

**MINUTES AND DETERMINATION OF THE  
LIVERPOOL LOCAL PLANNING PANEL MEETING**

**Monday 27th March 2023**

Held online via  
MS Teams

Panel: **Mary-Lynne Taylor (Chair)**  
**Matthew Taylor**  
**Jason Perica**  
**Daryl Hawker**

There were no conflicts of interest declared by any panel members in relation to any items on the agenda.

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|                     |  |
|---------------------|--|
| ITEM No:            | 1  |
| APPLICATION NUMBER: | DA-698/2019/A  |
| SUBJECT:            | MODIFICATION TO DEVELOPMENT CONSENT DA-698/2019 UNDER SECTION 4.55(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979, TO INTRODUCE STAGING AND AMEND BUILDING LAYOUT AND DESIGN, STORMWATER DRAINAGE AND ROAD WORKS |
| LOCATION:           | LOT 97 CAMDEN VALLEY WAY, EDMONDSON PARK, LOT 100 CROATIA AVENUE, EDMONDSON PARK NSW 2174 AND 2000 CAMDEN VALLEY WAY, EDMONDSON PARK NSW 2174  |
| OWNER:              | BLUE FOUNTAIN PTY LTD  |
| APPLICANT:          | NETTCORP PTY LTD   |
| AUTHOR:             | NABIL ALAEDDINE  |

#### ISSUES RELATED TO THE APPLICATION

#### VOTING NUMBERS:

4- 0 in favour of modified approval

#### DETERMINATION OF PANEL:

This is an application to modify a consent granted by a previous Liverpool Local Planning Panel in 2020 for the vacant property at 2000 Camden Valley Way, Edmondson Park. The original approval was for the construction of serviced apartments and a Pub, with 2 levels of basement parking, at grade parking and associated roadworks, drainage and landscaping on lots 97 and 100 in DP 1217431. [It is noted any reference to a Club is incorrect as no club is part of the application].

The modification now sought, by way of an application to modify the existing consent under the provisions of s4.55 of *the Environmental Planning and Assessment Act 1979* (*"the EPA Act"*) seeks permission to undertake the approved development in 2 stages, with the Pub to be completed in Stage 1 and the serviced apartments to be part of a Stage 2. Further, design changes and amended layouts were sought for the Pub and the façade/roof of the serviced apartments, some changes to the existing conditions and in particular, to the timing and necessity for the roadwork requirements.

These roadworks requirements included:

- the provision of a roundabout on the corner of Peronne Road and private access road to the western adjoining site's development prior to a construction certificate being issued for the subject development (existing condition 4); and

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- the construction and opening of Birdwood Lane between Zeppelin Road and Peronne Road and the extension of Nivelles Road and Mons Lane to the full extent of the subject property frontage and the adjoining property frontage to the west of the site, prior to the issue of the Occupation Certificate (existing condition 134).

The 2 road conditions (now sought to be delayed until Stage 2 by this application) were imposed by the Local Panel after considering planning controls for the area, including those seeking to separate residential and commercial traffic, and considering the concerns expressed by many local residents and advice from Council's technical officers. These concerns were expressed in the report of the previous panel and that panel proposed the two additional conditions to deal with provision of appropriate access to the site.

Council's assessment is that delaying these road conditions in this application would offend one of the necessary provisions in the EPA Act for modification applications, namely – s4.55(2) – that the development as modified must be “substantially the same” as the originally granted consent. The substantial change being the manner in which this development is to be appropriately accessed. Apart from this, the Panel must consider the reasons for imposing the Condition, due to the provisions of Section 4.55 of the EPA Act.

This Panel agrees with the council's assessment that the changes required by the applicant to delay the imposition of these roadwork condition until the second stage of this modification would render the approved application substantially changed. The conditions appear to be for a valid planning purpose and are reasonable. Also, the conditions were critical in the reasoning of the Panel in its grant of consent. These conditions existed and were known when the consent was acted upon. On balance, the Panel agreed with the Council staff assessment that the conditions regarding timing of roadworks prior any occupation certificate should remain.

Otherwise, the Panel accepts council's assessment of all other changes sought, but adds further conditions relating to an aspect of the accessible parking layout as follows:

#### ***2A Amendment of Accessible Parking Location***

*The accessible car spaces in the south-western corner of both basement levels under the pub shall be relocated to be immediately adjoining the lift on both levels. The accessible spaces SA31 and SA32 under the serviced apartments shall also be relocated to spaces SA12-SA14, to be more proximate to the central lift. Details of these changes shall be to the satisfaction of the Certifier prior to the issue of a Construction Certificate and implemented prior to issue of an Occupation Certificate.*

Further, the Panel notes that parking spaces in addition to that required under Council's DCP provisions are sought, and they are to be provided in the underground parking area. This would seem to make available greater space for additional landscaping at ground level to assist with ameliorating urban heat and improved

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outlook for nearby residences at the zoning interface. Also the site is capable of sustaining more appropriate species of trees for this location. The panel seeks to amend the wording of condition 10 as follows:

**Condition 10**

*A detailed Landscape Plan prepared by a suitably qualified person is to be submitted to the PCA prior to the issue of any CC. The detailed Landscape Plan is to incorporate the following:*

- (a) Matured medium sized trees along the southern boundary of the site to provide additional screening of the walls of the pub and serviced apartments. This is to include twenty-four (24) *Brachyciton populneus* (Kurrajong trees) of a minimum size of 75 Litre.*
- (b) *Cupaniopsis Anarcardioides* (Tuckeroo tree) is to be included as street trees planted along the southern boundary (Zeppelin Road) on the footway to create additional screening.*
- (c) The planters to the centre of the site that are located in the carparking area be increased by 100% in size with the removal of car spaces nos, T04, T07, T08, T11, T12, T15, T18, T19, T20, T24, T25, T27 that are located adjacent to the proposed planters. The trees proposed in these planters 12 *Fraxinus griffithi* (Evergreen Ash) 75 litre size.*

The Panel was addressed by a number of local residents and there were at least 13 individual submissions objecting to the application. Many of the concerns have been dealt with by conditions of consent – e.g., relating to noise from the operation of the Tavern. The concerns about inappropriate traffic in residential streets have been supported by both Panel's dealing with this matter.

The Panel agrees with the Council assessment of the additional conditions as satisfactory, subject to 2 additional conditions as above and the amended conditions are attached to this decision.

The Panel concludes that, subject to the retention of the roadworks condition (otherwise adapted to still allow staging), the application to modify the existing consent by introducing 2 stages and other design changes, and with the conditions as amended by the Panel and the conditions recommended by the Council, all as set out in amended conditions attached, complies with the requirements of s4.55 of the EPA Act, and is appropriate in the context of Section 4.15 of the EPA Act, is therefore approved.

The conditions as amended are attached below.

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Staging inserted:

**1A. STAGED APPROVAL**

*The conditions referenced in the below table apply to each stage of the development as identified.*

| <b>Stage</b> | <b>Development Works</b>                           | <b>Part Reference</b> | <b>Condition Reference</b>                     |
|--------------|--|-----------------------|--|
| 1            | <i>The Tavern and associated works</i>             | <i>All Parts</i>      | <i>All conditions as relevant to the stage</i> |
| 2            | <i>The Service Apartments and associated works</i> | <i>All Parts</i>      | <i>All conditions as relevant to the stage</i> |

Condition 2 amended to read:

(a) **Architectural Plans**

| <b>Plan Name</b>   | <b>Plan Number</b>        | <b>Date</b>                        | <b>Revision</b>   | <b>Prepared by</b>                |
|--|---------------------------|------------------------------------|-------------------|-----------------------------------|
| Cover Sheet  | Drawing No. DA01:01       | <del>14/10/2020</del><br>7/03/2022 | <del>R</del><br>T | Marchese Partners Pty Ltd.        |
| Site Plan  | Drawing No. DA1.07        | <del>14/10/2020</del><br>7/03/2022 | <del>E</del><br>G | Marchese Partners Pty Ltd.        |
| <b>Staging Plan</b>  | <b>Drawing No. DA1.08</b> | <b>7/03/2022</b>                   | <b>A</b>          | <b>Marchese Partners Pty Ltd.</b> |
| Basement 2   | Drawing No. DA2.01        | <del>28/08/2020</del><br>7/03/2022 | <del>N</del><br>Q | Marchese Partners Pty Ltd.        |
| Basement 1   | Drawing No. DA2.02        | <del>28/08/2020</del><br>7/03/2022 | <del>P</del><br>R | Marchese Partners Pty Ltd.        |
| Ground Floor Plans   | Drawing No. DA2.03        | <del>14/10/2020</del><br>7/03/2022 | <del>R</del><br>U | Marchese Partners Pty Ltd.        |
| First Floor Plan   | Drawing No. DA2.04        | <del>14/10/2020</del><br>7/03/2022 | <del>R</del><br>T | Marchese Partners Pty Ltd.        |
| Roof Plan  | Drawing No. DA2.05        | <del>14/10/2020</del><br>7/03/2022 | <del>R</del><br>T | Marchese Partners Pty Ltd.        |
| East & West Elevations                                       | Drawing No. DA3.01        | <del>28/08/2020</del><br>7/03/2022 | <del>N</del><br>Q | Marchese Partners Pty Ltd.        |
| North (Camden Valley Way) & South (Zeppelin Road) Elevations | Drawing No. DA3.02        | <del>28/08/2020</del><br>7/03/2022 | <del>N</del><br>Q | Marchese Partners Pty Ltd.        |
| Tavern South & East Elevations                               | Drawing No. DA3.07        | <del>28/08/2020</del><br>7/03/2022 | <del>B</del><br>D | Marchese Partners Pty Ltd.        |
| Tavern Internal  | Drawing No. DA3.03        | <del>28/08/2020</del>              | <del>F</del>      | Marchese Partners                 |

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|  |                    |   |                              |                            |
|--|--------------------|---|------------------------------|----------------------------|
| East & West Elevations                       |                    | <del>7/03/2022</del>                          | <del>H</del>                 | Pty Ltd.                   |
| Tavern East & West Elevations                | Drawing No. DA3.06 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>B</del><br><del>D</del> | Marchese Partners Pty Ltd. |
| Serviced Apartments East & West Elevations   | Drawing No. DA3.04 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>B</del><br><del>C</del> | Marchese Partners Pty Ltd. |
| Serviced Apartments North & South Elevations | Drawing No. DA3.05 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>B</del><br><del>C</del> | Marchese Partners Pty Ltd. |
| Sections A-A                                 | Drawing No. DA4.01 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>N</del><br><del>Q</del> | Marchese Partners Pty Ltd. |
| Ramp Sections                                | Drawing No. DA4.02 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>G</del><br><del>H</del> | Marchese Partners Pty Ltd. |
| Typical Service Apartment Floor Plan         | Drawing No. DA6.01 | 28/08/2020                                    | C                            | Marchese Partners Pty Ltd. |
| Materials Schedule Board                     | Drawing No. DA7.01 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>N</del><br><del>Q</del> | Marchese Partners Pty Ltd. |
| Perspective View                             | Drawing No. DA7.02 | <del>28/08/2020</del><br><del>7/03/2022</del> | <del>F</del><br><del>G</del> | Marchese Partners Pty Ltd. |

(b) Stormwater Plans

| Plan Name                           | Plan Number | Date   | Revision                     | Prepared by                         |
|-------------------------------------|-------------|--|------------------------------|-------------------------------------|
| Specifications & Details            | 19-265/D1   | <del>10/08/2020</del><br><del>02/03/2023</del> | <del>C</del><br><del>2</del> | PORTES Civil & Structural Engineers |
| Site Layout Plan                    | 19-265/D2   | <del>10/08/2020</del><br><del>02/03/2023</del> | <del>C</del><br><del>2</del> | PORTES Civil & Structural Engineers |
| Proposed Stormwater Management Plan | 19-265/D3   | <del>10/08/2020</del><br><del>02/03/2023</del> | <del>C</del><br><del>2</del> | PORTES Civil & Structural Engineers |
| Proposed Stormwater Management Plan | 19-265/D4   | <del>10/08/2020</del><br><del>02/03/2023</del> | <del>C</del><br><del>2</del> | PORTES Civil & Structural Engineers |
| Proposed Stormwater Management Plan | 19-265/D5   | <del>10/08/2020</del><br><del>02/03/2023</del> | <del>C</del><br><del>2</del> | PORTES Civil & Structural Engineers |
| Proposed Stormwater Management Plan | 19-265/D6   | <del>10/08/2020</del><br><del>02/03/2023</del> | <del>C</del><br><del>2</del> | PORTES Civil & Structural Engineers |

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|                               |           |  |               |                                     |
|-------------------------------|-----------|--|---------------|-------------------------------------|
| Stormwater Management Details | 19-265/D7 | <del>10/08/2020</del><br><b>02/03/2023</b> | €<br><b>2</b> | PORTES Civil & Structural Engineers |
| Stormwater Management Details | 19-265/D8 | <del>10/08/2020</del><br><b>02/03/2023</b> | €<br><b>2</b> | PORTES Civil & Structural Engineers |

(c) Civil Engineering Plans

| Plan Name                           | Plan Number      | Date       | Revision | Prepared by |
|-------------------------------------|------------------|------------|----------|-------------|
| Locality Plan and Drawing Index     | S19413 / DA-0000 | 18/08/2020 | B        | BG&E        |
| General Arrangement Plan            | S19413 / DA-0010 | 18/08/2020 | B        | BG&E        |
| Signage & Linemarking Plan          | S19413 / DA-0011 | 21/08/2020 | A        | BG&E        |
| Roadworks Longitudinal Section MC01 | S19413 / DA-0200 | 18/08/2020 | B        | BG&E        |
| Roadworks Typical Sections          | S19413 / DA-0220 | 18/08/2020 | B        | BG&E        |

(d) Documents

| Report Name   | Date   | Reference  | Prepared by                     |
|---|--|--|---------------------------------|
| Acoustic Report   | <del>8/09/2020</del><br><b>22/02/2023</b>    | <del>190353R1, Rev. 2</del><br><b>1903523CC1, Rev. 2</b> | Rodney Stevens Acoustics        |
| Arborist Report   | 06/08/2019                                   | 4879   | Redgum Horticultural            |
| BCA Assessment Report   | 30/08/2019                                   | 2019/1545  | Steve Watson & Partners         |
| Phase 1 Preliminary Site Investigation - Contamination Report | 6/11/2020                                    | ES7686/3, Rev. 1   | Aargus Pty Ltd                  |
| Phase 2 Detailed Site Investigation                           | 6/11/2020                                    | ES7686/3, Rev. 1   | Aargus Pty Ltd                  |
| Geotechnical Report   | 13/08/2019                                   | GS7686-1A  | Chameleon Geosciences Pty. Ltd. |
| Traffic Impacts Assessment Report                             | 4/09/2019                                    | 0883r01v1, Rev.2   | Ason Group                      |
| Addendum to Traffic Impact Assessment                         | 28/08/2020                                   | P0883r02v2_Addendum_TIA                                  | Ason Group                      |
| Social Impact Assessment                                      | 28/08/2020<br><b>24/02/2023</b>              | P19095, V3 & <b>Addendum Letter</b>                      | Hill PDA Consulting             |
| Plan of Management  | <b>November 2020</b><br><b>February 2023</b> | -----  | ----                            |

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|                                    |       |                               |              |                                    |
|------------------------------------|-------|-------------------------------|--------------|------------------------------------|
| Operational Management Plan        | Waste | 28/08/2019<br>&<br>24/02/2023 | SO255, Rev D | Elephants Foot Recycling Solutions |
| Construction Waste Management Plan |       | ---                           | 18150        | Marchese Partners                  |

Condition 2 inserted:

**Amendment of Accessible Parking Location**

- 2A The accessible car spaces in the south-western corner of both basement levels under the pub shall be relocated to be immediately adjoining the lift on both levels. The accessible spaces SA31 and SA32 under the serviced apartments shall also be relocated to spaces SA12-SA14, to be more proximate to the central lift. Details of these changes shall be to the satisfaction of the Certifier prior to the issue of a Construction Certificate and implemented prior to issue of an Occupation Certificate.**

Condition 4 amended to read:

4. A roundabout is to be constructed on the corner of Peronne Road and private access road to the adjoining development to the west **prior to the issue of a Construction Certificate for Stage 1 works**. The roundabout is to facilitate and minimise traffic conflicts at the intersection, due to the expected additional traffic movements through the intersection.

Condition 9 amended to read:

9. Prior to the issue of a Construction Certificate an amended site plan is to be lodged with Council that includes the removal of the pedestrian access on Zeppelin Road and indicates an acoustic wall to be constructed in its place as recommended in the Acoustic Report by **Rodney Stevens Acoustics, Ref. 1905353R, 190353CC1 Rev: 2, dated 9/09/2020 22/03/2023**. The site plan is to be provided to Council to the satisfaction of Liverpool City Council's Manager of Development Assessment.

Condition 10 amended to read:

10. A detailed Landscape Plan prepared by a suitably qualified person is to be submitted to the PCA prior to the issue of any CC. The detailed Landscape Plan is to incorporate the following:
- (d) Matured medium sized trees along the southern boundary of the site to provide additional screening of the walls of the pub and serviced apartments. This is to include twenty-four (24) *Brachyciton populneus* (Kurrajong trees) of a minimum size of 75 Litre.
  - (e) *Cupaniopsis Anarcardioides* (Tuckeroo tree) is to be included as street trees planted along the southern boundary (Zeppelin Road) on the footway to create additional screening.
  - (f) The planters to the centre of the site that are located in the carparking area be increased by 100% in size with the removal of car spaces nos, T04, T07, T08, T11, T12, T15, T18, T19, T20, T24, T25, T27 that are located adjacent to the proposed

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*planters. The trees proposed in these planters 12 Fraxinus griffithi (Evergreen Ash) 75 litre size.*

**Condition 11 amended to read:**

11. The recommendations provided in the approved acoustic report titled 'Noise Impact Assessment Proposed Serviced Apartments and Licensed Venue Lot 97 and 100 Camden Valley Way Edmondson Park NSW 2174 (REPORT ~~R190353R1~~ **190353CC1 Rev** Revision 2) prepared by Rodney Stevens Acoustics Pty Ltd dated ~~8<sup>th</sup> September 2020~~ **22<sup>nd</sup> February 2023** shall be implemented and incorporated into the design and construction of the development and be shown on plans accompanying the Construction Certificate application.

The construction methodology and plans accompanying the Construction Certificate application shall 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 shall be submitted to and approved by the Principal Certifying Authority (PCA) prior to issue of the Construction Certificate.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

**Condition 34 amended to read:**

34. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by PORTES reference number 19-265 as per following plans:

| Drawing No. | Title                               | Revision /Issue          | Date                                       |
|-------------|-------------------------------------|--------------------------|--|
| D1          | Specifications & Details            | <del>C</del><br><b>2</b> | <del>10-08-2020</del><br><b>21-06-2022</b> |
| D2          | Site Plan                           | <del>C</del><br><b>2</b> | <del>10-08-2020</del><br><b>21-06-2022</b> |
| D3          | Proposed Stormwater Management Plan | <del>D</del><br><b>2</b> | <del>10-08-2020</del><br><b>21-06-2022</b> |
| D4          | Proposed Stormwater Management Plan | <del>D</del><br><b>2</b> | <del>10-08-2020</del><br><b>21-06-2022</b> |
| D5          | Proposed Stormwater Management Plan | <del>E</del><br><b>2</b> | <del>25-08-2020</del><br><b>21-06-2022</b> |
| D6          | Proposed Stormwater Management Plan | <del>D</del><br><b>2</b> | <del>10-08-2020</del><br><b>21-06-2022</b> |
| D7          | Stormwater Management Details       | <del>D</del><br><b>2</b> | <del>10-08-2020</del><br><b>21-06-2022</b> |
| D8          | Stormwater Management Details       | <del>E</del><br><b>2</b> | <del>25-08-2020</del><br><b>21-06-2022</b> |

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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.

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.

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.

Basement pumps to operate anytime as required.

Proposed outlet pipes from the site across the public footpath area to be 375 RCP.

A clear emergency spillway and overland flow path is to be provided from the OSD tank to the street footpath to allow for emergency flows during larger storm event or system failure. The flow path is also to ensure no stormwater will enter the basement when this occurs.

#### Condition 44 amended to read:

44. Mechanical plant and equipment shall be selected in consultation with a suitably qualified acoustic consultant in accordance with the recommendations of the approved acoustic report titled **Rodney Stevens Acoustics, Ref. ~~1905353R~~, 190353CC1 Rev: 2, dated ~~9/09/2020~~ 22/03/2023.**

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

#### Condition 133 amended to read:

133. The premises must not be utilised until an Occupation Certificate (OC) **relevant to the specific stage is issued** is issued by the principal certifier.

#### Condition 133A inserted:

##### **Road Design Information**

- 133A. Prior to issues of a Occupation Certificate, revised plans are required to the satisfaction of Council's Traffic Unit that the extension of Solenso Lane (formerly Birdwood Lane) to the existing east-west section of Zeppelin Road, is to have the same carriageway width and kerb alignments as the existing road.**

**Condition 135 amended to read:**

**Section 7.11 Payment (Liverpool Contributions Plan 2008 Edmondson Park)  
for Serviced Apartments – Stage 2**

135. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan 2008 Edmondson Park as amended.

The total contribution is \$ **120,356.00** and will be adjusted at the time of payment in accordance with the contributions plan.

A breakdown of the contributions payable is provided in the attached payment form. The Contributions Plan may be inspected online at [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au)

Payment must be accompanied by the attached form.

**Condition 135A inserted:**

**Section 7.11 Payment (Liverpool Contributions Plan 2008 Edmondson Park)  
for Serviced Apartments – Stage 2**

- 135A. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan 2008 Edmondson Park as amended.**

**The total contribution is \$ 144,737.00 and will be adjusted at the time of payment in accordance with the contributions plan.**

**A breakdown of the contributions payable is provided in the attached payment form.**

**The Contributions Plan may be inspected online at [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au)**

**Payment must be accompanied by the attached form.**

**Condition 141 amended to read:**

141. Upon completion of works and prior to the issue of an Interim or Final Occupation Certificate, written certification prepared by a suitably qualified acoustic consultant shall be submitted to and approved by the Principal Certifying Authority (PCA). The written certification prepared by the suitably qualified acoustic consultant shall confirm that the development complies with all requirements and recommendations detailed within the approved acoustic report titled 'Noise Impact Assessment

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Proposed Serviced Apartments and Licensed Venue Lot 97 and 100 Camden Valley Way Edmondson Park NSW 2174 (REPORT ~~1905353R~~, **190353CC1**, Revision 2) prepared by Rodney Stevens Acoustics Pty Ltd dated ~~9/09/2020~~ **22/03/2023**. The acoustic consultant shall confirm that the development or use is capable of operating in accordance with the design criteria.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

**Rodney Stevens Acoustics, Ref. ~~1905353R~~, **190353CC1** Rev: 2, dated ~~9/09/2020~~ **22/03/2023**.**

#### Condition 176 amended to read:

176. A total of ~~193~~ **231** off streetcar parking spaces and 2 disabled spaces must be provided in accordance with the approved plans. The disabled spaces must be designed and signposted/marked for the specific use of persons with a disability.

#### Condition 199 amended to read:

199. An acoustic report prepared by a suitably qualified acoustic consultant shall be submitted to Council for its assessment and approval within three (3) months of occupation/completion of the development. The report shall include but not be limited to the following information:
- (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 'Noise Impact Assessment Proposed Serviced Apartments and Licensed Venue Lot 97 and 100 Camden Valley Way Edmondson Park NSW 2174 (REPORT ~~R190353R1~~, **1903523CC1**, Revision 2) prepared by Rodney Stevens Acoustics Pty Ltd dated ~~8<sup>th</sup> September 2020~~, **22<sup>nd</sup> February 2023**;
  - (b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report;
  - (c) All complaints received from local residents in relation to the operation of the premises/development; and
  - (d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from Liverpool City Council, recommendations provided under point d) above shall be implemented fully.

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**Condition 204 amended to read:**

199. There shall be no more than ~~250~~ **200** patrons at the premises at any one time. A maximum number of 20 people shall be permitted within the outdoor dining area at any one time. The number of patrons in the outdoor terrace area is limited to no more than 10 people at any one time.