are left unattended.	
<b>110 Ventilation and Natural Light</b>	The approved provider of an education and care service must ensure that the indoor spaces used by children at the education and care service premises — (a) are well ventilated; and  (b) have adequate natural light; and  (c) are maintained at a temperature that ensures the safety and wellbeing of children.	The proposed childcare centre has access to adequate natural light via windows facing differing orientations. Natural cross ventilation is also available to all playrooms through window openings.	<b>Complies</b>
<b>111 Administrative Space</b>	The approved provider of a centre-based service must ensure that an adequate area or areas are available at the education and care service premises for the purposes of—  (a) conducting the administrative functions of the service; and (b) consulting with parents of children; and (c) conducting private conversations.	Adequate administrative areas have been proposed to facilitate conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.  These are primarily located in the eastern wing adjacent to the entry and reception area. An additional meeting room is located in the southern Homestead.	<b>Complies</b>
<b>112 Nappy Change Facilities</b>	The proposed development includes an adequate area for construction of appropriate hygienic facilities for nappy changing including at least one properly constructed nappy changing bench and hand cleansing facilities for adults in the immediate vicinity of the nappy change area. The proposed nappy change facilities can be designed and located in a way that prevents unsupervised access by children.	Nappy change facilities have been provided for children who wear nappies, including hygienic facilities for nappy changing and bathing. A nappy change room is located adjacent to each playroom.	<b>Complies</b>
<b>113 Outdoor</b>	The approved provider of a	The centre proposes an outdoor play area which is considered to	<b>Complies</b>

<b>Space - Natural Environment</b>	centre-based service must ensure that the outdoor spaces provided at the education and care service premises allow children to explore and experience the natural environment.	incorporate high quality designed outdoor areas to enable a safe learning environment for children. The outdoor play areas incorporate trees, planting, sand, rock formations and stepping stones as a natural play environment.	
<b>114 Outdoor Space - Shade</b>	<p>The approved provider of a centre-based service must ensure that outdoor spaces provided at the education and care service premises include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.</p> <p>Outdoor play areas should:</p> <ul style="list-style-type: none"> <li>• have a minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m<sup>2</sup>) of the 7.0m<sup>2</sup> of outdoor space per child required.</li> <li>• adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area</li> <li>• have evenly distributed shade structures over different activity spaces.</li> </ul>	<p>The open and covered outdoor play areas are evenly distributed to create an approximately 50:50 split.</p> <p>The provided shade diagrams illustrate at least 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% of the outdoor space is achieved.</p> <p>The submitted landscape plan illustrates shade sails and canopy trees evenly distributed over the three outdoor play areas. These ensure that more than 30% of the outdoor play area receives shade.</p>	<b>Complies</b>
<b>115 Premises Designed to Facilitate Supervision</b>	The approved provider of a centre-based service must ensure that the education and care service premises (including toilets and nappy change facilities) are designed and maintained in a way that facilitates supervision of children at all	<p>The proposed development provides for toilets and hygiene facilities that are located adjacent to each playroom allowing surveillance.</p> <p>It was, however, noted that Nursery Room 02 does not offer this same level of surveillance</p>	<b>Complies</b>

	times that they are being educated and cared for by the service, having regard to the need to maintain the rights and dignity of the children.	to the adjacent bathroom. Provided that Nursery 02 is within the existing heritage listed Homestead Council accepts that accommodating an additional bathroom within this area would be problematic with the current layout. To resolve this issue the Plan of Management was amended to ensure a qualified staff member is always available to escort children to the bathroom under supervision, ensuring no rooms are left unattended.	
<b>123 Educator to child ratios—centre-based services</b>	The minimum number of educators required to educate and care for children at a centre-based service as follows;  Children age between 0 to 24 months- 1 educator to 4 children;	24 children are proposed  Educators required: 6  Educators proposed: 6	<b>Complies</b>
	Children age between 24 months to 36 months - 1 educator to 5 children;	35 children are proposed  Educators required: 7)  Educators proposed: 7	<b>Complies</b>
	Children age between 36 months and over - 1 educator to 10 children; and	60 children are proposed  Educators required: 6  Educators proposed: 6	<b>Complies</b>
	Children over preschool age- 1 educator to 15 children.	Nil.	<b>Not Applicable</b>

**Child Care Planning Guideline 2021 (CCPG)**

Determining a Development Application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline 2021 (CCPG). The key controls are discussed in the following table:

<b>Child Care Planning Guideline 2021</b>			
<b>Part 3. Matters for considerations</b>			
<b>Objectives</b>	<b>Considerations</b>	<b>Assessment</b>	<b>Comment</b>
<b>3.1 Site Selection and location</b>			
<b>C1</b> <i>Proposed developments in or adjacent to a residential zone must consider:</i>	The acoustic and privacy impacts of the proposed development on the residential properties;	An Acoustic Assessment prepared by Sound Acoustic Consultants, has been submitted and acoustic treatments have been recommended to mitigate potential noise emission. The proposed development is unlikely to result in adverse impacts subject to these recommendations.	<b>Complies</b>
	The setbacks and siting of buildings within the residential context; and	The setbacks and siting of the development is considered suitable within the residential context.	<b>Complies</b>
	Visual amenity impacts (e.g. additional building bulk and overshadowing, local character)	The proposed development respects the existing building form with the proposed additions being extensions of the modern wings.  The additional bulk is largely focused on the north-western corner away from the street frontage. The development is not considered likely to impose a detrimental impact on residential amenity of the locality.	<b>Complies</b>
	Traffic and parking impacts of the proposal on residential amenity.	Concerns have been raised regarding the location of the proposed driveway.  It is noted that it sits within the indented parking bay of a bus zone. It is also across the pedestrian footpath that leads to the gate of neighbouring	<b>Complies</b>  <b>See Addressed Contention 1 below</b>

		<p>high school.</p> <p>These create potential conflicts between vehicles entering/exiting, pedestrians, parked vehicles and buses.</p> <p>The current location of the proposed driveway has largely been dictated by heritage concerns. Alternative locations were explored including that of the existing vehicular access on the east, however, this was considered unacceptable on grounds of heritage.</p> <p>Please refer to Contention 1 of the LPP report for a detailed justification regarding the traffic and parking impact.</p>	
<b>C2</b> <i>To ensure that the site selected for a proposed child care facility is suitable for the use.</i>	<p>The location and surrounding uses are compatible with the proposed development or use.</p>	<p>The selected site is considered suitable for the centre-based child care as it is located within proximity to a school and is surrounded by residential development.</p> <p>A comprehensive Social Impact Comment has been provided demonstrating an increased need for Childcare centres in the area.</p>	<b>Complies</b>
	<p>The site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards.</p>	<p>The site is not mapped as being flood prone land, bushfire prone land and is not located within a land slip or coastal area.</p>	<b>Complies</b>
	<p>There are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed.</p>	<p>A Stage 1 preliminary site investigation and Stage 2 detailed site investigation was submitted to Council. The reports conclude that the site is suitable for the proposed redevelopment works and was reviewed by Council's Environmental Health Section. They supported the findings of</p>	<b>Complies</b>

		the contamination assessments, subject to conditions if consent were granted.	
	<p>The characteristics of the site are suitable for the scale and type of development proposed having regard to:</p> <ul style="list-style-type: none"> <li>size of street frontage, lot configuration, dimensions and overall size</li> <li>number of shared boundaries with residential properties</li> </ul>	<p>The proposal is for the adaptive reuse of an existing building with extensions to two side wings. It is therefore considered that items such as number of shared boundaries, street frontage width, lot configuration and size are not impacted.</p>	<b>Complies</b>
	<p>The development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas</p>	<p>The development is not anticipated to have significant adverse environmental impacts on the surrounding area. Solar access and privacy are addressed via the appropriate siting of the development, while mitigation measures have been incorporated to address acoustic privacy.</p> <p>As demonstrated within the attached assessment report it is considered that the proposal is sympathetic to the heritage and cultural significance of the site.</p>	<b>Complies</b>
	<p>Where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use. Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item.</p>	<p>The proposal involves the adaptive re-use of an existing premises.</p> <p>As demonstrated within the attached assessment report it is considered that the proposal is sympathetic to the heritage and cultural significance of the site.</p> <p>The historic house is best suited for administration and meetings; any child care use in the house will require fully reversible fitments with very simple connection to existing plumbing. The rear wings - which are entirely modern,</p>	<p><b>Complies</b></p> <p><b>See Addressed Contention 2 below</b></p>

		with large open plan spaces – can readily be adapted for child care purposes. The rear wings can readily be extended in a discreet way to provide additional child care facilities. It is noted that the historic house generally cannot be adapted for wheelchair access, thus restricting its general usage. Introduction of a lift into the house is unacceptable as it will destroy key interiors.	
	There are suitable drop off and pick up areas, and off and on street parking.	As discussed within the car parking controls under the LDCP 2008, ATTACHMENT 6, on-site car parking and drop off areas are considered suitable.	<b>Complies</b>  <b>See Addressed Contention 1 below</b>
	The characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use	Given the sites is directly adjacent to a High School with controlled speed limits, parking restrictions, drop-off areas and additional safety measures it is considered that the proposed use would benefit from its location.  Please refer to Contention 1 of the LPP report for a detailed justification regarding the traffic and parking impact.	<b>Complies</b>  <b>See Addressed Contention 1 below</b>
	The site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities	The site avoids direct access to roads with high traffic volumes. As previously noted the location adjacent to a High School with controlled speed limits, parking restrictions, drop-off areas and additional safety measures are already in place.	<b>Complies</b>

	It is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.	The site is not in a close vicinity of restricted premises and the like.	<b>Complies</b>
<b>C3</b> <i>To ensure that sites for child care facilities are appropriately located.</i>	Near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship.	The site is located within close proximity to compatible uses such as John Edmondson High School and a number of small childcare centres.	<b>Complies</b>
	Near or within employment areas, town centres, business centres, shops.	The site is located within proximity to Prestons Local shopping centre to the East	<b>Complies</b>
	With access to public transport including rail, buses, ferries.	The site is serviced by a bus stop immediately adjacent to the site. With regular services covering much of the local region, including significant links to Liverpool, all accessible from the site frontage, the site is considered to have a high degree of local accessibility via public transport.	<b>Complies</b>
	In areas with pedestrian connectivity to the local community, businesses, shops, services and the like.	<p>Pedestrian connectivity is considered to be suitable. The site is 20min walking distance to Prestons Woolworths and other services and businesses. Alternatively, it is a 5min drive to either Carnes Hill Marketplace or Prestons Woolworths.</p> <p>It is noted that the Horningsea Park Drive frontage is mapped as incorporating a future off-road cycleway. A condition would be included requiring a 2.5m shared cycleway.</p>	<b>Complies</b>  <b>See Addressed Contention 6 below</b>
<b>C4</b> <i>To ensure that sites for child</i>	Heavy or hazardous industry, waste transfer depots or landfill sites.	The site is not located in close proximity to heavy or hazardous industries.	<b>Complies</b>

<i>care facilities do not incur risks from environmental, health or safety hazards.</i>	LPG tanks or service stations	The site is not located in close proximity to service stations or LPG tanks.	<b>Complies</b>
	Water cooling and water warming systems.	The site is not located in close proximity to water cooling systems.	<b>Complies</b>
	Odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses.	The site is not located in close proximity to odour polluting sites.	<b>Complies</b>
	Extractive industries, intensive agriculture, agricultural spraying activities.	The site is located within a residential area.	<b>Complies</b>
	Any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site.	The site is located within a residential area.	<b>Complies</b>
<b>3.2 Local Character, streetscape and the public domain interface</b>			
<b>C5</b> <i>To ensure that the child care facility is compatible with the local character and surrounding streetscape.</i>	<p>Contribute to the local area by being designed in character with the locality and existing streetscape.</p> <p>Build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place.</p> <p>Reflect the predominant form of surrounding land uses, particularly in low density residential areas.</p> <p>Recognise predominant streetscape qualities, such as building form, scale, materials and colours.</p> <p>Include design and architectural treatments that respond to and integrate with the existing streetscape.</p>	<p>The proposed development is considered to be compatible with the existing streetscape, ensuring seamless integration with the locality.</p> <p>The existing house and its environs demonstrate the desire to create an imposing country residence, to some real degree emulating English prototypes. It was created to be the central focus of a pastoral enterprise.</p> <p>The context is now suburban, yet its proposed future as a Childcare Centre respects the heritage value of the country residence.</p> <p>The historic house is best suited for administration and meetings; any child care use in the house will require fully</p>	<b>Complies</b>  <b>See Addressed Contention 2 below</b>

		reversible fitments with very simple connection to existing plumbing. The rear wings - which are entirely modern, with large open plan spaces – can readily be adapted for child care purposes. The rear wings can readily be extended in a discreet way to provide additional child care facilities.	
	Use landscaping to positively contribute to the streetscape and neighbouring amenity.	<p>Landscaping has been carefully incorporated into the design of the development.</p> <p>No change will occur in the front of the house. Only necessary shade trees will be added to the northwest of the house, to reduce the harmful effects of urban heat.</p> <p>The planting adaption is informed by analysis of the various landscape structure of past phases, consistent with the State Heritage Inventory Statement of Significance and the HIS 1999. All existing trees are to be conserved in this plan with regular monitoring and review for appropriate care as they mature and senesce.</p>	<p><b>Complies</b></p> <p><b>See Addressed Contention 3 below</b></p>
	Integrate car parking into the building and site landscaping design in residential areas.	<p>As discussed within the car parking controls under the LDCP 2008, on-site car parking and drop off areas are considered suitable.</p> <p>Refer to Contention 5 of the LPP Report for a detailed explanation regarding integration with landscaping.</p>	<b>Complies</b>
<b>C6, C7 and C8</b> <i>To ensure clear delineation between the child care facility and public spaces</i>	Fencing to ensure safety for children entering and leaving the facility.	The proposed works will ensure a clear transition between the private and public spaces by providing appropriate boundary fencing and fencing surrounding the play areas with acoustic	<b>Complies</b>

		<p>protection achieved for adjoining residential land uses.</p> <p>Existing front fencing is proposed to be retained to achieve territorial reinforcement distinguishing public and private domains for communal safety</p> <p>As covered in ATTACHMENT 4: Regulation 104:  <u>Outdoor Play Area 1:</u> This internally located play area is enclosed by a 1.2m palisade fence with no climbable areas.</p> <p><u>Outdoor Play Area 2:</u> Is largely enclosed by built form, however the northern boundary is fenced with a 1.8m hardwood timber fence which also prevents the climbing over, under or through.</p> <p><u>Outdoor Play Area 3:</u> The northern boundary is enclosed by the same 1.8m hardwood timber fence as that of Play Area 2.</p> <p>Along the western boundary, adjacent to the high school, the careful removal of the existing timber fence is proposed. This is to be replaced by a new 2.1m high two-sided capped and lapped non-climbable acoustic barrier in collaboration with school authorities.</p> <p>To the southern boundary a new 1.8m acoustic fence with hardwood posts and non-climbable acrylic panels</p>	
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		<p>etched with interactive graphics is proposed.</p> <p><u>Note:</u> Conditions of consent would be imposed ensuring all palisade railing includes a non-climbable zone, latches located on the outside of gates, and gaps between railing pickets are a maximum of 100mm to prevent children climbing over, under or through.</p> <p>It is also noted that Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.</p>	
	Windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community	Windows facing Horningsea Park Drive are screened by landscaping and setback from the street frontage limiting the potential for surveillance, however the active use outdoor areas along the perimeter permits ease of surveillance.	<b>Complies</b>
	Integrating existing and proposed landscaping with fencing.	<p>This proposed development presents an opportunity to reconstruct elements of Cumberland Shale Plains Grassy Woodland where opportunities exist, such as in clumps or belts of planting designed to screen infrastructure such as the school perimeter fence and car parking areas.</p> <p>The reintroduction of Cumberland Shale Plain Woodland Species has been proposed to:</p> <ul style="list-style-type: none"> <li>• in screening planting to the John Edmondson High School fence,</li> <li>• perimeter of proposed car parking and</li> </ul>	<b>Complies</b>  <b>See Addressed Contention 5 below</b>

		<ul style="list-style-type: none"> <li>• in garden beds as edging</li> </ul> <p>Existing fences that are not sympathetic to the heritage significance (HIS 1995) are considered and where appropriate, replacement by a design in keeping with the heritage character in the statement of Heritage Significance (SHR) is recommended. They include:</p> <ul style="list-style-type: none"> <li>• A glass pool fence to be removed as it is made obsolete by the new use as Child Care</li> <li>• A capped and lapped timber fence to the John Edmondson school grounds boundary,</li> <li>• A pair of rendered brick masonry gateway structures flanking the driveway at the subdivision boundary main driveway axis, formerly the property entrance.</li> <li>• A similar blade/retaining wall to the boundary at the roundabout at the intersection of Horningsea Park Drive and</li> <li>• A flimsy post and wire fence which is reasonably acceptable, being unobtrusive and rural in character.</li> </ul>	
	<p>On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.</p>	<p>The proposed child care centre provides one main entrance point for pedestrians with gated access from the street frontage.</p> <p>It is noted that an existing entry to Bunya Park is to be retained but no access is provided.</p> <p>Two distinct driveway entries are provided. The existing eastern driveway is for use by service vehicles only, the proposed northern vehicle access is for those using the</p>	<p><b>Complies</b></p>

	<p>Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:</p> <ul style="list-style-type: none"> <li>• clearly defined street access, pedestrian paths and building entries</li> <li>• low fences and planting which delineate communal/private open space from adjoining public open space</li> <li>• minimal use of blank walls and high fences.</li> </ul>	<p>childcare centre.</p> <p>The proposal adjoins Bunya Park, formerly known as Gentleman's pleasure grounds or 'homepark', to the south.</p> <p>The park was formerly dominated by a strong central tree-lined axis with a backdrop of pines that leads to the site's circular carriageway, centred on the front door.</p> <p>In the Council managed Bunya Park, trees no longer line the drive, and one large oleander shrub stands adjacent to the central axis. Within the property, the carriageway alignment generally remains, and spatially, the carriageway vista extends from Camden Valley Road through the suburban streetscape and through Bunya Park to the front garden and house façade.</p> <p>No work is proposed to this southern border of the site and as such its heritage value is adequately retained.</p>	<b>Complies</b>
<p><b>C9 and C10</b> <i>To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.</i></p>	<p>Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.</p>	<p>The existing rural fence and gate is to be retained along the southern and eastern perimeter.</p> <p>The existing masonry fencing and gate to the north-eastern frontage it to be retained.</p> <p>The dilapidated boundary rural timber fencing to the north is to be replaced with new fencing to match.</p> <p>Fencing has been proposed in accordance with advice sought by Heritage NSW.</p>	<b>Complies</b>
	<p>High solid acoustic fencing may be used when shielding</p>	<p>No high solid acoustic fencing is proposed along the front</p>	<b>Complies</b>

	the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.	boundaries.  However, along the western boundary adjacent to the high school, the careful removal of the existing timber fence is proposed. This is to be replaced by a new 2.1m high two-sided capped and lapped non-climbable acoustic barrier in collaboration with school authorities.	
<b>3.3 Building orientation, envelope, building design and accessibility</b>			
<b>C11</b> <i>To respond to the streetscape and site, mitigate impacts on neighbours, while optimising solar access and opportunities for shade.</i>	Orient a development on a site and design the building layout to: <ul style="list-style-type: none"> <li>• Ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by:</li> <li>• Facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties.</li> <li>• Placing play equipment away from common boundaries with residential properties</li> <li>• Locating outdoor play areas away from residential dwellings and other sensitive uses.</li> </ul>	The subject site benefits from good orientation, wherein the existing built form and outdoor spaces allow for visual privacy and minimal noise impacts to the adjoining neighbours whilst achieving optimal solar access.  Doors and windows are suitably setback from side boundaries. All play equipment is away from common boundaries. Outdoor open areas generally face internally or to the rear away from neighbouring development.	<b>Complies</b>
	Optimise solar access to internal and external play areas.	As detailed in ATTACHMENT 4: Regulation 114 the provided shade diagrams illustrate at least 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% of the outdoor space is achieved.  Multiple window openings are retained and proposed throughout accommodating a sufficient level of internal solar access.	<b>Complies</b>
	Avoid overshadowing of adjoining residential properties.	The proposed development is suitably setback from the boundary so as to avoid any potential overshadowing of nearby residential properties.	<b>Complies</b>

	Minimise cut and fill.	The proposal primarily involves the adaptive reuse of an existing building. However, minor cut and fill is required to accommodate the extension of the two wings.	<b>Complies</b>
	Ensure buildings along the street frontage define the street by facing it.	The existing Homestead continues to face the 'front' of the site, being Bunya Park. The proposed extensions, although facing Horningsea Park Drive, technically face the rear of the site. Nonetheless the extensions are suitably concealed by landscaping and the car park acts as a buffer zone between the building and the street frontage.	<b>Complies</b>
	Ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.	The outdoor play areas would be shielded from adverse weather conditions through fencing and landscape design. Shading is also provided to shield children from UV rays.	<b>Complies</b>
<b>C12</b> <i>To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.</i>	Building height should be consistent with other buildings in the locality.	The proposed extensions are approximately 5.6m in height. This is consistent with the height of nearby residential dwellings in the area and would not detract from the height of the existing Homestead of approximately 11m.	<b>Complies</b>
	Building height should respond to the scale and character of the street.		
	Setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility.	Side and rear setbacks are consistent with the requirements of the LDCP 2008.	<b>Complies</b>
	Setbacks should provide adequate access for building maintenance.	Side and rear setbacks are consistent with the requirements of the LDCP 2008.	<b>Complies</b>
	Setbacks to the street should be consistent with the existing character.	The setbacks and siting of the development is suitable within the residential context.	<b>Complies</b>
<b>C13 and C14</b> <i>To ensure that setbacks from the boundary of a child care facility are</i>	Where there are no prevailing setback controls minimum setback To a classified road should be 10 metres. On other road frontages where there are	The subject site is zoned R2 Low Density Residential. Setbacks have been applied in accordance with controls within Part 3.8 Non-Residential Development in Residential Zones: (Childcare	<b>Not Applicable</b>

<i>consistent with the predominant development within the immediate context</i>	existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	Centres), in which the proposed development complies.	
	On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	The subject site is zoned R2 Low Density Residential. Setbacks have been applied in accordance with controls within Part 3.8 Non-Residential Development in Residential Zones: (Childcare Centres), in which the proposed development complies.	<b>Not Applicable</b>
<b>C15</b> <i>To ensure that buildings are designed to create safe environments for all users.</i>	Located to allow ease of access, particularly for pedestrians.	The proposed child care centre provides one main entrance point for pedestrians and one main entry point for vehicles allowing ease of use.	<b>Complies</b>
	Directly accessible from the street where possible.	Pedestrian entry is directly accessible from the street.	<b>Complies</b>
	Directly visible from the street frontage.	Pedestrian entry is directly visible from the street.	<b>Complies</b>
	Easily monitored through natural or camera surveillance.	Entry to the facility is easily monitored through natural surveillance of windows.	<b>Complies</b>
	Not accessed through an outdoor play area.	Entrance is not accessed through outdoor play area.	<b>Complies</b>
In a mixed-use development, clearly defined and separate from entrances to other uses in the building.	Not within a mixed-use development.	<b>Not Applicable</b>	
<b>C16</b> <i>To ensure that child care facilities are accessible by all potential users.</i>	Providing accessibility to and within the building in accordance with all relevant legislation	The proposed site is accessible for all users. • Public buses are within close proximity to the subject site. • An Access Report has been provided concluding that access requirements appear capable of achieving compliance at construction certificate stage.	<b>Complies</b>
	Linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas	All areas of the site are accessible by ramped pathways. As noted in the Access Report access requirements, including wheelchair travel, appear	<b>Complies</b>

	and the main building entry.	capable of achieving compliance at construction certificate stage.	
	Providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible.	All areas of the site are accessible by ramped pathways. As noted in the Access Report access requirements, including wheelchair travel, appear capable of achieving compliance at construction certificate stage.	<b>Complies</b>
	Minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.	Design has limited ramping, having relatively level building FFLs.	<b>Complies</b>
<b>3.4 Landscaping</b>			
<b>C17 and C18 Landscaping</b> <i>To provide landscape design that contributes to the streetscape and amenity.</i>	Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.	Planting has been provided along the boundaries.  Screen planting has not been included in unencumbered outdoor space calculations.	<b>Complies</b>
	Use the existing landscape where feasible to provide a high quality landscaped area by: <ul style="list-style-type: none"> <li>Reflecting and reinforcing the local context</li> <li>Incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.</li> </ul>	<p>The adaption responds to the regional open space network and ecology by subtly reintroducing endemic local variants of Cumberland Shale Plains Woodland in discrete informal hedge and garden bed planting, strengthening existing cultural plantings.</p> <p>The planting adaption is informed by analysis of the various landscape structure of past phases, consistent with the State Heritage Inventory Statement of Significance and the HIS 1999. All existing trees are to be conserved in this plan with regular monitoring and review for appropriate care as they mature and senesce.</p> <p>Proposed enhancement at this stage is focused on improving</p>	<b>Complies</b>  <b>See Addressed Contention 3 below</b>

		the health and appearance of the understorey on the east side of the house and on the north side, restoring the overgrown fence line into pleasant and functional grounds for children, staff and visitors in keeping with the original landscape design as we now understand it.	
	<p>Incorporate car parking into the landscape design of the site by:</p> <ul style="list-style-type: none"> <li>Planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings</li> <li>Taking into account streetscape, local character and context when siting car parking areas within the front setback</li> <li>Using low level landscaping to soften and screen parking areas.</li> </ul>	<p>Shade trees of varying heights local to the Cumberland Plain have been incorporated into the garden beds surrounding and within the car parking area.</p> <p>Deciduous Chinese Elms have also been introduced to continue the pattern of existing site and street canopy planting, while providing shade to the carpark.</p> <p>An existing line of Kurrajong Trees is retained along the northern side of the car park. New infill Kurrajong trees at equal spacing is also proposed to create a buffer of grasses, flax, and tough shrubs.</p> <p>Refer to Contention 5 of the LPP Report for a detailed explanation regarding integration with landscaping.</p>	<p><b>Complies</b></p> <p><b>See Addressed Contention 4 below</b></p>
<b>3.5 Visual and acoustic privacy</b>			
<p><b>C19 and 20</b> <i>To protect the privacy and security of children attending the facility</i></p>	<p>Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: Appropriate site and building layout</p>	<p>The building has been adequately setback from the street in accordance with LDGP 2008, mitigating privacy concerns.</p>	<p><b>Complies</b></p>
	<p>Suitably locating pathways, windows and doors</p>	<p>Pathways, windows and doors are generally located in such a way that overlooking concerns are minimised.</p>	<p><b>Complies</b></p>
	<p>Permanent screening and landscape design.</p>	<p>Sufficient screen planting is proposed along each boundary.</p>	<p><b>Complies</b></p>
<p><b>C21</b> <i>To minimise</i></p>	<p>Minimise direct overlooking of main internal living areas and</p>	<p>The proposed development would not pose significant</p>	<p><b>Complies</b></p>

<i>impacts on privacy of adjoining properties.</i>	private open spaces in adjoining developments through: Appropriate site and building layout	overlooking impacts on neighbouring sites due to sufficiently positioned windows, the single storey built form design and large setbacks.	
	Suitable location of pathways, windows and doors	Pathways, windows and doors are generally located in such a way that overlooking concerns are minimised.	<b>Complies</b>
	Landscape design and screening.	Sufficient screen planting is proposed along each boundary.	<b>Complies</b>
<b>C22 and 23</b> <i>To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.</i>	A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should: Provide an acoustic fence along any boundary where the adjoining property contains a residential use.	The subject site is not located directly adjacent to residential accommodation. Nonetheless 2.1m high acoustic fencing has been provided along the western boundary adjoining a High school.	<b>Complies</b>
	Ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. Acoustic fence, building, or enclosure.	Mechanical Plant including AC units have been located on the roof of the Commercial Kitchen. They are to be enclosed in perforated metal.  All mechanical plant, once selected, shall have their noise specifications and their proposed locations checked prior to their installation on site to ensure that they shall not, either singularly or in total, emit noise levels that exceed the noise limits at the boundaries.	<b>Complies</b>
	A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: <ul style="list-style-type: none"> <li>Identify an appropriate noise level for a child care facility located in residential and other zones</li> </ul>	An Acoustical Report, prepared by Sound Acoustic Consultants, has been submitted and acoustic treatments have been recommended to mitigate potential noise emission. The proposed development is unlikely to result in adverse impacts subject to these	<b>Complies</b>

	<ul style="list-style-type: none"> <li>Determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use</li> <li>Determine the appropriate height of any acoustic fence to enable the noise criteria to be met.</li> </ul>	recommendations.	
<b>3.6 Noise and air pollution</b>			
<b>C24 and 25</b> <i>To ensure that outside noise levels on the facility are minimised to acceptable levels.</i>	Adopt design solutions to minimise the impacts of noise, such as: Creating physical separation between buildings and the noise source.	An Acoustical Report, prepared by Sound Acoustic Consultants, has been submitted and acoustic treatments have been recommended to mitigate potential noise emission. The proposed development is unlikely to result in adverse impacts subject to these recommendations.	<b>Complies</b>
	Orienting the facility perpendicular to the noise source and where possible buffered by other uses	Noise would be buffered by landscaping and acoustic fencing.	<b>Complies</b>
	Using landscaping to reduce the perception of noise	Landscaping is proposed within the outdoor area.	<b>Complies</b>
	Limiting the number and size of openings facing noise sources	The number of opening is largely dictated by what is existing. It is noted that multiple, yet small openings have been incorporated in keeping with the Heritage Homestead.	<b>Complies</b>
	Using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)	Acoustic report provides recommendations which could be conditioned if consent were granted.	<b>Complies</b>
	Using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits	As above.	<b>Complies</b>
	Locating cot rooms, sleeping areas and play areas away from external noise sources.	Sleeping rooms and play areas are located away from noise sources such as car parking area and mechanical plant and equipment.	<b>Complies</b>
	An acoustic report should identify appropriate noise levels for sleeping areas and	The proposed child care centre could be considered nearby a source of substantial external noise, being the	<b>Complies</b>

	<p>other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> <li>• On industrial zoned land</li> <li>• Where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000</li> <li>• Along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007</li> <li>• On a major or busy road</li> <li>• <u>Other land that is impacted by substantial external noise</u></li> </ul>	<p>neighbouring High School.</p> <p>The provided Acoustic Report includes measures from a receiver adjacent the full length of the Western boundary of the High School.</p> <p>An analysis of the noise emission has been undertaken to reveal that the boundary fences/barriers around the outdoor play areas are required. Recommended building construction requirements including noise absorption panels are made in this report.</p> <p>Noise emissions into the classrooms of John Edmondson High School is not considered to be an issue as they are located too far away (&gt;40m) from the development to be impacted internally.</p>	
<p><b>C26 and 27</b> <i>To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.</i></p>	<p>Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.</p>	<p>The surrounding area is predominantly residential housing. The proposed child care centre is not located adjacent to major roads or industrial development. Therefore, an air quality assessment report is not required.</p>	<p><b>Not Applicable</b></p>
	<p>A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines.</p>	<p>As above.</p>	<p><b>Not Applicable</b></p>
	<p>The air quality assessment report should evaluate design considerations to minimise air pollution such as:</p> <ul style="list-style-type: none"> <li>• creating an appropriate</li> </ul>	<p>Although an air quality assessment report is not required. A condition of consent would be imposed ensuring that windows do not</p>	<p><b>Complies</b>  <b>See Addressed Contention</b></p>

	<p>separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution</p> <ul style="list-style-type: none"> <li>• using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway</li> <li>• incorporating ventilation design into the design of the facility.</li> </ul>	remain closed at all times.	<b>7 below</b>
<b>3.7 Hours of operation</b>			
<b>C28 and C29</b> <i>To minimise the impact of the child care facility on the amenity of neighbouring residential developments.</i>	<p>Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses</p>	<p>The proposed hours of operation are Monday to Friday: 7:00am to 7:00pm. Closed Saturday, Sundays and Public Holidays.</p>	<b>Complies</b>
	<p>Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.</p>	<p>Site is not within mixed-use or commercial areas.</p>	<b>Not Applicable</b>
<b>3.8 Traffic, parking and pedestrian circulation</b>			
<b>C30, C31 and C32</b> <i>To provide parking that satisfies the needs of users and the demand generated by the centre and to minimise conflicts</i>	<p>Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.</p>	<p>The proposed development provides 34 car parking spaces, in accordance with the LDCP 2008.</p>	<b>Complies</b>
	<p>In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses,</p>	<p>Site is not within mixed-use or commercial areas.</p>	<b>Not Applicable</b>

<i>between pedestrians and vehicles.</i>	that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.		
	<p>A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:</p> <ul style="list-style-type: none"> <li>The amenity of the surrounding area will not be affected</li> <li>There will be no impacts on the safe operation of the surrounding road network</li> </ul>	<p>The application is supported by a Traffic Impact Assessment.</p> <p>Refer to Contention 1 for a detailed assessment regarding impact on the surrounding road network.</p>	<p><b>Complies</b></p> <p><b>See Addressed Contention 1 below</b></p>
<p><b>C33 and C34</b> To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.</p>	<p>Alternate vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> <li>A classified road</li> </ul>	Site is not fronting a classified road.	<b>Not Applicable</b>
	<ul style="list-style-type: none"> <li>Roads which carry freight traffic or transport dangerous goods or hazardous materials.</li> </ul>	Site is not fronting a heavy usage or hazardous road.	<b>Not Applicable</b>
	<p>The alternate access must have regard to:</p> <ul style="list-style-type: none"> <li>The prevailing traffic conditions</li> <li>Pedestrian and vehicle safety including bicycle movement</li> <li>The likely impact of the development on traffic</li> </ul>	Alternate access is not required.	<b>Not Applicable</b>
	<p>Child care facilities proposed within cul-de-sacs or via narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.</p>	Site is not located within cul-de-sac or narrow road.	<b>Not Applicable</b>
<b>C35, C36 and C37</b>	Separate pedestrian access from the car park to the facility.	The proposal provides dedicated pedestrian	<b>Complies</b>

<p><i>To provide a safe and connected environment for pedestrians both on and around the site.</i></p>		footpaths from the car parking spaces, with clear pedestrian crossings for safety, to the entry point.	
	Defined pedestrian crossings included within large car parking areas.	As noted above a pedestrian crossing is incorporated into the car park for safety.	<b>Complies</b>
	Separate pedestrian and vehicle entries from the street for parents, children and visitors.	<p>Entry from the street is appropriately broken up into three areas:</p> <ul style="list-style-type: none"> <li>Northern Vehicular entry: Proposed driveway for parents and staff.</li> <li>Eastern Vehicle entry: Existing driveway to be utilised by service vehicles.</li> <li>Eastern Pedestrian entry: Proposed footpath for parents and staff.</li> </ul>	<b>Complies</b>
	Pedestrian paths that enable two prams to pass each other.	Pedestrian's paths are able to accommodate two prams passing one another (1.5m wide as recommended in the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling), and separated from vehicles using the driveway and car park.	<b>Complies</b>
	Delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities	The eastern delivery and service vehicle access is suitably separate from the main carpark entry to the north.	<b>Complies</b>
	Minimise the number of locations where pedestrians and vehicles cross each other	Vehicle and pedestrian access to the child care centre would be separate.	<b>Complies</b>  <b>See Addressed Contention 1 below</b>
	In commercial or industrial zones and mixed-use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas	Site is not within mixed-use or commercial areas.	<b>Not Applicable</b>
	Vehicles can enter and leave the site in a forward direction.	Vehicles can enter and leave the site in a forward direction.	<b>Complies</b>
	Clear sightlines are maintained	A minimum sight line of 45m is	<b>Complies</b>

	<p>for drivers to child pedestrians, particularly at crossing locations.</p>	<p>generally maintained in both directions from the driveway entry.</p> <p>It is noted that on-street car parking presents an intermittent visibility obstruction. However, as the centre will operate during 40km/hr school zone periods ample breaking time is ensured.</p> <p>Refer to Contention 2 of the LPP report for a detailed assessment regarding safety and sightlines.</p>	<p><b>See Addressed Contention 1 below</b></p>
	<p>Mixed use developments should include:</p> <ul style="list-style-type: none"> <li>• driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks</li> <li>• drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site</li> <li>• parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.</li> </ul>	<p>Site is not within mixed-use areas.</p>	<p><b>Not Applicable</b></p>
	<p>Car parking design should:</p> <ul style="list-style-type: none"> <li>• Include a child safe fence to separate car parking areas from the building entrance and play areas</li> <li>• Provide clearly marked</li> </ul>	<ul style="list-style-type: none"> <li>• All parts of the centre include child safe fences to separate car parking areas from the building entrance and play areas.</li> <li>• A clearly marked accessible parking space</li> </ul>	<p><b>Complies</b></p>

	accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards <ul style="list-style-type: none"> <li>• Include wheelchair and pram accessible parking.</li> </ul>	is provided as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards. <ul style="list-style-type: none"> <li>• All car parking is otherwise wheelchair and pram accessible parking.</li> </ul>	
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**Contention 1: Roads and Safety**

Pursuant to *CCPG Part 3.1 Site Selection and location and Part 3.8 Traffic, Parking and pedestrian circulation*:

**C1.** Proposed developments in or adjacent to a residential zone must consider:

- o traffic and parking impacts of the proposal on residential amenity and road safety

**C2.** To ensure that the site selected for a proposed child care facility is suitable for the use the following must be considered:

- o There are suitable drop off and pick up areas, and off and on street parking.
- o The characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use

**C32.** A Traffic and Parking Study should demonstrate that:

- o the amenity of the surrounding area will not be affected
- o there will be no impacts on the safe operation of the surrounding road network.

**C35.** The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:

- o minimise the number of locations where pedestrians and vehicles cross each other
- o clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations.

**Council Comment:** Throughout the assessment process Council has raised safety concerns regarding the location of the proposed driveway. The proposed driveway is located within the indented parking bay between the bus stop and the neighboring High School. It is also across the pedestrian footpath that leads to the school pedestrian gate for the high school. There are several potential conflicts at this point between vehicles entering/exiting the driveway, pedestrians, vehicles using the indented parking bay, and buses.

It was further noted that as only 12 visitor on-site car parking spaces will be available it is likely that queuing on to the public road network will occur. Horningsea Park Drive is a collector road with Bus Route and with high volume of traffic movements. Right turning vehicular access into the site will create traffic congestions, however, due to narrow road width appropriate central median on Horningsea Park Drive is not possible.

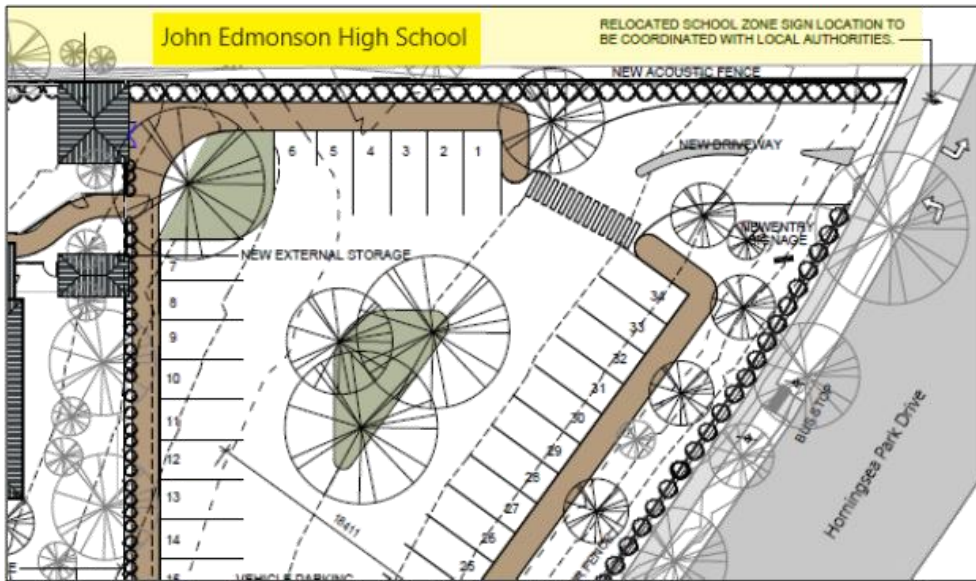


Figure 1: Proposed driveway location.



Figure 2: Street view of proposed driveway location.

The current location of the proposed driveway has largely been dictated by heritage concerns. Alternative locations were explored including that of the existing vehicular access on the east, however, this was considered unacceptable on grounds of heritage. It was a requirement that the heritage landscape setting, including all established trees be retained as is. Furthermore, the submitted Statement of Landscape Heritage Impact identifies that the existing landscaped garden setting and existing trees within the southern and eastern setbacks are of heritage significance to the site that require retention and embellishment as

part of the proposed development. Utilisation of the existing driveway and upgrade works to allow two-way movement would compromise existing landscaping.

The current location is considered a preferable alternative for a number of reasons:

- The northern Horningsea Park Drive road reserve is wider than the eastern road reserve with effectively a 3 lane road reserve width as opposed to a 2 lane road reserve width along the eastern side of the site;
- The proposed driveway location is the most ideal in relation to existing site contours allowing for almost at grade driveway entry and exit;
- The proposed driveway location has the least potential for impacts on the heritage item;
- Repositioning the driveway further east along Horningsea Drive would result in the need to relocate the bus stop, loss of on street car parking, loss of street trees and bringing traffic closer to the roundabout and intersection which are inferior outcomes than that proposed;
- The proposed driveway location does not require changes to the existing bus stop which can remain in the existing position and is unaffected by the proposed driveway, however, would require relocation of the school zone sign which will be undertaken in consultation with Transport for NSW;
- The proposed driveway location is supported by a physical median within the driveway itself which will force a left in left out arrangement preventing vehicles from turning right into or out of the site and therefore aiding with the flow of traffic on Horningsea Park Drive. The proposal includes sign posting of no right turn into and out of the site;
- The proposed driveway location will result in eastbound traffic approaching the site being required to approach the roundabout, make a 360 degree turn at the roundabout and return westbound on Horningsea Park Drive for a left turn into the site meaning that any queuing of vehicles is provided with the longest possible path to avoid extensive queuing (see Figure 3);
- In addition to the above, the car park itself provides approximately 70 metres of queuing within the car park in the one way movement to alleviate on-street queuing..



Figure 3: Path of eastbound traffic.

Considering all the points above and the submitted Traffic Impact Statement, the proposed driveway location is considered to be the most ideal and practical location for this site and development.

Additional conditions of consent would be imposed to ensure safety. With regards to signage no right turn signage is conditioned as per figure 4 below. To further enforce adherence to this signage a condition of consent has been imposed requiring a traffic marshal engaged by the operator of the childcare centre to manage traffic during drop-off and pick-up periods. Parking spaces allocated to parents are required to be located further away from the entry to ensure that up to 70m of queuing space within the site can be achieved.

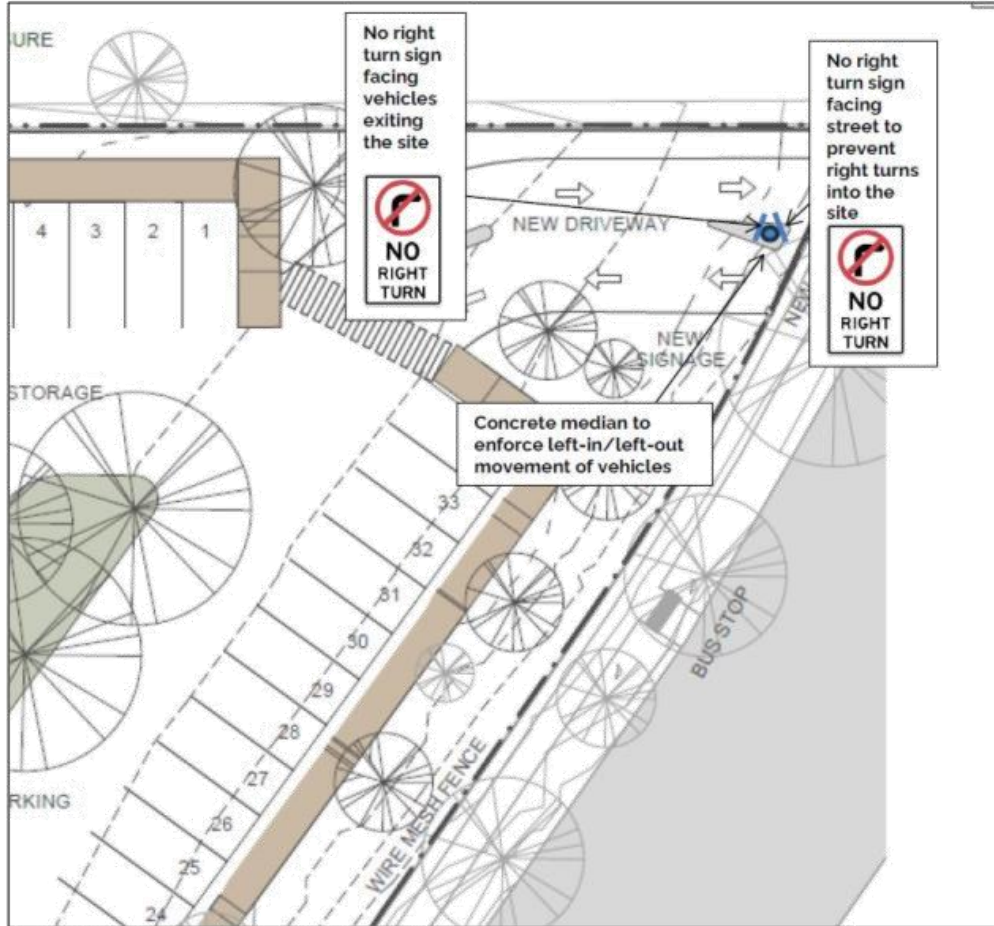


Figure 4: Path of eastbound traffic.

A condition ensuring consultation with Transport for NSW (TfNSW) is undertaken prior to CC to obtain approval for the relocation of existing school zone speed limit sign approximately 5m north (Figure 5) has been imposed. Furthermore, a double dividing (BB) line along the centre of the carriageway of Horningsea Park Drive is proposed to discourage drivers from overtaking or attempting to undertake a U-turn.



Figure 5: Proposed relocation of signage and addition of double-dividing lines.

### **Contention 2: Heritage**

Pursuant to CCPG Part 3.1 Site Selection and location & 3.2 Local character, streetscape and the public domain interface:

**C2.** To ensure that the site selected for a proposed child care facility is suitable for the use the following must be considered:

- Where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use. Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item.

**C5.** The proposed development should:

- Build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place.

**Council Comment:** Throughout the assessment process Council and Heritage NSW have raised several concerns relating to the retention of the sites historic character:

- (a) Councils Heritage officer raised concerns that while minimum alteration or intervention is supported the first floor of the heritage item could become abandoned, and a lack of ongoing maintenance afforded. However, as per the provided Conservation Management Plan the first floor will be used for passive purposes, as a lift cannot be introduced without damage to the building's existing heritage fabric.

A condition of consent would be imposed to ensure that the space is not used as a separate domicile. As the applicant has noted the Childcare Operator may wish to utilise the existing library to serve as a valuable resource for Educators, providing an area for both recreational and professional development reading.

- (b) Both Councils Heritage officer and Heritage NSW raised concern regarding the form and scale of the proposal. The character of Horningsea Park is described within the SoHI/CMP as an imposing country residence which emulates an English gentlemen's residence centrally located within its pastoral setting. Concern was raised that the form and scale of the proposal would not respect this significant character and setting and will have a detrimental impact on the aesthetic and historic values of the SHR item.

It is considered that the amended design suitably addresses Councils concerns by designing the new pavilion buildings as extension to the existing modern wings. The revised proposal significantly reduces the building footprint and scales back the design. Following numerous revisions to the childcare yield has been reduced from 130 places to 119. Pavilion-style extensions and spacer buildings maintain the low-scale character of the previous modern extensions, ensuring the prominence of Horningsea House is preserved. The placement of new structures minimises visual impact from key viewpoints, safeguarding the aesthetic and historic values of the site.

- (c) Concern was raised that the proposed alterations to the building will significantly impact key view lines to the building on approach from the southern driveway entry. This will not only impact view corridors it will also result in the loss of built symmetry which is a typical architectural trait of Georgian Residence. It is further noted that this symmetry was carefully protected and reinforced during the 1985 works.

It is considered that this item was suitably addressed following redesign. The original proposal was front-heavy with significant massing on the southern end adjacent to the House. This has since been amended; new buildings have been stepped back from Horningsea House and are aligned with the existing modern wings. This provides a clear sightline to Horningsea House from the southern driveway while maintaining the built symmetry of the sides of the House. Efforts have also been made to ensure symmetry in the forms of the pavilions and their relationship to the wings.

At its meeting on 3 December 2024, the Heritage Council's Approvals Committee resolved to grant General Terms of Approval. As per ATTACHMENT 6 these terms require the Car Park hardstand to be replaced by a grass cell treatment or similar, the implementation of site protective measures, updated reports and a heritage consultant to provide input into the detailed design.

**Contention 3: Landscape and Heritage**

Pursuant to *CCPG Part 3.2 Local character, streetscape and the public domain interface & 3.4 Landscaping*:

**C5.** *The proposed development should:*

- o *Use landscaping to positively contribute to the streetscape and neighbouring and neighbourhood amenity.*

**C17.** *Use the existing landscape where feasible to provide a high quality landscaped area*

**Council Comment:** Council is satisfied that the proposed development accommodates landscaping that contributes to the streetscape while encouraging heritage sensitive design.

The proposed development seeks to retain all the earlier plantings (pre-1980s) but will involve removing and pruning some of the more recent trees as well as planting new trees. Other than the removal of a hedge and a number of unsuccessful trees from the recent plantings and the raising of the canopy on the trees that form a screen on the northern side of the property, little else is likely to have any significant effect on the more recently planted trees. The primary impact on the trees will come from work associated with the new driveway, the car parking area, the pathways, and the hard surfaces.

A detailed Landscape Statement of Heritage Impact supports the application. It is concluded that the proposed works enhance the locally significant open space by improving views into the property. The biodiversity, health and appearance of the ground layer of vegetation will be improved. A few additional pathways similar to the original will be compatible and the necessary addition of canopy for shade will lessen the heat island effect.

The proposal takes a holistic approach, respecting the heritage values of the place already substantially impacted. It responds to Country and site conditions to create an inviting, high quality environment that stands in contrast to its surroundings. It comprises predominately open historic vistas to and around the landmark group of trees to compliment the stately rural gentry's residence.

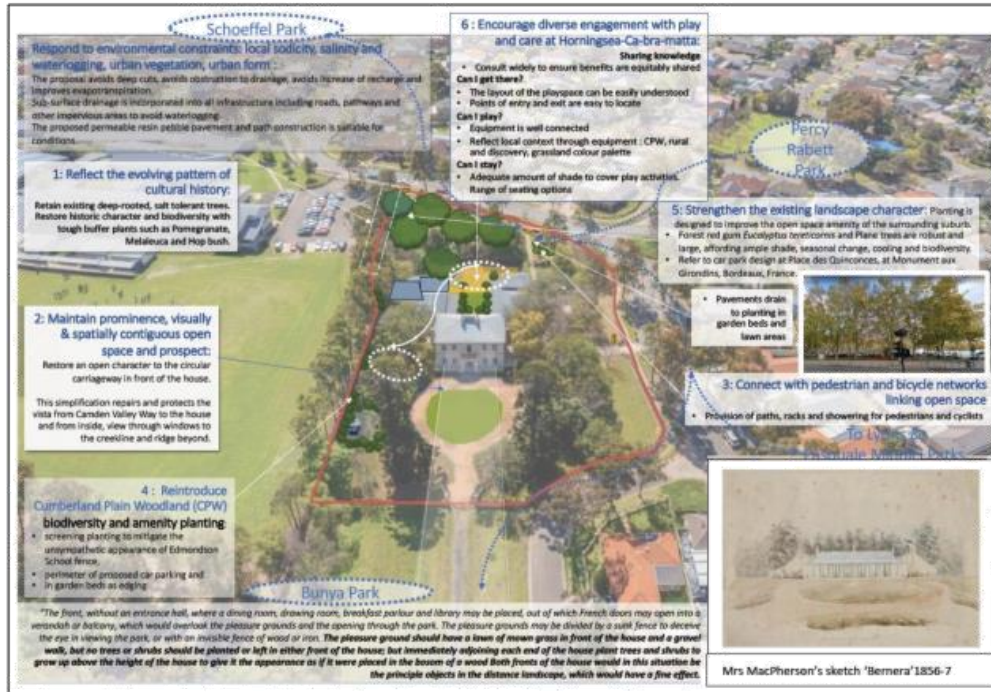


Figure 6: Proposed landscape adaptation objectives.

#### **Contention 4: Landscape and Car Parking**

Pursuant to CCPG Part 3.4 Landscaping:

**C18.** Incorporate car parking into the landscape design by:

- Taking into account streetscape, local character, pedestrian safety and context when siting car parking areas within the front setback

**Council Comment:** It is noted that initial iterations of the design included overflow parking to the south of the main house. The location of car parking within these view corridors was considered inappropriate.

The overflow car park has since been removed. The sense of place has been preserved by maintaining unhindered long views to the front of the property from the south. Open grass areas have been preserved, and an acoustic fence concept with transparent panels has been incorporated to allow visibility.

The main northern car park will result in the development of the former paddock into a flat parking area with small vegetative pockets. While it is noted that the proposal seeks to introduce perimeter planting to enhance the existing planting, this is not considered to be an adequate compensation for the increased area of hard concrete and loss of pastoral

landscape setting. Therefore, the NSW Heritage General Terms of Approval include a condition requiring the hardstand to be replaced by a grass cell treatment or similar

**Contention 5: Fencing**

Pursuant to *CCPG Part 3.2 Local character, streetscape and the public domain interface*:

**C6.** *The proposed development should consider:*

- o *Integrating existing and proposed landscaping with fencing.*

**Council Comment:** Council considers that the existing and proposed fencing is successfully integrated with landscaping while also striking a balance between heritage sensitive design and the safety requirements associated with Childcare Centres.

Existing fences that are not sympathetic to the heritage significance are considered and where appropriate, replacement by a design in keeping with the heritage character in the statement of Heritage Significance (SHR) is proposed. They include;

- A glass pool fence to be removed as it is made obsolete by the new use as Child Care;
- A capped and lapped timber fence to the John Edmondson school grounds boundary;
- A pair of rendered brick masonry gateway structures flanking the driveway at the subdivision boundary main driveway axis, formerly the property entrance;
- A similar blade/retaining wall to the boundary at the roundabout at the intersection of Horningsea Park Drive; and
- A flimsy post and wire fence which is reasonably acceptable, being unobtrusive and rural in character.

No new styles of fence are proposed to the boundary of the outdoor play areas, other than an acoustic barrier of the southern edge of the western outdoor play area 03, designed to be semi-transparent. An inconspicuous off-white palisade fence to Australian Standards AS 1926.1 2021 with child locks, will enclose the nursery and toddler outdoor play areas and an additional timber lapped and capped fence will form an acoustic barrier to and from the main car park. All fence lines will be planted with native plants. The gap between pickets is a maximum of 100mm. Alterations to AS 1926.1 for barriers in ECS include: Gates swing into the play-space, non-climbable zone (900mm) located on the inside of the fence and the latch (if less than 1500mm above ground level) located on the outside of gate. The non-climbable zone applies to a minimum of 900mm from the fence.

Along the western boundary, adjacent to the high school, careful removal of the existing timber fence is proposed. This is to be replaced by a new 2.1m high two-sided capped and lapped non-climbable acoustic barrier in collaboration with school authorities.

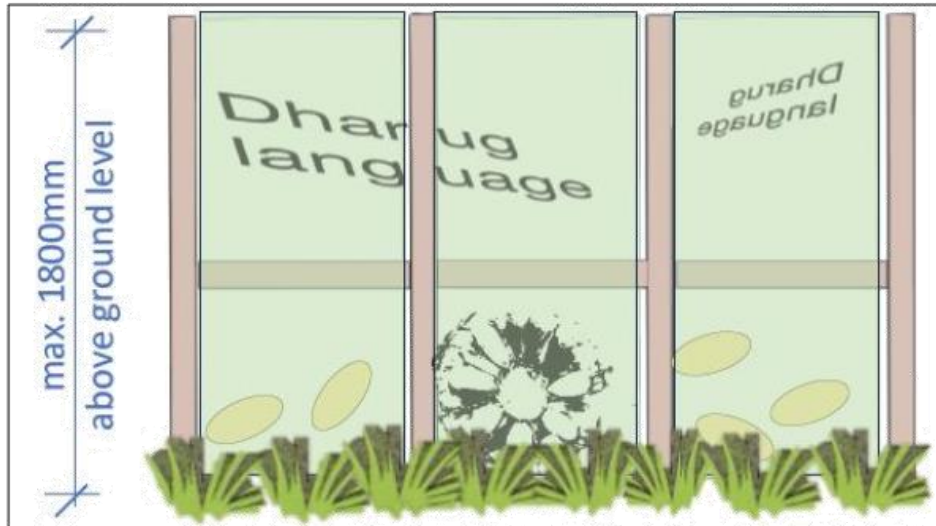


Figure 7: Indicative acoustic play fence.

NSW Heritage raised concerns regarding the front (south facing) fence to outdoor play area 03. Being visible from the site frontage and nearby the archaeologically sensitive beehive cistern the standard pool-style childcare fencing was not supported. In lieu, the applicant has proposed a new 1.8m high acoustic fence with timber hardwood posts and acrylic panels etched with interactive graphics to future detail (see Figure 7). The graphics are to be informed by Information Day findings with community.

Conditions of consent requiring compliance with the Building Code of Australia are designed to ensure safe childcare compatible fencing is utilised. All palisade railing is to include a non-climbable zone, latches located on the outside of gates, and gaps between railing pickets are a maximum of 100mm to prevent children climbing over, under or through. It is also noted that Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.

#### **Contention 6: Pedestrian Connectivity**

Pursuant to *CCPG Part 3.1 Site Selection and location*:

**C3. A child care facility should be located:**

- o *In areas with pedestrian connectivity to the local community, businesses, shops, services and the like.*

**Council Comment:** Pedestrian and bicycle paths connecting public domain and open spaces along these routes, linking Western Sydney Parklands to Georges River and Chipping Norton Lakes, will connect with the proposed adaptive use of Horningsea Park House as a childcare centre.

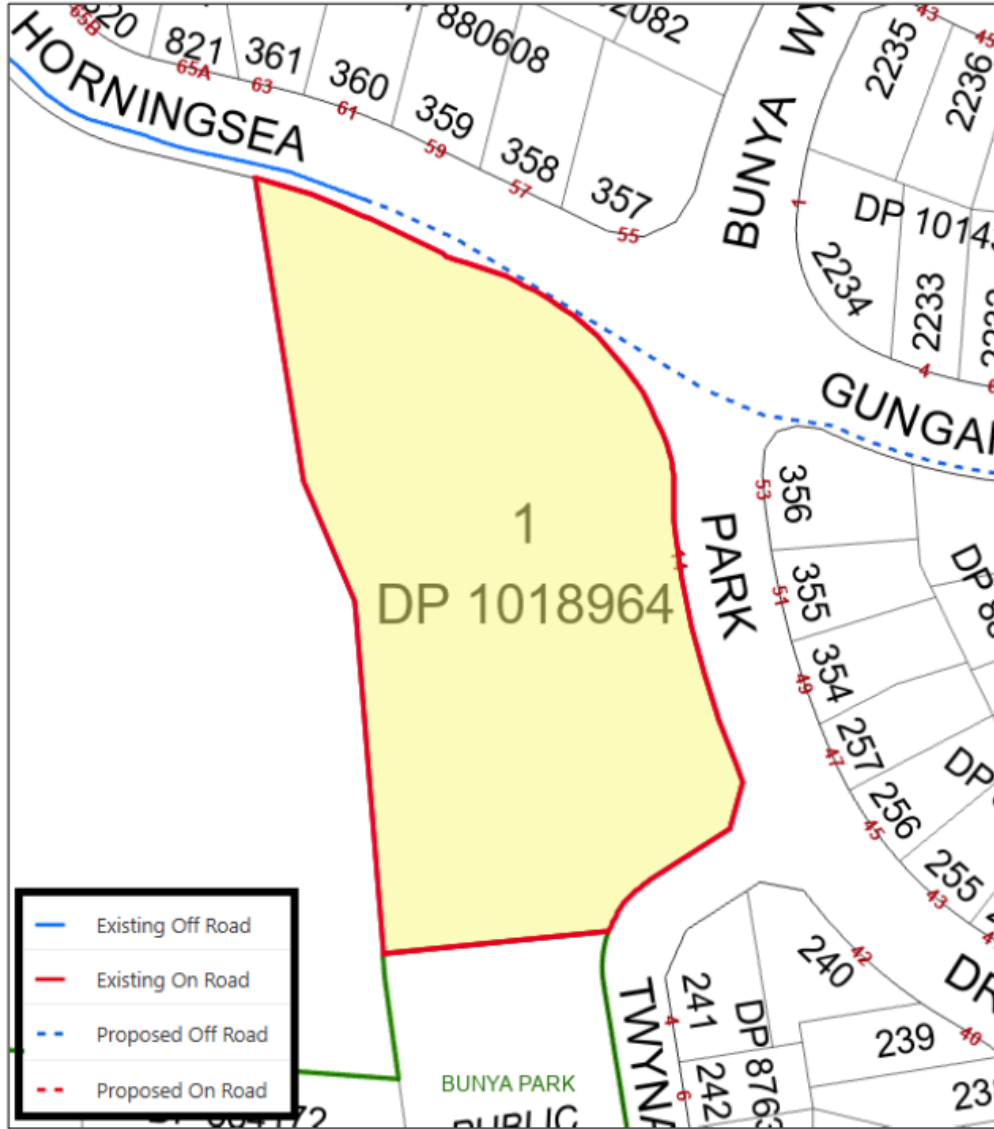


Figure 8: Shared cycle-path (blue).

It is noted that the Horningsea Park Drive northern frontage is currently mapped (Figure 8) as incorporating a future off-road cycleway. Furthermore, the Department of Education has recommended the upgrading of the existing narrow footpath in the frontage of the proposed development to 3m in accordance with TfNSW's Walking Space Guidelines. Council does not formally reference these Guidelines and existing street trees along these footpaths would

make a 3m wide path problematic so a condition would be imposed requiring a shared cycleway of up to 2.5m in width in accordance with Council's specifications in lieu.

Specifically, the below mentioned upgrades would be requested in accordance with Figure 9 below:

- The area highlighted in yellow and orange is to be a shared pedestrian and bicycle path as per the Liverpool City Council Bike Plan 2018-2023 mapping. As such, a 2.5m wide path is required. The area highlighted yellow contains existing mature street trees, therefore the path cannot be widened in the direction of the kerb. The path should be widened in the direction of and up to the site boundary only.
- The area highlighted orange should be widened up to 2.5m, or to the width achievable while maintaining a 600mm landscape buffer between the path and the kerb.
- The area highlighted purple is not part of the Bike Plan route, however, should be widened to 1.5m to enable two prams to pass, in accordance with the Child Care Planning Guideline C35. This area contains existing mature street trees; therefore, the path cannot be widened in the direction of the kerb. The widening should be in the direction of and up to the site boundary only.
- Along the area highlighted orange, the landscaped area between the footpath and the site boundary must incorporate low native ground cover plant species, such as Lomandra and/or Dianell.

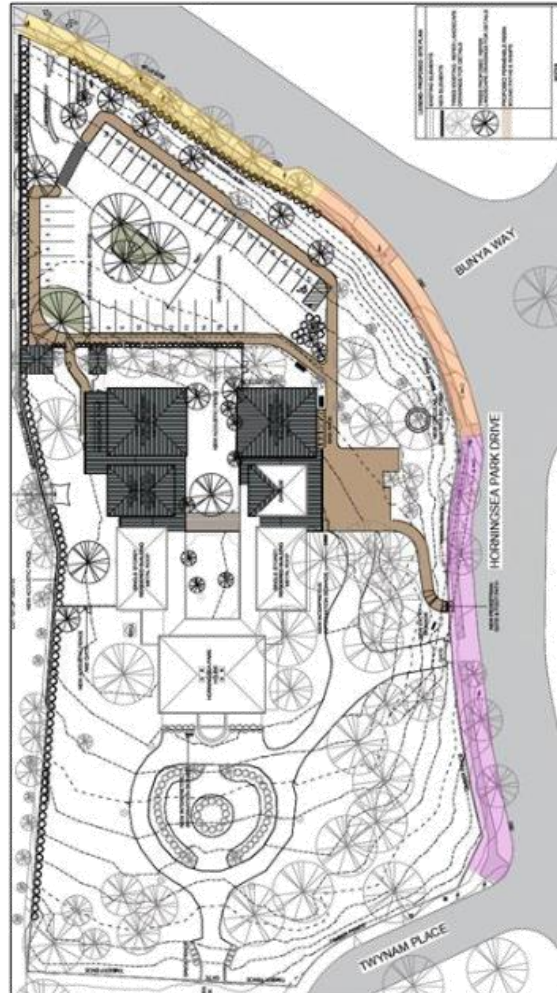


Figure 9: Proposed areas of footpath widening.

**Contention 7: Natural Ventilation**

Pursuant to CCPG Part 3.6 Noise and air pollution:

- C27.** Evaluate design considerations to minimise air pollution such as:
- o Incorporating ventilation design into the design of the facility.

**Council Comment:** The provided Noise Management Plan and Plan of Management states that 'All windows within the indoor play areas of the proposed child care centre should be kept closed with mechanical ventilation operating when children are in the indoor areas. This is to reduce the noise emissions to the neighbouring residential properties.' The Child Care

Centre Guidelines highlight the importance of natural ventilation and there should be a mix of both natural and mechanical ventilation. The requirement described in the Plan of Management would result in children breathing only mechanically ventilated all day, this is not supported, is not in line with the Child Care Guideline, and is a poor health outcome. In addition, the Centre does not border residential properties, the play area only borders the high school play area, therefore there are no significant noise issues to justify depriving the children and staff of natural ventilation through being able to open a window. A condition of consent would be imposed upon the Plan of Management and Noise Management Plan noting that windows are to remain operable even when mechanical ventilation is operation.

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

The proposed development is subject to the Liverpool Development Control Plan 2008 (LDCP) 2008. Part 1 of the LDCP 2008 covers general controls relating to all types of development within the Liverpool LGA. The key controls are discussed in the following table:

<b>Part 1 General Controls for all Development</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Comment</b>
<b>2. Tree Preservation</b>	Consider impact of development on existing vegetation	The proposed development seeks to retain all the earlier plantings (pre-1980s) but will involve removing and pruning some of the more recent trees as well as planting new trees. Other than the removal of a hedge and a number of unsuccessful trees from the recent plantings and the raising of the canopy on the trees that form a screen on the northern side of the property, little else is likely to have any significant effect on the more recently planted trees.  The application was referred to Councils Landscape officer who raised no objection.	<b>Complies</b>
<b>3. Landscaping and Incorporation of Existing Trees</b>	Incorporation of existing trees into development where appropriate.	The proposed development seeks to retain all the earlier plantings (pre-1980s). The site contains very few remnants of the original garden, though the line of the original driveway and a raised lawn area are retained. A row of Bunya Pines in the adjacent park is preserved creating a natural corridor leading to the site.  The application was referred to Councils Landscape officer who raised no objection.	<b>Complies</b>
<b>4. Bushland and Habitat Preservation</b>	Consider impact of development on bushland and habitats	Minimal to no impact on bushland and habitats considering the location of the development.	<b>Complies</b>  <b>See Addressed</b>

			<i>Contention 8 below</i>
<b>5. Bushfire Risk</b>	Land on or adjacent to bushfire prone land to comply with RFS requirements	The subject site is not classified as Bushfire prone land.	<b>N/A</b>
<b>6. Water Cycle Management</b>	Consideration of stormwater and drainage	The application was referred to Council's Land Development Engineering Department who raise no objection to the proposal subject to conditions of consent.	<b>Complies with Condition</b>
<b>7. Development Near a Watercourse</b>	Consideration of impact to riparian corridors.	The subject site is located more than 40m from a water course.	<b>N/A</b>
<b>8. Erosion and Sediment Control</b>	Sediment Control Plan or Soil and Water Management Plan required	Sediment and erosion control details submitted within the Stormwater Plan for DA-51/2024 and would be conditioned if consent were granted.	<b>Complies with Condition</b>
<b>9. Flooding</b>	Flood affection of property to considered	The site is not mapped as flood prone land.	<b>N/A</b>
<b>10. Contaminated Land Risk</b>	Previous use to be considered in assessing risk	A Stage 1 - Preliminary Site investigation and Stage 2 – Detailed Site Investigations were submitted with DA-51/2024 which supported the proposed use subject to recommendations.	<b>Complies with Condition</b>
<b>11. Salinity Risk</b>	Salinity Management response required for affected properties	The site is mapped as moderate salinity risk. Conditions of consent could be included if consent were granted.	<b>Complies</b>
<b>12. Acid Sulfate Soils Risk</b>	Affected properties to consider impact of development on soils	Site is not mapped as containing acid sulphate soils.	<b>N/A</b>
<b>13. Weeds</b>	Noxious weeds to be removed as part of development where applicable	The provided Statement of Landscape Heritage Impact identified several noxious weeds that are proposed to be replaced.	<b>Complies</b>
<b>14. Demolition of Existing Developments</b>	Appropriate demolition measures must be implemented	A demolition plan and statement has been submitted with DA-51/2024.	<b>Complies with Condition</b>

		Appropriate conditions would be imposed if consent were granted.	
<b>15. Onsite Sewage Disposal</b>	S68 Application required where connection to sewer not available	Property is connected to sewer.	<b>N/A</b>
<b>16. Aboriginal Archaeology</b>	AHIA required where items of aboriginal archaeology exist	An Aboriginal Heritage – Due Diligence Assessment Report has been provided.  It is considered the subject site is likely to be of low Aboriginal archaeological potential and the detection of any sub-surface Aboriginal objects is highly unlikely in this instance. Therefore, an AHIA is not considered necessary.	<b>N/A</b>
<b>17. Heritage and Archaeology</b>	Consideration of the impact on the heritage significance on any heritage buildings, sites, streetscapes or areas.	Council has considered the effect of the proposed development on the heritage significance of the item concerned ( <b>Item 35</b> - Horningsea Park Group, including site, main house, interiors and archaeological features) located on the subject site.  The applicant has provided a Heritage Conservation Management Plan, Archaeological Assessment and Heritage Interpretation Strategy. It is generally concluded that the proposed development would have minimal effect on the heritage significance of the item. The proposed alterations are minor and fully reversible.  The application was referred to both Councils Heritage Officer and NSW Heritage who raised no objection	<b>Complies with Condition</b>

## 4

**LIVERPOOL  
CITY  
COUNCIL**

**LOCAL PLANNING PANEL MEETING  
24 FEBRUARY 2025  
LPP ITEMS**

		subject to conditions of consent.	
<b>20. Car Parking and Access</b>	<p><u>Car Parking Controls</u> 1 Space Per Staff Member</p> <p>1 space per 10 children</p>	<p>The minimum number of staff proposed is 22 (19 educators, 2 admin staff and 1 chef) and the minimum number of children proposed is 119.</p> <p><u>Required:</u> 22 staff and 12 visitor spaces = 34 spaces.</p> <p><u>Proposed:</u> A total of 34 car parking spaces have been proposed within the main car park (including one accessible space).</p>	<b>Complies</b>
	Service Facilities for a Van	The submitted TIA notes that service vehicles are to access the site from the separate eastern entry and load/unload form the porte-cochere.	<b>Complies</b>
	<p><u>Bicycle Parking Controls</u> 1 Space Per 10 Staff Members</p> <p>2 visitor spaces per centre</p>	<p><u>Required:</u> 3 staff spaces 2 visitor spaces</p> <p><u>Proposed:</u> 12 spaces provided adjacent to the main entry and staff reception area.</p>	<b>Complies</b>
<b>21. Subdivision of Land and Buildings</b>	Subdivision of land shall meet the minimum lot width requirements as set out in Table 18.	Subdivision is not proposed.	<b>N/A</b>
<b>22. Energy Conservation</b>	Provisions to reduces the necessity for mechanical heating and cooling and to minimise greenhouse gas emissions.	<p>Council recognises the adaptive reuse of a heritage building contributes to sustainability, by reducing the impacts of new construction.</p> <p>The proposal is capable of complying with BCA energy efficiency provisions.</p>	<b>Complies</b>
<b>23. Reflectivity</b>	Provisions to restrict the	Given the retention of the	<b>Complies</b>

	reflection of sunlight from buildings to surrounding areas and buildings.	existing heritage facades and incorporation of elements in keeping with the existing Georgian style minimal additional glazing or reflective material will be utilised.	
<b>24. Landfill</b>	All fill applied should be Virgin Excavated Natural Material.	Landfill is not proposed.	<b>N/A</b>
<b>25. Waste Disposal</b>	A Waste Management Plan (WMP) shall be submitted with a Development Application for any relevant activities generating waste.	A WMP was submitted with DA-51/2023 and private waste collection is proposed.  Waste bins are stored in the allocated external bin enclosure.	<b>Complies</b>
<b>26. Outdoor advertising and signage</b>	Applicable signage controls for development in Residential Zones	The application seeks consent for erection of 2 signs, one located beside the existing driveway entrance on the eastern frontage of the site and the other beside the proposed new driveway entrance to the car park on the northern part of the site.  The proposed signage is considered compatible with the development and the character of the surrounding locality.	<b>Complies</b>
<b>27. Social Impact Assessment</b>	Controls relating to ensure distributional equity of positive and negative social impacts of development.	A detailed Social Impact Comment has been submitted. The proposed development appears to be generally compatible with the local characteristics.  It is noted that there are numerous childcare centres within the vicinity, however, the majority of these do not have vacancies indicating a demand. It is further noted that the number of families with dependent children was far greater than the Greater Sydney average.	<b>Complies</b>

<b>29. Safety and Security</b>	<p>Address 'Safer-by-Design' principles in the design of public and private domain, and in all developments including the NSW Police 'Safer by Design' Crime Prevention Through Environmental Design (CPTED) principles.</p>	<p>The provided Social Impact Comment notes that crime within Horningsea Park is lower than that of the Liverpool LGA as a whole. Notwithstanding, CPTED principles have been considered in the adaptive design of the Childcare centre.</p> <p>Surveillance: The proposal provides generous openings and outdoor play area to all three frontages allowing casual surveillance.</p> <p>Access Control: Clearly defined boundaries, entry points, controlled boom gates and fencing ensure unintended access is avoided. Individual PIN code access is proposed for all staff and parents.</p> <p>Territorial Reinforcement: Clearly define boundaries, signage and access control make it clear that the site is privately owned and maintained. Fencing provides a clear boundary delineation between the public and private domains.</p> <p>Space / Activity Management and Maintenance: Proper maintenance of the site would be ensured. Surveillance cameras would be continually maintained.</p>	<b>Complies</b>
<b>30 Additional Uses</b> <b>30.4 Child Care Centres</b>	<p><u>Building Appearance</u>  The building shall be designed so:</p> <p>i. That it is in character with the surrounding residential area in terms of bulk, scale, size</p>	<p>The proposed development respects the existing building form with the proposed additions being extensions of the modern wings. The additional bulk is largely</p>	<b>Complies</b>

	<p>and height; and</p> <p>ii. That it employs passive solar and energy saving techniques where possible.</p>	<p>focused on the north-western corner away from the street frontage. The development is not considered likely to impose a detrimental impact on residential amenity of the locality</p> <p>The location of the building within the site allows it to utilise solar access throughout the day. Additional energy efficient devices such as photovoltaic panels and ceiling fans are discouraged so as not to disrupt the existing heritage fabric of the building.</p>	
	The front pedestrian entrance must be visible from the street.	The main pedestrian entry is visible from Horningsea Park Drive.	<b>Complies</b>
	Buildings that face two street frontages or a street and public space must address both frontages by the use of verandas, balconies, windows or similar modulating elements.	<p>The development has three street orientations to the north, east and partially to the south.</p> <p>The northern and eastern frontages are suitably addressed by windows and modulating elements that respect the heritage character.</p> <p>The southern frontage is appropriately addressed by the existing heritage Homestead.</p>	<b>Complies</b>
	<p><u>Landscaping:</u> A landscape plan must be submitted to Council with the development application. Refer to Part 1 of the DCP.</p>	An appropriate Landscape plan has been submitted.	<b>Complies</b>
	Areas of grass are to be limited to play areas. Other landscaped areas are to be planted.	<p>Existing grass areas to the front of the Homestead have been retained to maintain its character and distinctive prominence.</p> <p>New proposed grass areas</p>	<b>Complies</b>

		are limited to outdoor play areas.	
	Trees adjacent to/or within the play area, are to provide shade and allow winter sun entry. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.	Trees within the play areas are largely existing trees to be retained. These assist in achieving the required levels of shade as outlined within the CCPG.	<b>Complies</b>
	Landscaping species must be appropriate to prevent injury to children. No toxic, spiky or other hazardous plant species.	<p>Primarily native species have been selected. These are considered safe and do not pose any likely injury concerns.</p> <p>As per Recommendation No. 2 of the Aboriginal Heritage – Due Diligence Assessment Report; the architectural Landscape plan is to be amended to include at least 50% of plant species outlined within Table 1 of the DDAR. This table lists 26 species indigenous to the region.</p> <p>A number of these species have been identified as being parasitic, containing poisonous fruit, spikey, specific to creek areas or high maintenance. Therefore, suitable native replacement species have been utilised. Notwithstanding, 20 (77%) out of the 26 recommended species have been incorporated into the design demonstrating compliance with the above control.</p>	<b>Complies</b>
	If there are setback areas these are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within front and rear setback areas.	The front setback areas are densely populated with a mixture of existing and proposed canopy trees. Several of these achieve over 8m mature height.	<b>Complies</b>

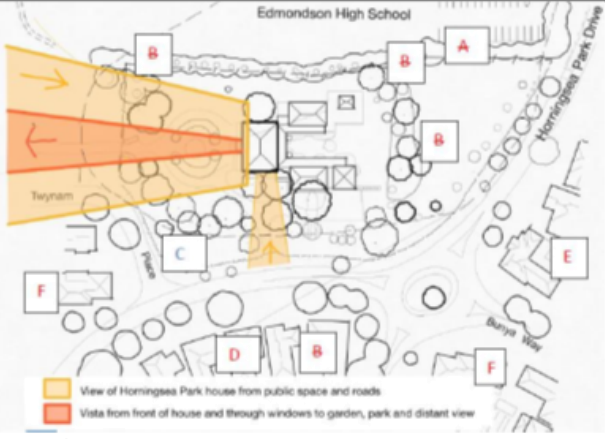
	<p>Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.</p>		
	<p>Landscape planting should principally comprise of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access.</p>	<p>Landscape planting is principally comprised of native species. A select range of exotic species strongly associated with Australian rural properties has been retained.</p> <p>The large exotic trees, in particular the Bunya Pines, Moreton Bay Figs and Peppercorn trees, are to be retained and conserved.</p> <p>The application was reviewed by Council's Landscape officer who raised no objection to the proposal.</p>	<p><b>Complies</b></p>
	<p>Tree and shrub planting alongside and rear boundaries should assist in providing effective screening to adjoining properties. The minimum height of screening to be provided is 2.5m to 3m at maturity.</p>	<p>A line of recently planted kurrajongs extends along the current boundary from the north to the east.</p> <p>Eucalypts planted along the streetscape and on the high school boundary</p> <p>In order to soften existing unsympathetic infrastructure on the west such as the high school fence, tall cultural plants near the house and native tall shrubs towards the north and south of western boundary have been introduced.</p> <p>Although several of the above trees exceed 3m at maturity, their retention is vital to respect the existing site. Furthermore, several of the garden beds below have been replenished with</p>	<p><b>Complies</b></p>

		<p>suitable underplanting.</p> <p>Heritage NSW provided advice requesting a sense of spatial openness be retained at the western boundary to reinforce the dominance and identity of the historic house within the curtilage.</p> <p>A balance of openness and provision of shade has been struck by carefully selecting medium and small shade trees for natural shade and solar access in winter.</p>	
	Landscaping on any podium level or planter box shall be appropriately designed and irrigated. See ADG Planting on Structures.	No podium level proposed.	<b>N/A</b>
	<p><u>Car Parking and Access</u> Access for the disabled including those with prams is to be provided from the car parking area to the building.</p>	An Access Report has been provided which demonstrates BCA and DDA compliance regarding car park access for the disabled.	<b>Complies</b>
	<p><u>Amenity and Environment Impact</u> Child Care Centres shall be designed and operated so that noise generated by the centre does not impact significantly upon adjoining properties.</p>	An Acoustic Assessment Report has been provided that concludes noise generated from the centre would be within acceptable levels provided recommendations are incorporated.	<b>Complies with Condition</b>
	Child Care Centres shall not be constructed on sites that are contaminated.	A Stage 1 PSI and Stage 2 DSI have been provided which concludes that concentrations of contaminations of potential concerns are not likely to present an unacceptable risk.	<b>Complies</b>
	All buildings, whether to be built, extended, renovated or converted to a Child Care Centre shall not contain any material or substance that will cause lead or asbestos or other contamination or poisoning.	As per above findings. A condition of consent relating to any unexpected finds would be imposed if consent were granted.	<b>Complies with Condition</b>

Part 2.2 of the LDCP 2008 is applicable to the proposal addressing matters relevant to Carnes Hill, Hoxton Park & Prestons Residential Release Areas. The key controls relating to the subject proposal are discussed in the following table:

<b>LDCP 2008 Part 2.2 – Part 3.8 Carnes Hill, Hoxton Park &amp; Prestons Residential Release Areas</b>			
<b>3.1 Horningsea Park Heritage Park Heritage Area</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Comment</b>
<b>Minimum Curtilage</b>	The minimum curtilage for the historic house shall be as shown on the map. There shall be no development within this curtilage that is unrelated to the conservation and use of the house.	<p>A Permanent Conservation Order under the Heritage Act established a lot-based curtilage encompassing the original homestead lot.</p> <p>This curtilage was revised in 1995 following approval of a Development Application and Section 60 for subdivision and restoration of the homestead.</p> <p>The current proposal remains as per the 1995 approval.</p> <p>While the additional use is not specifically related to the conservation and use of the house the proposal is designed to complement the existing character and heritage of the homestead.</p>	<b>Complies</b>
	The existing, white painted fence shall be retained for the length of existing driveway that is retained.	No change to the existing white painted fence is proposed.	<b>Complies</b>
	The open grassed nature of the inner curtilage, with limited numbers of exotic and indigenous trees, shall be retained. The existing trees shall generally be retained, subject to a horticulturalist's report. If existing trees need to be removed because of their age or condition, they shall be replaced with specimens, which match the existing species.	A significant portion of the grassed nature within the northern setback area is proposed to be removed to accommodate a new car park, however, all trees of significance are to be retained. As per the General Terms of Approval provided by Heritage NSW the car park surface is to include grass cell treatment or similar. The incorporation of new native trees further offsets the loss of soft area.	<b>Complies</b>

		<p>The proposed development seeks to retain all the earlier plantings (pre-1980s) but will involve removing and pruning some of the more recent trees as well as planting new trees. Other than the removal of a hedge and a number of unsuccessful trees from the recent plantings and the raising of the canopy on the trees that form a screen on the northern side of the property, little else is likely to have any significant effect on the more recently planted trees.</p> <p>Councils Landscape officer has reviewed the applications and notes the landscape plans have been carefully prepared and are acceptable and suitable for both heritage conservation and the proposed use as a childcare centre.</p>	
<b>Driveway</b>	The semi rural nature of the driveway, with its gravel surface shall be retained to the greatest extent possible.	The existing driveway is to be retained.	<b>Complies</b>
	The visibility of the house from the main road shall be retained.	<p>The visibility of the house from the main road is not compromised by the proposed development.</p> <p>A view analysis has been provided (see Figure 1) demonstrating that the hilltop homestead retains its visual prominence from the main road to the south.</p>	<b>Complies</b>

	 <p>Figure 1: View Analysis</p>		
	<p>Any acoustic barriers constructed along the main road frontage, on either side of the identified curtilage, shall not be carried across the frontage of the curtilage. If required, they should be turned to follow the outer edges of the curtilage margins.</p>	<p>Physical acoustic barriers are recommended as per Appendix D of the provided Acoustic Report. They are not located along the road frontage, rather they are located along the side of the site adjoining John Edmondson High School.</p>	<p><b>Complies</b></p>
<p><b>Homestead</b></p>	<p>The historic house shall be retained and conserved in accordance with contemporary heritage practice and with the requirements of the Heritage Council of NSW.</p>	<p>As part of the development proposal the historic house is to be retained and conserved. As demonstrated within the provided Statement of Heritage Impact and Conservation Management Plan the existing views of the house from the south are retained.</p> <p>All structures to the north of the original house are modern. The historic cistern "wishing well" to the west is retained and developed around. Effectively, no significant changes are proposed to the interiors of the house. The proposed minor internal changes are fully reversible.</p> <p>A Heritage Interpretation</p>	<p><b>Complies</b></p> <p><b>See Addressed Contention 9 below</b></p>

		<p>Strategy has been prepared in accordance with the <i>NSW Heritage Manual</i> and the <i>NSW Heritage Interpretation Policy</i>.</p> <p>The application was reviewed by the Heritage Council's Approvals Committee who resolved to grant General Terms of Approval.</p>	
	<p>Any additions or new outbuildings associated with either the existing or new uses shall be designed in ways, which respect the historic significance of the place.</p>	<p>It is considered that the new pavilion buildings, designed as extension to the existing modern wings respect the historic significance of the place. Pavilion-style extensions and spacer buildings maintain the low-scale character of the previous modern extensions, ensuring the prominence of Horningsea House is preserved. The placement of new structures minimises visual impact from key viewpoints, safeguarding the aesthetic and historic values of the site.</p> <p>The only additional outbuilding proposed is that of the bin and external store. This independent structure to the north of the existing development is designed with a corrugated sheet roof with finish to match the existing building roof. Wall rendering is to match that of the existing building.</p>	<b>Complies</b>
	<p>Alternative uses for the house shall not detract from the heritage significance of the place. Any proposed change of use of the main Horningsea Park House or alterations or additions to the</p>	<p>Horningsea Park House and its setting were designed for use as a 'gentleman's residence' with extensive grounds and generous support facilities. It appears</p>	<b>Complies</b>

	<p>house or new outbuildings within the curtilage shall be accompanied by a Conservation Plan prepared in accordance with The Burra Charter and Guidelines, issued by Australia ICOMOS. In addition, the Conservation Plan shall address the following issues:</p> <ul style="list-style-type: none"> <li>• The impact of any such change of use on the existing internal spatial organisation of the house.</li> <li>• The impact of any such change of use on the external form, mass and traditional architectural character of the main house.</li> <li>• The impact of any proposed new buildings or other structures on the traditional architectural character of the main house, in particular the dominance of its form and identity in the landscape.</li> <li>• The impact of any proposed site works, roadways, parking areas, signage and landscaping on the traditional architectural character of the main house and its setting, in particular the visual dominance of its form and identity in the landscape.</li> </ul>	<p>unlikely in the present suburban context that this property will be sought after for its original purpose.</p> <p>A Conservation Management Plan has been provided which suitably addresses each issue</p> <p>The changes to the historic house are few: a fully reversible pod for child care support facilities in the south east corner room on the Ground Floor; the addition of a brass rod handrail to the stair balustrade to make it comply to Australian Standards, the possible conversion of one north elevation ground floor door to enable wheelchair or cot access. The other Ground Floor rooms will remain as is, with free standing furniture enabling simpler uses. The First Floor rooms will remain as is, used for passive purposes such as storage.</p> <p>The single storey wings immediately joining the historic house were built c.2000, with a linking colonnade. The existing wings will be extended to the north with a similar disposition and character. The modern wings will be adapted in a sympathetic manner, and new wings of complimentary character introduced in positions that minimise impact on the historic significance of the place.</p>	
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		<p>The historic plantings adjacent to the historic house are not affected by any proposed works. The positioning of new structures has been guided by the Landscape Architect's requirements that new buildings do not impact on the established trees of the site.</p> <p>It is considered that the proposed change of use and modern additions will have minimal impact on the heritage property. The child care role for the site will give Horningsea Park House and its grounds long-term local significance and relevance, and ensure their maintenance and well-being.</p>	
<p><b>Site Elements</b></p>	<p>Sites of potential archaeological value, associated with former outbuildings, should be identified and investigated by documentary means. An Excavation Permit shall be applied for under the Heritage Act, if any disturbance is planned in their vicinity.</p>	<p>A suitable archaeological assessment has been provided. It has identified that there is a low potential for archaeological relics/remains.</p> <p>There is, however, a beehive cistern on the western side of the house. All construction and landscaping works are required to avoid any impact on the intact cistern.</p> <p>Conditions of consent would be imposed to ensure its retention and that any relics or works found are recorded.</p>	<p><b>Complies with Condition</b></p>

	<p>The alignment of existing or traditional fences, paths and gardens should be maintained and utilised as a basis for any replanting or reconstruction of the landscaping around the house.</p>	<p>Existing traditional fencing along the eastern and southern perimeter is to be retained.</p> <p>The southern carriage circle planting to the front of the house will be simplified to reflect its original character.</p>	<b>Complies</b>
	<p>The large exotic trees, in particular the Bunya Pines, Moreton Bay Figs and Peppercorn trees, shall be retained and conserved, subject to their age and health. Any new planting of this nature shall be limited in extent and should aim to achieve a long-term continuity of the existing landscape, not to supplement it.</p>	<p>The proposed development seeks to retain all the earlier plantings (pre-1980s) but will involve removing and pruning some of the more recent trees as well as planting new trees. Other than the removal of a hedge and a number of unsuccessful trees from the recent plantings and the raising of the canopy on the trees that form a screen on the northern side of the property, little else is likely to have any significant effect on the more recently planted trees.</p> <p>New planting is limited in extent and designed in accordance with the provided Aboriginal Due Diligence Report.</p>	<b>Complies</b>
<b>Visual Prominence of the House</b>	<p>The maximum ridge height of any buildings to be erected on land between the existing Horningsea Park House and Cabramatta Creek or on the northern side of the curtilage is to be limited to RL 54 AHD, thus preserving the dominance of Horningsea Park House. Buildings shall also have a maximum ridge height of: 6m where the building is on land between RL 46 and RL 54 AHD and 8m where the building is on land below RL 46 AHD.</p>	<p>Horningsea Park has aesthetic significance in being a landmark building in a prominent position. It is a fine example of an early colonial homestead, situated on a prominent hill and this character will be retained.</p> <p>The existing maximum ridge height of the homestead will remain unaltered at approximately 9.8m above FFL.</p> <p>The ridge of the wing</p>	<b>Complies</b>  <b>See Addressed Contention 10 below</b>

		<p>additions on land RL 51.5 AHD are approximately 5.65m above FFL.</p> <p>This difference of 4.15m ensures the visual dominance of the Homestead is retained.</p>	
	<p>New housing within the above area shall be generally be designed with maximum roof pitches of 30 degrees, with roof materials of dark colours. Colour selections for brickwork and external wall cladding for any individual house or other building shall be from a limited colour range.</p>	<p>New housing is not proposed.</p>	<b>N/A</b>
	<p>Future school buildings shall be located as far to the northwest and west of the proposed school site as possible. School buildings shall be generally of single storey design to minimise penetration into the visual catchment of the house.</p>	<p>No school buildings proposed.</p>	<b>N/A</b>
	<p>Any new development on the existing golf course to the north of the Horningsea Park property shall be screened by a landscaped buffer zone of a minimum of 25m width from any road along the northern boundary of the property. There shall be no new buildings on land above RL 46 AHD in this vicinity.</p>	<p>No development on the existing golf course proposed.</p>	<b>N/A</b>
	<p>New landscaping in the areas which surround the historic property, particularly in open spaces, school grounds and road reservations shall be selected from suitable or remnant native species in the locality and where possible should include Eucalyptus moluccana and Eucalyptus tereticornis.</p>	<p>Landscape planting is principally comprised of native species. A select range of exotic species strongly associated with Australian rural properties has been retained.</p> <p>The large exotic trees, in particular the Bunya Pines, Moreton Bay Figs and Peppercorn trees, are to be retained and conserved.</p>	<b>Complies</b>

		<p>As per Recommendation No. 2 of the Aboriginal Heritage – Due Diligence Assessment Report; the architectural Landscape plan is to be amended to include at least 50% of plant species outlined within Table 1 of the DDAR. This table lists 26 species indigenous to the region. A total of 20 (77%) out of the 26 recommended species have been incorporated into the design</p> <p>The use of both <i>Eucalyptus moluccana</i> and <i>Eucalyptus tereticornis</i> has been proposed.</p>	
	<p>Landscaping along the boundary of the curtilage shall be carried out in accordance with the Horningsea Park Revised Conservation Strategy approved by the Heritage Council on 6th July 1995.</p>	<p>As noted within the provided Landscape Heritage Statement, the <i>Horningsea Park Revised Conservation Strategy</i> is considered in its assessment and landscape selection in accordance with the relevant State Heritage criteria.</p>	<b>Complies</b>
	<p>The density of new trees in the school property and adjoining open space shall take account of the need to retain views from new public roads towards the historic house.</p>	<p>Existing eucalypts planted along the high school boundary is to be retained.</p> <p>In order to soften existing unsympathetic infrastructure on the west such as the high school fence, tall cultural plants near the house and native tall shrubs towards the north and south of western boundary have been introduced.</p> <p>Heritage NSW provided advice requesting a sense of spatial openness be retained at the western boundary to reinforce the dominance and identity of the historic house</p>	<b>Complies</b>

		<p>within the curtilage.</p> <p>A balance of openness and provision of shade has been struck by carefully selecting medium and small shade trees allowing the retention of views.</p>	
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Part 3.8 of the LDCP 2008 is applicable to the proposal addressing matters relevant to child care centres within residential zones. The key controls are discussed in the following table:

<b>LDCP 2008 Part 3.8 – Part 3.8 Non-Residential Development in Residential Zones: (Childcare Centres)</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Comment</b>
<b>Licence Requirements</b>	Development consent from Council under the Environmental Planning and Assessment Act 1979.	Development application lodged with council.	<b>Noted</b>
	A licence to operate from the NSW Department of Community Services (DOCS) under the Children and Young Persons (Care and Protection) Act 1998 and the Children's Services Regulation 2004.	Noted	<b>Noted</b>
<b>Lot Sizes</b>	The maximum number of children in any centre cannot exceed 45 for 0-5 year olds, however Council may consider a maximum number of 60 children per centre of which 30% must be aged between 0-2.	Not applicable pursuant to SEPP (Transport and Infrastructure) 2021 Clause 3.27. The proposed development would incorporate a minimum of 119 children.	<b>N/A</b>
	The proposed child care centre must comply with open space requirements as set out in the Children Services Regulation 2004.	Not applicable pursuant to SEPP. SEPP requirements in regards to indoor and outdoor space take precedence.	<b>N/A</b>
<b>Site Location</b>	<p>Child Care Centres should be located:</p> <ul style="list-style-type: none"> <li>- In the general vicinity of primary schools, major employment areas and recreation areas.</li> <li>- Within the grounds of community facilities,</li> </ul>	The child care centre is considered to be located in an appropriate area as detailed within the SEPP (Transport and Infrastructure) 2021 – Chapter 3, Part 3.3 assessment and the CCPG 2021 Item C1 assessment.	<b>Complies</b>

	<p>educational facilities or churches.</p> <ul style="list-style-type: none"> <li>- Near services such as shops, medical facilities and public transport.</li> <li>- On streets with widths that permit adequate safe manoeuvrability of vehicles &amp; lines of sight for pedestrians, cyclists and vehicles; and on approach streets within the road hierarchy such as on collector streets.</li> <li>- Where traffic control devices do not impede vehicular access to sites.</li> <li>- Where the children will not be adversely affected by lead contamination, offensive noise and air pollution.</li> <li>- Child Care Centres must be located and designed so as not to pose health or safety risk to children using the centre.</li> </ul>		
	<p>Child Care Centres shall not be permitted:</p> <ul style="list-style-type: none"> <li>- adjacent to industrial activities.</li> <li>- Within 300m of an existing Child Care Centre.</li> <li>- On classified roads.</li> <li>- Adjacent to railway lines.</li> <li>- On streets with a carriageway width of 6.5m or less.</li> <li>- On streets, which are cul-de-sacs.</li> <li>- On lots adjacent to a roundabout (including a proposed roundabout)</li> <li>- In areas where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF).</li> </ul>	<p>The proposed Child Care Centre is within close proximity to multiple similar child care centres. Clause 3.26 of the SEPP (Transport and Infrastructure) 2021 notes that the development may be located at any distance from an existing centre.</p>	<b>N/A</b>
<b>Site Planning</b>	<p>Site planning should be sensitive to site attributes such as; streetscape character;</p>	<p>The proposed childcare centre is sensitive to existing landform and vegetation</p>	<b>Complies</b>

	natural landform; existing vegetation; views and land capability.	through the retention of existing trees and the rejuvenation of the prominent garden of the Homestead.  The proposed alterations and additions are sympathetic towards the existing heritage character with matching finishes proposed.  Important views and vistas are retained.	
	The site layout should enhance the streetscape through the use of landscaping and built form.	Landscaping has been sufficiently proposed to enhance the streetscape. It is considered that a smooth transition between the existing and surrounding low density development and the child care centre is achieved.	<b>Complies</b>
	Site planning should enable buildings to address streets and public open spaces.	The proposed childcare centre would address both street frontages as well as the entry to Bunya Park to the south.	<b>Complies</b>
	The site layout should ensure that the external play area is maximised and enjoys solar access.	The proposed layout provides adequate solar access to play areas.	<b>Complies</b>
	The site layout should contribute to personal safety and to the protection of property by permitting casual surveillance of adequately lit outdoor spaces from windows and entries.	The site layout would contribute to personal safety providing adequate casual surveillance of outdoor spaces from windows and entries.  The provided Social Impact Comment notes that crime within Horningsea Park is lower than that of the Liverpool LGA as a whole. Notwithstanding, CPTED principles have been considered in the adaptive design of the Childcare centre as described in item 29 above.	<b>Complies</b>

	In areas exposed to significant levels of off-site noise, the site layout and building forms should assist in minimising noise entry.	As demonstrated within the acoustic report appropriate noise mitigating measures would be imposed.	<b>Complies with Condition</b>
	The site layout should ensure that the front entrance to the Child Care Centre is easily located and accessible.	The front entrance would be easily accessible and is appropriately located.  An Access Report has been provided which demonstrates BCA and DDA compliance regarding disabled entry.	<b>Complies</b>
	The layout must be designed around the site attributes such as slope; existing vegetation; land capability and/or solar access.	The site layout is considered appropriate, being designed around site attributes.	<b>Complies</b>
	The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties	No new first floor windows proposed.	<b>N/A</b>
	Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1.	The application was referred to Council's Land Development Engineering Department who reviewed stormwater management and drainage associated with the proposal. They were supportive, subject to conditions if consent were granted.	<b>Complies with Condition</b>
<b>Setbacks</b>	<u>Front Setbacks (south)</u> Front Setback: 5.5m Secondary Setback: 4.0m	Front setback = Existing front setback (to Bunya Park) retained >40m	<b>Complies</b>
	Verandahs, balconies, eaves and other sun control devices may encroach on the minimum front and secondary setback by up to 1m	No encroachment within the front setback proposed	<b>N/A</b>

	<p><u>Side Setbacks</u></p> <p>Single storey buildings: 1.2m</p> <p>Second storey component of buildings: 1.2m</p> <p>Access doors from children's internal space: 4m</p>	<p>Western Setback (to John Edmondson High School) proposed: 8m</p> <p>It is noted that an external storage room is located on the boundary. The is deemed acceptable as it is to replace an existing enclosure in this location.</p>	<b>Complies</b>
		<p>Eastern Setback (to Horningsea Park Drive) retained: &gt;20m</p>	<b>Complies</b>
	<p><u>Rear Setbacks (north)</u></p> <p>Single storey buildings: 4m</p> <p>Second storey component of buildings: 8m</p> <p>Access doors from children's internal space: 4m</p>	<p>Rear setback = Rear setback (to Horningsea Park Drive): &gt;30m</p> <p>The proposed carpark setback approximately 6m from Horningsea Park Drive.</p>	<b>Complies</b>
<b>Landscaped Area</b>	<p>A minimum of 25% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas.</p>	<p>Approximately 4,559m<sup>2</sup> (52%) landscaped area proposed.</p>	<b>Complies</b>
	<p>There must be an unencumbered area of 5 x 6m in the rear setback for the opportunity to accommodate the planting of deep rooted trees.</p>	<p>While the landscape area to the northern rear frontage is significantly compromised by the location of the proposed car park the site has sufficient area in the rear towards the north-eastern corner to accommodate deep rooted trees.</p>	<b>Complies</b>
	<p>A minimum of 50% of the front setback area shall be landscaped area.</p>	<p>The landscaped area within the southern frontage remains largely unchanged and provides well in excess of 50% landscaped area.</p>	<b>Complies</b>
	<p>There must be an unencumbered area of 3 x 5m in the front setback for the opportunity to accommodate deep rooted trees.</p>	<p>The proposal achieves the minimum dimensions for deep rooted trees in the front setback area.</p>	<b>Complies</b>
<b>Open Space</b>	<p>A proposed Child Care Centre</p>	<p>As noted in the</p>	<b>Complies</b>

	must comply with open space requirements as set out in the Children Services Regulation 2004.	accompanying compliance tables the proposal complies with the requirements set out within the Children Services Regulation 2004.	
	Outdoor open space is to be located behind the childcare centre i.e. away from roads/streets.	The outdoor open space is appropriately located away from roads and streets.	<b>Complies</b>
<b>Building Form, Style and Streetscape</b>	Where large glass areas cannot be avoided appropriate shade devices shall be incorporated into the design.	Appropriate shade devices have been incorporated into the design through the use of proposed shade structures.	<b>Complies</b>
	The roof design shall be compatible with surrounding properties with respect to height, pitch, building materials and colour.	The proposed involves the adaptive reuse of an existing facility and retention of the existing roof form which is compatible with surrounding properties in terms of pitch and architectural design.  Roof additions to the two wings are considered sympathetic to the existing building by incorporating matching corrugated sheet.	<b>Complies</b>
	The building shall be designed so that it is in character with the surrounding residential area in terms of bulk, scale, size and height.	The proposed development respects the existing building form with the proposed additions being limited to extensions of the modern wings. The additional bulk is largely focused on the north-western corner away from the street frontage. The development is not considered likely to impose a detrimental impact on residential amenity of the locality	<b>Complies</b>
	The front pedestrian entrance must be visible from the street.	The front pedestrian entrance is visible from the street.	<b>Complies</b>
	The front building facades shall be articulated. This articulation may include front porches, entries, wall indents, changes in finishes, balconies	The front building facade is not modified by the proposed design. The existing Gregorian style architecture is considered to be	<b>Complies</b>

	and/or verandahs.	appropriately articulated with entries, porticos, wall indents and openings.	
	For two storey developments, the side walls shall be articulated if the wall has a continuous length of over 10m.	The existing Homestead provides sufficient articulation.	<b>Complies</b>
	Buildings that face two street frontages or a street and public space must address both frontages by the use of verandahs, balconies, windows or similar modulating elements.	<p>The development faces three frontages. As noted above the existing homestead provides suitable articulation in addressing the front façade.</p> <p>The eastern façade facing Horningsea Park Drive is suitably articulated in the way of indentations, openings and changes in height.</p> <p>The northern façade facing Horningsea Park Drive is suitably setback and screen by both planting and the car parking area. Nonetheless suitable openings and roof forms that reflect the Gregorian style architecture have been incorporated.</p>	<b>Complies</b>
<b>Security</b>	Entrances to buildings should be orientated towards the front of the site facing the street.	The front entrance is orientated to the street.	<b>Complies</b>
	Blank walls addressing the street frontage and other public places must be avoided.	Blank walls are avoided. The proposed development provides sufficient wall indentation and variation in materials and finishes.	<b>Complies</b>
<b>Landscaping</b>	<p>A landscape plan must be submitted to Council with the development application. Refer to Part 1 of the DCP.</p> <p>Areas of grass are to be limited to play areas. Other landscaped areas are to be planted.</p> <p>Trees adjacent to/or within the play area, are to provide</p>	<i>As addressed above under item: <b>30 Additional Uses</b> 30.4 Child Care Centres &gt; Landscaping.</i>	<b>Complies</b>

	<p>shade and allow winter sun entry. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.</p> <p>Landscaping species must be appropriate to prevent injury to children. No toxic, spiky or other hazardous plant species.</p> <p>The setback areas of development are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within front and rear setback areas. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.</p> <p>Landscape planting should principally comprise of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access.</p> <p>The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (0.6 – 1.8m) especially along paths and close to windows and doors.</p> <p>Tree and shrub planting alongside and rear boundaries should assist in providing effective screening to adjoining properties. The height of screening plants to</p>		
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	<p>be provided is 2.5 to 3m at maturity.</p> <p>Landscaping on any podium level or planter box shall be appropriately designed and irrigated. Landscaping on podium levels and planter boxes should be accessible from internal rooms as appropriate for gardener access.</p>		
<b>Fencing</b>	<p>Side (behind the building setback) and rear fencing shall be 1.8m in height.</p>	<p>The existing eastern side fencing is to be retained. As this side acts as a secondary frontage the existing low height fence is supported.</p> <p>The existing western side timber fencing is to be removed and replaced with a 2.1m acoustic barrier.</p> <p>The existing northern rear fencing is to be replaced with new timber to match the existing. As this rear acts as a secondary frontage the existing low height fence is supported.</p>	<b>Complies</b>
	<p>Where a fence adjoins a park it shall be of a high-grade material consistent in quality with the building and the context of the park, and shall be designed to address the park.</p>	<p>Existing front fencing adjoining Bunya Park is to be retained for its heritage value.</p>	<b>Complies</b>
	<p>Fences shall be constructed of materials compatible with the proposed building.</p>	<p>As noted above, existing north, east, and south fencing is to either be retained or replaced with new timber to match the existing one.</p> <p>The 2.1m high fencing to the western school boundary is proposed to be metal and designed in collaboration with school authorities.</p>	<b>Complies</b>

	Fencing shall be designed to minimise opportunities for graffiti.	External rural palisade fence railing minimises the available surface area for graffiti opportunities.	<b>Complies</b>
	Gates shall be the same height as the fence, self-closing and be secure and fitted with a childproof lock.	Gates are the same height as the fence with self-closing gate hinges to AS2820.	<b>Complies</b>
	Wall finishes must have low reflectivity.	No new walls are proposed as part of the fencing strategy.  The existing, white painted fence to the corner adjoining the roundabout and Bunya Park is to be retained in accordance with Part 3.1 of LDCP.	<b>Complies</b>
	Front fences are to be light coloured and low in height or open form.	Existing front fencing colours are to be retained.	<b>Complies</b>
	Fences should not prevent surveillance by the building's occupants of the main open or communal areas within the property or the street frontage.	The existing rural style fencing is visually permeable allowing surveillance.	<b>Complies</b>
	Where noise insulation is required, consider the installation of double-glazing or other noise attenuation measures at the front of the building rather than construction of a high solid form fence.	As per recommendations within the Acoustic Assessment 1.8m – 2.1m high acoustic fences are provided to the outdoor play areas setback from the main external boundary fencing.	<b>Complies</b>
	<u>Primary Frontage</u> Front fences shall have a maximum height of 1.2m, and constructed of masonry, timber and/or vegetation.	Existing front fence to be retained. It is 1.2m in height with both masonry and timber portions.	<b>Complies</b>
	The front fence must be 30% transparent.	The timber portion of the front fence is >30% transparent.	<b>Complies</b>
	The front wall may exceed 1.2m (to a maximum of 1.8m) only if:  - The fence is articulated by 1m and has landscaping in	No change to the existing front wall proposed in accordance with Part 3.1 of the LDCP.	<b>N/A</b>

	front of the fence, and - The fence does not impede safe sight lines from the street and from vehicles entering and exiting the site, and - Front fences are to be constructed of materials compatible with the proposed design of the dwelling.		
	<b>Secondary Frontage:</b> Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped.	No change is proposed to the eastern timber secondary fencing along Horningsea Park Drive.  The existing northern rear fencing is to be replaced with new timber to match the existing. As this rear acts as a secondary frontage the existing low height fence is supported.	<b>N/A</b>
	For side walls or fences along the secondary frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the remaining fence/wall may then be stepped up to a maximum of 1.8m	As noted above.	<b>N/A</b>
	The secondary setback is the longest length boundary.	The secondary setback is the longest length boundary.	<b>Complies</b>
	Side fencing facing a public street or parkland must not be constructed of sheet metal. However, metal sheet fencing is permitted on internal boundaries.	Side fencing is not constructed of sheet metal.	<b>N/A</b>
<b>Site Access</b>	All vehicles shall enter and leave the site in a forward direction.	Vehicles would enter and exit in a forward direction.	<b>Complies</b>
	Dead end streets or cul-de-sacs present traffic movement and parking problems and are inappropriate locations for Child Care Centres or facilities.	No dead end streets or cul-de-sacs proposed.	<b>N/A</b>

<b>Location</b>	To provide adequate vehicle access and on-site car parking facilities for residents and visitors.	The proposed development provides 34 car parking spaces in accordance with Part 1 of the DCP.	<b>Complies</b>
	To minimise reliance on on-street parking.	As noted above the development provides parking in accordance with the requirements of Part 1 of the DCP and as such the need for on-street parking is minimised.	<b>Complies</b>
	To provide safe and easy access to and from the site for pedestrians and motorists.	Concern was raised that the location of the driveway posed several potential conflicts at its proposed location point between vehicles entering/exiting the driveway, pedestrians, vehicles using the indented parking bay, and buses.  The concerns have been suitably addressed in the provided Traffic Impact Assessment. It is considered that appropriate signage, a physical median strip and proximity from the roundabout ensure safety is not compromised.	<b>Complies</b>  <b>See Addressed Contention 11 below</b>
	To provide adequate turning areas for manoeuvring into and out of car parking spaces and/or garages.	Swept paths diagrams have been provided which demonstrate sufficient manoeuvring space has been accommodated for.	<b>Complies</b>
	To minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape.	As noted above concern was raised that the location of the driveway would impact the existing streetscape being located within the indented parking bay and adjacent to a bus stop.  The concerns have been suitably addressed in the provided Traffic Impact Assessment. It is considered the proposed driveway	<b>Complies</b>  <b>See Addressed Contention 11 below</b>

		<p>location is the most ideal in relation to existing site contours allowing for almost at grade driveway entry and exit, highest visibility in terms of sightlines entering and exiting the site and ease of transition for grades to the car parking area.</p> <p>Furthermore, the proposed driveway location does not require changes to the existing bus stop which can remain in the existing position and is unaffected by the proposed driveway</p>	
	To ensure pavement or driveway materials are sympathetic to the streetscape and surrounding landscape character.	The General Terms of Approval provided by NSW Heritage include a condition requiring the car park surface to be grass cell treatment or similar so as to remain sympathetic to the surrounding landscape.	<b>Complies with Condition</b>
<b>Noise</b>	Development for childcare centres shall not be permitted in areas where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF).	The childcare centre would not be located in an area where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF).	<b>Complies</b>
<b>Contaminants</b>	All buildings whether to be built, extended, renovated or converted shall not contain any material or substance that will cause lead or asbestos or other contamination or poisoning.	The proposal was referred to Council's Environmental Health department. Council's Environmental Health officer has reviewed the subject site history and confirmed the site did not require any further contamination assessment subject to conditions if consent were granted	<b>Complies with Condition</b>
<b>Site Operation</b>	In residential zones the days/hours of operation shall be limited to 7.00 am - 7.00 pm: Monday – Saturday. No operation on Sundays or public holidays.	The proposed hours of operation would be Monday – Friday 7am to 7pm. No operation on Saturdays, Sundays or public holidays.	<b>Complies</b>

	Child Care Centres or facilities shall be no closer than 50m to mobile phone towers or antennas or transmission line easements or other similar electromagnetic radiation sources.	The proposed childcare centre would not be located closer than 50m to mobile phone towers or antennas or transmission line easements or other similar electromagnetic radiation sources.	<b>Complies</b>
<b>Overshadowing</b>	Adjoining properties must receive a minimum of three hours of sunlight between 9am and 3pm on 21 June to at least: - one living, rumpus room or the like and/or - 50% of the private open space.	No adverse overshadowing impact on neighbouring properties.	<b>Complies</b>
<b>Privacy</b>	Habitable room windows facing side boundaries are to be offset by at least 1m from any habitable room windows in an adjoining dwelling.	Given the large separation distances between the proposed development and neighbouring buildings and compliant setbacks, privacy issues are not envisioned to be of notable impact.  It is noted that windows to the western boundary have the potential to overlook John Edmondson High School, however 1.5m high landscaping and 2.1m acoustic fencing is proposed along the boundary.	<b>Complies</b>
	Habitable room windows on the first floor that face the side boundary are to avoid unreasonable overlooking by having a minimum sill height of 1.5m, except where they face a street or public open space.	No habitable rooms to the first floor proposed.	<b>N/A</b>
	Building siting, window location, balconies and fencing must consider the importance of the privacy of on-site and adjoining buildings and private open spaces.	Given the large separation distances between the proposed development and neighbouring buildings and compliant setbacks, privacy issues are not envisioned to be of notable impact.	<b>Complies</b>

	Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.	Landscaping is proposed along all neighbouring boundaries to improve visual privacy.	<b>Complies</b>
<b>Acoustic Privacy</b>	Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings.	The proposal was referred to Council's Environmental Health department. Council's Environmental Health officer has reviewed the supplied acoustic report and have no objections to the proposal, subject to conditions if consent were granted.	<b>Complies with Condition</b>
	Developments in areas adversely impacted upon by rail or traffic related noises must incorporate the appropriate noise and vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas.	The site is not adversely impact by rail or traffic related noise.	<b>Complies</b>
	The proposed buildings must comply with the Department of Environment and Climate Change criteria and the current relevant Australian Standards for noise and vibration and quality assurance.	The proposal was referred to Council's Environmental Health department. Council's Environmental Health officer has reviewed the supplied acoustic report and have no objections to the proposal, subject to conditions if consent were granted.	<b>Complies with Condition</b>
<b>Waste Management</b>	Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.	Waste disposal facilities have been provided away from the main centre and nearby the driveway area.	<b>Complies</b>
	Any structure involving waste disposal facilities shall be located as follows: - Setback 1m from the front boundary to the street.	The waste bin room is located adjacent to the car park area. Private collection is proposed.	<b>Complies</b>

	<ul style="list-style-type: none"> <li>- Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.</li> <li>- Not be located adjacent to an adjoining residential property. Details of the design of waste disposal facilities are shown in Part 1 of the DCP.</li> </ul>		
<b>Letterboxes and Numbering</b>	Letterboxes shall be located along the front boundary and be clearly visible and accessible from the street.	Appropriate conditions could be imposed if consent were granted.	<b>Complies with Condition</b>
	The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.	Appropriate conditions could be imposed if consent were granted.	<b>Complies with Condition</b>
<b>Frontage works and damage to Council assets</b>	Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council.	Appropriate conditions could be imposed if consent were granted.	<b>Complies with Condition</b>
	Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.	Appropriate conditions could be imposed if consent were granted.	<b>Complies with Condition</b>
	Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting, it may be a condition of consent that street trees are provided in the footpath area immediately in front of the site.	Existing street trees are to be retained.	<b>N/A</b>

**Contention 8: Species Selection**

Pursuant to LDCP Part 1 General Controls for all Development: 30 Additional Uses » 30.4 Child Care Centres » Landscaping

Control 4. Landscaping species must be appropriate to prevent injury to children. No toxic, spiky or other hazardous plant species.

As per Recommendation No. 2 of the Aboriginal Heritage – Due Diligence Assessment Report; the architectural Landscape plan is to be amended to include at least 50% of plant species outlined within Table 1 of the DDAR. This table lists 26 species indigenous to the region.

A number of these species have been identified as being parasitic, containing poisonous fruit, spikey, specific to creek areas or high maintenance. Therefore, suitable native replacement species have been utilised. Notwithstanding, 20 (77%) out of the 26 recommended species have been incorporated into the design demonstrating compliance with the above recommendation.

**Contention 9: Homestead**

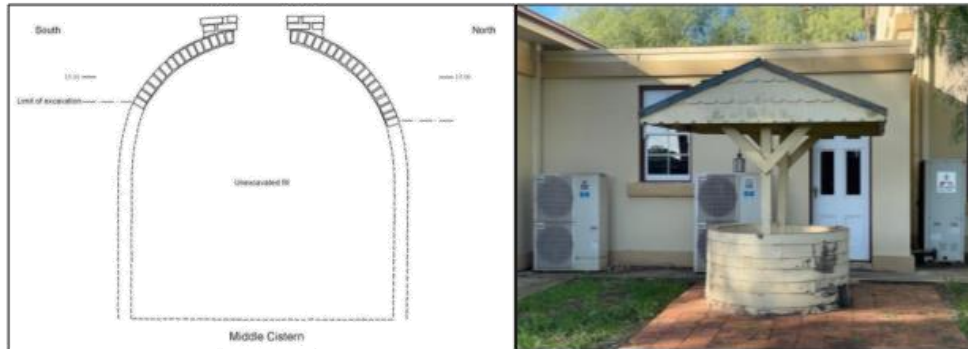
Pursuant to LDCP Part 2.2 Carenes Hill, Hoxton Park & Prestons Residential Release Ares:  
3 Sites » 3.1 Horningsea Park Heritage Area » Homestead

*Control 1. The historic house shall be retained and conserved in accordance with contemporary heritage practice and with the requirements of the Heritage Council of NSW.*

As part of the development proposal the historic house is to be retained and conserved. The provided Statement of Heritage Impact and Conservation Management Plan demonstrate this. Effectively, no significant changes are proposed to the interiors of the house and the proposed minor internal changes are fully reversible. However, one area that drew particular attention from Councils Heritage officer and NSW Heritage was that of the historic cistern.

An original in-ground water storage cistern exists near the north west corner of the historic house. The 'beehive' cistern has been converted into a (disused) wine cellar and currently has an ornamental wishing well structure above acting as an entrance and spiral stair. A steel spiral staircase provides access to the structure. The timber wishing well is in poor condition. The depth of the cistern is estimated to be at least 4m from base to ground level and approximately three metres wide.

The 'wishing well' built atop the original cistern to the west of the house in the 1980s is planned to be removed and access made secure prior to new construction. The proposed extension on the western side of the building has been scaled back in subsequent redesigns so as to ensure footings do not impact the subsurface widening of the cistern. The cistern is located approximately 1.5m west of the proposed Laundry room.



**Figure 1:** Example beehive cistern (*left*). Wishing Well structure above cistern (*right*)

All construction and landscaping works are required to avoid any impact on the intact cistern and several mitigation measures have been recommended. Conditions of consent in accordance with the recommendations made in the Archaeological Assessment Report would be imposed to ensure its retention and that any relics or works found are recorded.

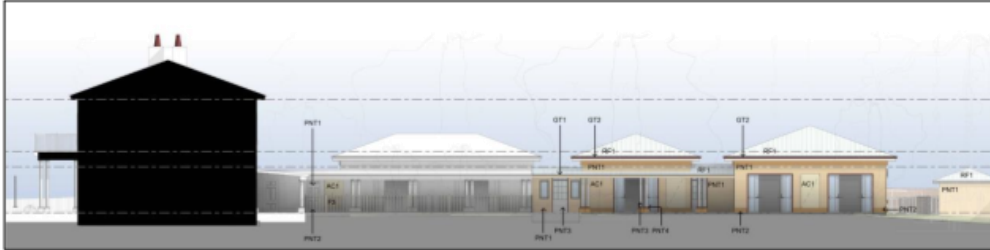
**Contention 10: Visual Prominence**

Pursuant to LDCP Part 2.2 Carnes Hill, Hoxton Park & Prestons Residential Release Areas:  
3 Sites » 3.1 Horningsea Park Heritage Area » Visual Prominence

Control 1. The maximum ridge height of any buildings to be erected on land between the existing Horningsea Park House and Cabramatta Creek or on the northern side of the curtilage is to be limited to RL 54 AHD, thus preserving the dominance of Horningsea Park House. Buildings shall also have a maximum ridge height of: 6m where the building is on land between RL 46 and RL 54 AHD and 8m where the building is on land below RL 46 AHD.

Horningsea Park has aesthetic significance in being a landmark building in a prominent position. It is a fine example of an early colonial homestead, situated on a prominent hill and this character will be retained.

The existing maximum ridge height of the homestead will remain unaltered at approximately 9.8m above FFL. The ridge level to the wing additions on land RL 51.5 AHD are approximately 5.65m above FFL. This results in a height difference of 4.15m between the main homestead and wing extensions ensuring that visual dominance of the Homestead is retained.



**Figure 2:** Internal elevation illustrating the change in height from the homestead down to the wings.

**Contention 11: Driveway Impact & Safety**

Pursuant to LDCP Part 3.8 Non-Residential Development in Residential Zones: 2 Child Care Centres » 2.8 Car Parking and Access » Location

Control 3. To provide safe and easy access to and from the site for pedestrians and motorists.

Control 5. To minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape.

Concern was raised that the location of the driveway posed several potential conflicts at its proposed location point between vehicles entering/exiting the driveway, pedestrians, vehicles using the indented parking bay, and buses. As described in detail under **Contention 2: Roads and Safety** in ATTACHMENT 5 it is considered that appropriate mitigation measures have been incorporated to ensure safety is not compromised.

**Department of Climate Change, Energy, the Environment and  
 Water**



HMS ID: 5979

Your ref: CNR-66258 - A-79936 - DA-51/2024

**Ms Maddison Spiteri**  
 Liverpool City Council  
 LOCKED BAG 7064  
 LIVERPOOL NSW 1871  
**By email:** spiterim@liverpool.nsw.gov.au

Dear Ms Spiteri

**HERITAGE COUNCIL OF NSW – GENERAL TERMS OF APPROVAL**

**Integrated Development Application**

**Address:** Camden Valley Way, HORNINGSEA PARK NSW 2171  
**SHR item:** Horningsea Park, SHR no. 00255  
**Proposal:** CNR-66258 - seeking consent for the conversion of existing dwelling house into 110 children childcare Centre and car park with associated excavation, earthworks, stormwater, and landscaping works at 14 Horningsea Park Drive, Horningsea Park.  
**IDA application no:** HMS ID 5979

At its meeting on 3 December 2024, the Heritage Council's Approvals Committee resolved, in accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, to grant the following General Terms of Approval:

**Approved development**

1. Development must be in accordance with:
  - a) Architectural drawings, prepared by SQC Architects as listed below:

Dwg No	Dwg Title	Date	Rev
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**Project Name: 14 Horningsea Park Drive ELC**

A000	Cover Sheet	29.10.24	A
A004	Site Plan – Existing	29.10.24	A

Dwg No	Dwg Title	Date	Rev
A005	Site Plan – Demolition	29.10.24	A
A010	Site Plan – Proposed	29.10.24	A
A011	Site Plan – Erosion and sediment control and waste management plan	29.10.24	A
A035	Site Circulation Plan	29.10.24	A
A040	Site Details – Fence Plan	29.10.24	A
A100	Existing Floor Plan – Ground Floor	29.10.24	A
A101	Existing Floor Plan – First Floor	29.10.24	A
A110	Demolition Plan – Ground Floor	29.10.24	A
A111	Demolition Plan – First Floor	29.10.24	A
A120	General Arrangement Plan – Ground Floor	29.10.24	J
A121	General Arrangement Plan – First Floor	29.10.24	C
A160	Roof Plan	29.10.24	A
A200	Streetscape Views	29.10.24	A
A210	Elevations and External Finishes Schedule	29.10.24	B
A211	Elevations and External Finishes Schedule	29.10.24	B
A212	Courtyard Elevations and External Finishes Schedule	29.10.24	B
A300	Site Sections	29.10.24	A
A480	Commercial Kitchen	29.10.24	A
A500	Construction Details – POD	29.10.24	A
A502	Fence Detail	29.10.24	A

Dwg No	Dwg Title	Date	Rev
A760	Childcare Licensing Plan - Ground Floor	29.10.24	A
A761	Childcare Licensing Plan - First Floor	29.10.24	A
A800	Design Sketches	29.10.24	B
A801	Design Sketches	29.10.24	B
A802	Design Sketches - overall	29.10.24	B
A803	Design Sketches - overall	29.10.24	B
A830	Shadow Diagram	29.10.24	B

b) Landscape drawings, prepared by Annabel Doone Murray as listed below:

Dwg No	Dwg Title	Date	Rev
<b>Project Name: Horningsea Park Drive</b>			
L_000	LANDSCAPE_Cover Sheet	29.10.24	01A
L_P_01	LANDSCAPE_Plan	29.10.24	13A
L_H_01	LANDSCAPE_Heritage	29.10.24	13
13L_ASS_01	LANDSCAPE_Analysis Shade/Sola	29.10.24	13
L_IPS_01	LANDSCAPE_Indicative Planting Schedule	29.10.24	13
L_IPS_02	LANDSCAPE_Indicative Planting Schedule DDAR	29.10.24	03
L_D_01	LANDSCAPE_01 TREE ON GRADE	29.10.24	13
L_D_02	LANDSCAPE_02 GARDEN BEDS/PLANTING ON GRADE - (A INDICATIVE BIOFILTRATION, BSHRUB ON GRADE & C TURF)	29.10.24	03A

Dwg No	Dwg Title	Date	Rev
L_D_03	LANDSCAPE_DETAILS 03 PERMEABLE RESIN BOUND PEBBLE – (A MOVEMENT JOINTS, B PATHS,C DRIVEWAY/CAR PARK)	29.10.24	05A
L_PRGB_P&CS_01	LANDSCAPE_PERMEABLE RESIN BOUND GRAVEL_PRINICIPLES & CASE STUDIES	29.10.24	06
L_SI_01	LANDSCAPE_INDICATIVE INTERPRETATION & SIGNAGE	29.10.24	06
L_SI_02	LANDSCAPE_INDICATIVE INTERPRETATION & SIGNAGE PHOTOMONTAGE AND DETAIL	29.10.24	06
L_PC_01	LANDSCAPE_PLAY CONCEPT 01	29.10.24	01
L_LM_01	LANDSCAPE_MAINTENANCE NOTES	29.10.24	01
L_MS_01	LANDSCAPE_MATERIALS 01	29.10.24	13

- c) Landscape Statement of Heritage Impact, prepared by Annabel Murray, dated 5 November 2024
- d) Statement of Environmental Effects, 14 Horningsea Park Drive, prepared by planzone, dated 29 October 2024
- e) SOHI and amendment letter
- f) Arborists report, prepared by The Arborists Network, dated 29 October 2024
- g) Horningsea House Archaeological Assessment, prepared by Heritage Now and Casey & Low, dated 18 June 2024
- h) Heritage Interpretation Strategy, prepared by Howard Tanner and Annabel Murray, undated

**EXCEPT AS AMENDED by the General Terms of approval:**

**Details to be submitted for approval**

2. The following information is to be submitted with the s.60 application for approval by the Heritage Council of NSW (or delegate):
  - Amended car park details to include the replacement of the resin bound gravel surface to the car spaces with a grass cell treatment or similar.

*Reason: The proposed hardstand carpark has the potential to be unsympathetic to the landscape and aesthetic values of the place. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.*

### Heritage consultant

3. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

*Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.*

### Specialist tradespersons

4. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

*Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.*

### Site protection

5. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

*Reason: To ensure significant fabric including vegetation is protected during construction.*

### Heritage Interpretation Plan

6. The approved Interpretation Strategy must be implemented prior to the issue of a Construction Certificate
7. An Interpretation Plan, based on the approved Interpretation Strategy and community consultation, must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted and approved by Heritage NSW (as delegate of the Heritage Council) prior to the issue of a Construction Certificate/ Government certification.
8. The Interpretation Plan must detail how information on the history and significance of name of item will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
9. The approved Interpretation Plan must be implemented prior to the issue of an Occupation Certificate

*Reason: Interpretation is an important part of every proposal for works at heritage places.*

### Photographic Archival Recording

10. A photographic archival recording (if necessary, specify elements or parts of structure/complex to be recorded) must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW.

*Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.*

### Historical Archaeology

- a) The Applicant shall submit an updated Archaeological Assessment and an Archaeological Research Design and Excavation Methodology prepared by a suitably qualified and experienced historical archaeologist as part of the Section 60 application.
- b) The Applicant shall nominate an Excavation Director suitable to satisfy the Excavation Director Criteria of the Heritage Council of NSW for the proposed activity and significance level within the section 60 application.
- c) Following the receipt of the Archaeological Assessment and Research Design as part of the Section 60 Application, the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis and final reporting may be included as part of these archaeological conditions. Dependent on the results of the excavation, the proposed development may need to be modified to avoid impacting State significant archaeology.

### Aboriginal objects

11. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974*. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

### Compliance

12. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

### Section 60 application

13. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

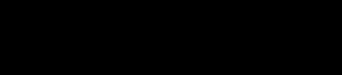
*Reason: To meet legislative requirements.*

### Right of appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

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

Yours sincerely



Rochelle Johnston  
Senior Manager  
Heritage NSW  
Department of Climate Change, Energy, the Environment and Water  
As Delegate of the Heritage Council of NSW  
6 December 2024

# HORNINGSEA PARK DRIVE ELC

**FBSP PTY LTD**

14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

LOT 1 || DEPOSITED PLAN 1018964 || SUBURB HORNINGSEA PARK

SHEET LIST		
SHEET NO.	SHEET NAME	REV
A000	COVER SHEET	A
A004	SITE PLAN - EXISTING	A
A005	SITE PLAN - DEMOLITION	A
A010	SITE PLAN - PROPOSED	A
A011	SITE PLAN - EROSION AND SEDIMENT CONTROL AND WASTE MANAGEMENT PLAN	A
A035	SITE CIRCULATION PLAN	A
A040	SITE DETAILS - FENCE PLAN	A
A100	EXISTING FLOOR PLAN - GROUND FLOOR	A
A101	EXISTING FLOOR PLAN - FIRST FLOOR	A
A110	DEMOLITION PLAN - GROUND FLOOR	A
A111	DEMOLITION PLAN - FIRST FLOOR	A
A120	GENERAL ARRANGEMENT PLAN - GROUND FLOOR	J
A121	GENERAL ARRANGEMENT PLAN - FIRST FLOOR	C
A160	ROOF PLAN	A
A200	STREETSCAPE VIEWS	A
A210	ELEVATIONS & EXTERNAL FINISHES SCHEDULE	B
A211	ELEVATIONS & EXTERNAL FINISHES SCHEDULE	B
A212	COURTYARD ELEVATIONS & EXTERNAL FINISHES SCHEDULE	B
A300	SITE SECTIONS	A
A480	COMMERCIAL KITCHEN	A
A500	CONSTRUCTION DETAILS - POD	A
A502	FENCE DETAIL	A
A760	CHILDCARE LICENSING PLAN - GROUND FLOOR	A
A761	CHILDCARE LICENSING PLAN - FIRST FLOOR	A
A800	DESIGN SKETCHES	B
A801	DESIGN SKETCHES	B
A802	DESIGN SKETCHES - OVERALL	B
A803	DESIGN SKETCHES - OVERALL	B
A830	SHADOW DIAGRAM	B



Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

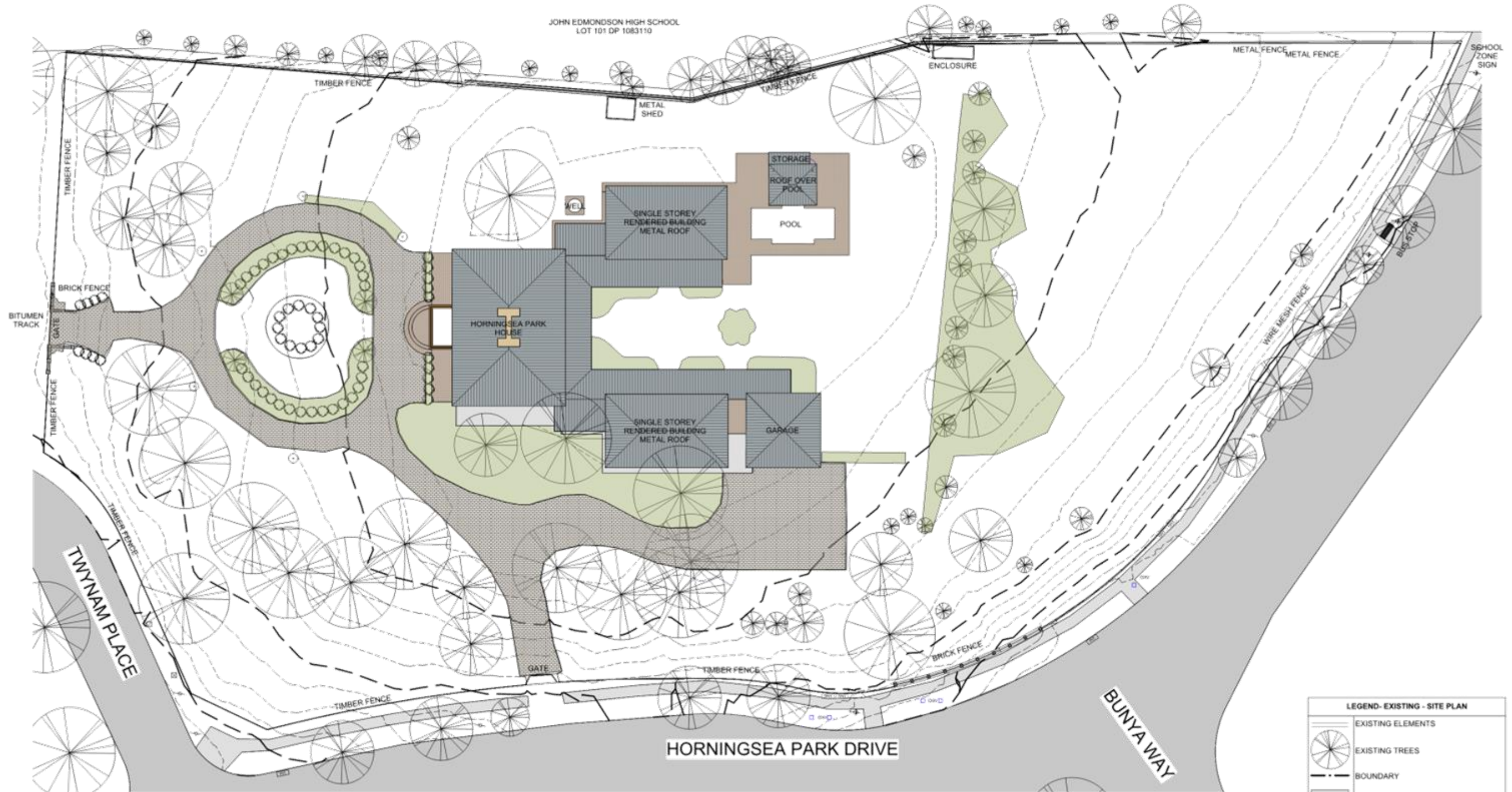
Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: COVER SHEET  
Scale: A1  
Project: 23008.01  
Drawing: A000  
Revision: A

ISSUE FOR DA

All dimensions in millimetres. Do not scale drawing. All dimensions and levels to be verified on site by contractor before commencing work or preparation of shop drawings, where provided. Drawings must be read in conjunction with specifications and schedules.  
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LEGEND- EXISTING - SITE PLAN	
	EXISTING ELEMENTS
	EXISTING TREES
	BOUNDARY
	CONCRETE FOOTPATH
	PAVERS / TILE
	STREET SIGN
	LAMP POST
NOTES	

Revision	Date	Description
A	26/10/24	ISSUE FOR DA

**SQC GROUP**

Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: **HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JJB, CK

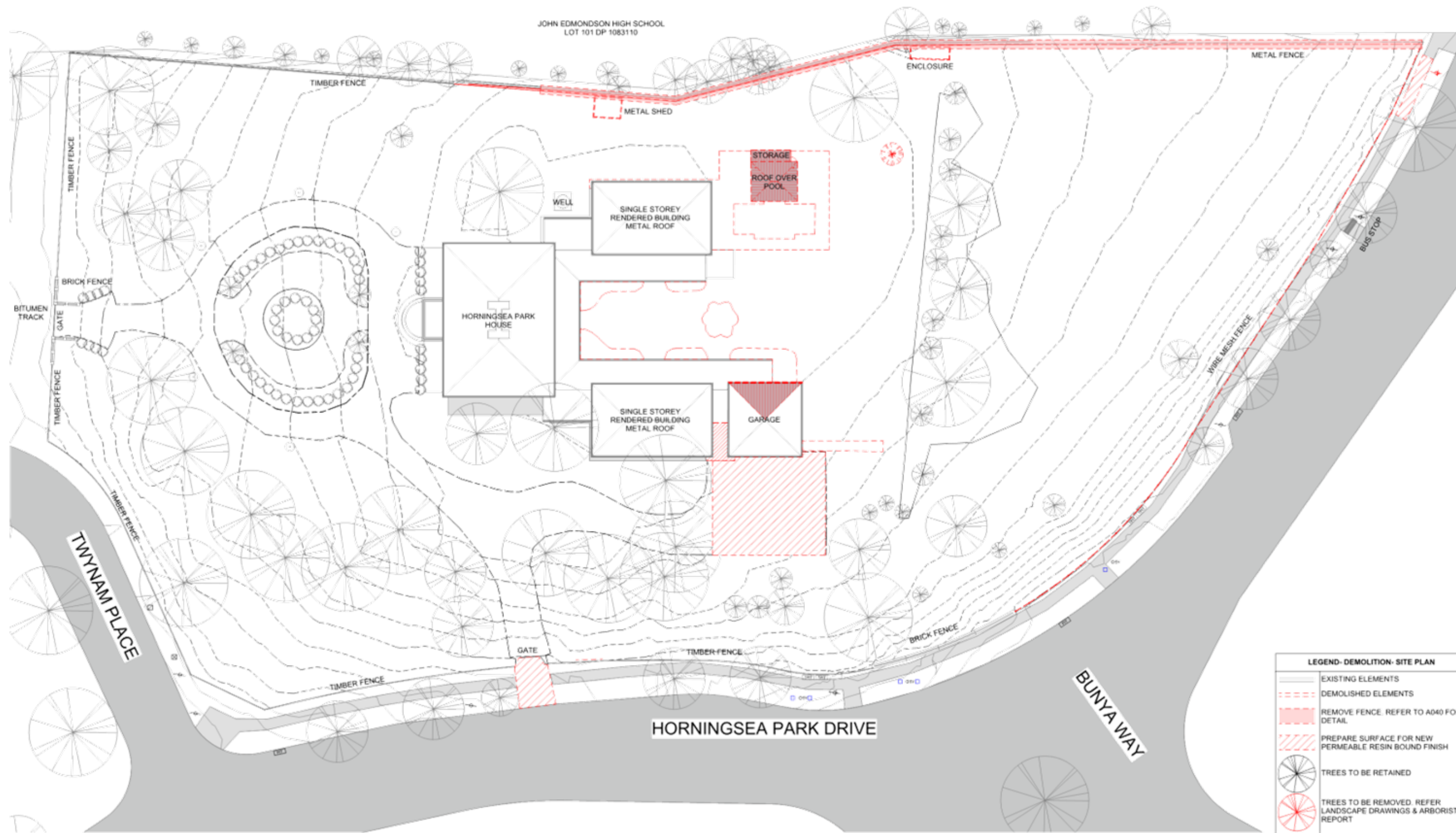
Drawing Title: **SITE PLAN - EXISTING**  
Scale: 1:200  
Project: 23008.01  
Sheet Size: A1  
Drawing: A004  
Revision: A

**ISSUE FOR DA**

SCALE: 1:200 @ ORIGINAL SCALE

All dimensions in millimetres. Do not scale drawing. All dimensions and levels to be verified on site by contractor before commencing work or preparation of shop drawings, where possible. Drawings must be read in conjunction with specifications and schedules.

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**LEGEND- DEMOLITION- SITE PLAN**

- EXISTING ELEMENTS
- DEMOLISHED ELEMENTS
- REMOVE FENCE. REFER TO A040 FOR DETAIL
- PREPARE SURFACE FOR NEW PERMEABLE RESIN BOUND FINISH
- TREES TO BE RETAINED
- TREES TO BE REMOVED. REFER LANDSCAPE DRAWINGS & ARBORIST REPORT

**NOTES**

- ALL DEMOLITION WORKS TO COMPLY WITH AS2601
- ALL PAVERS/TILES THAT ARE REMOVED MUST BE PROTECTED, SALVAGED AND PREPARED FOR REUSE.

Revision	Date	Description
A	26.10.24	ISSUE FOR DA

**SQC GROUP**

Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: **HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: **SITE PLAN - DEMOLITION**

Scale: 1:200  
Project: **23008.01**

Sheet Size: A1  
Drawing: **A005**  
Revision: **A**

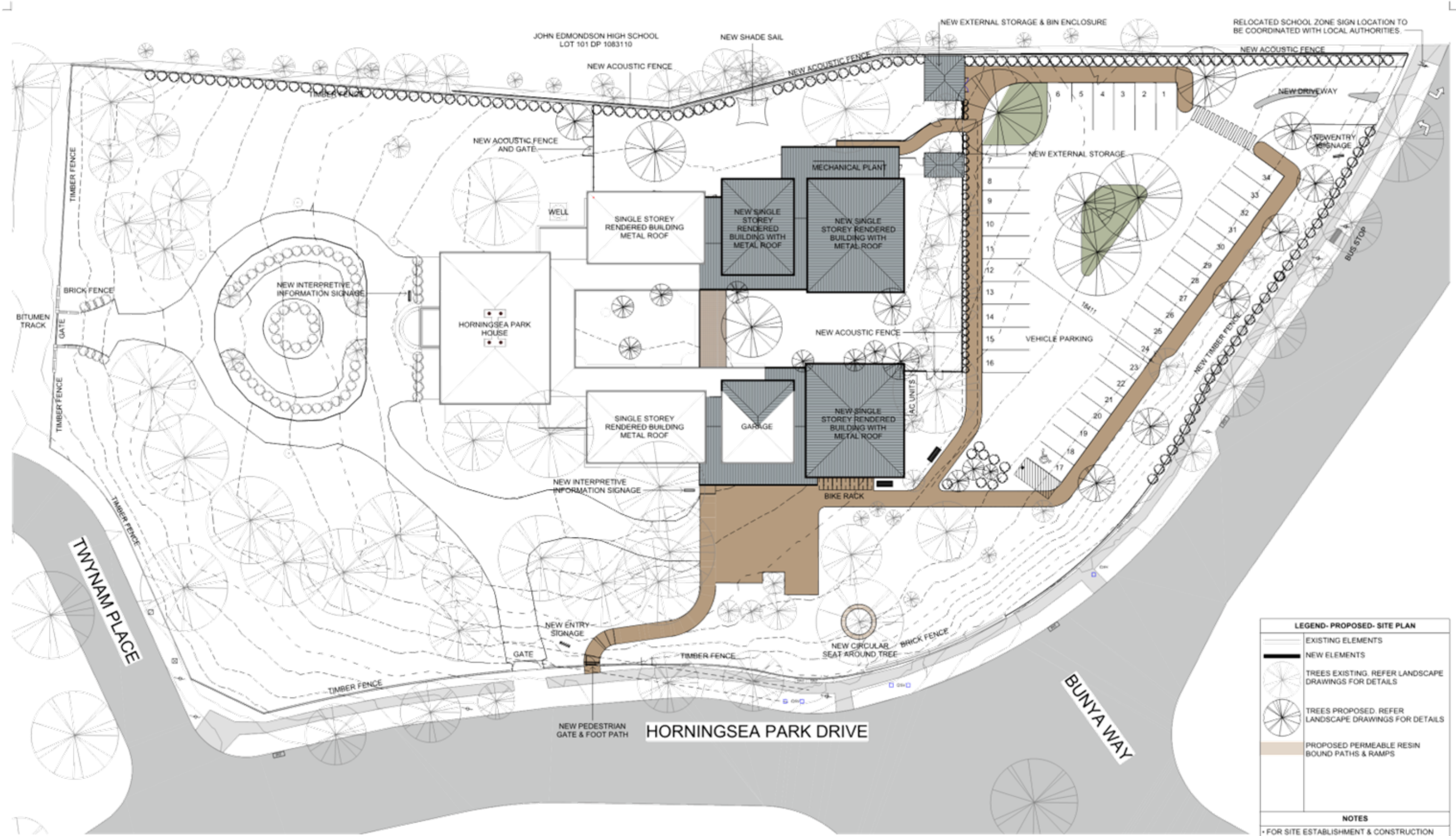
**ISSUE FOR DA**

SCALE: 1:200 @ ORIGINAL SCALE

**NORTH**

All dimensions in millimetres. On 1st scale drawing. All dimensions and levels to be verified on site by contractor before commencing work or preparation of shop drawings, where possible, drawings must be read in conjunction with specifications and schedules.

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**LEGEND- PROPOSED- SITE PLAN**

- EXISTING ELEMENTS
- NEW ELEMENTS
- TREES EXISTING. REFER LANDSCAPE DRAWINGS FOR DETAILS
- TREES PROPOSED. REFER LANDSCAPE DRAWINGS FOR DETAILS
- PROPOSED PERMEABLE RESIN BOUND PATHS & RAMPS

**NOTES**

- FOR SITE ESTABLISHMENT & CONSTRUCTION (FOR DEMOLITION) MANAGEMENT PLAN, REFER TO LANDSCAPE MANAGEMENT & PROTECTION PLAN
- REFER LANDSCAPE DRAWINGS FOR LANDSCAPING, FENCE & EXTERNAL CONCEPT SIGNAGE DETAILS
- REFER TO TRAFFIC ENGINEERS DESIGN OF THE CARPARK

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: SITE PLAN - PROPOSED  
Scale: 1:200  
Project: 23008.01  
Sheet Size: A1  
Drawing: A010  
Revision: A

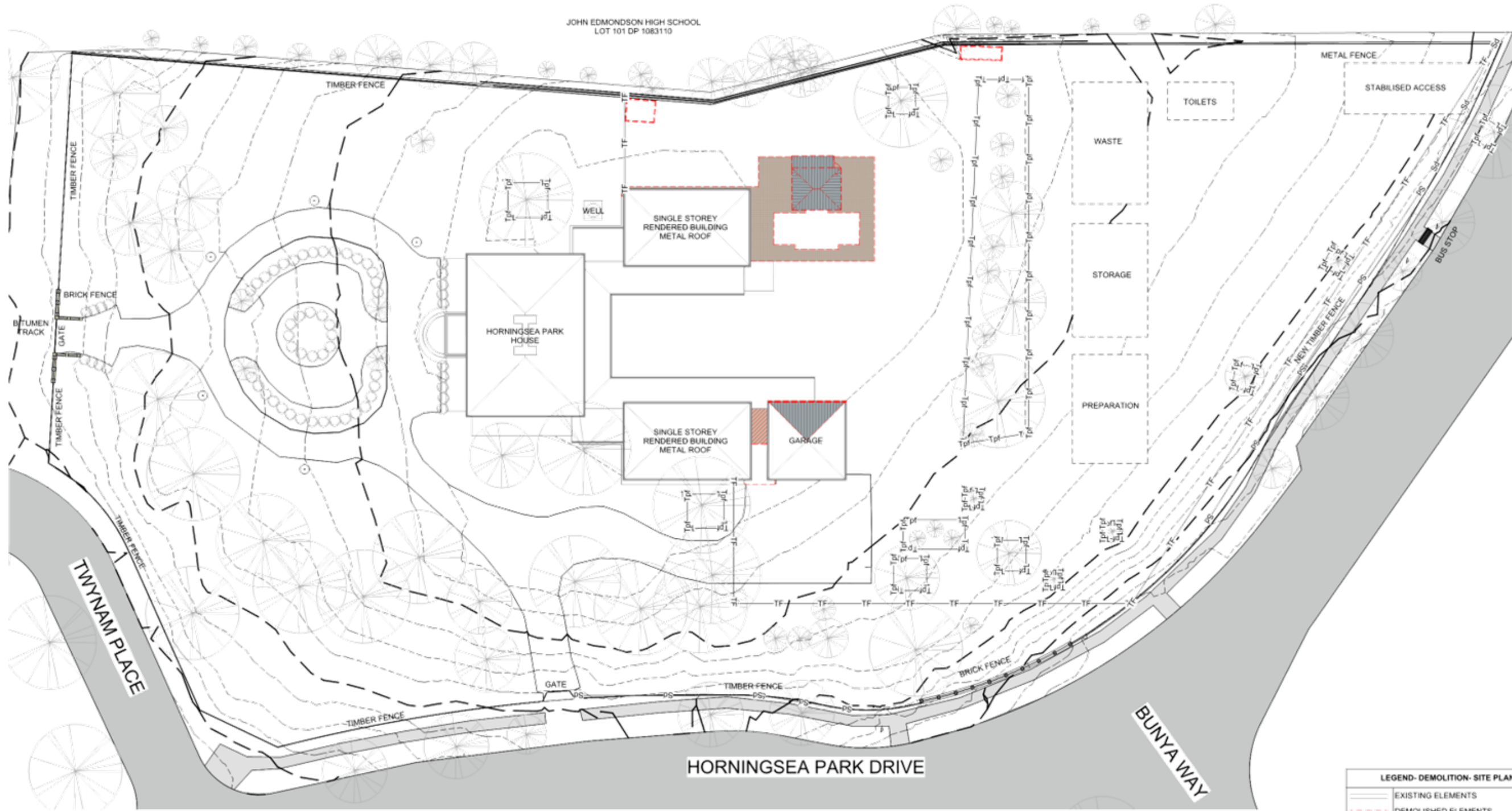
**ISSUE FOR DA**

SCALE: 1:200 @ ORIGINAL SCALE

NORTH

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**NOTES - SEDIMENT & EROSION CONTROL**

- SEDIMENT CONTROLS MUST BE IN PLACE PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS & INSPECTED DAILY
- SEDIMENT CONTROLS MUST BE RETAINED UNTIL RE-VEGETATION IS FULLY ESTABLISHED AFTER THE BUILDING COMPLETION
- LOCATE STOCK PILES AWAY FROM DRAINAGE LINES & SURFACE FLOW PATHS. CONTOURED STRIATIONS OR FURROWS TO BE PROVIDED TO STOCK PILES TO MINIMISE EROSION
- STABILISED CONSTRUCTION ENTRANCE TO BE CONSTRUCTED PRIOR TO ACCESS TO SITE BY CONSTRUCTION VEHICLES. AGGREGATE TO BE TURNED WHEN SEDIMENT BUILDS UP AND RENEWED WHEN REQUIRED
- BUILDER IS TO ESTABLISH A MAINTENANCE PROGRAM FOR SEDIMENT & EROSION CONTROL DEVICES TO ENSURE INSPECTION AFTER SIGNIFICANT RAINFALL AND THAT ANY REPAIRS NECESSARY ARE QUICKLY ATTENDED TO.

- ENVIRONMENT PROTECTION AGREEMENT TO BE TAKEN OUT BY BUILDING CONTRACTOR WITH ENVIRONMENT PROTECTION AUTHORITY
- ALL NEW CONSTRUCTION WORK MUST BE CONTAINED WITHIN THE SITE EXCEPT FOR APPROVED SERVICE CONNECTIONS AND ROADWORKS.
- LIMIT ACCESS TO SITE DURING AND IMMEDIATELY AFTER WET WEATHER
- REGULARLY REMOVE ANY SOIL FROM ROADS ADJACENT TO THE SITE
- NO STORAGE OF CONSTRUCTION MATERIALS, PARKING OF VEHICLES NOR EQUIPMENT PERMITTED OUTSIDE OF BLOCK WITHOUT THE LOCAL COUNCIL APPROVAL
- NO SITE SHEDS, STORAGE SHEDS, SITE AMENITIES TO BE ERRECTED OUTSIDE OF BLOCK WITHOUT LOCAL COUNCIL APPROVAL
- PROVIDE KERBSIDE FILTER ROLL TO AFFECTED EXISTING SUMPS

- KERBSIDE FILTER ROLL TO BE REMOVED, CLEANED & REINSTATED ON A WEEKLY BASIS AT A MINIMUM. TRAPPED SEDIMENT ABOUT SUMPS ALSO TO BE REMOVED. CLEANING IS ALSO TO TAKE PLACE IMMEDIATELY AFTER PERIODS OF RAINFALL DURING CONSTRUCTION
- ALL SERVICE TRENCHES TO BE BACK FILLED WITH 24 HOURS OR INSPECTION
- EXCESS SOIL IS TO BE DISPOSED AT THE LOCAL COUNCIL APPROVED LOCATION
- THE SITE FOREMAN IS TO CONTACT THE LOCAL COUNCIL TO ARRANGE A SITE INSPECTION & ENDORSEMENT OF SEDIMENT & EROSION CONTROL MEASURES PRIOR TO WORKS COMMENCING
- THE SITE FOREMAN IS TO CONTACT THE LOCAL COUNCIL TO DISCUSS ANY PROPOSED MAJOR CHANGES TO THE SEDIMENT & EROSION CONTROLS ON SITE PRIOR TO IMPLEMENTING THE CHANGES
- THE SITE FOREMAN WILL ENSURE CONTRACTORS ACCESS & EXIT THE SITE USING ONLY LOCAL COUNCIL APPROVED ACCESS/EXIT POINTS
- ALL MEASURES TO COMPLY WITH LOCAL COUNCIL DEVELOPMENT CONTROL PLAN & IN PLACE PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS & CHECKED DAILY.

LEGEND- DEMOLITION- SITE PLAN	
	EXISTING ELEMENTS
	DEMOLISHED ELEMENTS
	TREES TO BE RETAINED
	TEMPORARY FENCE DURING CONSTRUCTION
	EXISTING STORM WATER
	SEDIMENT CONTROL
	TREE PROTECTION FENCE

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Client: FBSP PTY LTD  
 Project Title: HORNINGSEA PARK DRIVE ELC  
 1018964 1 HORNINGSEA PARK  
 14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

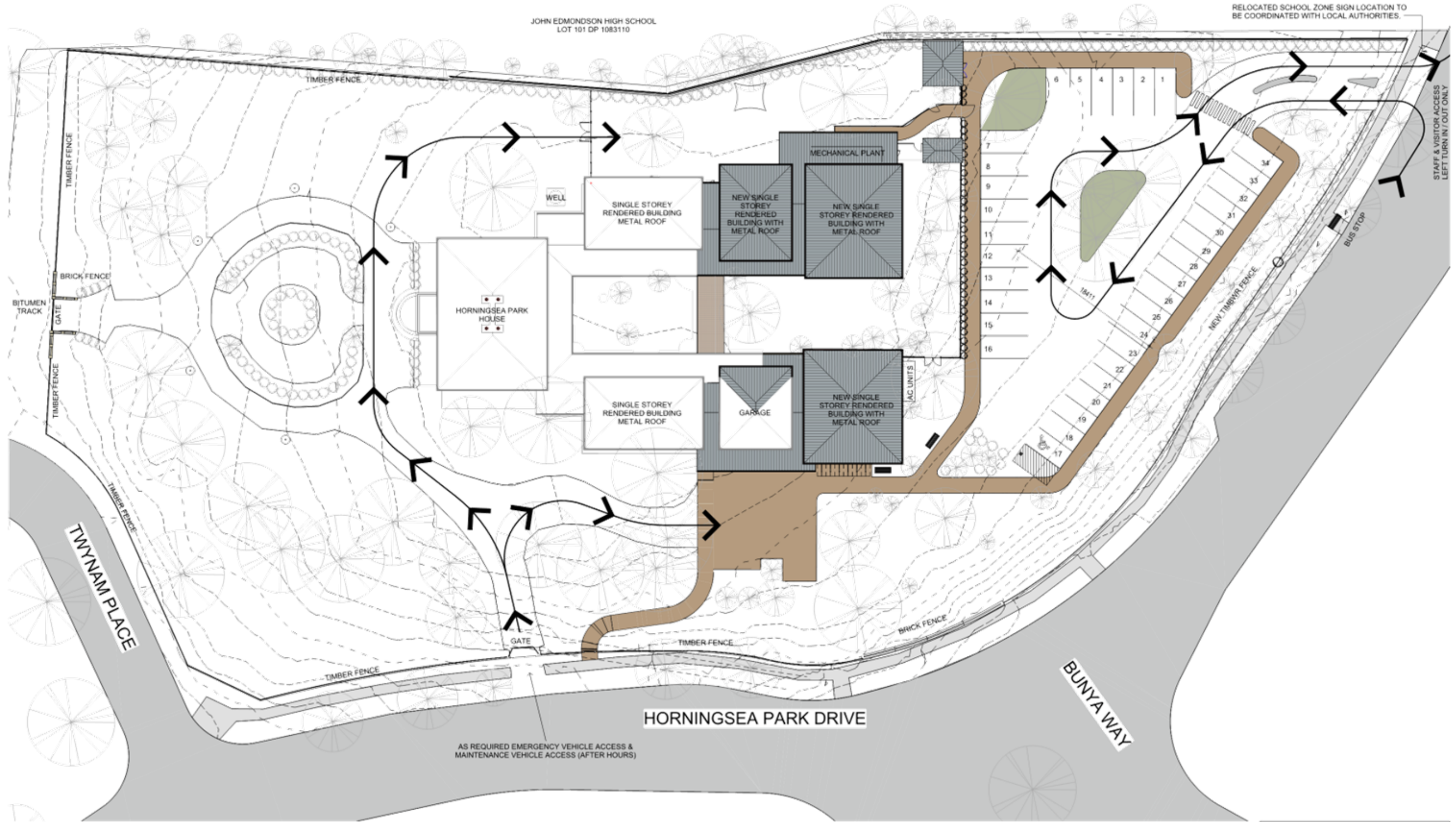
Design Project Manager: LB  
 Project Delivery Leader: LB  
 Quality Manager: SDV  
 Drawn: JUB, CK

Drawing Title: SITE PLAN - EROSION AND SEDIMENT CONTROL AND WASTE MANAGEMENT PLAN  
 Scale: As indicated  
 Sheet Size: A1  
 Project: 23008.01  
 Drawing: A011  
 Revision: A



ISSUE FOR DA  
 SCALE: 1:200 @ ORIGINAL SCALE

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**NOTES**

- REFER TO EVACUATION PLAN
- REFER TO TRAFFIC ENGINEER'S REPORT
- STAFF & VISITOR CARPARK ACCESS LEFT TURN ONLY ENTRY AND EXIT

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client:  
FBSP PTY LTD  
Project Title:  
**HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager:  
LB  
Project Delivery Leader:  
LB  
Quality Manager:  
SDV  
Drawn:  
JUB, CK

Drawing Title:  
**SITE CIRCULATION PLAN**  
Scale:  
As indicated  
Project:  
**23008.01**

Sheet Size:  
A1  
Drawing:  
A035  
Revision:  
A



**DESIGN DEVELOPMENT**

0 2 4 6 8 10 12 14 16 18 20  
SCALE: 1:200 @ ORIGINAL SCALE

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LEGEND- FENCE TYPES				NOTES	
	REMOVE METAL FENCE CAREFULLY. PROPOSED NEW 2.1M HIGH TWO SIDED CAPPED AND LAPPED NON-CLIMBABLE ACOUSTIC BARRIER TO REPLACE EXISTING FENCE ADJOINING SCHOOL BOUNDARY IN COLLABORATION WITH SCHOOL AUTHORITIES. REUSE POSTHOLE LOCATIONS TO AVOID TREE ROOTS. STRUCTURAL DESIGN TO ENGINEERS FUTURE DETAIL AND ARBORIST ADVICE.		EXISTING TIMBER FENCE		REMOVE TIMBER FENCE CAREFULLY. PROPOSED NEW 2.1M HIGH TWO SIDED CAPPED AND LAPPED NON-CLIMBABLE ACOUSTIC BARRIER TO REPLACE EXISTING FENCE ADJOINING SCHOOL BOUNDARY IN COLLABORATION WITH SCHOOL AUTHORITIES. REUSE POSTHOLE LOCATIONS TO AVOID TREE ROOTS. STRUCTURAL DESIGN TO ENGINEERS FUTURE DETAIL AND ARBORIST ADVICE.
	EXISTING RURAL FENCE TO REMAIN AND GATE WHERE SHOWN TO REMAIN		NEW RURAL TIMBER FENCE TO MATCH EXISTING FENCE (SHOWN LIGHT GREEN)		NEW 1.8 M HIGH PALISADE FENCE WITH GATE/SECURITY CODE TO ENTRY GATE) COLOUR: DULUX - OFF WHITE
	EXISTING MASONRY FENCE AND GATE WHERE SHOWN TO REMAIN		NEW 1.8 HIGH HARDWOOD TIMBER CAPPED AND LAPPED FENCE		NEW 1.8 HIGH ACOUSTIC FENCE AND GATE. TIMBER HARDWOOD POST WITH ACRYLIC PANELS ETCHED WITH INTERACTIVE GRAPHICS TO FUTURE DETAILS
	NEW PEDESTRAIN GATE, 3 RAIL HARDWOOD ( OR STEEL FENCE) TO MATCH LOOK OF EXISTING RURAL FENCE.		NEW 1.2 M HIGH PALISADE FENCE COLOUR: DULUX - OFF WHITE		

Revision: A  
Date: 26.10.24  
Description: ISSUE FOR DA

**SQC GROUP**  
Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

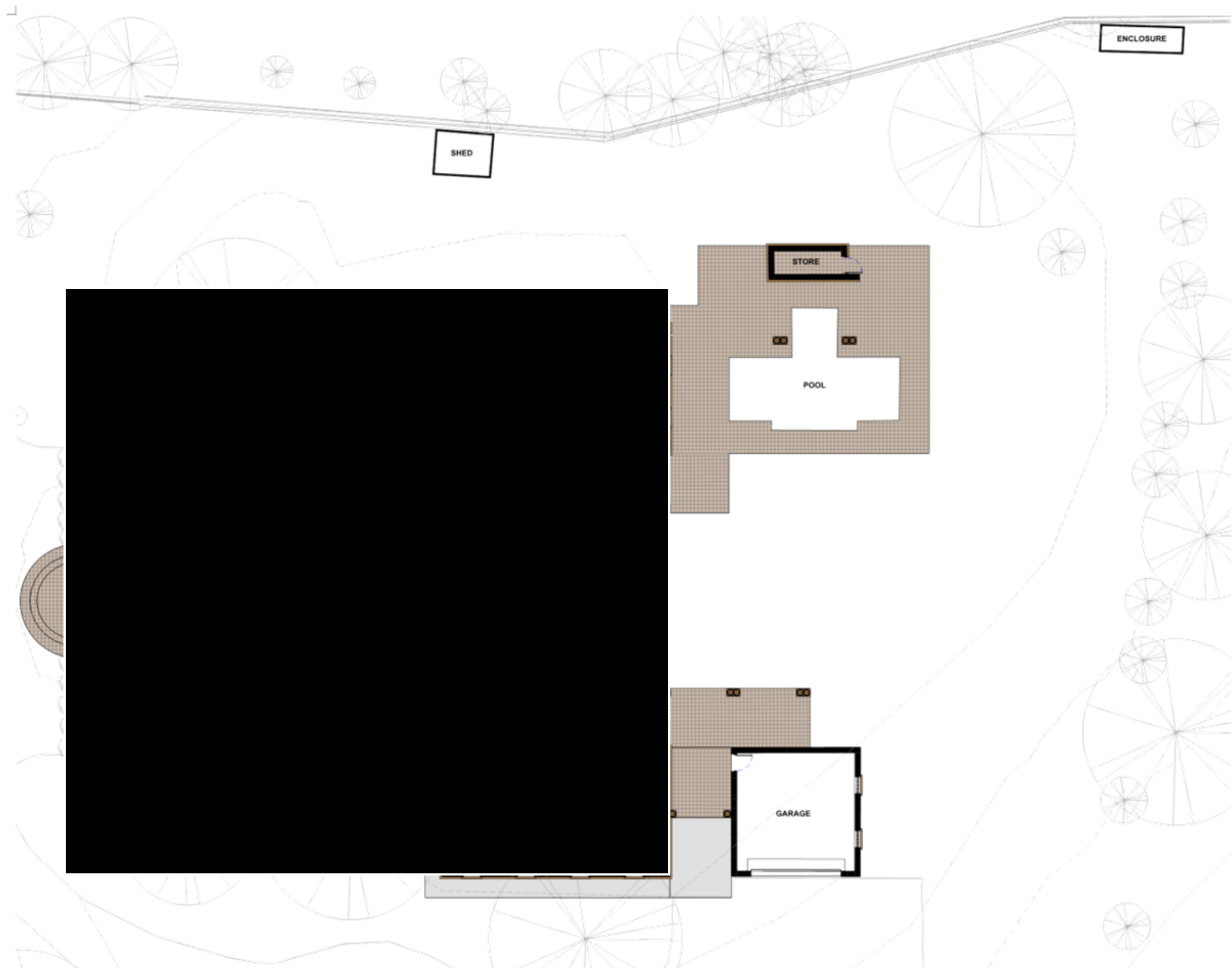
Drawing Title: SITE DETAILS - FENCE PLAN  
Scale: As indicated  
Project: 23008.01  
Drawing: A040  
Revision: A

**ISSUE FOR DA**

SCALE: 1:200 @ ORIGINAL SCALE

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LEGEND- EXISTING- FLOOR PLAN	
	EXISTING PAVERS / TILES
	EXISTING CONCRETE
Room name	ROOM TAG

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

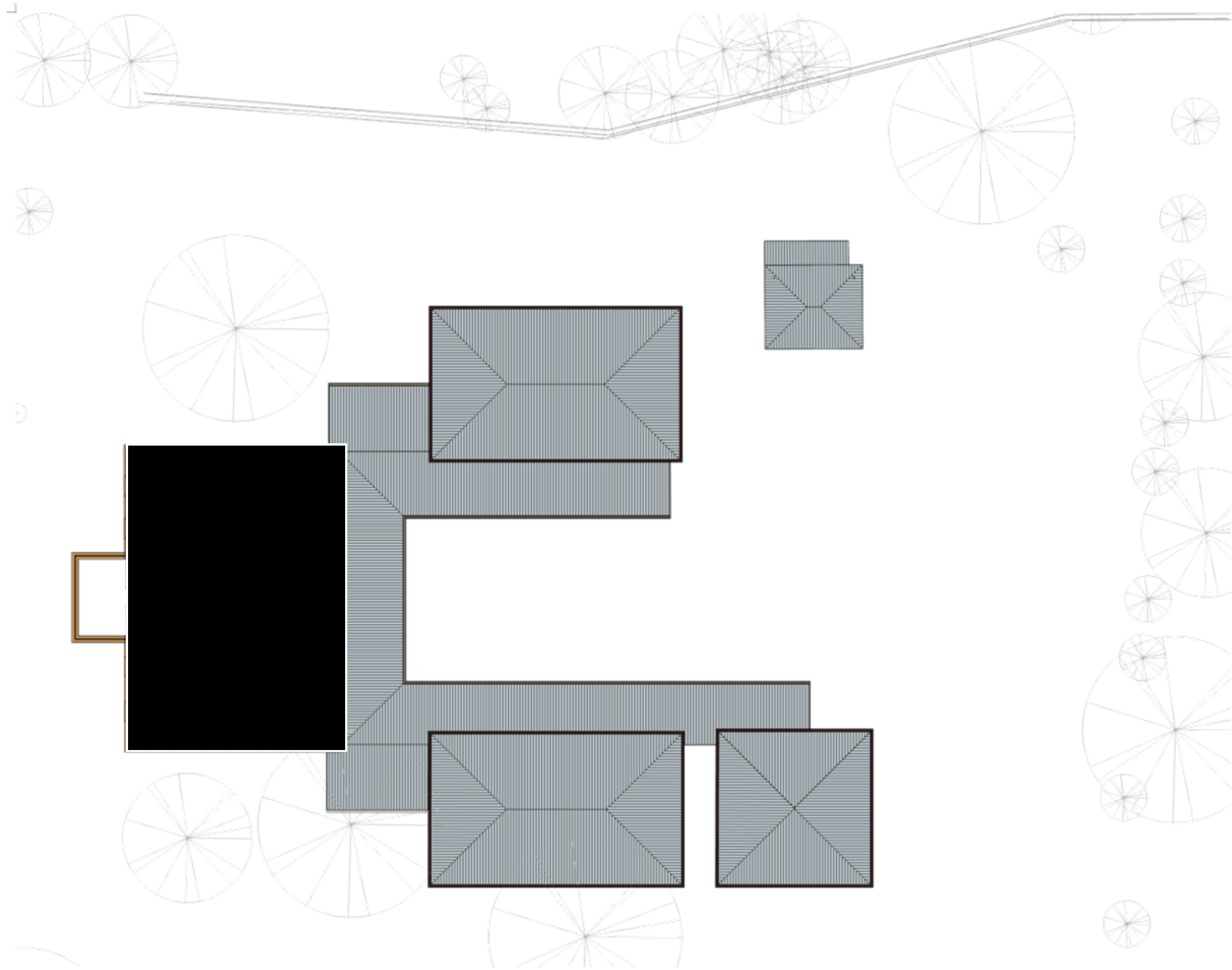
Drawing Title: EXISTING FLOOR PLAN - GROUND FLOOR  
Scale: 1 : 100  
Project: 23008.01  
Sheet Size: A1  
Drawing: A100  
Revision: A



SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- EXISTING- FLOOR PLAN	
	EXISTING PAVERS / TILES
	EXISTING CONCRETE
Room name	ROOM TAG

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

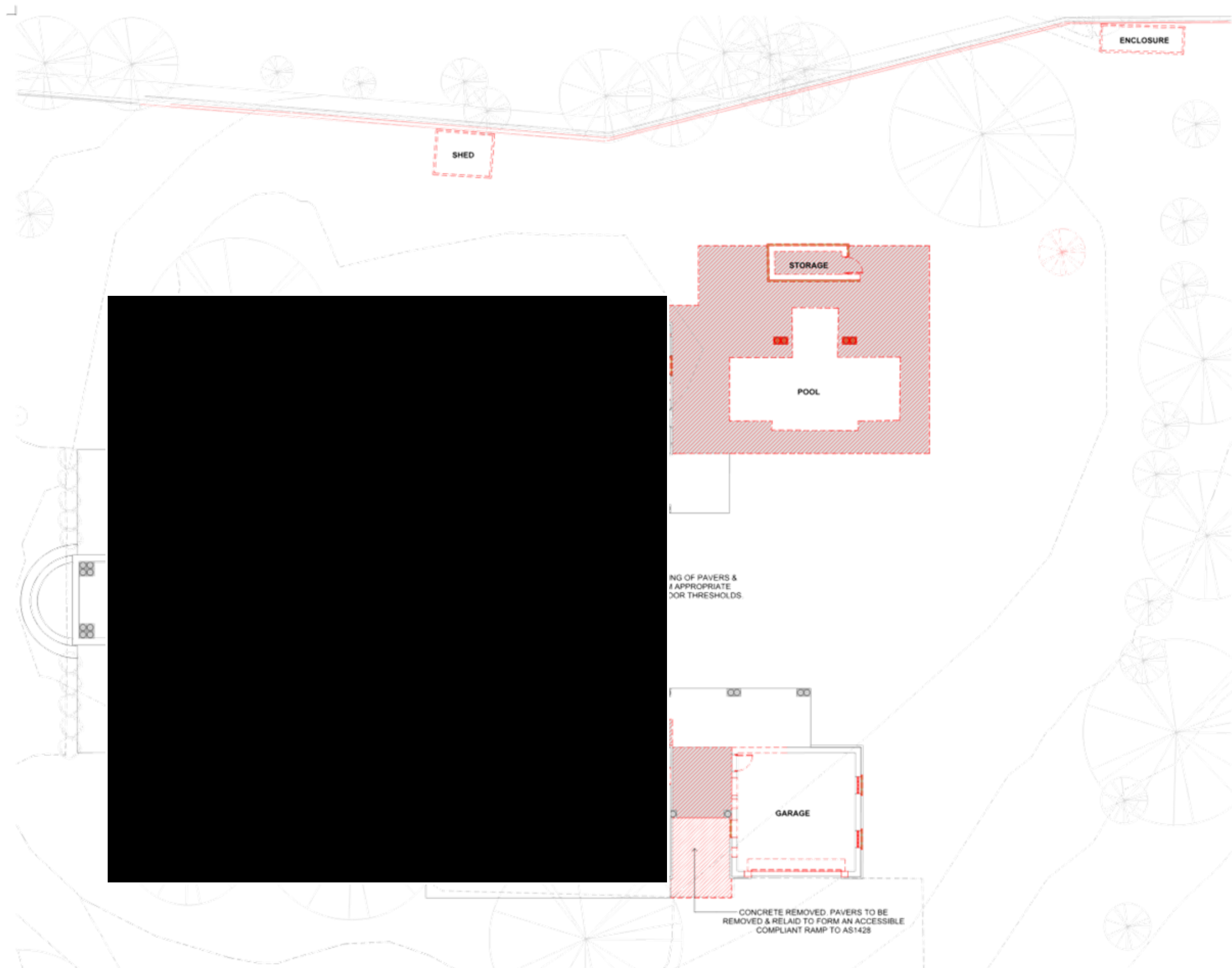
Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: EXISTING FLOOR PLAN - FIRST FLOOR  
Scale: 1 : 100  
Sheet Size: A1  
Project: 23008.01  
Drawing: A101  
Revision: A



ISSUE FOR DA  
SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- DEMOLITION- FLOOR PLAN	
Room name	ROOM TAG
	EXISTING ELEMENTS
	DEMOLISHED ELEMENTS
	RETAIN EXISTING PAVERS FOR REUSE
NOTES	
<ul style="list-style-type: none"> <li>DEMOLISH ALL WALLS, DOORS, PARTITIONS, JOINERY AND SURFACES AS SHOWN.</li> <li>PROVIDE TEMPORARY SUPPORT FOR SECTIONS OF EXISTING BUILDINGS WHICH ARE TO BE ALTERED AND WHICH NORMALLY RELY ON SUPPORT FROM WORK TO BE DEMOLISHED.</li> <li>MAKE GOOD TO ALL EXISTING SURFACES FOLLOWING DEMOLITION WORKS.</li> <li>CONSULT WITH QUALIFIED ENGINEER (STRUCTURAL &amp; SERVICES) PRIOR TO DEMOLITION OF ANY EXISTING STRUCTURE OR SERVICES.</li> <li>ALL DEMOLITION WORK MUST BE CARRIED OUT IN ACCORDANCE WITH THE RELEVANT CODES AND PRACTICES. IN PARTICULAR, ALL ELECTRICAL AND WATER SUPPLY SERVICES ARE TO BE ISOLATED BY THE APPROPRIATE PERSONS PRIOR TO COMMENCEMENT OF ANY WORK.</li> <li>ANY IDENTIFIED ASBESTOS MUST BE REMOVED BY A SUITABLY QUALIFIED TRADES PERSON IN ACCORDANCE WITH ALL RELEVANT CODES AND STANDARDS.</li> <li>CONSULTATION WITH THE HERITAGE ARCHITECT MUST BE UNDERTAKEN PRIOR TO ANY DEMOLITION ON SITE.</li> <li>ANY EXISTING BRICKWORK, TILES &amp; PAVERS TO BE REMOVED MUST BE PROTECTED, SALVAGED AND PREPARED FOR RE-USE.</li> <li>ANY EXTERNAL DAMAGED BRICKWORK TO BE RECTIFIED AND REPLACED WITH EXISTING SALVAGED BRICKWORK.</li> <li>ANY EXISTING DAMAGED EXTERNAL WINDOWS AND/OR FRAMES ARE TO BE REPLACED TO MATCH ORIGINAL WINDOW AND FRAMING DETAILS.</li> </ul>	

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

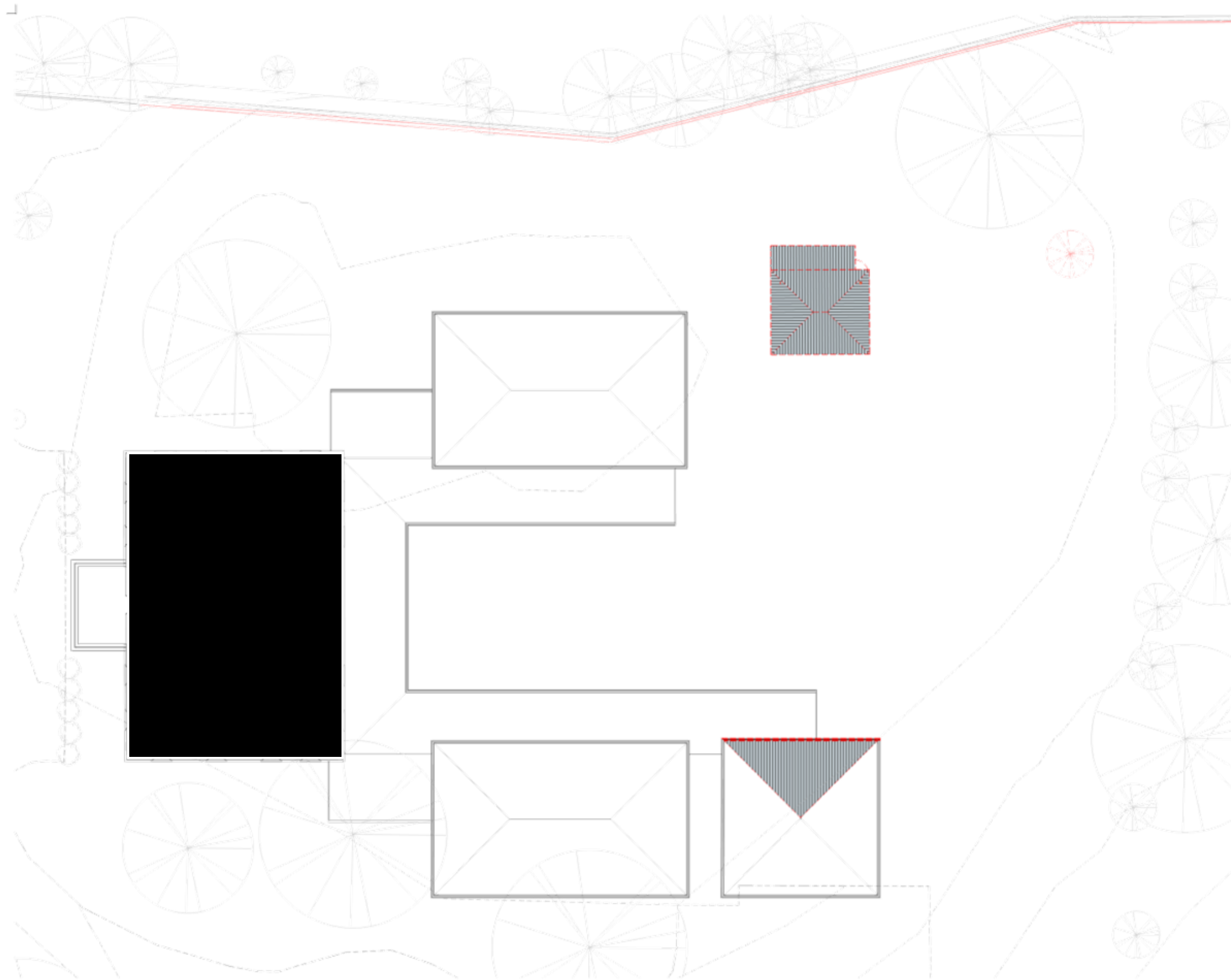
Drawing Title: DEMOLITION PLAN - GROUND FLOOR  
Scale: 1:100  
Project: 23008.01  
Sheet Size: A1  
Drawing: A110  
Revision: A



SCALE: 1:100 @ ORIGINAL SCALE

ISSUE FOR DA

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LEGEND- DEMOLITION- FLOOR PLAN	
Room name	ROOM TAG
	EXISTING ELEMENTS
	DEMOLISHED ELEMENTS
	RETAIN EXISTING PAVERS FOR REUSE
NOTES	
<ul style="list-style-type: none"> <li>• DEMOLISH ALL WALLS, DOORS, PARTITIONS, JOINERY AND SURFACES AS SHOWN.</li> <li>• PROVIDE TEMPORARY SUPPORT FOR SECTIONS OF EXISTING BUILDINGS WHICH ARE TO BE ALTERED AND WHICH NORMALLY RELY ON SUPPORT FROM WORK TO BE DEMOLISHED.</li> <li>• MAKE GOOD TO ALL EXISTING SURFACES FOLLOWING DEMOLITION WORKS.</li> <li>• CONSULT WITH QUALIFIED ENGINEER (STRUCTURAL &amp; SERVICES) PRIOR TO DEMOLITION OF ANY EXISTING STRUCTURE OR SERVICES.</li> <li>• ALL DEMOLITION WORK MUST BE CARRIED OUT IN ACCORDANCE WITH THE RELEVANT CODES AND PRACTICES. IN PARTICULAR, ALL ELECTRICAL AND WATER SUPPLY SERVICES ARE TO BE ISOLATED BY THE APPROPRIATE PERSONS PRIOR TO COMMENCEMENT OF ANY WORK.</li> <li>• ANY IDENTIFIED ASBESTOS MUST BE REMOVED BY A SUITABLY QUALIFIED TRADES PERSON IN ACCORDANCE WITH ALL RELEVANT CODES AND STANDARDS.</li> <li>• CONSULTATION WITH THE HERITAGE ARCHITECT MUST BE UNDERTAKEN PRIOR TO ANY DEMOLITION ON SITE.</li> <li>• ANY EXISTING BRICKWORK, TILES &amp; PAVERS TO BE REMOVED MUST BE PROTECTED, SALVAGED AND PREPARED FOR RE-USE.</li> <li>• ANY EXTERNAL DAMAGED BRICKWORK TO BE RECTIFIED AND REPLACED WITH EXISTING SALVAGED BRICKWORK.</li> <li>• ANY EXISTING DAMAGED EXTERNAL WINDOWS AND/OR FRAMES ARE TO BE REPLACED TO MATCH ORIGINAL WINDOW AND FRAMING DETAILS.</li> </ul>	

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

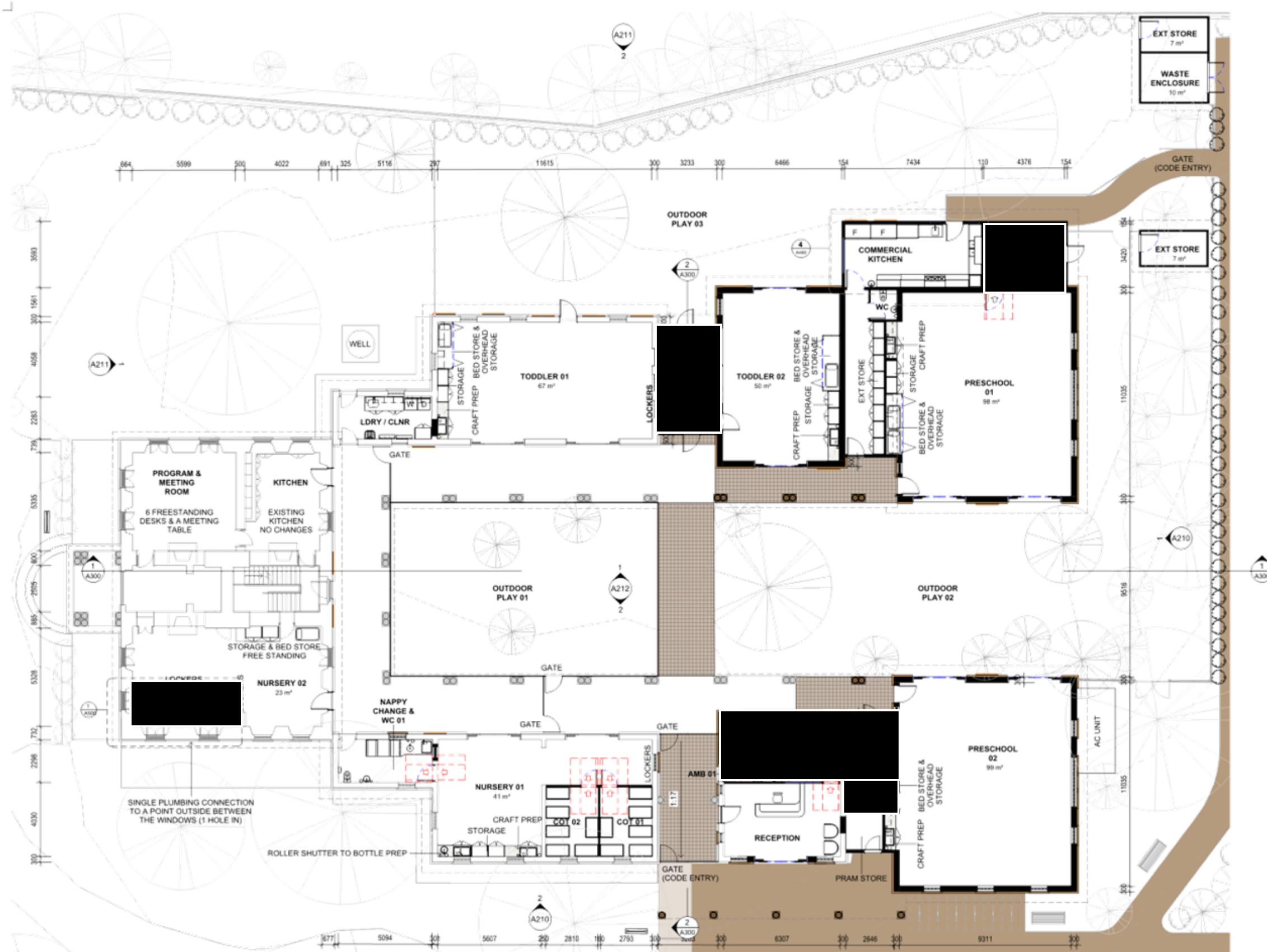
Drawing Title: DEMOLITION PLAN - FIRST FLOOR  
Scale: 1:100  
Sheet Size: A1  
Project: 23008.01  
Drawing: A111  
Revision: A



SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- PROPOSED- FLOOR PLAN	
Room name	ROOM TAG, AREA
150 m2	
	EXISTING ELEMENTS
	PROPOSED ELEMENTS
	NEW PAVING FROM SALVAGED PAVERS
	ACOUSTIC PANEL LOCATION
NOTES	
<b>GENERAL</b> • REFER A500 SERIES FOR POD CONSTRUCTION DETAILS • REFER A210 SERIES FOR EXTERNAL FINISHES SCHEDULE <b>WALL TYPE NOTES</b> • NEW PAVILION WALL CONSTRUCTION IS RENDERED CAVITY BRICK • NEW SPACER WALL CONSTRUCTION IS METAL CLAD TIMBER STUD • GENERALLY ALL WET AREAS PARTITION WALLS ARE PLASTERBOARD LINING TO THE DRY SIDE & SELECTED FINISH ON FIBRE CEMENT LINING TO WET SIDE • ALL NEW INTERNAL WALLS ARE FULL HEIGHT TO CEILING UNLESS NOTED OTHERWISE <b>DOOR NOTES</b> • DOORS TO HORNINGSEA HOUSE KITCHEN AND NURSERY 02 TO BE NEW SINGLE HINGED DOOR DESIGN TO MATCH THE REMOVED FRENCH DOORS - FRAME, MULLION ETC.	

Revision	Date	Description
A	13.03.23	FOR INFORMATION
B	12.04.24	FOR REVIEW
C	18.06.24	REVISION REVIEW
D	18.06.24	CLIENT AMENDMENTS
E	19.06.24	LAYOUT AMENDMENT
F	27.07.24	DESIGN DEVELOPMENT
G	02.08.24	DESIGN AMENDMENTS
H	06.09.24	HERITAGE AMENDMENTS
I	13.09.24	HERITAGE AMENDMENTS
J	25.10.24	ISSUE FOR DA

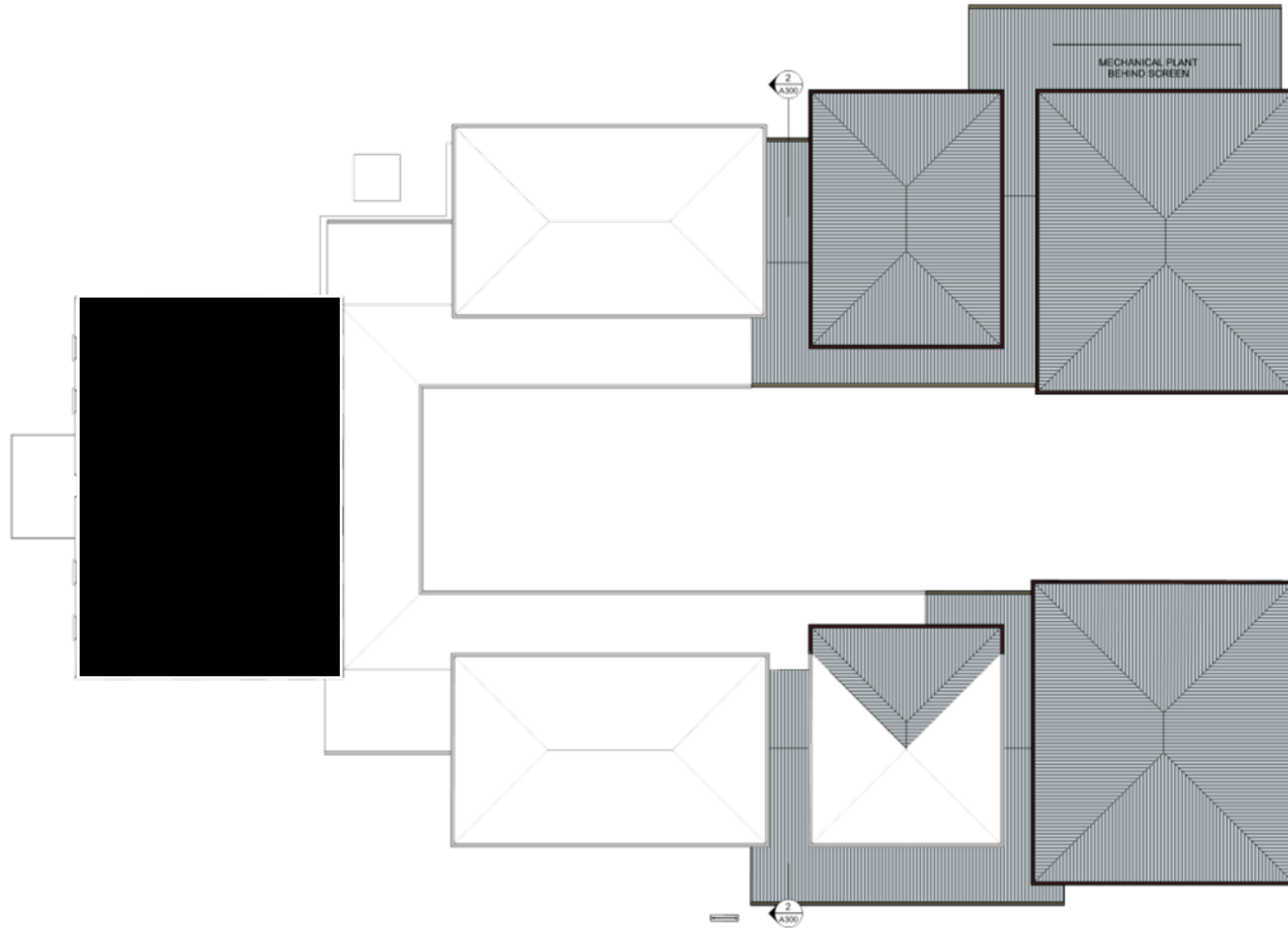
**SQC GROUP**  
Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: GENERAL ARRANGEMENT PLAN - GROUND FLOOR  
Scale: 1:100  
Project: 23008.01  
Sheet Size: A1  
Drawing: A120  
Revision: J

**ISSUE FOR DA**  
SCALE: 1:100 @ ORIGINAL SCALE  
NORTH  
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LEGEND- PROPOSED- FLOOR PLAN	
Room name	ROOM TAG, AREA
150 m2	
	EXISTING ELEMENTS
	PROPOSED ELEMENTS
	NEW PAVING FROM SALVAGED PAVERS
	ACOUSTIC PANEL LOCATION
NOTES	
<b>GENERAL</b> • REFER A500 SERIES FOR POD CONSTRUCTION DETAILS • REFER A210 SERIES FOR EXTERNAL FINISHES SCHEDULE	
<b>WALL TYPE NOTES</b> • NEW PAVILION WALL CONSTRUCTION IS RENDERED CAVITY BRICK • NEW SPACER WALL CONSTRUCTION IS METAL CLAD TIMBER STUD • GENERALLY ALL WET AREAS PARTITION WALLS ARE PLASTERBOARD LINING TO THE DRY SIDE & SELECTED FINISH ON FIBRE CEMENT LINING TO WET SIDE • ALL NEW INTERNAL WALLS ARE FULL HEIGHT TO CEILING UNLESS NOTED OTHERWISE	
DOOR NOTES	
• DOORS TO HORNINGSEA HOUSE KITCHEN AND NURSERY G2 TO BE NEW SINGLE HINGED DOOR DESIGN TO MATCH THE REMOVED FRENCH DOORS - FRAME, MULLION ETC.	

Revision	Date	Description
A	11.03.23	FOR INFORMATION
B	13.05.24	HERITAGE AMENDMENTS
C	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

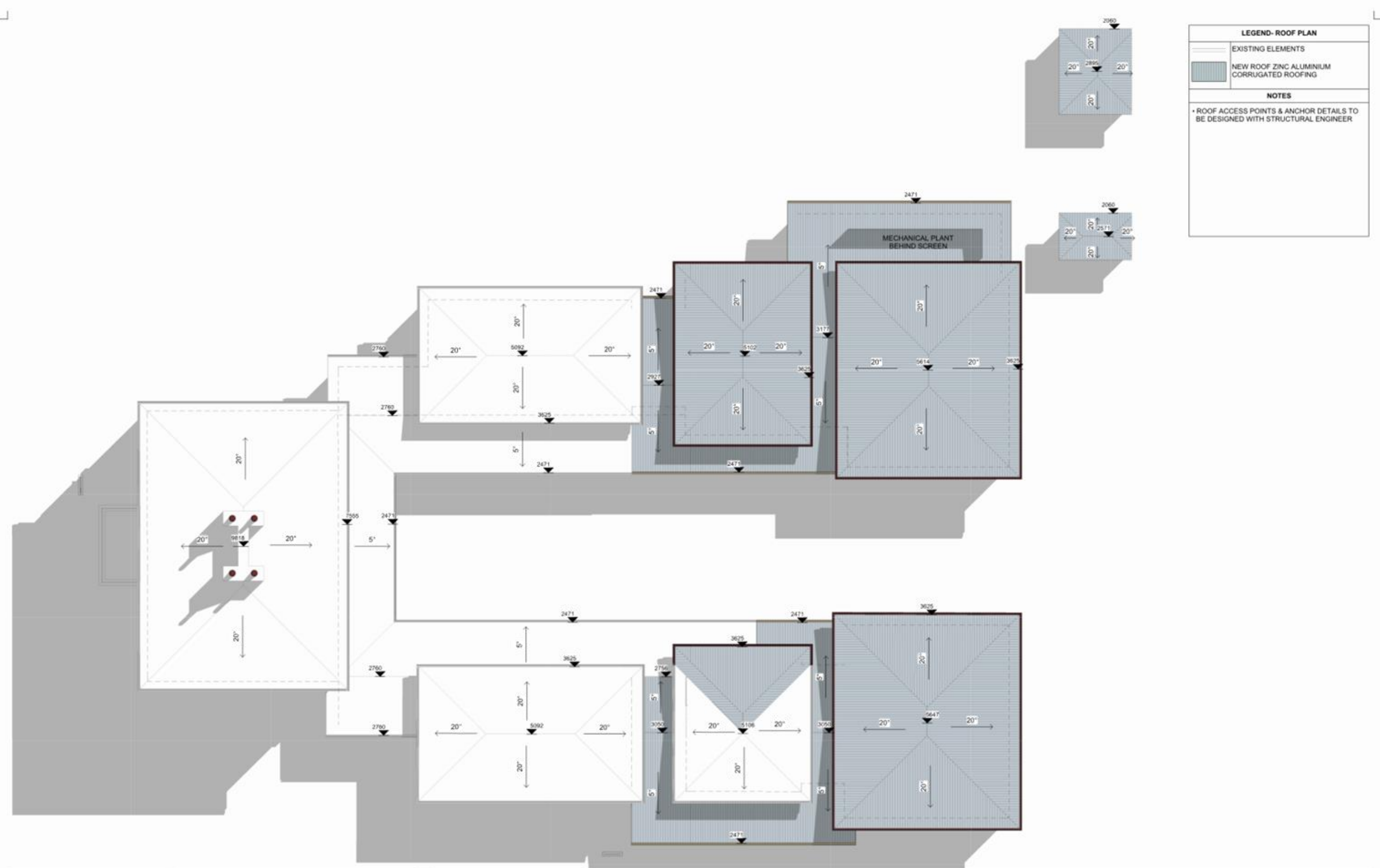
Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: GENERAL ARRANGEMENT PLAN - FIRST FLOOR  
Scale: 1 : 100  
Sheet Size: A1  
Project: 23008.01  
Drawing: A121  
Revision: C



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SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- ROOF PLAN	
	EXISTING ELEMENTS
	NEW ROOF ZINC ALUMINIUM CORRUGATED ROOFING
NOTES	
• ROOF ACCESS POINTS & ANCHOR DETAILS TO BE DESIGNED WITH STRUCTURAL ENGINEER	

Revision	Date	Description
A	26.10.24	ISSUE FOR DA

**SQC GROUP**

Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: **HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JJB, CK

Drawing Title: **ROOF PLAN**  
Scale: As indicated  
Project: **23008.01**  
Sheet Size: A1  
Drawing: A160  
Revision: A

**ISSUE FOR DA**

NORTH

SCALE: 1:100 @ ORIGINAL SCALE

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**NOTES**  
• TREE LOCATION AND SIZE IS CORRECT. FOR SPECIES TYPE REFER LANDSCAPE DRAWINGS

1  
A200  
CNR OF HORNINGSEA PARK DR & TWYNAM PLC



2  
A200  
HORNINGSEA DR & BUNYA WY

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client:  
FBSP PTY LTD  
Project Title:  
**HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager:  
LB  
Project Delivery Leader:  
LB  
Quality Manager:  
SDV  
Drawn:  
JUB, CK

Drawing Title:  
**STREETSCAPE VIEWS**  
Scale:  
1 : 100  
Project:  
**23008.01**

Sheet Size:  
A1  
Drawing:  
**A200**

Revision:  
**A**

**ISSUE FOR DA**

SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- PROPOSED- BUILDING ELEVATIONS	
ABC	ANNOTATION ABBREVIATION. REFER KEYNOTES FOR DESCRIPTION
	MATERIAL ABBREVIATION REFER TO A210 FOR EXTERNAL FINISHES
	EXISTING ELEMENTS SURFACE RETAINED
NOTES	
<ul style="list-style-type: none"> <li>NEW WORKS SHOWN RENDERED</li> <li>AC1 PANELS TO BE ADHERED TO WALL SURFACES. WHEN REMOVED, SURFACE TO BE MADE GOOD</li> </ul>	







1 NORTH ELEVATION  
A210 1:100



2 EAST ELEVATION  
A210 1:100

EXTERIOR FINISHES SCHEDULE

												
PNT1 MAIN BUILDING COLOUR RESENE SAND	PNT2 FEATURE BUILDING COLOUR RESENE TWINE	PNT3 COLUMN, SOFFIT & WINDOW MULLION RESENE SOAPSTONE	PNT4 WINDOW & DOOR FRAME RESENE BURNT SIENNA	RF1 ZINC ALUMINIUM GALVANISED CORRUGATED ROOFING	GT1 GUTTER TO SPACER & LOWER ROOF LINE DULUX BARLEY	GT2 GUTTER TO PAVILIONS DULUX MANOR RED	F1 FENCE TYPE 1 HARDWOOD TIMBER LAPPED & CAPPED	F2 FENCE TYPE 2 TIMBER POST & PERSPEX	F3 FENCE TYPE 3 PALLISADE DULUX OFF-WHITE	PV1 INDIAN PALE SLATE PAVERS STONEY APPEARANCE	PV2 FOOTPATH PERMEABLE RESIN BOUND PEBBLE COLOUR: GRAVEL	PV3 CARPARK PERMEABLE RESIN BOUND GRAVEL COLOUR: LIGHT TAN
		AC1 AC UNIT ENCLOSURE- ON ROOF PERFORATED METAL COLOUR: ZINC ALUMINIUM	AC 2 AC UNIT ENCLOSURE- ON GROUND PERFORATED METAL COLOUR: DULUX BARLEY									

Revision	Date	Description
A	18.10.24	ELEVATIONS
B	26.10.24	ISSUE FOR DA

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Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: ELEVATIONS & EXTERNAL FINISHES SCHEDULE  
Scale: As indicated  
Sheet Size: A1  
Project: 23008.01  
Drawing: A210  
Revision: B

ISSUE FOR DA

SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- PROPOSED- BUILDING ELEVATIONS	
ABC	ANNOTATION ABBREVIATION. REFER KEYNOTES FOR DESCRIPTION
	MATERIAL ABBREVIATION REFER TO A210 FOR EXTERNAL FINISHES
	EXISTING ELEMENTS SURFACE RETAINED
NOTES	
<ul style="list-style-type: none"> <li>NEW WORKS SHOWN RENDERED</li> <li>AC1 PANELS TO BE ADHERED TO WALL SURFACES. WHEN REMOVED, SURFACE TO BE MADE GOOD</li> </ul>	



1 SOUTH ELEVATION  
A211 1:100



2 WEST ELEVATION  
A211 1:100

EXTERIOR FINISHES SCHEDULE

PNT1 MAIN BUILDING COLOUR RESENE SAND	PNT2 FEATURE BUILDING COLOUR RESENE TWINE	PNT3 COLUMN, SOFFIT & WINDOW MULLION RESENE SOAPSTONE	PNT4 WINDOW & DOOR FRAME RESENE BURNT SIENNA	RF1 ZINC ALUMINIUM GALVANISED CORRUGATED ROOFING	GT1 GUTTER TO SPACER & LOWER ROOF LINE DULUX BARLEY	GT2 GUTTER TO PAVILIONS DULUX MANOR RED	F1 FENCE TYPE 1 HARDWOOD TIMBER LAPPED & CAPPED	F2 FENCE TYPE 2 TIMBER POST & PERSPEX	F3 FENCE TYPE 3 PALLISADE DULUX OFF-WHITE	PV1 INDIAN PALE SLATE PAVERS STONEY APPEARANCE	PV2 FOOTPATH PERMEABLE RESIN BOUND PEBBLE COLOUR: GRAVEL	PV3 CARPARK PERMEABLE RESIN BOUND GRAVEL COLOUR: LIGHT TAN
		AC1 AC UNIT ENCLOSURE- ON ROOF PERFORATED METAL COLOUR: ZINC ALUMINIUM		AC 2 AC UNIT ENCLOSURE- ON GROUND PERFORATED METAL COLOUR: DULUX BARLEY								
AC1 ACOUSTIC PANEL HARDWOOD BATTENS PAINTED TO PNT1	TIM1 TIMBER DOOR	AC1 AC UNIT ENCLOSURE- ON ROOF PERFORATED METAL COLOUR: ZINC ALUMINIUM		AC 2 AC UNIT ENCLOSURE- ON GROUND PERFORATED METAL COLOUR: DULUX BARLEY								

Revision	Date	Description
A	18.10.24	ELEVATIONS
B	26.10.24	ISSUE FOR DA



Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JJB, CK

Drawing Title: ELEVATIONS & EXTERNAL FINISHES SCHEDULE  
Scale: As indicated  
Sheet Size: A1  
Project: 23008.01  
Drawing: A211  
Revision: B

ISSUE FOR DA

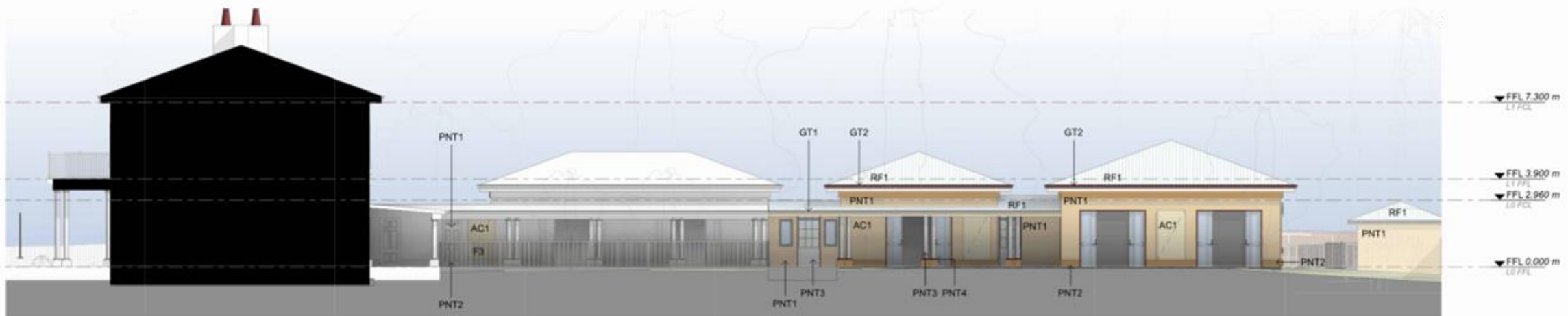
SCALE: 1:100 @ ORIGINAL SCALE

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LEGEND- PROPOSED- BUILDING ELEVATIONS	
ABC	ANNOTATION ABBREVIATION REFER KEYNOTES FOR DESCRIPTION
	MATERIAL ABBREVIATION REFER TO A210 FOR EXTERNAL FINISHES
	EXISTING ELEMENTS SURFACE RETAINED
NOTES	
<ul style="list-style-type: none"> <li>NEW WORKS SHOWN RENDERED</li> <li>AC1 PANELS TO BE ADHERED TO WALL SURFACES. WHEN REMOVED, SURFACE TO BE MADE GOOD</li> </ul>	



1 INTERNAL COURTYARD EAST ELEVATION  
A212 / 1:100



2 INTERNAL COURTYARD WEST ELEVATION  
A212 / 1:100

EXTERIOR FINISHES SCHEDULE

PNT1 MAIN BUILDING COLOUR RESENE SAND	PNT2 FEATURE BUILDING COLOUR RESENE TWINE	PNT3 COLUMN, SOFFIT & WINDOW MULLION RESENE SOAPSTONE	PNT4 WINDOW & DOOR FRAME RESENE BURNT SIENNA	RF1 ZINC ALUMINIUM GALVANISED CORRUGATED ROOFING	GT1 GUTTER TO SPACER & LOWER ROOF LINE DULUX BARLEY	GT2 GUTTER TO PAVILIONS DULUX MANOR RED	F1 FENCE TYPE 1 HARDWOOD TIMBER LAPPED & CAPPED	F2 FENCE TYPE 2 TIMBER POST & PERSPEX	F3 FENCE TYPE 3 PALLISADE DULUX OFF-WHITE	PV1 INDIAN PALE SLATE PAVERS STONEY APPEARANCE	PV2 FOOTPATH PERMEABLE RESIN BOUND PEBBLE COLOUR: GRAVEL	PV3 CARPARK PERMEABLE RESIN BOUND GRAVEL COLOUR: LIGHT TAN
		AC1 AC UNIT ENCLOSURE- ON ROOF PERFORATED METAL COLOUR: ZINC ALUMINIUM	AC2 AC UNIT ENCLOSURE- ON GROUND PERFORATED METAL COLOUR: DULUX BARLEY									

Revision	Date	Description
A	18.10.24	ELEVATIONS
B	26.10.24	ISSUE FOR DA



Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design/Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: COURTYARD ELEVATIONS & EXTERNAL FINISHES SCHEDULE  
Scale: As indicated  
Sheet Size: A1  
Project: 23008.01  
Drawing: A212  
Revision: B

ISSUE FOR DA

SCALE: 1:100 @ ORIGINAL SCALE

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1 SITE SECTION 1  
A300 / 1 : 200



2 SITE SECTION 2  
A300 / 1 : 200

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client:  
FBSP PTY LTD  
Project Title:  
**HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

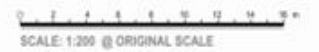
Design Project Manager:  
LB  
Project Delivery Leader:  
LB  
Quality Manager:  
SDV  
Drawn:  
JUB, CK

Drawing Title:  
**SITE SECTIONS**  
Scale:  
1 : 200  
Project:  
**23008.01**

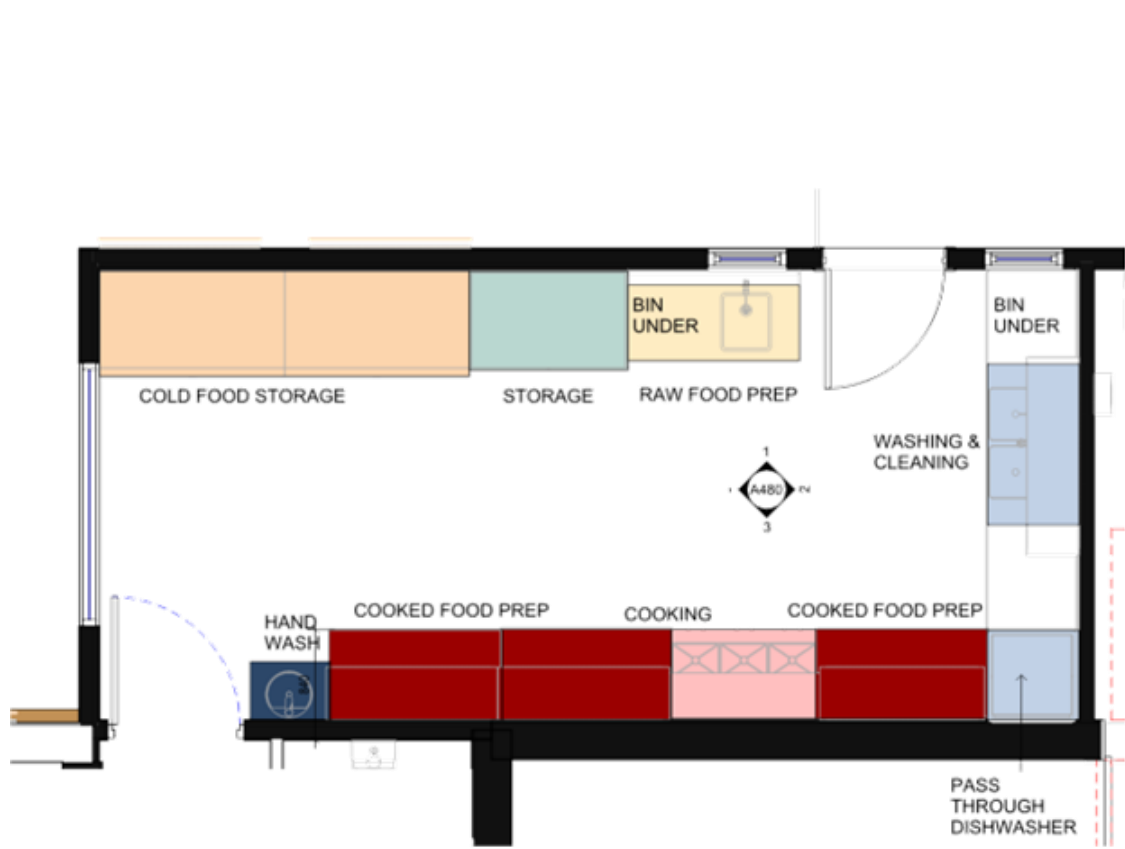
Sheet Size:  
A1  
Drawing:  
**A300**

Revision:  
**A**

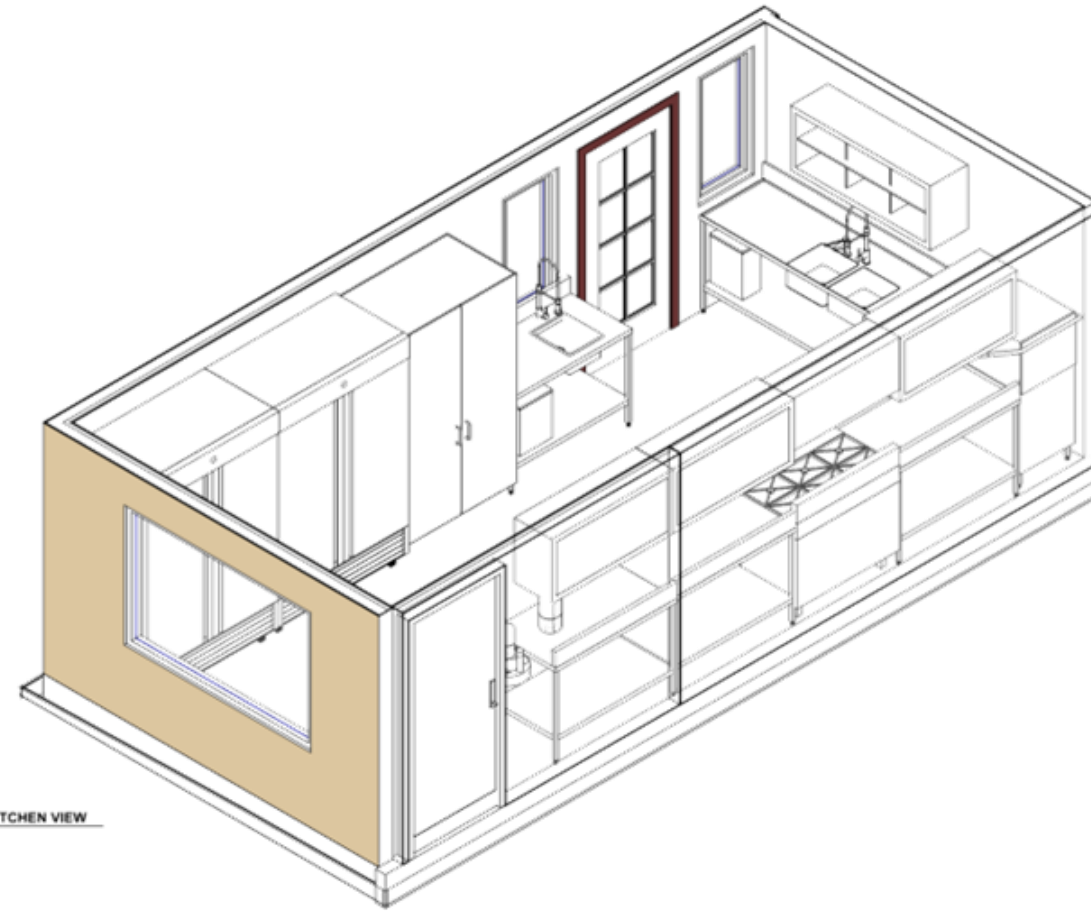
ISSUE FOR DA



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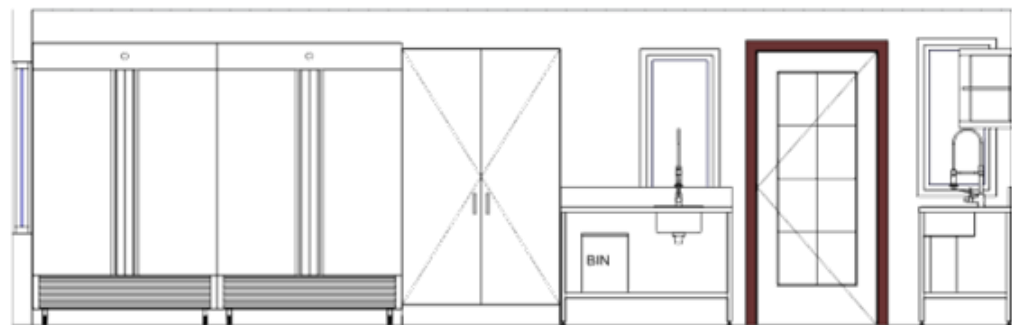


4 KITCHEN DETAIL PLAN  
A480 1:25

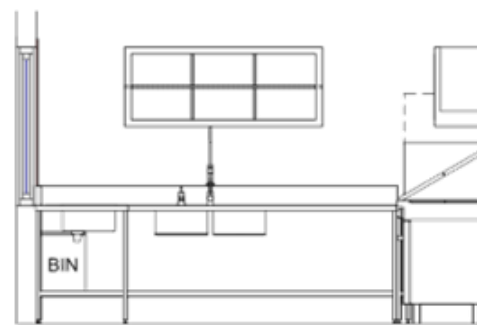


5 KITCHEN VIEW  
A480

LEGEND- PROPOSED- BUILDING ELEVATIONS	
<span style="display:inline-block; width:15px; height:15px; background-color:orange;"></span>	COLD FOOD STORAGE
<span style="display:inline-block; width:15px; height:15px; background-color:red;"></span>	COOKED FOOD PREPERATION
<span style="display:inline-block; width:15px; height:15px; background-color:lightcoral;"></span>	COOKING
<span style="display:inline-block; width:15px; height:15px; background-color:lightgreen;"></span>	DRY FOOD STORAGE
<span style="display:inline-block; width:15px; height:15px; background-color:darkblue;"></span>	HANDWASH
<span style="display:inline-block; width:15px; height:15px; background-color:yellow;"></span>	RAW FOOD PREP
<span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>	WASH UP, CLEANING



1 Elevation 1  
A480 1:25



2 Elevation 2  
A480 1:25



3 Elevation 3  
A480 1:25

Revision	Date	Description
A	26.10.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

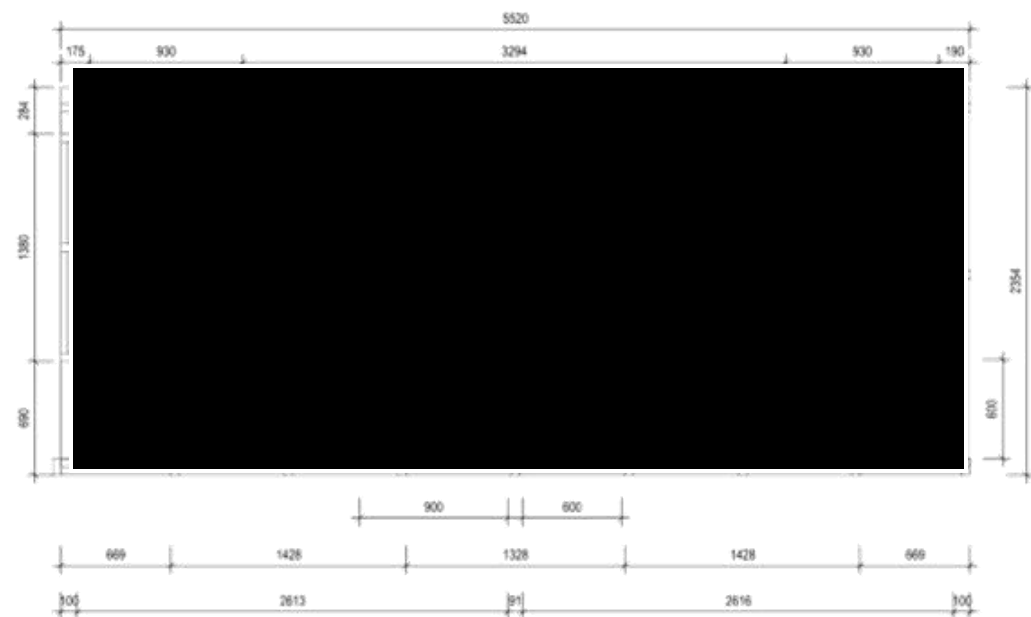
Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: COMMERCIAL KITCHEN  
Scale: As indicated  
Project: 23008.01  
Drawing: A480  
Revision: A

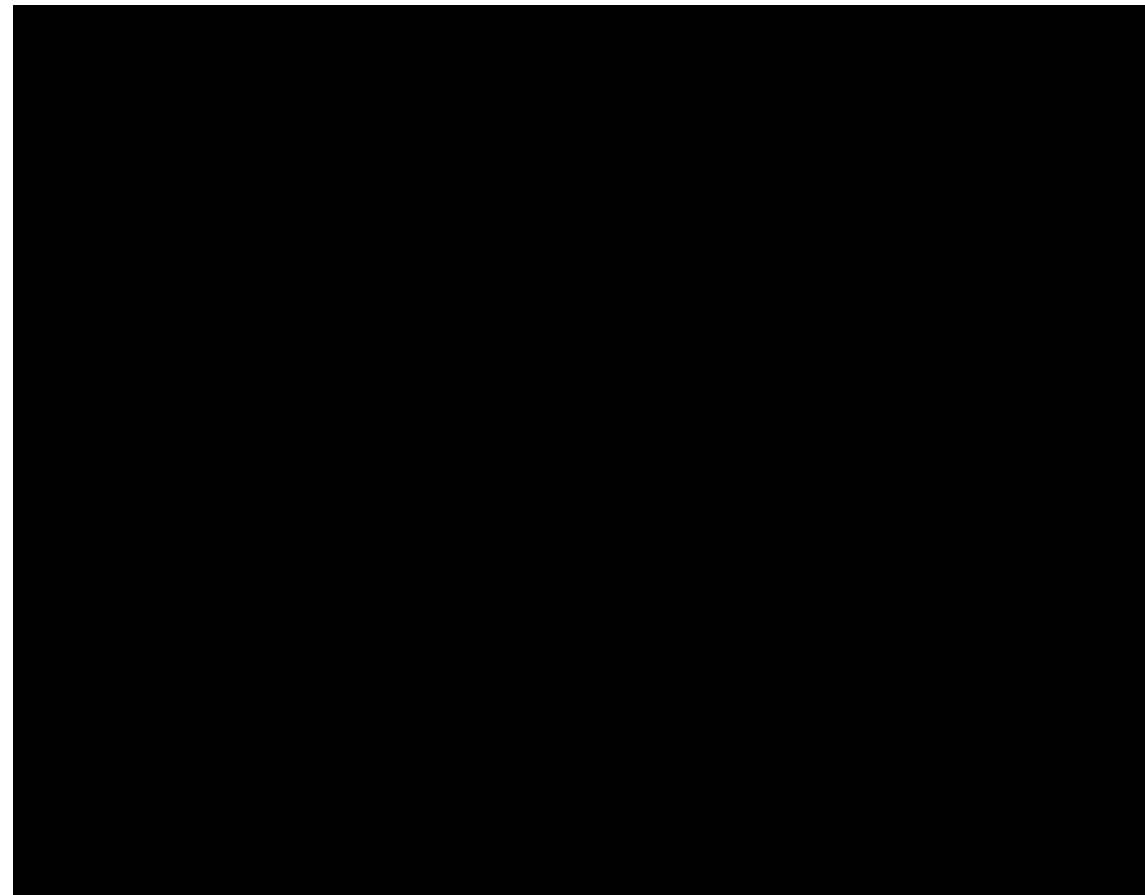


DESIGN STUDIES  
SCALE: 1:100 @ ORIGINAL SCALE

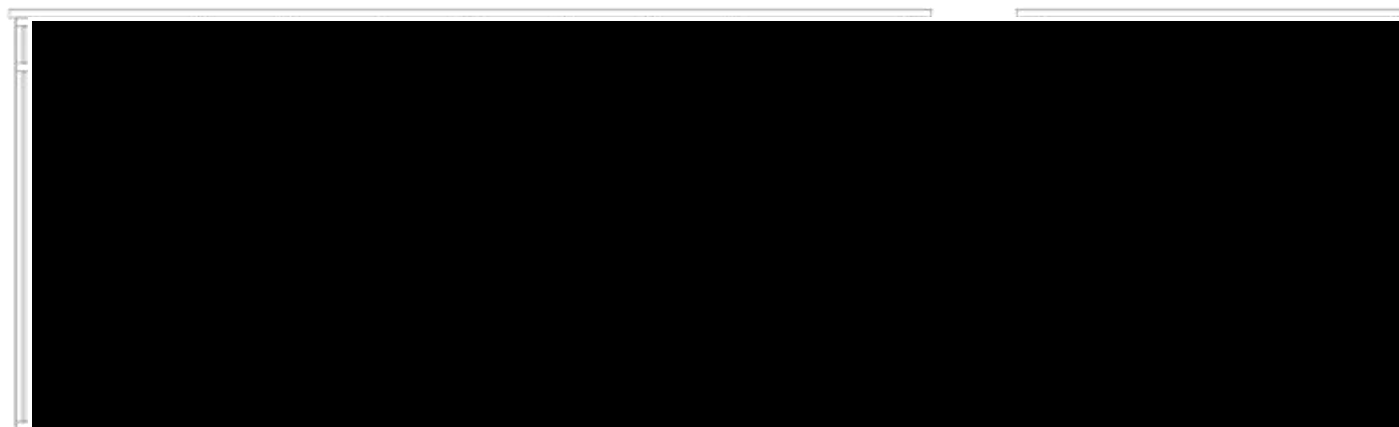
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1 Plan Detail  
A500 / 1:20



- NOTES**
- PODS UNIT IS CONSTRUCTED IN PANELS AND ASSEMBLED INSITU. PANELS INCLUDE WALLS, CEILING AND DOORS.
  - FLOOR WILL BE THE EXISTING LOUNGE ROOM FLOORING.
  - ALL ELECTRICAL AND PLUMBING IS RETICULATED IN THE PANELS (PUMP OUT UNB ARE LOCATED IN THE JOINERY).
  - JOINERY IS ATTACHED TO PANELS ONLY.
  - POWER IS CERTIFIED TO PORTABLE POWERED FURNITURE SOLUTION.
  - PODS ARE VENTILATED.
  - ELECTRICAL INCLUDES MOTION SENSOR AND LED LIGHTS.



2 Detail Section A  
A500 / 1:20

3 Detail Section B  
A500 / 1:20



CONCEPT IMAGE FROM PROPOSED SUPPLIER : SCHIAVELLO

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

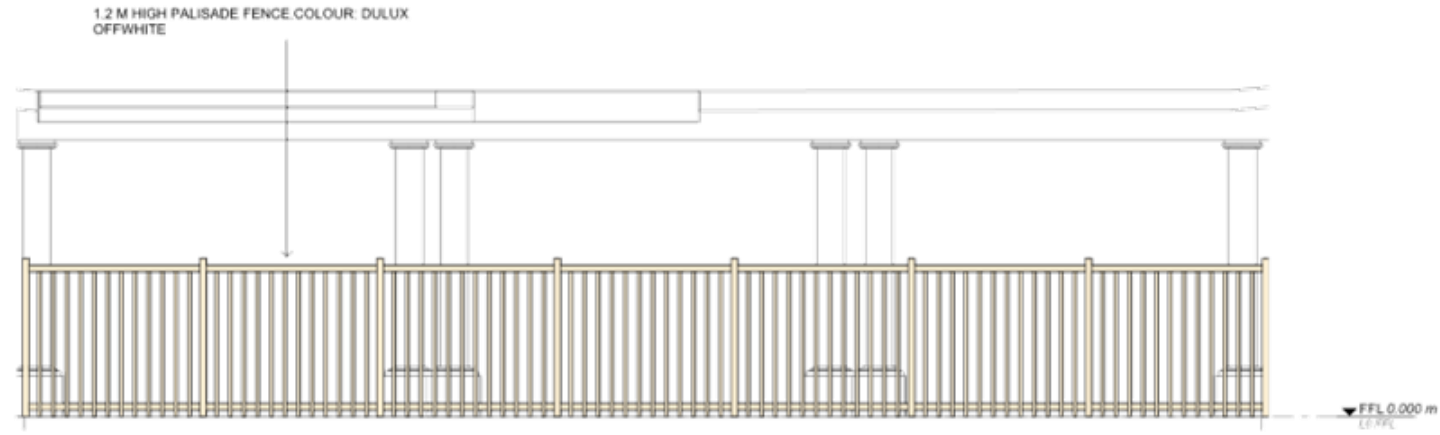
Design/Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JJB, CK

Drawing Title: CONSTRUCTION DETAILS - POD  
Scale: As indicated  
Sheet Size: A1  
Project: 23008.01  
Drawing: A500  
Revision: A

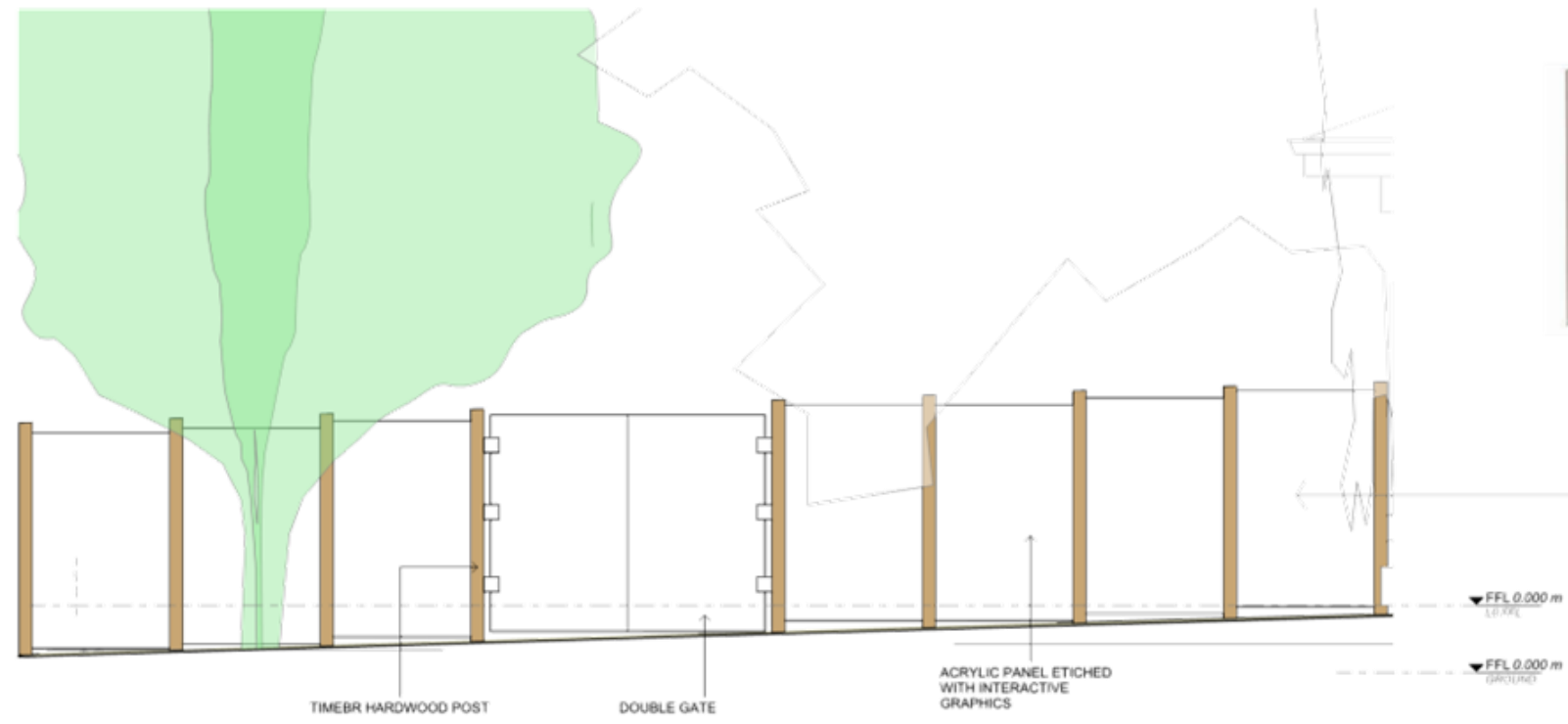
DESIGN STUDIES



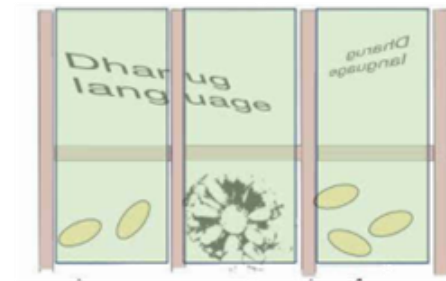
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1 FENCE 1 ELEVATION  
A502 1:25



2 FENCE 2 ELEVATION  
A502 1:25



CONCEPT IMAGE: REFER LANDSCAPE DRAWING L-S1-01

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client:  
FBSP PTY LTD

Project Title:  
**HORNINGSEA PARK DRIVE ELC**

1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager:  
LB

Project Delivery Leader:  
LB

Quality Manager:  
SDV

Drawn:  
JUB, CK

Drawing Title:  
**FENCE DETAIL**

Scale:  
1:25

Project:  
**23008.01**

Sheet Size:  
A1

Drawing:  
**A502**

Revision:  
**A**

DESIGN STUDIES

0 200 400 600 800 1000 1200 1400 1600 mm  
SCALE: 1:20 @ ORIGINAL SCALE

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PLAY AREAS - PROPOSED-INDOOR

INDOOR PLAY AREA						
AREA NAME	TOTAL FLOOR SPACE	ENCUMB. SPACE	NET UNENCUMB. SPACE	NO. CHILDREN	NO. STAFF	REQ.
NURSERY 01	74 m²	33 m²	41 m²	12	3	39
NURSERY 02	55 m²	16 m²	39 m²	12	3	39
TODDLER 01	74 m²	7 m²	67 m²	20	4	65
TODDLER 02	57 m²	7 m²	50 m²	15	3	48.75
PRESCHOOL 01	107 m²	9 m²	98 m²	30	3	97.5
PRESCHOOL 02	103 m²	4 m²	99 m²	30	3	97.5
<b>TOTAL</b>	<b>471 m²</b>	<b>77 m²</b>	<b>394 m²</b>	<b>119</b>	<b>19</b>	<b>386.75</b>

OUTDOOR PLAY AREA

AREA NAME	OUTDOOR PLAY	ENCUMB. SPACE	NET UNENCUMB. SPACE	REQ.
OUTDOOR PLAY 01	324 m²	213 m²	111 m²	
OUTDOOR PLAY 02	382 m²	39 m²	343 m²	
OUTDOOR PLAY 03	439 m²	60 m²	379 m²	
<b>TOTAL</b>	<b>1145 m²</b>	<b>312 m²</b>	<b>833 m²</b>	<b>833m²</b>

- LEGEND
- ADMIN
  - CIRCULATION OR ENCUMBERED AREA
  - NURSERY
  - OUTDOOR PLAY
  - PRESCHOOL
  - SERVICES
  - TODDLERS

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

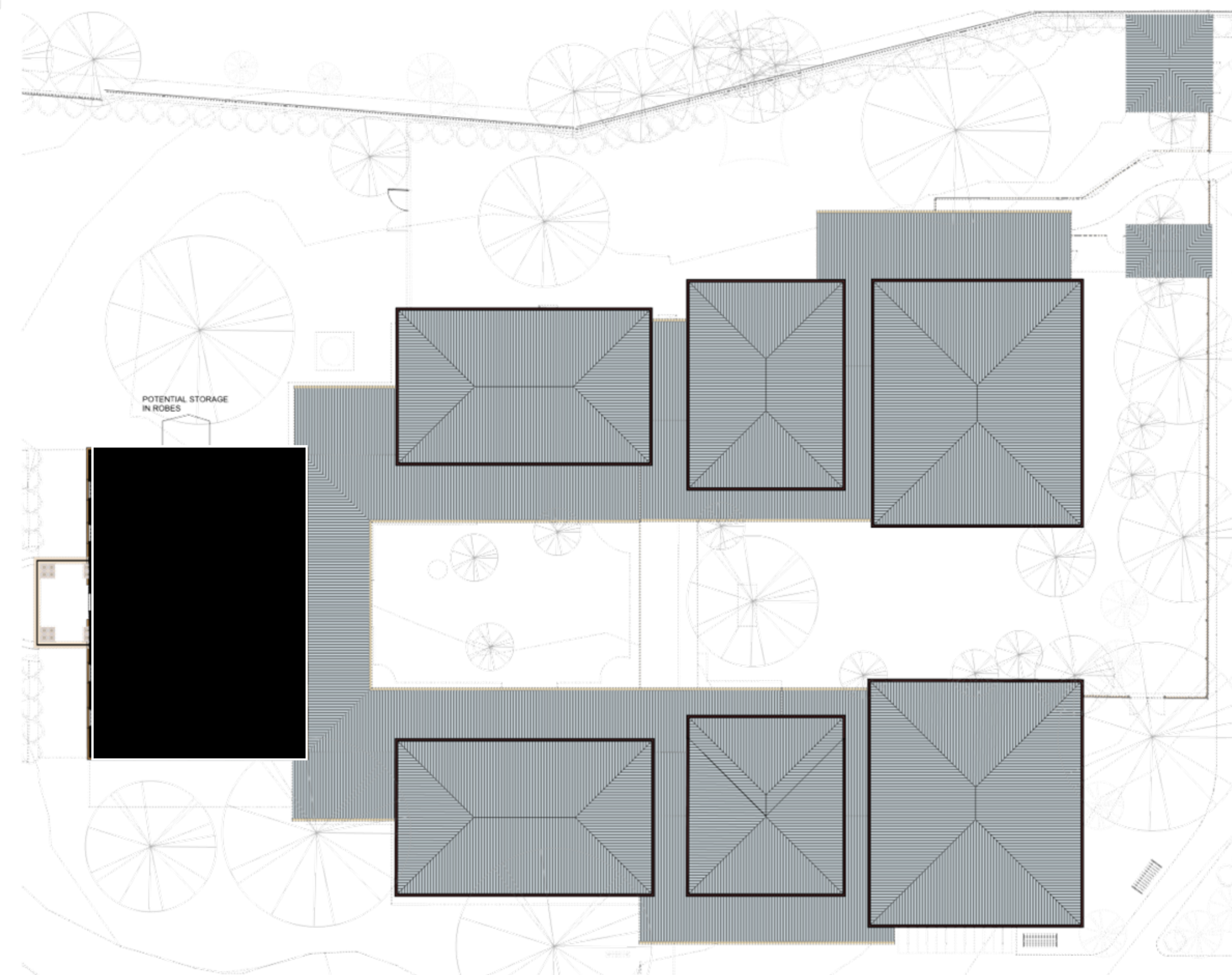
Drawing Title: **CHILDCARE LICENSING PLAN - GROUND FLOOR**  
Scale: 1:100  
Sheet Size: A1  
Project: 23008.01  
Drawing: A760  
Revision: A

ISSUE FOR DA

SCALE: 1:100 @ ORIGINAL SCALE

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PLAY AREAS - PROPOSED-INDOOR

INDOOR PLAY AREA						
AREA NAME	TOTAL FLOOR SPACE	ENCUMB SPACE	NET UNENCUMB SPACE	NO. CHILDREN	NO. STAFF	REQ.
NURSERY 01	74 m <sup>2</sup>	33 m <sup>2</sup>	41 m <sup>2</sup>	12	3	39
NURSERY 02	55 m <sup>2</sup>	16 m <sup>2</sup>	39 m <sup>2</sup>	12	3	39
TODDLER 01	74 m <sup>2</sup>	7 m <sup>2</sup>	67 m <sup>2</sup>	20	4	65
TODDLER 02	57 m <sup>2</sup>	7 m <sup>2</sup>	50 m <sup>2</sup>	15	3	48.75
PRESCHOOL 01	107 m <sup>2</sup>	9 m <sup>2</sup>	98 m <sup>2</sup>	30	3	97.5
PRESCHOOL 02	103 m <sup>2</sup>	4 m <sup>2</sup>	99 m <sup>2</sup>	30	3	97.5
	471 m <sup>2</sup>	77 m <sup>2</sup>	394 m <sup>2</sup>	119	19	386.75

OUTDOOR PLAY AREA

AREA NAME	OUTDOOR PLAY	ENCUMB SPACE	NET UNENCUMB SPACE	REQ.
OUTDOOR PLAY 01	324 m <sup>2</sup>	213 m <sup>2</sup>	111 m <sup>2</sup>	
OUTDOOR PLAY 02	382 m <sup>2</sup>	39 m m <sup>2</sup>	343 m <sup>2</sup>	
OUTDOOR PLAY 03	439 m <sup>2</sup>	60 m <sup>2</sup>	379 m <sup>2</sup>	
	1145 m <sup>2</sup>	312 m <sup>2</sup>	833 m <sup>2</sup>	833m <sup>2</sup>

- ADMIN
- CIRCULATION OR ENCUMBERED AREA
- NURSERY
- OUTDOOR PLAY
- PRESCHOOL
- SERVICES
- TODDLERS

POTENTIAL STORAGE IN ROBES

Revision	Date	Description
A	26/10/24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: **CHILDCARE LICENSING PLAN - FIRST FLOOR**  
Scale: 1:100  
Sheet Size: A1  
Project: 23008.01  
Drawing: A761  
Revision: A



ISSUE FOR DA  
SCALE: 1:100 @ ORIGINAL SCALE

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**NOTES**  
• TREE LOCATION AND SIZE IS CORRECT. FOR SPECIES TYPE REFER LANSCAPE DRAWINGS

1 3DVIEW FROM BUNYA WAY  
A800



2 VIEW FROM TWYNAM WAY  
A800

Revision	Date	Description
A	17.03.23	FOR INFORMATION
B	26.11.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client:  
FBSP PTY LTD  
Project Title:  
**HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager:  
LB  
Project Delivery Leader:  
LB  
Quality Manager:  
SDV  
Drawn:  
JUB, CK

Drawing Title:  
**DESIGN SKETCHES**  
Scale:  
1 : 100  
Project:  
**23008.01**

Sheet Size:  
A1  
Drawing:  
**A800**

Revision:  
**B**

**ISSUE FOR DA**

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**NOTES**

- TREE LOCATION AND SIZE IS CORRECT, FOR SPECIES TYPE REFER LANSCAPE DRAWINGS

1 3D View 6  
A801



2 VIEW FROM SOUTH TO HERITAGE BUILDING  
A801

Revision	Date	Description
A	17.03.23	FOR INFORMATION
B	26.11.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client:  
FBSP PTY LTD  
Project Title:  
**HORNINGSEA PARK DRIVE ELC**  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager:  
LB  
Project Delivery Leader:  
LB  
Quality Manager:  
SDV  
Drawn:  
JUB, CK

Drawing Title:  
**DESIGN SKETCHES**  
Scale:  
1 : 100  
Project:  
**23008.01**

Sheet Size:  
A1  
Drawing:  
**A801**  
Revision:  
**B**

**ISSUE FOR DA**

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Revision	Date	Description
A	17.03.23	FOR INFORMATION
B	26.11.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: DESIGN SKETCHES - OVERALL

Scale: Sheet Size: A1  
Project: 23008.01 Drawing: A802 Revision: B

ISSUE FOR DA

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Revision	Date	Description
A	17.03.23	FOR INFORMATION
B	26.11.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JUB, CK

Drawing Title: DESIGN SKETCHES - OVERALL  
Scale: A1  
Project: 23008.01  
Drawing: A803  
Revision: B

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1 SHADOW DIAGRAM - SUMMER SOLSTICE @ 0900  
A830 1:1000



2 SHADOW DIAGRAM - SUMMER SOLSTICE @ 1200  
A830 1:1000



3 SHADOW DIAGRAM - SUMMER SOLSTICE @ 1500  
A830 1:1000



4 SHADOW DIAGRAM - WINTER SOLSTICE @ 0900  
A830 1:1000



5 SHADOW DIAGRAM - WINTER SOLSTICE @ 1200  
A830 1:1000



6 SHADOW DIAGRAM - WINTER SOLSTICE @ 1500  
A830 1:1000

Revision	Date	Description
A	17.03.23	FOR INFORMATION
B	26.11.24	ISSUE FOR DA



Architecture  
Interiors  
Access  
Heritage

Client: FBSP PTY LTD  
Project Title: HORNINGSEA PARK DRIVE ELC  
1018964 1 HORNINGSEA PARK  
14 HORNINGSEA PARK DRIVE, HORNINGSEA PARK NSW

Design Project Manager: LB  
Project Delivery Leader: LB  
Quality Manager: SDV  
Drawn: JJB, CK

Drawing Title: SHADOW DIAGRAM  
Scale: 1:1000  
Project: 23008.01

Sheet Size: A1  
Drawing: A830  
Revision: B



SCALE: 1:2000 @ ORIGINAL SCALE

ISSUE FOR DA

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**REASONS FOR REFUSAL**

1. The proposed development is not considered to be permissible within the Enterprise zone as per State Environmental Planning Policy (Precincts – Western Parkland City) 2021 – Chapter 4 Western Sydney Aerotropolis 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.
2. The proposed development is inconsistent with Section 2.122 Traffic-generating development under State Environmental Planning Policy (Transport and Infrastructure) 2021 as concurrence has not been received from Transport for NSW, pursuant to Sections 4.15(1)(a)(i) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
3. Insufficient information has been submitted with the proposed development to satisfy the provisions of State Environmental Planning Policy – Biodiversity and Conservation 2021, Chapter 9 – Hawkesbury Nepean River, 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.
4. The proposed development is inconsistent with and/or has not submitted sufficient information to address the provisions of the following clauses within State Environmental Planning Policy (Precincts – Western Parkland City) 2021 – Chapter 4 Western Sydney Aerotropolis:
  - a. Clause 4.1 – Aims of the Chapter (inclusive of non-compliances with the objectives and principles within the Western Sydney Aerotropolis Plan)
  - b. Clause 4.24 – Flood Planning
  - c. Clause 4.26 – Heritage Conservation
  - d. Clause 4.28B – Aboriginal Cultural Guidelines
  - e. Clause 4.31 – Design Review Panel
  - f. Clause 4.33 – Consideration of Design Excellence
  - g. Clause 4.39 – Development must be Consistent with Precinct Plan
  - h. Clause 4.49 – Public Utility Infrastructure

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.
5. The proposed development is inconsistent with and has not submitted sufficient information to address the provisions of the Western Sydney Aerotropolis Precinct Plan (September 2024) as prescribed by *Clause 4.39 – Development must be Consistent with Precinct Plan* of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 – Chapter 4 Western Sydney Aerotropolis, including the following:
  - a. Part 2 – Precinct Vision and Objectives
    - i. Section 2.3 Badgerys Creek
  - b. Part 3 – Infrastructure and Development Staging
    - i. Section 3.1 – Infrastructure Delivery
    - ii. Section 3.2 – Development Sequencing
    - iii. Section 3.3 – Out of Sequence Development
  - c. Part 4 – Urban Structure
    - i. Section 4.1 – Proposed Land Use and Structure Plan
    - ii. Section 4.2 – Subdivision and Block Structure
    - iii. Section 4.3 – Aboriginal Culture and Heritage – Recognising Country
    - iv. Section 4.5 – Blue-Green Infrastructure Framework
      1. Section 4.5.1 – Total Water Cycle Management



- 2. Section 4.5.3 – Public Domain and Canopy Cover
- 3. Section 4.5.5 – Scenic and Cultural Connection
- v. Section 4.6 – Movement Framework
  - 1. Section 4.6.1 – Transport Strategy
  - 2. Section 4.6.2 – Street Hierarchy and Typology

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.

6. The proposed development has provided insufficient information and does not achieve satisfactory compliance with the Performance Outcomes under the Western Sydney Aerotropolis Development Control Plan – Phase 1, including:
  - a. Part 2 – Precinct Vision and Place Statements
    - i. Section 2.4 Badgerys Creek Precinct
  - b. Part 3 – Natural Environment
    - i. Section 3.1 – Biodiversity
    - ii. Section 3.3 – Waterway Health
    - iii. Section 3.4 – Stormwater and Water Sensitive Urban Design
  - c. Part 4 – Risk Minimisation and Management
    - i. Section 4.2 – Flooding
    - ii. Section 4.4 – Odour
    - iii. Section 4.5 – Noise and Vibration
    - iv. Section 4.7 – Acid Sulphate Soils and Salinity
    - v. Section 4.9 – Land Stability
  - d. Part 5 – General Provisions
    - i. Section 5.1 – Character and Place
      1. Section 5.1.1 – Urban Design
      2. Section 5.1.2 – Street Design and Network Layout
      3. Section 5.1.3 – Building Design
      4. Section 5.1.6 – Digital Technology
      5. Section 5.1.7 – Urban Ecology and Sustainability
    - ii. Section 5.3 – Services and Utilities
    - iii. Section 5.4 – Access and Carparking
  - e. Part 6 – Heritage and Cultural Conservation
    - i. Section 6.1 – Heritage Items
    - ii. Section 6.2 – Historic Archaeology
    - iii. Section 6.3 – Aboriginal Culture and Heritage

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.

7. Insufficient information has been provided to demonstrate that the proposed development would not have significant adverse impacts on the built environment and natural environment and would not have significant adverse social impacts, pursuant to Sections 4.15(1)(a)(iv), 4.15(1)(b) and 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
8. Insufficient information has been submitted to enable Council to carry out a full and proper assessment of the application. In this regard, the proposal has not been provided with material for assessment or this material has not met the standards and controls required for assessment pursuant to Sections 4.15(1)(a)(iv), 4.15(1)(b), 4.15(1)(c) and 4.15(1)(d) of the Environmental Planning and Assessment Act 1979.



9. Insufficient information has been provided to demonstrate that the subject site would be suitable for the proposed development, pursuant to Section 4.15(c) of the Environmental Planning and Assessment Act 1979.
10. The proposed development is not considered to be satisfactory having regard to the concerns raised from internal referrals within Council and comments from the Liverpool Design Excellence Panel, pursuant to the provisions of Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979.
11. The proposed development is not considered to be satisfactory having regard to the concerns raised in external referrals from Transport NSW – Roads and Maritime Services, Sydney Water, Western Sydney Airport Co. and NSW Environment Protection Agency, pursuant to the provisions of Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979.
12. The proposed development is not considered to be acceptable having regard to the concerns raised from community submissions, pursuant to the provisions of Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979.
13. Due to the above reasons, approval of the proposed development would set an undesirable precedent for similar inappropriate development and any approval would be contrary to the public interest, pursuant to provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.

#### ADVISORY NOTES

- a) Section 8.2 of the EP&A Act provides that an applicant may request, within six (6) months of the date of the determination of the Development Application, that Council review its determination (this does not relate to designated development or Crown development).

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

- b) Section 8.7 and 8.9 of the EP&A Act provides that an applicant who is dissatisfied with the determination of a Development Application, may appeal to the Land and Environment Court within six (6) months of the date of determination, or as otherwise prescribed by the EP&A Act.



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**Western Sydney Aerotropolis Precinct Plan Compliance Tables**

Precinct Plan Section	Requirement	Comment
<b>2 Precinct vision and objectives</b>		
<b>2.3 Badgerys Creek</b>	<p>Additional Precinct Objectives</p> <p>01 Develop industries that leverage access to freight transport networks including the M12 and Elizabeth Drive.</p> <p>02 Take advantage of proximity and direct access to the Western Sydney Airport for the production of goods for export.</p> <p>03 Ensure that development is responsive to the Western Sydney Airport's operational constraints including noise, Obstacle Limitation Surfaces and runway approaches.</p> <p>04 Ensure that development in the Precinct is integrated with and takes advantage of proximity to the blue-green networks of Badgerys Creek and Wianamatta-South Creek.</p>	<p><b>Insufficient information provided</b></p> <p>The concrete batching plant is an industry that leverages access to the M12 and Elizabeth Drive. The proposed development would not be producing any goods for export at the Western Sydney Airport. The proposal is responsive to the OLS and runway approaches as well as not being a noise sensitive use. Further information is required regarding the blue-green networks, especially for stormwater and the construction of the park edge street along the rear of the site.</p>
<b>3 Infrastructure and Development Staging</b>		
<b>3.1 Infrastructure Delivery</b>	<p>I1 Prior to granting development consent, the consent authority must be satisfied that essential services and infrastructure are available or will be available when required for the development. Essential services and infrastructure is road access, water supply, sewer, electricity and stormwater infrastructure.</p>	<p><b>Insufficient information provided</b></p> <p>As mentioned in Clause 4.49 of the Precincts SEPP, the site is deemed to be serviced by electricity, and this is confirmed with support from Endeavour Energy. In regard to the supply of water and disposal of sewage, Sydney Water have advised that the site is not adequately serviced until adequate servicing is in place in 2025/2026.</p> <p>The proposal intends to provide an on-site sewage management system in the interim, however inadequate information has been provided in order for this to be considered. Also, before servicing is provided for water, temporary water management systems are also intended for installation across the site, however it is unclear whether this is satisfactory for Sydney Water and therefore, the requirement for servicing of adequate potable water is needed for the development.</p>
	<p>I2 Development near utility infrastructure should be in accordance with the relevant service authority's guidelines and requirements.</p>	<b>Noted</b>
	<p>I3 Development will need to investigate and consider future planned utility infrastructure including the aviation fuel pipeline.</p>	<p>There is a lack of detail regarding the aviation fuel pipeline, however referral to Western Sydney Airport Co. has not mentioned this as an issue.</p>
	<p>I4 Where the alignment of an aviation fuel pipeline is specified, applicants for development that adjoins the pipeline (including the planned pipeline alignment if not yet constructed) are to undertake a</p>	<b>As above</b>

	land use safety assessment to determine appropriate buffers and mitigation measures to reduce public risk in consultation with the relevant authority.	
	I5 Shared utility trenches are to be used and located generally in accordance with the utilities allocations in the Western Sydney Street Design Guideline and relevant cross-sections in the DCP to minimise the impacts of utilities allocations on landscaping and street tree planting.	Noted if road construction were included as part of the application, which is not proposed.
	I6 Fast, reliable and high-speed internet connectivity infrastructure is to be provided as part of all subdivision development and all buildings are to have direct connection to high speed broadband that complies with the standards listed in the Australian and New Zealand Smart Cities Council Code for Smart Communities.	<b>Complies with conditions if consent granted</b> The proposed development could be conditioned to meet these internet standards if a consent were to be granted.
<b>3.2 Development Sequencing</b>	DS1 The sequencing of development is to be generally in accordance with the Sequencing Plan at Figure 2 (Out of Sequence provisions are outlined in section 3.3).	<b>Noted</b> The proposed development is in a First Priority Area and development in this area is preferred at this time due to the potential timeframe for servicing arrangements, however, see Part 3.3 for more information.
	DS2 Development is not to compromise the efficient and orderly provision and staging of the transport network, utilities and servicing.	<b>Does not comply</b> The development is unlikely to compromise the delivery of the utilities and servicing in the locality, however it does compromise the delivery of the transport network, specifically the active transport network in the locality. See point DS3 and Section 4.6.2 for further details.
	DS3 Early development must prioritise locations well supported by high levels of public and active transport accessibility.	<b>Does not comply</b> Lawson Road is mapped as having an indicative bus route and public transport would be accessible. However, active transport networks are unable to be delivered if road construction of the park edge street does not occur and it is assumed that as the Collector Road for Lawson Road is captured under the 7.12 plan, the delivery of the cycle path would not occur until adequate funds for this infrastructure can be obtained before delivery.
	DS4 Development does not result in isolated areas requiring out of sequence servicing by transport networks, utilities and services, or at additional cost to government or utility agencies.	<b>Complies</b> The proposal is actually in a First Priority Area awaiting the currently under construction water and wastewater services and would not result in an isolated area.
	DS5 The road network proposed as part of development applications is to be consistent with the Street Hierarchy Map at Figure 9, or temporary arrangements must be made with agreement of the relevant Roads Authority.	<b>Does not comply</b> The proposed road network is not consistent with the precinct plan and the variations sought are not deemed satisfactory. See

		discussion in Section 4.6.2 for more information.
	DS6 Locations with good access to the Western Sydney Airport for freight and passengers are to be prioritised.	<b>Complies</b> The site is within Priority Area One which is being developed.
<b>3.3 Out of Sequence Development</b>	OS1 Where a development application proposes development that does not meet the Requirements of section 3.1, the applicant is required to demonstrate, to the satisfaction of the consent authority, that arrangements have been made for all essential services and infrastructure to be provided when required and at no additional cost to government (including the relevant Council and the NSW Government) and utilities authorities.	<b>Noted</b> Although the proposed development is in Priority Area One, essential servicing is not yet provided to the site and this section applies to the development.
	OS2 Applicants for development under Requirement OS1 must provide, as part of the development application, confirmation from utilities providers including Sydney Water and infrastructure delivery agencies including the relevant Council and Transport for NSW that: a. planned servicing and infrastructure provision will be in place to support development; and b. the development is capable of connecting to and integrating with existing or planned services and infrastructure.	<b>Considered Acceptable</b> The proposal is actually awaiting the currently under construction water and wastewater services which can be delivered but at a later stage than when is warranted for by the applicant.
	OS3 Applicants for development under Requirement OS1 must demonstrate, to the satisfaction of the consent authority, that out of sequence development does not unreasonably impact on the ability of adjoining or nearby land owners to develop their land in accordance with the Precinct Plan, or result in unreasonable impacts on the environment of adjoining land.	<b>Does not comply</b> Although not specific to the development sequencing and provision of services, the proposed development would have impacts on the adjoining owners to develop their land in accordance with the precinct plan, especially in relation to the delivery of the road network. See discussion in Section 4.6.2 for more information.
<b>4 Urban Structure</b>		
<b>4.1 Proposed Land use and Structure Plan</b>	LU1 The types and densities of land uses are to be consistent with the Land Use Plan at Figure 3. Key land use terms used in the Land Use Plan are described in the Glossary.	<b>Does not comply</b> If capable of meeting the definition of a general industry, the concrete batching plant could be considered compatible with the desired land uses in the zone, however due to offensive concerns, the development is deemed a heavy industry.
	LU2 Subdivision and civil works are to be consistent with the road network shown on the Transport Network Plan (Figure 7). Local streets, laneways and active transport routes are designed to integrate with the Transport Network Plan and to: a. Ensure connectivity b. Encourage sustainable transport choices by providing direct routes that prioritise active transport and public transport for workers c. Appropriately cater for heavy vehicles including freight movements and public transport vehicles d. Facilitate coordinated development of parcels in different ownerships or at different times	<b>Does not comply</b> The proposed road network is not consistent with the precinct plan and variations sought are not deemed satisfactory. See discussion in Section 4.6.2 for more information

	e. Assist with managing water in the landscape f. Minimise the extent and depth of earthworks and the need for retaining walls.	
	LU3 Local or Neighbourhood Centres in the Enterprise Zone or Agribusiness Zone are to be located within 400m of the indicative location on the Land Use Plan (Figure 3), and on public transport routes (collector roads or Sub-arterial Roads).	<b>Considered Acceptable</b> Although the site is located within the smallest edge portion of the circle for a local centre, this is an indicative local centre location and the intent of Figure 11 as well as the roads in the locality would have the local centre extend to the lots on the eastern side of Lawson Road and as such, the sites in this area on the western side of Lawson Road should not be considered as being within the specified local centre. Regardless, the proposed development can provide supporting industrial activity and is serviceable by an envisioned local bus service.
	LU4 Connect ridgelines to watercourses through linear streets that maintain and enhance visual connections, integrate canopy cover, deep soil, landscaping and water management.	<b>Complies with conditions if consent granted</b> The design of the concrete batching plant is acceptable subject to conditions relating to additional landscape treatments and compliance with sustainability measures.
	LU5 Ensure built form is appropriate for its use and ensure natural cross ventilation, improved internal thermal comfort and reduced reliance on air conditioning.	<b>Complies</b> The built form of the concrete batching plant is deemed acceptable.
	LU6 Provide for high quality architectural and design outcomes which respond to topography and site characteristics.	<b>Complies</b> The design of the concrete batching plant is considered to respond well for the type of development.
	LU7 Residential development in the Mixed Use Zone is to be located: a. Within 1 kilometre walking distance of Metro stations; or b. Within 400 metres of a bus stop or a Collector Street; and c. Within 200 metres of open space.	<b>N/A</b> Residential development not proposed and site not within mixed-use zone.
<b>4.2 Subdivision and Block Structure</b>	SU1 Block structure is designed to enable the delivery of efficient and accessible public transport routes.	<b>Complies</b> Lawson Road is anticipated to have a bus service and the development is unlikely to impact this.
	SU2 Block structures and the road network are designed to respond to the natural topography and the flow of water in the landscape, including measures to appropriately manage overland flow and localised flooding of properties.	<b>Does not comply and insufficient information provided</b> No blocks are created as part of this development as the local roads in accordance with the precinct plan are not being proposed. The local roads and park edge street are measures to convey stormwater appropriately and a lack of information has been provided which adequately addresses how stormwater and overland flows can be conveyed without the road

		network. Further, the indicative central road would reduce block sizes but will not be delivered.										
	SU3 In the Sydney Science Park the combined number of residential dwellings that can be dwelling houses, semi-detached dwellings or dual occupancy is limited to 750. Areas where these lower density residential uses are permitted are limited to areas outside a 1.2km radius of the Luddenham Metro Station as shown in the <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Additional Permitted Uses Map – Aerotropolis</i> .	<b>N/A</b> The development is not in the Sydney Science Park.										
	SU4 Development consent must not be granted to development on a lot at Sydney Science Park (as identified in the SEPP) for a purpose shown in Column 1 of the following Table unless the area of the lot is as specified opposite in Column 2:	<b>N/A</b> The development is not in the Sydney Science Park.										
	<table border="1"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> </tr> </thead> <tbody> <tr> <td>Dwelling house</td> <td>Equal to or greater than 120 square metres but not greater than 450 square metres</td> </tr> <tr> <td>Dual occupancy</td> <td>Equal to or greater than 270 square metres but not greater than 650 square metres</td> </tr> <tr> <td>Multi dwelling house</td> <td>Equal to or greater than 800 square metres</td> </tr> <tr> <td>Residential Flat Building</td> <td>Equal to or greater than 800 square metres</td> </tr> </tbody> </table>	Column 1	Column 2	Dwelling house	Equal to or greater than 120 square metres but not greater than 450 square metres	Dual occupancy	Equal to or greater than 270 square metres but not greater than 650 square metres	Multi dwelling house	Equal to or greater than 800 square metres	Residential Flat Building	Equal to or greater than 800 square metres	
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<b>4.3 Aboriginal Culture and Heritage – Recognising Country</b>	RC1 Development applications are to retain access to and connect significant Aboriginal heritage and areas of cultural value, conservation corridors and other identified areas of significant Aboriginal heritage.	<b>Does not comply</b> The site is identified in the precinct plan as containing moderate Aboriginal cultural sensitivity. The proposed development is required to address the Recognise Country: Guidelines for development in the Aerotropolis published in November 2022 as it is significant development. Further, the proposed development has not considered the guidelines which are required to be addressed if development consent were to be granted. An assessment against these guidelines would need to consider these elements under the precinct plan.										
	RC2 Development applications that propose disturbance to the landscape in areas of moderate, high or very high Aboriginal sensitivity on Figure 4, or include known Aboriginal cultural or archaeological sites, are required to include an assessment of impacts on archaeological and or cultural heritage values and significance. Where specific measures are required to mitigate or avoid impacts, applications are to include a cultural heritage management plan or conservation management plan prior to the issue of a construction certificate.											
	RC3 Modified trees (carved or scarred) and grinding grooves are to be protected and preserved in situ, and management plans are to be prepared to demonstrate how these items are to be retained and protected.											
	RC4 Interpretation and story-telling required to inform impact assessments, mitigation measures and management plans are to be undertaken in consultation with, and walking on Country with, the traditional custodians and Local Aboriginal Land Councils (LALCs).											
<b>4.4 Non-Aboriginal and European Heritage</b>	NA1 Existing heritage items and their significant elements are to be retained and managed, including implementation of adaptive re-use and land uses which ensure the long term conservation viability of heritage items.	<b>N/A</b> The site does not contain any existing non-Aboriginal heritage items.										
	NA2 Position new development, including the design of subdivision and buildings, to maintain	<b>N/A</b>										

	visual links, context and significance of the heritage item and its setting.	The site does not contain any existing non-Aboriginal heritage items.
	NA3 Investigate the significance of potential heritage items identified on Figure 4. Where investigations identify heritage values, a heritage management plan is to be prepared outlining the required measures to conserve these values.	<b>N/A</b> The site does not contain any existing non-Aboriginal heritage items.
<b>4.5 Blue-Green Infrastructure Framework</b>	BG1 Development is to contribute to the establishment of the blue-green infrastructure framework for the Aerotropolis in accordance with Figure 5.	<b>Noted</b>
<b>4.5.1 Total water cycle management</b>	<p>BG1 Development applications are to demonstrate how the following performance criteria for ambient water quality objectives for waterways and waterbodies are to be met either by:</p> <p>a. On-lot or on-street measures; or</p> <p>b. As part of a regional stormwater approach demonstrating that the development will connect to the stormwater infrastructure shown on Figure 6.</p> <p>BG2 Development applications are to demonstrate how the following performance criteria relating to water flow objectives are to be met either by:</p> <p>a. On-lot or on-street measures; or</p> <p>b. As part of a regional stormwater approach demonstrating that the development will connect to stormwater infrastructure shown on Figure 6.</p> <p>BG3 Where development uses on-lot or on-street measures to achieve the performance criteria for ambient water quality and the flow objectives, the development application must demonstrate, to the satisfaction of the consent authority, the ability to connect the development to regional stormwater infrastructure when it is available.</p> <p>BG4 Compliance with the ambient water quality and flow objectives must be consistent with the NSW Government Technical guidance for achieving Wianamatta-South Creek stormwater management targets (DPIE, 2022).</p> <p>BG5 Multifunctional stormwater assets are to be located generally as shown on Figure 6.</p> <p>BG6 Multifunctional stormwater assets are to integrate with the Open Space Network to support multifunctional open space areas for recreation, urban cooling and water management.</p> <p>BG7 The multifunctional detention basins (as shown on Figure 6) are to be designed in accordance with the regional stormwater management strategy and recycled water network developed by the relevant stormwater authority.</p>	<b>Does not comply</b> Council's Land Development Engineers have supported the proposal in its current form, however consideration for the specific stormwater requirements of development in the Aerotropolis have not been adequately considered. Further, Council's Floodplain Engineers and Sydney Water are not satisfied with the stormwater arrangements with the proposed development and how the proposal meets the provisions of the Blue-Green Infrastructure Network in accordance with the Precinct Plan. Therefore, insufficient information has been provided to satisfy these requirements and stormwater impacts in terms of water quality and quantity of the development have not been adequately addressed.
<b>4.5.2 Riparian corridors</b>	BG1 Waterways and riparian corridors of Strahler Order 2 (refer to Figure 5) and higher are to be retained and rehabilitated to a natural state (unless minor realignment can be justified), in accordance with the requirements of the <i>Guidelines for Riparian Corridors on Waterfront Land</i> published by the Department of Primary Industries (Office of Water), or other relevant guidelines adopted and in operation at the time.	<b>N/A</b> No watercourses traverse the site.

	<p>BG2 Riparian Streets on Figure 5 are to be adjacent to riparian corridors. The design of Riparian Streets is to be integrated with the retention or naturalisation of the adjacent watercourse and associated riparian zone in accordance with the requirements of the Guidelines for Riparian Corridors on Waterfront Land published by the Department of Primary Industries (Office of Water), or other relevant guidelines adopted and in operation at the time.</p>	<p><b>N/A</b> No riparian street is required over the site.</p>
	<p>BG3 Consistency with DCP indicative cross-sections to guide the design of Riparian Streets and associated riparian zones.</p>	<p><b>N/A</b> No riparian street is required over the site.</p>
	<p>BG4 The outer 50% of the Riparian Zone, as defined by the Guidelines for Riparian Corridors on Waterfront Land may contain paths, passive recreation facilities and other amenities subject to the appropriate consideration of flood impacts and safety.</p>	<p><b>N/A</b> The site is not within a riparian zone.</p>
	<p>BG5 Where a development application proposes the creation of a Riparian Street in association with a riparian corridor in accordance with Req. BG2, and one or more lots for development, the area of land that comprises the riparian corridor is taken to be part of the minimum pervious area to be provided as part of the development under the DCP.</p>	<p><b>N/A</b> No riparian street is required over the site.</p>
<b>4.5.3 Public domain and canopy cover</b>	<p>BG1 Open space is to be provided to cater for local, district and regional requirements as shown in the Open Space Network at Figure 5.</p>	<p><b>N/A</b> Open Space is not envisioned over the subject site.</p>
	<p>BG2 Where development generates demand for open space as a result of resident or worker population densities exceeding those for land uses as specified in the WSAP, the development application is to include or be accompanied by proposed measures to meet that additional demand through:</p> <p>a. Delivery of additional open space as part of the development; and/or</p> <p>b. Establishment of appropriate arrangements for payment of monetary contributions to the relevant authority for the provision of open space in another suitable location.</p>	<p><b>Considered Acceptable</b> The proposed use is unlikely to generate an exceedance of employee density which would warrant open space. Also, in comparison to the density bands for a mixed use zone, where employment would be denser in accordance with Section 5.4, if the use were considered a general industry, the employee density would be below the density band and thus is considered acceptable.</p>
	<p>BG3 Tree canopy is to be provided on Sub-arterial Roads and Collector Streets shown on Figure 9 to achieve a minimum of 40% tree canopy cover at maturity, measured as a percentage of the area of the road reserve.</p>	<p><b>Complies</b> Tree canopy is considered to be able to meet the minimum 40% over the collector road as the Collector Road for Lawson Road is captured under the 7.12 plan and the delivery of the street trees would not occur until adequate funds for this infrastructure can be obtained.</p>
	<p>BG4 Park Edge Streets are to be provided generally in accordance with the locations shown on Figure 5, and development is to be oriented towards the street and provide for surveillance of the public domain.</p>	<p><b>Does not comply</b> The proposed development does not provide for the delivery of the Park Edge Street. Although there is a small recreation area for workers, the development is not oriented to the street well as there is also a drainage basin within this setback.</p>

		area to where the road should be. Further, there is no access or measures for passive surveillance to be effective towards the west. More information can be found in Section 4.6.2 regarding the street network.
	<p>BG4 In the Enterprise Zone and Agribusiness Zone an urban park is to be integrated into the design of any local centre or neighbourhood centre that contains any combination of retail premises, commercial premises or food and drink premises with a total minimum Gross Floor Area of 10,000 square metres.</p> <p>Urban Parks:</p> <p>a. are to be a minimum of 5,000 square metres and up to 10,000 square metres,</p> <p>b. Contribute to achievement of the total pervious area for the development under the DCP (where the development application includes subdivision into one or more lots for development and/or buildings in addition to the proposed urban park),</p> <p>c. Are to demonstrate achievement of a minimum 50% tree canopy cover at maturity and a minimum of 70% of the area as deep soil or landscaped area, and</p> <p>d. Are to include landscaping, amenities, active transport provision and furniture to facilitate recreational uses.</p>	<p><b>N/A</b></p> <p>Open Space is not envisioned over the subject site.</p>
	<p>BG5 In the Enterprise Zone and Agribusiness Zone, Indicative Open Space has been shown in Figure 5. If Indicative Open Space is set aside for the purpose of biodiversity conservation or additional open space as part of a development application it:</p> <p>a. Can contribute to achievement of the total pervious area for the development under the DCP (where the development application includes subdivision into one or more lots for development and/or buildings in addition to the proposed urban park),</p> <p>b. Must be subject to any relevant measures relating to the protection of Existing Native Vegetation or areas of high biodiversity value (refer to Figure 5), and</p> <p>c. Is to be subject to management and maintenance arrangements to the satisfaction of the consent authority or arrangements to dedicate the land to a public authority.</p>	<p><b>N/A</b></p> <p>Open Space is not envisioned over the subject site.</p>
	<p>BG6 Within the Mixed Use Zone, Indicative Open Space is shown on Figure 5. Where the Indicative Open Space is identified as part of a development application that also proposes one or more buildings:</p> <p>a. the site area, for the purposes of calculating Floor Space Ratio under the Requirements in section 5.3 of this Precinct Plan is taken to include the area of land proposed to be used as open space, despite the maximum Floor Space Ratio applying to the land on which the building or buildings are sited under;</p>	<p><b>N/A</b></p> <p>The development is not in the Mixed Use zone.</p>

	<p>b. The area of land identified for open space is taken to be part of the minimum pervious area to be provided as part of the development under the DCP, and</p> <p>c. Is to be subject to management and maintenance arrangements to the satisfaction of the consent authority or arrangements to dedicate the land to a public authority.</p>	
	<p>BG7 Where land is partly zoned Mixed Use and partly zoned Environment and Recreation, and a maximum Floor Space Ratio is specified for the land zoned Environment and Recreation under section 5.3 of this Precinct Plan:</p> <p>a. The maximum Floor Space Ratio for that portion of the land zoned Mixed Use may be exceeded by the maximum Floor Space Ratio that applies to that portion of the land zoned Environment and Recreation; and</p> <p>b. Where the maximum Floor Space Ratio on land zoned Mixed Use is exceeded in accordance with sub-clause a) the portion of land that is zoned Environment and Recreation is to be maintained as common property under a strata title scheme or Community Land under a Community Title Scheme, or dedicated to a public authority.</p> <p>This requirement applies to a lot that was in existence prior to the date this Precinct Plan first came into effect.</p>	<p><b>N/A</b> The development is not in the Mixed Use or Environment and Recreation zones.</p>
	<p>BG8 Where Gross Floor Area is transferred in accordance with Requirement BG6 or BG7, the maximum Height Requirements in section 5.2 of this Precinct Plan may be exceeded:</p> <p>a. Only to the extent necessary to accommodate the transferred Gross Floor Area and to enable compliance with other relevant requirements of this Precinct Plan;</p> <p>b. Up to a maximum of three storeys or 10 metres, whichever is the greater; and</p> <p>c. Providing the proposed building does not result in any non-compliance with aviation safety and airport operations requirements as set out in the Aerotropolis SEPP.</p>	<p><b>N/A</b> There is no Floor Space Ratio applicable to the site.</p>
<p><b>4.5.4 Biodiversity and vegetation corridors</b></p>	<p>BG1 Existing Native Vegetation and other vegetation under the Cumberland Plain Conservation Plan (refer to Figure 7) is to be protected as required by the Aerotropolis SEPP. Development applications are to demonstrate, to the satisfaction of the consent authority, that measures are in place to protect and provide for the long term management of the vegetation to achieve biodiversity conservation outcomes under the Growth Centres Biodiversity Certification Order or the Cumberland Plain Conservation Plan as relevant.</p>	<p><b>N/A</b> Existing Native Vegetation or other vegetation not mapped on the site.</p>
	<p>BG2 Recreation facilities, pathways and other infrastructure are not to be located on land referred to in Requirement BG1.</p>	<p><b>As above</b></p>
	<p>BG3 Revegetation and landscaping are designed and managed to account for future climatic conditions and include climate ready species.</p>	<p><b>Complies</b></p>

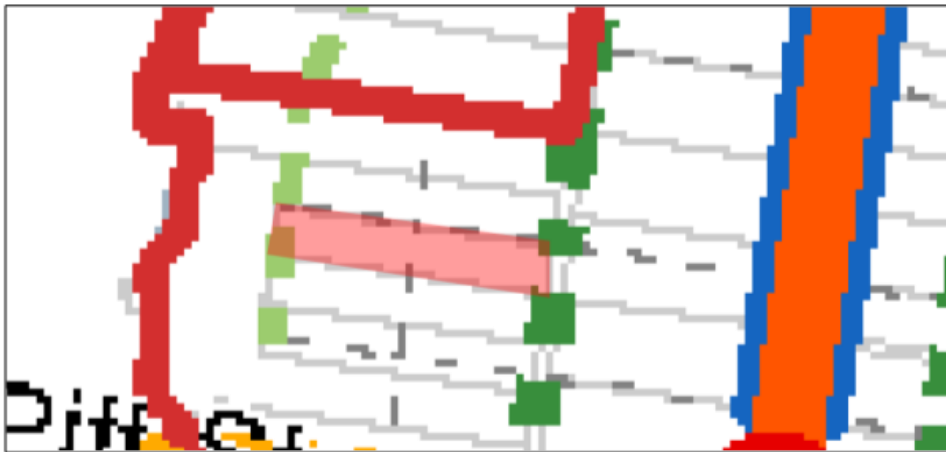
		Landscaping is considered to be acceptable for the local microclimate.
	<p>BG4 Development applications are to demonstrate:</p> <p>a. reuse of native plants (including but not limited to seed collection) and top soil from development sites that contain known or potential native seed bank. Appropriate uses may include, but are not limited to, application in re-vegetation or restoration works and landscaping in the precincts,</p> <p>b. the relocation of native animals from development sites, prior to development commencing.</p>	<p><b>Complies with conditions if consent granted</b></p> <p>Conditions can be applied to the development to ensure reuse of native plants and seed collection occurs before tree removal and that any fauna is relocated.</p>
<b>4.5.5 Scenic and cultural connection</b>	SC1 Subdivision design is to orient streets to align with ridgelines.	<p><b>N/A</b></p> <p>No subdivision is proposed.</p>
	SC2 Any required onsite provision of open space is to incorporate high points and retain existing trees.	<p><b>N/A</b></p> <p>Although recreation space is provided, this is private for use by the employees.</p>
	SC3 Creek to creek and creek to ridgeline landscape connections are established through the design of public domain elements including streets and open space. Landscape connections on Sub-arterial Roads and Collector Streets shown on Figure 9 (refer to the Requirements in section 4.5.3) are to be continuously accessible by the public and active transport is prioritised on these connections.	<p><b>Does not comply and insufficient information provided</b></p> <p>The roads required by the precinct plan and connections from the collector street to the recreation, park edge street with associated active transport and drainage land have not been adequately addressed.</p>
	SC4 Streets are to be designed to follow natural drainage lines and overland flow paths to minimise the need for drainage easements or reserves through private land.	<p><b>Does not comply and insufficient information provided</b></p> <p>The required roads in accordance with the precinct plan are not being proposed. The local roads and park edge street are measures to convey stormwater appropriately and a lack of information has been provided which adequately addresses how stormwater and overland flows can be conveyed without the road network and therefore unclear to know whether an easement is required through the site to convey stormwater from the east to the lower point of Badgerys Creek in the west. See Section 4.6.2 for more detail.</p>
<b>4.6 Movement Framework</b>	MF1 The Transport Network is to be designed generally in accordance with Figure 7.	<b>Noted</b>
<b>4.6.1 Transport Strategy</b>	<p>MF2 The Transport Network is designed to accommodate bus corridors and the Indicative Local Bus Network generally as shown on Figure 7, so that:</p> <p>a. 90% of businesses are within a 400 metre walk of a street that is capable of carrying public transport in the Enterprise Zone and Agribusiness Zone.</p> <p>b. All businesses and residents in the Mixed Use Zone are within a 400 metre walk of a street that is</p>	<p><b>Noted</b></p> <p>Lawson Road has an indicative bus route mapped along it and the proposal is unlikely to hinder this as Lawson Road remains.</p>

	capable of carrying public transport or a Metro station.	
	MF3 Active transport is integrated with the Blue Green Infrastructure Framework in Figure 5 and provided generally in accordance with the Active Transport Network in Figure 8.	<b>Does not comply</b> The proposed development does not provide for the delivery of the Park Edge Street which is mapped as having a principle regional cycle path. More information can be found in Section 4.6.2 regarding the street network.
<b>4.6.2 Street hierarchy and typology</b>	SH1 The Road Network within the Transport Network is to be generally consistent with the alignment and connections of roads shown in Figures 8-10. Major roads (Sub-arterial and Arterial and Rapid Bus Routes) are to be designed to: a. Respond to topography; b. Enable the efficient movement of water, replicating natural flow patterns as closely as possible; c. Intersect with arterial or classified roads at locations and using intersection treatments nominated or agreed by the road authority; d. Accommodate buses generally consistent with the alignments and connections shown in Figure 8; e. Accommodate separated cycleways generally consistent with the alignment and connections of cycleways shown in Figure 9; and f. Connect with centres and metro stations.	<b>Does not comply</b> See discussion below this Section.
	SH2 Local and Collector streets are to be designed to: a. Connect to other streets in the hierarchy in a logical sequence, so that Local Streets connect to other Local Streets or to Collector Streets; b. Incorporate priority-controlled intersection treatments; c. Minimise 4-way intersections and avoid intersections with more than 4 streets; d. Provide interfaces between urban land and land identified for open space, conservation, or stormwater management; e. Enable land in different ownerships to be developed independently and ensure that legal and physical access to properties is maintained at all stages in the development process; f. Convey stormwater within the Total Water Cycle Management network as shown on Figure 6; g. Contribute to tree canopy and the Blue Green Infrastructure Framework shown on Figure 5; and h. Maximise opportunities for the energy efficient design of buildings.	<b>Does not comply</b> See discussion below this Section.
	SH3 The layout and location of Local Streets and Collector Streets on Figure 10 is indicative. Where a development application proposes a variation to the Local Street or Collector Street, the applicant must demonstrate that in addition to the requirements in SH2, that the variation: a. Achieves a permeable street network;	<b>Does not comply</b> See discussion below this Section. The applicant has proposed to vary the road network, however, it is not deemed acceptable.

	<p>b. Encourages walking and cycling and minimises travel distances;                  c. Maximises connectivity to community facilities, open space and centres;                  d. Takes into account topography and the flow of water in the landscape;                  e. Will not detrimentally impact on access to adjoining properties or result in isolation of properties; and                  f. Will not impede the orderly development of adjoining properties.</p>	
	<p>SH4 Roads and streets are to be designed in accordance with the Western Sydney Street Design Guidelines, except where specific street cross sections are provided in the DCP for streets as shown on the street hierarchy map at Figure 10.</p>	<p><b>Noted</b></p>
	<p>SH5 Roads and streets are aligned to follow property boundaries where possible to reduce lot severance.</p>	<p><b>Noted</b></p>

**Discussion regarding Section 4.6.2 – Street hierarchy and typology**

In accordance with the road network and street hierarchy in Figure 10 of the Precinct Plan, the subject site has a number of indicative roads which are to be delivered as part of development. An extract of this road network is seen in the figure below, with the site shaded in red. It is to be acknowledged that previous iterations of this map in the precinct plans were blurry and unclear where roads were to be located. The current update to the precinct plan (September 2024), provides a clear image and indication for where roads are envisioned to be constructed.



The site indicatively has a number of roads envisioned, and these are as follows (road reserve width in brackets as per DCP cross-sections):

- A park edge street along the rear (western) boundary (19.5m);
- Two local roads - one east-west along the entire northern boundary and a north-south road through the middle of the site (24m); and
- Lawson Road being a collector road (25.6m).

It is to be noted that in accordance with Requirement SH5, as the local street along the northern boundary straddles this boundary with the neighbour, the half width of this local road is to be constructed by each of the respective owners of these lots.

Applicant's Justification

The applicant provides the following justification for the variation to the street hierarchy as per the Precinct Plan.

- *Lawson Road is a Collector Road. Collector Roads are to be delivered under Liverpool Council's draft Aerotropolis Development Contributions Plan. As Council will be levying funds for the design and construction of the road (including land acquisition where required), it is unnecessary and unreasonable to expect Hanson to design and construct such a small section of the road. The road should be delivered in accordance with Council's normal process for DCP funded infrastructure when it is deemed appropriate by Council.*
- *A Park Edge Street, which we note was originally identified when the entirety of the land between the rear boundary of the site and Badgerys Creek was identified as open space. However, the land across the rear boundary of the site is now identified as a Sydney Water owned and operated Regional Stormwater Basin. As such, it is highly unlikely that a Park Edge Street is warranted or required in this location. Notwithstanding this, the proposed concrete batching plant does not prevent the delivery of a road along the rear boundary in the future if deemed necessary and appropriate once Sydney Water's Regional Stormwater Basin has been completed.*
- *A Local Road running north-south through the middle of the site and a Local Road running east-west running along the northern boundary of the site. These local roads are intended to provide access to future development on 125 Lawson Road, and to future development lots on 145, 155 and 165 Lawson Road, as well as to provide for permeability throughout these development lots. It is reiterated that these two local roads serve no other functional purpose other than to provide access to and permeability throughout properties 125, 145, 155 and 165 Lawson Road. These lots have all been consolidated into a single land holding, which includes both the lots fronting Lawson Road, as well as the wrap-around lot that extends back along Badgerys Creek. As such, there is ample opportunity for the land owner to ensure access to all of the future development sites on this land, and to the Badgerys Creek parkland areas, as well as to ensure permeability between these lots. Indeed, it will be totally appropriate for them as the land owner of the single consolidated lot to provide for this access and permeability as suits their development arrangements. It is highly unlikely that the final street network in this locality will match the Precinct Plan exactly as shown.*
- *As specifically stated within SH3, the layout and location of Local Streets and Collector Streets in Figure 10 is indicative only. The Precinct Plan specifically contemplates variation to the layout and location of Local and Collector Streets to accommodate different development characteristics.*
  - a) The proposed development does not prevent the future delivery of the Park Edge Street or the east-west Local Road generally as shown, in particular with consideration of the access, connectivity and permeability outcomes intended to be achieved by the Precinct plan street layout. It is acknowledged that the proposed concrete batching plant will prevent the north-south street from being able to be delivered as illustrated. However, this north-south street discontinues immediately to the north of site anyway, and so exists for one purpose only – that is, to provide access to and permeability throughout properties 125, 145, 155 and 165 Lawson Road. Given that these properties are all within a single ownership the proposed concrete batching plant will not hinder the ability for the land owner to provide suitable access to and permeability throughout this consolidated landholding in a way that best supports the preferred development outcome of the land.*
  - b) The proposed development does not hinder the ability for the street network to encourage walking and cycling and minimises travel distances;*
  - c) The proposed development does not hinder the ability for the street network to provide suitable connectivity to community facilities, open space and centres;*
  - d) The proposed development does not hinder the ability for the street network to respond to topography and the flow of water in the landscape;*
  - e) The proposed development will not isolate any lot or undermine the efficient and effective access to any of the adjoining properties which all have direct access to Lawson Road.*
  - f) The proposed development does not impede the orderly development of adjoining properties, which are all in a single consolidated land holding and can be developed in an orderly and efficient way without or without the batching plant.*

#### Council' Comments

The following assessment is in response to the precinct plan provisions, the justification made by the applicant and also how the non-compliance with the precinct plan, is deemed to be unacceptable in the circumstances.

Lawson Road (Collector Road)

- It is acknowledged that Lawson Road is a collector road and is captured under the section 7.12 contributions plan. As such, the delivery of this road and associated elements such as cycleways and street trees would not occur until adequate funds for this infrastructure can be obtained.
- In accordance with the DCP, the width of the collector road is to be 25.6m wide. In its current form, Lawson Road is approximately 20.1m wide. As a result, in order to deliver a road with a cross section in accordance with the DCP, 5.5m, equally shared from properties either side of Lawson Road (2.75m per property) would be required to deliver the collector road as envisioned. This has not been considered in the applicant's proposal and design of the frontage of the site.

Park Edge Street and Local Roads

- The proposed development does not construct any road reserves which are indicated to traverse the site, including the park edge street and local roads.
- The park edge street is required to separate the enterprise zone from the recreational and stormwater land along the Badgerys Creek riparian corridor. These types of streets enable a suitable interface between these lands and a transition which allows for active transport and access to the local street network for active transport users.
- As the entirety of the land directly adjacent to the rear boundary is to be acquired for Sydney Water regional stormwater infrastructure, the whole road reserve width of the park edge street must be situated within the development site. This is further supported by the more detailed plan in the September 2024 iteration of the precinct plan
- The park edge street has a road reserve width of 19.5m. In the current form, the distance between the rear boundary and the basin is less than the required width of this road reserve (approx. 14.3m). This would prejudice the delivery of the road in the future, however, the road must be delivered as part of the subject development application.
- The park edge street is an essential part to this precinct as it contains a principle regional cycle path. As such, if this road is not constructed, this will compromise the delivery of the active transport network in the locality and potentially fragment the permeability and active use corridor along the Badgerys Creek riparian corridor. This is also especially prevalent if the east-west local road is not built in this block.
- The exclusion of the park edge street and both local roads reduce the permeability for pedestrians, cyclists and vehicles in this area. With larger block sizes, it would result in larger distances to travel and the connectivity between the open space and the town centre further to the east would be compromised.
- The local roads and park edge street are measures to convey stormwater appropriately and a lack of information has been provided which adequately addresses how stormwater and overland flows can be conveyed without the road network. It is therefore unclear to know whether an easement is required through the site to convey stormwater from the east to the lower point of Badgerys Creek in the west.
- If there is no delivery of the east-west local road connection from Lawson Road to the park edge street, a missing connection from the town centre to the open space will be established. As a result, the applicant advises that the neighbour can deliver the east-west link within their site as part of their development whenever that may come.
- If the above were the case, the proposed development application is to provide indicative sketches of the changes to the layout in the area as well as traffic models to ensure that the road network is effective, orderly and beneficial to the locality. A commercial agreement with the neighbours who accept the changes and are willing to construct the full roads is also required to ensure an equitable process has been carried out.
- This is also in place for the delivery of the north-south road, as impacts on the adjoining amalgamated neighbour, plus sites further to the north and south would be required to agree to the changes. This could also rely on the location of the east/west link roads in this area. A whole locality analysis of the local road network in this pocket would be required to ensure the road network is effective, orderly and achieves the same if not better outcome in this area.
- The exclusion of the local road, especially the one along the northern boundary, would also impact on potential alternative access arrangements to the site. To this effect, if the local road were constructed, the development site could potentially have access off the local street with potentially multiple access points to the different uses of the site. This would also limit the number of driveway crossings on the collector road which could include a shared path with cycleway along this side, reducing the risk of clashing with the active transport network. This may also assist in traffic within Lawson Road, with

<p>vehicles turning into and out from a local street and associated intersection as opposed to driveways onto the collector road.</p> <ul style="list-style-type: none"> <li>Sydney Water have advised that an indicative trunk sewer main is proposed to transect through the middle of the site in a north-south direction, which is likely to align with the future north-south local road in the precinct plan.</li> </ul> <p><u>General Comments &amp; Conclusion</u></p> <p>Although it is acknowledged that the location and layout of the collector roads and local streets is indicative, the applicant's justification is not deemed satisfactory. There is also a lack of information provided, such as schematic plans and studies for other options in the locality and agreements/ owners consent from neighbours who are impacted by changes to the indicative layout. This is required in order to ensure the road network is capable of functioning properly and the delivery of roads, associated infrastructure and precinct planning outcomes is not jeopardised in the future. The Aerotropolis is a newly released greenfield area and the delivery of roads must be carried out as part of proposed development applications.</p> <p>Also, considering that the adjoining parcels of land to the north, south and west are all owned by the one landowner, the development of the subject site in isolation causes problems for the delivery of the envisioned Aerotropolis precinct plan in the locality. This is further emphasised with the fact that the development site just fits in within the width of the proposed development considering there is no room for sufficient landscape buffers on the sides of the site and has been reiterated by the applicant during the Design Excellence Panel meetings and their design approach to this proposal. A cohesive development with the adjoining neighbours is a much better approach in providing orderly development in the Badgerys Creek Precinct, in which case, an amalgamation of lots can result in a higher quality scheme for the area and for a concrete batching plant. If developed in isolation, without knowing the intentions of the neighbours, it is difficult to support a variation to the local roads.</p> <p>Being one of the first developments in this area, delivery of the roads as well as variations carried out without proper investigation occurring will set an undesirable precedent for Council for future applications. Therefore, in addition to not delivering any roads as part of this development, the variations to the road hierarchy are not supported as it is not an acceptable outcome in the locality.</p>																
<p><b>4.6.3 Development adjacent to protected transport corridors</b></p>	<p>PC1 Development adjacent to corridors identified on the Transport and Infrastructure SEPP and the Aerotropolis SEPP is to be designed to orient noise sensitive elements (for example habitable rooms) away from the noise source.</p>	<p><b>N/A</b></p> <p>The site is not mapped as adjacent to a corridor identified in these SEPPs.</p>														
<p><b>4.7 Sustainability and Resilience</b></p>	<p>SR1 Energy, water and waste systems are to use a circular economy approach to improve efficiency and result in low-carbon developments.</p> <p>SR2 Effectively use renewable energy supply including solar, wind, green hydrogen, and bio-energy.</p> <p>SR3 Plan for, and achieve, leading industry targets by 2025 and from 2026 beyond to achieve sustainable regenerative targets:</p> <table border="1"> <thead> <tr> <th rowspan="2">Description</th> <th>Leading industry practice</th> <th>Sustainable regenerative</th> </tr> <tr> <th>Target 2020 and 2025</th> <th>Target 2026 and beyond</th> </tr> </thead> <tbody> <tr> <td>BASIX</td> <td>BASIX (Energy) - 45-60 BASIX (Water) - 60</td> <td>BASIX (Energy) - 45-60 BASIX (Water) - 60</td> </tr> <tr> <td>Non-residential uses (subject to final modelling)</td> <td>Green Star Communities - 5+ stars Green Star - 5+ stars NatHERS - 7 star</td> <td>Green Star Communities - 6+ stars Green Star - 6+ stars NatHERS - 8+ star/ Passive home</td> </tr> <tr> <td>Circular economy targets</td> <td>10% reduction of waste generation 85% reduction in construction waste</td> <td>100% recovery and re-use of organic waste 90% reduction in construction waste</td> </tr> </tbody> </table> <p>SR4 Circular economy activities must be located with consideration of:</p> <p>a. nearby land uses, considering the likely construction and operational impacts of the proposed development</p>	Description	Leading industry practice	Sustainable regenerative	Target 2020 and 2025	Target 2026 and beyond	BASIX	BASIX (Energy) - 45-60 BASIX (Water) - 60	BASIX (Energy) - 45-60 BASIX (Water) - 60	Non-residential uses (subject to final modelling)	Green Star Communities - 5+ stars Green Star - 5+ stars NatHERS - 7 star	Green Star Communities - 6+ stars Green Star - 6+ stars NatHERS - 8+ star/ Passive home	Circular economy targets	10% reduction of waste generation 85% reduction in construction waste	100% recovery and re-use of organic waste 90% reduction in construction waste	<p><b>Considered Acceptable with conditions if consent granted</b></p> <p>The proposal will incorporate a number of initiatives encouraging a sustainable development. The development will incorporate improved resource efficiencies through the use of water recycling and collection, recycling aggregate and using alternatives for cement which can reduce greenhouse gases. Also, having the batching plant in a location in close proximity to transport links and in an area of future anticipated development will reduce the distance for vehicles to travel to construction sites. The roof of the facility will also include photovoltaic panels for energy supply. It is acknowledged that trees and associated leaf litter can lead to contamination of the product and therefore, tree canopy coverage is unlikely to meet targets, however,</p>
Description	Leading industry practice		Sustainable regenerative													
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	<p>b. proximity of the proposed development in relation to the Western Sydney Airport, and associated risks to airport and aircraft operations (in reference to the proposed development's risk assessment)</p> <p>c. proximity to land in the Environment and Recreation Zone and impacts on the environmental values of that land</p> <p>d. potential impacts on the amenity and use of open space</p> <p>e. proximity to major transportation routes, considering safe transportation of extractive and waste materials</p> <p>SR5 Incorporate accessible Circular Economy Infrastructure into mixed use developments to ensure adequate opportunity for people to participate in reuse and recycling schemes.</p> <p>SR6 In deciding whether to grant development consent for the purposes of commercial premises, industrial premises or residential accommodation, the consent authority must consider whether:</p> <p>a. the façade and roof of the proposed buildings and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including open space and the public domain, including a requirement for light-coloured roofs, and</p> <p>b. the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and</p> <p>c. building plant and equipment is designed to minimise the release of heat in the direction of open space and the public domain, and</p> <p>d. the development accommodates tree canopy, pervious surfaces and landscaped areas to minimise solar heat absorption and reflection by hard surfaces.</p>	<p>the applicant states that a 25% coverage can be achieved with vast front and rear landscaped setbacks provided. Sustainability measures have also been worked with in accordance with recommendations from the Design Excellence Panel and are deemed acceptable. Sustainability measures can also be conditioned in accordance with the Precinct Plan if consent were granted.</p>
<b>5 Land use and Built Form</b>		
<p><b>5.1 Hierarchy of Centres</b></p>	<p>LU1 The indicative locations of local and neighbourhood centres in the Enterprise Zone and Agribusiness Zone are identified in Figure 11. Where a centre is proposed in an alternative location the development application is to demonstrate that the location achieves the role, intent, uses, transport connectivity and locational criteria outlined in Table 2 below.</p> <p>LU2 Local and Neighbourhood Centres are to be located on or adjacent to bus routes.</p>	<p><b>Considered Acceptable</b> Although the site is located within the smallest edge portion of the circle for a local centre, this is an indicative local centre location and the intent of Figure 11, as well as the roads in the locality, would have the local centre extend to the lots on the eastern side of Lawson Road and as such, the sites in this area on the western side of Lawson Road should not be considered as being within the specified local centre. Regardless, the proposed development can provide supporting industrial activity and is serviceable by an envisioned local bus service.</p> <p><b>Complies</b> Lawson Road is partly situated within the edge of the circle for the local centre, and this is an indicative bus route.</p>

	LU3 Local and Neighbourhood Centres are not to be located on arterial roads	<b>Complies</b> The site is not located on an arterial road.
	LU4 Retail and social infrastructure in the Agribusiness and Enterprise Zones is to be concentrated in the Local and Neighbourhood Centres.	<b>N/A</b> Retail or social infrastructure is not proposed.
	LU5 Bulky goods and specialised retail that requires larger floor plates are to be located outside of the identified centres.	<b>N/A</b> Bulky goods and specialised retail is not proposed.
<b>5.2 Height</b>	H1 The height of buildings is not to exceed the maximum for the land shown on Figure 12.  <i>Note: Notwithstanding maximum building height controls, all buildings and structures, including equipment used during construction (such as cranes) are required to be contained within Obstacle Limitation Surface (OLS) limits established under the Aerotropolis SEPP.</i>	<b>Considered Acceptable</b> The development site has a height of buildings limit of 24m. The proposed development has a height of 28m and is deemed to be acceptable for the proposal.  See discussion below.
	H2 In the Mixed-Use Zone, ensure development does not adversely impact on the amenity of the public domain and adjacent residential areas and that site topography, views and landscape character have been considered.	<b>N/A</b> The development is not in the mixed-use zone.

#### **Discussion regarding Section 5.2 - Height**

A characteristic to the Aerotropolis is that development standards such as height of buildings and floor space ratio are not specifically enforced through the typical principal development standards of the standard instrument and therefore are not embodied within the direct Clauses of SEPP (Precincts – Western Parkland City) 2021. These traditional development standards are enforced through the Precinct Plan which hold weight under Clause 4.39 of this SEPP.

The subject proposal seeks a variation to the maximum 24m height of buildings limit contained within the Precinct Plan. The subject development has a maximum building height of 28m in relation to the top of the cement silos from existing ground level. This maximum extent of the variation is 4m or 16.67% over the standard. Although the applicant has not provided a height plane extract of the silos, an indicative plane can be seen in the figure below.



Consequently, pursuant to Clause 4.39(2) of the SEPP (Precincts – Western Parkland City) 2021, the applicant has submitted a written request in seeking a variation to justify the inconsistency with the precinct plan. Clause 4.39 of the SEPP specifies the following:

- (1) Development consent must not be granted to development on land to which a precinct plan applies unless the consent authority is satisfied that the development is consistent with the precinct plan.
- (2) Subsection (1) does not apply if—
  - (a) the consent authority has considered a written request from the applicant that seeks to justify an inconsistency by demonstrating that—

- (i) the inconsistency is minor, and  
(ii) consistency with the plan is unreasonable or unnecessary in the circumstances, and  
(iii) sufficient environmental planning grounds justify the inconsistency, and  
(b) the consent authority is satisfied that—  
(i) the applicant's written request adequately addresses the matters required to be demonstrated by paragraph (a), and  
(ii) the development is consistent with the strategic vision and general objectives for the precinct.

The applicant submitted a variation statement seeking to justify the height exceedance of the proposed development. This applicant's statement provides the following justification based on the merits of the proposal.

### Applicant Comment

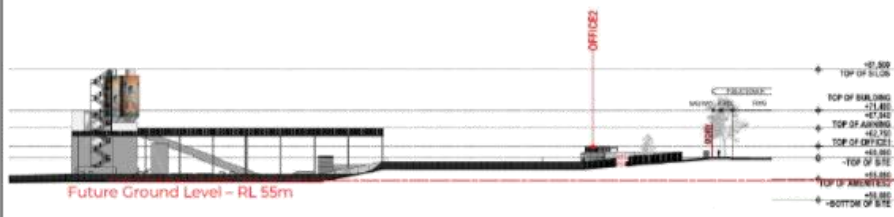
## JUSTIFICATION TO VARY THE HEIGHT LIMIT

This appendix comprises a written request prepared on behalf of the Applicant, which seeks to justify an inconsistency between the height of a structure as part of the proposed development of a concrete batching plant at 135 Lawson Road, Badgerys Creek, and the maximum height limit specified in the Aerotropolis Precinct Plan.

The justification has been prepared in accordance with Section 4.39(2) of the Western Parkland City SEPP, which provides a process for seeking variation of Precinct Plan development standards requirements.

The specified height limit for buildings under the Aerotropolis Precinct Plan is 24m.

The proposed development includes cement silos which are approximately 28 m above ground level, reaching a maximum elevation of RL 81.5m Australian Height Datum. Ground level at the site will be benched to facilitate the proposed development, however as the silos are located centrally the future ground level will be similar to existing ground level in this location. The future ground level in the location of the silos will be approximately RL 55m, and existing ground level is taken from the survey at approximately RL 53.5m. The height of the proposed cement silos will therefore be up to 28m above existing ground level, and approximately 26.5m above future ground level.



### C.1 The Inconsistency is Minor

The only structures on the site that exceed the height limit are the cement silos. The cement silos represent only a very small footprint on the site - being 13m wide and 9m deep, with a total area footprint of 117m<sup>2</sup>, in the context of a 60m wide frontage to Lawson Road. This also means that the high point of the silos are located centrally in the site, with extensive setbacks to all 4 boundaries.

The rest of the buildings are well below the height limit - with the concrete batching structure (which is also a small overall footprint) at 18m, and the larger awning structure at only 14m high. The cement silos therefore appear as a small and confined protrusion rather than building. Further, the extent of the exceedance at 4m is only minor - especially given the small footprint of the cement silos. With the minor vertical exceedance and the small footprint, located centrally within the site, the height inconsistency will be barely noticeable to any off-site observer. Further, it will not significantly adversely impact on any significant view corridors.

It also highlighted that the Obstacle Surface Limit for the Western Sydney Airport has been set of site at 49 m above existing ground level. Given that the cement silos are a maximum of up to 28 m above existing ground level, they will remain more than 20m below the Obstacle Surface Limit. There is no requirement to refer the Development Application to the Civil Airport Services Authority. Further, the Western Sydney Airport Authority has reviewed the proposed development on multiple occasions and has not raised any concerns in relation to the height of the silos.

**C.2 Consistency with the Plan is Unreasonable or Unnecessary in the Circumstances**

The inconsistency is limited to the cement silos, which are a necessary functional component of a concrete batching plant. Vertical silos play a significant role in enabling concrete batching plants to operate in an efficient, sustainable, and environmentally sensitive way by keeping cement away from other areas of activity at the site, and minimising the exposure to cement dust by employees, visitors and neighbours. It is quite common for industrial structures of this nature to protrude above prevailing building lines, and above building height limits, in order to achieve the functional requirements of the particular industry.

Designing the cement silos to be consistent with the 24m height limit would adversely impact the operational efficiency of the plant, and as such would be unreasonable and unnecessary, given there are no adverse impacts arising from the inconsistency.

**C.3 Sufficient Environmental Planning Grounds Existing to Justify the Inconsistency**

The vision statement for Badgerys Creek Precinct in the Aerotropolis Precinct plan states:

- Badgerys Creek will support the Western Sydney Airport operations and be well connected to the Aerotropolis Core metropolitan centre to the south and the Northern Gateway to the north-west.
- The Precinct will transform from lower density and less intensive land uses, buildings and structures to higher order employment-focused technology, advanced manufacturing and industry uses.
- The Precinct adjoins the Western Sydney Airport with good access to Elizabeth Drive and the M12 Motorway. New developments will be designed to benefit from nearby major infrastructure and to appropriately integrate with existing resource recovery industries and new circular economy hubs.
- Affected by aircraft noise, this Precinct is not suitable for noise sensitive land uses such as residential development. It will provide land for a range of employment generating uses that will benefit from proximity to the Western Sydney Airport.
- Develop industries that leverage access to freight transport networks including the M12 and Elizabeth Drive.

The Aerotropolis Plan also includes:

- This precinct may initially support the infrastructure that enables the construction of the Airport and Aerotropolis, boosting the local economy and creating employment opportunities.
- Some land uses, buildings and structures may be temporary in the short to medium term and transition to higher order uses in the longer term.
- New enabling industries to facilitate construction of the Aerotropolis may be permitted subject to interface treatments and an ability for the site to transition to higher order uses. Interface treatments may be required between existing rural industries and new land uses until they either transition to other uses or are modernised to co-exist with adjoining land uses

The Aerotropolis Precinct Plan specifies the following observe in relation to the reason for imposing the maximum building height limit:

- To allow building heights that align with the role of each centre, its typology and residential/employment density needs.

A concrete batching plant is a non-sensitive enabling-industry that will leverage the regional road networks, which is entirely in keeping with the vision of the precinct under the Aerotropolis Plan and the Precinct Plan, and which supports a type of development that is suitable for this part of the Badgerys Creek Precinct. As such, the development does not contravene the building height objective.

The vertical cement silos will also provide a distinctive structural element, that contributes to the industrial character of the development, and which sets the development apart from neighbouring sites as being of an industrial character.

The cement silos will contribute to the operational efficiency, sustainable and environment performance of the development, and do not give rise to any adverse impact as a result of their inconsistency with the height limit. As such, it is considered that there are sufficient environmental planning grounds to justify the inconsistency.

**Council Comment**

In relation to the proposed variation to the height of buildings, Council provides the following comments:

- The height exceedance is considered to be minor in the scheme of the development. The footprint of the cement silos is small in comparison to the site and extent of structures to be constructed.
- The height of the silos is below the obstacle limitation surface level (OLS) by approximately 20m. Also, it would be unlikely that construction activities for installation of the silos would exceed the OLS and therefore, a controlled activity within the meaning of Part 12, Division 4 of the Airports Act 1996 of the

<p>Commonwealth is unlikely to be required, subject to further clarification at construction stage, which could be conditioned if consent were granted.</p> <ul style="list-style-type: none"> <li>• The proposal was referred to Western Sydney Airport Co. who provided comments on airspace operations, which can be conditioned if consent were granted, especially in relation to the construction phase of the development.</li> <li>• The Design Excellence Panel did not convey concerns with the height besides obtaining relevant approvals from aviation authorities.</li> <li>• From the Lawson Road streetscape, which is at a higher point than the middle of the site where the silos are located (approx. 6m higher in NGL), the 4m height exceedance would not be as noticeable from the street level.</li> <li>• The silos are also intended to display public artwork on them to soften their visual impact and any sensitive view corridor in the locality and create interest in the immediate vicinity.</li> <li>• The height is unlikely to lead to any overshadowing or privacy concerns on adjoining development.</li> <li>• As the silos are non-habitable and are a functional element to the use, given their footprint, they are considered to not add adverse bulk and scale to the development.</li> <li>• Notwithstanding the overarching permissibility issue with the development, the silos are an essential element to the efficient operations and functionality of the concrete batching plant and the height limit would have adverse impacts on the operational aspects of the use. Having a concrete plant which is capable of meeting the future demand in the area as well as reducing the environmental footprint, results in an innovative and environmentally sensitive use in the long term. As such, the height limit is deemed to be unreasonable and unnecessary in this instance in relation to the land use proposed.</li> <li>• The concrete batching plant provides a use which, when permissible, delivers for a land use which is consistent with the strategic objectives of the Badgerys Creek precinct as it would provide employment opportunities and services for workers and businesses and is capable of promoting the efficient use of resources. The use also takes advantage of its good access to Elizabeth Drive and the M12 motorway for efficient movements to major hubs.</li> <li>• The use of the site would align with the role of the precinct and provide positive economic impact through the generation of jobs with a use that can be in line with the typology warranted in the area.</li> </ul> <p>As a result, it is considered that the variation to the height of buildings in the precinct plan is adequately demonstrated to be suitable for the site as it is deemed to be a minor variance, is considered unreasonable or unnecessary and there are sufficient environmental planning grounds to justify the inconsistency. The development is also deemed to be consistent with the strategic vision and general objectives for the precinct, if the use were permissible. If the use were permissible, then the variation to height would be supportable in this instance.</p>		
<b>5.3 Floor Space Ratio</b>	FS1 Buildings are not to exceed the maximum FSR shown on the Floor Space Ratio Map in Figure 13.	<b>N/A</b> The subject site is not subject to an maximum FSR requirement.
<b>5.4 Yield and Density</b>	YD1 Residential development is to be primarily located in those parts of the Mixed Use Zone identified on the Land Use Plan at Figure 3 as Mixed Use Residential.	<b>N/A</b> Residential development is not proposed.
	YD2 Development applications in the Mixed Use Zone are to demonstrate how they will contribute to achieving the employment densities in YDO3.	<b>N/A</b> The development is not in the mixed-use zone.
<b>5.5 Temporary land uses</b>	LU1 Development that is inconsistent with this Precinct Plan is permitted where required to enable temporary or short term uses on land, where it can be demonstrated that the intended use under the Precinct Plan can be achieved in the future.	<b>N/A</b> Temporary use is not sought under this application.
	LU2 The consent authority may, by condition of consent, impose a sunset date on temporary and short term uses, to ensure that the intended use under the Precinct Plan can be achieved in the future. The sunset date must not extend beyond 2036, or 10 years from the date of development consent, whichever is the later.	<b>N/A</b> Temporary use is not sought under this application.
	LU3 Industrial development should provide a plan of management to demonstrate the management	<b>N/A</b>

	of land use conflicts with adjacent uses during the transitional period.	Temporary use is not sought under this application.
<b>5.6 Design Excellence</b>	DE1 An architectural design competition is to be undertaken generally in accordance with the NSW Government Architect's <i>Draft Design Excellence Competition Guidelines</i> (2018) (the Guidelines), or the relevant guidelines published at the time.	<b>N/A</b> Although the subject development requires consideration of design excellence under the provisions of the Precincts SEPP, an architectural design competition is not required for the proposal.
	DE2 Where a design competition is required by the Aerotropolis SEPP: a. A concept development application made under Part 4 Division 4.4 of the EP&A Act must be accompanied by a Design Excellence Strategy. b. For any development application that is not a concept development application the consent authority must approve a Design Excellence Strategy prior to the lodgement of a development application.	<b>As above</b>
	DE3 A Design Excellence Strategy must define: a. the location, context and extent of the design competition site(s); b. the objectives of the design competition(s); c. where there will be multiple development applications for separate buildings following approval of a concept development application, the number of design competitions to be undertaken; d. the type of design competition(s) to be undertaken; e. an explanation for the selection of competition type, including how the selected process(es) will meet the objectives of the Guidelines and those of the proponent; f. the number of designers involved in the process(es); g. the means for ensuring diversity amongst participating designers; h. timelines and programme; i. where the proposed process differs from that outlined in the Guidelines, a justification for the variation.	<b>As above</b>
	DE4 Exemptions to the requirement for a design competition under the Aerotropolis SEPP requires specific consideration of impacts on view corridors, the relationship of development to major roads and visual prominence and are unlikely to be granted in those areas shown on Figure 14.	<b>As above</b>

### **Western Sydney Aerotropolis Plan Objectives and Principles**

<b>Objective / Principle</b>	<b>Comment</b>
<b>Overarching Objective</b>	
Recognise Country: Acknowledge Traditional Custodians and provide opportunities to Connect with Country, Design for Country and Care for Country when planning for the Aerotropolis.	<b>Insufficient information provided</b> The site is identified in the precinct plan as containing moderate Aboriginal cultural sensitivity. The proposed development is required to address the Recognise Country: Guidelines for development in the Aerotropolis published in November 2022 as it is significant development. Although an Aboriginal Cultural Heritage Due Diligence Assessment was undertaken, the proposed development has not considered the guidelines which are required to be addressed if development consent were to be granted.
<b>Productivity</b>	
<b>Objective 1: An accessible and well connected Aerotropolis</b>	
PR1 Ensure walking or cycling is the most convenient option for short trips around centres and local areas.	<b>Does not comply</b> Although the site is not specifically within a centre, the omission of the park edge street and local roads will have a major impact on the delivery of the cycle network and permeability through the locality.
PR2 Prioritise public and active transport in centres with general through traffic and freight directed outside of these centres.	<b>N/A</b> The site is not deemed to be within a centre.
PR3 Match car parking with the level of public transport access.	<b>Complies</b> Parking is deemed to be satisfactory for the development.
PR4 Limit direct property access to classified roads and rationalise or orient to the local street network.	<b>N/A</b> Lawson Road is not a classified road.
<b>Objective 2: High-value jobs growth is enabled, and existing employment enhanced</b>	
PR5 Develop vibrant centres with high quality public domain, a rich urban tree canopy, and well-designed buildings and places that attract workers and investment.	<b>N/A</b> The site is not deemed to be within a centre.
PR6 Establish a centres hierarchy, including future centres, in line with the Region Plan (Strategy 22.2).	<b>Noted</b> The Precinct Plan establishes a centres hierarchy.
<b>Objective 3: Safeguard airport operations</b>	
PR7 Appropriately design, construct and locate development to safeguard 24/7 airport operations.	<b>Complies</b> The proposal has been designed to facilitate the airport operations, especially in relation to height and public safety areas.
PR8 Require development up to the 20 ANEC/ANEF contour to adopt appropriate design and construction standards to reduce aircraft noise impacts and prohibit intensification of residential development within the ANEC/ANEF 20 and above contours.	<b>Complies</b> The development is deemed to be compatible with its location under the flight path of the future second runway.
<b>Sustainability</b>	
<b>Objective 4: A landscape-led approach to urban design and planning</b>	
SU1 Retain and enhance natural features such as waterways, vegetation, landform and culturally significant landscapes.	<b>Insufficient information provided</b> Significant natural features are not prevalent in the site however further investigation could be required regarding Aboriginal cultural heritage.

SU2 Integrate Blue Green Infrastructure links with public open spaces and the Green Grid, maximising opportunities for connections, an urban tree canopy and active use of the floodplain.	<b>Insufficient information provided</b> Public open space is not needed to be implemented within the site however further detail is required for how the site better connects with the blue-green grid.
SU3 Retain water in the landscape by maximising appropriate permeable surfaces, reusing water and developing appropriate urban typologies.	<b>Complies</b> The site intends to retain and reuse a high volume of water.
SU4 Orient urban development towards creeks and integrate into the landscape through quality open space, a high degree of solar access and tree canopy	<b>Considered Acceptable</b> Landscaped areas are provided at the rear of the site which provides tree canopy coverage and interfaces with the future Sydney Water stormwater infrastructure.
SU5 Develop a connected parkland network linking with the Wianamatta–South Creek corridor that shapes the Aerotropolis and provides amenity and ecological value and create a high quality ridgeline and linear parks adjacent to, and integrated with, riparian corridors that retain water.	<b>Does not comply</b> Although the site is not directly within the parkland zoned area or within the Wianamatta–South Creek area, the omission of the park edge street being constructed is a negative aspect towards the riparian corridor.
SU6 Retain and increase the urban tree canopy and green cover across the Aerotropolis consistent with the Region Plan target of 40% and the Premier's Priority for Greening our city.	<b>Noted</b> The development clears vegetation, however this is not mapped as significant. The landscape design allows for increased tree canopy coverage from the existing scenario.
SU7 Retain, enhance and co-locate vegetation on ridgelines with active open space and use it to guide building heights.	<b>Considered Acceptable</b> The proposal provides landscaped area at the rear of the site, where it integrates with the future Badgerys Creek riparian corridor open space.
SU8 Identify and protect scenic and cultural landscapes and develop a street grid based on landforms, with long north–south blocks in urban areas to attain good solar performance, and east–west streets to capture long views to the Blue Mountains.	<b>Does not comply</b> With the omission of the road network from being constructed, it is unclear as to how the development would meet this principle. More information can be found in Section 4.6.2 of the Precinct Plan.
SU9 Meet the requirements of the biodiversity conservation program in the <i>Cumberland Plain Conservation Plan</i> and approved strategic biodiversity certification and strategic assessment protecting land with biodiversity value, and provide a sensitive urban interface that supports and enhances corridors and reserves.	<b>Considered Acceptable</b> No clearing of significant biodiversity value vegetation is occurring and the vegetated area at the rear aims to transition the site to the riparian corridor land to the west.
SU10 Avoid, minimise and mitigate impacts on threatened species and endangered ecological communities, habitat corridors, and riparian and aquatic habitats to prioritise length, connectivity and representativeness to maintain ecological function. Protect the integrity and continuity of wildlife by: <ul style="list-style-type: none"> <li>• protecting priority habitat corridors to support migrating species, birds and arboreal mammals</li> <li>• using public land for biodiversity conservation with an appropriate management regime</li> <li>• expanding vegetation corridors if impacted by utility installations.</li> </ul>	<b>Considered Acceptable</b> No clearing of significant biodiversity value vegetation is occurring and the vegetated area at the rear aims to transition the site to the riparian corridor land to the west.
SU11 Retain and protect wetland environments to support plant animal communities and to mitigate wildlife attraction or wildlife strike.	<b>Complies</b> The development does not impact on wetland environments.

SU12 Provide open space buffers and asset protection zones to conservation areas wholly within urban capable footprints.	<b>Does not comply</b> The park edge street provides an activated buffers between the urbanised area and the environment and recreation area to the west, however this is not being delivered as part of this application.
SU13 Plan stormwater and wastewater in the Wianamatta–South Creek Catchment to minimise potential hydrologic and hydraulic impacts on ecology, creek structure, infrastructure, water quality and the natural water cycle. Integrate water sensitive urban design and use stormwater or recycled water to irrigate streets and public open space to support public amenity and urban cooling. Co-locate industrial water users, where appropriate.	<b>Insufficient information provided</b> Further information is required to ensure the development has adequate stormwater and wastewater provisions and to ensure impacts on the catchment do not occur.
<b>Objective 5: A sustainable, low carbon Aerotropolis that embeds the circular economy</b>	
SU14 Use low carbon, high efficiency strategies to reduce emissions and energy use in line with NSW net zero emissions target and mitigate urban heat through urban development and building design. Use innovative and integrated approaches to achieve higher standards of resource recovery, waste management, water management and renewable energy.	<b>Considered Acceptable</b> The concrete batching plant within the Aerotropolis will contribute to less trucks on the local and sub-regional road network, lowering the carbon footprint of the industry in the locality and can deliver concrete throughout the Aerotropolis.
<b>Objective 6: A resilient and adaptable Aerotropolis</b>	
SU15 Plan for compatible land uses within the floodplain, provide safe evacuation and egress from flood events and consider climate change, culvert blockage and floodplain revegetation.	<b>Insufficient information provided</b> The buildings do not sit within the flood planning areas in the Aerotropolis SEPP, however Council's mapping demonstrates a portion of the western side of the site as flood prone land. The application was referred to Council's Floodplain Engineers who require further information regarding Water Cycle management, overland flows, disposal of stormwater and Water Sensitive Urban Design. It is also noted that Sydney Water is the Regional Stormwater Authority in the Area and stormwater must be in accordance with their guidelines.
SU16 Prohibit cut and fill to alter the 1% AEP flood extent.	<b>As above</b>
SU17 Design, build and manage flood mitigation assets to provide where feasible native habitat, aesthetics, public recreation and amenity, whilst not impacting on flood behaviour.	<b>As above</b>
SU18 Protect, maintain and improve the water quality and flow to meet the NSW Government waterway health targets.	<b>As above</b>
SU19 Protect high value terrestrial and aquatic ecosystems to enhance biodiversity and protect environmental values.	<b>As above</b>
<b>Infrastructure and collaboration</b>	
<b>Objective 7: Infrastructure that connects and services the Western Parkland City as it grows</b>	
IC1 Integrate passenger and freight transport with urban design at the Aerotropolis-wide, precinct and local scale, connected more broadly to the Western Parkland City, to achieve quality movement and place outcomes.	<b>N/A</b> The development does not propose transport infrastructure.

IC2 Locate and stage high quality active and public transport, utility and digital networks to align with projected land uses and secure corridors and sites early.	<b>Does not comply</b> Due to the omission of the park edge street, the principle regional cycle path will not be delivered which would result in it being fragmented.
IC3 Develop the Aerotropolis as a Smart City supported by fast and reliable and adaptable digital connectivity.	<b>Considered Acceptable</b> The development is unlikely to impact on the Aerotropolis becoming a Smart City.
IC4 Ensure the interoperability of systems align with NSW Government connected infrastructure and Internet of Things policies.	<b>Considered Acceptable</b> The development is unlikely to impact on these policies.
IC5 Dimension local and town centre networks to allow tree planting, lower vehicle speeds and intuitive and safe walking and cycling infrastructure.	<b>Does not comply</b> As the required roads are not proposed to be constructed in accordance with the indicative road network, this principle cannot be achieved.
IC6 Plan for car parking, setbacks and intersections to allow easy crossing of streets and maintain compact, consistent built form edges.	<b>As above</b>
IC7 Adopt an integrated water management approach that considers urban form and streetscape, trunk drainage land and assets, waterway health, stormwater, wastewater and recycled water.	<b>Does not comply</b> As mentioned above, the development lacks information regarding the delivery of roads, stormwater infrastructure and adequate services
<b>Objective 8: A collaborative approach to planning and delivery</b>	
IC8 Adopt a collaborative approach to precinct planning and master planning with all three levels of government, the community, industry, utilities and landowners.	<b>N/A</b> The proposal is not for precinct planning or master planning.
<b>Liveability</b>	
<b>Objective 9: Diverse, affordable, healthy, resilient and well-located housing</b>	
LV1 Create a compact urban form in areas of high accessibility with a rich urban tree canopy and along creeks so that residents live within a 10-minute walk of quality green, open and public space consistent with the Premier's Priority for Greener Public Spaces.	<b>Does not comply</b> The location of the site in the Badgerys Creek Precinct is likely beyond 10 minutes for pedestrians to walk, however, with the non-delivery of important active transport, this objective is unable to be met.
LV2 Provide affordable rental housing in line with the Western City District Plan targets.	<b>N/A</b> Development is not for housing.
LV3 Provide for a diverse range of housing types and price points.	<b>N/A</b> Development is not for housing.
LV4 Avoid residential development on major roads, freight or public transport corridors.	<b>N/A</b> Development is not for housing.
<b>Objective 10: Social and cultural infrastructure that strengthens communities</b>	
LV5 Provide multi-purpose and intergenerational community and cultural facilities and services which meet the needs of the community and bring people together.	<b>N/A</b> The development is not for community or cultural facilities.
LV6 Integrate health and education infrastructure into local centres with supporting public transport services.	<b>N/A</b> The development is not for health or education purposes.
LV7 Locate health, education, residential and other sensitive land uses away from major road, rail and freight movement corridors.	<b>N/A</b> The development is not for a sensitive use.
<b>Objective 11: Great places that celebrate local character and bring people together</b>	
LV8 Plan for a mix of high quality, fine grain places that engage and connect people and attract residents, workers, visitors, enterprise and investment.	<b>Considered Acceptable</b> The proposal is not for a development which promotes an area for people to connect. Small investment.

	spaces for workers to sit outside and public art are integrated in the proposal
LV9 Create a strong sense of place through a well-designed built environment, a fine grain urban form, a diverse and flexible land use mix, high levels of amenity and legibility of movement through the place.	<b>Considered Acceptable</b> Small spaces for workers to sit outside and public art are integrated in the proposal to assist in creating a sense of place in the development and interest for outside passers-by.
LV10 Integrate development with precinct-wide place and public domain outcomes.	<b>Considered Acceptable</b> The proposal attempts to integrate the rear landscaping with the future recreation space to the west.
LV11 Design streets, neighbourhoods, centres and employment areas to be people friendly and promote local connection.	<b>Does not comply</b> As no streets are to be built, it is difficult for this principle to be met to ensure connectivity and people friendly employment areas are created.
LV12 Create valued public and private places that demonstrate a high degree of design excellence and activate open spaces in line with Better Placed, Greener Places and the Premier's Priority for Greener Public Spaces.	<b>Insufficient information provided</b> The Design Excellence Panel have reviewed the development and the proposal has adopted various measures outlined in their comments, however further information is required to achieve design excellence.
LV13 Celebrate open space areas as places of shared importance to Aboriginal and non-Aboriginal people and maintain important landscapes and views. Provide opportunities for connection to Country.	<b>N/A</b> The proposal does not relate to open space areas.
LV14 Acknowledge and celebrate Aboriginal culture, history and heritage, alongside non-Aboriginal heritage.	<b>Insufficient information provided</b> As mentioned in the overarching statement, further investigation is required in terms of connecting to Country for the development.
LV15 Design major streets as green active parkways and places supporting new technology.	<b>Does not comply</b> No streets are proposed to encourage active placemaking.

**Western Sydney Aerotropolis Development Control Plan – Phase 1 Compliance Tables**

DCP Section	Requirement	Comment
<b>2 Precinct vision and place statements</b>		
<b>2.4 Badgerys Creek Precinct</b>	<p>Objectives</p> <p>a) Facilitate high-quality and innovative development.</p> <p>b) Facilitate a wide variety of employment uses.</p> <p>c) Facilitate compact urban development well connected to functional, green, private open spaces.</p> <p>d) Allow for the successful implementation and integration of the blue-green grid for the Western Parkland City.</p> <p>e) Protect the operations of the Airport, including 24-hour operations, and provides appropriate protections for the community.</p> <p>f) Encourage the location of enabling land uses that will support the development and construction of the Aerotropolis and transition to permanent employment generating land uses over time.</p> <p>g) Require buildings to integrate with creek lines to improve the amenity for workers.</p> <p>h) Built form to have a high level of visual interest utilising passive elements that mitigate climatic factors including increased solar gain.</p> <p>i) Provide safe, activated, interesting and healthy streets with pedestrian, cycle and public transport movements prioritised.</p> <p>j) Innovative development embraces and promotes new and emerging technologies and utility provision.</p> <p>k) Support and integrate sustainable energy, waste and water as well as a circular economy into development and operations.</p> <p>l) Achieve high levels of water retention in the landscape to achieve healthy waterways, facilitate and support effective flood mitigation.</p> <p>m) Ensure that design minimises energy and optimises water management providing pathways to net zero emissions and enhancement of environment across the entire Aerotropolis.</p>	<p><b>Insufficient information provided</b></p> <p>The concrete batching plant is an industry that can enable other high-quality developments. The development provides employment opportunities to the area, is not noise sensitive itself and is of a height below the OLS in which it would be impacted by the airport's operations or vice versa. The proposal incorporates sustainability measures to assist in minimising energy and water use and is an enabling use which can support the development and construction of the Aerotropolis and associated infrastructure projects. However, further information is required regarding the blue-green networks, especially for stormwater and the construction of the park edge street along the rear of the site which also includes inconsistencies with the active transport network to be provided.</p>
<b>3 Natural Environment</b>		
<b>3.1 Biodiversity</b>	PO1 Human-induced disturbances to biodiversity at urban interfaces are minimised.	<b>Complies</b> There is no significant trees or habitat on the site and the proposed tree removal is considered acceptable.
	PO2 Impacts to biodiversity such as vegetation disturbance are avoided or minimised on land identified for conservation, land avoided from development due to biodiversity values or on land that is part of a green infrastructure network within the Aerotropolis.	<b>N/A</b> Existing Native Vegetation, other significant vegetation or conservation lands are not mapped on the site.
	PO3 Landscape and urban design features complement biodiversity values.	<b>Considered Acceptable</b> The proposed landscape design is deemed to be satisfactory for addressing biodiversity values in the area.

	PO4 Native vegetation is retained in open space networks and the wider green infrastructure system.	<b>N/A</b> The proposal is not within open space land.
	PO5 Wildlife corridors are protected and enhanced to facilitate the connected movement of native animals through the landscape and increase habitat connectivity. Native vegetation is also maintained and improved in wildlife corridors.	<b>N/A</b> The land is not deemed to be a wildlife corridor and the site is not mapped as environment or recreation land.
	PO6 Riparian corridors and aquatic habitats are protected and enhanced to facilitate the movement of terrestrial and aquatic species.	<b>N/A</b> There is no watercourse or riparian corridor which traverses the site.
	PO7 Habitat features are protected, enhanced and retained to maintain and/or improve populations of threatened, vulnerable and endangered species.	<b>N/A</b> The land is not deemed to have protected wildlife features and threatened ecology.
	PO8 Ongoing and indirect impacts arising from development on threatened species and ecological communities are mitigated.	<b>N/A</b> The land is not deemed to have protected wildlife features and threatened ecology.
	PO9 Development responds to landscape to protect natural contours, drainage and vegetation.	<b>Does not comply</b> The development proposes to bench the site and stormwater works has not been deemed to be satisfactory.
<b>3.2 Native Vegetation</b>	PO1 Native vegetation communities, significant tree habitat and canopy are protected and enhanced.	<b>Complies</b> There is no significant trees or habitat on the site and the proposed tree removal is considered acceptable.
	PO2 Ongoing and indirect impacts arising from development on native vegetation are mitigated.	<b>Complies</b> The development is unlikely to have ongoing impacts on vegetation.
	PO3 Native vegetation and tree canopy within open space areas are maintained and enhanced.	<b>N/A</b> No open space area is proposed.
<b>3.3 Waterway Health</b>	PO1 Waterway values are protected and enhanced through risk-based approaches that mitigate development impacts. * *Risk-based framework for considering waterway health outcomes in strategic land-use planning decisions.	<b>N/A</b> No watercourse traverses the site.
	PO2 Where Key Fish Habitat occurs, proposed development incorporates the current policies for fish friendly instream structures and bridges (e.g. Fish Passage Requirements for Waterway Crossings).	<b>N/A</b> Proposal is unlikely to impact on Fish Habitats.
	PO3 Proposed development demonstrates that stormwater management practices and infrastructure achieve stormwater quality and flow management targets.	<b>Does not comply</b> Council's Land Development Engineers have supported the proposal in its current form, however consideration for the specific stormwater requirements of development in the Aerotropolis have not been adequately considered. Further, Council's Floodplain Engineers and Sydney Water are not satisfied with the stormwater arrangements with the proposed development and how the proposal meets the provisions of the Blue-Green Infrastructure Network

		in accordance with the Precinct Plan. Therefore, insufficient information has been provided to satisfy these requirements and stormwater impacts in terms of water quality and quantity of the development have not been adequately addressed.
<b>3.4 Stormwater and Water Sensitive Urban Design</b>	PO1 Impervious areas directly connected to the stormwater system shall be minimised. Runoff from impervious areas such as roofs, driveways and rainwater tank overflows shall be directed onto grass and other landscaped areas designed to accept such flows.	<b>Does not comply</b> Council's Land Development Engineers have supported the proposal in its current form, however consideration for the specific stormwater requirements of development in the Aerotropolis have not been adequately considered. Further, Council's Floodplain Engineers and Sydney Water are not satisfied with the stormwater arrangements with the proposed development and how the proposal meets the provisions of the Blue-Green Infrastructure Network in accordance with the Precinct Plan. Therefore, insufficient information has been provided to satisfy these requirements and stormwater impacts in terms of water quality and quantity of the development have not been adequately addressed.
	PO2 All stormwater treatment measures, including infiltration, stormwater harvesting and reuse will need to demonstrate that they do not increase existing urban salinity or result in increased salt loads in waterways, wetlands drainage lines or soils.	
	PO3 Any stormwater harvesting approaches will need to be consistent with a regional wastewater approach and the precinct water balance.	
	PO4 All stormwater treatment measures need to be designed with consideration for ongoing operation and maintenance.	
<b>4 Risk Minimisation and Management</b>		
<b>4.1 Airport Safeguarding</b>	<b>Heights</b> PO1 The height of buildings, structures, landscaping and cranes do not impact on the operations of the Airport or create a hazard to the safe navigation of aircraft.	<b>Considered Acceptable</b> The height of the proposal is deemed to be acceptable subject to the permissibility of the proposal. See discussion in Section 5.2 of the Precinct Plan Appendix.
	<b>Noise</b> PO2 Development is appropriately located and designed to prevent or minimise adverse impacts from aircraft noise.	<b>Complies</b> The proposed development is deemed to be acceptable in terms of not being a sensitive use to aircraft noise.
	PO3 Development is constructed in accordance with Australian Standards AS2021 – Acoustics Noise Intrusion – Building Siting and Construction.	<b>Complies with conditions if consent granted</b> The proposed development can be conditioned to meet construction standards for noise attenuation if consent were granted.
	PO4 Residential development must be located in accordance with the Aerotropolis SEPP and associated mapping.	<b>N/A</b> Residential development not proposed.
	PO5 Renovations to existing houses or extensions within ANEC/ANEF 20 and above must be constructed in accordance with Australian Standard AS2021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.	<b>N/A</b> Residential development not proposed.
	<b>Protected Operational Airspace</b> PO6 Development does not create a permanent or temporary physical or transient obstruction in the	<b>Considered Acceptable</b> The height of the proposal is deemed to be acceptable subject to

	protected operational airspace of the Airport and complies with the Airports Act 1996 and Airports (Protection of Airspace) Regulations 1996.	the permissibility of the proposal. See discussion in Section 5.2 of the Precinct Plan Appendix.
	<b>Lighting</b> PO7 Development does not impact on the operational aspects of the Airport with regard to light emission and reflective surfaces.	<b>Complies with conditions if consent granted</b> As per Clause 4.21 of the Precincts SEPP, the site falls within Light Control Zone B. The proposal does not fall under development specified under clause (2)(a). The proposal was referred to Western Sydney Airport Co. who provided comments on lighting, which can be conditioned if consent were granted.
	<b>Airport Public Safety Areas</b> PO8 Development in public safety areas does not increase the risk to life or property.	<b>Complies</b> As per Clause 4.23 of the Precincts SEPP, the site is partially located within the Public Safety Area. The site has been amended to incorporate a transport depot use within this area of the site and this is considered to be acceptable for the development.
	<b>Emissions</b> PO9 Emissions do not create air turbulence, or impact visibility or engine operation in the operational airspace of the Airport.	<b>Complies</b> The proposed development would be unlikely to cause air emissions which could impact on the visibility and engine operation of aircraft.
	<b>Wildlife Hazards</b> PO10 Development does not cause wildlife to create a safety hazard in the operational airspace of the Airport.	<b>Complies with conditions if consent granted</b> As per Clause 4.19 of the Precincts SEPP, the site is identified as being a 'relevant development' within the 3km buffer area on the Wildlife Hazards Map. As such, the provisions of this Clause apply to the application. The proposal was referred to Western Sydney Airport Co. who provided comments on landscaping and wildlife, which can be conditioned if consent were granted.
	<b>Communications, Navigation and Surveillance Facilities</b> PO11 Any development in the mapped building restricted area must include an aviation impact assessment.	<b>Complies</b> The land is not within the Building Restricted Area.
	PO12 Development must not impact upon communication, navigation and surveillance systems.	<b>Complies</b> The development is unlikely to impact on airport systems.
<b>4.2 Flooding</b>	PO1 Ensure the siting and layout of development responds to flooding affectation and maintains personal safety at all times. The site layout and ultimate footprint of the development should be compatible with the flood risk. This includes applying subdivision design for greater resilience to flooding.	<b>Insufficient information provided</b> The buildings do not sit within the flood planning areas in the Aerotropolis SEPP, however Council's mapping demonstrates a portion of the western side of the site as flood prone land. The application was referred to Council's Floodplain Engineers who require further information regarding Water Cycle

		management, overland flows, disposal of stormwater and Water Sensitive Urban Design. It is also noted that Sydney Water is the Regional Stormwater Authority in the Area and stormwater must be in accordance with their guidelines.
	PO2 Manage the passage of floodwaters through the floodplain.	As above
	PO3 Avoid intensification and new development on land subject to the 1 in 100-year flood event.	<b>Insufficient information provided</b> The buildings do not sit within the flood planning areas in the Aerotropolis SEPP, however Council's mapping demonstrates a portion of the western side of the site as flood prone land. Further detail is requested from Council's Floodplain Engineering Section.
	PO4 Fill should not reduce the capacity of the floodplain.	Noted
	PO5 Fill should remain stable and not be affected by erosion and scour.	Noted
	PO6 Development must not change the flood characteristics of the area, and is to consider cumulative impacts of development, outside the site including: a) loss of flood storage; b) loss of or changes to flood flow paths; c) acceleration or obstruction of flood flows; d) increase in the depth, duration or velocity of flood waters; or e) any reduction in flood warning times elsewhere on the floodplain.	<b>Insufficient information provided</b> Further detail regarding flood characteristics with overland flows has been raised by Council's Floodplain Engineering Section.
	PO7 Prevent intensification of inappropriate use of land within high flood risk areas or floodways.	<b>Complies</b> Site is not within a high risk flood area.
	PO8 Ensure development is sited to enable vehicular egress in the event of a flood.	<b>Complies</b> Current access arrangements are from Lawson Road, which is the high point of the site and not mapped as flood prone land.
	PO9 Ensure public safety and the environment are not adversely affected by the detrimental impacts of floodwater on hazardous materials manufactured or stored in bulk.	<b>Complies with conditions if consent granted</b> Conditions can be applied if consent were granted, regarding the storage of materials in flood prone land.
	PO10 Ensure essential services infrastructure within a site (including electricity, gas, water supply, wastewater and telecommunications) maintains its function during and immediately after flood events.	<b>Noted</b>
	PO11 Development must be designed and constructed so that it remains structurally sound for the life of the development, considering the flood events likely to impact the structure, foundations/footing system and external walls. Development must be designed to prevent flotation, collapse or permanent lateral movement (as per ASCE24-14).	<b>Insufficient information provided</b> Further detail regarding flood characteristics with overland flows has been raised by Council's Floodplain Engineering Section.

	PO12 Flooding and drainage characteristics upstream or downstream of the site are not worsened by development, including any proposed works on natural creeks. The development is to also avoid significant adverse effects on the floodplain environment that would cause erosion, siltation, destruction of riparian vegetation or a reduction in the stability of the river bank/watercourse.	<b>Insufficient information provided</b> Further detail regarding flood characteristics with overland flows and impacts on upstream and downstream properties has been requested by Council's Floodplain Engineering Section.
	PO13 Fencing must be designed and constructed so that it does not impede and/or direct the flow of floodwaters, add debris to floodwaters or increase flood affectation on surrounding land.	<b>Noted</b> This element would be looked at by Council's Floodplain Engineering Section.
	PO14 Development is to be in accordance with NSW Governments Flood Prone Land Policy and Floodplain Development Manual.	<b>Noted</b> This element would be looked at by Council's Floodplain Engineering Section.
	PO15 Post-development flows that enter or are conveyed across the Pipelines corridor must be equal to or less than the pre-development flows for each storm event up to and including 1% AEP event.	<b>N/A</b> The land is not within the pipelines corridor.
	PO16 Developments need to consider the cumulative impact of flooding risk on the Warragamba Pipelines Corridor and the need to protect this infrastructure from flooding impacts.	<b>N/A</b> The land is not within the pipelines corridor.
<b>4.3 Bushfire Hazard Management</b>	PO1 Development is provided with a safely located, freely accessible and adequate water supply for firefighting purposes.	<b>Noted</b> The development was referred to the NSW Rural Fire Service, who have provided advice for the proposal regarding bushfire matters and ensuring the site can be bushfire safe.
	PO2 Development uses adequate buffers and Asset Protection Zones and avoids areas of medium and high bushfire risk.	
	PO3 Siting of buildings, lot design and design of development provides for the safety of people and property by mitigating the bushfire risk.	
	PO4 The manufacture or storage of hazardous materials in bulk must consider the impacts of bushfire on public safety and the environment.	
	PO5 For development that will result in multiple buildings or lots, roads and access are designed to mitigate against bushfire hazard by ensuring adequate access for: a) firefighting and other emergency vehicles; and b) the evacuation of people in the event of an emergency.	
	PO6 For development that will result in multiple buildings or lots, fire breaks are provided that: a) adequately and effectively separate the development site from surrounding vegetation to mitigate against bushfire hazard; b) have sufficient width to enable continuous access for firefighting and other emergency vehicles, residents and equipment; and c) are in secure tenure and are maintained.	
	PO7 Development is to be in accordance with Rural Fires Act 1997, Planning for Bushfire Protection 2006 and Planning for Bush Fire Protection Pre-Release 2018.	
	PO8 Ensure more than one evacuation route is provided for any lots affected by bushfire risk. The	

	two (or more) access paths should not converge at any point, and would ideally head in opposite directions so as to minimise the likelihood that both are severed during a fire.	
<b>4.4 Odour</b>	PO1 Development does not unreasonably affect the amenity and environmental quality of the locality, nearby residential premises, sensitive uses or public spaces due to odour impacts.	<b>Insufficient information provided</b> The proposed development may potentially generate odour issues associated with wastewater and diesel/exhaust fumes of trucks facilitating system pump outs, due to the proposed on-site sewage management system. Insufficient information has been provided for this element of the proposal.
	PO2 Residential development and other sensitive land uses do not encroach upon existing or approved uses that may impact upon the amenity of those proposed uses in terms of odour nuisance.	<b>N/A</b> Residential development not proposed.
	PO3 Putrescibles waste generated as a result of the development does not cause odour nuisance issues for adjoining land uses.	<b>Insufficient information provided</b> It is noted that no waste management plan has been provided. Given the scale of the proposal, a waste management plan would be essential for the ongoing operation of the plant and to ensure adequate space is provided for wastes.
	PO4 Construction work is undertaken in a manner which does not cause unacceptable impacts on surrounding areas as a result of odour.	<b>Complies with conditions if consent granted</b> Conditions can be applied if consent were granted, regarding the impacts of construction work.
	PO5 Development is to be in accordance with Technical framework: Assessment and management of odour from stationary sources in NSW.	<b>Noted</b>
<b>4.5 Noise and Vibration</b>	PO1 The generation of noise and vibration from the development does not cause environmental harm or nuisance to adjoining properties or other noise sensitive land uses. Development should: a) be located in appropriate areas; b) propose best practice design and noise attenuation measures; and c) propose operational practices that will minimise noise nuisance for adjoining sensitive land uses.	<b>Does not comply</b> The proposed development is deemed to generate offensive noise on the existing rural residential properties in proximity to the industry for both operations of the concrete batching plant as well as traffic noise associated with trucks travelling along Lawson Road and therefore classifying it as an offensive industry.
	PO2 Noise sensitive land uses are located to avoid adverse impacts from transport corridors or noise generating developments (e.g. the Airport, entertainment venues, child care centres or industrial zones).	<b>Complies</b> The concrete batching plant is not noise sensitive itself.
	PO3 Mechanical plant and equipment do not adversely impact on the acoustic and vibration amenity of adjoining sites.	<b>Noted</b>
	PO4 The construction phase of the development does not cause adverse acoustic impacts on surrounding sensitive uses/receivers.	<b>Complies with conditions if consent granted</b> Conditions can be applied if consent were granted, regarding the impacts of construction work.

	PO5 Industrial development is to be in accordance with Protection of the Environment Operations Act 1997 and NSW Industrial Noise Policy 2000.	<b>Noted</b>
<b>4.6 Air Quality</b>	PO1 Air emissions resulting from development, including the siting of vents and stacks, do not cause environmental harm or nuisance, and surrounding land uses are not exposed to concentrated levels of air contaminants.	<b>Considered Acceptable</b> An air quality report was provided for the proposed development and is deemed acceptable. Council's Environmental Health Section believes that the proposed dust mitigations measures would be adequate for the proposed activity.
	PO2 Proposed sensitive land uses are adequately separated from existing lawful land uses that produce air emissions.	<b>N/A</b> The concrete batching plant is not a sensitive land use.
	PO3 Development is to be in accordance with Protection of the Environment Operations Act 1997 and other Environmental Protection Authority guidelines for air quality.	<b>Noted</b>
<b>4.7 Acid Sulphate Soils and Salinity</b>	PO1 Accurately identify the extent and location of acid sulphate and high salinity soils.	<b>Insufficient information provided</b> The site is not mapped as containing acid sulphate soils or high saline soils. This control however seems to require a report to assess the soils for these features and this has not been provided for this development.
	PO2 Development avoids disturbing acid sulphate and high salinity soils or is managed to prevent the release of acid and metal contaminants.	
	PO3 No environmental harm, or damage to physical infrastructure is caused as a result of exposure of acid sulphate soils or potential acid sulphate soils.	
	PO4 Development is designed to minimise the exposure of high salinity soils and to avoid the impacts of soil or groundwater salinity on building and infrastructure.	
	PO5 Development does not significantly disrupt natural soil, increase water infiltration to soil and subsurface groundwater systems, spread or increase existing urban salinity or result in increased salt loads in waterways, wetlands drainage lines or soils.	
<b>4.8 Contaminated Land</b>	PO1 Development or changes of land use are not adversely impacted by contaminated land.	<b>Complies with conditions if consent granted</b> As per the assessment of the application in accordance with SEPP (Resilience and Hazards) 2021, the proposed development site is suitable for the development in terms of contamination. Council's Environmental Health Officer requested the Stage 2 Detailed Site Investigation to be prepared, and this was provided. This was reviewed by Council's EHO who have advised that the land is suitable for the proposal and that the recommendations in the report can be conditioned if consent is granted.
	PO2 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants.	
	PO3 Any landfill utilises appropriate materials that do not result in pollution or contamination of land or water.	
	PO4 Development is to be in accordance with Contaminated Land Management Act 1997 and State Environmental Planning Policy 55 – Remediation of Land.	
<b>4.9 Land Stability</b>	PO1 Development on sloping or potentially unstable sites maintains the safety of people, property and infrastructure from the risk of landslide.	<b>Complies</b> The proposed development site is suitable in terms of slope and is unlikely to be a risk of land slip.
	PO2 Public safety and the environment are not adversely affected by the impacts of landslide on	<b>Complies with conditions if consent granted</b>

	hazardous material made or stored on the subject site.	Conditions can be applied if consent were granted, regarding the storage of materials on site.
	PO3 The siting, form, bulk, scale and design, of development minimises impacts on the natural landform and landscape character.	<b>Insufficient information provided</b> The development proposes to bench the site and has not adequately considered the natural landform appropriately in areas which are not required to be completely flat, such as parking areas, which can reduce the amount of cut and fill required. Section plans of the site would assist in assessing this.
	PO4 Development includes measures that ensure: a) the long-term stability of the development site; b) the need for significant earthworks is avoided; c) landslide hazards are avoided; and d) the risk of erosion is avoided.	<b>Complies with conditions if consent granted</b> Conditions can be applied if consent were granted, regarding appropriate sediment and erosion control measures.
	PO5 Vegetation clearing is avoided and additional planting is undertaken to strengthen landslide risk areas.	<b>Considered Acceptable</b> Although some vegetation is being cleared, it is unlikely this vegetation removal would result in landslides. Planting is provided in the site especially along the west of the site.
<b>5 General Provisions</b>		
<b>5.1 Character and Place</b>	<b>Western Parkland City – Landscape Led Approach</b>	<b>Insufficient information provided</b> Although the tree removal and the built form are deemed satisfactory, inadequate information and omission of elements from the proposal in relation to the extent of cut and fill where natural topography may be kept, the stormwater and Blue-Green infrastructure as well as road network are elements which have not been adequately addressed.
<b>5.1.1 Urban Design</b>	PO1 Ensure the layout of the urban structure integrates, protects and appropriately responds to the land form and water systems.	
	PO2 Ensure that urban development retains water in the landscape using both public and private landscape spaces including streets to provide a high level of liveability.	<b>Does not comply</b> The proposed development does not provide for any streets being constructed, which would incorporate WSUD features. The development does have a basin within it and retains significant water for use within the plant.
	PO3 Develop a green infrastructure framework including high-quality open space and increased tree canopy, structured around the Wianamatta-South Creek green spine and tributaries, biodiversity land to be conserved, remnant vegetation, water features, habitat linkages across ridges to link catchments, cultural values and view lines.	<b>Does not comply</b> Refer to Section 3.4 of this DCP regarding discussion on meeting the Blue-Green Grid. Further, the omission of the park edge street raises issues with linking the green spine and infrastructure envisioned in the locality
	PO4 Align active and public transport networks within an easy walk from urban development and landscape amenity to encourage social connectivity.	<b>Does not comply</b> The proposed development does not provide for the delivery of the Park Edge Street which is mapped

		as having a principle regional cycle path.
	PO5 Orient urban development towards landscape and transport amenity, developing fine grain walkable neighbourhoods with creek-oriented schools, community facilities and hubs.	<b>Does not comply</b> The proposed development does not provide for the delivery of the Park Edge Street. Although there is a small recreation area for workers, the development is not oriented to the street well as there is also a drainage basin within this setback area to where the road should be. Further, there is no access or measures for passive surveillance to be effective towards the west. The development is oriented only to Lawson Road which will have a future bus route.
	<b>Public Domain</b> PO6 Development contributes to the amenity, activity, vibrancy, diversity and safety of streets and the public domain through the day and night.	Noted. No streets proposed. Unable to assess this control.
	PO7 Development protects sunlight to parks, streets and public domain.	<b>Complies</b> The development is unlikely to intrude on sunlight for parks, potential streets and the public domain
	PO8 Provide public domain that prioritise pedestrians, cycling and public transit use, with public open space located within walking distance of local centres, housing and jobs consistent with the Premiers Priorities.	<b>Does not comply</b> With the omission of road construction over the site, the establishment of a public domain which is envisioned under the Precinct Plan, is unable to be met and therefore may not meet the Premiers Priorities.
	PO9 Development protects and shares high-quality views to significant scenic landscapes, particularly ridges, creek lines and riparian corridors.	<b>Complies</b> The proposed development is unlikely to impact on views and scenic landscapes.
	PO10 Provide increased tree canopy that is consistent with Greener Places, integrates with built form, enhances scenic landscapes and provides sufficient shade and amenity in centres.	<b>Does not comply</b> See discussion in Part 5.1.3, PO28 in regard to canopy coverage.
	PO11 Provide high-quality landscaped open space that is green, integrated, connected as part of the green grid, multi-functional, accessible and of sufficient size to enable recreational and passive activities.	<b>N/A</b> No open space area is proposed.
	PO12 Implement a sustainable landscape maintenance and management plan.	<b>Insufficient information provided</b> A sustainable landscape maintenance and management plan has not been provided.
	PO13 Co-locate open space with other community assets to enhance the local character and retain significant items of cultural or heritage significance.	<b>N/A</b> The proposal is not for open space or community uses
	PO14 Ensure that public art is an integrated and cohesive part of new development.	<b>Insufficient information provided</b> Further information required including better meaningful and connected art and incorporation of First Nations artists as well as

		design elements of art within the proposal.
	PO15 Ensure facilities provided for waste and recycling services in developments and public places do not impact on amenity for residents, neighbours and the public such as visually unpleasant waste storage areas, noise, traffic and odours from waste collection services.	<b>Insufficient information provided</b> It is noted that no waste management plan has been provided. Given the scale of the proposal, a waste management plan would be essential for the ongoing operation of the plant and to ensure adequate space is provided for wastes as well as collection servicing details.
	<b>Urban Development</b> PO16 Provide a range of urban typologies which minimises urban heat island effects and appropriately respond to the urban context and topography of the area including stormwater and rainwater retention and re-use, recycling and efficient use.	<b>Does not comply</b> The industrial use is considered to create a range of use typologies. The development has a thorough water cycle management scheme which reuses water on the site, however, due to other elements such as stormwater design, hardstand space and lack of tree canopy cover and minimising urban heat island effects, the proposal does not effectively address this item.
	PO17 Provide a fine grain compact urban form including block sizes which will improve permeability, access to public transport and maximise opportunities for green space.	<b>Does not comply and insufficient information provided</b> No blocks are created as part of this development as the local roads in accordance with the Precinct Plan are not being proposed. Further, the indicative central road would reduce block sizes and increase permeability but will not be delivered.
	PO18 Development enables integrated water management, including stormwater and rainwater retention and re-use, recycling and efficient use. It is to be guided by an integrated water management plan.	<b>Insufficient information provided</b> Although the proposed development integrates stormwater and rainwater management procedures including the reuse of water from the site, further details are required for stormwater. See Section 3.4 of this DCP discussion for more information.
	PO19 Ensure waste and recycling collection infrastructure is integrated within developments and where possible across separate developments while addressing storage, safety, efficiency, accessibility to waste, reuse and recycling services without compromising the safety and amenity of the public domain.	<b>Insufficient information provided</b> It is noted that no waste management plan has been provided. Further, given the scale of the proposal, a waste management plan would be essential for the ongoing operation of the plant and to ensure adequate space is provided for wastes as well as collection servicing details. An area appears to be nominated on the plans for wastes, however, it is unclear the amount of bins required, collection frequencies and whether the size of this area is adequate for the proposed use.

	<p><b>Interface with Transport and Surrounding Land Uses</b></p> <p>PO20 Encourage vibrant, interactive, safe and accessible places in the centres surrounding the metro stations, transport nodes and bus linkages, with interfacing land use mix, density and development typologies achieving appropriate outcomes within station and public transport walking catchments.</p> <p>PO21 Provide suitable interfaces between industrial areas, trade gateways, intermodal facilities, transport corridors and surrounding land uses.</p> <p>PO22 Limit incompatible uses in areas exposed to urban hazards (including but not limited to uses including intense freight, industrial, rural and infrastructure activities.</p>	<p><b>N/A</b></p> <p>The site is not considered to be within a centre or within a walking catchment for a station.</p> <p><b>Does not comply</b></p> <p>The interface between the site and the surrounding uses is not deemed acceptable, especially regarding the overarching noise issues.</p> <p><b>Does not comply</b></p> <p>The proposed development is deemed to generate offensive noise on the existing rural residential properties in proximity to the industry for both operations of the concrete batching plant as well as traffic noise associated with trucks travelling along Lawson Road and therefore classifying it as an offensive industry.</p>
<p><b>5.1.2 Street Design and Network Layout</b></p>	<p><b>Street Design</b></p> <p>PO1 Provide streets which are attractive, functional and safe for all street users at all times of the day.</p> <p>PO2 Prioritise pedestrian, cycle and public transport movements.</p> <p>PO3 Contribute to the amenity of the place and integrate with surrounding land use and adjoining built form.</p> <p>PO4 Increase opportunities for community, social and recreational uses of street space.</p> <p>PO5 All streets should be green, shaded, landscaped and provide an urban tree canopy which does not cause wildlife to create a safety hazard in the operational airspace of the Airport</p> <p>PO6 All streets must provide sufficient space for footpaths, street trees, planting, utility services, stormwater drainage and filtration, and lighting/multi-purpose poles.</p> <p>PO7 Carriageway widths and impervious road surfaces (vehicular and pedestrian) should be minimised.</p> <p>PO8 Alternatives to high heat absorbing and radiating materials (such as asphalt) should be used where possible.</p> <p>PO9 Provide minimum appropriate levels of on street car parking, to support the adjacent land use. Parking provided should be prioritised towards ride and car sharing schemes with the aim of designing streets that are suitable for walking and cycling and close to amenities.</p> <p>PO10 Streets are designed to be resilient to natural and man-made hazards.</p> <p>PO11 Street design is to consider the Western Sydney Street Design Guidelines.</p>	<p><b>Does not comply</b></p> <p>The proposed development does not include the construction of any roads over the site and is not in accordance with the Precinct Plan. Please refer to the discussion in Section 4.6.2 in the Precinct Plan compliance tables. This discussion speaks to a number of items raised in the DCP including the provision of streets, delivery of active transport networks and carriageway widths and street design (which are specified within the Full DCP as a benchmark).</p>

	<p>PO12 All streets providing access to waste and recycling services must be designed to accommodate the safe travel and manoeuvring of waste collection vehicles.</p> <p><b>Street Networks</b></p> <p>PO13 Street networks must be safe system compliant and should be integrated, accessible, legible and permeable, and prioritise walking, cycling via separated cycleways and public transport.</p> <p>PO14 Street layouts should respond to the existing landscape and topography.</p> <p>PO15 Street networks should provide direct, convenient and comfortable connections through neighbourhoods and centres, and to essential attractions and services.</p> <p>PO16 Street networks should maximise opportunities to interchange between transport modes and co-locate interchange points with other destinations.</p> <p>PO17 Development is located on roads that are appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network.</p> <p>PO18 Streets are to be able to adapt to changing modes and innovative and new technologies.</p> <p>PO19 Development does not compromise the orderly provision and staging of the transport network.</p> <p>PO20 Water sensitive urban design systems should be integrated in streets to maximise retention and reuse of stormwater to reduce the load on end of pipe infrastructure and minimise downstream impacts on local waterways. Optimise opportunities for innovative urban water management such as passive irrigation of street trees and measures to reduce and/or slow stormwater runoff.</p> <p>PO21 Street networks, including pedestrian and cycle networks, should reflect the function and role of streets based on the hierarchy of street types, as shown in Table 1 below.</p>	
<b>5.1.3 Building Design</b>	<p><b>Built Form Principles</b></p> <p>PO1 Buildings, site layout and landscaping are designed to care for and connect to Country.</p>	<p><b>Insufficient information provided</b></p> <p>The development is required to consider connection to Country to a higher degree through further investigation in accordance with the Precincts SEPP. This can then be transferred into the built form and landscaping design.</p>
	<p>PO2 Provide a diverse range of dwelling and types and sizes to meet a range of household sizes and income needs.</p>	<p><b>N/A</b></p> <p>Residential development not proposed.</p>
	<p>PO3 Provide appropriate heights, massing, articulation and façade treatments.</p>	<p><b>Considered Acceptable</b></p> <p>Given the typology of the development, the height, massing, articulation and facades are deemed to be acceptable.</p>
	<p>PO4 Buildings are designed to be accessible.</p>	<p><b>Complies with conditions if consent granted</b></p>

		The proposed development can be conditioned to meet accessibility standards.
	PO5 Building design positively integrates with the public domain, streets and open space.	<b>Considered Acceptable</b> The building design itself is not deemed to negatively impact on the public domain, streets and open space.
	PO6 Buildings are designed to minimise carbon output and resources, maximising natural ventilation and light through passive design, solar access, protect privacy, enhance view sharing and maximise internal and external thermal comfort.	<b>Complies with conditions if consent granted</b> The proposed development can be conditioned to meet certain sustainability measures, which are further expanded in the Precinct Plan, to be met.
	PO7 Development is designed to encourage travel by public transport, walking and cycling providing appropriate end of trip facilities.	<b>Considered Acceptable</b> The proposal incorporates amenities buildings, which include toilets and showers, which is mainly for drivers, however, is likely able to be utilised by staff, especially staff who may walk or cycle to work. Bicycle racks are provided within the site.
	PO8 Car parking and access, service bays, building plant and structures located and designed to avoid dominating or detracting from pedestrian amenity or streetscape character.	Noted
	PO9 Provide innovative and environmentally responsible design that achieves energy efficiency, renewable energy outcomes, retains water within the landscape and reduces the urban heat island effect.	<b>Further consideration required</b> Although the proposed development has provided a number of sustainability items such as photovoltaic panels, water retention and reuse methods, the proposal could better consider tree canopy coverage and reducing the urban heat island effect through reducing the extent of hardstand area and incorporating permeable paving.
	PO10 Building massing responds to context including built environment and the public domain including significant land forms and landscape.	<b>Considered Acceptable</b> The proposed massing is deemed to be acceptable for the use and typology of development.
	PO11 Implement crime prevention through environment design (CPTED) principles into built form and building design.	<b>Complies with conditions if consent granted</b> The proposed development can be conditioned to meet CPTED provisions.
	PO12 Provide well designed waste and recycling facilities in all new developments to ensure waste management services are safe, efficient, cost effective, maximise recycling and reuse, and facilities contribute to the built form and liveability of the community.	<b>Insufficient information provided</b> It is noted that no waste management plan has been provided. Further, given the scale of the proposal, a waste management plan would be essential for the ongoing operation of the plant and to ensure adequate space is provided for wastes as well as collection servicing details. An area appears to be nominated on the plans for wastes, however, it is unclear the

		amount of bins required, collection frequencies and whether the size of this area is adequate for the proposed use.
	<b>Active Frontages</b> PO13 Provide active uses on ground level frontages to streets and public open spaces in centres which foster casual, social and business interaction.	<b>Considered Acceptable</b> All uses are on the ground floor. Also the site is not within a centre.
	PO14 All ground floor uses are of high design quality addressing the public domain providing a high level of casual surveillance.	<b>Does not comply</b> Although there may be casual surveillance to Lawson Road, in accordance with the Precinct Plan, inadequate potential casual surveillance to the rear of the site is provided.
	PO15 Provide continuity of ground floor shops along street and lanes and promote outdoor dining areas, with sufficient space for generous tree canopy and awnings.	<b>N/A</b> No shops or outdoor dining proposed.
	PO16 Encourage frequent building entries that face and open towards the street and minimise large driveways and servicing on all active frontages.	<b>N/A</b> The site is not in a centre which opens towards the street and does not have multiple building entries.
	<b>Public Art</b> PO17 Ensure that high quality public art is an integrated and cohesive part of new development. PO18 Recognise former uses through interpretive public art.	<b>Insufficient information provided</b> Further information required including better meaningful and connected art and incorporation of First Nations artists as well as design elements of art within the proposal.
	<b>Solar access</b> PO19 Design, orientate and site development to maximise and prioritise solar access to the living areas of dwellings and open spaces and, all other areas of the development.	<b>N/A</b> Residential development not proposed.
	PO20 Development retains high levels of solar access to the neighbouring properties and the public domain.	<b>Considered Acceptable</b> Given the proposed site is not in an area of permissible residential development, the proposal is deemed acceptable in terms of solar access to adjoining sites and existing residential properties.
	<b>Visual and Acoustic Privacy</b> PO21 New development is designed so that its occupants enjoy high-quality visual and acoustic privacy, whilst not producing adverse privacy impacts for adjoining and nearby properties.	<b>Does not comply</b> Although noise attenuation can be incorporated into the proposed buildings, the concrete batching plant is deemed to generate offensive noise on the existing rural residential properties in proximity to the industry for both operations of the concrete batching plant as well as traffic noise associated with trucks travelling along Lawson Road and therefore classifying it as an offensive industry.
	PO22 Development is designed and constructed to minimise noise intrusion from existing and planned transport corridors, including road and rail, and	<b>Complies with conditions if consent granted</b> The proposed development is not noise sensitive itself and is unlikely

	aircraft noise to avoid adverse impacts on amenity for users/residents.	to be impacted by noise. The development can be conditioned to meet construction standards for noise attenuation if consent were granted.
	PO23 Noise attenuation measures are compatible with the intended scale, form and character of the area.	See PO21 and PO22 above regarding noise attenuation measures for the development as well as the insufficient measures for adjoining lands impact by the operations and traffic from the development.
	<b>Private Open Space</b> PO24 Common and private open space is sufficient in size and configuration including with respect to context and building typologies.	<b>N/A</b> Residential development not proposed.
	PO25 Common and private open space is designed and located to maximise solar access and amenity, while also providing opportunities for shading	<b>N/A</b> Residential development not proposed.
	PO26 Common and private open space is designed to receive a high level of privacy.	<b>N/A</b> Residential development not proposed.
	PO27 Maximise green private open space include tree canopy, planting and pervious surfaces.	<b>N/A</b> Residential development not proposed.
	<b>Landscaping</b> PO28 Preserve and increase the tree canopy cover (with appropriate species) and landscaping to reduce ambient temperatures and urban heat island.	<b>Does not comply</b> Although the tree removal is considered acceptable, The Phase 1 DCP which applies to the development does not have a canopy coverage target prescribed and the Full DCP, which does not apply to the development, has a target of 25%. As a merit based assessment could be carried out for the proposal based on the Full DCP to attempt to meet this performance outcome, The proposed development has been amended and provides for a canopy coverage of approximately 12.3% with a greater area of the site being landscaped, being approximately 17.9%. Further investigation should be carried out by the Applicant to enable additional tree canopy coverage over the site to try and achieve a higher amount of tree canopy coverage over the site and an increase in landscaped area or consideration for a decrease in impervious surfaces over the site to assist in lowering ambient temperatures and reducing the urban heat island effect. Further, more mature species of tree should be planted i.e. minimum 100L pot sizes.

	PO29 Promote connection to Country by using Indigenous plant species, where appropriate.	<p><b>Complies with conditions if consent granted</b></p> <p>The proposed development can be conditioned to incorporate Indigenous plant species in the design albeit compatible with the requirements of Western Sydney Airport Co. for wildlife.</p>
	PO30 Maximise pervious surfaces across the site.	<p><b>Does not comply</b></p> <p>Given the abundance of hardstand area within the development, opportunities for permeable paving have not been explored within the site to reduce the extent of impervious surfaces.</p>
	PO31 All hard stand surfaces associated with car parking and driveways are to be offset from boundaries and buildings to provide landscaping opportunities, soften the visual impact and provide protection from glare.	<p><b>Considered Acceptable</b></p> <p>The proposed development has some boundary landscape buffers and offsets to parking areas within the site. An exception to this is within the eastern 150m of the site, where landscaping is not a functional item and risks the quality of product produced. Further, the carparking area in the front is also buffered with landscaping, however driveways are not buffered. It is also noted that the full DCP does not have a landscape buffer requirement for side setbacks.</p>
	PO32 Provide treatments that foster attractive outlooks to and from the public domain, as well as to and from public and private open spaces within the site.	<p><b>Does not comply</b></p> <p>The proposed development does not provide for the delivery of the Park Edge Street and orienting the site in a way which also addresses the future public open space and drainage land to the west. Although there is a small recreation area for workers, there is also a drainage basin within this setback area to where the road should be. Further, there is no access or measures for passive surveillance to be effective towards the west.</p>
	PO33 Implement a sustainable landscape maintenance and management plan.	<p><b>Insufficient information provided</b></p> <p>A sustainable landscape maintenance and management plan has not been provided.</p>
	<p><b>Design Excellence Processes</b></p> <p>PO34 Ensure all building and public domain development addresses NSW Policy objectives for good design as outlined in Better Placed.</p> <p>PO35 Ensure building and public domain design is in accordance with the relevant design excellence guideline, including where a competitive design or other process may be required and that the process extends into detailed design including materiality and delivery.</p>	<p><b>Does not comply</b></p> <p>In accordance with the Precincts SEPP, the site area exceeds 10,000sqm and has been referred to the Design Excellence Panel on two occasions, in which they did not support the development on both occasions. As the Clause only requires the consent authority to take into account the findings of the Design Review Panel and due to the type of development proposed</p>

		<p>under this application (industrial), it is considered that the proposal is able to exhibit design excellence in most regards, taking on recommendations where possible from the DEP comments, subject to conditions if consent were to be granted.</p> <p>However, given the narrow nature of the site, the delivery of the precinct planning outcomes for the locality are unable to be met due to the highly constrained nature of the site, resulting in an unsuitable site for the development. Further, due to the lack of addressing the Recognise Country Guidelines under Clause 4.28B, Design Excellence considerations in regard to Aboriginal heritage have not been thoroughly addressed in the proposed development.</p> <p>It is noted that Council's Design Excellence Panel is recognised by the Government Architect as a Design Review Panel in accordance with the requirements of the SEPP.</p>
<p><b>5.1.4 Role and Hierarchy of Centres</b> – It is noted that the proposed development is not deemed to be within a centre. As such, the application of this section will not apply.</p>		
<p><b>5.1.5 Night Time Economy</b></p>	<p>PO1 Provide a thriving night time economy with diverse options and broad community appeal.</p>	<p><b>N/A</b> The proposed development is not of a type for generation of community appeal.</p>
	<p>PO2 Night time uses are located in appropriate areas and designed to have minimal adverse impacts on the amenity and safety of patrons, nearby residents and the broader community.</p>	<p><b>Considered Acceptable if permissibility addressed</b> Although a concrete batching plant is not a typical night time economy use for social wellbeing i.e. bar, club, restaurant, the proposed plant is in an area which is unlikely to have adverse impacts once deemed acceptable from a permissibility point of view.</p>
	<p>PO3 Night time uses are accessible by appropriate public transport.</p>	<p><b>Considered Acceptable</b> Lawson Road is intended to have a bus route.</p>
<p><b>5.1.6 Digital Technology</b></p>	<p>PO1 Deliver the Western City Digital Action Plan.</p>	<p><b>Complies</b> The development is unlikely to prejudice the delivery of the Western City Digital Action Plan</p>
	<p>PO2 Incorporate enabling infrastructure in all streets and development.</p>	<p><b>Does not comply</b> Conditions can be applied if consent were granted, regarding incorporating enabling infrastructure in the development, however, with the lack of road construction, the development may omit the delivery of this infrastructure in the streets.</p>

	PO3 Ensure coordinated delivery of telecommunications infrastructure and sharing of pits and data exchange facilities between Government, industry and developers.	Noted
	PO4 Where feasible digital technology is integrated into building design or street furniture.	Noted
	PO5 Buildings and infrastructure are designed to cater for changing needs and emerging technologies.	Noted
<b>5.1.7 Urban Ecology and Sustainability</b>	<b>Water Sensitive Urban Design</b> PO1 Achieve an integrated land use planning approach to the provision of potable and recycled water and the management of wastewater and stormwater.	<b>Does not comply</b> Council's Land Development Engineers have supported the proposal in its current form, however consideration for the specific stormwater requirements of development in the Aerotropolis have not been adequately considered. Further, Council's Floodplain Engineers and Sydney Water are not satisfied with the stormwater arrangements with the proposed development and how the proposal meets the provisions of the Blue-Green Infrastructure Network in accordance with the Precinct Plan. Therefore, insufficient information has been provided to satisfy these requirements and stormwater impacts in terms of water quality and quantity of the development have not been adequately addressed.
	PO2 Stormwater infrastructure to be designed to have dual functions of water cycle management and recreation/amenity.	
	PO3 Integrate water into the landscape and urban form to enhance ecological, visual, social, economic and cultural values.	
	<b>Design for Climate, Urban Heat and Thermal Comfort</b> PO4 Use cool materials, low-reflectivity roofing and other building materials, streets pavements that are low reflectivity and pervious.	<b>Complies with conditions if consent granted</b> The materials and colours used are reflective of the industrial style development. The large shed structure will have a grey roof and the amenities/office buildings will have a colour scheme consistent with the colours used in the artwork. Conditions of consent could be applied to ensure that the amenity building colours and finishes are consistent with the artwork colours, considering future detail is required regarding the public artwork, which may change.
	PO5 Building materials used should contribute to internal and external thermal comfort, minimise the necessity for mechanical heating and air conditioning.	<b>Complies with conditions if consent granted</b> Conditions can be applied if consent were granted, regarding the type of materials to ensure thermal comfort in accordance with the NCC.
	PO6 Integrate waterways and recycled water reuse into site design, maximise permeable surfaces, implement innovative solutions to retain water within the landscape.	<b>Considered Acceptable</b> The proposal allows for reuse and recycling of water and rainwater within the site and operations.

	PO7 Protect, enhance and extend the urban tree canopy. Prioritisation of established, older growth trees.	<b>Does not comply</b> See discussion in Part 5.1.3, PO28 in regard to canopy coverage.
	PO8 Prioritise healthy and resilient living, including targets for internal and external thermal comfort and energy efficiency.	<b>N/A</b> The proposed development is not for a purpose for living in.
	<b>Green Infrastructure</b> PO9 Provide a comprehensive network of green spaces, natural systems and semi-natural systems that support sustainable communities.	<b>N/A</b> The proposed development is not one which proposes open spaces or natural systems.
	PO10 Preserve high-quality vegetation on ridges to create an interconnected web of well-located open spaces connected through the Western Parkland City.	<b>N/A</b> No open space area is proposed.
	PO11 Provide multi-functional connected high-quality active and passive open spaces adjacent to riparian corridors which connect ridges to the Wianamatta-South Creek spine.	<b>N/A</b> No open space area is proposed.
	<b>Tree Preservation</b> PO12 New development takes into account existing vegetation in the site planning, design, development, construction and operation of the development.	<b>Considered Acceptable</b> The development has considered potential retention of trees, however due to operational and functionality matters with the use, the tree removal is considered acceptable for the proposal. Further, the vegetation being removed is not deemed to be protected vegetation or mapped as biodiversity significant vegetation.
	PO13 Native vegetation which supports habitat for native fauna and biodiversity is protected and enhanced.	<b>As above</b>
	PO14 Trees are maintained in an appropriate manner that balances community safety with health, resilience and environmental outcomes.	<b>Noted</b>
	PO15 Removal of trees in the Aerotropolis must be in accordance with the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and Biodiversity Conservation Act 2016.	<b>Considered Acceptable</b> The proposed tree removal is considered to be acceptable in accordance with these provisions.
	PO16 All existing mature shade providing trees be retained.	<b>As above</b>
	<b>Circular Economy</b> PO17 Implement circular economy principles as set out in the NSW Circular Economy Policy Statement throughout all lifecycle stages of the development.	<b>Complies with conditions if consent granted</b> Conditions can be applied if consent were granted to ensure the development meets these requirements.
	PO18 Implement resource recovery, re-use and recycling of waste in all stages of the development including construction and operation.	<b>Insufficient information provided</b> It is noted that no waste management plan has been provided. Conditions of consent could be applied if consent were granted regarding construction waste management measures for the development, however this information is likely required for operation of the plant and has not been appropriately dealt with at this stage.

	PO19 Implement innovative waste management storage and collection systems that are healthy, efficient and minimises disruption to amenity.	As above
	PO20 Utilise sustainable energy, water and waste systems to encourage a circular economy that improves efficiency and results in low-carbon developments.	<b>Complies</b> The proposed development implements sustainable energy and water systems, including rainwater collection, photovoltaic panels and reuse of water within the site.
<b>5.1.8 Design Requirements for New or Upgraded Waste or Resource Management Facilities</b> – The proposed development is not for a new or upgraded waste or resource management facility. As such, the application of this section will not apply.		
<b>5.2 Affordable Housing and Housing Diversity</b> – The proposal is not for residential purposes. As such, the application of this section will not apply.		
<b>5.3 Services and Utilities</b>	PO1 Adequate provision of utility supply/services including, water, wastewater, recycled water, energy, waste and resource recovery, and telecommunications for future needs of the intended use.	<b>Insufficient information provided</b> As per Clause 4.49 of the Precincts SEPP, the site is deemed to be serviced by electricity, and this is confirmed with support from Endeavour Energy. In regard to the supply of water and disposal of sewage, Sydney Water have advised that the site is not adequately serviced until adequate servicing is in place in 2025/2026 for these services.  The proposal intends to provide an on-site sewage management system in the interim, however inadequate information has been provided in order for this to be considered. Also before servicing is provided for water, temporary water management systems are also intended for installation across the site, however it is unclear whether this is satisfactory for Sydney Water and therefore, the requirement for servicing of adequate potable water is needed for the development.
	PO2 Development near utility services: a) does not adversely affect the function of the service; b) does not place an additional load on the service; c) protects the infrastructure from physical damage; and d) allows ongoing necessary access for maintenance purposes.	<b>Insufficient information provided</b> The site is not deemed to impact on servicing arrangements proposed by service agents. Sydney Water have advised that an indicative trunk sewer main is proposed to transect through the middle of the site in a north-south direction, which is likely to align with the future north-south local road in the Precinct Plan.
	PO3 Infrastructure is integrated with and efficiently extends existing networks and allows for resource recovery hubs and co-location of similar users. This includes enabling private sector utility services solutions.	<b>Noted</b>
	PO4 Infrastructure is designed and located to integrate with building design, prevent illegal access and/or connection and not be visible from	<b>Considered Acceptable</b> This element is something that would be determined at a future

	the public domain or designed and landscaped to make a positive contribution to the public domain.	design stage prior to a construction certificate.
	PO5 Embrace and install smart innovative technologies.	<b>Noted</b>
	PO6 Provide the necessary utilities to support community events and activities.	<b>N/A</b>
<b>5.4 Access and Carparking</b>	<b>Access</b> PO1 Site design is to prioritise the safe and convenient movement of pedestrians and cyclists over vehicle movements in line with envisaged movement function, having regard to sight lines, legibility, weather protection, the needs of children, elderly and people with disabilities.	<b>Insufficient information provided</b> Given that the site has access and egress to the collector road, inadequate information has been provided, in accordance with the Precinct Plan, where an alternative access solution could be gained into the site via a local road and associated intersection as opposed to turning into and out from driveways which intersect with the collector road and have associated impacts on the active transport and public transport networks.
	PO2 Vehicle access arrangements and queuing areas are appropriate and minimise any adverse impact on infrastructure, road networks, safety, adjoining properties, amenity and street trees.	<b>As above</b>
	PO3 Where required, safe and convenient set-down and pick-up areas are to be provided for passengers.	<b>N/A</b> The proposed development would not require these types of facilities
	<b>Car Parking</b> PO4 To reduce the number of vehicle movements through high pedestrian and cycle precincts and streets, alternatives to onsite carparking provisions will be considered, especially in town centres. Where on-site carparking is provided, it should: a) be limited; b) prioritise ride and car sharing schemes; c) be designed so that it can transition to alternative uses over time; and d) consider the provision of electric vehicle charging stations on-site.	<b>N/A</b> Carparking is deemed to be satisfactory and the site is also not deemed to be within a centre.
	PO5 Alternatives to impermeable surfaces are to be encouraged in carparking and driveway design.	<b>Does not comply</b> Given the abundance of hardstand areas within the development, opportunities for permeable paving have not been explored within the site to reduce the extent of impervious surfaces.
	PO6 Car parking areas, pathways and other elements of transport network infrastructure are designed to enhance public safety by discouraging crime and anti-social behaviour.	<b>Noted</b>
	PO7 Any part of the parking area designated as a vehicle cleaning or repair area is designed and constructed to avoid adverse impact on water quality or Council's wastewater or stormwater infrastructure.	<b>Considered Acceptable</b> As part of the plant, the areas are separated into dirty and clean areas which divide the site. The processes involved are detailed in the stormwater details for the proposal regarding the collection, treatment and reuse of water.
	<b>Servicing</b>	<b>Complies</b>

	<p>PO8 Provision is made for the on-site loading, unloading, manoeuvring and access by service and refuse vehicles that:</p> <p>a) is adequate to meet the demands generated by the development;</p> <p>b) is able to accommodate the design service vehicle requirements;</p> <p>c) does not unduly impede vehicular, cyclist and pedestrian safety and convenience within the site.</p> <p>d) does not adversely impact amenity, and</p> <p>e) does not dominate the road frontage or detract from streetscape character.</p>	<p>All loading, manoeuvring and servicing of the site, including waste disposal is to occur within the site.</p> <p><b>Insufficient information provided</b> It is unclear where the proposed pump out system will be located and where trucks will be parked for the pump out system to operate.</p>
<b>6 Heritage and Cultural Conservation</b>		
<b>6.1 Heritage Items</b>	PO1 Encourage the retention of existing heritage items and their significant elements.	<p><b>Insufficient information provided</b> No heritage items of European significance is located on the site. The site is identified in the Precinct Plan as containing moderate Aboriginal cultural sensitivity. The proposed development is required to address the Recognise Country: Guidelines for development in the Aerotropolis published in November 2022 as it is significant development. Further, the proposed development has not considered the guidelines which are required to be addressed if development consent were to be granted.</p>
	PO2 Ensure development is based on the understanding and conservation of the heritage significance of the item, being sympathetic and respectful to the value of heritage places and celebrate Country.	<p><b>N/A</b> No heritage items identified on adjoining properties or on subject site, subject to further investigation as mentioned under PO1 of Section 6.1.</p>
	PO3 Encourage heritage items to be used for purposes that are appropriate to their heritage significance, including adaptive reuse where appropriate.	<b>As above</b>
	PO4 Maintain the setting of the heritage item including the relationship between the item and its surroundings.	<b>As above</b>
	PO5 Encourage the removal of inappropriate alterations and additions, and the reinstatement of significant missing details and building elements.	<p><b>Complies</b> No removal of alterations and additions to heritage items occurring.</p>
	PO6 Maintain a sufficient curtilage around an item to minimise the impact of new development.	<p><b>N/A</b> No heritage items identified on adjoining properties or on subject site, subject to further investigation as mentioned under PO1 of Section 6.1.</p>
	PO7 Minimise the impact of new development adjacent to or within the vicinity of a heritage item.	<p><b>N/A</b> No heritage items identified on adjoining properties.</p>
	PO8 Promote the protection of places which have the potential to have heritage significance but are not identified as heritage items or places.	Refer to PO1 of Section 6.1 of the DCP.
	PO9 Ensure that the subdivision of land on which a heritage building is located does not isolate the	<b>N/A</b>

	building from its setting or context, or adversely affect its amenity or privacy.	No subdivision of land is occurring and no heritage building exists on site.
<b>6.2 Historic Archaeology</b>	PO1 Encourage the retention of significant relics identified on site.	<b>Insufficient information provided</b> No heritage items identified on subject site, subject to further investigation as mentioned under PO1 of Section 6.1.
	PO2 Ensure development is based on the understanding and conservation of the relic.	<b>As above</b>
	PO3 Encourage interpretation of the relic to improve understanding within the community.	<b>As above</b>
	PO4 Enhance the significance of the relic through integration into future development.	<b>As above</b>
	PO5 Minimise the impact of new development adjacent to or within the vicinity of a relic	<b>As above</b>
<b>6.3 Aboriginal Culture and Heritage</b>	PO1 Development does not result in the demolition or removal of or damage to the Aboriginal heritage place or object.	<b>Insufficient information provided</b> The site is identified in the Precinct Plan as containing moderate Aboriginal cultural sensitivity. The proposed development is required to address the Recognise Country: Guidelines for development in the Aerotropolis published in November 2022 as it is significant development. Further, the proposed development has not considered the guidelines which are required to be addressed if development consent were to be granted.
	PO2 Development retains, conserves and does not detract from the features and values of the Aboriginal heritage place or object.	
	PO3 Development is compatible with the Aboriginal heritage significance of the place.	
	PO4 Development is designed to care for and connect to Country.	
	PO5 New development adjacent to or within the vicinity of an item or place of Aboriginal heritage significance should have no impact on that item or place.	

**Liverpool Design Excellence Panel Minutes and Comments**

<u>Previous DEP Recommendations</u> (DEP Meeting held on 11 May 2023)	<u>Latest DEP Recommendations</u> (DEP Meeting held on 9 November 2023)	<u>Comments to latest minutes</u>
<p><b>4.1. Context and Neighbourhood Character</b></p> <p>4.1.1 <i>The Panel understands and supports the applicant's long term vision (for over 50 years) to operate a concrete batching plant facility at the site.</i></p> <p><i>However, as one of the early sites within the locality and given the scale of the development, the Panel expects the proposal to be consistent with standards of design excellence as the site offers a unique opportunity to create a precedent for future potential developments within the locality.</i></p> <p>4.1.2 <i>The Panel notes two important factors in the consideration of a new concrete batching plant – especially near the aerotropolis; those being</i></p> <ul style="list-style-type: none"> <li>- <i>Concrete &amp; climate change: demonstrating concrete's future in a low-carbon world, and</i></li> <li>- <i>The excitement and joy industrial buildings bring to people- especially the young. Consideration should be extended to education classes and tours of the plant, that demonstrate among other things, the making of low-carbon concrete, the machinery of the process, the recycling of the water, environmental initiatives et al.</i></li> </ul> <p>4.1.3 <i>The Panel notes the proximity of the proposal to Badgerys Creek and the development application should address potential built form and environmental</i></p>	<p><b>4.1 Context and Neighbourhood Character</b></p> <p>4.1.1 The Panel acknowledges the proposed industrial development on the site and emphasises the need for it to be a 21st-century transitional industrial development that also must play a role in transitioning the current rural character to innovative enterprise uses. It should showcase innovative strategies and provide a contextual response to the Aerotropolis.</p> <p>4.1.2 The Panel notes that the innovative processes and company philosophy approach to the internal workings and procedures that were outlined in the presentation. Note was made of the capacity of the plant to engage with visiting educational groups. However, the lack of landscape setbacks and other elements (See 4.1.3) does not provide a satisfactory outcome for this important and long-term infrastructure.</p> <p>4.1.3 The Panel highlights the significance of the Blue-Green Grids in the Aerotropolis context, with particular attention to the proximity of the proposed development to Badgerys Creek Riparian Corridor. The Panel strongly recommends additional initiatives, such as a landscape-led approach, heat island reduction methods, consideration of the fifth façade ie the view from the air of the hard paved areas and roofs, to an integrated stormwater management and</p>	<p>4.1.1 The proposed industrial development assists in providing an innovative use which can complement the other uses in the Aerotropolis and assist in the formation of these developments. However, due to the noise issues, the transition of the current rural character is impacted and is not deemed acceptable in the current form.</p> <p>4.1.2 The lack of landscaped setbacks has been partly addressed by the application. It is noted that this has been provided along the western parts of the side boundaries behind the plant. Further, it is noted the Phase 1 DCP does not have any numerical setback standards and besides the noise issues generated, the zero site setbacks could be deemed acceptable for the industrial use. Further, landscaping locations needs to be carefully considered due to potential contamination of the product from leaf litter.</p> <p>4.1.3 Further detail has been requested from Council's engineers and Sydney Water regarding compliance with the Blue-Green Grid and WSUD within the proposal. The plant is deemed to be functional and environmentally sustainable, however landscaping would be limited due to operational constraints and as such, the canopy and landscape compliance suffers as a result.</p> <p>4.1.4 Although the applicant is incorporating public art with Indigenous connections, further connection to the country the site is on needs to be addressed. The proposal also needs to address certain elements of the SEPP to ensure it complies with the recognition of country and this would</p>

<p><i>impacts on the Creek.</i></p> <p>4.1.4 <i>Opportunity for integration of Public Art on some of the building elements and/or blank wall interfaces should be explored and a separate review should be allowed by Council's Public Arts section potentially as part of this development application.</i></p> <p>4.1.5 <i>Revised submission should include details for relevant strategies considered for dust and sediment mitigation to reduce potential environmental impact on the surroundings. The applicant should ensure that the strategy ensures mitigation within the premises itself.</i></p> <p>4.1.6 <i>The applicant should demonstrate suitability of the proposed built form and use on the potential future development on the adjoining properties, as the local area is expected to undergo significant change.</i></p> <p>4.1.7 <i>The applicant needs to consider 'Connection with Country' through landscape, materiality, public art, narrative and other innovative approaches. Explore the ideas of what is available underground (in terms of seeds / dropping) which can be used for plantings and explore opportunities to engage first nations individuals to engage with and/or build/supply parts of the project.</i></p>	<p>water-sensitive urban design. Implementing these measures would further enhance the environmental sustainability of the development and contribute positively to the overall ecological health of the Aerotropolis.</p> <p>4.1.4 The Panel acknowledges the applicant's incorporation of Aboriginal artwork, and Hanson's indigenous policy into the current scheme, and supports the idea of extension of the artwork across the site. However, the public art implementation is restricted and could be developed further through a more developed connection to country. The Panel recommends that local first nation people are involved in the development of site appropriate art, and other considerations.</p> <p>4.1.5 Dust handling and operational technology were extensively discussed during the meeting. The applicant expresses their willingness to provide additional information on this matter in a different forum. It was confirmed that all detailed information about the aggregate storage system was provided in the original EIS document. However, the Panel notes that the EIS report has not been updated accordingly for the current scheme and requests this to be completed.</p> <p>4.1.6 There is a major concern regarding the lack of consideration and empathy demonstrated by the proposed development towards the neighbouring sites. The Panel highlights the future character of the Badgerys Creek Precinct is envisioned as an exemplar</p>	<p>further influence the proposed artwork. The application was also referred to Council's Public Arts Officer who required more meaningful artwork and connected art to the locality.</p> <p>4.1.5 The applicant notes that the design and operation of the aggregate storage system is identical between the documents and no updates are required.</p> <p>4.1.6 The proposal would provide employment opportunities and services for workers and businesses and is capable of promoting the efficient use of resources. Although the use in its current form is defined as a heavy industry due to impacts on existing residential sites, if capable of meeting the definition of a general industry, the concrete batching plant could be considered compatible with the future commercial uses of the land. The concrete batching plant is an industry that leverages access to the M12 and Elizabeth Drive. The proposed development would not be producing any goods for export at the Western Sydney Airport. The proposal is responsive to the OLS and runway approaches as well as not being a noise sensitive use. Further information is required regarding the blue-green networks, especially for stormwater and the construction of the park edge street along the rear of the site.</p> <p>4.1.7 See comments in relation to 4.1.4.</p> <p>4.1.8 Noise walls of 2.5m reinstated, however overarching noise issue is still apparent in the proposal. See body of report for issues with permissibility.</p> <p>4.1.9 Noted. The plant can service the Aerotropolis area and potentially beyond and can reduce the</p>
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	<p>design outcome, showcasing not only innovation but also a deep understanding of and respect for the surrounding environment and communities. Therefore, it is crucial that the proposed development contributes positively to the broader vision and goals of the precinct, fostering a sense of synergy and cohesiveness within the overall area.</p> <p>4.1.7 The Panel asked the applicant about the artwork from the Aboriginal artist, specifically whether it is tied to specific localities/countries, The applicant confirmed that the artist's focus is on the interpretation of Hanson's journey, without particular reference to specific location. Therefore, it is not considered to demonstrate Connection to Country. The applicant is required to provide a Connection to Country strategy as per Western Sydney Aerotropolis Precinct Plan 2022 and Western Sydney Aerotropolis DCP 2022.</p> <p>4.1.8 The Panel asked the applicant why the noise walls were deleted. The applicant noted that the decision to remove the noise walls was due to uncertainty regarding the future uses of neighbouring sites, the houses were no longer being used as residences, and the general noise environment adjoining the future flight path of the second runway, and cost reduction for the development. The Panel does not support the removal of the noise walls due to its lack of consideration for both existing residential use and future innovated enterprise use in</p>	<p>carbon footprint of deliveries and timing for developments within the Aerotropolis precinct.</p> <p>4.1.10 The development is required to consider the Precinct Plan, however, only Phase 1 of the DCP applies. Please see sections in body of report and appendices regarding compliance with these provisions.</p>
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	<p>neighbouring sites. The panel proposes that the noise wall should be reintroduced, or the ambient noise of the plant be reduced.</p> <p>4.1.9 The Panel asked what regions the plant serviced. The applicant confirmed that the plant will cater to the entire Aerotropolis area, with the potential to extend its services to a broader region, including Liverpool, Penrith, and Eastern Creek.</p> <p>4.1.10 It has come to the Panel's attention that the proposed development appears not to have considered the Western Sydney Aerotropolis Precinct Plan 2022 and Western Sydney Aerotropolis DCP 2022. While it is understood that the application was lodged prior to the aforementioned documents coming into effect, the Precinct Plan is required to be considered under the provisions of the SEPP and it is strongly advised that the provisions of the Phase 2 DCP are adopted to provide a better design outcome to the subject development. Therefore, the applicant is required to demonstrate compliance with these statutory planning documents, in particular to site setbacks, connection with Country, street hierarchy and typology, active transport network, and building height.</p>	
<p><b>4.2.</b> <b>4.2. Built Form + Scale</b> 4.2.1 <i>While the Panel recognises the proposal has an industrial use, a greater architectural + landscape design resolution is expected from the</i></p>	<p><b>4.2</b> <b>4.2. Built Form + Scale</b> 4.2.1 Architectural plans and landscape plans have been provided. 4.2.2 The CGIs renders have been provided. 4.2.3 The materials, finishes and colour</p>	<p>4.2.1 Noted 4.2.2 Noted 4.2.3 See comments in 4.2.5.</p>

<p><i>applicant to demonstrate the proposal achieves standards of design excellence. The Panel further notes that the development application documentation in its current form largely includes engineering drawings, and does not include a comprehensive set of architectural drawings – including plans, elevations, building sections, site sections and 3D views for each building/structure within the site. As a result, clarity on a number of architectural and urban design matters could not be established as part of this review.</i></p> <p>4.2.2 <i>The applicant is required to prepare photorealistic CGIs (renders) as part of the revised development application submission.</i></p> <p>4.2.3 <i>The Panel notes that the applicant did not provide sufficient details about the building materials and finishes and colour palette/s for the proposed development. Additionally, the Panel recommends use of appropriate textures, patterns and different architectural treatments to the building elevations.</i></p> <p>4.2.4 <i>One suggested strategy is to consider adequate modulation within the design of shed structures through different materials / colour patterns.</i></p> <p>4.2.5 <i>Use of portable and demountable buildings and structures should be avoided – this is a 50 year project, and should have buildings of the quality &amp; permanency of the tenure. As a balance, the Panel recommends that consideration should be given that all</i></p>	<p>palette/s have been provided. The Panel believes it has more information regarding building finishes and colour palette and various textures and patterns are proposed. However different treatments are not. The panel does not believe that the amended building designs reflect the intention of the original minute noted in Item 4.2 .5</p> <p>4.2.4 There does not seem to be any attempt at Shed Modulation.</p> <p>4.2.5 The buildings still appear to be insubstantial, temporary like, even though the applicant has stated they are not portable buildings but are modular. There does not seem to be an overarching comprehensive site strategy, other than the materials handling aspect. Contributions to amenity are limited to small, planted areas within the site and flashes of colour on the minor buildings stemming from the artwork on the mixing tower. The Amenities buildings are unrelieved boring spaces within the car parking and truck parking zones of the complex. They have a very poor amenity. Consequently, the Panel does not believe the applicant has sufficiently responded to the previous Panel comments.</p> <p>4.2.6 The Panel seeks clarification regarding the possibility of incorporating boundary tree planting to soften the edges and respond to its western Sydney heat island environment. The applicant acknowledges the challenge posed by the narrow site constraint (60m wide lot width) and emphasises that the typical</p>	<p>4.2.4 The applicant states that the awning over the cementitious area is inherently modulated as it does not contain any walls. It is a porous structure, with a range of internal activities and structures that contribute to sense of intrinsic modulation. The awning structure is also punctured at the front elevation by the conveyor, and through the roof by the batching structure and again by the cement silos – which contribute to a sense of intrinsic modulation of the built form. The buildings themselves are very small and do not warrant further modulation.</p> <p>4.2.5 The built form of the facility reflects that of an industrial activity and functionality for their intended purpose. Some improvements have been incorporated in the design including artwork, increased landscape treatment across the site as well as recreation areas for workers. The buildings are functional and do their operational purpose and the proposal includes amenity for the workers on the site.</p> <p>4.2.6 Further landscaped areas, with deep soil planting and canopy cover as well as buffers within the eastern and western boundaries and along the side boundaries to the west of the awning have been provided. Although the proposal may still not comply with the tree canopy and landscape provisions for the site, it is noted the DCP provisions do not necessarily apply as per the Full DCP requirements and a merit assessment can be made on these which need to consider the use and operational aspects of the development. However, it is also noted that there could be other opportunities for landscaping in the site which also stems to compliance with the precinct plan and delivery of the road network. However, given the narrow nature of the site, the delivery of the</p>
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<p><i>secondary buildings and structures should be replaced by thoughtfully designed (green - low carbon) concrete buildings considering longevity, outlook and amenity aspects. A comprehensive site planning strategy combining both – architecture and landscape design should be considered for the proposal as there is potential to create a leading example for future industrial buildings within the Aerotropolis area.</i></p>	<p>width for this type of development is around 80m. In seeking clarification, the Panel inquires whether the applicant has investigated the possibility of amalgamating the adjacent sites to achieve a better outcome. The applicant confirms that the neighbouring sites on both sides have their own development plans, preventing amalgamation. The Panel believes that the impact of the development has not been sufficiently considered, that site setback and landscaped edge treatments are not satisfactory and consideration of these two basic elements should be incorporated.</p> <p>4.2.7 The Panel expresses concerns about the overall traffic movement proposed on the site, highlighting the limited information regarding swept path analysis in the current submission. Additionally, the functionality of the proposed vehicular access/exit appears compromised, especially considering the future left-in-left-out arrangement at the Lawson Road and Elizabeth Drive intersection. The Panel emphasises the importance of a comprehensive and accurate traffic and swept path analysis to ensure the practicality and viability of the proposed development.</p> <p>4.2.8 There is a concern regarding the fire rating of the proposed columns located on the side boundaries with nil setback. The Panel notes that this does not comply with Western Sydney Aerotropolis DCP 2022 Part 3.3 Table 6 – Building and landscape setbacks, where a minimum of 5m building side</p>	<p>Aerotropolis as envisioned is compromised and thus the site may not be deemed suitable for the proposal in it's current form as amalgamation would be better sought in providing a better outcome in the locality.</p> <p>4.2.7 The application was referred to TfNSW/ NSW Roads and Maritime for comment and TfNSW have provided comments which are being taken into consideration as part of this application. TfNSW provided comments requesting further information regarding the road safety review, which was requested from the applicant. The applicant has stated that further correspondence from TfNSW was provided saying this is no longer required, however, there is no record of this on the Portal or correspondence submitted from the applicant.</p> <p>4.2.8 As per the Applicant's submission, the structural columns are not part of a building – they are structural supports for an open awning structure with no walls. The structure is built entirely of non-flammable materials; however, fire rating requirements would be resolved at Construction Certificate stage where compliance with the NCC would be required. As the structural supports are not part of a building, they are not subject of the 5m setback specified in the left side column of Table 6. Additionally, the right-side column of Table 6, which relates to landscaping, specifically states that there is no minimum requirement for landscaping. That means landscaping is not required along the side boundary. Given this specific control specified in the DCP it is unreasonable for the Panel to seek to impose it as a key design requirement as part of a development application process.</p>
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	<p>setback is required. The panel requires a landscaped setback of 5 m be provided and that this be suitably landscaped.</p> <p>4.2.9 The panel requires the applicant to consider and implement the Western Sydney Aerotropolis Precinct Plan. In Figure 10 Street Hierarchy map, a local street is envisioned along the northern boundary connecting to the park edge street at the rear of the site.</p> <p>4.2.10 While there is no height limit specified in the SEPP, it is crucial to note that the Western Sydney Aerotropolis Precinct Plan Figure 12 illustrates a maximum building height of 24m for the site. The proposed building height to the top of the silos is approximately 27m-28m, surpassing the specified height requirement. The applicant is to obtain approval for additional height from the appropriate aviation authorities.</p>	<p>4.2.9 See further discussion regarding the street hierarchy in Section 4.6.2 of the Precinct Plan and how the proposed development is not delivering roads in accordance with the Precinct Plan.</p> <p>4.2.10 The height of the proposal is deemed to be acceptable. See discussion in Section 5.2 of the Precinct Plan regarding the height variation.</p>
<p><b>4.3. Density</b> No discussion</p>	<p><b>4.3. Density</b> No discussion.</p>	<p>N/A</p>
<p><b>4.4. Sustainability</b></p> <p>4.4.1 <i>The Panel appreciates that the applicant intends to recycle and manage resources in an efficient manner. Further details should be offered as part of the development application for Council's review.</i></p> <p>4.4.2 <i>The Panel recommends the applicant should consider planting of large canopy trees over the car parking and truck parking areas to minimise the urban heat impact generated from the hard paving areas. Noting this can be challenging for Traffic Engineers initially</i></p>	<p><b>4.4. Sustainability</b></p> <p>4.4.1 While the Panel was provided with further detail, a more comprehensive understanding of the processes involved would be of benefit.</p> <p>4.4.2 Refer to previous Panel's comments and comments in 4.5.2 below.</p> <p>4.4.3 The Panel recommends the applicant to explore the incorporation of solar panels onto the shed structure. This consideration aligns with sustainable practices, contributing positively to the overall energy</p>	<p>4.4.1 Noted. The processes of the plant has been reiterated within the documentation and it is likely will be described by the applicant at future meetings as well.</p> <p>4.4.2 Noted</p> <p>4.4.3 The proposal incorporates photovoltaic panels on the roof of the shed structure.</p>

<p><i>but knowing the need to mitigate against 35+ degrees days – both trees and tree canopy and car/truck parking and turning can be successfully managed.</i></p> <p>4.4.3 <i>The applicant should consider additional sustainability initiatives (e.g., Water Sensitive Urban Design (WSUD), Rainwater Harvesting, more photovoltaic systems, etc.) for the site. It is recommended Hanson sets itself ambitious targets to help support the community's understanding of a sustainable future for concrete. A summary of all sustainability.</i></p>	<p>efficiency of the development.</p>	
<p><b>4.5. Landscape</b></p> <p>4.5.1 <i>A suitably qualified landscape architect should be engaged for this proposal to prepare landscape drawings addressing the points listed in this section. The applicant should additionally consider Water Sensitive Urban Design (WSUD) strategy as part of the landscape design documentation.</i></p> <p>4.5.2 <i>The Panel notes the NSW Government has set a target to increase tree canopy cover across Greater Sydney to 40 per cent – and believe with clever building, plant and landscape design this target can be met on this site.</i></p> <p>4.5.3 <i>The Panel appreciates the challenges within the site due to its limited width. However, the extent of landscaped pockets along the side boundaries should be maximised, given that a majority of site coverage is occupied by large buildings and services including parking, loading and unloading areas.</i></p> <p>4.5.4 <i>The Panel discussed about potential</i></p>	<p><b>4.5 Landscape</b></p> <p>4.5.1 No WSUD is incorporated into the current landscape plan. Also refer to comment in 4.1.3 above. The applicant should additionally consider Water Sensitive Urban Design (WSUD) strategy as part of the landscape design.</p> <p>4.5.2 It is appreciated that landscape treatments have been provided at the front and rear of the site. The Panel encourages the applicant to explore opportunities to incorporate canopy trees and/ or equivalent treatments within the site to provide shading, particularly for areas currently dominated by hard surfaces. This will contribute to providing a desirable amenity for the employees and visitors to the site.</p> <p>4.5.3 The Panel expresses disappointment regarding the absence of soft screening along both 300m-long side boundaries to mitigate the heat island effect and</p>	<p>4.5.1 Further detail has been requested from Council's engineers and Sydney Water regarding compliance with the Blue-Green Grid and WSUD within the proposal.</p> <p>4.5.2 The landscape design of the site has been amended since the Panel saw the application, with improvements provided regarding the canopy coverage and landscaped areas within the site. Further, recreation areas for employees have been added and additional coverage of the site assists in reducing the urban heat island effect. See 4.2.6 within these comments.</p> <p>4.5.3 Since the Panel saw the application, additional screening planting has been provided along the side boundaries to the west of the shed structure. This covers approximately 150m of the side boundaries. It is also noted that noise walls have been reinstated in the proposal, however noise is still an issue.</p> <p>4.5.4 Noted see comments in those sections.</p>

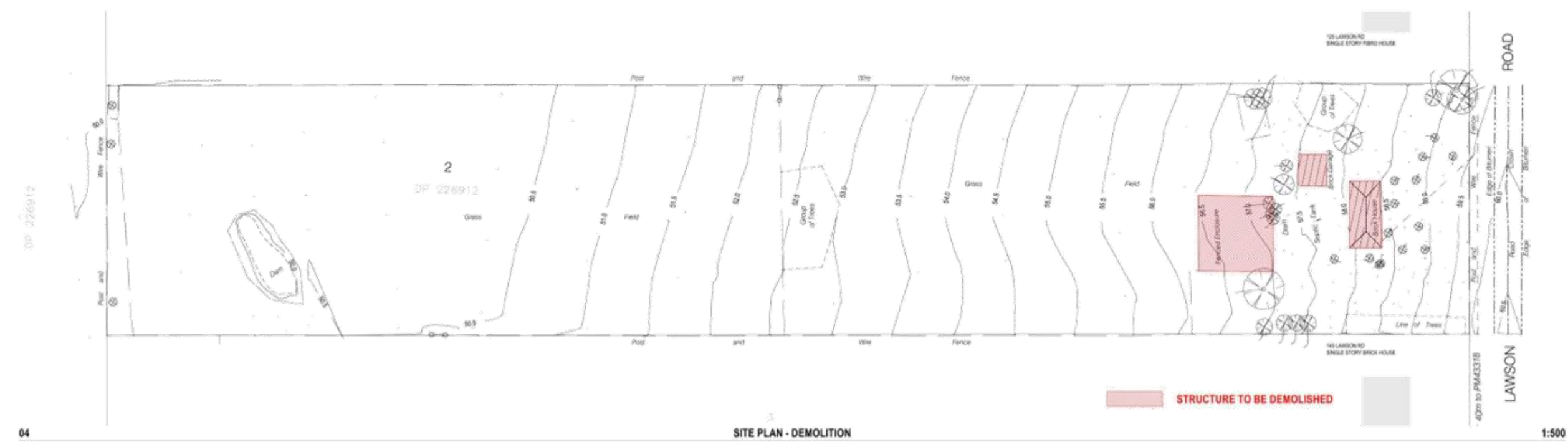
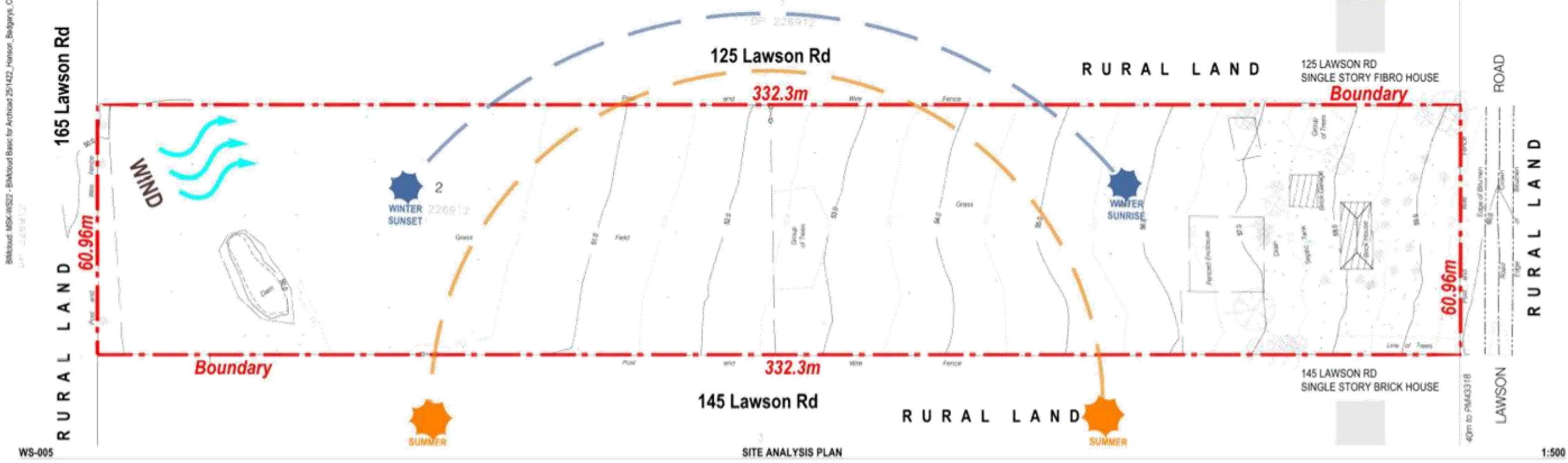
<p><i>visual impacts caused by excessively high side and rear boundary walls provided as acoustic barriers. Appropriate landscape design and planting treatments should be considered to enhance these side and rear boundary interfaces. Visual impacts need to be mitigated from the site as well as from the adjoining properties.</i></p> <p>4.5.5 <i>The Panel notes that the proposed driveway construction relies on removal of one of the few existing mature trees on the site. The Panel requires the applicant to relocate the driveway beyond the tree protection zone to keep the existing mature tree.</i></p> <p>4.5.6 <i>Furthermore, the applicant should consider public domain design along the Lawson Road frontage including provision of footpath, street trees, street lighting and other relevant public domain details.</i></p>	<p>enhance the interface amenity with neighbouring sites. Moreover, the removal of the noise walls exacerbates the acoustic issues. See earlier recommendations regarding setbacks and landscaping.</p> <p>4.5.4 Refer to comment in 4.1.8 and 4.5.3 above.</p> <p>4.5.5 Considering the functionality, safety and feasibility of the proposed development, the removal of the tree is acceptable in this instance. Further clarification regarding the traffic movement on the site is required. Swept path analysis of the entry and exit to Lawson Road is required. Refer to comment 4.2.7 above.</p> <p>4.5.6 It is noted a high level of public domain work along Lawson Road has been indicated on both the architectural plan and landscape plan. However, the illustrated public domain along Lawson Road does not fully align with the collector road layout design documented in Western Sydney Aerotropolis DCP 2022 Part 3.1. Further refinements of the future Lawson Road layout are required, including pedestrian and cycleway paths, and tree planting, etc.</p>	<p>4.5.5 Noted.</p> <p>4.5.6 Lawson Road is not being upgraded as part of the proposal however as the Collector Road for Lawson Road is captured under the 7.12 plan, the delivery of the cycle path would not occur until adequate funds for this infrastructure can be obtained before delivery.</p>
<p><b>4.6. Amenity</b> No discussion</p>	<p><b>4.6. Amenity</b></p> <p>4.6.1 The Western Sydney Aerotropolis Precinct Plan Figure 9 envisions a principal regional cycle path along the rear boundary. The revised scheme does not incorporate this active transport network into the landscape design. The applicant is required to provide design considerations that</p>	<p>4.6.1 The omission of the cycle network and active transport network is not supported by Council. See further discussion in Precinct Plan Appendix in Sections 3.2, 4.1, 4.6.1 and 4.6.2.</p> <p>4.6.2 See 4.5.2 within these comments.</p> <p>4.6.3 The proposed use is not deemed to be a sensitive use to noise, however due to the</p>

	<p>respond to this active transport network,-</p> <p>4.6.2 As discussed in 4.5.2 above, the insufficient tree canopy coverage and the lack of shaded spaces on the site lead to inadequate amenity for workers and do not address the heat island effect. The applicant is required to provide the desirable treatment to improve the on-site amenity.</p> <p>4.6.3 While it is acknowledged that the site is in close proximity to the future Western Sydney Airport, it is essential to consider noise protection measures from aircraft operations in open areas to enhance the overall amenity on the site.</p> <p>4.6.4 As discussed in 4.1.8 above, the absence of acoustic prevention measures in the current scheme results in poor amenity for both existing residential uses and potential future enterprise uses in adjacent sites. The panel recommends that noise abatement measures be reviewed to reduce plant and vehicular noise.</p> <p>4.6.5 As discussed in 4.2.6, the applicant acknowledges that the 60m narrow site is the primary constraint, resulting in a compromised design outcome. The Panel does not support this rationale and considers that the fundamental issue may be that the site is unsuitable for this purpose. The Panel recommends that the applicant reconsider site amalgamation with the neighbouring site or explore the possibility of securing a larger site to achieve a better outcome.</p> <p>4.6.6 As discussed in 4.5.6, the detailed treatment of Lawson Road is unclear</p>	<p>operations of the site, it raises noise concerns for existing sensitive uses in the locality.</p> <p>4.6.4 The noise walls have been incorporated once more into the proposal at 2.5m, however the site operations will raise noise issues for existing sensitive uses i.e. residential dwellings, along Lawson Road.</p> <p>4.6.5 See comments in 4.2.6 regarding the suitability of the site.</p> <p>4.6.6 See comments in 4.5.6.</p>
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	and does not fully align with the collector road layout design outlined in the DCP. The applicant is required to further demonstrate how the proposed traffic movement interacts with the proposed public domain work, including footpaths, bike paths in the next submission.	
<p><b>4.7. Safety</b></p> <p>4.7.1 <i>The applicant should consider Crime Prevention through Environmental Design (CPTED) analysis for the safety of workers and visitors given the extensive site area of the proposal. Appropriate lighting strategy for afterhours (e.g. darker winter afternoons and night-time) should also be considered as part of the landscape design to ensure safety of the workers and visitors.</i></p>	<p><b>4.7. Safety</b></p> <p>4.7.1 The Panel concerns the current proposal overlooks the integration of the envisioned cycle path on Lawson Street with vehicular access across the frontage. The applicant is required to consider the future active transport aspects and incorporate them into the revised plan. Refer to comment in 4.6.6</p>	<p>4.7.1 Lawson Road is not being upgraded as part of the proposal however as the Collector Road for Lawson Road is captured under the 7.12 plan, the delivery of the cycle path would not occur until adequate funds for this infrastructure can be obtained before delivery. Please also see discussion of the road network within Section 4.6.2 of the Precinct Plan regarding road delivery, active transport links and potential alternate access reducing conflicts for the active transport network.</p>
<p><b>4.8. Housing Diversity + Social Interaction</b></p> <p>No discussion.</p>	<p><b>4.8. Housing Diversity + Social Interaction</b></p> <p>NIL.</p>	N/A
<p><b>4.9. Aesthetics</b></p> <p>4.9.1 <i>The Panel supports the overall industrial aesthetic for the site and recommends the applicant addresses recommendations offered within Principle 1 Context &amp; Neighbourhood Character and Principle 2 Built Form &amp; Scale of this Report.</i></p>	<p><b>4.9. Aesthetics</b></p> <p>4.9.1 As discussed in 4.1.7, a genuine Connection with Country is required under the Western Sydney Aerotropolis DCP 2022 and the Precinct Plan.</p> <p>4.9.2 It is recommended that the applicant provide additional design elements regarding the rooftop treatment (fifth elevation) as it is highly visible from the air.</p> <p>4.9.3 As discussed in the sections covering Principle 1 (Context &amp; Neighbourhood Character), Principle 2 (Built Form &amp; Scale), and Principle 5 (Landscape) of this report, additional design</p>	<p>4.9.1 See comments in Part 4.1.4.</p> <p>4.9.2 The rooftop of the awning is to have photovoltaic panels across it and is consistent with that of an industrial character.</p> <p>4.9.3 See comments relating to landscaping and amenity throughout this document in response to these concerns.</p>

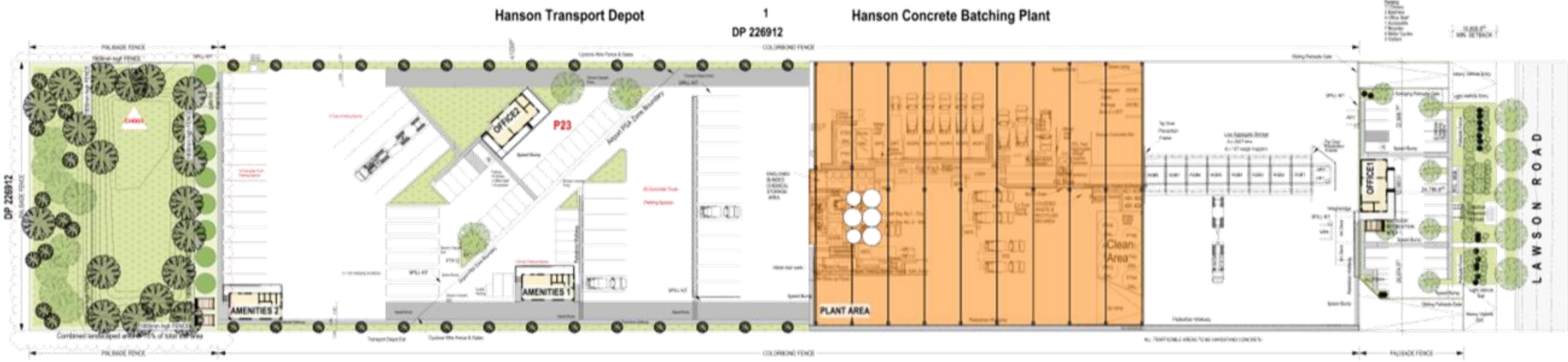
	<p>considerations are needed for the softening of hard stands, additional inclusion of landscaping, implementing a shade system, and incorporating textured super graphics/ of artwork. These aspects are crucial for further enhancing the overall design coherence and aesthetic integration of the development within its current and developing context.</p>	
<p><b>5.0 OUTCOME</b></p> <p><i>The panel have determined the outcome of the DEP review and have provided final direction to the applicant as follows: The proposal is not supported by the DEP and must return to the panel, with all feedback incorporated or addressed.</i></p>	<p><b>5.0 OUTCOME</b></p> <p>The panel have determined the outcome of the DEP review and have provided final direction to the applicant as follows:</p> <p>The proposal is not supported by the DEP and must return to the panel, with all feedback incorporated or addressed.</p>	<p>As mentioned in the body of the report, Clause 4.31 of the SEPP only requires the consent authority to take into account the findings of the Design Review Panel and due to the type of development proposed under this application (industrial), it is considered that the proposal is able to exhibit design excellence in most regards, taking on recommendations where possible from the DEP comments, subject to conditions if consent were to be granted. However, due to the lack of addressing the Recognise Country Guidelines under Clause 4.28B, Design Excellence considerations in regard to Aboriginal heritage have not been thoroughly addressed in the proposed development. Further, a number of considerations raised by the Panel are not design related in nature and are elements in which the Precinct Plan and controls stipulate and as such, these are addressed through the relevant parts within the body of the report.</p>



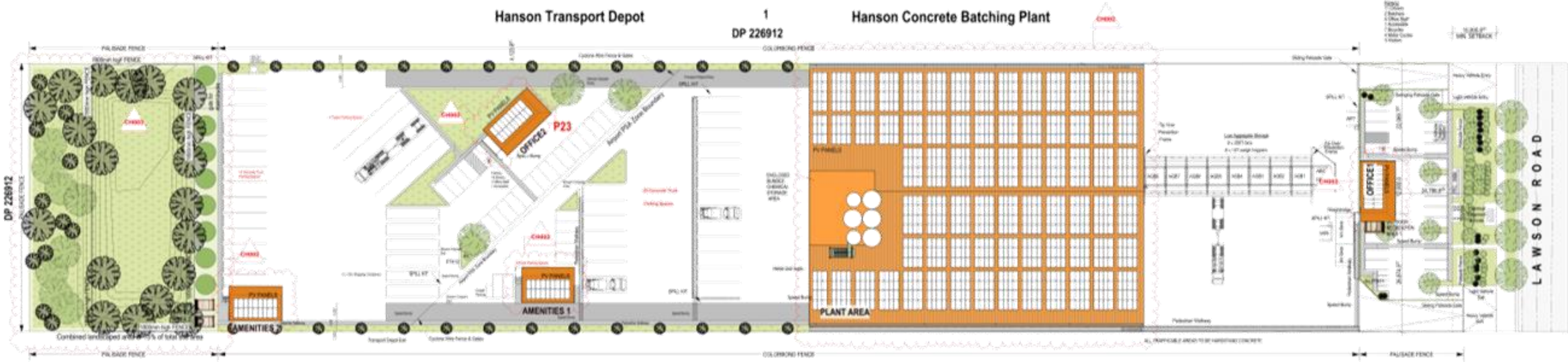


<p><b>DEVELOPMENT APPLICATION</b></p> <p><b>General Notes</b></p> <p>The information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Changes are to be made to contracts with all contract documents. Use figure dimensions only. Do not scale from drawings. NSW Authorities control guarantee the accuracy of content and format for copies of drawings issued electronically. The completion of the issue solely checked and sufficient notice below is confirmation of the ability of the drawing. The drawing shall not be used for construction unless endorsed by the Contractor and approved by council.</p>	<p>No. A</p>	<p>DESCRIPTION ISSUE FOR COUNCIL</p>	<p>DATE 14/07/2023</p>	<p>PROJECT: <b>INDUSTRIAL DEVELOPMENT</b></p> <p>135 Lawson Road, Badgerys Creek, NSW 2555</p> <p>Hanson Construction Materials</p>	<p>DRAWING TITLE: <b>SITE ANALYSIS &amp; DEMOLITION PLAN</b></p>
	<p>SCALE: 1:500@A1</p>	<p>DATE: 14/07/2023</p>	<p>DRAWN/CHECKED BY: ZS-EG SD</p>		<p>PROJECT NO.: <b>1422 DA1101</b></p>

Blindout: MK-A1022 - Blindout Base for Attachment 251422\_Hanson\_Badgerys\_Crk\_DP14122\_MASTERFILE\_Hanson\_Badgerys\_Crk\_A1022\_DPA



01 SITE PLAN - GROUND LEVEL 1:500



02 SITE PLAN - AERIAL 1:500

**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A	ISSUE FOR COUNCIL	14/07/2023
B	ISSUE FOR COUNCIL	30/05/2024
C	ISSUE FOR COUNCIL	31/05/2024

**CHANGES**

CH01	TRANSPORT DEPOT AREA UPDATED WITH ADDITIONAL LANDSCAPING
CH02	LOCATION OF PV PANELS & RESPONSE
CH03	CELL FENCE AND GATE FOR MAINTENANCE AND USE NEEDED, LANDSCAPE ADJUSTED



PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

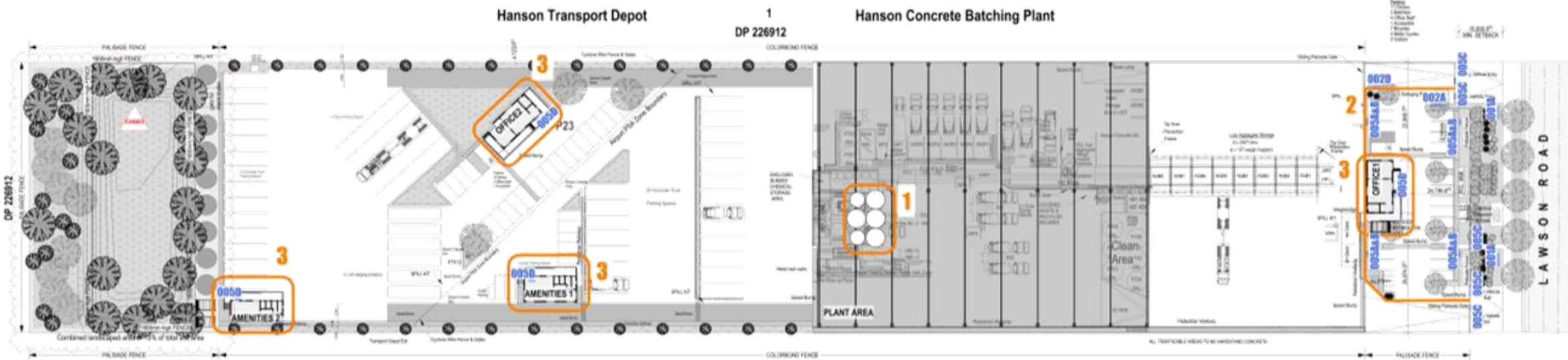
DRAWING TITLE:  
**GROUND LEVEL & AERIAL SITE PLAN**

SCALE: 1:500@A1 DATE: 31/05/2024 DRAWN/CHECKED BY: ZS/SD  
PROJECT NO: 1422 DA1102 DRAWING NO: REV: C

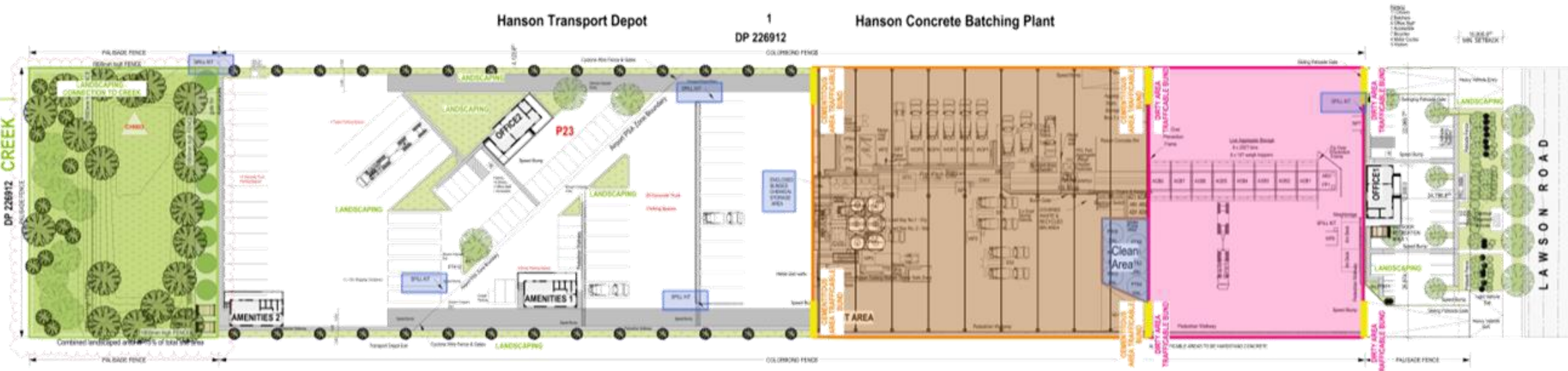
Blindwood MKS-W522 - Blindwood Base for Artwork 25/1422\_Hanson\_Badgerys\_Crk\_DP1422\_MASTERFILE\_Hanson\_Badgerys\_Crk\_A025\_DPA

### SIGNAGE STRATEGY

### ARTWORK STRATEGY



01 SITE PLAN - SIGNAGE & ARTWORK 1:500

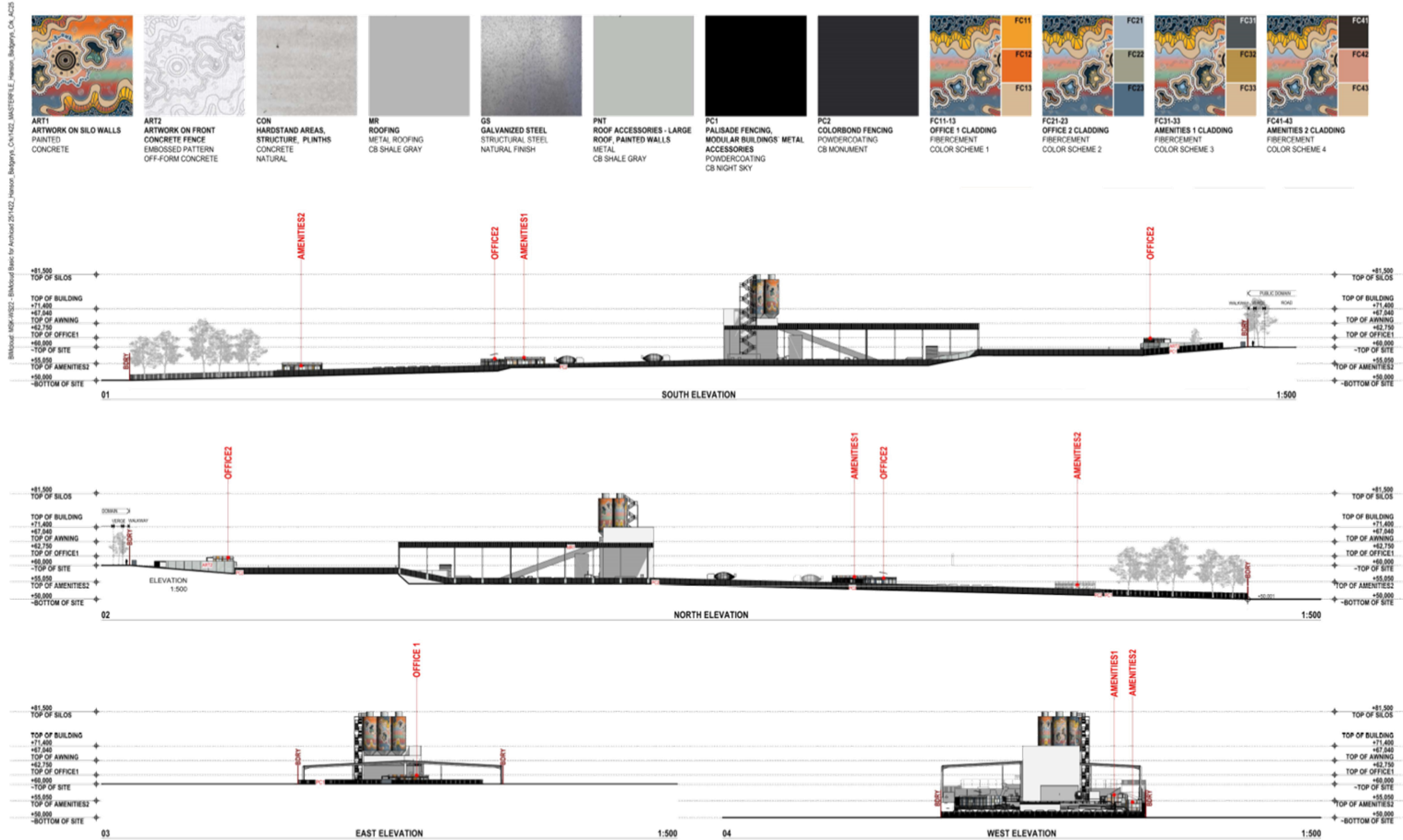


02 SITE PLAN - ENVIRONMENTAL MEASURES 1:500

DEVELOPMENT APPLICATION				CHANGES		N	MK	PROJECT: INDUSTRIAL DEVELOPMENT 135 Lawson Road, Badgerys Creek, NSW 2555 Hanson Construction Materials	DRAWING TITLE: SIGNAGE & ENVIRONMENTAL SITE PLAN
No.	DESCRIPTION	DATE		CHG1	TRANSPORT DEPOT AREA UPDATED WITH ADDITIONAL LANDSCAPING				
A	ISSUE FOR COUNCIL	14/07/2023		CHG2	ODD FENCE AND DATE FOR MAINTENANCE AND ADD-ADDED LANDSCAPE IMEINED				
B	ISSUE FOR COUNCIL	30/05/2024							
C	ISSUE FOR COUNCIL	31/05/2024							

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SCALE: 1:500@A1 DATE: 31/05/2024 DRAWING NO.: 1422 DA1103  
 DRAWING CHECKED BY: ZS/SD REV: C



**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A	ISSUE FOR COUNCIL	14/07/2023

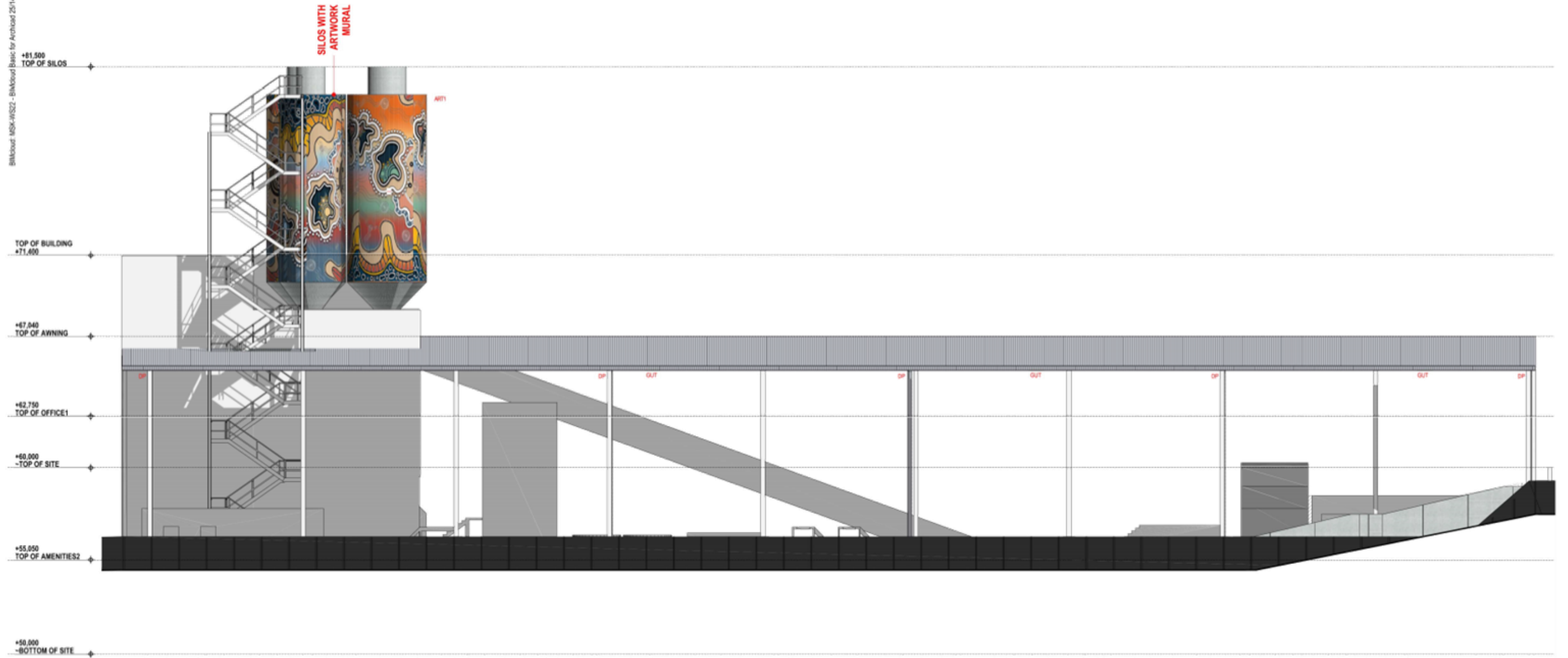
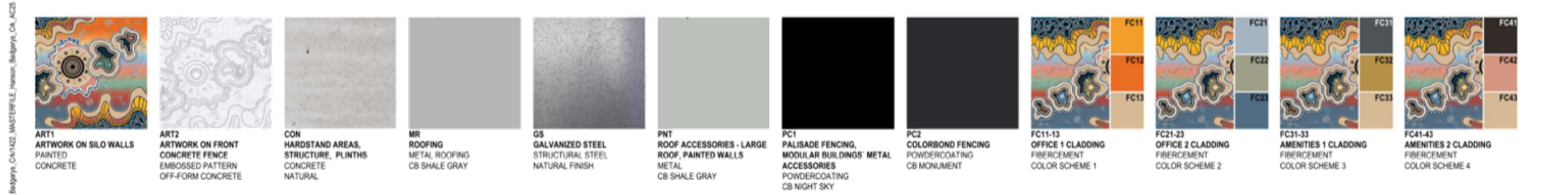


PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:  
**SITE ELEVATIONS - OVERVIEW**

SCALE: 1:500@A1  
DATE: 14/07/2023  
PROJECT NO.: 1422  
DRAWING NO.: DA1300

DRAWN/CHECKED BY:  
ZS/EO SD  
REV: A



01

SOUTH ELEVATION

1:100

**DEVELOPMENT APPLICATION**

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No	DESCRIPTION	DATE
A	ISSUE FOR COUNCIL	14/07/2023

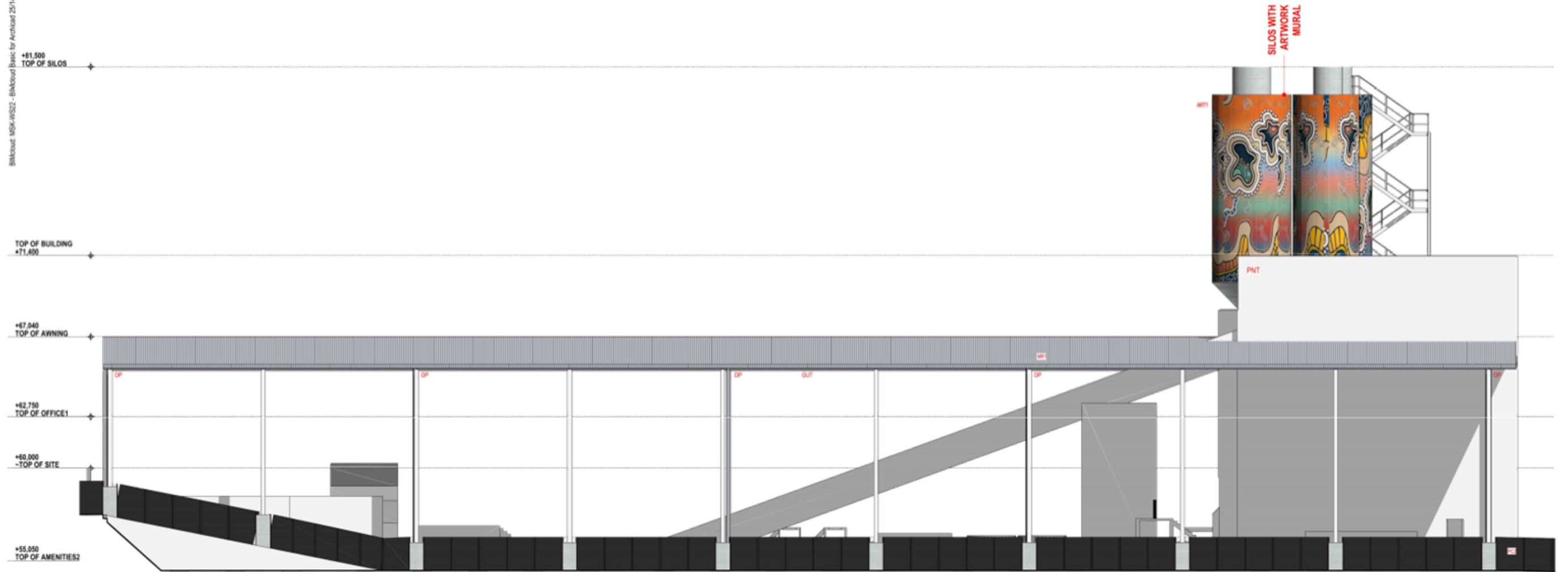
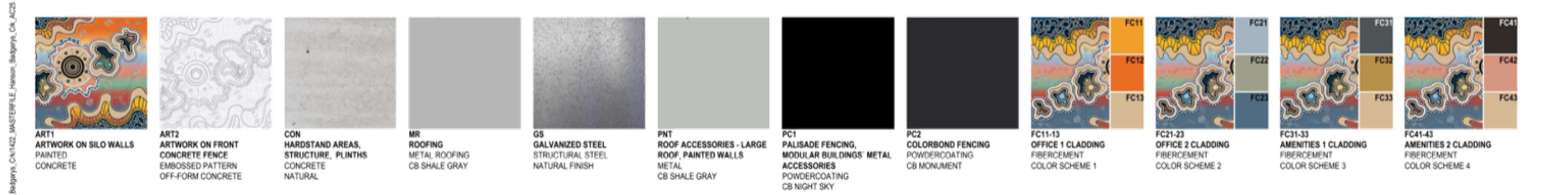


PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:  
**SITE ELEVATIONS - DETAILS - SOUTH**

SCALE: 1:100@A1 DATE: 14/07/2023 DRAWNCHECKED BY: ZS/EO SD

PROJECT NO: 1422 DRAWING NO: DA1301 REV: A



02

NORTH ELEVATION

1:100

**DEVELOPMENT APPLICATION**

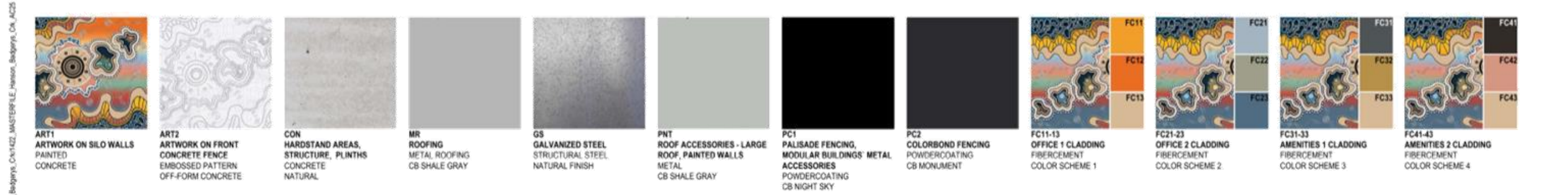
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No	DESCRIPTION	DATE
A	ISSUE FOR COUNCIL	14/07/2023



PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:  
**SITE ELEVATIONS - DETAILS - NORTH**  
SCALE: 1:100@A1  
DATE: 14/07/2023  
PROJECT NO.: 1422  
DRAWING NO.: DA1302  
DRAWN/CHECKED BY: ZS/EO SD  
REV: A



**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A.	ISSUE FOR COUNCIL	14/07/2023

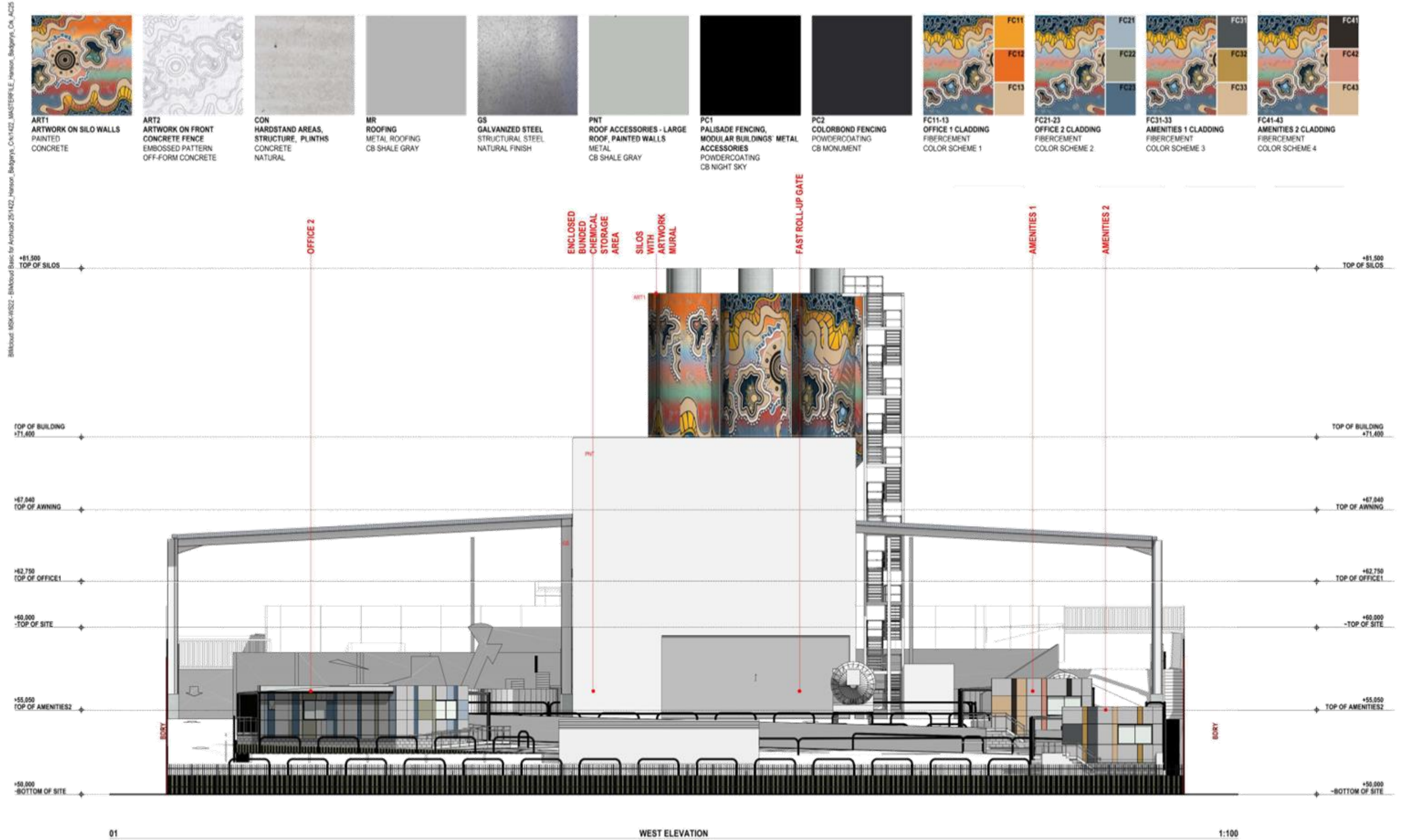


PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:  
**SITE ELEVATIONS - DETAILS - EAST**

SCALE: 1:100@A1  
DATE: 14/07/2023  
PROJECT NO.: 1422  
DRAWING NO.: DA1303

DRAWN/CHECKED BY:  
ZS/EG SD  
REV  
A



**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A.	ISSUE FOR COUNCIL	14/07/2023



PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:  
**SITE ELEVATIONS - DETAILS - WEST**

SCALE: 1:100@A1  
DATE: 14/07/2023  
DRAWN/CHECKED BY: ZS/EG SD  
PROJECT NO.: 1422  
DRAWING NO.: DA1304  
REV: A

BIMcloud - MKK-48522 - BIMcloud Basic for Archcad 251422\_Hanson\_Badgerys\_Creek\_422\_MKSTEPPLE\_Hanson\_Badgerys\_Creek\_422

**ARTWORK STRATEGY ITEM 1.  
MURAL ON SILOS**

**ARTWORK STRATEGY ITEM 2.  
ARTWORK EMBOSSED IN CONCRETE  
PERIMETER WALL OF FORECOURT**

**ARTWORK STRATEGY ITEM 3.  
SITE OFFICE- AND AMENITY COMPONENTS  
WITH CLADDING, COLOUR SCHEMES  
EXTRACTED FROM ARTWORK ON SILOS**

**FUTURE  
PUBLIC DOMAIN  
INTERFACE**



**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A.	ISSUE FOR COUNCIL	14/07/2023



**PROJECT:**  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
**Hanson Construction Materials**

DRAWING TITLE:		DRAWN/CHECKED BY:	
<b>3D SITE OVERVIEW</b>		ZS-EG SD	
SCALE:	DATE:	PROJECT NO.:	DRAWING NO.:
NTS	14/07/2023	<b>1422</b>	<b>DA1901</b>
			REV
			<b>A</b>



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No.	DESCRIPTION	DATE
A.	ISSUE FOR COUNCIL	14/07/2023



PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
**Hanson Construction Materials**

DRAWING TITLE:		DRAWN/CHECKED BY:	
<b>3D SITE OVERVIEW</b>		ZS-EG SD	
SCALE:	DATE:	PROJECT NO. DRAWING NO.	
NTS	14/07/2023	1422 DA1902	
		REV	
		A	

BIMcloud - MKK-41522 - BIMcloud Basic for Archcad 251422\_Hanson\_Badgerys\_Creek\_422\_MASTERPLAN\_Hanson\_Badgerys\_Creek\_422

**ARTWORK STRATEGY ITEM 2.  
ARTWORK EMBOSSED IN CONCRETE  
PERIMETER WALL OF FORECOURT**

**ARTWORK STRATEGY ITEM 1.  
MURAL ON SILOS**

**ARTWORK STRATEGY ITEM 3.  
SITE OFFICE- AND AMENITY COMPONENTS  
WITH CLADDING, COLOUR SCHEMES  
EXTRACTED FROM ARTWORK ON SILOS**



**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A.	ISSUE FOR COUNCIL	14/07/2023



PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
  
Hanson Construction Materials

DRAWING TITLE:  
**3D SITE OVERVIEW**  
  
SCALE: NTS  
DATE: 14/07/2023  
DRAWN/CHECKED BY: ZS-EG SD  
PROJECT NO.: 1422  
DRAWING NO.: DA1903  
REV: A



- ARTWORK STRATEGY ITEM 1. MURAL ON SILOS
- ARTWORK STRATEGY ITEM 2. - ARTWORK EMBOSSED IN CONCRETE PERIMETER WALL OF FORECOURT
- ARTWORK STRATEGY ITEM 3. SITE OFFICE- AND AMENITY COMPONENTS WITH CLADDING COLOUR SCHEMES EXTRACTED FROM ARTWORK ON SILOS
- PALISADE FENCING ALONG STREET FRONTAGE



- ARTWORK STRATEGY ITEM 1. MURAL ON SILOS
- OUTDOOR RECREATION AREA 2.
- SOLID COLORBOND FENCING AT OPERATION AREAS
- WESTERN INTERFACE TO CREEK WITH NATIVE VEGETATION PLANTING
- PALISADE FENCING ALONG GARDEN AND WESTERN BOUNDARY



**DEVELOPMENT APPLICATION**

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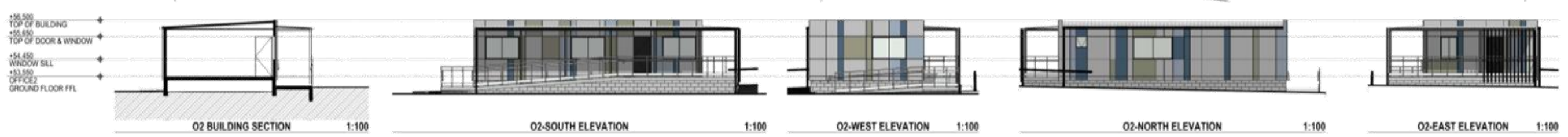
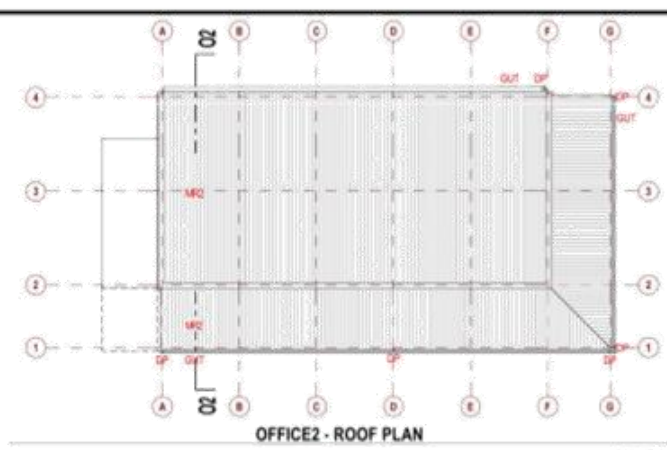
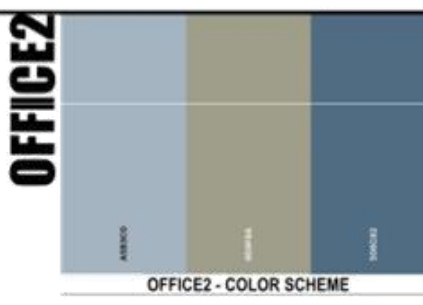
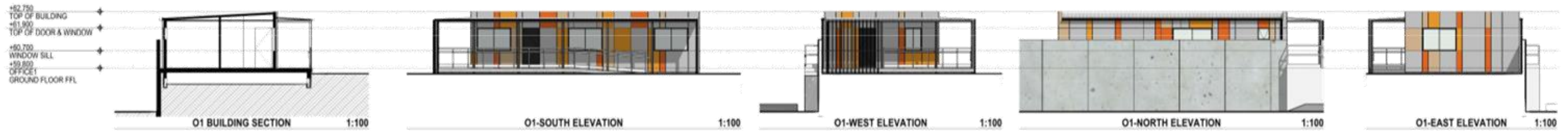
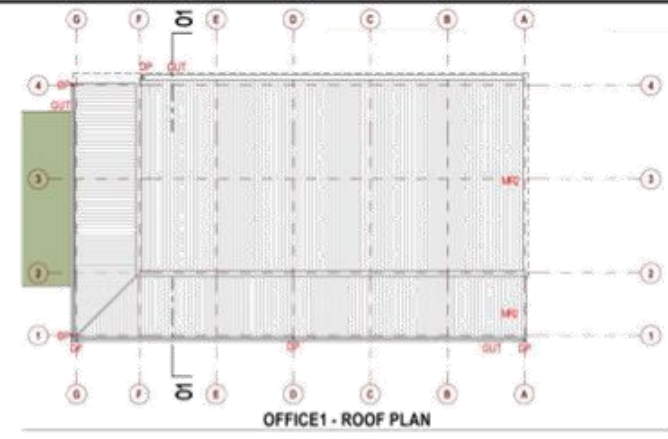
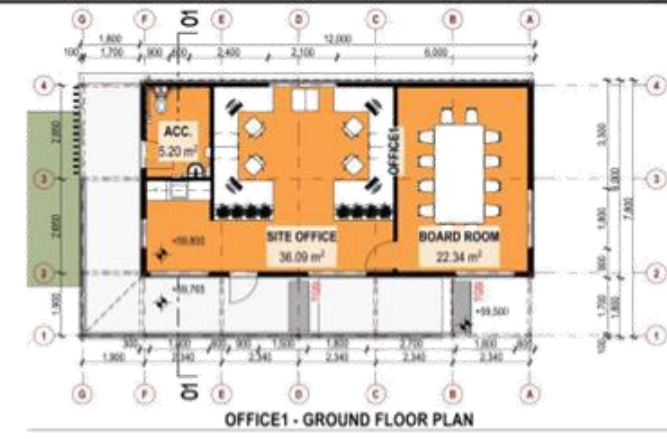
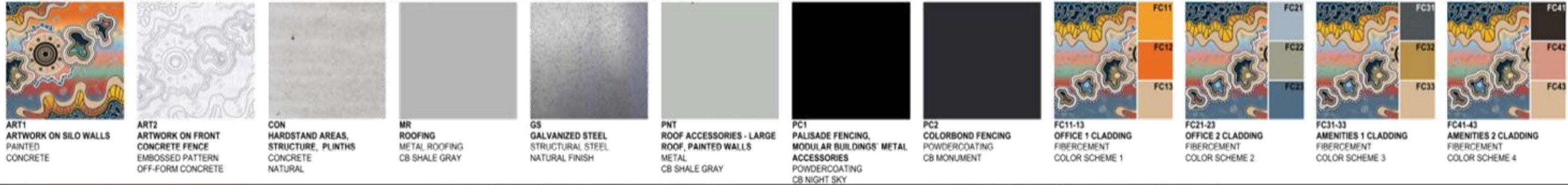
No.	DESCRIPTION	DATE
A.	ISSUE FOR COUNCIL	14/07/2023



PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:		DRAWN/CHECKED BY:	
3D SITE OVERVIEW		ZS/EG SD	
SCALE:	DATE:	PROJECT NO.:	DRAWING NO.:
NTS	14/07/2023	1422	DA1904
REV			A

B:\blouard\_MSK-1422 - Blouard Basic for Archibud 251422\_Hanson\_Badgerys\_Creek\_1422\_Marketing\_Plan\_Hanson\_Badgerys\_Creek\_1422

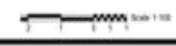


**DEVELOPMENT APPLICATION**

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No.	DESCRIPTION	DATE
A	ISSUE FOR COUNCIL	14/07/2023



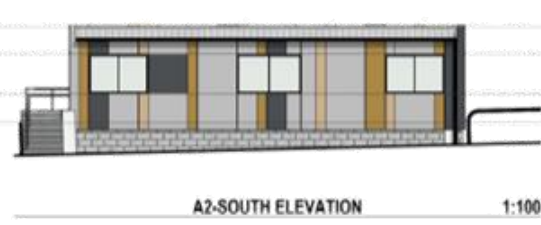
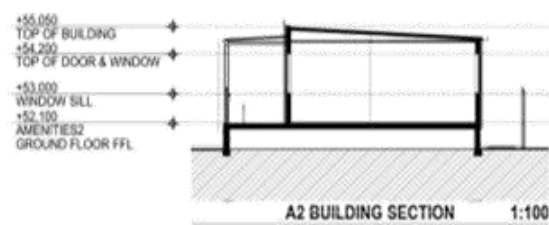
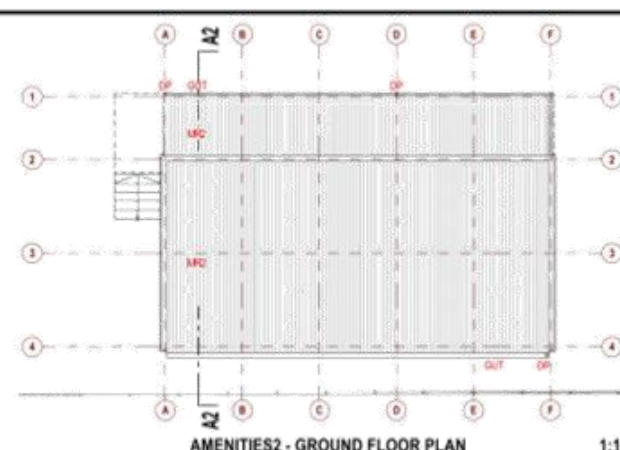
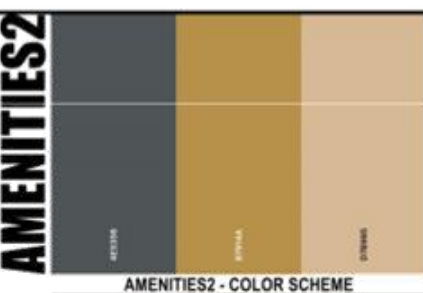
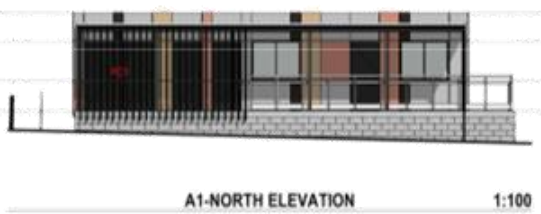
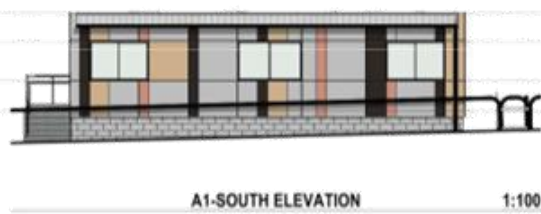
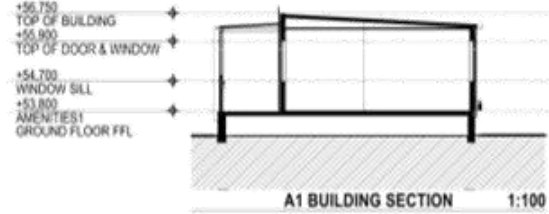
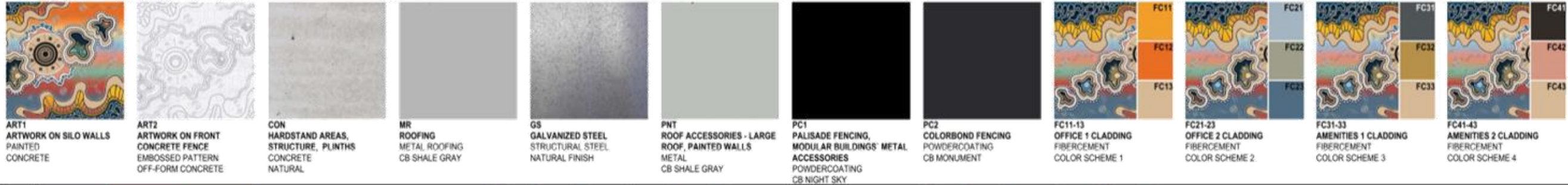
PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
**Hanson Construction Materials**

DRAWING TITLE:  
**OFFICE1 & OFFICE2**

SCALE: 1:100@A1  
DATE: 14/07/2023  
PROJECT NO.: 1422  
DRAWING NO.: DA2201

DRAWN/CHECKED BY:  
ZS-EG SD  
REV  
**A**

B:\blowd\MSK\1422 - Blowd\Basic for Arch\251422\_Hanson\_Badgerys\_Creek\1422\_MSC\EP1422\_Hanson\_Badgerys\_Creek\_A125



No.	DESCRIPTION	DATE
A	ISSUE FOR COUNCIL	14/07/2023

**DEVELOPMENT APPLICATION**

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PROJECT:  
**INDUSTRIAL DEVELOPMENT**  
135 Lawson Road, Badgerys Creek, NSW 2555  
Hanson Construction Materials

DRAWING TITLE:  
**AMENITIES1 & AMENITIES2**  
SCALE: 1:100@A1 DATE: 14/07/2023 DRAWNCHECKED BY: ZS-EG SD  
PROJECT NO.: 1422 DRAWING NO.: DA3201 REV: A




# BADGERYS CREEK CONCRETE BATCHING PLANT & TRANSPORT DEPOT

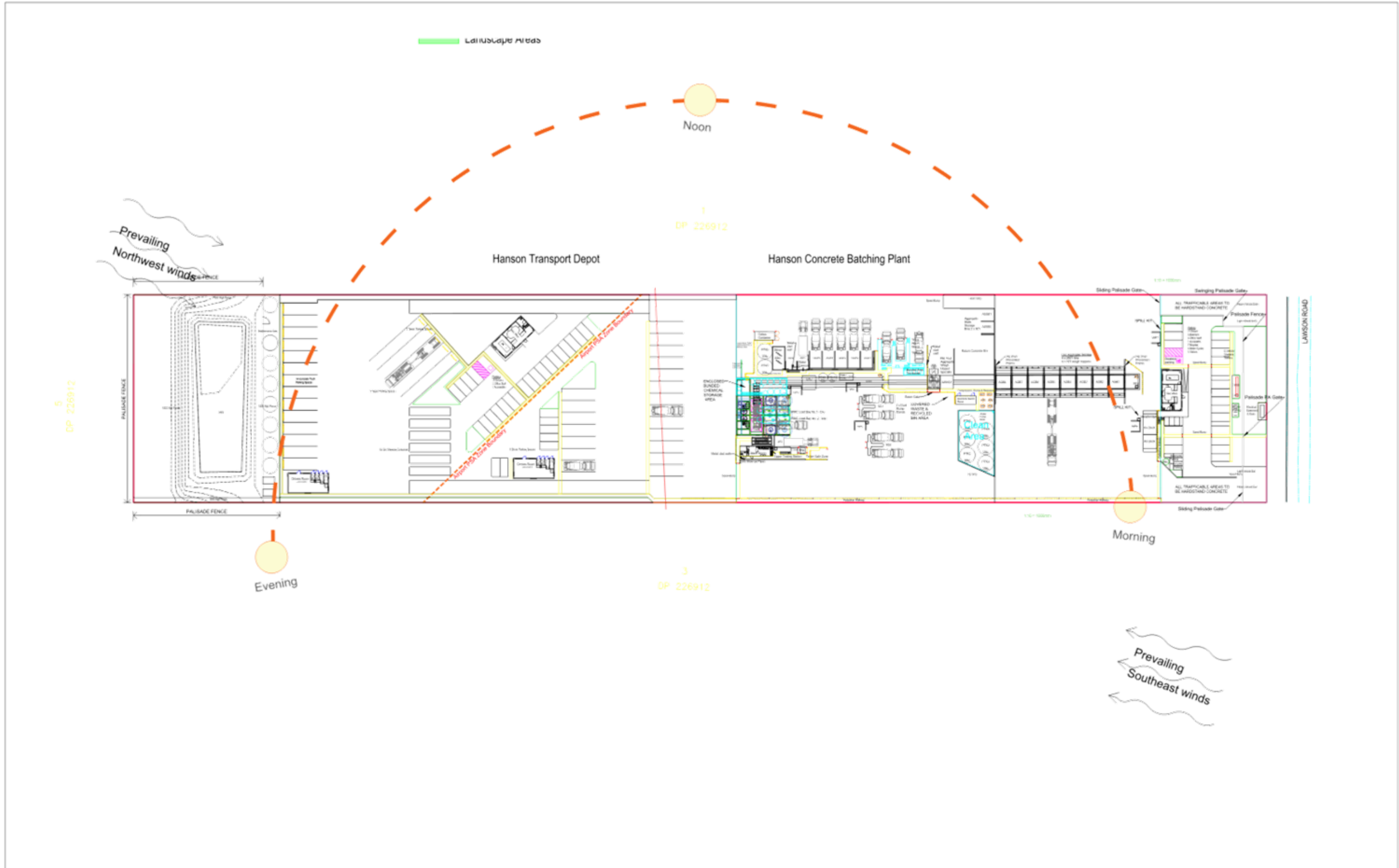



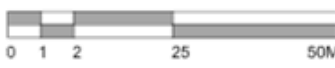


**LOCATION:**  
135 Lawson Road, Badgerys Creek,  
NSW 2555

## DRAWING SCHEDULE

LDA00	COVERSHEET
LDA01	SITE ANALYSIS PLAN
LDA02	LANDSCAPE PLAN & EAST ELEVATION
LDA03	PLANT SCHEDULE, IMAGES & DETAILS

LANDSCAPE ARCHITECT:  135 Conus Drive, Badgerys Creek, NSW 2555 Registered Landscape Architect: Anton Conus AILA No. 8420	BAR SCALE: 	ARCHITECT:  <b>MSK Architects</b>	PROJECT: <b>Badgerys Creek Concrete Batching Plant &amp; Transport Depot</b> 135 Lawson Rd, Badgerys Creek	TITLE: <b>COVERSHEET</b>			STATUS: Development Application		
				ENGINEER: *	ISSUE: C DATE: 20/08/24	DRAWING NO.: LDA00	PLOTTED: 1	DRAWN: AS	CHECKED: AC



LANDSCAPE ARCHITECT:  Conus Landscape Architecture 135 Conus Drive, Badgerys Creek, NSW 2555 Registered Landscape Architect: Anton Conus AILA No. 8420	BAR SCALE:  0 1 2 25 50M 1:500 @A1	ASPECT: 	CLIENT:  Hanson HANSON TRANSPORT GROUP	ARCHITECT: MSK Architects	PROJECT: Badgerys Creek Concrete Batching Plant & Transport Depot 135 Lawson Rd, Badgerys Creek	TITLE: <b>SITE ANALYSIS PLAN</b>			STATUS: Development Application		
						ISSUE: C	DWG No: LDA01	PLOTTED: 1	SCALE: 1:500	DATE: 20/09/24	JOB No: 23.31
DO NOT SCALE DRAWINGS. CHECK ALL DIMENSIONS. FIGURED DIMENSIONS TAKE PRECEDENCE. THESE DRAWINGS ARE NOT FOR CONSTRUCTION.						DRAWN: AS	CHECKED: AC	APPROVED: AC			



LANDSCAPE ARCHITECT: <b>Conus Landscape Architecture</b> 100 Condamine Rd, Toowoomba QLD, 4330 conus.com.au Registered Landscape Architect: Anton Conus AILA No. 8420	BAR SCALE: 0 1 2 25 50M 1:500 @A1	ASPECT: N	CLIENT: <b>Hanson</b> Hanson Building Group	ARCHITECT: <b>MSK Architects</b>	PROJECT: <b>Badgerys Creek Concrete Batching Plant &amp; Transport Depot</b> 135 Lawson Rd, Badgerys Creek	TITLE: <b>LANDSCAPE PLAN &amp; EAST ELEVATION</b>	STATUS: Development Application
SCALE: 1:500	DATE: 20/09/24	JOB NO: 23.31	DESIGNER: AS	CHECKED: AC	APPROVED: AC	ISSUE: C	DATE: 20/09/24
NO. OF SHEETS: 1	DATE: 20/09/24	SCALE: 1:500	DATE: 20/09/24	SCALE: 1:500	DATE: 20/09/24	SCALE: 1:500	DATE: 20/09/24

PLANT SCHEDULE				
Botanic Name	Common Name	Size (m)	Pot Size	Spacing
<b>Trees</b>				
<i>Callistemon viminalis</i> 'Hannah Ray'	Weeping Bottlebrush	7H x 5W	25L	As shown
<i>Elaeocarpus reticulatus</i> 'Prima Donna'	Blueberry Ash	7H x 4W	25L	As shown
<i>Lophostemon confertus</i>	Brushbox	12H x 8W	25L	As shown
<i>Melaleuca decora</i>	White Paperbark	7H x 5W	25L	3m
<i>Melaleuca linarifolia</i>	Flax-leaved Paperbark	7H x 5W	25L	3m
<i>Waterhousea floribunda</i> 'Sweeper'	Weeping Lilly Pilly	7H x 5W	45L	As shown
<b>Accents &amp; shrubs</b>				
<i>Callistemon citrinus</i>	Crimson Bottlebrush	3.5H x 3W	200mm	1m
<i>Correa alba</i>	White Correa	1H x 1W	200mm	0.8m
<i>Doryanthes excelsa</i>	Gynea Lily	2H x 2W	200mm	0.8m
<i>Westringia fruticosa</i>	Native Rosemary	2H x 2W	200mm	0.3m
<b>Grasses, groundcovers and climbers</b>				
<i>Aristida ramosa</i>	Purple Wiregrass	1.2H x 0.5W	140mm/hydroseed	4/m <sup>2</sup>
<i>Dianella caerulea</i>	Native Flax Lily	0.7H x 0.8W	140mm/virocell	2/m <sup>2</sup>
<i>Entolasia stricta</i>	Wiry Panic	1H x 0.5W	140mm/hydroseed	4/m <sup>2</sup>
<i>Imperata cylindrica</i>	Blady Grass	1H x 1W	hydroseed	4/m <sup>2</sup>
<i>Juncus usitatus</i>	Common Rush	0.7H x 0.7W	virocell	4/m <sup>2</sup>
<i>Lomandra longifolia</i> 'Katrinus'	Mattrush Grass	0.8H x 1.2W	viroseed/140mm	2/m <sup>2</sup>
<i>Lomandra multiflora</i>	Many-flowered Mattrush Grass	0.8H x 0.8W	viroseed/140mm	2/m <sup>2</sup>
<i>Microlaena stipoides</i>	Weeping Grass	0.75H x 0.5W	hydroseed	4/m <sup>2</sup>
<i>Myoporum parvifolium</i>	Creeping Boobialla	0.2H x 1W	140mm	2/m <sup>2</sup>
<i>Pennisetum alopecuroides</i> 'Nafray'	Swamp Foxtail Grass	1H x 1W	140mm/hydroseed	2/m <sup>2</sup>

**NOTES:**

- All garden beds to contain premium imported garden mix
- Provide slow-release fertiliser to each plant to manufacturer's instructions
- All garden beds to contain 80mm depth hardwood timber mulch similar to ANL Forest Fines
- All trees to be staked by hardwood timber stakes fastened with hessian ties
- All trees to comply with NATSPEC specifications
- Turf to be Kikuyu
- All native ornamental grasses in rear/western open space, including OSD to be hydromulched/seeded

**PLANT IMAGES**



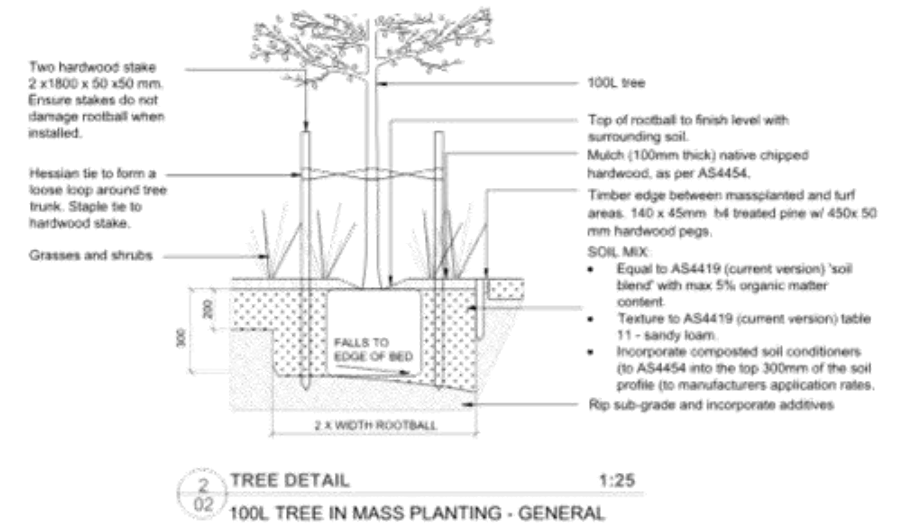
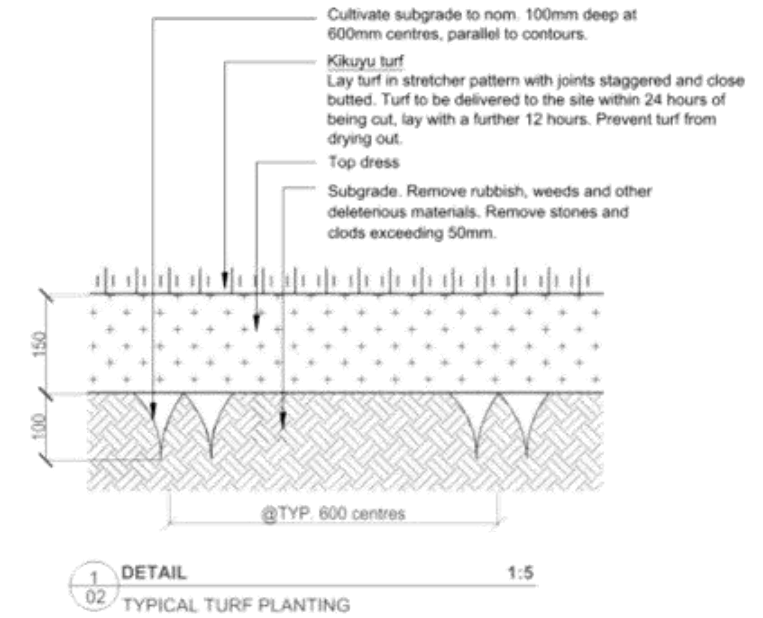
*Elaeocarpus reticulatus*



*Corymbia maculata*



*Doryanthes excelsa*



*Callistemon citrinus*



*Waterhousea floribunda*



*Dianella caerulea*

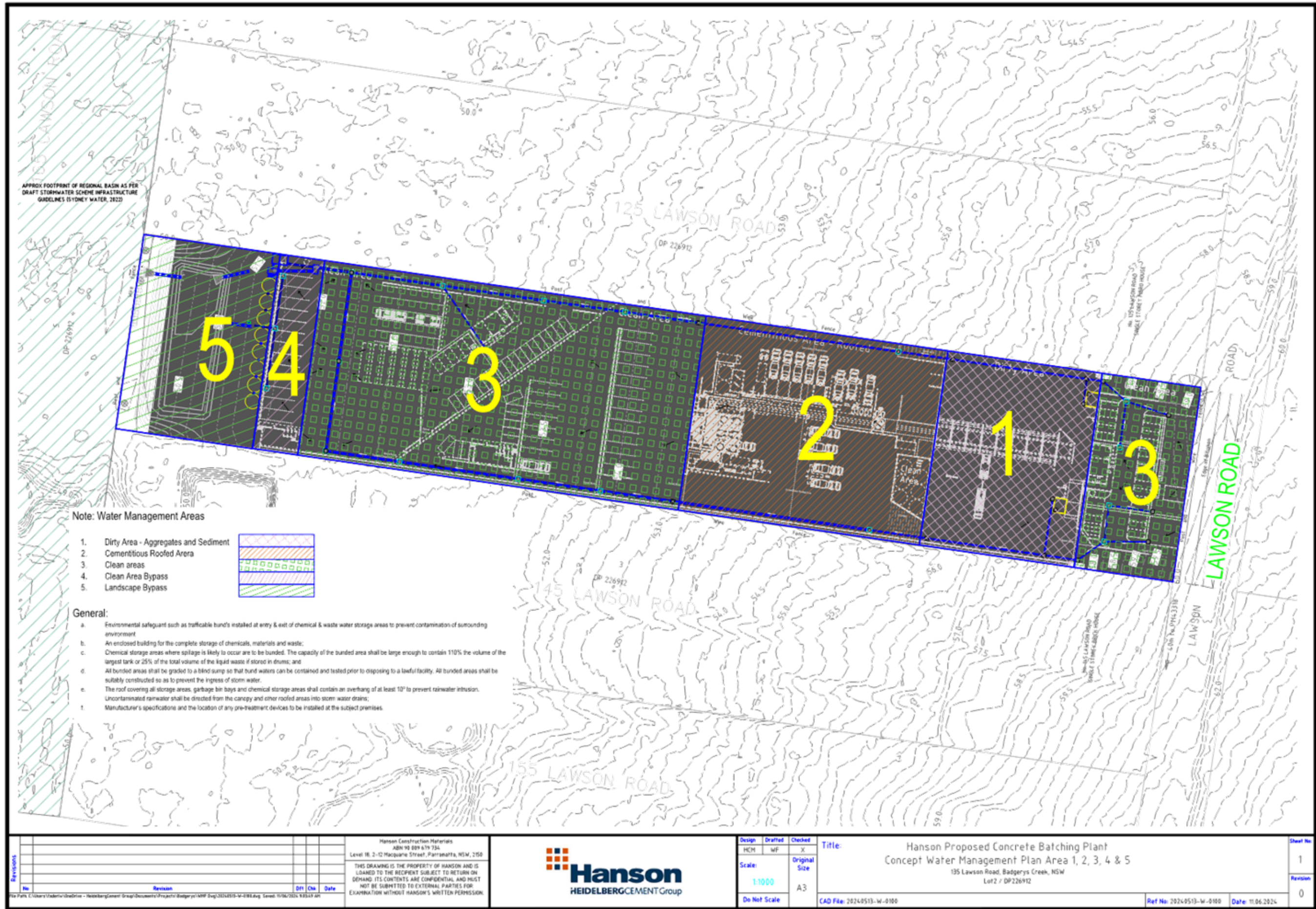


*Melaleuca linarifolia*



*Myoporum parvifolium*

<p>Conus Landscape Architecture 135 Chapelway St, New Lambton NSW, 2259 Registered Landscape Architect: Anton Conus AILA No. 8420</p>	<p>MSK Architects Hanson MEMBERING GROUP</p>		<p>PROJECT: <b>Badgerys Creek Concrete Batching Plant &amp; Transport Depot</b> 135 Lawson Rd, Badgerys Creek</p>	<p>TITLE: <b>PLANT SCHEDULE, IMAGES &amp; DETAILS</b></p>	<p>STATUS: Development Application</p>
<p>ISSUE: C</p>	<p>DRAWN: LDA03</p>	<p>PLOTTED: 1</p>	<p>DESIGNED: AS</p>	<p>CHECKED: AC</p>	<p>APPROVED: AC</p>



Note: Water Management Areas

- 1. Dirty Area - Aggregates and Sediment
- 2. Cementitious Roofed Area
- 3. Clean areas
- 4. Clean Area Bypass
- 5. Landscape Bypass



General:

- a. Environmental safeguard such as trafficable bunds installed at entry & exit of chemical & waste water storage areas to prevent contamination of surrounding environment.
- b. An enclosed building for the complete storage of chemicals, materials and waste;
- c. Chemical storage areas where spillage is likely to occur are to be bunded. The capacity of the bunded area shall be large enough to contain 110% the volume of the largest tank or 25% of the total volume of the liquid waste if stored in drums; and
- d. All bunded areas shall be graded to a blind sump so that bund waters can be contained and tested prior to disposing to a lawful facility. All bunded areas shall be suitably constructed so as to prevent the ingress of storm water.
- e. The roof covering all storage areas, garbage bin bays and chemical storage areas shall contain an overhang of at least 10' to prevent rainwater intrusion. Uncontaminated rainwater shall be directed from the canopy and other roofed areas into storm water drains;
- f. Manufacturer's specifications and the location of any pre-treatment devices to be installed at the subject premises.

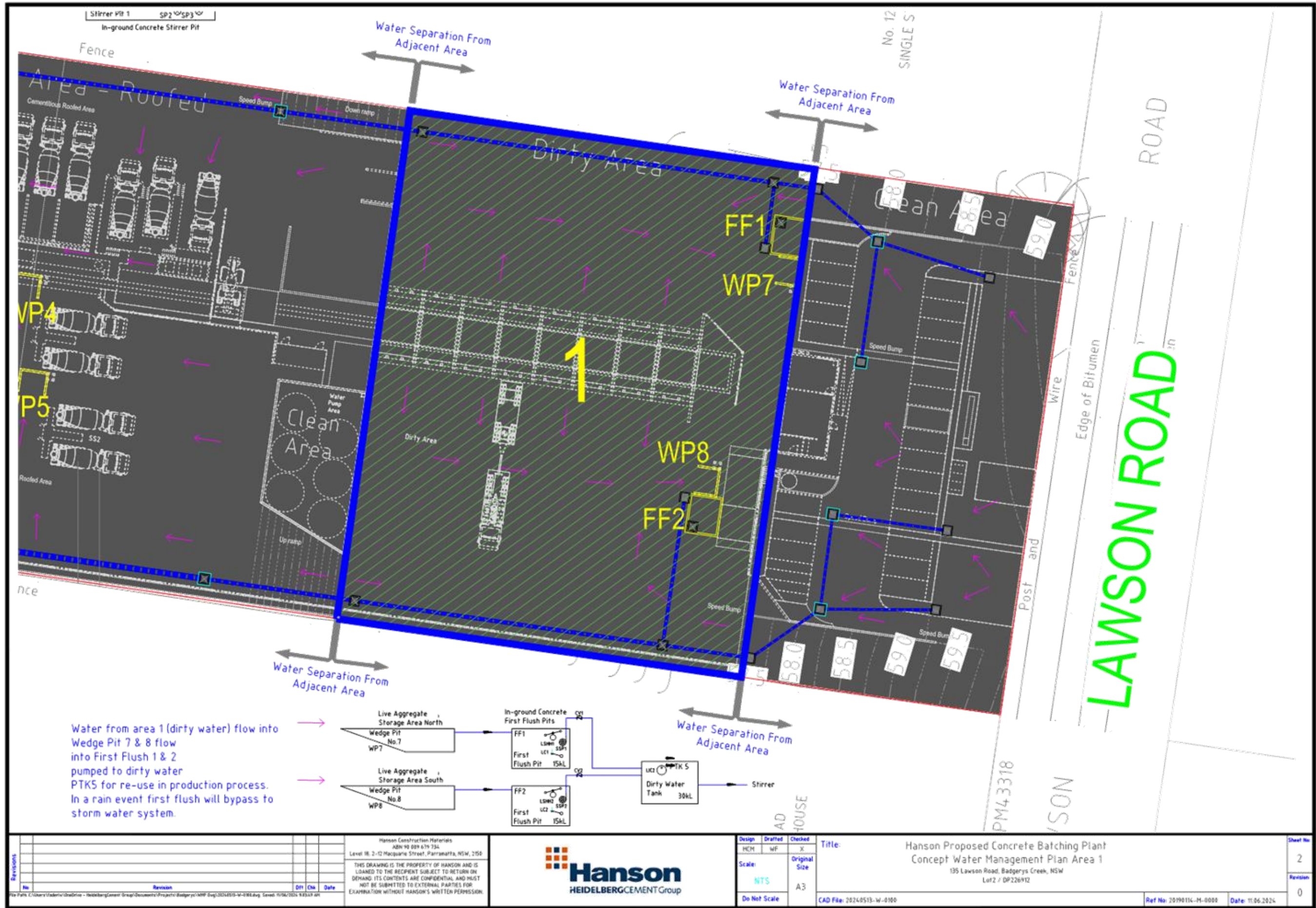
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Level 18, 2-12 Macquarie Street, Parramatta, NSW, 2150  
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Design	Drafted	Checked
HCM	WF	X
Scale:	Original Size	
1:1000	A3	
Do Not Scale		

Title:		Hanson Proposed Concrete Batching Plant	Sheet No 1
		Concept Water Management Plan Area 1, 2, 3, 4 & 5	
		135 Lawson Road, Badgerys Creek, NSW	Revision 0
		Lot 2 / DP226912	
CAD File:		2024-0513-W-0100	Ref No: 2024-0513-W-0100
			Date: 11.06.2024



No.	Revision	By	CHK	Date

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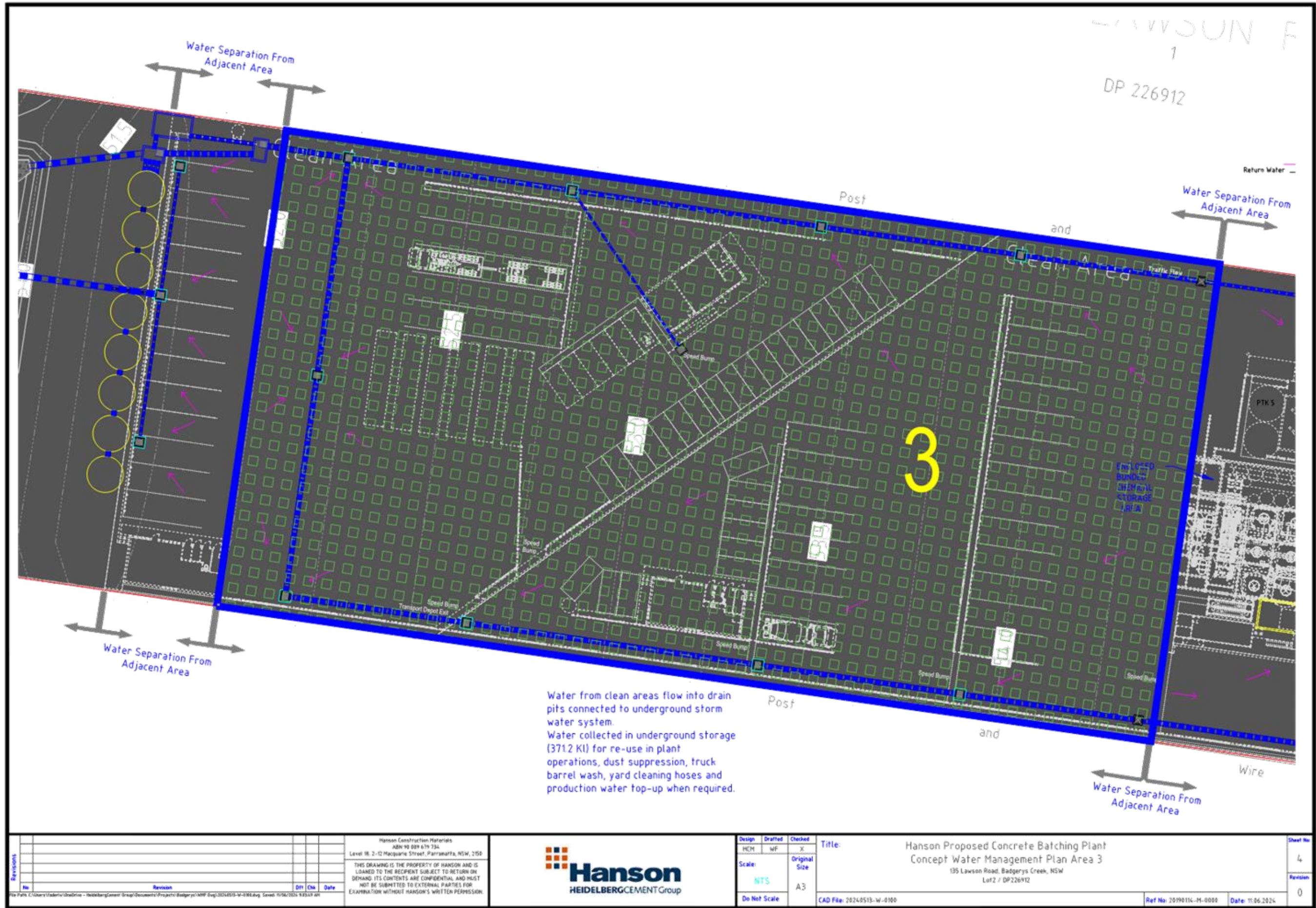
**Hanson**  
HEIDELBERGCEMENT Group

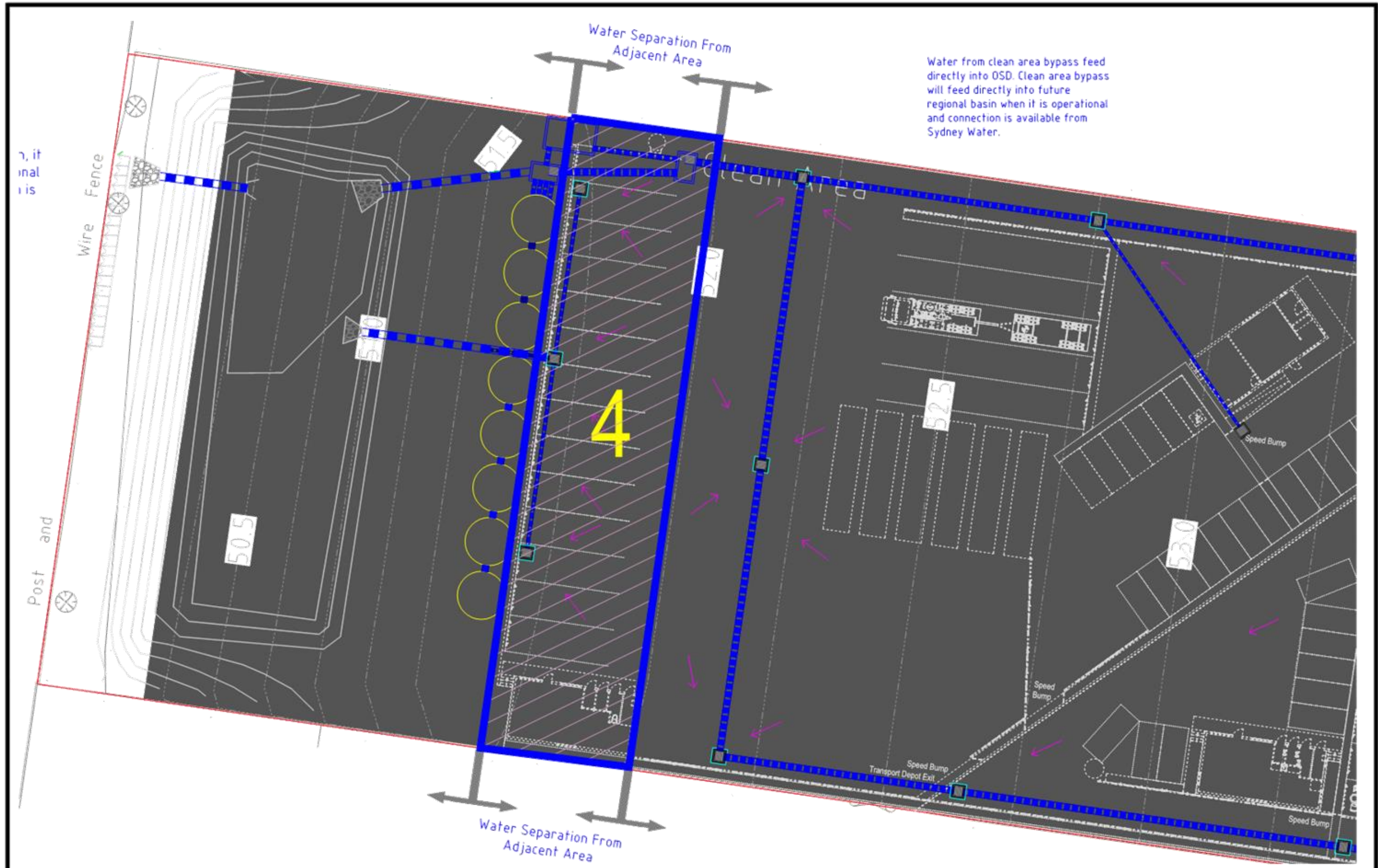
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HCM	MF	X
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Concept Water Management Plan Area 1  
135 Lawson Road, Badgerys Creek, NSW  
Lot2 / DP226912  
CAD File: 2024-0513-W-0100

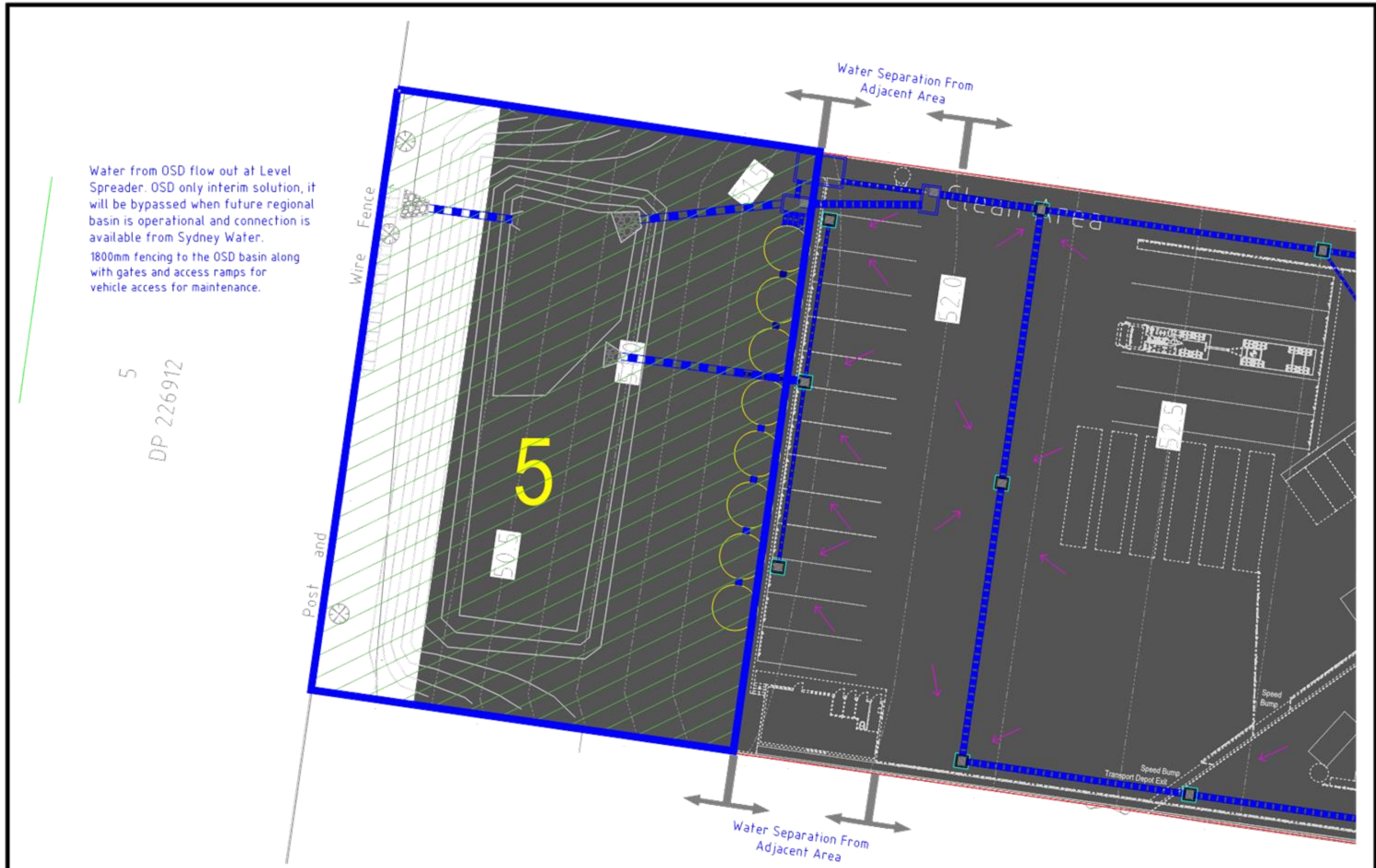
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Revision	0
Ref No	20190116-M-0000
Date	11.06.2024







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PROJECT: PROPOSED CONCRETE BATCHING PLANT  
 PLANSET: CONCEPT WATER CYCLE MANAGEMENT PLAN  
 CLIENT: HANSON CONSTRUCTION MATERIALS P/L

DRAWING LIST	
DWG NO.	REV   DWG TITLE
GENERAL	
PS03-A000	F COVER SHEET
CONSTRUCTION MANAGEMENT WORKS	
PS03-B300	D SEDIMENT & EROSION CONTROL PLAN
PS03-B310	A SEDIMENT & EROSION CONTROL DETAILS
PS03-B311	A SEDIMENT BASIN SIZING DETAILS
DRAINAGE	
PS03-E100	E DRAINAGE PLAN INTERIM DESIGN
PS03-E110	A DRAINAGE PLAN ULTIMATE DESIGN
PS03-E200	C DRAINAGE DETAILS
PS03-E300	B DRAINAGE PIT SCHEDULE INTERIM DESIGN
PS03-E310	B OSD BASIN SECTION
PS03-E400	A DETENTION CATCHMENT PLANS, MODELS & RESULTS
PS03-E700	C WATER QUALITY CATCHMENT PLAN, MODEL AND RESULTS



LOCALITY PLAN  
NOT TO SCALE

LGA: LIVERPOOL CITY COUNCIL  
 135 LAWSON ROAD, BADGERYS CREEK, NSW  
 LOT 2/DP226912

DEVELOPMENT APPLICATION

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVD	SCALE
F	MINOR AMENDMENTS	18/04/2024	SSH	PC	SL	SL	
E	MINOR AMENDMENTS	14/04/2024	SSH	PC	SL	SL	
D	MINOR AMENDMENTS	23/11/2023	HP	RL	SL	SL	
C	MINOR AMENDMENTS	18/07/2023	YJ/NP	PC	SL	SL	
B	MINOR AMENDMENTS	03/07/2023	YI	PC	SL	SL	
A	INITIAL RELEASE	09/06/2023	YJ/RK	PC	SL	SL	

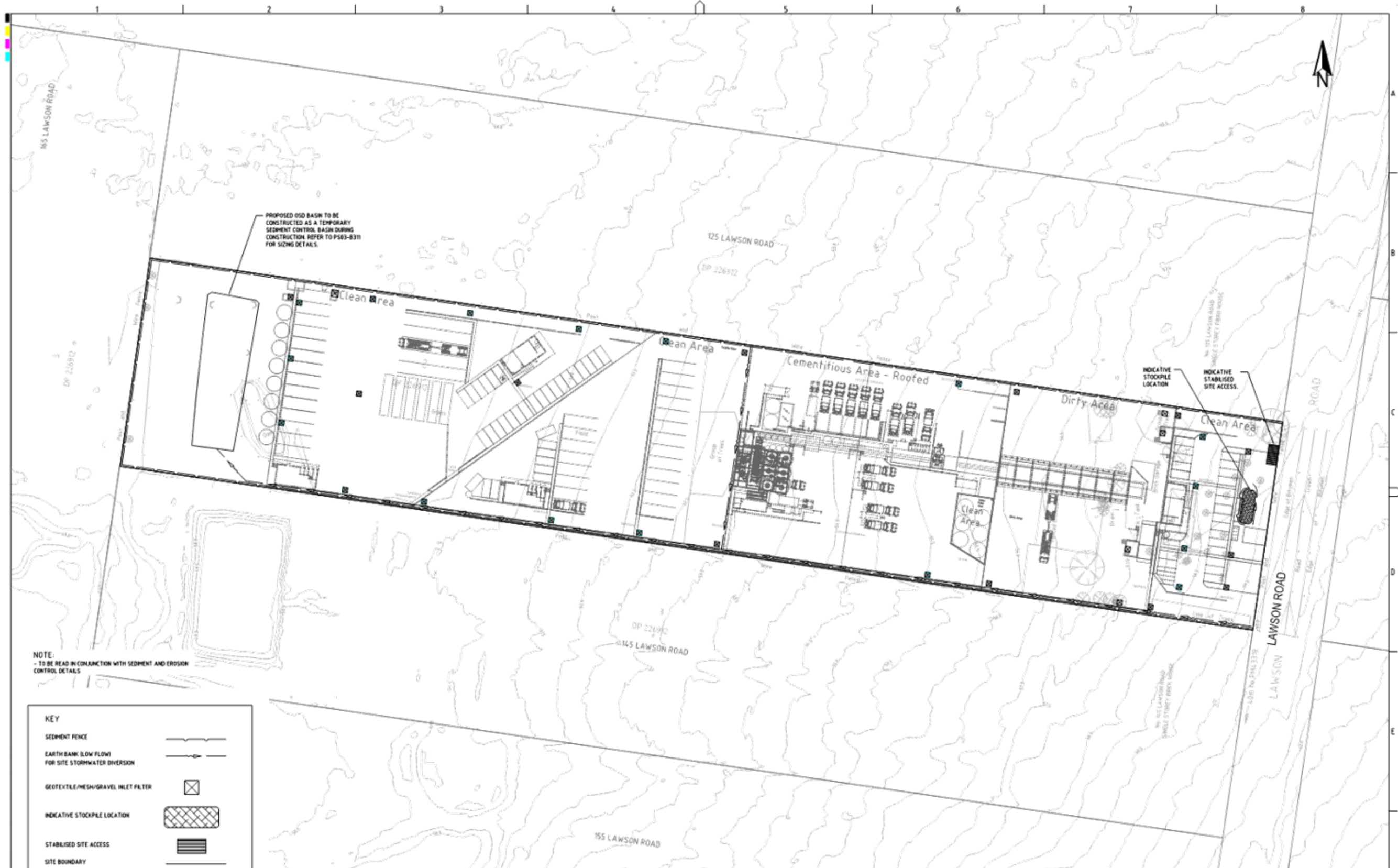
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PROJECT NAME/PLANSET TITLE			
PROPOSED CONCRETE BATCHING PLANT CONCEPT WATER CYCLE MANAGEMENT PLAN 135 LAWSON ROAD, BADGERYS CREEK, NSW LOT 2/DP226912			

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DRAWING TITLE				
COVER SHEET				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-A000	F



NOTE:  
- TO BE READ IN CONJUNCTION WITH SEDIMENT AND EROSION CONTROL DETAILS

KEY	
SEDIMENT FENCE	
EARTH BANK (LOW FLOW) FOR SITE STORMWATER DIVERSION	
GEOTEXTILE/MESH/GRAVEL INLET FILTER	
INDICATIVE STOCKPILE LOCATION	
STABILISED SITE ACCESS	
SITE BOUNDARY	

DEVELOPMENT APPLICATION

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED
D	MINOR AMENDMENTS	23/11/2023	MP	RL	SL	SL
C	MINOR AMENDMENTS	18/07/2023	MP	PC	SL	SL
B	MINOR AMENDMENTS	03/07/2023	YI	PC	SL	SL
A	INITIAL RELEASE	09/06/2023	YU/RK	PC	SL	SL

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PROJECT MANAGER	SL

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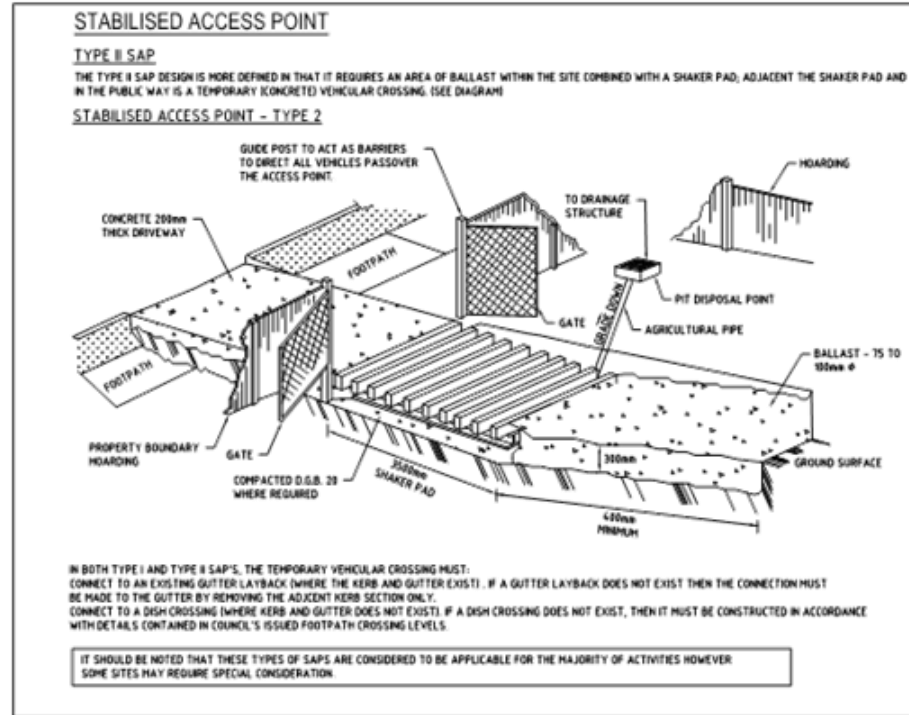
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**PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN**

135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP226912

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Water  
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Date: 20/11/2023, 20 George St, Homebush, NSW 2077 Australia. Phone: (02) 9476 9999. Fax: (02) 9476 8787. Email: info@martens.com.au. Internet: www.martens.com.au

DRAWING TITLE <b>SEDIMENT &amp; EROSION CONTROL PLAN</b>				
PROJECT NO. P1907008	PLANSET NO. PS03	RELEASE NO. R06	DRAWING NO. PS03-B300	REVISION D



### SHAKER PAD (CATTLE GRID)

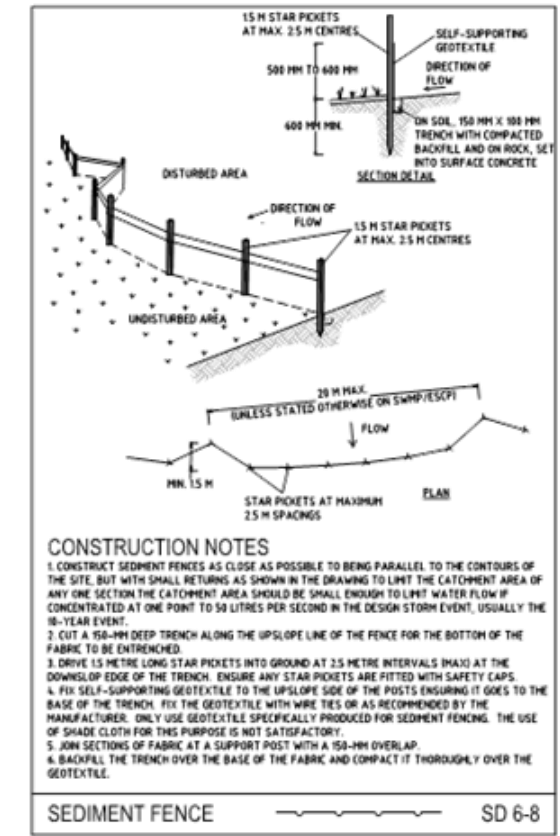
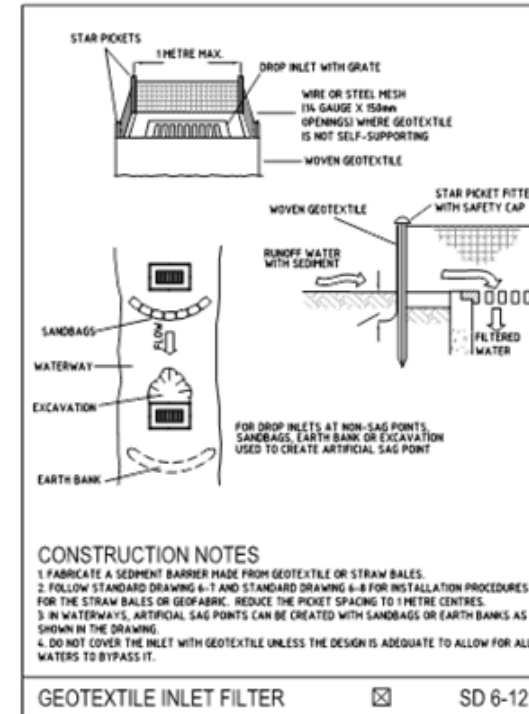
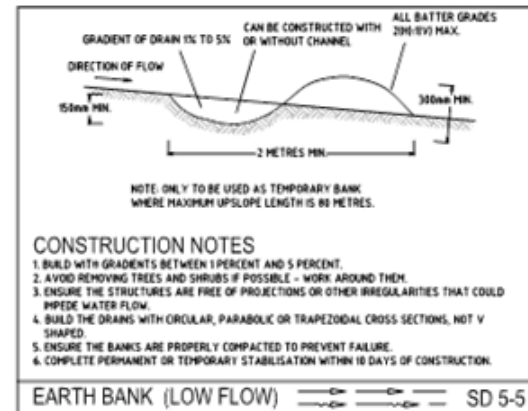
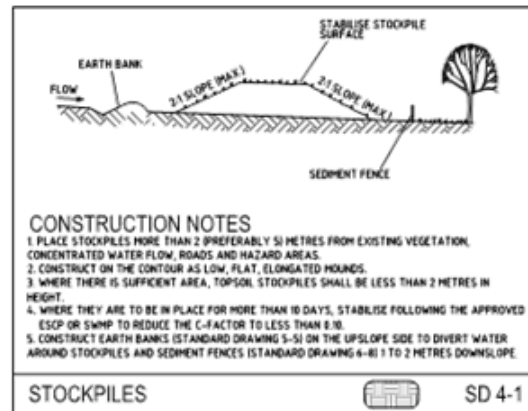
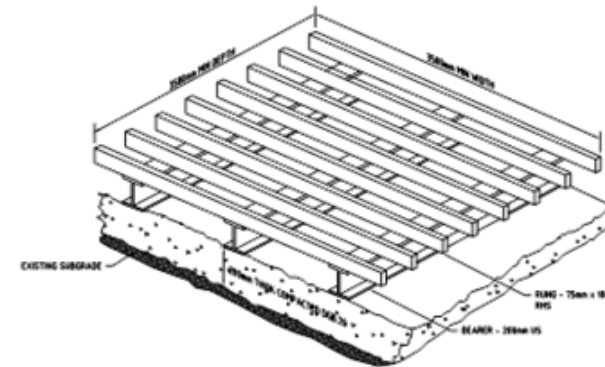
A CORRECTLY DESIGNED AND INSTALLED SHAKER PAD WILL ASSIST IN PREVENTING SEDIMENT TRANSFER FROM A SITE. ANY STABILISED ACCESS POINT (SAP) CAN BE DESIGNED WITH A SHAKER PAD (COMPULSORY IN TYPE II SAP'S)

SHAKER PADS CAN BE DESIGNED AND CONSTRUCTED TO ENABLE RE-USE ON FUTURE PROJECTS.

#### THE SHAKER PAD

- MUST BE DESIGNED AND CERTIFIED BY A PRACTISING STRUCTURAL ENGINEER. THE CERTIFIED DESIGN SHOULD BE SUBMITTED WITH THE RELEVANT APPLICATION.
- CAN BE CONSTRUCTED FROM ANY SUITABLE MATERIAL.
- MUST BE LOCATED ON A SUITABLY PREPARED AND COMPACTED SUB-GRADE/BASE MATERIAL.
- MUST BE SITUATED SUCH THAT THE RUNGS OF THE SHAKER PAD ARE LEVEL WITH THE ADJOINING NATURAL SURFACE.
- MUST BE A MINIMUM OF 3.5m IN LENGTH.
- MUST BE A MINIMUM OF 3.5m IN WIDTH.
- MUST HAVE CLEAR SPACING BETWEEN RUNGS OF 200 - 250mm.
- RUNGS MUST HAVE A MAXIMUM WIDTH (BEARING AREA) OF 75mm.
- MUST HAVE A MINIMUM CLEAR DEPTH OF 300mm  $\pm$  FROM THE TOP OF THE RUNG TO THE FINISHED SUB-GRADE/BASE LEVEL.

THE SHAKER PAD MUST BE PROVIDED WITH SUITABLE BARRIERS AT THE SIDES TO ENSURE THAT ALL TYERS OF VEHICLES LEAVING THE SITE TRAVERSE THE DEVICE.



## DEVELOPMENT APPLICATION

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVD	SCALE
A	INITIAL RELEASE	09/06/2023	YURK	PC	SL		

GRID	DATUM	PROJECT MANAGER	CLIENT
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PROJECT NAME/PLANET TITLE  
PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN

135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP226912

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Water  
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DRAWING TITLE				
SEDIMENT & EROSION CONTROL DETAILS				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-B310	A

Note: These "Detailed Calculation" spreadsheets relate only to high erosion hazard lands as identified in figure 4.6 or where the designer chooses to use the RUSLE to size sediment basins. The "Standard Calculation" spreadsheets should be used on low erosion hazard lands as identified by figure 4.6 and where the designer chooses not to run the RUSLE in calculations.

**1. Site Data Sheet**

Site Name: P1907008JS01V01

Site Location: 135 Lawson Street, Badgerys Creek, NSW

Precinct:

Description of Site:

Site area	CAT 1	Site	Remarks
Total catchment area (ha)	1.93		
Disturbed catchment area (ha)	1.93		

Soil analysis			
% sand (fraction 0.02 to 2.00 mm)	22.5		Soil texture should be assessed through mechanical dispersion only. Dispersing agents (e.g. Calgon) should not be used
% silt (fraction 0.002 to 0.02 mm)	22.5		
% clay (fraction finer than 0.002 mm)	20		
Dispersion percentage	35.0		E.g. enter 10 for dispersion of 10%
% of whole soil disperseible	10.9375		See Section 6.3.3(a)
Soil Texture Group	0		See Section 6.3.3(c), (d) and (e)

Rainfall data			
Design rainfall depth (days)	5		See Sections 6.3.4 (f) and (g)
Design rainfall depth (percentile)	75		See Sections 6.3.4 (f) and (g)
x-day, y-percentile rainfall event	19.2		See Section 6.3.4 (h)
Rainfall intensity 2-year, 6-hour storm	10.5		See IFD chart for the site

RUSLE Factors			
Rainfall erosivity (R-factor)	2420		Automatic calculation from above data
Soil erodibility (K-factor)	0.038		
Slope length (m)	290		
Slope gradient (%)	5		RUSLE data can be obtained from Appendices A, B and C
Length/gradient (LS-factor)	2.53		
Erosion control practice (P-factor)	1.3		
Ground cover (C-factor)	1		

Calculations			
Soil loss (t/ha/yr)	302		
Soil Loss Class	3		See Section 4.4.2(b)
Soil loss (m <sup>3</sup> /ha/yr)	233		
Sediment basin storage volume, m <sup>3</sup>	76		See Sections 6.3.4(i) and 6.3.5 (a)

**4. Volume of Sediment Basins, Type D and Type F Soils**

Basin volume = settling zone volume + sediment storage zone volume

**Settling Zone Volume**

The settling zone volume for Type F and Type D soils is calculated to provide capacity to contain all runoff expected from up to the y-percentile rainfall event. The volume of the basin's settling zone (V) can be determined as a function of the basin's surface area and depth to allow for particles to settle and can be determined by the following equation:

$$V = 10 \times C_v \times A \times R_{x\text{-day}, y\text{-}\%} \text{ (m}^3\text{)}$$

where:

10 = a unit conversion factor

C<sub>v</sub> = the volumetric runoff coefficient defined as that portion of rainfall that runs off as stormwater over the x-day period

R<sub>x-day, y-%</sub> = is the x-day total rainfall depth (mm) that is not exceeded in y percent of rainfall events. (See Sections 6.3.4(d), (e), (f), (g) and (h)).

A = total catchment area (ha)

**Sediment Storage Zone Volume**

In the detailed calculation on Soil Loss Classes 1 to 4 lands, the sediment storage zone can be taken as 50 percent of the settling zone capacity. Alternately designers can design the zone to store the 2-month soil loss as calculated by the RUSLE (Section 6.3.4(i)(ii)). However, on Soil Loss Classes 5, 6 and 7 lands, the zone must contain the 2-month soil loss as calculated by the RUSLE (Section 6.3.4(i)(iii)).

Place an "X" in the box below to show the sediment storage zone design parameters used here:

<input type="checkbox"/>	50% of settling zone capacity,
<input checked="" type="checkbox"/>	2 months soil loss calculated by RUSLE

**Total Basin Volume**

Site	C <sub>v</sub>	R <sub>x-day, y-%</sub>	Total catchment area (ha)	Settling zone volume (m <sup>3</sup> )	Sediment storage volume (m <sup>3</sup> )	Total basin volume (m <sup>3</sup> )
CAT 1	0.50	19.2	1.93	185.28	76	261.28

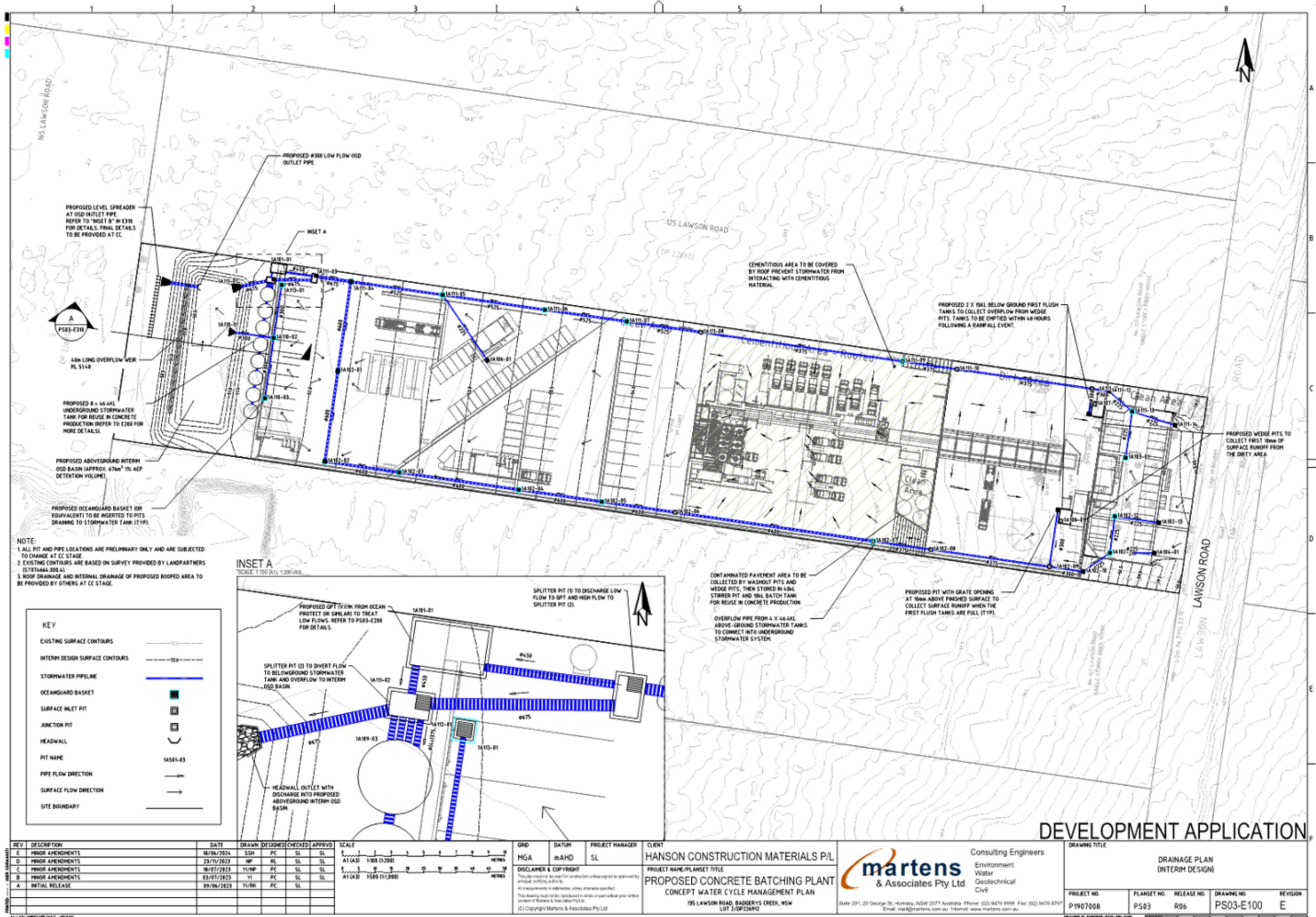
REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVD	SCALE
A	INITIAL RELEASE	23/11/2023	MP	RL	SL	SL	

GRID	DATUM	PROJECT MANAGER	CLIENT
mAH	mAH	SL	HANSON CONSTRUCTION MATERIALS P/L
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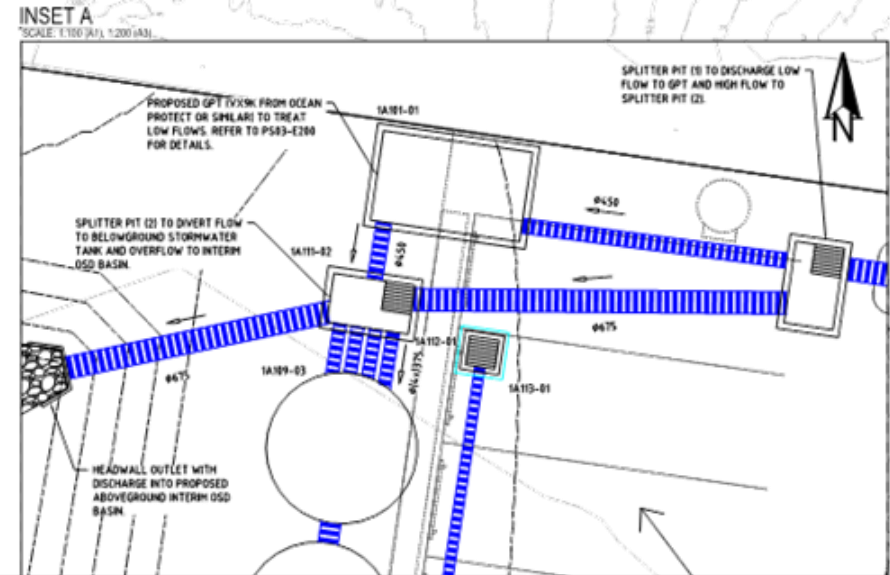
**DEVELOPMENT APPLICATION**

DRAWING TITLE			
SEDIMENT BASIN SIZING DETAILS			
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.
P1907008	PS03	R06	PS03-B311
			REVISION
			A



**NOTE:**  
1. ALL PIT AND PIPE LOCATIONS ARE PRELIMINARY ONLY AND ARE SUBJECT TO CHANGE AT CC STAGE.  
2. EXISTING CONTOURS ARE BASED ON SURVEY PROVIDED BY LANDPARTNERS (51974644.000 AL).  
3. ROOF DRAINAGE AND INTERNAL DRAINAGE OF PROPOSED ROOFED AREA TO BE PROVIDED BY OTHERS AT CC STAGE.

KEY	
EXISTING SURFACE CONTOURS	--- 12.0 ---
INTERM DESIGN SURFACE CONTOURS	--- 12.8 ---
STORMWATER PIPELINE	— (Blue Line) —
OCEANGUARD BASKET	■ (Green Square)
SURFACE INLET PIT	□ (Square with X)
JUNCTION PIT	□ (Square with +)
HEADWALL	⌋ (L-shaped)
PIT NAME	1A501-03
PIPE FLOW DIRECTION	→ (Arrow)
SURFACE FLOW DIRECTION	→ (Arrow)
SITE BOUNDARY	— (Dashed Line) —



REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED	SCALE
E	MINOR AMENDMENTS	18/04/2024	SSH	PC	SL	SL	A1 (A3) 1:100 (1:200)
D	MINOR AMENDMENTS	23/11/2023	NP	RL	SL	SL	A1 (A3) 1:100 (1:200)
C	MINOR AMENDMENTS	18/07/2023	YU/MP	PC	SL	SL	A1 (A3) 1:100 (1:200)
B	MINOR AMENDMENTS	03/07/2023	YI	PC	SL	SL	A1 (A3) 1:100 (1:200)
A	INITIAL RELEASE	09/06/2023	YU/RK	PC	SL	SL	A1 (A3) 1:100 (1:200)

GRID	DATUM	PROJECT MANAGER	CLIENT
MGA	mAHd	SL	HANSON CONSTRUCTION MATERIALS P/L

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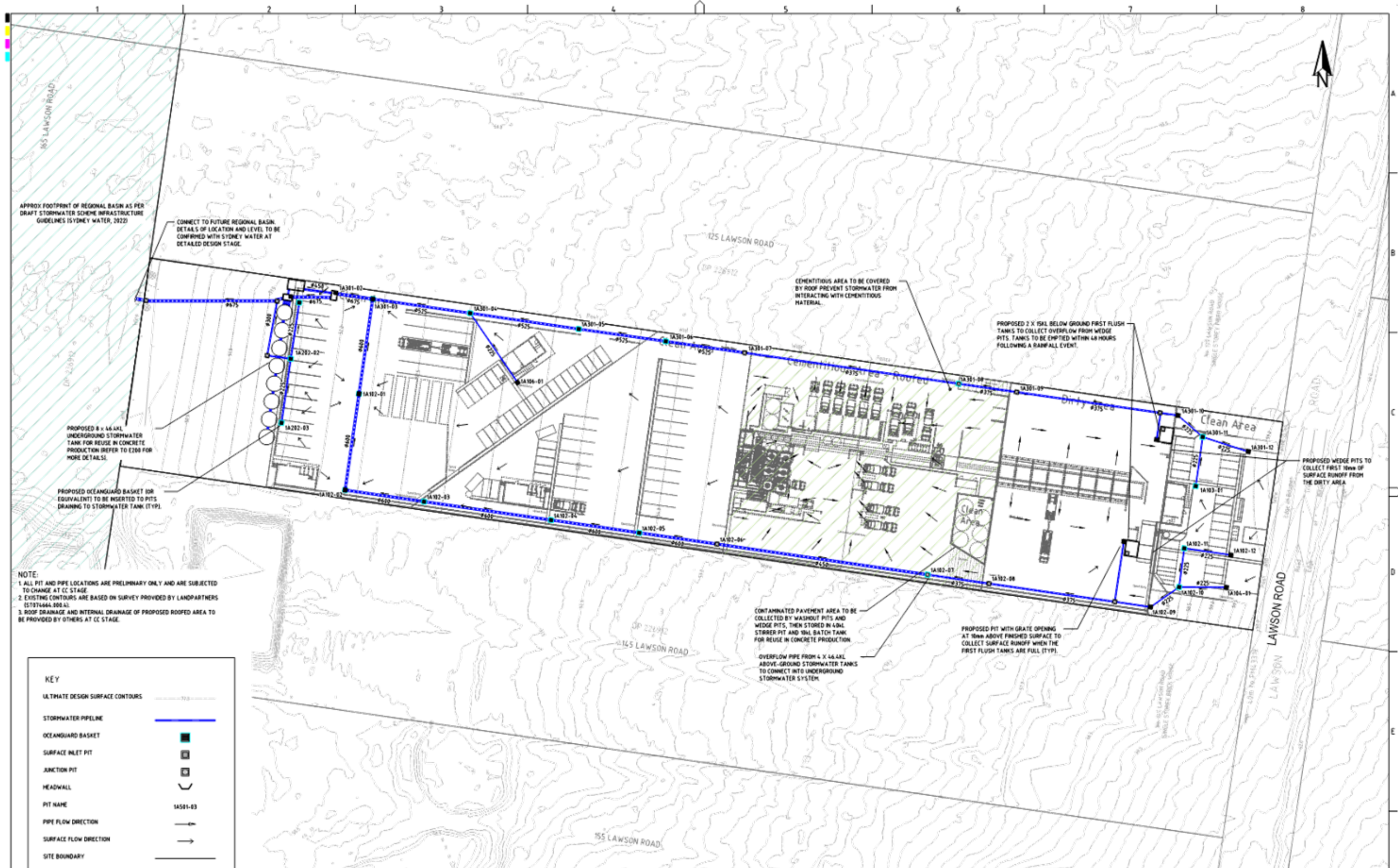
**PROJECT NAME/PLANSET TITLE**  
PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN  
135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP226912

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DRAWING TITLE				
DRAINAGE PLAN (INTERIM DESIGN)				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-E100	E

DEVELOPMENT APPLICATION

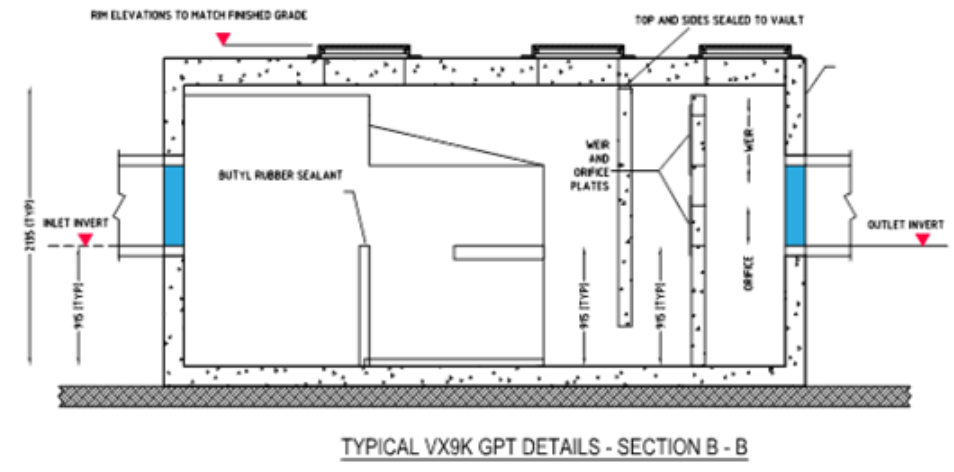
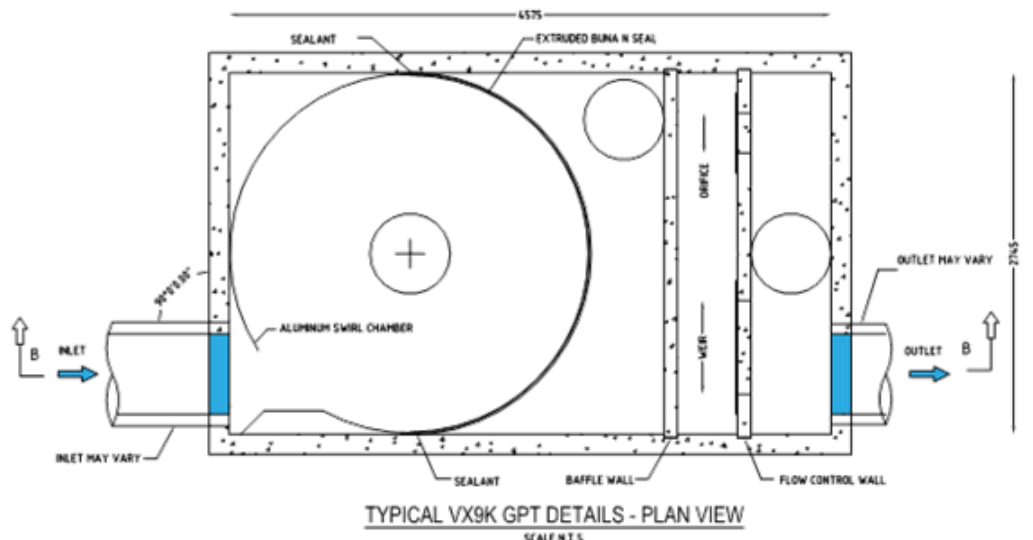
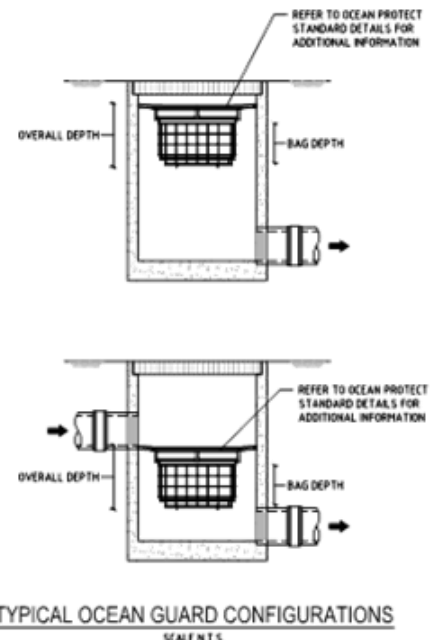
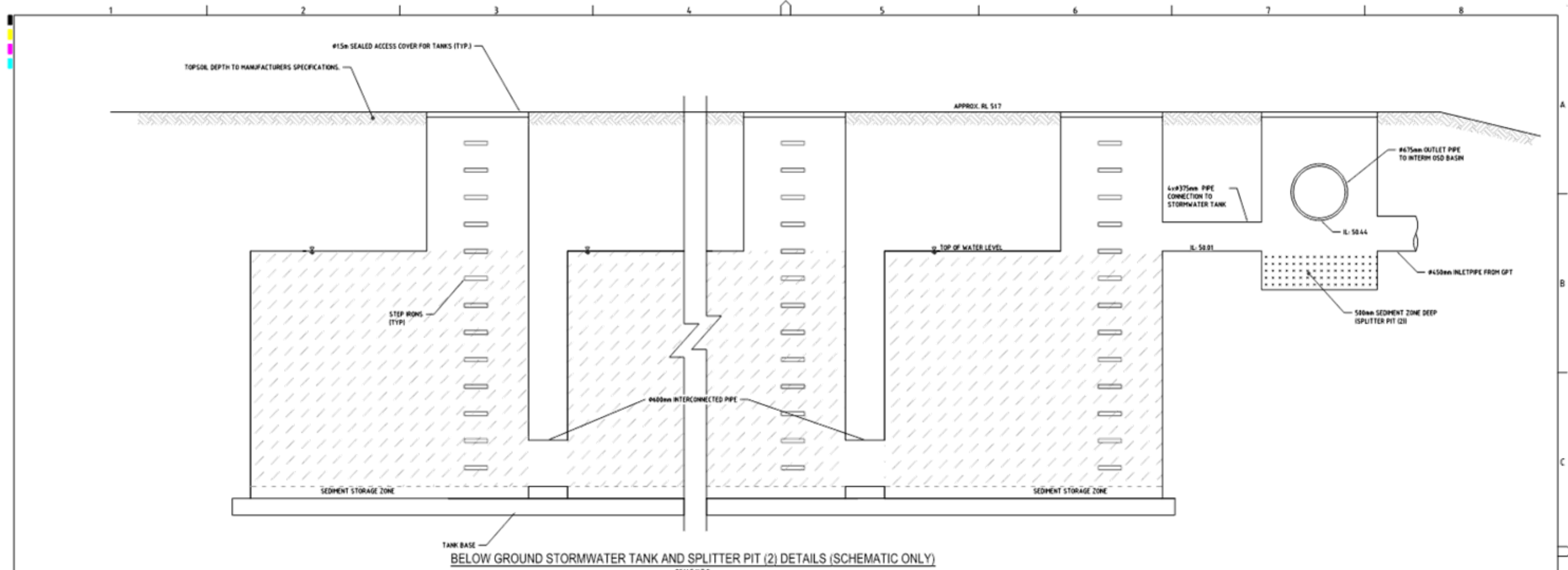


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 2. EXISTING CONTOURS ARE BASED ON SURVEY PROVIDED BY LANDPARTNERS (S1974664.200 AL).  
 3. ROOF DRAINAGE AND INTERNAL DRAINAGE OF PROPOSED ROOFED AREA TO BE PROVIDED BY OTHERS AT CC STAGE.

KEY	
ULTIMATE DESIGN SURFACE CONTOURS	
STORMWATER PIPELINE	
OCEANGUARD BASKET	
SURFACE INLET PIT	
JUNCTION PIT	
HEADWALL	
PIT NAME	1A501-03
PIPE FLOW DIRECTION	
SURFACE FLOW DIRECTION	
SITE BOUNDARY	

<b>REV   DESCRIPTION</b> A INITIAL RELEASE 23/11/2023 MP RL SL SL		<b>DATE</b> 23/11/2023		<b>DRAWN DESIGNED CHECKED APPROVD</b> MP RL SL SL		<b>SCALE</b> A1 (A3) 1500 (1:1000)		<b>GRID</b> MGA		<b>DATUM</b> mAHD		<b>PROJECT MANAGER</b> SL		<b>CLIENT</b> HANSON CONSTRUCTION MATERIALS P/L		<b>CONSULTING ENGINEERS</b> Environment Water Geotechnical Civil		<b>DRAWING TITLE</b> DRAINAGE PLAN (ULTIMATE DESIGN)	
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DEVELOPMENT APPLICATION



DEVELOPMENT APPLICATION

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVD	SCALE
C	MINOR AMENDMENTS	23/11/2023	PC/YI	RL	SL	SL	
B	MINOR AMENDMENTS	03/07/2023	YI	PC	SL	SL	
A	INITIAL RELEASE	09/06/2023	YU/RK	PC	SL	SL	

GRID	DATUM	PROJECT MANAGER	CLIENT
---	---	SL	HANSON CONSTRUCTION MATERIALS P/L

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**PROJECT NAME/PLANSET TITLE**  
PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN  
135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP226912

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Email: [ma@martens.com.au](mailto:ma@martens.com.au) Internet: [www.martens.com.au](http://www.martens.com.au)

DRAWING TITLE				
DRAINAGE DETAILS				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-E200	C

PIT SCHEDULE												
PIT NAME	TYPE	EASTING	NORTHING	INTERNAL WD	LEN	INLET DIA	INV LEV	OUTLET DIA	INV LEV	PIT SETOUT RL	DEPTH	REMARKS
1A109-03	PIPE CONNECTION	292392.91	6248573.594	0	0					51596	1.01	
1A110-01	SPLITTER PIT (1)	292392.91	6248573.594	1.5	2.5			450	50.703	51948	1.245	
1A109-01	GROSS POLLUTANT TRAP - INLET	292395.491	6248578.943	0	0	450	50.549	450	50.549	51663	1.14	
1A110-02	SPLITTER PIT (2)	292395.017	6248576.044	1.5	2.5	450	50.52			51647	1.205	
1A102-13	GRATED SURFACE INLET PIT 900x900	292668.854	6248581.354	0.9	0.9			225	59.458	59.984	0.526	
1A102-12	GRATED SURFACE INLET PIT 900x900	292655.3	6248583.295	0.9	0.9	225	59.321	225	59.381	60	0.660	
1A102-11	GRATED SURFACE INLET PIT 900x900	292653.805	6248492.062	0.9	0.9	225	59.188	225	57.188	60	2.012	
1A102-10	GRATED SURFACE INLET PIT 900x900	292645.505	6248486.278	0.9	0.9	225	57.807	300	56.725	57.588	0.863	
1A102-09	JUNCTION PIT 900x900	292636.534	6248487.573	0.9	0.9	300	56.434	375	56.403	57.5	1.097	
1A102-08	JUNCTION PIT 900x900	292598.594	6248493.067	0.9	0.9	375	56.07	375	53.669	57.5	3.831	
1A102-07	JUNCTION PIT 900x900	292580.781	6248495.655	0.9	0.9	375	53.489	400	53.299	54.4	1.101	
1A102-06	JUNCTION PIT 900x900	292519.652	6248504.535	0.9	0.9	400	52.836	400	52.816	54.364	1.548	
1A102-05	GRATED SURFACE INLET PIT 900x900	292497.877	6248507.0	0.9	0.9	400	52.445	400	52.625	53.907	1.282	
1A102-04	GRATED SURFACE INLET PIT 900x900	292475.507	6248511.499	0.9	0.9	400	52.298	400	52.278	53.39	1.112	
1A102-03	GRATED SURFACE INLET PIT 900x900	292434.676	6248516.84	0.9	0.9	400	51.551	400	51.259	52.643	1.384	
1A102-02	GRATED SURFACE INLET PIT 900x900	292411.706	6248520.799	0.9	0.9	400	51.086	400	51.066	52.176	1.111	
1A102-01	GRATED SURFACE INLET PIT 900x900	292415.737	6248548.102	0.9	0.9	400	50.854	400	50.834	52.177	1.343	
1A110-04	GRATED SURFACE INLET PIT 900x900	292419.705	6248575.588	0.9	0.9	400	50.626			52.178	1.572	
1A103-01	GRATED SURFACE INLET PIT 900x900	292658.641	6248521.335	0.9	0.9			225	59.144	60	0.856	
1A110-13	GRATED SURFACE INLET PIT 900x900	292668.642	6248535.591	0.9	0.9	225	59			60	3.212	
1A104-01	GRATED SURFACE INLET PIT 900x900	292667.513	6248491.969	0.9	0.9			225	59.432	59.938	0.506	
1A102-11	GRATED SURFACE INLET PIT 900x900	292653.805	6248492.062	0.9	0.9	225	59.295			60	0.812	
1A106-01	GRATED SURFACE INLET PIT 900x900	292441.803	6248551.358	0.9	0.9			225	52.148	53.083	0.935	
1A110-05	GRATED SURFACE INLET PIT 900x900	292448.876	6248571.44	0.9	0.9	225	51.904			52.752	1.84	
1A107-01	GRATED SURFACE INLET PIT 900x900	292649.137	6248537.837	0.9	0.9			300	56.568	57.5	0.932	
1A110-15	JUNCTION PIT 900x900	292649.662	6248542.376	0.9	0.9	300	56.522			57.5	1.01	
1A108-01	GRATED SURFACE INLET PIT 900x900	292638.784	6248541.887	0.9	0.9			300	56.568	57.5	0.932	
1A102-09	JUNCTION PIT 900x900	292636.534	6248487.573	0.9	0.9	300	56.423			57.5	1.097	
1A110-03	GRATED SURFACE INLET PIT 900x900	292393.239	6248539.667	0.9	0.9			300	51.167	51.7	0.533	
1A110-02	GRATED SURFACE INLET PIT 900x900	292395.921	6248558.266	0.9	0.9	300	51.036	300	50.607	51.098	1.091	
1A110-01	HEADWALL	292383.751	6248559.923	0	0	300	50.529			50.829	0.3	SETOUT LEVEL TO MAXIMUM PIPE OBVERT
1A110-14	GRATED SURFACE INLET PIT 900x900	292673.877	6248531.311	0.9	0.9			225	58.925	59.694	0.769	
1A110-13	GRATED SURFACE INLET PIT 900x900	292668.642	6248535.591	0.9	0.9	225	58.786	225	56.788	60	3.212	
1A110-12	GRATED SURFACE INLET PIT 900x900	292653.479	6248541.825	0.9	0.9	225	56.693	300	56.568	57.524	0.956	
1A110-11	JUNCTION PIT 900x900	292649.662	6248542.376	0.9	0.9	300	56.529	375	56.49	57.5	1.01	
1A110-10	JUNCTION PIT 900x900	292646.637	6248544.594	0.9	0.9	375	56.855	375	53.58	57.5	3.92	
1A110-09	JUNCTION PIT 900x900	292589.811	6248551.022	0.9	0.9	375	53.1	375	53.39	54.4	1.01	
1A110-08	JUNCTION PIT 900x900	292527.669	6248559.992	0.9	0.9	375	52.742	525	52.742	54.364	1.622	
1A110-07	GRATED SURFACE INLET PIT 900x900	292564.803	6248563.313	0.9	0.9	525	52.569	525	52.838	53.901	1.863	
1A110-06	GRATED SURFACE INLET PIT 900x900	292479.533	6248566.877	0.9	0.9	525	51.847	525	51.827	53.39	1.563	
1A110-05	GRATED SURFACE INLET PIT 900x900	292448.876	6248571.44	0.9	0.9	525	51.588	525	51.568	52.752	1.184	
1A110-04	GRATED SURFACE INLET PIT 900x900	292419.705	6248575.588	0.9	0.9	525	51.015	675	50.606	52.178	1.572	
1A110-03	SPLITTER PIT (1)	292408.745	6248577.201	1.5	2.5	675	50.551	675	50.531	51.948	1.417	
1A110-02	SPLITTER PIT (2)	292395.017	6248576.044	1.5	2.5	675	50.442	675	50.442	51.647	1.205	
1A110-01	HEADWALL	292385.619	6248574.058	0	0	675	50.19			51.094	0.875	SETOUT LEVEL TO MAXIMUM PIPE OBVERT
1A110-02	SPLITTER PIT (2)	292385.619	6248574.058	1.5	2.5			(4x)375	50.5	51.647	1.167	
1A102-01	SPLITTER PIT (2)	292394.641	6248573.882	1.5	2.5	(4x)375	50.478			51.638	1.16	
1A103-01	GRATED SURFACE INLET PIT 900x900	292398.403	6248574.548	0.9	0.9			300	50.792	51.725	0.933	
1A110-02	GRATED SURFACE INLET PIT 900x900	292395.921	6248558.266	0.9	0.9	300	50.627			51.098	1.091	

NOTE:  
1. XY SETOUT TO PIT CENTRE  
2. SETOUT LEVEL TO PIT COVER LEVEL  
3. SOME SETOUT XY OR Z LEVELS HAVE SPECIAL SETOUT DATA. SEE INDIVIDUAL MANHOLE REMARKS

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED	SCALE
B	MINOR AMENDMENTS	23/11/2023	MP	RL	SL	SL	
A	INITIAL RELEASE	03/07/2023	YI	PC	SL	SL	

GRID	DATUM	PROJECT MANAGER	CLIENT
SL	SL	SL	HANSON CONSTRUCTION MATERIALS P/L

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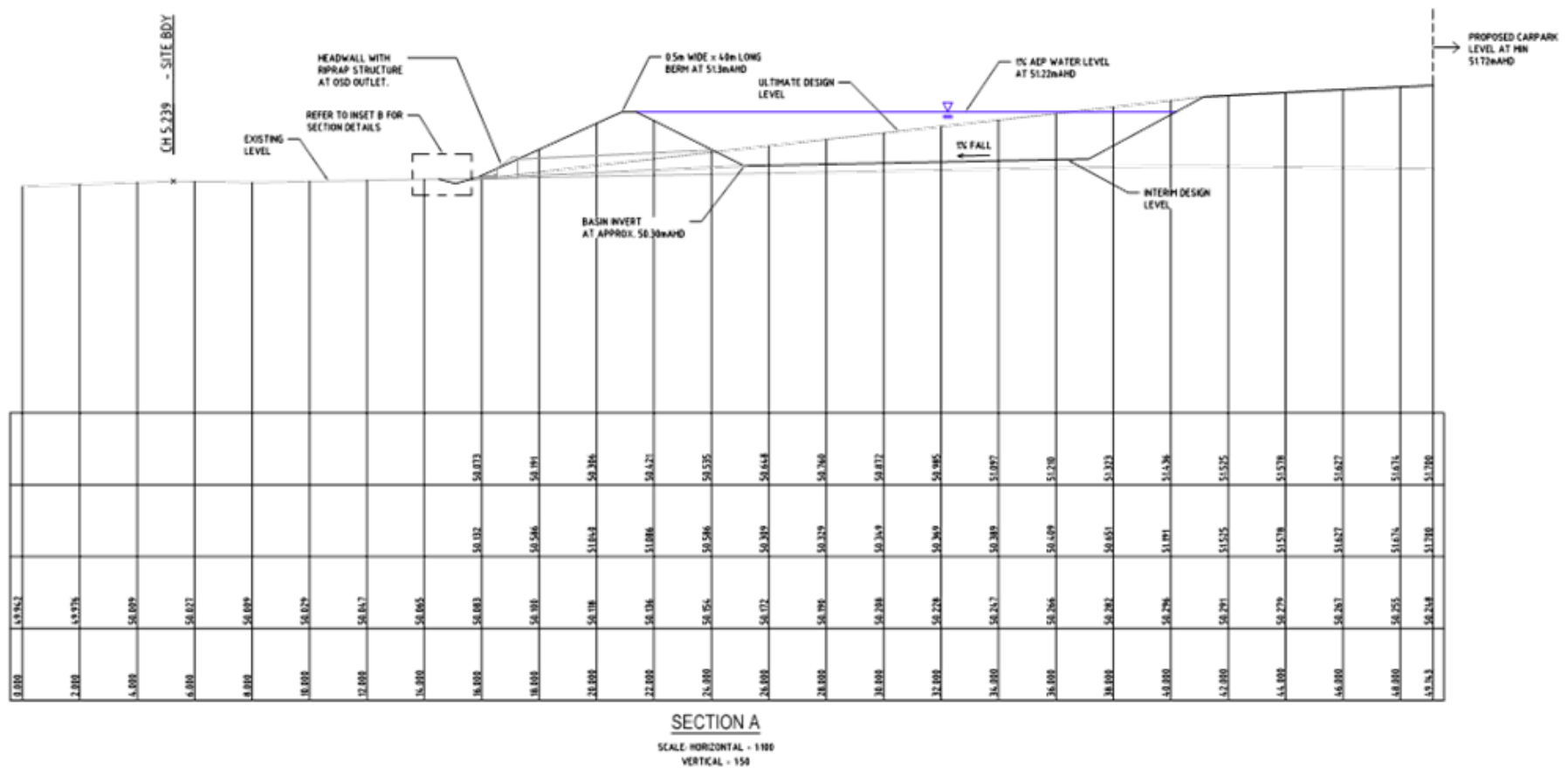
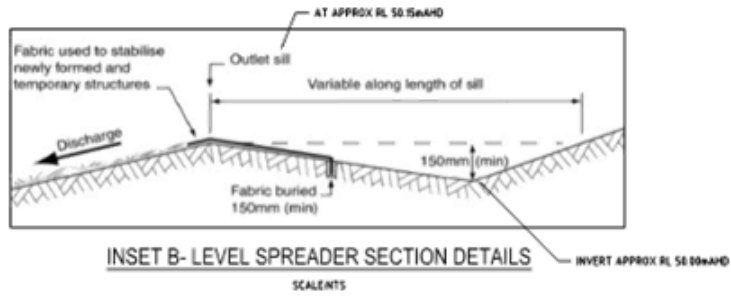
PROJECT NAME/PLANSET TITLE  
PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN  
135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP226912

Consulting Engineers  
Environment  
Water  
Geotechnical  
Civil

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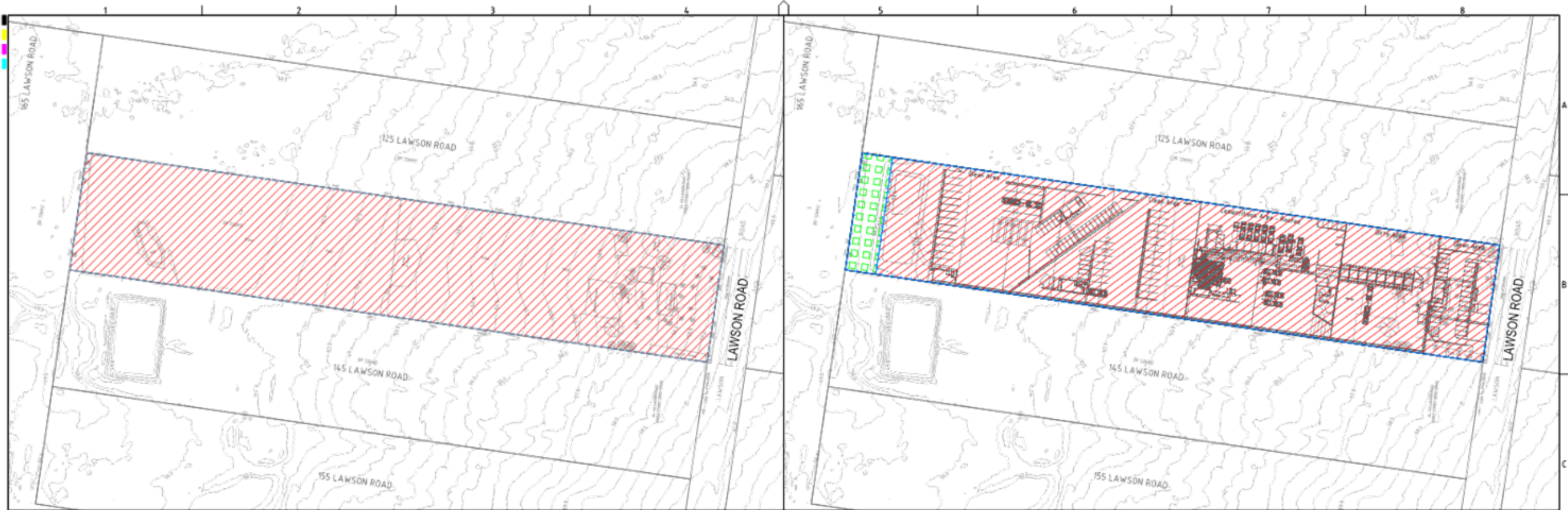
DEVELOPMENT APPLICATION

DRAWING TITLE				
DRAINAGE PIT SCHEDULE (INTERIM DESIGN)				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-E300	B



DATUM RL 46.000
FUTURE SURFACE LEVELS
DESIGN SURFACE LEVELS
EXISTING SURFACE LEVELS
CHAINAGE

0+000	0+200	0+400	0+600	0+800	1+000	1+200	1+400	1+600	1+800	2+000	2+200	2+400	2+600	2+800	3+000	3+200	3+400	3+600	3+800	4+000	4+200	4+400	4+600	4+800	5+000	5+200	5+400	5+600	5+800	6+000	6+200	6+400	6+600	6+800	7+000	7+200	7+400	7+600	7+800	8+000	8+200	8+400	8+600	8+800	9+000	9+200	9+400	9+600	9+800	10+000	10+200	10+400	10+600	10+800	11+000	11+200	11+400	11+600	11+800	12+000	12+200	12+400	12+600	12+800	13+000	13+200	13+400	13+600	13+800	14+000	14+200	14+400	14+600	14+800	15+000	15+200	15+400	15+600	15+800	16+000	16+200	16+400	16+600	16+800	17+000	17+200	17+400	17+600	17+800	18+000	18+200	18+400	18+600	18+800	19+000	19+200	19+400	19+600	19+800	20+000	20+200	20+400	20+600	20+800	21+000	21+200	21+400	21+600	21+800	22+000	22+200	22+400	22+600	22+800	23+000	23+200	23+400	23+600	23+800	24+000	24+200	24+400	24+600	24+800	25+000	25+200	25+400	25+600	25+800	26+000	26+200	26+400	26+600	26+800	27+000	27+200	27+400	27+600	27+800	28+000	28+200	28+400	28+600	28+800	29+000	29+200	29+400	29+600	29+800	30+000	30+200	30+400	30+600	30+800	31+000	31+200	31+400	31+600	31+800	32+000	32+200	32+400	32+600	32+800	33+000	33+200	33+400	33+600	33+800	34+000	34+200	34+400	34+600	34+800	35+000	35+200	35+400	35+600	35+800	36+000	36+200	36+400	36+600	36+800	37+000	37+200	37+400	37+600	37+800	38+000	38+200	38+400	38+600	38+800	39+000	39+200	39+400	39+600	39+800	40+000	40+200	40+400	40+600	40+800	41+000	41+200	41+400	41+600	41+800	42+000	42+200	42+400	42+600	42+800	43+000	43+200	43+400	43+600	43+800	44+000	44+200	44+400	44+600	44+800	45+000	45+200	45+400	45+600	45+800	46+000	46+200	46+400	46+600	46+800	47+000	47+200	47+400	47+600	47+800	48+000	48+200	48+400	48+600	48+800	49+000	49+200	49+400	49+600	49+800	50+000	50+200	50+400	50+600	50+800	51+000	51+200	51+400	51+600	51+800	52+000	52+200	52+400	52+600	52+800	53+000	53+200	53+400	53+600	53+800	54+000	54+200	54+400	54+600	54+800	55+000	55+200	55+400	55+600	55+800	56+000	56+200	56+400	56+600	56+800	57+000	57+200	57+400	57+600	57+800	58+000	58+200	58+400	58+600	58+800	59+000	59+200	59+400	59+600	59+800	60+000	60+200	60+400	60+600	60+800	61+000	61+200	61+400	61+600	61+800	62+000	62+200	62+400	62+600	62+800	63+000	63+200	63+400	63+600	63+800	64+000	64+200	64+400	64+600	64+800	65+000	65+200	65+400	65+600	65+800	66+000	66+200	66+400	66+600	66+800	67+000	67+200	67+400	67+600	67+800	68+000	68+200	68+400	68+600	68+800	69+000	69+200	69+400	69+600	69+800	70+000	70+200	70+400	70+600	70+800	71+000	71+200	71+400	71+600	71+800	72+000	72+200	72+400	72+600	72+800	73+000	73+200	73+400	73+600	73+800	74+000	74+200	74+400	74+600	74+800	75+000	75+200	75+400	75+600	75+800	76+000	76+200	76+400	76+600	76+800	77+000	77+200	77+400	77+600	77+800	78+000	78+200	78+400	78+600	78+800	79+000	79+200	79+400	79+600	79+800	80+000	80+200	80+400	80+600	80+800	81+000	81+200	81+400	81+600	81+800	82+000	82+200	82+400	82+600	82+800	83+000	83+200	83+400	83+600	83+800	84+000	84+200	84+400	84+600	84+800	85+000	85+200	85+400	85+600	85+800	86+000	86+200	86+400	86+600	86+800	87+000	87+200	87+400	87+600	87+800	88+000	88+200	88+400	88+600	88+800	89+000	89+200	89+400	89+600	89+800	90+000	90+200	90+400	90+600	90+800	91+000	91+200	91+400	91+600	91+800	92+000	92+200	92+400	92+600	92+800	93+000	93+200	93+400	93+600	93+800	94+000	94+200	94+400	94+600	94+800	95+000	95+200	95+400	95+600	95+800	96+000	96+200	96+400	96+600	96+800	97+000	97+200	97+400	97+600	97+800	98+000	98+200	98+400	98+600	98+800	99+000	99+200	99+400	99+600	99+800	100+000	100+200	100+400	100+600	100+800	101+000	101+200	101+400	101+600	101+800	102+000	102+200	102+400	102+600	102+800	103+000	103+200	103+400	103+600	103+800	104+000	104+200	104+400	104+600	104+800	105+000	105+200	105+400	105+600	105+800	106+000	106+200	106+400	106+600	106+800	107+000	107+200	107+400	107+600	107+800	108+000	108+200	108+400	108+600	108+800	109+000	109+200	109+400	109+600	109+800	110+000	110+200	110+400	110+600	110+800	111+000	111+200	111+400	111+600	111+800	112+000	112+200	112+400	112+600	112+800	113+000	113+200	113+400	113+600	113+800	114+000	114+200	114+400	114+600	114+800	115+000	115+200	115+400	115+600	115+800	116+000	116+200	116+400	116+600	116+800	117+000	117+200	117+400	117+600	117+800	118+000	118+200	118+400	118+600	118+800	119+000	119+200	119+400	119+600	119+800	120+000	120+200	120+400	120+600	120+800	121+000	121+200	121+400	121+600	121+800	122+000	122+200	122+400	122+600	122+800	123+000	123+200	123+400	123+600	123+800	124+000	124+200	124+400	124+600	124+800	125+000	125+200	125+400	125+600	125+800	126+000	126+200	126+400	126+600	126+800	127+000	127+200	127+400	127+600	127+800	128+000	128+200	128+400	128+600	128+800	129+000	129+200	129+400	129+600	129+800	130+000	130+200	130+400	130+600	130+800	131+000	131+200	131+400	131+600	131+800	132+000	132+200	132+400	132+600	132+800	133+000	133+200	133+400	133+600	133+800	134+000	134+200	134+400	134+600	134+800	135+000	135+200	135+400	135+600	135+800	136+000	136+200	136+400	136+600	136+800	137+000	137+200	137+400	137+600	137+800	138+000	138+200	138+400	138+600	138+800	139+000	139+200	139+400	139+600	139+800	140+000	140+200	140+400	140+600	140+800	141+000	141+200	141+400	141+600	141+800	142+000	142+200	142+400	142+600	142+800	143+000	143+200	143+400	143+600	143+800	144+000	144+200	144+400	144+600	144+800	145+000	145+200	145+400	145+600	145+800	146+000	146+200	146+400	146+600	146+800	147+000	147+200	147+400	147+600	147+800	148+000	148+200	148+400	148+600	148+800	149+000	149+200	149+400	149+600	149+800	150+000	150+200	150+400	150+600	150+800	151+000	151+200	151+400	151+600	151+800	152+000	152+200	152+400	152+600	152+800	153+000	153+200	153+400	153+600	153+800	154+000	154+200	154+400	154+600	154+800	155+000	155+200	155+400	155+600	155+800	156+000	156+200	156+400	156+600	156+800	157+000	157+200	157+400	157+600	157+800	158+000	158+200	158+400	158+600	158+800	159+000	159+200	159+400	159+600	159+800	160+000	160+200	160+400	160+600	160+800	161+000	161+200	161+400	161+600	161+800	162+000	162+200	162+400	162+600	162+800	163+000	163+200	163+400	163+600	163+800	164+000	164+200	164+400	164+600	164+800	165+000	165+200	165+400	165+600	165+800	166+000	166+200	166+400	166+600	166+800	167+000	167+200	167+400	167+600	167+800	168+000	168+200	168+400	168+600	168+800	169+000	169+200	169+400	169+600	169+800	170+000	170+200	170+400	170+600	170+800	171+000	171+200	171+400	171+600	171+800	172+000	172+200	172+400	172+600	172+800	173+000	173+200	173+400	173+600	173+800	174+000	174+200	174+400	174+600	174+800	175+000	175+200	175+400	175+600	175+800	176+000	176+200	176+400	176+600	176+800	177+000	177+200	177+400	177+600	177+800	178+000	178+200	178+400	178+600	178+800	179+000	179+200	179+400	179+600	179+800	180+000	180+200	180+400	180+600	180+800	181+000	181+200	181+400	181+600	181+800	182+000	182+200	182+400	182+600	182+800	183+000	183+200	183+400	183+600	183+800	184+000	184+200	184+400	184+600	184+800	185+000	185+200	185+400	185+600	185+800	186+000	186+200	186+400	186+600	186+800	187+000	187+200	187+400	187+600	187+800	188+000	188+200	188+400	188+600	188+800	189+000	189+200	189+400	189+600	189+800	190+000	190+200	190+400	190+600	190+800	191+000	191+200	191+400	191+600	191+800	192+000	192+200	192+400	192+600	192+800	193+000	193+200	193+400	193+600	193+800	194+000	194+200	194+400	194+600	194+800	195+000	195+200	195+400	195+600	195+800	196+000	196+200	196+400	196+600	196+800	197+000	197+200	197+400	197+600	197+800	198+000	198+200	198+400	198+600	198+800	199+000	199+200	199+400	199+600	199+800	200+000	200+200	200+400	200+600	200+800	201+000	201+200	201+400
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PRE DEVELOPMENT CATCHMENT PLAN  
SCALE 1:1000

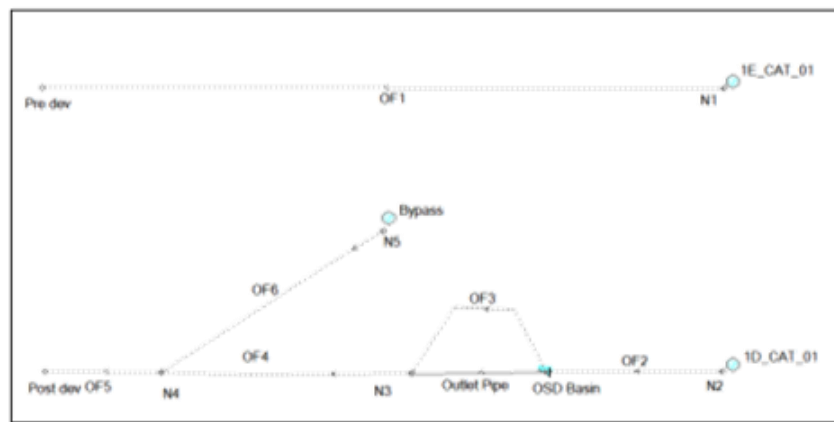
POST DEVELOPMENT CATCHMENT PLAN  
SCALE 1:1000

**DRAINS MODELLING PRE DEVELOPMENT CATCHMENTS (P2309494DRN04V01)**

KEY	DESCRIPTION	DRAINS NODE	AREA (ha)	% PAVED
	SITE	IE_CAT_01	2.825	1%
	TOTAL AREA		2.825	= 100% OF TOTAL AREA
	TOTAL IMPERVIOUS AREA		0.820	= 1% OF TOTAL AREA
	TOTAL PERVIOUS AREA		2.005	= 99% OF TOTAL AREA

**DRAINS MODELLING POST DEVELOPMENT CATCHMENTS (P2309494DRN04V01)**

KEY	DESCRIPTION	DRAINS NODE	AREA (ha)	% PAVED
	SITE TO OSD	ID_CAT_01	1.928	91%
	SITE BYPASS OSD	ID_CAT_02	0.897	8%
	TOTAL AREA		2.825	= 100% OF TOTAL AREA
	TOTAL IMPERVIOUS AREA		1.764	= 87% OF TOTAL AREA
	TOTAL PERVIOUS AREA		1.061	= 13% OF TOTAL AREA



DRAINS MODEL LAYOUT (P1907008DRN04V01)

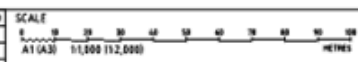
**DRAINS MODEL RESULTS (P1907008DRN04V01)**

DURATION	0.2 EY / 5 ARI		10% AEP / 10 ARI		5% AEP / 20 ARI		2% AEP / 50 ARI		1% AEP / 100 ARI	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
10 min	0.186	0.100	0.261	0.113	0.345	0.127	0.457	0.144	0.544	0.157
15 min	0.243	0.112	0.339	0.127	0.441	0.142	0.583	0.159	0.690	0.172
20 min	0.275	0.119	0.384	0.134	0.485	0.148	0.642	0.166	0.798	0.179
25 min	0.279	0.121	0.345	0.134	0.448	0.148	0.570	0.171	0.660	0.171
30 min	0.253	0.124	0.362	0.140	0.460	0.154	0.558	0.169	0.657	0.169
45 min	0.272	0.131	0.290	0.141	0.365	0.155	0.481	0.165	0.565	0.165
1 hour	0.231	0.124	0.255	0.142	0.428	0.157	0.473	0.174	0.545	0.168
1.5 hour	0.179	0.114	0.251	0.131	0.386	0.146	0.381	0.163	0.437	0.155
2 hour	0.208	0.115	0.220	0.124	0.272	0.139	0.385	0.163	0.451	0.155
3 hour	0.143	0.097	0.195	0.108	0.235	0.133	0.278	0.141	0.321	0.140
4.5 hour	0.112	0.094	0.141	0.101	0.178	0.114	0.262	0.127	0.313	0.139

DRAINS MODEL RESULTS (P1907008DRN04V01)

NOTE:  
1. WATER QUANTITY OBJECTIVES (PRE DEVELOPMENT FLOWS LESS THAN POST DEVELOPMENT FLOWS) ARE ACHIEVED.

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED
A	INITIAL RELEASE	18/07/2023	MP	PC	SL	SL



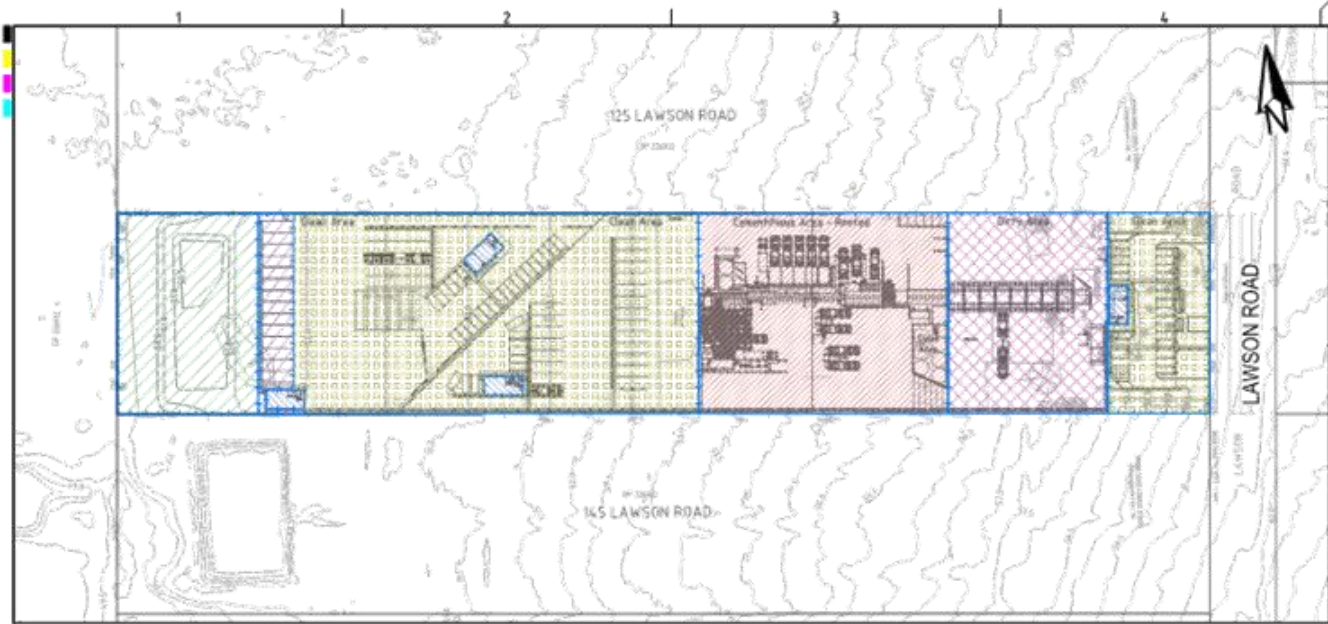
GRID DATUM PROJECT MANAGER CLIENT  
SL HANSON CONSTRUCTION MATERIALS P/L  
PROJECT NAME/PLANSET TITLE  
PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN  
135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP226912

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All measurements in millimetres unless otherwise specified.  
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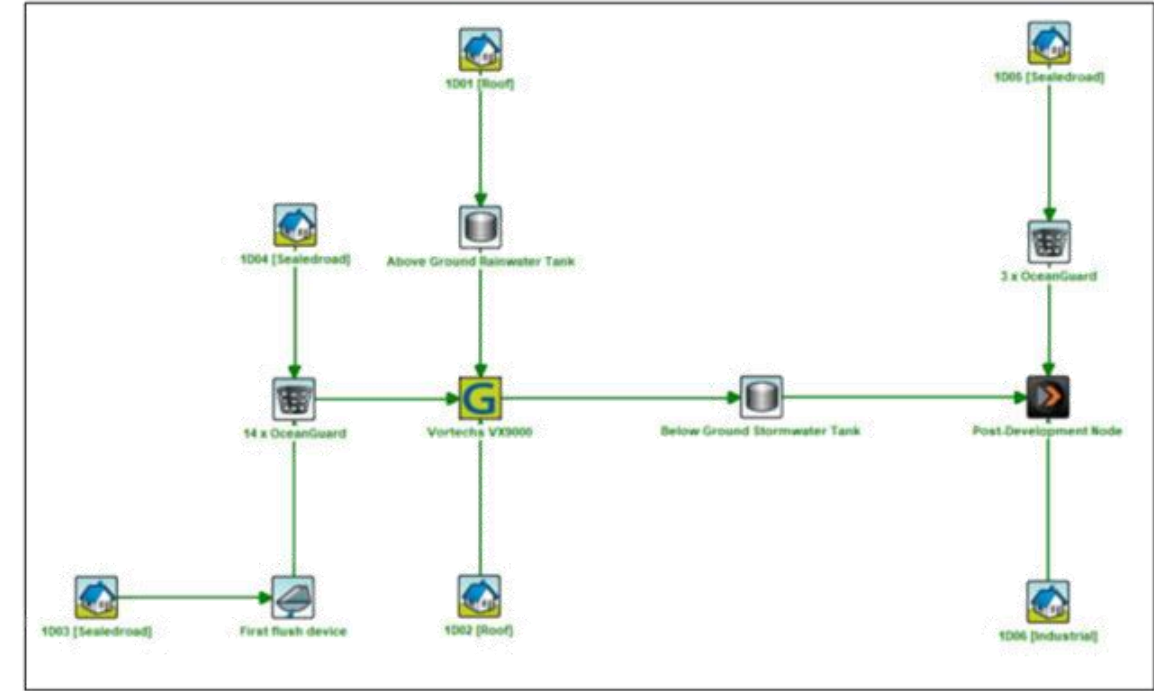
**martens**  
& Associates Pty Ltd  
Consulting Engineers  
Environment  
Water  
Geotechnical  
Civil  
Date: 20/12/2023, 20 George St, Hornsby, NSW 2077 Australia. Phone: (02) 9476 9999 Fax: (02) 9476 8747  
Email: info@martens.com.au Internet: www.martens.com.au

DEVELOPMENT APPLICATION

DRAWING TITLE				
DETENTION CATCHMENT PLANS, MODELS & RESULTS				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-E600	A



CATCHMENT PLAN  
SCALE 1:1000



MUSIC LAYOUT

MUSIC CATCHMENT DETAILS (P1907008MUS05V20)						
KEY	DESCRIPTION	MUSIC NODE ID	MUSIC NODE TYPE	AREA (ha)	IMPERVIOUS %	MUSIC NODE REFERENCE
[Pattern]	CEMENTITIOUS ROOF	1001	ROOF	0.442	100	MUSIC MODEL TOOLKIT FOR MANAHATTA-SOUTH CREEK
[Pattern]	OFFICE AND LUNCH ROOM ROOF	1002	ROOF	0.929	100	MUSIC MODEL TOOLKIT FOR MANAHATTA-SOUTH CREEK
[Pattern]	DIRTY AREA - AGGREGATES AND SEDIMENTS	1003	SEALED ROAD	0.297	100	MUSIC MODEL TOOLKIT FOR MANAHATTA-SOUTH CREEK
[Pattern]	CLEAN AREA	1004	SEALED ROAD	0.936	100	MUSIC MODEL TOOLKIT FOR MANAHATTA-SOUTH CREEK
[Pattern]	CLEAN AREA BYPASS	1005	SEALED ROAD	0.860	100	MUSIC MODEL TOOLKIT FOR MANAHATTA-SOUTH CREEK
[Pattern]	LANDSCAPE BYPASS	1006	INDUSTRIAL	0.262	0%	MUSIC MODEL TOOLKIT FOR MANAHATTA-SOUTH CREEK
	TOTAL - OVERALL			2.825	= 100 % OF OVERALL AREA	
	TOTAL - IMPERVIOUS			1.764	= 87 % OF OVERALL AREA	
	TOTAL - PERVIOUS			0.262	= 13 % OF OVERALL AREA	

QUANTITY TARGETS			
PARAMETER	MIN. STORMWATER FLOW TARGET	MAX. STORMWATER FLOW TARGET	ACHIEVED STORMWATER FLOW TARGET
MEAN ANNUAL RUNOFF VOLUME (MARV)	-	4.95	3.11
10%ile FLOW (L/day)	2025.38	1026.50	2268.6
50%ile FLOW (L/day)	10.13	202.53	14.7
90%ile FLOW (L/day)	0.00	0.00	0.00

Treatment Train Effectiveness - Post-Development Node			
	Sources	Residual Load	% Reduction
Flow (ML/yr)	10.9	3.11	71.5
Total Suspended Solids (kg/yr)	2870	65.2	97.7
Total Phosphorus (kg/yr)	5.1	0.753	85.2
Total Nitrogen (kg/yr)	25.7	5.95	76.9
Gross Pollutants (kg/yr)	309	0	100

MUSIC RESULTS (P1907008MUS05V20)

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED
C	MINOR AMENDMENTS	23/11/2023	MP	RL	SL	SL
B	MINOR AMENDMENTS	03/07/2023	YI	PC	SL	SL
A	INITIAL RELEASE	09/06/2023	YURK	PC	SL	SL

GRID	DATUM	PROJECT MANAGER	CLIENT
MGA	mAHM	SL	HANSON CONSTRUCTION MATERIALS P/L

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**PROJECT NAME/PLANSET TITLE**  
PROPOSED CONCRETE BATCHING PLANT  
CONCEPT WATER CYCLE MANAGEMENT PLAN  
135 LAWSON ROAD, BADGERYS CREEK, NSW  
LOT 2/DP2264912

**martens & Associates Pty Ltd**  
Consulting Engineers  
Environment  
Water  
Geotechnical  
Civil  
Date: 20/11/2023 George St, Hornsby, NSW 2077 Australia Phone: (02) 9476 9999 Fax: (02) 9476 8747  
Email: mail@martens.com.au Internet: www.martens.com.au

DEVELOPMENT APPLICATION

DRAWING TITLE				
WATER QUALITY CATCHMENT PLAN, MODEL AND RESULTS				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1907008	PS03	R06	PS03-E700	C

**REPORT ATTACHMENT 1 – MODIFIED CONDITIONS OF CONSENT**

**SECTION 4.55(1A) MODIFICATION OF DEVELOPMENT CONSENT**

(In accordance with the provisions under Section 4.55 of the *EP&A Act 1979*)

**ADDRESS:** 99 Rose Street, Liverpool  
PACIULLO PARK, PEARCE PARK & COUNCIL DEPOT  
LOT 3 DP 82270, LOT 122 DP 1045215, LOT 2 DP 82270, LOT 6  
DP 1050036, LOT 12 DP 1089620, LOT 11 DP 1089620, LOT 1 DP  
249314, LOT 130 DP 1093116, LOT 26 DP 210637, LOT 14 DP  
1090122, LOT 13 DP 1089620  
Application only applies to: Lot 12 and Lot 13 in DP 1089620, Lot  
1 in DP 249314, Lot 130 in DP 1093116; and Lot 3 in DP 82270.

**DESCRIPTION:** **S4.55(1A) MODIFICATION APPLICATION (DA-1263/2022/A),  
EXTENSION OF THE OPERATING HOURS TO 7:00AM-6:00PM,  
MONDAY TO SATURDAY.**

Reference is made to Modification Application DA-1263/2022/A which seeks amendment to DA-1263/2022 issued for *Installation of a shredding machine for the purpose of shredding mattresses and the installation of shipping containers for the purpose of an acoustic barrier and storage of recycled materials.*

Modification Application DA-64/2007/D seeks consent for extension of the operating hours to 7:00am-6:00pm, Monday to Saturday.

Pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, Council grants approval for the modifications sought. Accordingly, Development Consent DA-64/2007 has been amended as follows:

- Condition 1 (b) of Development Consent DA-1263/2022 has been amended to read as follows (deletion struck through and new wording in bold and *italic*):**

**Approved Plans**

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

## b) Documents

<b>Report Name</b>	<b>Date</b>	<b>Reference</b>	<b>Prepared by</b>
Operation Noise Impact Report	26 July 2022	22065	VMS Australia Pty Ltd
Traffic Impact Statement	28 July 2022	22.217r01v02	TRAFFIX
Operation Waste Management Plan	July 2023	-	APP Corporation Pty Limited
Compliance Noise Monitoring Report	21 November 2024	22065.1.6.L1R3	VMS Australia Pty Ltd
Traffic Impact Statement	29 October 2024	22.217r03v03	TRAFFIX
Operation Waste Management Plan	1 August 2024	PRJ1370204	The APP Group

2. Condition 47 of Development Consent DA-1263/2022 has been amended to read as follows (deletion struck through and new wording in bold and italic):

**Hours of Operation**

47. The approved hours of operation for the mattress shredding equipment are:

~~7:30am to 10:00am, Monday to Saturday~~

~~Truck movements associated with mattress shredding activities are permitted between~~

~~7:00am to 10:30am, Monday to Saturday.~~

~~The development is not approved to operate on Sunday.~~

**47. The approved hours of operation for the mattress shredding equipment are:**

**7:00am to 6:00pm, Monday to Saturday.**

**Truck movements associate with mattress shredding activities are permitted between 7:00am to 6:00pm, Monday to Saturday.**

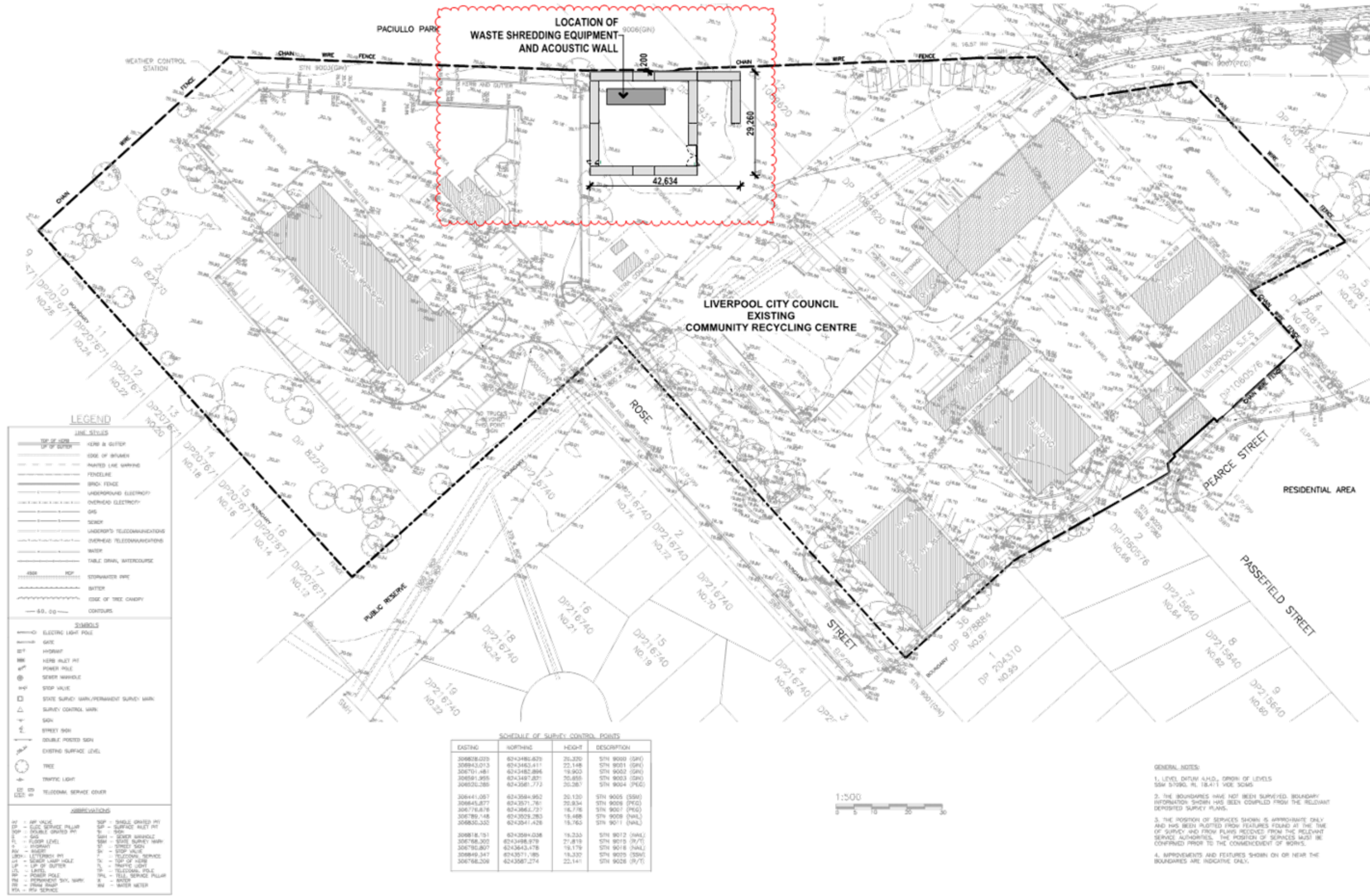
**The development is not approved to operate on Sunday or Public Holidays.**

3. An additional condition of Development Consent DA-1263/2022 has been included reading as follows (new wording in bold and italic):

***Truck access***

***The proposal is to continue to utilise the main entry and exit vehicle access points for the Rose Street Operations Centre.***

**Note:** This determination notice is strictly for changes sought under Modification Application DA-1263/2022/A. No approval is granted or implied for any other works / changes proposed to the submitted development.



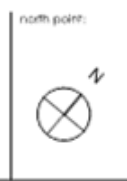
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© All descriptions to be drawn to the attention of the author.

Northward Architects Frank Mosca - 5022 / David Pearson - 5021

mpa@northwardarchitects.com.au  
www.northwardarchitects.com.au



amendments:

Revision	Description	By	Date
A	DEVELOPMENT APPLICATION	SV	19.12.22
B	REVISED ENCLOSURE FOR SECTION 4.55 MODIFICATION	SV	04.12.23
C	REVISED ENCLOSURE FOR SECTION 4.55 MODIFICATION	RB	29.07.24

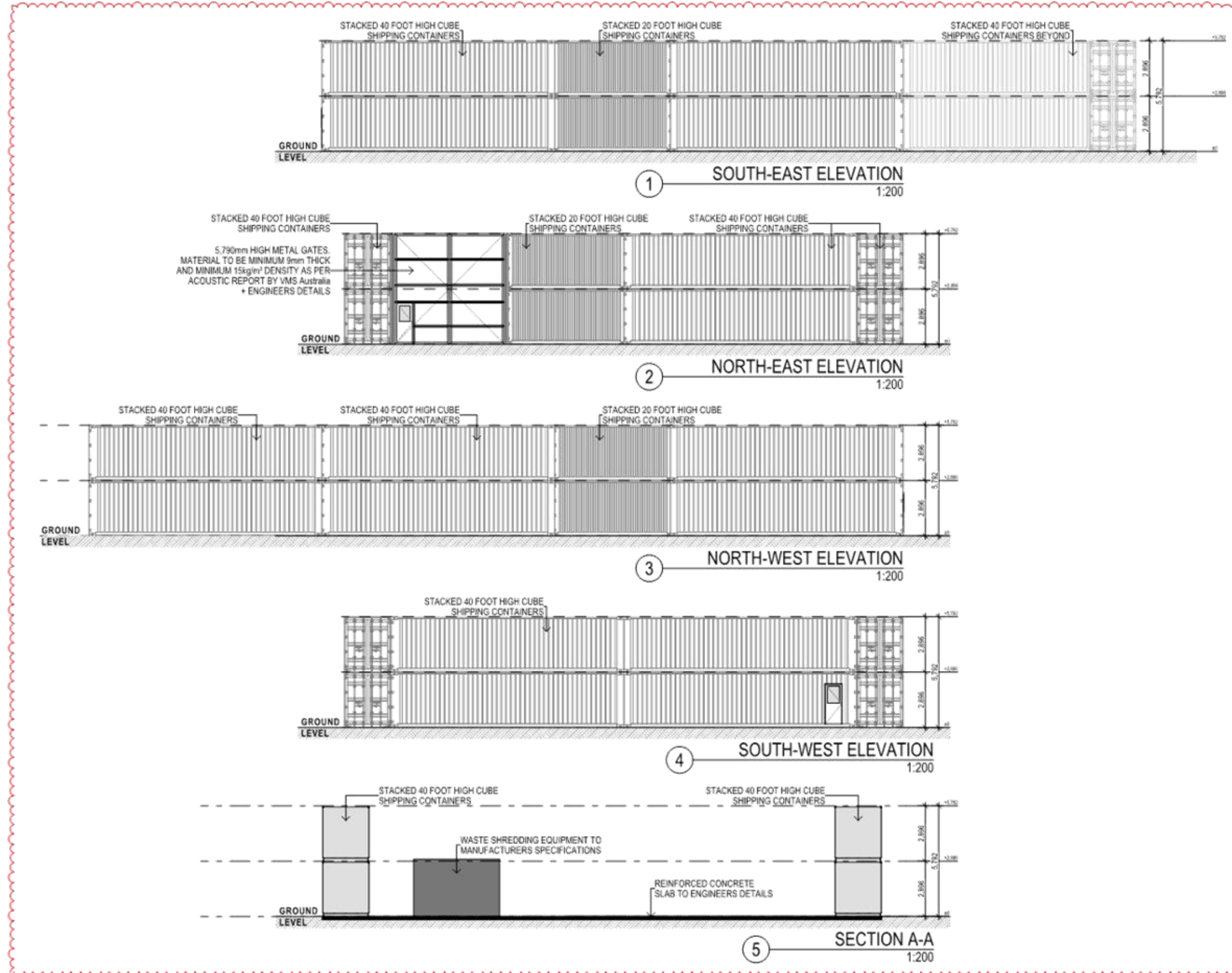
key plan:

notes:

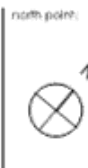
**mpa** mosca pearce architects

project: Waste Shredder  
location: 99 Rose Street, LIVERPOOL NSW  
client: Liverpool City Council  
drawing title: GENERAL ARRANGEMENT PLANS  
SITE PLAN

scale: 1:1000 @ A3 project architect: MM drawn: BV  
job no: 22017 drawing no: A01 revision: C



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 All drawings are to be checked on site before commencement of work.  
 All discrepancies to be brought to the attention of the author.  
 Northstar Architects Frank Mosca - 0200 7 Dave Pearson - 0200  
 moscafrank@northstararchitects.com.au  
 www.northstararchitects.com.au



amendments:

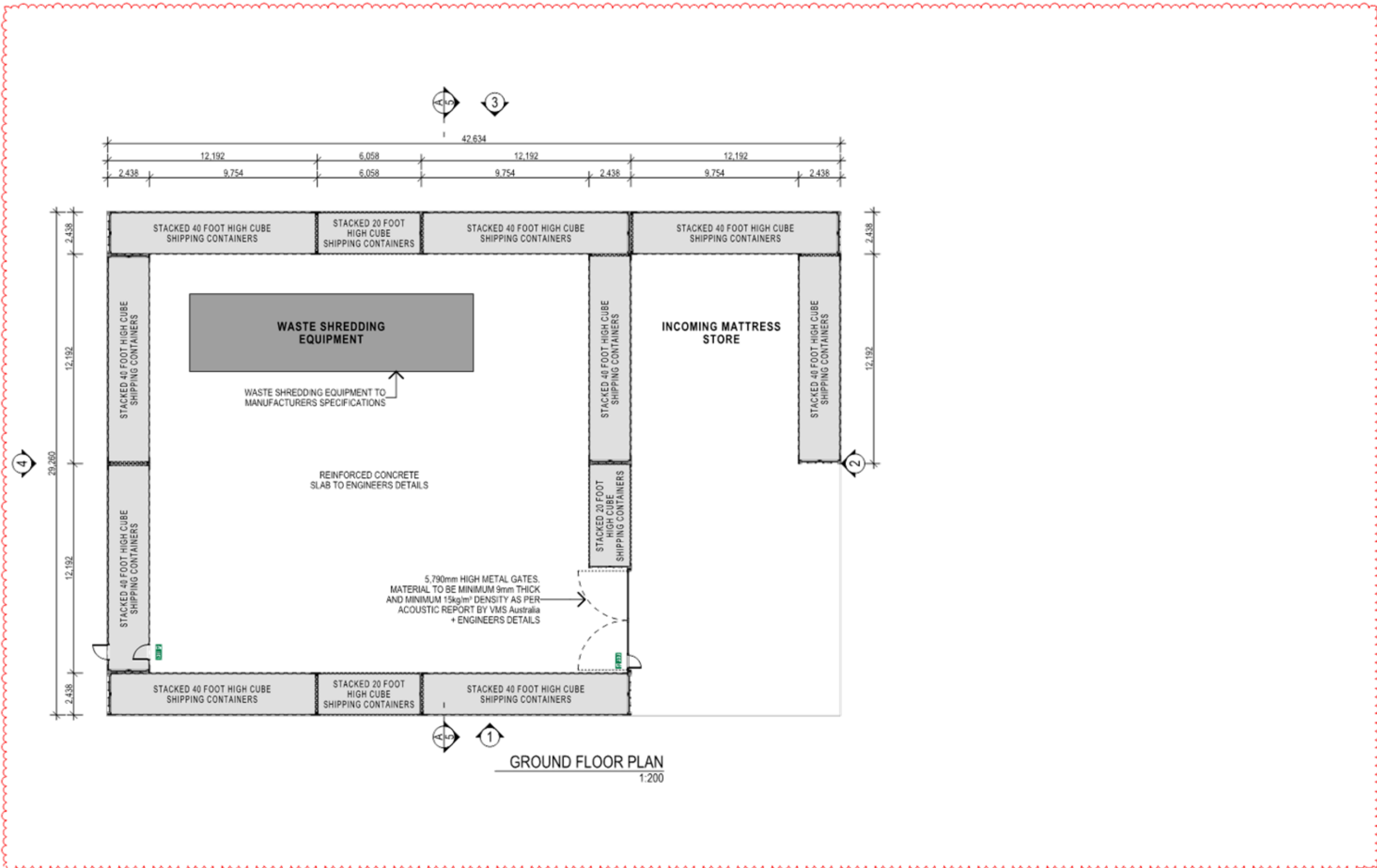
Revision	Description	By	Date
C	REVISED ENCLOSURE FOR SECTION 4.55 MODIFICATION	RB	29.07.24

key plan:

notes:



project: Waste Shredder  
 location: 99 Rose Street, LIVERPOOL NSW  
 client: Liverpool City Council  
 drawing title: GENERAL ARRANGEMENT PLANS  
 ELEVATIONS & SECTION  
 scale: @ A3 project architect MM Edman JV  
 job no: 22017 drawing no: A03 revision: C



**GROUND FLOOR PLAN**  
1:200

No liability is accepted for the accuracy of the drawings and that no warranty is made without the authority of the responsible architect.  
 All dimensions to be checked on site before commencement of work.  
 All discrepancies to be brought to the attention of the architect.  
 Northward Architects Frank Mosca - 5020 / Steve Pearson - 5021  
 reception@northwardarchitects.com.au  
 www.northwardarchitects.com.au



amendments:

Revision	Description	By	Date
A	DEVELOPMENT APPLICATION	SV	19.12.22
B	REVISED ENCLOSURE FOR SECTION 4.55 MODIFICATION	SV	04.12.23
C	REVISED ENCLOSURE FOR SECTION 4.55 MODIFICATION	RB	29.07.24

key plan:

notes:



project: Waste Shredder  
 location: 99 Rose Street, LIVERPOOL NSW  
 client: Liverpool City Council  
 drawing title: GENERAL ARRANGEMENT PLANS  
 FLOOR PLAN  
 title: 1:200 @ A3 project architect: MM drawn: BV  
 job no.: 22017 drawing no.: A02 revision: C



☎ 1800 867 000

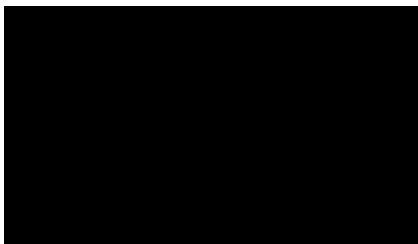
✉ info@vms.com.au

📍 Unit 45, 45 Green Street  
BANKSMEADOW NSW 2019

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21 November 2024

22065.1.6.L1R3 Compliance Noise Monitoring and Statement 20241121



**Compliance Noise Monitoring Report and Statement  
Rose Street Depot, Liverpool NSW 2170  
Mattress Shredding and Recycling Facility**

## 1 Introduction

VMS Australia Pty Ltd (VMS) was previously engaged by APP Corporation Pty Limited to prepare a Noise Impact Statement (report 22065 R1R1 20220801, dated 1 August 2022) for the proposed operation of a Mattress Shredder (DA-1263/2022) at Liverpool City Councils (LCC) Depot located at 99 Rose Street, Liverpool (the Project Site). The Noise Impact Statement (NIS) involved the conduction of long-term background noise monitoring to determine Project Noise Trigger Levels (PNTL) and the assessment of noise impacts to nearby receivers considering the proposed layout and operation of the Mattress Shredder in accordance with the Noise Policy for Industry (NPfI). The NIS also considered noise mitigation measures including noise barriers, engine bay mitigation, and operational duration reduction to aid in minimising noise impacts. Operations were recommended to be limited to 7.30 am to 10.00 am Monday to Saturday such that compliant operations could be achieved.

Following Consent of the DA (determined 13 October 2023) and the installation of the Mattress Shredder, the construction of noise barriers composed of double stacked shipping containers with a gate located along its northeastern boundary, and the installation of engine bay mitigation which involved lining the engine bay enclosure with an acoustic sound absorbent material were completed. Compliance noise monitoring was conducted to assess operational noise impacts in accordance with the NPfI and consider the extension of operation hours to 7.00 am to 6.00 pm Monday to Saturday. The extension of hours formed part of a modification application following a confirmation by LCC that the demand for such a service to the community would be high.

PNTLs applied in this report are established in accordance with the background noise monitoring results provided in the Noise Impact Statement.

This report presents the results of the operator-attended compliance noise monitoring undertaken on Monday, 17 June 2024. A site inspection of the installed mitigation measures was conducted prior to the noise monitoring to verify the measures as per the NIS. Furthermore, this report shows compliance with the relevant Consent Conditions pertaining to acoustics and addresses LCCs request for additional information, dated 23 October 2024.

## 2 Noise Monitoring Methodology

Noise measurements were undertaken consistent with the procedures documented in Australian Standard *AS 1055:2018 Acoustics – Description and Measurement of Environmental Noise*. The acoustic terminology is attached in **Appendix A**.

Where appropriate, noise monitoring was recorded over 15-minute sample intervals.

The acoustic instrumentation employed during the monitoring periods complied with the requirements of *AS IEC 61672.1-2004 Electroacoustics - Sound Level Meters - Specifications* and carried current NATA or manufacturer calibration certificates. The schedule of noise monitoring equipment deployed during the programme is presented in **Table 1**.

**Table 1 Noise Monitoring Equipment**

Instrumentation	Class	Serial Number
B&K 2250 Sound Level Meter	Class 1	3023954
Rion Sound Level Calibrator NC-73	Class 2	11249607

A level calibration check was undertaken using an acoustic calibrator which emitted a 94 dBA calibration tone at 1 KHz. The calibration check was conducted prior and after the survey period with a deviation of 0.1dB which is within the desirable range of  $\pm 0.5$ dB.

## 3 Noise Monitoring Locations

To assess whether mattress shredder operations are in compliance with PNTLs at the nearest sensitive receivers, operator-attended noise monitoring was conducted at the following locations:

- Location 1 66 Passefield Street, Liverpool
- Location 2 74 Rose Street, Liverpool
- Location 3 Pearce Park

The monitoring locations are shown in **Figure 1**.

Locations 1 and 2 are identified as residential receivers and noise monitoring was conducted at the highest potentially impacted locations on the boundary of the receivers.

Noise monitoring at Pearce Park was undertaken at a location reasonably expected to be used by people. Pearce Park is identified as an active recreational area and as such, measurements were taken approximately 5 m from the boundary of the sporting field as marked up in **Figure 1**.

Figure 1 Noise Monitoring Locations



Image Source: Google Maps. Mark-up by VMS.

## 4 Project Noise Trigger Levels

PNTLs established in the NIS assumed mattress shredder operations are limited to at most 2.5 hours in one day. To assess noise impacts against appropriate PNTLs in accordance with the NPfl for operations exceeding 2.5 hours per day for operations during the day period (7.00 am to 6.00 pm) Monday to Saturday, PNTLs are established based on the Rated Background Levels (RBL) established in the NIS.

There are two sets of noise levels considered in the NPfl, namely the intrusiveness noise level and project amenity noise level. The PNTL is then ultimately set as the lower of either of the two noise levels.

### 4.1 Project Intrusiveness Noise Level

The NPfl project intrusiveness noise level is set to minimise noise emission at nearby residential receivers and requires that the  $L_{Aeq,15\text{minute}}$  noise level measured at nearby a residential property's boundary does not exceed the background noise level by more than 5 dBA.

## 4.2 Project Amenity Noise Level

The NPfI Project Amenity Noise Level, in comparison with the Project Intrusiveness Noise Level, is set to preserve the community's amenity by providing an overall noise-level upper limit for different land uses.

Table 2.2 on page 11 of the NPfI provides 3 categories to distinguish different residential localities subject to the RBL. A measured RBL of 45 dBA during the day outlined in the NIS places residential receivers between the 'Suburban Residential' and 'Urban Residential' categories. The 'Suburban Residential' category is conservatively adopted for this project. Amenity noise levels are also set out for non-residential receivers including active recreation receivers which are applied to Pearce Park.

To account for potential cumulative impacts from industrial noise, the project specific amenity noise level is set as the amenity noise level minus 5 dBA. Amenity noise levels which are to be assessed over a period are converted to a 15-minute level with a plus 3 dB correction in accordance with the NPfI.

## 4.3 Summary

PNTLs determined in accordance with the approach outlined in the NPfI are presented in **Table 2**.

**Table 2 Project Noise Trigger Levels**

Receiver	RBL <sup>1</sup>	Project Intrusiveness Noise Level <sup>2</sup>	Project Amenity Noise Level <sup>3</sup>	PNTL (L <sub>Aeq,15minute</sub> )
Residential	45	50	53	50
Active Recreation Area	n/a	n/a	53	53

Note 1: Established in NIS.

Note 2: RBL + 5 dB.

Note 3: Includes - 5 dB correction to account for cumulative industrial noise and + 3 dB correction to convert from period to 15-minute level.

## 5 Monitoring Results

Compliance noise monitoring results obtained following operator-attended noise monitoring are presented in **Table 3**.

**Table 3 Measured Construction Noise Levels**

Time of Survey	Monitoring Location	Measured Noise Impact (L <sub>Aeq,15minute</sub> )	PNTL (L <sub>Aeq,15minute</sub> )	Assessment
7.53 am	Location 1	51	50	1 dB Exceedance <sup>1</sup>
8.57 am	Location 2	46	50	Complies
9.16 am	Location 3	52	53	Complies

Note 1: A 1 dB exceedance is considered negligible and in compliance with the processes outlined in the NPfI as further discussed in **Section 6**.

## 6 Findings

Noise monitoring indicates that noise impacts associated with the operation of the mattress shredder are below PNTLs at Location 2 and Location 3 and therefore compliant with the NPfl.

Noise impacts at Location 1, this being the residential receiver located at 66 Passefield Street, Liverpool, are indicated to exceed the PNTL by a negligible 1 dB.

In accordance with the NPfl an exceedance above the PNTL, referred to as a residual noise impact, is considered acceptable so long as all feasible and reasonable noise mitigation measures have been considered, and the significance of the residual noise impact is assessed to determine whether further mitigation is required. The following noise mitigation measures were installed, consistent with the NIS and the Consent and would constitute a noise reduction kit.

- The construction of a noise barrier consisting of double stacked shipping containers with a gate to a minimum height of 5.4 m.
- The installation of engine bay noise mitigation which involved lining the engine bay enclosure with an acoustic sound absorbent material.

Further to the above, the following additional noise mitigation measures were considered with respect to further reducing the impact to 66 Passefield Street:

- Provision of shielding to 66 Passefield Street by either increasing the height of the existing barrier or the construction of a localised barrier along the boundary of Site that adjoins 66 Passefield Street.
- Reduced operational times.
- Reduced operational speed of the engine.
- Installation of an exhaust muffler.

Determining whether mitigation measures are reasonable involves judging whether the overall noise benefits outweigh the overall adverse social, economic and environmental effects, including the cost of the mitigation measure. Following a discussion with council, the above mentioned feasible mitigation measures were determined to be unreasonable based on the fact that:

- In accordance with the NPfl, a residual noise impact to one receiver is considered to have negligible significance where such exceedances would not be discernible by the average listener.
- Further noise mitigation will only aid in addressing noise impacts to one receiver.
- Significant costs are associated in increasing the height of the existing noise barrier.
- Significant cost and potential impacts to visibility are associated with the construction of a barrier along the boundary between 66 Passefield Street and the Site.
- Reducing the operational time of the mattress shredder to up to 2.5 hrs per day (such that PNTLs are eligible for a 2 dB correction for duration as per the NPfl) will have a significant economic impact in addition to a social impact with the potential that many mattresses are not recycled leading to a waste issue for the community.
- Reducing the speed of the engine would decrease noise levels, however this would increase the risk of the shredder jamming which would result in reduced efficiency and an increase in wear.
- The supplier confirmed that a custom muffler option was possible, however there was a long lead time, high expense and limited guarantee of a reduction in noise due to increased back pressure.

Based on the fact that a 1 dB exceedance is considered negligible in accordance with the NPfl and all reasonable and feasible mitigation measures have been considered, noise impacts at Location 1 are considered compliant with the processes outlined in the NPfl.

## 7 Conclusion

Compliance noise monitoring conducted to at Rose Street Depot, Liverpool determined that noise impacts associated with the operation of the mattress shredder located on the northwestern boundary of the site were below PNTLs and compliant with the NPfl at 74 Rose Street, Liverpool (Location 2) and Pearce Park (Location 3).

Compliance noise monitoring conducted at 66 Passefield Street, Liverpool (Location 1) measured noise impacts to exceed the PNTL by 1 dB. In accordance with the NPfl, reasonable and feasible mitigation measures were considered to address the 1 dB residual noise impact and no further noise mitigation is deemed necessary.

Prior to the monitoring, a site inspection of the installed mitigation measures was conducted and it was verified that the measures as per the NIS were satisfactory installed and as such it can be confirmed that this report shows compliance with the relevant Consent Conditions pertaining to acoustics.

Based on the above, mattress shredder operations are considered compliant for day operations, this being 7.00 am to 6.00 pm, Monday to Saturday.

I trust that the above report meets your current requirements. Should you have any questions or require any additional information, please contact me on 0416 085 167.

This assessment has been prepared by Mr Joe McNamara and Mr Sam Demasi. Both are qualified mechanical engineers, and both have membership with the Australian Acoustical Society (AAS).

Mr Demasi has been working in acoustics for over 25 years. He was admitted to the grade of Member of the AAS in 2008.

Mr McNamara's AAS Member ID is 2879 and Mr Demasi's AAS Member ID is 1033.

Regards,



SAM DEMASI

Principal - Acoustics and Vibration

## Appendix A

## Acoustic Terminology

## Glossary of Noise and Vibration Terminology

Sound Pressure	Sound, or sound pressure, is a fluctuation in air pressure over the static ambient pressure.
Sound Power	Sound Power is the rate at which sound energy is emitted, reflected, transmitted, or received, per unit time. Unlike sound pressure, sound power is neither room-dependent nor distance-dependent.
Sound Pressure Level (SPL)	The sound level is the sound pressure relative to a standard reference pressure of 20µPa (20x10 <sup>-6</sup> Pascals) on a decibel scale.
Sound Power Level (SWL)	The Sound Power Level is the sound power relative to a standard reference pressure of 1pW (20x10 <sup>-12</sup> Watts) on a decibel scale. The SWL of a simple point source may be used to calculate the SPL at a given distance (r) using the following formula: $SPL = SWL - 10 \times \log_{10}(4 \times \pi \times r^2)$ Note that the above formula is only valid for sound propagation in the free-field (see below).
Decibel (dB)	A scale for comparing the ratios of two quantities, including sound pressure and sound power. The difference in level between two sounds s1 and s2 is given by $20 \log_{10}(s1 / s2)$ . The decibel can also be used to measure absolute quantities by specifying a reference value that fixes one point on the scale. For sound pressure, the reference value is 20µPa.
A-weighting, dBA	The unit of sound level, weighted according to the A-scale, which takes into account the increased sensitivity of the human ear at some frequencies.
Noise Level Indices	Noise levels usually fluctuate over time, so it is often necessary to consider an average or statistical noise level. This can be done in several ways, so a number of different noise indices have been defined, according to how the averaging or statistics are carried out.
Leq,T	A noise level index called the equivalent continuous noise level over the time period T. This is the level of a notional steady sound that would contain the same amount of sound energy as the actual, possibly fluctuating, sound that was recorded.
Lmax,T	A noise level index defined as the maximum noise level during the period T. Lmax is sometimes used for the assessment of occasional loud noises, which may have little effect on the overall Leq noise level but will still affect the noise environment. Unless described otherwise, it is measured using the 'fast' sound level meter response.
L90,T	A noise level index. The noise level exceeded for 90% of the time over the period T. L90 can be considered to be the "average minimum" noise level and is often used to describe the background noise.
L10,T	A noise level index. The noise level exceeded for 10% of the time over the period T. L10 can be considered to be the "average maximum" noise level. Generally used to describe road traffic noise.
Free-Field	Far from the presence of sound reflecting objects (except the ground), usually taken to mean at least 3.5m
Fast/Slow Time Weighting	Averaging times used in sound level meters.
Octave Band	A range of frequencies whose upper limit is twice the frequency of the lower limit.
DnT,w	The single number quantity that characterises airborne sound insulation between rooms over a range of frequencies.
Rw	Single number quantity that characterises the airborne sound insulating properties of a material or building element over a range of frequencies.
Reverberation	The persistence of sound in a space after a sound source has been stopped.
PPV	The particles of a medium are displaced from their random motion in the presence of a vibration wave. The greatest instantaneous velocity of a particle during this displacement is called the Peak Particle Velocity (PPV) and is typically measured in the units of mm/s.
Hertz, Hz	The unit of Frequency (or Pitch) of a sound or vibration. One hertz equals one cycle per second. 1 kHz = 1000 Hz, 2 kHz = 2000 Hz, etc.
Acceleration	Acceleration is defined as the rate of change of Velocity of a particle over a period of time and is typically measured in the units of m/sec <sup>2</sup> .
Vibration Dose, VDV	When assessing intermittent vibration, it is necessary to use the vibration dose value (VDV), a cumulative measurement of the vibration level received over an 8-hour or 16-hour period. The VDV formulae uses the RMS Acceleration raised to the fourth power and is known as the Root-mean-quad method. This technique ensures the VDV is more sensitive to the peaks in the acceleration levels. VDV's are typically measured in the units of m/s <sup>1.75</sup> .

## Compliance Noise Monitoring Report and Statement

Rose Street Depot, Liverpool  
Mattress Shredding and Recycling Facility  
APP Corporation Pty Limited

(22065.1.6.L1R3 Compliance Noise Monitoring and Statement 20241121)



# TRAFFIX

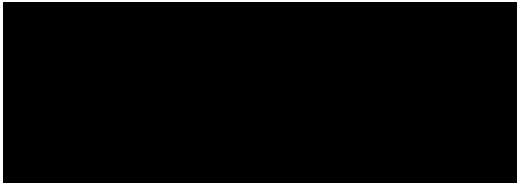
TRAFFIC AND TRANSPORT PLANNERS

Suite 2.08, 50 Holt St  
Surry Hills, NSW 2010  
PO Box 1124  
Strawberry Hills NSW 2012

t: (02) 8324 8700  
w: www.traffic.com.au  
aon: 0651 32961  
abr: 66065132961

Reference: 22.217r03v03

29 October 2024



**Re: Proposed Modifications to an Approved Mattress Shredder Development (DA-1263/2022)  
99 Rose Street, Liverpool  
Traffic Impact Statement – Section 4.55 Application**

Dear Tom,

## ➤ Introduction

TRAFFIX has been commissioned by The APP Group to assess the traffic and parking impacts in support of a Section 4.55 Application (s4.55) relating to an approved mattress shredder development located at 99 Rose Street, Liverpool. The subject site is located within the Liverpool City Council Local Government Area (LGA) and has been assessed under that Council's controls.

## ➤ Site and Location

The subject site at 99 Rose Street, Liverpool and is located approximately 1.6 kilometres southwest of Liverpool Central Business District (CBD). More specifically, it is located on the northern side of Rose Street, approximately 260m west of the intersection of Rose Street and Gill Avenue.

The site has an irregular-shaped configuration and has a total site area of approximately 2.4 hectares. It has a northern frontage measuring approximately 60-metres to Pearce Park, eastern boundary measuring approximately 180-meters to residential properties, western boundary measuring approximately 250-metres to Paciullo Park and Pearce Park, and southern frontage to Rose Street measuring approximately 140-metres.

A Location Plan is presented in Figure 1, with a Site Plan presented in Figure 2 which provides an appreciation of the general character of roads and other key attributes within proximity of the site.

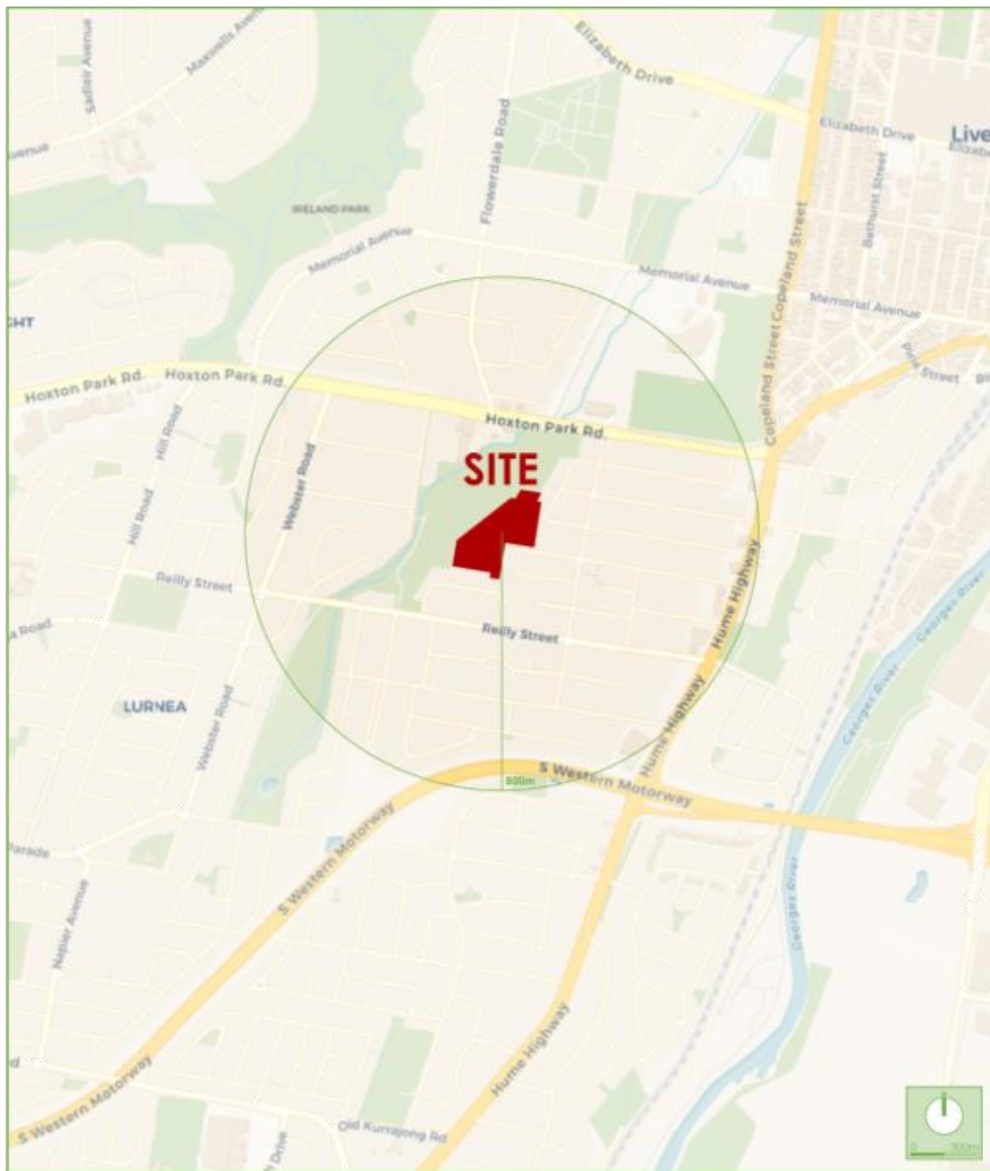


Figure 1. Location Plan



Figure 2. Site Plan



### ② Description of Approved Development (D-1263/2022)

In summary, the approved development at 99 Rose Street, Liverpool is as follows:

- Installation of a mattress shredding machine and acoustic barrier;
- Mattress shredder operation between 7:30am and 10am, from Monday to Saturday;
- Truck movement associated with mattress shredding activities between 7:00am to 10:30am Monday to Saturday; and
- Two (2) staff members for shredding operations.

### ② Description of Proposed Modification

A full description of the proposed modified development can be found in the SEE, prepared separately. In summary, the development for which approval is now sought comprises:

- Mattress shredder operation between 7:00am and 6:00pm, from Monday to Saturday;
- Truck movement associated with mattress shredding activities between 7:00am to 6:00pm Monday to Saturday;
- No increase in staff requirements;
- No increase in fleet requirements; and
- No change to vehicle access arrangements.

As can be seen from the above, the changes proposed under the subject modification largely relate to the hours of operation. Reference should also be made to the plans submitted separately to Council. The parking and traffic impacts associated with the subject application are discussed below:

### ② Parking Assessment

The Liverpool City Council Development Control Plan 2008, Part 1, does not provide car parking or truck parking requirements for Council operated depots. Council has confirmed that trucks accessing the mattress shredder site are already part of the Liverpool Council vehicle fleet, and currently park within Council's depot(s). No additional trucks are required to service mattress shredding activities, and therefore, no additional truck parking is required.

In addition, no changes are proposed to the existing staffing requirements, and as such, no additional car parking is required or proposed.

### ② Traffic Generation

The TfNSW Guide to Traffic Generating Developments (2002) does not provide traffic generation rates for depots of this nature. Therefore, the traffic impacts associated with the subject proposal have been assessed using a 'first principles' approach. Council have confirmed that there will be an additional 8-9 truck arrivals per day. This equates to an additional inbound and outbound truck movement per hour of operation.

The proposed traffic generation equates to 11-12 truck arrivals per day in total, therefore, 22-24 truck movements per day, resulting in approximately one movement every half hour of operation. There is no increase in the rate of truck movements.



Noting the minor increase in truck movements (additional movement every 30min), there will be no adverse traffic impacts associated with the expanded mattress shredding operations on the surrounding road network. The subject modification is therefore supportable from a traffic planning perspective.

It is also worth noting that Council's waste fleet and diesel refuelling facility currently accommodated at the Rose Street Depot is being relocated to the facility at 600 Cowpasture Road, Len Waters Estate. Council's waste fleet consists of 30 heavy vehicles, which on average, enter and leave the subject site twice per day, resulting in approximately 120 vehicle movements per day. As such, there will be an overall net decrease in heavy vehicle movements on the surrounding road network associated with the relocated waste fleet (minus 120 vehicle movements) and the subject modification (additional 22-24 vehicle movements). T

#### ➤ Site Access

The existing depot has multiple vehicle access points as outlined below:

- Vehicle crossing on the northern side of Rose Street providing entry to the Community Recycling Centre;
- Vehicle crossing on the northern side of Rose Street providing an exit from the Community Recycling Centre;
- Vehicle crossing on the northern side of Rose Street providing entry only access to the Rose Street Operations Centre (staff only);
- Vehicle crossing on the northern side of Rose Street providing an exit from the Rose Street Operations Centre;
- Vehicle crossing on the western end of Rose Street providing entry/exit access to the Mechanical Workshop and Stores; and
- Vehicle crossing on the southern side of Rose Street providing entry/exit access to the staff carpark.

The proposal will continue to utilise the main entry and exit vehicle access points for the Rose Street Operations Centre.

#### ➤ Swept Path Analysis

Noting the minor architectural amendments to the mattress shredder enclosure, no further assessment (swept path analysis) is considered necessary. The enclosure will continue to operation satisfactory in terms of vehicle movements.



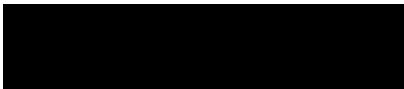
### ➤ Conclusion

On the basis of the above, the proposal to expand approved mattress shredding activities at the existing Liverpool City Council depot at 99 Rose Street, Liverpool in our view is considered supportable.

We trust the above is of assistance and request that you contact the undersigned should you have any queries or require any further information. In the event that any concerns remain, we request an opportunity to discuss these with Council officers prior to any determination being made.

Yours faithfully,

**Traffix**



Ben Liddell  
**Director**

# Addendum Operational Waste Management Plan

**Rose Street Depot S4.55 Modification**

99 Rose Street, Liverpool

15 August 2024

Reference: PRJ1370204



**The APP Group**



## Amendment, Distribution & Authorisation Record

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This report has been prepared and reviewed in accordance with our quality control system.

This report has been prepared by: Tom Connolly  
Assistant Planner  
August 2024

This report has been reviewed by: Mitchell Brown  
Business Leader  
August 2024

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## 1. Background

### 1.1 Introduction

APP Corporation has been commissioned by Liverpool City Council to prepare an addendum to the approved Operational Waste Management Plan (OWMP) in support of the S4.55 Modification to Development Consent DA-1263/2022. The approved development involved the installation and operation of mattress shredding equipment and construction of an acoustic barrier at the Liverpool City Council Works Depot (the Depot), located at 99 Rose Street, Liverpool.

The purpose of this OWMP addendum is to identify types of waste that will be generated through the installation and operation of the shredding equipment and waste management measures to be implemented through these phases to preserve the amenity of surrounding development and uses.

### 1.2 Project Description

The proposed modifications include:

- ▶ The extension of hours of operation
- ▶ The modification of the mattress shredder enclosure

#### **Hours of Operation**

The operating hours are proposed to be extended to 7:00am – 6:00pm Monday to Saturday.

#### **Modification to Shredding Enclosure**

The mattress shredding enclosure is proposed to be modified to allow for the storage of mattresses (to be shredded), the manoeuvring of machinery within the enclosure (to load mattresses into the shredder) as well as the collection of recycled/refined material.

The modified enclosure will have dimensions of 30.4m (w) by 29.2m (l), resulting in an increase of 445sqm in floor area. An additional open mattress storage area is proposed with dimensions of 12.2m (w) by 14.6m (l). The proposed height of the mattress shredder enclosure has also increased by approximately 600mm.

The apron located directly in front of the mattress storage area will be used for the unloading of mattresses and the loading of recycled/refined materials.

#### **Vehicle Movements**

The development involves 8-9 truck arrivals per day (16 to 18 truck movements) in addition to the approved 3 arrivals (6 truck movements), distributed throughout the 11 hours of proposed daily operation (7:00am to 6:00pm). This will result in 11-12 truck arrivals (22-24 movements) per day and no increase in the rate of truck movements of the approved conditions. Trucks accessing the shredder are anticipated to already be part of the Liverpool Council vehicle fleet, and already park within the Depot.



## 2. Updated Waste Generation & Management

### 2.1 Operational Waste Management

On average, an end-of-life mattress weighs approximately 30.2kg. The mattress shredder will process between 800-1,000 mattresses per day. The table below outlines Council and APPs best estimate of waste produced during the operation of the equipment.

Table 1 Waste Management (Operation)

Materials		Destination	
Type of material	Estimated volume (m <sup>3</sup> ) or Area (m <sup>2</sup> ) or weight (kg) per day of operation	Off-Site (Contractor and recycling outlet)	Disposal / Contractor and landfill site
Floc (Textiles, Foam, Latex and Various Other Materials) and Timber	14,496kg – 18,120kg	Recycled into processed engineered fuel at The Cleanaway ResourceCo Resource Recovery Facility at 35-37 Frank St, Wetherill Park NSW 2164	Cleanaway Lucas Heights Resource Recovery Park
Steel	9,664kg – 12,080kg	Scrap metal recycler	N/A

Please note, prior to any offsite disposal the facilities where the materials are destined will be contracted to validate that they are licenced by the EPA to receive the material.





Our Ref: DA-64/2007/G  
 Contact: Jason Marshall  
 Ph: 02 8711 7787  
 Date: 24 February 2025

PACIFIC PLANNING PTY LIMITED  
 LEVEL G, 16 LEAVESDEN PLACE  
 SYLVANIA NSW 2224

Dear Sir / Madam,

## DRAFT MODIFICATION NOTICE OF DETERMINATION DA-64/2007/G

### SECTION 4.55 MODIFICATION OF DEVELOPMENT CONSENT

(In accordance with the provisions under Section 4.55 of the *EP&A Act 1979*)

**Address:** Lot 3 Seventeenth Ave East, Middleton Grange (Lot 3 DP 1207518); Lot 4 Seventeenth Ave East, Middleton Grange (Lot 4 DP 1207518); 60 Hall Circuit, Middleton Grange (Lot 12 DP 1108343); Lot 2 Flynn Avenue, Middleton Grange (Lot 2 DP 1207518); Lot 5 Sixteenth Ave East, Middleton Grange (Lot 5 DP 1207518); Lot 6 Sixteenth Ave East, Middleton Grange (Lot 6 DP 1207518); Lot 1 Seventeenth Ave East, Middleton Grange (Lot 1 DP 1078564); and Lot 102 Sixteenth Ave East, Middleton Grange (Lot 102 DP 1128111)

#### SECTION 4.55(1A) MODIFICATION TO DEVELOPMENT CONSENT DA-64/2007

I am writing to advise you that the Liverpool Local Planning Panel, at its meeting dated 24 February 2025, has determined your Section 4.55(1A) application, DA-64/2007/G to modify DA-64/2007, which was approved for:

*Subdivision of existing lots into eight (8) Torrens title lots, four (4) public reserve lots, three (3) residue lots and associated roads and drainage works.*

#### The modification seeks:

Modification to Development Consent DA-64/2007 under Section 4.55(1A) to modify and/or delete the 'prior to the issue of a subdivision certificate' wording from conditions to allow subdivision prior to the completion of all works.

The modification is approved under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979. Accordingly, Development Consent No. DA-64/2007 has now been amended as follows (*edits in bold and italic*):

## A. THE DEVELOPMENT

### 1. Condition 1.1 is to be amended to read as follows:



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### General Conditions

1.1 Development must be carried out generally in accordance with the following plans and documents, except where modified by the undermentioned conditions:

a) Plans prepared by J Wyndham Prince, including the following:

Title	Plan No.	Revision	Dated
Overall Site Plan	9979-04-CC003	F	16/03/23
Typical Road Cross Sections Sheet 1	9979-04-CC008	D	18/02/22
Typical Road Cross Sections Sheet 2	9979-04-CC009	C	18/02/22
Cut and Fill Plan	9979-04-CC010	D	18/02/22
Engineering Plan Sheet 1	9979-04-CC011	F	05/10/23
Engineering Plan Sheet 2	9979-04-CC012	F	16/03/23
Engineering Plan Sheet 3	9979-04-CC013	D	28/09/21
Site Sections Sheet 1	9979-04-CC031	D	18/02/22
Site Sections Sheet 2	9979-04-CC032	D	18/02/22
Site Sections Sheet 3	9979-04-CC033	D	18/02/22
Site Sections Sheet 4	9979-04-CC034	D	18/02/22
Road Long Sections Sheet 1	9979-04-CC101	E	16/03/23
Road Long Sections Sheet 2	9979-04-CC102	E	16/03/23
Road Long Sections Sheet 3	9979-04-CC103	D	18/02/22
Road Long Sections Sheet 4	9979-04-CC104	E	16/03/23
Soil and Water Management Plan	9979-04-CC700	E	16/03/23
Soil and Water Management Notes and Details	9979-04-CC701	D	18/02/22
<b>Proposed Tree Plan – Sheet 1</b>	<b>9979-04-SK59</b>		<b>06/01/25</b>
<b>Proposed Tree Plan – Sheet 2</b>	<b>9979-04-SK60</b>		<b>06/01/25</b>
<b>Proposed Tree Plan – Sheet 3</b>	<b>9979-04-SK61</b>		<b>06/01/25</b>

b) Flynn Avenue Middleton Grange Town Centre TCS Design – Traffic Analysis prepared by Bitzios Consulting, File P6160.001T, dated 05/10/2023.

## 2. Condition 1.8 is inserted to read as follows:

### Urban Design

**1.8 Prior to the dedication of any land (including roads) to the Council, documentation is to be produced for the review and approval of Council demonstrating how good public domain amenity will be delivered within the proposal which must include the provision of street trees, street furniture and street lighting on all streets within the site.**

**A suitably qualified person (i.e. a registered Landscape Architect) is to prepare and to provide the following information for the review and approval of Council:**



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- a) **Determine the suitable locations for street trees and suitable species to be installed within the public domain of the town centre.**
- b) **A Public Domain and Landscape Plan is to be produced and provided to Council for review and approval to demonstrate the locations for street trees and other public domain elements. For example, it is to include the following elements (but not limited to):**
  - i. **Footpaths and kerb/gutters;**
  - ii. **Proposed driveways;**
  - iii. **Details of street furniture, tree pits, tree grates and any other fixtures or fittings proposed; and**
  - iv. **The location of streetlight poles.**

## **E. DURING CONSTRUCTION/WORK**

### **3. Condition 31.1 is amended as follows:**

#### **Subdivision Compliance**

31.1. **Prior to the dedication of any land (including roads) to the Council**, the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:

- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans,
- b) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding),
- c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatching, the depth of any fill within 0.3m depth ranges,
- d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council,
- e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries,
- f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification,



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- g) Structural Engineer's construction certification of all structures, and
- h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
  - I. Compaction reports for road pavement construction,
  - II. Compaction reports for bulk earthworks and lot regrading,
  - III. Soil classification for all residential lots, and
  - IV. Statement of Compliance.

**4. Condition 31.3 is amended as follows:**

**31.3 All roads shall be dedicated to Council as public roads.**

**5. Condition 31.4 is amended as follows:**

**31.4 Prior to the dedication of land (including roads), the landowner and Council will issue a statement countersigned by both parties confirming that all land required to be dedicated is progressed in accordance with any planning agreement between the council and the landowner that applies to the land in the Middleton Grange Town Centre.**

**6. Condition 32.1 is amended as follows:**

**Engineering Work**

**32.1 Prior to the dedication of any land (including roads) to be Council, the following compliance certificates will be required to be submitted with an application.** Other compliance certificates may be required for "one off" components not covered by this list. All compliance certificates are to be submitted by the accredited certifier for the development.

- a) General Certificates:
  - **Confirming the financial requirements and contents of the Voluntary Planning Agreement**
  - Lot Filling
  - Geotechnical Testing and Reporting Requirements
  - Service Authority Clearances
- b) Construction:
  - Implementation of Soil Erosion Plan (Several required at appropriate stages)
  - Implementation of Traffic Control Plan
  - Log book listing details of all inspections undertaken during construction
- c) Road pavement
  - Subgrade (Reduced Levels, Roller Test)



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- Each Subbase Layer (Depth, Roller Test)
  - Base Course Layer (Depth, Roller Test)
  - Wearing Course (Depth, grading)
  - Subsoil Drains
  - Service Crossings
- d) Pipework
- Trench Excavation (Line, Grade, Location)
  - Bedding (Type, compaction)
  - Pipework (before backfill)
  - Backfill (compaction)
- e) Stormwater Pits
- Pit Base
  - Walls
  - Lintel sizes
- f) Kerb and Gutter
- Kerb line and level
  - Concrete compaction
  - Finish
- g) Footpath formed to profile
- h) A compliance certificate will be required to demonstrate that the site has been remediated in accordance with the Construction Certificate and the supporting contamination report. To this effect a site remediation report must be produced by an EPA accredited geotechnician, or to the satisfaction of the EPA.
- i) Traffic Management works undertaken in accordance with construction certificate Traffic Management Plan
- j) Final inspection

**7. Condition 34 is amended as follows:**

**Service Providers**

34 The following documentation is to be provided prior to the **dedication of any land (including roads) to Council:**

1. Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the PCA prior to the issue of a Subdivision Certificate.

Council will not **accept the dedication of any land (including roads)** unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water



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branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.

2. Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
3. Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
  - i) The requirements of the Telecommunications Act 1997;
  - ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
  - iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications

**8. Condition 35.1 is amended as follows:**

**Footpaths**

**35.1 Prior to the dedication of any land (including roads) to Council**, a contribution shall be paid to Council in accordance with Council fees and charges for the construction of 1.5m wide by 75mm deep concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.

**9. Delete section title 'PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE'.**

**10. Condition 39 is amended as follows:**

**Rectification of Damage**

**39 Prior to the dedication of any land (including roads) to Council**, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.

Any rectification works within all existing public roads adjacent to the development will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

**11. Condition 40 is amended as follows:**

**Owner's Agreement**



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**40. Prior to the dedication of any land (including roads) to Council,** an agreement in writing from the adjoining owners stating that approval is given for the disposal of downstream drainage onto their property shall be submitted to Council. An easement to drain water shall be created by the applicant over the area affected by downstream drainage. All costs associated with value of land and the easement created are to be borne by the applicant.

**12. Condition 41 is inserted to read as follows:**

**Urban Design**

**41 Prior to the dedication of any land (including roads) to the Council, street trees, street furniture and street lighting must be delivered on all streets within the Middleton Grange Town Centre, as follows:**

- a) *Street trees are to be installed within the road reserve areas (either within the carriageway or verges) of the Middleton Grange Town Centre, to be generally consistent with the Proposed Tree Plans prepared by J Wyndham Prince dated 06/01/2025 that also demonstrates adjustments to the previously proposed shared paths to facilitate street trees as required.*
- b) *Street trees are to be at a minimum spacing of 8-10m, and to be a minimum 100L pot size (at the time of installation), to achieve adequate and connected canopy cover within the streetscape of the town centre.*
- c) *Streetlight poles (preferably multifunction poles) are to be installed within the town centre at consistent and even spacing throughout the site, as per the requirements of Council, Australian Standards and Transport for NSW.*
- d) *Street furniture is to be included within the public domain of the town centre, to ensure that utility of the town centre can be achieved and maintained throughout its lifetime. This is to include furniture that is consistent in design and style throughout the site such as seats/benches, bins, street lighting and bike racks at consistent and even spacings as required to service the public domain.*

All other conditions of Development Consent DA-64/2007 and Modification Applications DA-64/2007/A, DA-64/2007/C, DA-64/2007/D, DA-64/2007/E and DA-64/2007/F remain unchanged.

**Note:** This determination notice is strictly for changes sought under Modification Application DA-64/2007/G. No approval is granted or implied for any other works / changes proposed to the submitted development.

**ADVISORY NOTES:**

- (a) *Section 8.2 of the EP&A Act provides that an applicant may request that Council review the determination of the Modification Application (this does not relate to designated development or Crown development).*



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*Section 244 of the EP&A Regulations provides that an application for review must be submitted within 28 days of the date of the determination, and Section 8.2 of the EP&A Act provides that an application cannot be reviewed/determined after 6 months of the date of determination.*

- (b) *Sections 8.9 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the NSW Land and Environment Court within six (6) months after:*
- a. *the date on which the applicant received notice, given in accordance with the regulations, of the determination of that application or,*
  - b. *the date on which the applicant's application is taken to have been determined in accordance with regulations made under section 8.5 (3), 4.55 (6).*
- (c) *The Section 4.55 Modification Application does not extend the timeframe of the development consent initially granted by Council.*
- (d) *Modification of the development consent does not remove the need to obtain any other statutory consent necessary under the Act.*

Should you have any queries please contact Jason Marshall on the phone number shown at the top of this page.

Yours faithfully

XXXXXXXXXX  
XXXXXXXXXX  
**Development Assessment**



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**Pacific Planning**

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**STATEMENT OF ENVIRONMENTAL EFFECTS**  
**Proposed Modification to Consent**  
**Section 4.55(1A)**  
**DA 64/2007/G**

**Middleton Grange Town Centre**



Submitted to Liverpool City Council

October 2024

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## Contact

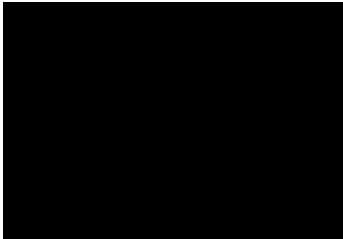
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### Prepared for:



### Document Control

Version	Date	Prepared	Approved
v.1.0	June 2024	TS	JM
V2.0	October 2024	TS, MD	JM

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## APPENDICES

APPENDICES	TITLE
Appendix 1	Landowners Consent

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## 1. Introduction

This Report has been prepared as part of an application to modify Development Consent DA/64/2007, determined on 5 October 2007 and last modified in 2024 (DA 64/2007/F) for land at Sixteenth Avenue East, Seventeenth Avenue East, Hall Circuit and Flynn Avenue, otherwise known as the Middleton Grange Town Centre (MGTC).

The primary outcomes of this modification ("G") is to amend the provisions surrounding Conditions 31 – 40 to facilitate the orderly delivery of the external intersections and connective road network to the MGTC that will connect to roads and civil works enabled by the 2007 DA64 consent as modified.

The effect of amending conditions 31-40 will move the requirements for road dedication to be linked to satisfactory completion of the works and thus enable subdivision of the lots to occur prior to works completion to assist to ensure that the appropriate capital financing can occur.

### 1.1 Background and purpose of modification G

Since the settling of the Liverpool LEP 2008 that provided the basis for a town centre at Middleton Grange there has been a community expectation for the delivery of community base infrastructure delivery outcomes including new services in the form of roads and civil works to support the wider Middleton Grange community. For various reasons delivery of various components of roads infrastructure has been delayed longer than the desired outcomes of the growing community. Council has acted on the delivery of certain roads in the Middleton Grange area in response to community expectations but has appropriately not progressed with various road upgrades adjacent to the MGTC land as it was known that roads would be subject to the anticipated development of the MGTC. More recently the internal works related to the MGTC DA64/2007 as modified has commenced and had advanced to a stage where it was logical from an orderly development perspective to consider the connection of those roads to the wider network.

A meeting with council executive on the wider MGTC project was held to discuss the MGTC delivery and it was advised that the community and the elected council body was still focused and keen to see the delivery of the wider road network in Middleton Grange. At the meeting the executive of council were informed that the progression of the works in the 2007DA was substantially progressed yet there was a delay with the progression of the MGTC major development applications. It was acknowledged that there could be a situation where the internal road network and civil works would be available for community uses and dedication to the council but the landowner would not be able to progress the dedication of those road components due to the delay of the progression of the larger lot development uses. It was however advised that there was an opportunity that the external road network civil works may be able to proceed ahead of those major lot developments if a collaborative attention to assist with actions between the landowner and the council could be achieved.

It was advised that the landowners of the MGTC would seek to contemplate how it may provide a framework for how components of the external road network delivery may occur ahead of the large lot developments. The consideration included what aspects of adjustment to the 2007DA and amendment to the Liverpool LEP 2008 may be required to support the delivery of external civil components ahead of major lot development delivery. The consideration also included review of the recently settled Voluntary Planning Agreement (VPA) that applies to the Land (registered on 13 June 2023) and how those more recent security provisions assist the delivery of external road and civil infrastructure that are subject to the VPA. The meeting finally proposed discussion between the legal advisors of the council and the landowner to ensure there was no impediment to the delivery of roads infrastructure or the securities in the VPA to the benefit of council if the works and land dedications were progressed prior to originally considered sequencing of delivery that proposed external roads works with major lot development occupation. It was subsequently agreed there was no impediment.

### 1.1.1 The LEP amendment (99)

In September 2024 amendment 99 was gazetted to the Liverpool LEP. That amendment progressed under section 3.22 of Act, was a result of a process between the applicant and council to primarily assist to facilitate the dedication of land (roads and other civil items) to the council prior to the completion of major lot development applications. The amendment revised the ambiguity of the calculation of gross floor area calculations if land was dedicated to the council prior to the progression and occupation of major lot development. The intention being that there was thus no financial impediment to fulfilling the requirements of the VPA of various components of civil infrastructure in a works in kind arrangement prior to the major development of lots in the MGTC.

### 1.1.2 Progression of a s138 Road Act application

An application for the approval of external roads and civil works required to enable a connection of the internal road network was progressed. This application was progressed in conjunction with a modification "F" to the 2007 consent. The subject of modification "F" was the internal adjustment of road alignment boundaries to accommodate the s138 intersection designs.

The current provisions of the 2007DA prevent the issuance of any subdivision certificate prior to completion of the works noted within these conditions. These nominated works generally relate to site works, roads and services. The operative result of this requirement is that the entire site must be fully developed as one entity prior to any sale of various stages of the site or dedication of roads to council.

### 1.1.3 Modification G – changing a subdivision requirements

To deliver the external roads infrastructure and have those components connected to the internal road network ahead of time of the major lot occupations requires a significant amount of forward spend on capital from the landowner to deliver those works and to provide the council with the required security mechanisms from the VPA. The only way that capital can be logically provided is via a debt finance provision on the land. To provide the capital the project security holds we have been advised that the proposed lots for dedication, and the major proposed future large lots require an ability to be subdivided and registered.

Currently the 2007 DA provisions prevent subdivision from progressing unless the roads works are completed and connected to the satisfaction of the council. Those provisions in the 2007DA are sensible as they act as appropriate security mechanisms to ensure that the dedications of the land will occur to the satisfaction of the council. However, those security provisions are now duplicated in the VPA.

To facilitate the capital required for the external road network and the dedication of the connected internal roads to the wider Middleton Grange community benefit the current restriction that requires subdivision be contingent of the satisfactory completion of the road network prevents the strategy of early completion of the wider external network. To overcome this aspect, it is requested in this modification application to move the requirements for road dedication to be linked to satisfactory completion of the works and thus enable subdivision of the lots to occur prior to works completion to assist to ensure that the appropriate capital financing can occur.

This modification application (Modification "G") is prepared pursuant to section 4.55(1A) of the *Environmental Planning and Assessment (EP&A) Act 1979* (NSW).

Pursuant to Section 4.55(3), this report also considers relevant matters listed in Section 4.15(1) that are relevant to this application. The changes have no material effect on the overall development.

The proposed changes can be assessed pursuant to Section 4.55(1A) of the *Environmental Planning & Assessment (EP&A) Act 1979* on the basis of the justification outlined in Section 2.1 and this introductory explanation of context.

## 1.2 Modification history

### 1.2.1 Approved development application DA-64/2007

Subdivision of existing lots into eight (8) Torrens title lots, four (4) public reserve lots, three (3) residue lots and associated roads and drainage works.

### 1.2.2 Approved modification application DA-64/2007/A

Subdivision of existing lots into seven (7) Torrens title lots, four (4) public reserve lots, two (2) residue lots and associated roads, intersection and pedestrian treatment and drainage works.

### 1.2.3 Refused modification application DA-64/2007/B

Modification to development consent DA-64/2007 under section 4.55(2) of the Environmental Planning and Assessment Act 1979. The modification proposed: realignment of internal roads, additional intersection and widening, redesign of Rene Ave, creation of Bravo Ave, reconfiguration of open space and pedestrian linkages and change trunk drainage from channel to box culverts.

### 1.2.4 Approved modification application DA-64/2007/C

Modification to development consent DA-64/2007 under section 4.55(2) of the Environmental Planning and Assessment Act 1979. The modification proposes: realignment of internal roads, additional intersection and widening, redesign of Rene Ave, creation of Bravo Ave, reconfiguration of open space and pedestrian linkages and change trunk drainage from channel to box culverts.

### 1.2.5 Approved modification application DA-64/2007/D

Modification to development consent DA-64/2007 under Section 4.55 of the Environmental Planning and Assessment Act 1979. The changes are as follows:

- Delete Road 10.
- Amend existing stormwater drains to run along Flynn Avenue instead of through the middle of the subject site and neighbouring property.

### 1.2.6 Approved modification application DA-64/2007/E

Change to consent condition 7.1, which is to be renumbered and relocated in the consent from Part "C. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE" to be a requirement under Part "F. PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE"

### 1.2.7 Approved modification application DA-64/2007/F

The primary outcome of this modification revised the northern alignment of Road 4 and reposition the roundabout within the intersection with Southern Cross Drive (Road 7) and adjust the alignment of the road leading into this intersection. This modification has assisted with the progression and imminent issuing of a s.138 approval under the Roads Act to provide for the continuation of civil construction works external road network that connects to the internal road network.

## 1.2 Context

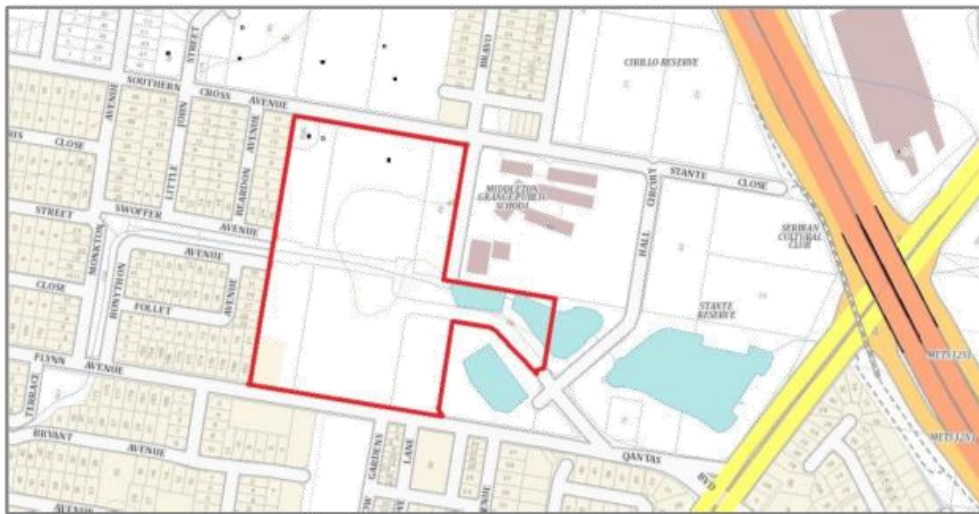
Construction of the roads and installation of services within the site is well underway. As site works are finalised the roads are able to be dedicated to provide immediate public benefit, and allow for the development of specific parts of the site. This requires subdivision certificates, which cannot happen until the completion of *all* works, as noted by conditions 31 – 40. The removal of these requirements prior to a subdivision certificate will allow for some level of appropriate staging, orderly access and orderly financial structures to be established.

## 1.3 Site Description

The site currently comprises eight (8) lots and is legally described as:

Lot 2 Flynn Avenue, Middleton Grange (Lot 2 DP 1207518);

Lot 3 Seventeenth Ave East, Middleton Grange (Lot 3 DP 1207518);  
 Lot 4 Seventeenth Ave East, Middleton Grange (Lot 4 DP 1207518);  
 Lot 5 Sixteenth Ave East, Middleton Grange (Lot 5 DP 1207518);  
 Lot 6 Sixteenth Ave East, Middleton Grange (Lot 6 DP 1207518);  
 60 Hall Circuit, Middleton Grange (Lot 12 DP 1108343);  
 Lot 1 Seventeenth Ave East, Middleton Grange (Lot 1 DP 1078564); and  
 Lot 102 Sixteenth Ave East, Middleton Grange (Lot 102 DP 1128111)



**Figure 1:** Locality Plan (Source: SixMaps).

Lots 2, 3, 4, 5 and 6 in DP 1207518, Lot 1 DP 1078564 & Lot 12 DP 1108343 are burdened by an 88B restriction imposed under DA-74/2015:

*'Development Applications shall not be considered or determined on the burdened lots until such time Council (and other relevant authorities) have approved a Planning Proposal for a rezoning and revised street network layout for the Middleton Grange Town Centre. The revised street network layout shall include a link road (north-south direction) connecting Flynn Avenue and Southern Cross Avenue.'*

This is a modification application, and not a development application for future buildings. There is no impediment under the s88b instrument to approving this modification application.

#### 1.4 Description of the proposed modifications

Conditions 31 – 40 are preceded by the following requirement:

*"F. PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE*

*The following conditions are to be complied with prior to the issue of a subdivision certificate."*

It is proposed to delete the above text from the consent.

This would place these conditions in "Part E. DURING CONSTRUCTION WORKS." The conditions in question have been altered in wording to include references to certain works being completed *"prior to the dedication of any land to Council."*

This will have the effect of allowing for the paper subdivision of roads and precincts within the overall site, in preparation for their ultimate dedication to Council. A detailed description of the proposed changes to Conditions is outlined in Section 3.3.

## 2. Planning issues

### 2.1 Provisions of the Act and regulations

Section 4.55(1A) of the Environmental Planning & Assessment Act 1979 states:

*(1A) Modifications involving minimal environmental impact*

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—*

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all) under this section, and*
- (c) it has notified the application in accordance with:
 
  - (i) the regulations, if the regulations so require, or*
  - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and**
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Part 5 Modification of development consents—the Act, ss 4.55, 4.56 and 4.57:

Clause 100 of the Environmental Planning and Assessment Regulation 2021 establishes several requirements relevant to this application (not all clauses included below):

- (1) An application for modification of a development consent under section 4.55 (1), (1A) or (2) or 4.56 (1) of the Act must contain the following information:*
- (d) a description of the modification to the development consent, including the name, number and date of plans that have changed, to enable the consent authority to compare the development with the development originally approved,*
  - (e) whether the modification is intended to-
 
    - (i) merely correct a minor error, misdescription or miscalculation, or*
    - (ii) have another effect specified in the modification application,**
  - (f) a description of the expected impacts of the modification,*
  - (g) an undertaking to the effect that the modified development will remain substantially the same as the development that was originally approved,*

This modification aims to allow for the subdivisions of roads and parcels within the overall site prior to the payment of all bonds, various plans and works as executed plans. This will enable dedication of roads and the establishment of construction finance structures. The presence of the VPA ensures that all works will be appropriately delivered without the need to withhold subdivision approvals as a means to ensure delivery.

This application makes no change to the approved development.

Modifications to development consents can be determined under Section 4.55(1A) or (2). A modification pursuant Section 4.55(1A) is to be of “minor” impact. Minor is a subjective judgment however can be construed as meaning negligible or insignificant. The Court has determined that it has nothing to do with the extent of changes but relates to extent of impact. In comparison, Section 4.55(2) is reserved for “Other Modifications” which, by inference, can have a level of impact beyond what is deemed to be “minimal”.

This proposal makes no material change to the development and has no environmental impact. On this basis it can be considered by Council pursuant to Section 4.55(1A).

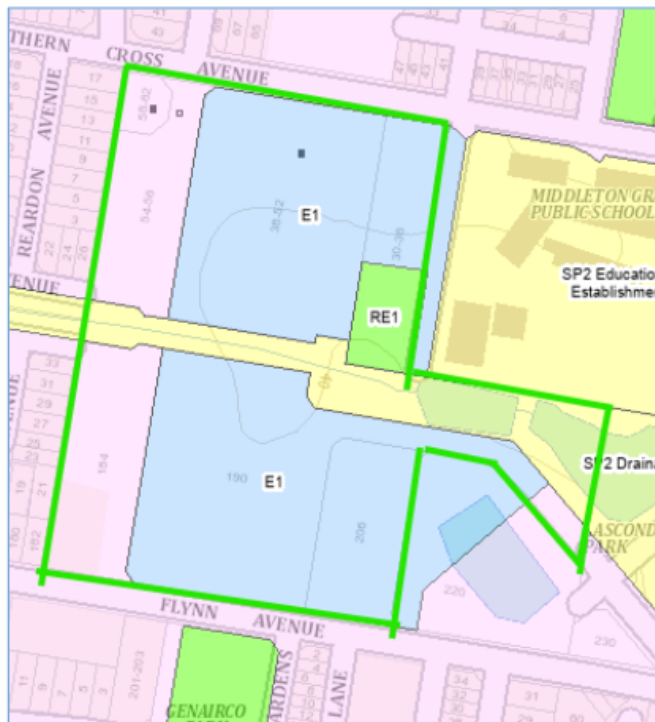
## 2.2 Provisions of relevant environmental planning instruments – 4.15(1)(a)(i)

The relevant provisions related to this proposed modification are:

- Liverpool Local Environmental Plan 2008.

Construction is underway on the site.

The site is zoned part E1 Local Centre, part R1 General Residential and part RE1 Public Recreation under Liverpool Local Environmental Plan 2008 as shown in the Figure below. For clarity, the lot is in Map Series \_008.



**Figure 2:** Land Use Zoning Map and site generally represented. (source: NSW Planning Portal)

The proposed modification has no bearing on any provision in the LEP. The modification will allow for the orderly economic development of the land, which supports the objectives of the Act and the LEP.

## 2.3 Provisions of development control plans – s4.15 (1)(a)(iii):

The proposed modification remains consistent with the Liverpool Development Control Plan (LDCP) 2008.

## 2.4 Provisions of the regulations – s4.15 (1)(a)(iv):

There are no provisions in the Regulations which are impacted by this proposed modification.

### 3. Impact assessment

#### 3.1 Assessment of likely impact – s4.15 (1)(b):

Guidelines for assessing Section 4.55 modifications state that council must:

- consider the impacts of the original development as if they were occurring at the time the modification application is determined.
- compare the likely impacts of the proposed modified development, including the environmental, social and economic impacts, with the impacts of the original development.

Since the most recent modified approval, the only changes to the natural or built environment around the site relate to ongoing construction.

This proposed modification is essentially administrative only, and allows for appropriate funding, road dedications and staging.

The proposed modification will have no impact and will not compromise any aspect of project delivery.

##### Access and traffic:

No change is proposed to any aspect of the design. It will allow for road dedication.

##### Public domain and overshadowing:

No impact

##### Economic impact, social impact, privacy:

No impact.

##### Utilities; Other land resources; Water; Soils, Natural Environment etc.:

The modification will allow for the orderly development of the site.

#### 3.2 Suitability of the site – s4.15 (1)(c):

The suitability of the site has already been assessed.

#### 3.3 Variations to conditions of approval or consent.

As noted in Section 1.4 the following text is proposed to be removed from before Condition 31:

*"F. PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE*

*The following conditions are to be complied with prior to the issue of a subdivision certificate."*

The following amendments are proposed to be made to the conditions below (changes highlighted):

Original condition		Proposed modified condition
31.1  As amended by Mod C	Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:	Prior to the dedication of any land (including roads) to the council the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:

	<p>a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans,</p>	<p>a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans,</p>
	<p>b) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding),</p>	<p>b) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding),</p>
	<p>c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges,</p>	<p>c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges,</p>
	<p>d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council,</p>	<p>d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council,</p>
	<p>e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries,</p>	<p>e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries,</p>
	<p>f) Documentation for all road pavement materials used demonstrating compliance with Council Design</p>	<p>f) Documentation for all road pavement materials used demonstrating compliance with Council Design</p>

	Guidelines and Construction Specification,	Guidelines and Construction Specification,
	g) Structural Engineer's construction certification of all structures, and	g) Structural Engineer's construction certification of all structures, and
	h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include: <ul style="list-style-type: none"> <li>I. Compaction reports for road pavement construction,</li> <li>II. Compaction reports for bulk earthworks and lot regrading,</li> <li>III. Soil classification for all residential lots, and</li> <li>IV. Statement of Compliance.</li> </ul>	h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include: <ul style="list-style-type: none"> <li>I. Compaction reports for road pavement construction,</li> <li>II. Compaction reports for bulk earthworks and lot regrading,</li> <li>III. Soil classification for all residential lots, and</li> <li>IV. Statement of Compliance.</li> </ul>
31.2	ROAD CONSTRUCTION (HALF WIDTH) -Full formation and half width road minimum 5.5m wide shall be constructed at half width at Sixteenth and Seventeenth Avenue -adjacent to the subject land to include kerb and gutter, drainage, pavement construction, sealing and service adjustments in accordance with Council's current design and construction specification for subdivision (as amended) and to the satisfaction of the Roads Authority if within an existing dedicated road reserve, or by the Roads Authority or principal certifier if not within a dedicated road reserve.	No change.
31.3	Prior to the issue of any subdivision certificate, all roads shall be dedicated to Council as public roads.	All roads shall be dedicated to council as public roads.
31.4	Prior to the issue of any subdivision certificate, Lots 5, 13, 14 and 15 shall be dedicated to Council.	Lots 5, 13, 14 and 15 shall be dedicated to Council. Prior to the dedication of land (including roads) the landowner and council will issue a statement counter signed by both parties confirming that all land required to be dedicated is progressed in accordance with any planning agreement between the council and the landowner that applies to the land in the Middleton Grange Town Centre.

Section 32	Engineering work	
32.1	<p>The following compliance certificates will be required to be submitted with an application for a Subdivision Certificate. The list is indicative only and assumes a conventional subdivision. Other compliance certificates may be required for "one off" components not covered by this list. All compliance certificates are to be submitted by the accredited certifier for the development.</p> <p>a) General Certificates:</p> <ul style="list-style-type: none"> <li>- Lodgement of Bonds</li> <li>- Lot Filling</li> <li>- Geotechnical Testing and Reporting Requirements</li> <li>- Service Authority Clearances</li> </ul> <p>b) Construction:</p> <ul style="list-style-type: none"> <li>- Implementation of Soil Erosion Plan (several required at appropriate stages)</li> <li>- Implementation of Traffic Control Plan</li> <li>-Log book listing details of all inspections undertaken during construction</li> </ul> <p>c) Road pavement</p> <ul style="list-style-type: none"> <li>- Subgrade (Reduced Levels, Roller Test)</li> <li>- Each Subbase Layer (Depth, Roller Test)</li> <li>- Base Course Layer (Depth, Roller Test)</li> <li>- Wearing Course (Depth, grading)</li> </ul>	<p><b>Prior to the dedication of any land (including roads) to the council,</b> the following compliance certificates will be required to be submitted. <del>with an application for relevant Certificates. The list is indicative only and assumes a conventional subdivision.</del> Other compliance certificates may be required for "one off" components not covered by this list. All compliance certificates are to be submitted by the accredited certifier for the development.</p> <p>a) General Certificates: <del>to be lodged with an application for a Subdivision Certificate:</del></p> <ul style="list-style-type: none"> <li><b>- Confirming the financial requirements and contents if the Voluntary Planning Agreement</b></li> <li>- Lot Filling</li> <li>- Geotechnical Testing and Reporting Requirements</li> <li>- Service Authority Clearances</li> </ul> <p>b) Construction:</p> <ul style="list-style-type: none"> <li>- Implementation of Soil Erosion Plan (several required at appropriate stages)</li> <li>- Implementation of Traffic Control Plan</li> <li>-Log book listing details of all inspections undertaken during construction</li> </ul> <p>c) Road pavement</p> <ul style="list-style-type: none"> <li>- Subgrade (Reduced Levels, Roller Test)</li> </ul>

	<ul style="list-style-type: none"> <li>- Subsoil Drains</li> <li>- Service Crossings</li> <li>d) Pipework:             <ul style="list-style-type: none"> <li>- Trench Excavation (Line, Grade, Location)</li> <li>- Bedding (Type, compaction)</li> <li>- Pipework (before backfill)</li> <li>- Backfill (compaction)</li> </ul> </li> <li>e) Stormwater Pits:             <ul style="list-style-type: none"> <li>- Pit Base</li> <li>- Walls</li> <li>- Lintel sizes</li> </ul> </li> <li>f) Kerb and Gutter             <ul style="list-style-type: none"> <li>- Kerb line and level</li> <li>- Concrete compaction</li> <li>- Finish</li> </ul> </li> <li>g) Footpath formed to profile</li> <li>(h) A compliance certificate will be required to demonstrate that the site has been remediated in accordance with the Construction Certificate and the supporting contamination report. To this effect a site remediation report must be produced by an EPA accredited geotechnician, or to the satisfaction of the EPA.</li> </ul>	<ul style="list-style-type: none"> <li>- Each Subbase Layer (Depth, Roller Test)</li> <li>- Base Course Layer (Depth, Roller Test)</li> <li>- Wearing Course (Depth, grading)</li> <li>- Subsoil Drains</li> <li>- Service Crossings</li> <li>d) Pipework:             <ul style="list-style-type: none"> <li>- Trench Excavation (Line, Grade, Location)</li> <li>- Bedding (Type, compaction)</li> <li>- Pipework (before backfill)</li> <li>- Backfill (compaction)</li> </ul> </li> <li>e) Stormwater Pits:             <ul style="list-style-type: none"> <li>- Pit Base</li> <li>- Walls</li> <li>- Lintel sizes</li> </ul> </li> <li>f) Kerb and Gutter             <ul style="list-style-type: none"> <li>- Kerb line and level</li> <li>- Concrete compaction</li> <li>- Finish</li> </ul> </li> <li>g) Footpath formed to profile</li> <li>(h) A compliance certificate will be required to demonstrate that the site has been remediated in accordance with the Construction Certificate and the supporting contamination report.</li> </ul>
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	<p>(i) Traffic management works undertaken in accordance with construction certificate Traffic Management Plan</p> <p>(j) Final inspection</p>	<p>To this effect a site remediation report must be produced by an EPA accredited geotechnician, or to the satisfaction of the EPA.</p> <p>(i) Traffic management works undertaken in accordance with construction certificate Traffic Management Plan</p> <p>(j) Final inspection</p>
32.2	<p>Land filled in excess of 300mm to be compacted to 98% Standard dry density ratio (AS1289 E4.1). Each lot, whether filled or not, to be classified in terms of the Australian Standard for Residential Slabs and Footings (AS2870) prepared by a NATA registered soil testing consultant. Where the lot classification is H, a restriction will be required on the title of that lot that special footings for any building may be required. A classification of E or P is unacceptable.</p>	No change.
<b>Section 33</b>	<b>Linen Plans and 88B Instruments</b>	
33.1 Amended by Mod C	<p>In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument (where proposed).</p>	No change
33.2 Amended by Mod C	<p>The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.</p>	No change
33.3 Amended by Mod C	<p>The final plan of subdivision must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the</p>	No change

	plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council	
33.4 Amended by Mod C	Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in Council's Design Specification for Subdivision.	No change
33.5 Amended by Mod C	Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in Council's Design Specification for Subdivisions.	No change
33.6	The final plan of subdivision is to show the dedication of a road minimum 6 x 6 m cut of corners at all intersections to Council.	Amended by Mod C as below
33.6 Inserted by Mod C  (not clear whether this replaced the original 33.6)	Condition 33.6 is inserted and reads as follows:  Correct notation concerning easements is required. The prepared 88B Instrument should be forwarded initially to Council. The land value of the easement and costs associated with checking the instrument are to be borne by the applicant. Part 2 of the 88B Instrument shall contain a provision that the easement may not be extinguished or altered without the written consent of Council.	No change
<b>Section 34</b>	<b>Service providers</b>	
34.1 Amended by Mod C	The following documentation is to be provided prior to the release of the subdivision certificate:  1. Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be	The following documentation is to be provided prior to the dedication of any land (including roads) to council:  1. Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be

	<p>submitted to the PCA prior to the issue of a Subdivision Certificate.</p> <p>Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.</p> <p>2. Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.</p> <p>3. Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:</p> <p>i) The requirements of the Telecommunications Act 1997;</p> <p>ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and</p> <p>iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.</p> <p>Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications.</p>	<p>submitted to the PCA prior to the issue of a Construction Certificate.</p> <p><b>Council will not accept the dedication of any land (including roads)</b> unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.</p> <p>2. Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.</p> <p>3. Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:</p> <p>i) The requirements of the Telecommunications Act 1997;</p> <p>ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and</p> <p>iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.</p> <p>Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications.</p>
34.2	Notification of Arrangement for the development from Integral Energy shall be submitted to Council.	No change
34.3	Compliance Certificate for the development from an approved local	No change

	telecommunications carrier shall be submitted to Council.	
<b>Section 35</b>	<b>Footpaths</b>	
35.1	A contribution shall be paid to Council in accordance with Council fees and charges for the construction of 1.5m wide by 75mm deep concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.	Prior to the dedication of any land (including roads) to council, a contribution shall be paid to Council in accordance with Council fees and charges for the construction of 1.5m wide by 75mm deep concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.
<b>Section 36</b>	<b>Bonds/Monies</b>	
36.1 <b>Amended by Mod C</b>	Condition 36.1 is amended to read as follows:  A maintenance bond in the form of a bank guarantee or cash bond (\$TBA), shall be lodged with Council prior to the issue of a subdivision certificate. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 6 months from the date of Council's acceptance of final works.	No change
<b>Section 37</b>	<b>Site Contamination</b>	
37.1 <b>Amended by Mod C</b>	Condition 37.1 is amended to read as follows:  After completion of the remedial works, a copy of the Validation Report shall be submitted to the PCA. This Report shall be prepared in compliance with the Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011), and must:  1. describe and document all works performed,	No change

	<ol style="list-style-type: none"> <li>2. include results of validation testing and monitoring,</li> <li>3. include validation results of any fill imported on to the site,</li> <li>4. outline how all agreed clean-up criteria and relevant regulations have been complied with, and</li> <li>5. include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.</li> </ol>	
<p>37.2</p> <p>Inserted by Mod C</p>	<p>Condition 37.2 is inserted and reads as follows:</p> <p>Construction Environmental Management Plan (CEMP)</p> <p>Prior to issue of a construction certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Principal Certifying Authority for approval. The environmental site management measures must remain in place and be maintained throughout the period of the development. The CEMP must address all environmental aspects of the development's construction phases, and include (where relevant), but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Asbestos Management Plan;</li> <li>2. Project Contact Information;</li> <li>3. Site Security Details;</li> <li>4. Timing and Sequencing Information;</li> <li>5. Site Soil and Water Management Plan;</li> <li>6. Noise and Vibration Control Plan;</li> <li>7. Dust Control Plan;</li> <li>8. Air Monitoring;</li> </ol>	<p>No change</p>

	<p>9. Odour Control Plan;</p> <p>10. Health and Safety Plan;</p> <p>11. Waste Management Plan;</p> <p>12. Incident management Contingency; and</p> <p>13. Unexpected Finds Protocol.</p> <p>The CEMP must be kept on site for the duration of the works and must be made available to Council Officers upon request.</p>	
38  <b>Inserted by Mod C</b>	<p><b>Completion of Subdivision Works</b></p> <p>Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works.</p>	No change
39  <b>Inserted by Mod C</b>	<p><b>Rectification of Damage</b></p> <p>Prior to the issue of a Subdivision Certificate, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council. Any rectification works within all existing public roads adjacent to the development will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.</p>	<p><b>Rectification of Damage</b></p> <p><b>Prior to the dedication of any land (including roads) to council</b>, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.</p> <p>Any rectification works within all existing public roads adjacent to the development will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.</p>
40  <b>Inserted by Mod E</b>	<p>An agreement in writing from the adjoining owners stating that approval is given for the disposal of downstream drainage onto their property shall be submitted to Council. An easement to drain water shall be created by the applicant over the area affected by downstream drainage. All costs</p>	<p><b>Prior to the dedication of any land (including roads) to council</b> an agreement in writing from the adjoining owners stating that approval is given for the disposal of downstream drainage onto their property shall be submitted to Council. An easement to drain water shall</p>

	<p>associated with value of land and the easement created are to be borne by the applicant.</p> <p><i>(Note: inserted by Mod E - Condition Number 7.1 of Development Consent DA-64/2007 has been removed from Part "C. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE" and has been relocated to Part "F. PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE" as condition number 40)</i></p>	<p>be created by the applicant over the area affected by downstream drainage. All costs associated with value of land and the easement created are to be borne by the applicant.</p> <p><i>(Note: inserted by Mod E - Condition Number 7.1 of Development Consent DA-64/2007 has been removed from Part "C. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE" and has been relocated to Part "F. PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE" as condition number 40)</i></p>
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**Table 1:** Analysis and modification of conditions

## 4. Final remarks

### 4.1 Required statements

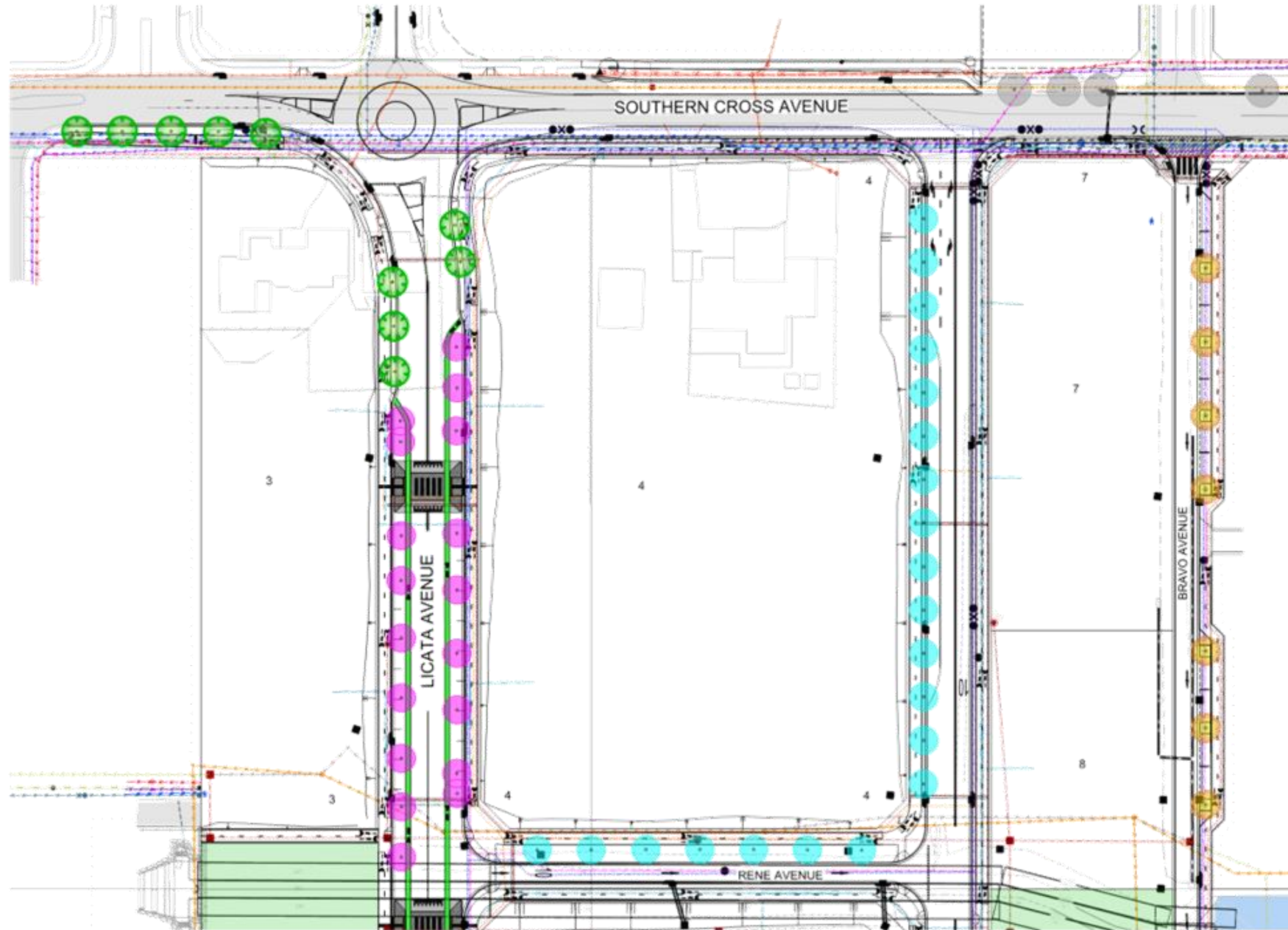
In accordance with Clause 115(1)(g) of the Regulation, the following statements are provided:

1. This Section 4.55(1A) modification aims to:
  - Allow for paper subdivisions to be approved prior to the completion of all Works as Executed plans and payment of all bonds.
2. This modification will result in substantially the same development that was originally approved.
3. This modification will have no unacceptable environmental impact on the site and its surrounds.

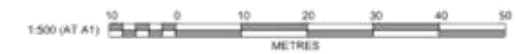
### 4.2 Concluding comments

As detailed in the introduction of this report, the modification application has been anticipated and is progressed to support the orderly and timely delivery of roads infrastructure in the Middleton Grange area.

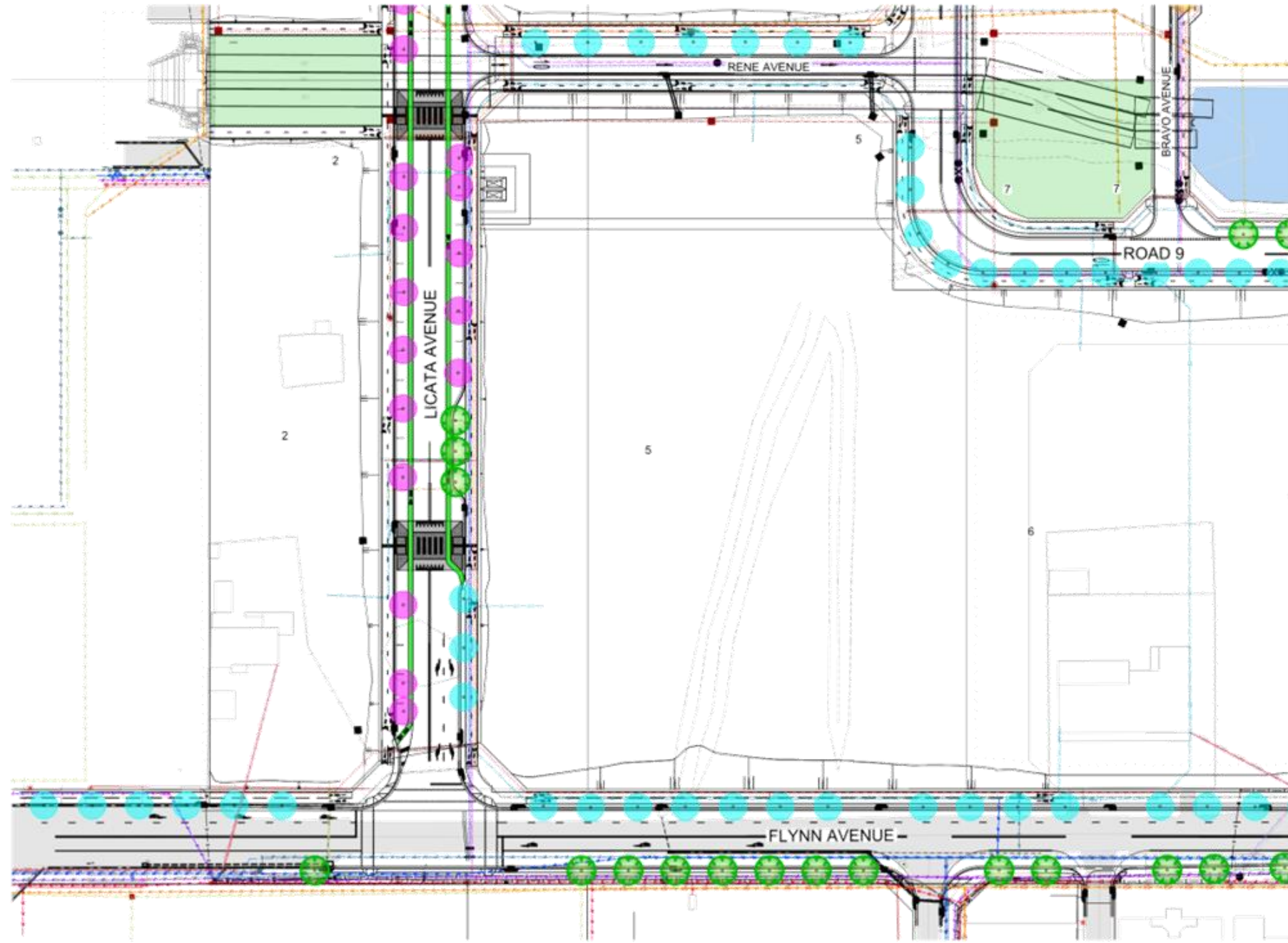
There are no reasons to not approve this modification as requested and its approval will provide a significant benefit to the community by enabling the delivery of various roads and civil infrastructure in an orderly and economically sustainable process.



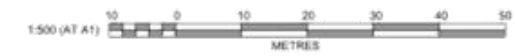
- LEGEND**
-  PROPOSED STREET TREE IN VERGE
  -  PROPOSED STREET TREE IN PARKING LANE
  -  FUTURE STREET TREE IN VERGE
  -  FUTURE STREET TREE IN PARKING LANE
  -  EXISTING TREES



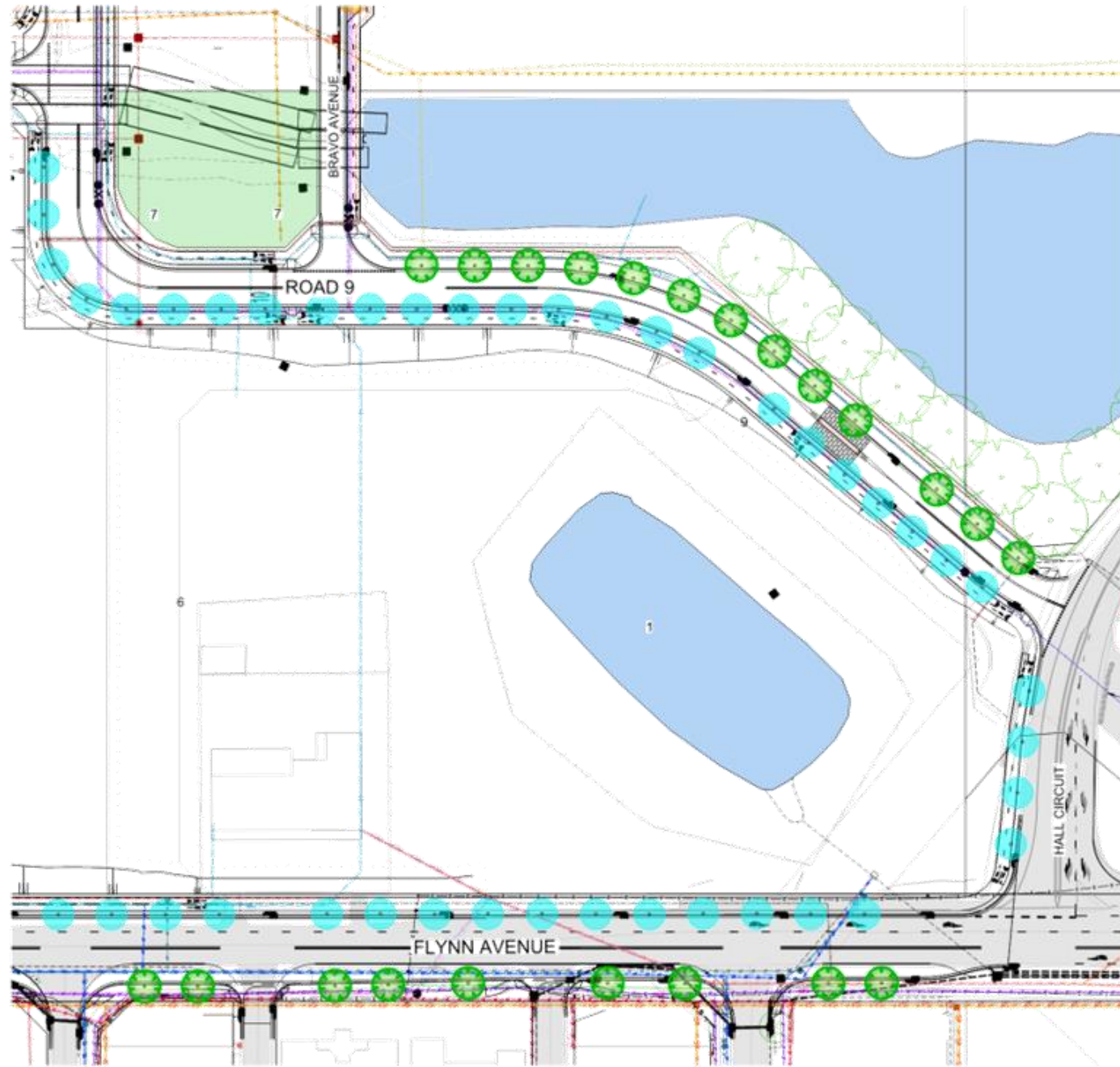
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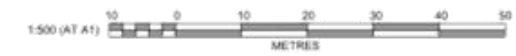
- LEGEND**
-  PROPOSED STREET TREE IN VERGE
  -  PROPOSED STREET TREE IN PARKING LANE
  -  FUTURE STREET TREE IN VERGE
  -  FUTURE STREET TREE IN PARKING LANE
  -  EXISTING TREES



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- LEGEND**
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  -  PROPOSED STREET TREE IN PARKING LANE
  -  FUTURE STREET TREE IN VERGE
  -  FUTURE STREET TREE IN PARKING LANE
  -  EXISTING TREES



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**MIDDLETON GRANGE  
TOWN CENTRE AND RETAIL PRECINCT  
PROPOSED TREE PLAN - SHEET 3**

9979-04-SK61  
06/01/2025