

# MATTERS FOR LIVERPOOL LOCAL PLANNING PANEL DETERMINATION

**Monday 12<sup>th</sup> December 2022**

To be held via  
**MS Teams**

Commencing at 1:00 PM

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

Should you wish to address the Panel, please advise Amanda Merchant, Panel Support Officer on 8711 7712 or 1300 36 2170, by 4pm, Friday, 9<sup>th</sup> December 2022.

LIVERPOOL CITY COUNCIL

LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

The following development applications are referred to the Liverpool Local Planning Panel for its determination.

<b>ITEM No.</b>	<b>SUBJECT</b>	<b>PAGE No.</b>
<b>1</b>	<b>DEVELOPMENT APPLICATION DA-1240/2021</b>  <b>FITOUT AND USE OF AN EXISTING STRUCTURE AS A KIOSK WITH ASSOCIATED SIGNAGE</b>  <b>LOT 702 DP 1056246</b> <b>BIGGE PARK, 124 BIGGE STREET, LIVERPOOL NSW 2170</b>	<b>2 - 67</b>

<b>ITEM No.</b>	<b>SUBJECT</b>	<b>PAGE No.</b>
<b>2</b>	<b>DEVELOPMENT APPLICATION DA-695/2022</b>  <b>DETAILED DA FOR THE INTERNAL FIT-OUT, OPERATION AND DETAILED LANDSCAPING WORKS ASSOCIATED WITH THE SINGLE STOREY PRESCHOOL COLD SHELL/STRUCTURE APPROVED IN SSDA 10224.</b>  <b>THE DEVELOPMENT IS IDENTIFIED AS INTEGRATED DEVELOPMENT, REQUIRING CONCURRENCE UNDER SECTION 100B OF THE RURAL FIRES ACT 1997</b>  <b>LOT 1 AND PART LOT 2 IN DP 1257105</b> <b>LOTS 1 AND 2 FAULKNER WAY, EDMONDSON PARK NSW 2174</b>	<b>68 - 141</b>

LIVERPOOL CITY COUNCIL

LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

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Item no:	1
Application Number:	DA-1240/2021
Proposed Development:	Fitout and use of an existing structure as a kiosk with associated signage
Property Address	Bigge Park, 124 Bigge Street, Liverpool
Legal Description:	Lot 702 DP 1056246
Applicant:	Chloe Lorimer
Land Owner:	The State of New South Wales – Crown Land
Cost of Works:	\$173,000.00
Recommendation:	Approval subject to conditions
Assessing Officer:	Glen Hanchard

**1. EXECUTIVE SUMMARY**

On 31 October 2022 the Liverpool Local Planning Panel (LLPP) considered the subject application (DA-1240/2021). The panel concluded as follows:

- a) determination of development application DA-1240/2021 for the fitout and use of an existing structure as a kiosk with associated signage be deferred.*
- b) Council officers submit a revised assessment report to the Panel addressing whether the proposed development is authorised by the plan of management applying to the land.*
- c) the application be determined by electronic means once the revised assessment report is submitted.*

Council has subsequently responded to the items requested by the panel. This report details Council's response to the deferred matters by the LLPP.

**2. HISTORY/BACKGROUND**

The subject application was considered by the LLPP at its meeting on 31 October 2022, to which the panel's decision was to defer the application.

**LPP comments:**

- a) determination of development application DA-1240/2021 for the fitout and use of an existing structure as a kiosk with associated signage be deferred.**

Noted.

- b) Council officers submit a revised assessment report to the Panel addressing whether the proposed development is authorised by the plan of management applying to the land.**

The subject land (Figure 1) is owned by the State of New South Wales – Crown Land. The Crown Land Management Act 2016 enables Council to manage Crown Land reserves as if they were council-owned land under the Local Government Act 1993.



**Figure 1:** Excerpt from the Bigge Park Plan of Management showing bounds of 'The Bigge Park Plan of Management' (red line) and location of kiosk (red circle)

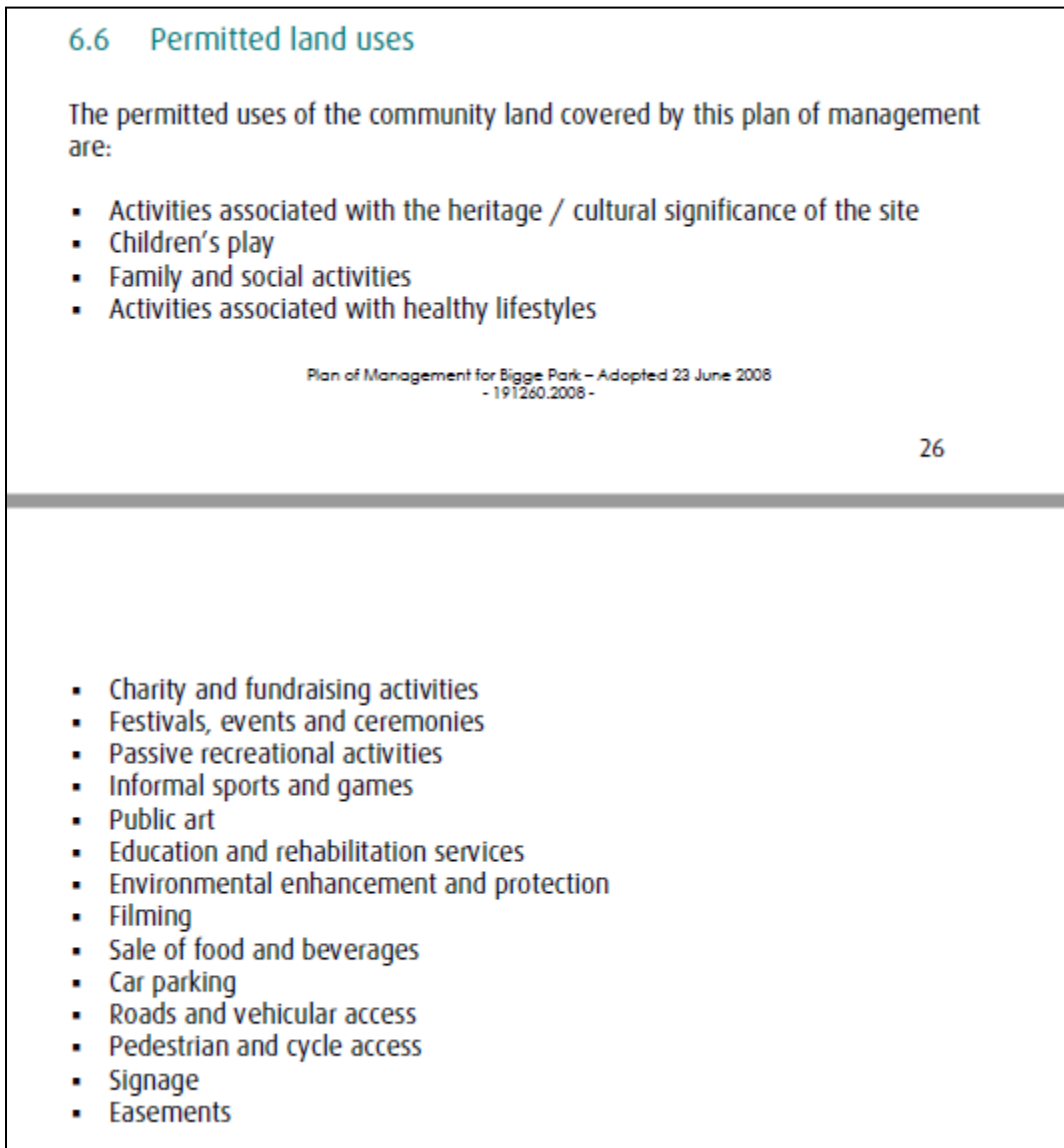
A Plan of Management has been created under the Local Government Act for this site, 'The Bigge Park Plan of Management' dated June 2008, which is provided as Attachment 1 of this report. The Plan of Management includes the subject site.

A permitted use of the community land, covered by the plan of management is the sale of food and beverages (Figure 2). In line with the definition of a kiosk as per the Liverpool LEP 2008, it is considered that the proposed use is consistent with the Bigge Park Plan of Management 2008. For reference, the definition of a kiosk is as follows:

*A premises that are used for the purposes of selling food, light refreshments and other small convenience items.*

**Note—**

*See clause 5.4 for controls relating to the gross floor area of a kiosk.*



**Figure 2** – Excerpt from the Plan of Management – Permitted Land Uses

**c) the application be determined by electronic means once the revised assessment report is submitted.**

The application has been referred to the extraordinary LPP meeting of the 12 December 2022, not electronically, as there was availability. This was accepted by the panel chair.

### **3. COMMUNITY CONSULTATION**

In accordance with the Liverpool Community Participation Plan 2008 the application was not required to be notified. Notwithstanding, no submissions have been received.

### **4. CONCLUSION**

The Bigge Park Plan of Management 2008 has been reviewed and it has been found that the proposal is permitted by the Plan of Management.

Accordingly, the proposed development is worthy of support.

**5. RECOMMENDATION**

That DA-1240/2021 be approved, subject to conditions of consent.

**7. REPORT ATTACHMENTS**

- 1. Bigge Park Plan of Management**
- 2. Plans of the proposal**
- 3. Conditions of consent**
- 4. Liverpool Local Planning Panel Meeting Minutes – 31 October 2022**



## Plan of Management



### Bigge Park

June 2008

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

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Disclaimer

Liverpool City Council has taken all reasonable steps to ensure that the information contained in the *draft* plan of management for Bigge Park, June 2008, is correct and accurate. However, Council makes no guarantee of any kind, and no legal contract between the Council and any other person or entity is to be inferred from the use of the information in this document.

Council accepts no responsibility for the accuracy or completeness of the information. Users should not rely on the information in the document, but should instead check for confirmation with the originating or authorising body.

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## 1. Preamble

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Bigge Park is of significant historical and cultural importance to the people of Liverpool. It is one of south west Sydney's oldest parks, dating back to 1810, and is considered to be highly representative of Governor Macquarie's early urban plans for the towns he established in NSW. Bigge Park was named by Governor Macquarie in honour of John Thomas Bigge, who was appointed the commissioner of inquiry into the colony of NSW. The park was an integral part of the original town plan for Liverpool and it has retained its primary function as a town square/central park since the establishment of Liverpool. For many years the park has been the site of most of Liverpool's celebrations and today it provides space for monuments, memorials and ceremonies.

This plan of management for Bigge Park recognises the importance of this historic site and proposes actions to ensure it is well maintained and safe into the future. From time to time proposals will come forward to further embellish the park and these will be reviewed with regard to the provisions within this plan of management.



*The Rotary Commemorative Clock Tower in Bigge Park*

## 2. Introduction

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This plan of management for Bigge Park has been prepared by Liverpool City Council to provide a framework to guide the future management of this important site.

Bigge Park is Crown Land and the Crown Lands Act 1989 applies to the management of the site. Bigge Park is not subject to the Local Government Act 1993, which requires that a plan of management be prepared for community land. However, due to the historical and civic significance of the site, Council has decided to prepare a plan of management for Bigge Park as if it were community land.

This plan categorises Bigge Park and provides guidance to ensure that future management is consistent with the core objectives of the designated categories.

The preparation of this plan was undertaken under the direction of an internal project control group and through extensive community consultation with the general community and key stakeholders.

### 2.1 Crown land

Bigge Park is Crown Land that is under the care, control and management of Council. Council manages this land in trust for the Crown, in accordance with the Crown Lands Act 1989. By notification under gazette number 500309, Bigge Park is a reserve for public recreation. Council will work with the relevant government departments to ensure the appropriate management of the crown reserve system.

### 2.2 Principles of Crown land management

The principles of Crown land management under the Crown Lands Act 1989 are that:

- Environmental protection principles will be observed in relation to the management and administration of Crown lands
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible
- Public use and enjoyment of appropriate Crown land be encouraged
- Where appropriate, multiple use of Crown land be encouraged
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- Crown land will be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

### 2.3 Scope of the Plan

This plan of management applies to the area known as Bigge Park.

Bigge Park is bounded by Elizabeth, College, Moore and Bigge Streets in Liverpool. The park contains landscaped gardens, memorials, playground, obelisks, and building assets.

Bigge Park is registered under the State Heritage Inventory as an item of local heritage significance (Listing Number 0251) and is listed in the City Centre Local Environmental Plan (LEP) as an item of Environmental Heritage. The park also forms the core of the Bigge Park Heritage Conservation Area, which is listed as an item of State significance. The park has major historical significance to the city and is used by residents, CBD workers and visitors.

A site plan showing the boundaries of the parcel of land covered by this plan of management is shown below.



*Site Plan – Boundaries of Bigge Park covered by this Plan of Management*

This plan of management categorises the parcel of land listed in Table 1 below. The area covered is just over 23 325 square metres.



Table 1

<i>DP Number</i>	<i>Lot Number</i>	<i>Use/Description</i>	<i>Zoning</i>	<i>Land Classification</i>
1056246	702 partly	District Park	6A	Crown land

The tennis courts, Dr Pirie Building and bowling club that border Bigge Park are not included within this plan of management. The bowling club is not under the care and control of Council. The tennis courts are covered in the Generic Plan of Management for Sportsgrounds and are privately leased. The Dr Pirie Building is covered in the Generic Plan of Management for Community Facilities.

## 2.4 Aim of the Plan

The aim of this plan of management for Bigge Park is to provide a framework for the future management of the site that recognises the historical and civic significance of the park to the community.

## 2.5 Categorisation

For the purpose of this plan of management, the site has been dually categorised as an Area of Cultural Significance and as a Park.

## 2.6 Description and Objectives of an Area of Cultural Significance

The Local Government (General) Regulation 2005 states that land should be categorised as an Area of Cultural Significance if:

- It is an area of historical significance
- Contains important association or position of the land in the evolving pattern of Australian cultural history
- Contains significant landmarks
- Is an area that has contributed to Australia's cultural history or environment through technical or research significance
- Is an area of association with a contemporary community for social, spiritual or other reasons
- Is of aesthetic significance by strong visual or sensory appeal or cohesion
- The land has been declared an Aboriginal place
- It is significant to Aboriginal people in terms of traditional or contemporary cultures
- It displays physical evidence of Aboriginal occupation
- It is associated with Aboriginal stories
- Contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers
- Has creative or technical qualities such as architectural excellence

- Is an area of archaeological significance through evidence of past human activity
- Contains deposits, objects or material that relate to the settlement of the land
- Is an area of social significance because of the association with Aboriginal life after 1788

The Local Government Act 1993 states the core objectives for management of community land categorised as an area of cultural significance as:

- To retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods
- Those conservation methods may include any or all of the following methods:
  - o the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,
  - o the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,
  - o the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,
  - o the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),
  - o the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.
- A reference in the above subsection to land includes a reference to any buildings erected on the land.

## 2.7 Description and Objectives of a Park

This site is also categorised as a Park. The Local Government (General) Regulations 2005 states that land is categorised as a park if:

The land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

The Local Government Act 1993 states the core objectives for management of community land categorised as a park as:

- To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- To provide for passive recreational activities or pastimes and for the casual playing of games, and
- To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management

### 3. History

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#### 3.1 Indigenous History

The following text is taken from 'Sweetgrass and Cohbra' published by the Liverpool Regional Museum and Dianne Schultz-Tesmar in 2001.

In 1795 when Bass and Flinders first explored the Georges River before the colonisation of the Liverpool area, the Darug, Tharawal and Gandangara tribes lived in the area. These three tribal groups were divided into smaller clans of bands – extended family units consisting of up to sixty people. Each of these clans was named after the area of land where they normally resided, and with which the people had traditional links.

The suffix 'gal' was added to the place name to distinguish the members of that clan. The clan groups around Liverpool were the Cabrogal named after the cohbra (or cahbra) grubs they harvested at the banks of the Georges River especially near Cabramatta Creek.

The main contact between groups was during ceremonial gatherings. There were linguistic and cultural differences, as well as economic ones. There was also a complicated system of kinship and totems, which prevented certain types of contact.

It is difficult to pinpoint exact language barriers as information came from early colonist's explorers and ethnographers trying to interpret Aboriginal languages. It is thought that the Tharawal language was spoken from south of Botany Bay to the area east of the Georges river (Holsworthy area) to as far south as Jervis Bay and the Darug language on the western side of the Georges River, as well as in the area west of Sydney from the Hawkesbury River to Appin and Picton and as far west as the Blue Mountains to the Nattai and Burragorang Valley's and as far south as Goulburn. Current local land Council boundaries differ from these 'traditional' boundaries.

The Cabrogal clan was recognised as one of the 'woods tribes' by Europeans, together with Aborigines living at South Creek, at Cowpastures near Camden, and at Mulgoa near Penrith.

Bass and Flinders favourable reports pleased Governor Hunter who named the area Banks Town and by 1799 he was awarding grants of land in the Holsworthy area and along the Cabramatta Creek.



Drawing by P.H.F. Phelps of the so-called 'Cabramatta Tribe' in Bigge Park, Liverpool in the 1840s with the Liverpool Hospital in the background - from *Sweetgrass & Cobbra*, Liverpool Regional Museum, p. 10



The 'Cabramatta Tribe' c.1840s by P.H.F. Phelps  
Courtesy: Mitchell Library

While the Aboriginal economy was dependent on harvesting resources with only very little modification to the environment, the Europeans quickly set about clearing the land and planting crops which prevented the Aboriginal people from carrying out their traditional hunting of animals and gathering of plant foods.

In 1803 Thomas Moore was commissioned to take timber from the Georges River for shipbuilding. The river also provided water and for nearly two decades it was the primary means of transport back to Sydney. A far cry from the peaceful river on which the Aborigines fished from their bark canoes or dug for yams and collected cobbra grubs near its banks.

When Governor Macquarie first toured the district, he saw much of it in its natural state. The land near Liverpool was generally open forest, as was the country further west along Cabramatta Creek with eucalypts of medium height, which covered about 30% of the ground surface, with grasses beneath.

Jacques Arago who visited Liverpool in 1819 commented on the immense fires that appeared every evening as settlers cleared their holdings. Alexander Harris and a companion walking to Campbelltown from Liverpool about 1826 experienced a bushfire with bush animals fleeing in terror.

A smallpox epidemic had swept through the Aboriginal population around Sydney in 1789 and 1790 killing thousands of people. The decline in the Aboriginal population in lots of areas meant that many clans were forced to join together to provide mutual protection and to maintain visible social and economic units. By

the 1840's lists of blankets issued to Aborigines (known as the Blanket Register or Returns of Natives) told a story of how many Aboriginal people were remaining in Liverpool and how their traditional lives had changed.

### 3.2 European History

Bigge Park, a prominent feature of the Liverpool City Centre, is considered to be highly representative of Governor Lachlan Macquarie's early urban plans for the towns he established in the fledgling Colony of NSW.

The park was an integral part of the original survey of Liverpool, and has remained as open space since the foundation of the township of Liverpool in 1810, when it formed part of the town commons. As such, Bigge Park provides a direct physical link to the character of the early township, exhibiting a continuity of function that is rare in Liverpool.



*Lachlan Macquarie (1762 - 1824), by unknown artist, courtesy of State Library of NSW*

Today, the historic relevance and value of this State significant heritage item is further enhanced by its location near a number of other important and historic sites in the Liverpool CBD. These include the former Liverpool Hospital (begun 1825, and possibly designed by Francis Greenway), the former Liverpool Court House (begun in the 1820s), Liverpool Railway Station (1880) and the Dr Pirie Centre (1948).



*Former Liverpool Courthouse (State significant)*

#### 3.2.1 John Thomas Bigge

Bigge Park was named by Governor Macquarie in honour of John Thomas Bigge (1780-1843), judge and commissioner of inquiry into the colony of New South Wales.



*John Thomas Bigge*

It had been determined in London that transportation should be made 'an object of real terror' and that any weakening of this by 'ill considered compassion for convicts' in the humanitarian policies of Governor Macquarie should be reported. To that end, Bigge's royal commission authorized an investigation of 'all the laws, regulations and usages of the settlements', notably those affecting civil administration, management of convicts, development of the courts, the Church, trade, revenue and natural resources. Where existing administration was too lenient, the commissioner could recommend the establishment of harsher penal settlements. He was also to disclose confidences of the private or public lives of servants of the Crown and

leading citizens and officials 'however exalted in rank or sacred in character'. He thus left England in the dual guise of public commissioner of the Crown and of private inquisitor for the government.

Bigge was a professional lawyer, an aristocrat and an academic. His relationship to Macquarie, a professional soldier of humble birth, was a tempestuous one, born of their differences in outlook and compounded by his reports, which were highly critical of the Macquarie administration.

Having served in Trinidad prior to his appointment in New South Wales, Bigge was later given a similar appointment to investigate Cape Colony. He never married and lived a solitary life in retirement until his accidental death in London. He was buried as directed by his will 'without ceremony or superfluous expense'.

### *3.2.1 Early history of Bigge Park*

Originally, Bigge's Square (as it was known), stretched from Elizabeth and Bigge Streets in the north and west, to Scott Street in the south. The Georges River formed a natural eastern boundary. Early in its history, the area east of what is now College Street was set aside as the site of the District Hospital. The area south of Moore Street was excised when the railway line to Liverpool was constructed in 1855-56.

Until 1843, Bigge's Square functioned as a centre for convict punishment. The stock and gallows, and whipping triangles were located within the square, as was the stockade for convict labourers.



The park was known to be a gathering place for Indigenous people. It was also used by inhabitants of the Liverpool Asylum, which was located within the Liverpool hospital. A photograph of the hospital, taken in the late 1800s, shows the area as being open and grassed, with no trees on the eastern side.

### 3.2.2 Later history of Bigge Park

Much of the development of the Park, as it is presently known, took place in the mid 1950s–1970s under the auspices of the Bigge Park Improvement Committee, sponsored by Liverpool City Council. The monuments and memorials within the park date from this period.

Today, the site is a public green space, supporting a variety of vegetation. Surrounding the clock tower are plantings of local importance that commemorate various events and individuals from the Liverpool community.



**Commemorative planting markers, (left to right)**

- The 40th anniversary of the bombing of Hiroshima, 6<sup>th</sup> August 1985.
- Planted by civilian widows. Year of the Tree, December 1983.
- Against Sexual Violence, Day of Action, 31<sup>st</sup> August 2006.

## 4. Heritage

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There are a number of significant heritage items and monuments in Bigge Park. Each item of interest carries a form of descriptive plaque or tablet which provides an overview of its historic timeframe, significance and purpose.

Recently, Council has provided interpretive signage near the T. G. Scott Memorial Gateway, which is often viewed as the main entrance to the park. The interpretive signage provides some history of the park.

### 4.1 The T. G. Scott Memorial Gateway

The T.G. Scott Memorial Gateway is a concrete and metal-plate structure, located at the south western entrance of the Park. It was erected in 1956, in a uniquely streamlined style that is unusual in Liverpool. The design and execution exhibit considerable technical ingenuity and bravado.



*The T.G. Scott Memorial Gateway*

Thomas George Scott is commemorated for 'outstanding continuous service as a Councillor of Nepean Shire Council and to Local Government from 1906-1948.' This period, of more than 40 years, encompassed both World Wars, and would have been witness to major changes and considerable development within the Liverpool district. Nepean Shire Council ceased to exist in 1949 and part of its area was put under Liverpool's jurisdiction.

Two plaques, one on each of the gate 'posts', commemorate Thomas George Scott and the work of the Bigge Park Improvement Committee in overseeing works in the Park during the early 1950s.



*The T.G. Scott Memorial Gateway Plaques*

#### 4.2 The Rotary Commemorative Clock Tower

The Rotary Commemorative Clock Tower is near the centre of the Park and was erected in 1955 to commemorate the golden (50<sup>th</sup>) Anniversary of Rotary.



*The Rotary Commemorative Clock Tower*

It is essentially of brick construction, partially faced with ornamental sandstone tablets on its four sides and clock faces. Circular terraces of plantings, brickwork, tiled concrete and a low metal-rail fence descend from the base and end with a surrounding paving in the stylised form of the rotary 'wheel'.



*The Rotary 'Wheel' and an aerial view of the Rotary Clock Tower*



Three of the four tower sides bear inscriptions (the fourth is no longer in evidence). Together, these are known as the four way test:

- *Is it the Truth? (now covered by an access door)*
- *Is it fair to all concerned?*
- *Will it build goodwill and better friendships?*
- *Will it be beneficial to all concerned?*



*The Rotary Clock Tower; three of the 'four way test'.*

The western face also has a granite tablet attached, which commemorates Rotary's golden anniversary 1905-1955.



*The Rotary Clock Tower Commemorative Tablet*

### 4.3 The Alex Grimson Memorial Music Shell

The Alex Grimson Memorial Music Shell is located east of the Clock Tower. The music shell is an unusual memorial to a former Mayor, erected in 1974. The surgical wing of nearby Liverpool Hospital, from 1983, is also named in honour of the former Mayor.

The music shell is a particularly noteworthy structure, designed by John D. Sim & Associates. It is in the form of a *partial hyperbolic paraboloid* of poured concrete. It displays considerable technical ingenuity in form and execution and may have been influenced in its form language by the Sydney Opera House, which opened the year before.



*The Alex Grimson Memorial Music Shell*

Centred upon the shell's podium is a commemorative plaque, detailing the many and varied official roles undertaken by Alexander Grimson, and culminating in the words, 'Service Above Self.'



*The Alex Grimson Memorial Music Shell Plaque*

#### 4.4 The Liverpool Township Monument

The Liverpool Township Monument is a concrete Obelisk, centred upon a circular border of concrete blocks. It is located at the eastern approach to the Park. This monument commemorates 150 years since the founding of the township of Liverpool on the 7th November 1810.





*The Liverpool Township Monument*

To the western face is attached a granite tablet in the shape of an *isosceles trapezium*. This lists the makeup of the 'Liverpool Municipal Council' in 1960.

The monument was unveiled by Sir Eric Winslow Woodward (1899-1967), army officer and Governor 1957-1965. He assumed office as the thirty-first Governor of New South Wales, and the first to have been born in the State.



*The Liverpool Township Monument and nearby Heritage Walk Indicator*

#### 4.5 Basalt Rock with Plaque

The Basalt Rock with Plaque is located near to the obelisk.

This memorial was unveiled on Liverpool Heritage Day, 7th November 1980, by Sir Arthur Roden Cutler, VC (1916-2002), army officer, diplomat, ambassador, high commissioner and Governor of NSW from 1965-1981.



*Heritage Day Memorial Rock*

#### 4.6 The Thomas Moore Monument

The Thomas Moore Monument was formerly used as a drinking water fountain. It is located to the north of the park.

This brick, concrete and sandstone structure was dedicated in 1956 by General Sir John Northcott (1890-1966). General Northcott was an army officer and Governor of NSW from 1946-1957.

The inscription, on weathered sandstone, reads:

TO THE MEMORY OF  
THOMAS MOORE JP  
1762 - 1840  
ORIGINAL LANDOWNER FIRST CITIZEN  
AND MAGISTRATE OF LIVERPOOL  
DEDICATED 10 - 3 - 1956 BY HIS EXCELLENCY  
THE GOVERNOR OF NEW SOUTH WALES  
LIEUTENANT GENERAL  
SIR JOHN NORTHCOTT KCMG KCVO CB

#### 4.7 Heritage Condition Assessments

The heritage items described above require ongoing maintenance and improvement. Regular heritage assessments will be completed and an improvement plan will be developed.

## 5. The future

Under the Sydney Metropolitan Strategy, the NSW Government has identified Liverpool as one of three key regional cities for the Sydney metropolitan area. Liverpool is expected to become the key regional centre for South West Sydney. Liverpool city centre has emerged as the 'capital' of the region, with growing employment and new investment in shopping, business, educational and health premises.

The city centre is now positioned to experience substantial growth due to centrality to the rapidly growing South West Sydney sub-region, stronger infrastructure connections with the rest of metropolitan Sydney, and major public and private projects within the city centre itself.



*Revitalising Liverpool City Centre Plan – Parks in the City Centre*

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The NSW Department of Planning and Council worked together to develop a series of city centre plans that support the development of Liverpool into a regional city, including the:

- Vision for the City Centre
- Local Environment Plan
- Development Control Plan
- Civic Improvement Plan

The city centre plans identify Bigge Park as playing a key role in the development of Liverpool as a regional city. Bigge Park is surrounded by the city centre health and education precinct, is adjacent to the commercial core of the city, and is directly north of the train station. As a result, Bigge Park becomes central open space to these key hubs and will play a key role in meeting the needs of workers, students and visitors to the city.

As part of the city's development, Bigge Park will continue and grow its prominent place as a key city centre place of significance for public recreation and heritage. The vision for the city centre promotes the enhancement of Bigge Park as significant and valuable open space for the community. A key future action in the vision for the city centre is a plan to regenerate Bigge Park through activities such as tree planting, installing sculptures, cafes and festivals.

The Liverpool City Centre Local Environment Plan identifies Bigge Park as:

- a heritage item
- being within the heritage conservation area of the city

The Liverpool City Centre Civic Improvement Plan's park strategy aims to reinforce the role and function of key parks in the city centre, and includes Bigge Park as one of the main areas of open space. Bigge Park is also identified for its contribution to and enhancement of the natural ecosystem within a predominately built environment.

Bigge Park is one of the key special city projects of the Civic Improvement Plan. The special city projects are considered essential public infrastructure to support future growth, development and the character of the Liverpool city centre. The purpose of the Bigge Park special city project is to reinforce the role of Bigge Park as a major symbolic civic open space in the city centre and improve its functionality and amenity for current and future users.

Eleven planning and design principles have been developed to guide the Bigge Park special city project, including:

1. Retention of commemorative memorials
2. Layout that responds to role of Bigge Park as a major civic park
3. Public art expressing heritage, culture & vitality



4. Landscape design appropriate to surrounding heritage precincts
5. Large open space to accommodate range of civic & festive events
6. Opportunities for various recreation pursuits
7. Water conservation & solar lighting
8. Sense of safety and security with landscaping, lighting & visibility
9. Enhancement to amenity with gardens
10. Urban furniture, waste management & amenities
11. Shared paths

## 6. Basis for management

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This section is the driving force of this plan and will guide the management of Bigge Park. The basis for management has been developed following the completion of the following tasks:

- The assessment of information received through a process of consultation with local residents, interested parties and users
- The assessment of feedback received from the community and key stakeholders
- A heritage assessment
- Review of past Council plans and policies linked to the park
- An internal review of the management, maintenance and operation of the park

### 6.1 Vision

Facilitating use of the site as public parkland and as a place of cultural heritage significance.

### 6.2 Role

The land subject to this plan:

- Provides an important passive recreational role for the local community
- Provides an important open space setting to the vista of the CBD
- Provides an important link to cultural heritage sustainability

Council's role is to deliver a park to the community that will:

- Meet relevant standards and legislative requirements
- Provide an acceptable level of community satisfaction
- Provide a suitable park for passive activities for the diverse community
- Implement best management practices for the park's sustainability

### 6.3 Value

Bigge Park is an asset to the community of Liverpool and visitors. The park has value in that it:

- Is an integral part of open space
- Has major historical value

- Provides opportunities for a range of informal and passive recreational activities
- Is a buffer to the built environment
- Provides a natural setting and habitat for fauna
- Is of heritage / cultural significant to the Aboriginal community
- Contributes to quality of life
- Facilitates a specific public purpose
- Is accessible to all members of the community
- Is a focal point for the community
- Supports a range of health, play, charitable and fundraising activities
- Supports a range of education, environmental and rehabilitation activities
- Supports a range of social, community, family, religious and cultural activities
- Is in close proximity to and has historical association with other heritage significant sites
- Contributes to the visual amenity of Liverpool

#### 6.4 Relevant policies, plans and reports

Liverpool City Council policies, plans and reports that have relevance to this plan of management are:

- Draft Liverpool Local Environmental Plan 2008
- Liverpool City Centre Local Environmental Plan 2007
- Development Control Plan – Liverpool City Centre
- Liverpool City Centre Civic Improvement Plan
- Liverpool Directions
- Liverpool City Wide Recreation Strategy 2020
- Council *Statement of Commitment*
- Social Plan 2006 - 2008
- Liverpool Disability Action Plan
- Biodiversity Strategy 2003
- Sweetgrass and Cohbra, Liverpool Regional Museum & Diane Schultz- Tesmar 2001
- Georges River Corridor Plan of Management and Masterplan
- Water Conservation Action Plan 2005
- Pesticide use notification plan

Federal and State legislation/policy requirements that have relevance to this plan of management are:

- Crown Lands Act 1989
- NSW Government's Sydney Metropolitan Strategy
- South West Subregion Draft Subregional Strategy
- National Parks and Wildlife Act 1974
- NSW Heritage Act 1977
- Environmental Planning and Assessment Act 1999
- Australian Heritage Council 2003

- Local Government (general) Regulations 2000
- Pesticide Regulation 2005

### 6.5 Assets on Bigge Park

Currently the park has the following assets:

- Border plantings of trees including Tallow wood (*Eucalyptus microcor*), Brush Box (*Lophostemon confertus*), Hill's fig (*Ficus hillii*) and Red Ash (*Alphitonia excelsa*).
- Commemorate planting – Magnolia (*Magnolia grandiflora*), 1982 the year of the tree
- Commemorate planting – Magnolia (*Magnolia grandiflora*), 1993 to mark the Day of Action against Sexual Violence 31 August of each year
- Garden beds planted out with shrubs and annuals i.e. Rubens (*Photinia glabrens*)
- A Children's Playground
- A Memorial entrance to TG Scott
- A commemorative plaque signifying the opening of the park in 1956
- A war memorial that includes: an obelisk on which is affixed the marble plaques from the former memorial in Memorial Avenue in Macquarie Street, a fountain in the form of a stone cairn surmounted by a cross in the centre of the pool
- A commemorative clock tower erected by the Rotary club on their 50<sup>th</sup> Anniversary
- A music shell in memory of Mayor Alex Grimson
- A commemorative obelisk to signify the founding of the township of Liverpool
- A basalt rock with a plaque to acknowledge Liverpool Heritage Day
- A brick monument used as a drinking fountain in memory of Thomas Moore
- Paved footpaths
- Mixed lighting
- Garbage bins
- Benches, some donated in 1961 by the Rotary Club
- Retaining wall
- Grassed areas
- Small building (originally toilet block that is now used as a maintenance shed)

### 6.6 Permitted land uses

The permitted uses of the community land covered by this plan of management are:

- Activities associated with the heritage / cultural significance of the site
- Children's play
- Family and social activities
- Activities associated with healthy lifestyles



- Charity and fundraising activities
- Festivals, events and ceremonies
- Passive recreational activities
- Informal sports and games
- Public art
- Education and rehabilitation services
- Environmental enhancement and protection
- Filming
- Sale of food and beverages
- Car parking
- Roads and vehicular access
- Pedestrian and cycle access
- Signage
- Easements

### 6.7 Future development

This plan of management permits (subject to the requirements of relevant legislation, the zoning of the land and Council consents) the future development of the land for the following purposes:

- The construction of new facilities for uses permitted by this plan of management
- The reconstruction, rehabilitations and enhancement of existing facilities for uses permitted by this plan of management
- Works for the purposes of ground maintenance, landscaping or gardening
- The upgrading of or improvements to existing facilities for the uses permitted by this plan of management
- Works associated with environmental enhancement and protection
- Works associated with Council adopted strategies, plans and policies
- Works associated with legislative requirements

## 7. Management issues

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During the consultation period, priorities relating to the management of Bigge Park were identified. The consultation for the development of the Generic Plan of Management for Parks also identified priorities relevant to the management of Bigge Park. These are outlined below.

### 7.1 Heritage sustainability

Bigge Park has both heritage and cultural significance to the community. The park is one of Australia's oldest parks and its heritage significance could be strengthened.

Throughout the park there are many commemorative and memorial sites. It is important to locate these sites, and have attached details, that encourage the community to acknowledge them.

As noted in Section 4.7, regular heritage condition assessments and an improvement plan will need to be developed.

#### Objectives:

- To enhance recognition of memorials within the park
- To improve visual appearance of memorials
- To enhance the history and past influences of the park

### 7.2 Maintenance and management

Bigge Park is managed on a regular schedule which involves a daily two hour routine inspection and minor maintenance, which includes waste management and general keeping of the park. The park maintenance also includes scheduled weekly mowing and edging. The park receives top dressing and aeration as required.

Council also receives direct community requests for actioning that include and are not limited to pathway repairs, vandalism, criminal activity reports, tree management and access condition.

The maintenance is increased and influenced during scheduled large scale events that are held at the park.

Routine scheduled works occur in the early hours of the day, when community activity is at a low.

**Objectives:**

- To provide a safe environment to the community through best maintenance practices
- To comply with occupational health and safety regulations
- To comply with work cover regulations

### 7.3 Access

Bigge Park is accessed by narrow concrete footpaths on Bigge and Elizabeth streets. These footpaths occur on verges with steep cross falls from kerb to boundary. There is no footpath on the park side of College Street except adjacent to the Bowling Club.

Current access provisions into the park from the Liverpool District Hospital and general footpath access could be improved. In future developments, access to the park would be enhanced if pedestrian crossings and/or pedestrian lights were located at or close to park entrances.

Regular assessments of internal tiled paths under wet conditions promote safe access. It is important that these pathways meet performance criteria for slip resistance in pedestrian paving as specified in the Australian Standards.

It is important that current provisions meet the needs of people with disabilities to access the park. As part of the Disability Action Plan, Council identified that access improvements are required for Bigge Park.

**Objectives:**

- To increase participation through improving accessibility
- To ensure access into and within the park is maximised for those with a disability

### 7.4 Park hire, fees and charges

Bigge Park and the infrastructure located within the park cannot be hired out for exclusive use. Council requires insurance and bonds for events that require additional temporary equipment to be erected, such as marquees, jumping castles and specific celebration equipment.

Uses of the park for general community use, such as family gatherings, religious celebration, wellbeing activities or social unions for less than 100 people, do not incur any fees or charges. However, any large scale event requires a Council event application form to be completed for consideration.

**Objectives:**

- To provide community space for families and social groups to gather for community networking
- To allow for informal leisure at Council facilities for the community and visitors to gather

### 7.5 Safety and risk management

Safety is perceived as a key priority for the park. The day time environment is considered relatively safe, while concerns about safety increase at night. Improving lighting and minimising 'dark spots' within and around the park would assist in increasing a sense of safety.

This is a significant priority to the community given the night and day nature of use at Liverpool Hospital, transport stations, educational facilities and local business trade.

**Objectives:**

- To encourage community surveillance and reporting
- To minimise risk for all park users as well as those in surrounding properties
- To provide a park that meets the Australian Standards or recommended guidelines

### 7.6 Crime prevention

Criminal activity and vandalism of the park are key concerns of the community. The need to implement effective measures to reduce vandalism and increase personal and community safety is a high priority for both Council and the community.

Council adopts the principle of "crime prevention through environmental design" when planning for new infrastructure, as costs associated with vandalism have the potential of reducing the resources available for park improvements.

**Objectives:**

- To create a safer and more visible park environment
- To provide the community with a safe environment and discourage vandalism
- To encourage reporting of unacceptable behaviour at the park

### 7.7 Cultural diversity

The Liverpool community has a diversity of cultures. The central business district is a visual display of the diversity of these cultures. An opportunity exists to utilise Bigge Park as an area to signify the cultural diversity of Liverpool.

Currently the park is a thoroughfare for a high level of pedestrian traffic. If there were more cultural events at the park, it may increase opportunities for community participation due to the high pedestrian thoroughfare.

**Objectives:**

- To increase cultural activities at the park
- To promote community harmony through participation and attendance

### 7.8 Impact on adjoining residents and businesses

As development throughout the CBD and surrounding area increases, the park uses may impact on adjoining residents and businesses.

As a buffer to the built environment, the park is a key open space within the central business district.

**Objectives:**

- To increase the safety of the park
- To encourage permitted passive activities

### 7.9 Infrastructure improvements

New trends are occurring in children's playgrounds, with a move towards increasing equipment diversity and different levels of provision. Playgrounds with a range of equipment suitable for varying age groups and abilities attract people from a wider geographic area, who utilise the playground for parties, groups and family gatherings.

Council needs to provide infrastructure that will benefit park users. These improvements include seating, bins, shared pathways, formal gardens and playgrounds. The formal gardens should cater for drought and unprecedented climatic conditions. Future recycled infrastructure should be reviewed for use at the park.

**Objectives:**

- To provide the community with quality open space
- To provide suitable equipment for the diverse community
- To provide infrastructure that is of quality and meets Australian Standards
- To improve the infrastructure with a consistent theme / style

### 7.10 Vegetation

Bigge Park was planted out by the early 1950's. Many of the plantings have commemorative or memorial meaning. The park would benefit from vegetation planting that is consistent and promotes a style or theme for the park.

The current natural shading of the area is sufficient; however, further design details of the park in relation to tree and hedge planting are required.

#### Objectives:

- To create a sense of open space within a built environment
- To create a consistency to the current planting theme, using native species where possible
- To provide an aesthetically designed park
- To improve current vegetation

### 7.11 Drainage

Drainage at the park could be improved. During and after wet weather periods, the park can have pools of water on the footpaths and throughout grassed areas.

#### Objectives:

- To minimise the remnant effects of wet weather
- To consider alternative designs for dispersion of water

### 7.12 Amenities

Users of the park stay for short periods or use the park as a thoroughfare, therefore the community has not required regular access to toilets.

During large scale half or full day events, it is recommended that temporary toilets be brought in on a ratio of one for every 100 people.

Increase of the park's use for cultural events may require that consideration be given to improving access to amenities.

#### Objective:

- To increase access to amenities, as required

### 7.13 Site embellishment

Embellishment of the park is required to increase its usage and enhance its natural beauty. During future development of the park, it will be necessary for any works to be consistent with a theme or style that represents the park's



culture and history. Improvement to the park's assets should also be sympathetic to surrounding buildings.

The development of the park's style and theme will include natural or related colouring of the infrastructure, restoration of memorials, vegetation management and minimal additional development that will affect the available open space.

**Objectives:**

- To further develop a key city centre park
- To improve the visual appearance of the park
- To retain the park's past historical nature
- To develop a consistent aesthetic appearance to the park

#### 7.14 Cultural users

Bigge Park is often utilised by community organisations for large community events for participation by the broader community. Council also utilises this area for a range of events. As the park contains many memorial and commemorative plaques, plantings and structures, there are events that are held at the park that recognise their placement.

**Objectives:**

- To support and encourage community events

#### 7.15 Transport

Bigge Park is located next to the city ring road, the major traffic distribution network within the central business district. It was identified through community consultation that there is a need for Bigge Park to include shared pathways.

**Objectives:**

- To encourage safer alternate transport links throughout the CBD
- To increase pedestrian traffic access to transport links

#### 7.16 Emergency services

It is essential for emergency vehicles to have access to the site at all times. Currently the park has vehicular access through Elizabeth Street. This entrance is gated via the installation of a bollard.

**Objective:**

- To ensure continued emergency access and procedures

### 7.17 Future planning and design

The Liverpool community would like access to the park through unstructured, informal passive recreation activities. The future planning of the park needs to provide open space and recreation facilities based on quality outcomes.

If Council is to develop a detailed design plan, then best practice principles in planning, development and management need to be achieved.

**Objectives:**

- To leave a positive legacy for future generations
- To promote the historical and cultural significance of the park
- To acknowledge the civic importance of the park to Liverpool

### 7.18 Funding resources

Funding for development of parks typically comes from Council's capital works program or Section 94 development contributions. Council may also apply to external funding sources such as State and Federal grants; however these are often limited and competitive to access. Council's management planning process ensures that a uniform approach is taken to the allocation of available funds to community projects.

**Objectives:**

- To secure funding for development and maintenance of Bigge Park

## 8. Action Plan

### 8.1 Core objectives and targets

The objectives and targets establish a foundation for the maintenance, management and improvement of Bigge Park. The delivery of the actions will be considered in more detail during implementation and priority will be established based on the needs of the community.

Objectives	Targets
<b>8.1.1 Heritage sustainability</b>	
<ul style="list-style-type: none"> <li>To enhance recognition of memorials within the park</li> <li>To improve visual appearance of memorials</li> <li>To enhance the history and past influences of the Park</li> </ul>	Improve historical plaques, memorials and commemorative artefacts throughout the park
	Promote historical significance through promotional fact sheets and tours
	Develop historical links to other local significant sites
	Maintain tree significance and species and establish a consistent planting theme
<b>8.1.2 Maintenance and management</b>	
<ul style="list-style-type: none"> <li>To provide a safe environment to the community through best maintenance practices</li> <li>To comply with occupational health and safety regulations</li> <li>To comply with work cover regulations</li> </ul>	Streamline internal communication processes and improve completion timeframe for customer requests
	Maintain a renovation program and maintenance schedule that includes aerating, topdressing and weeding practices
	Complete routine inspection reports during scheduled maintenance
	Engage an arborist to survey and develop an action report for the site
<b>8.1.3 Access</b>	
<ul style="list-style-type: none"> <li>To increase participation through improving accessibility</li> <li>To ensure access into and within the park is maximised for those with a disability</li> </ul>	Apply the principles of Council's Disability Action Plan during restoration and replacement programs
	Review and audit access issues
	Improve signage to and from the park

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Objectives	Targets
<b>8.1.4 Park hire, fees and charges</b>	
<ul style="list-style-type: none"> <li>To provide community space for families and social groups to gather for community networking</li> <li>To allow for informal leisure at Council facilities for the community and visitors to gather</li> </ul>	Apply affordable fees and charges for large scale events
	Apply a nil cross charge in Council for community events
<b>8.1.5 Safety and risk management</b>	
<ul style="list-style-type: none"> <li>To encourage community surveillance and reporting</li> <li>To minimise risk for all park users as well as those in surrounding properties</li> <li>To provide a park that meets the Australian Standards or recommended guidelines</li> </ul>	Apply safer by design principles in future development of the park
	Review infrastructure needs to provide a safer park environment
	Implement a risk assessment process for large scale events
	Complete routine inspections and maintenance cycles to ensure the safety of the park with reference to Parks and Recreation Area Maintenance AUS Spec 6A-2004
<b>8.1.6 Crime prevention</b>	
<ul style="list-style-type: none"> <li>To create a safer and more visible park environment</li> <li>To provide the community with a safe environment and discourage vandalism</li> <li>To encourage reporting of unacceptable behaviour at the park</li> </ul>	Guide future designs based on crime prevention through environmental design principles
	Install Council signs with contact details for reporting of unacceptable behaviour
	Create visible pedestrian pathways
	Install preferred consistent lighting throughout the park to reduce black spots
<b>8.1.7 Cultural Diversity</b>	
<ul style="list-style-type: none"> <li>To increase cultural activities at the park</li> <li>To promote community harmony through participation and attendance</li> </ul>	Maintain current users and increase use of park for events by local community groups
	Promote activities scheduled at park through available communication tools
	Encourage local tours to visit the site through promotion of the historical significance and linkages to other related sites
	Implement cultural activities which are sensitive to the theme of the park

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Objectives	Targets
8.1.8 Impact on adjoining residents and businesses	
<ul style="list-style-type: none"> <li>To increase the safety of the park</li> <li>To encourage permitted passive activities</li> </ul>	<ul style="list-style-type: none"> <li>Set operating hours according to natural light for small scale events</li> <li>Advertise available transport alternatives to access the park during large scale events</li> </ul>
8.1.9 Infrastructure Improvements	
<ul style="list-style-type: none"> <li>To provide the community with quality open space</li> <li>To provide suitable equipment for the diverse community</li> <li>To provide infrastructure that is of quality and meets Australian Standards</li> <li>To improve the infrastructure with a consistent theme / style</li> </ul>	<ul style="list-style-type: none"> <li>Develop a consistent style to the infrastructure of the park</li> <li>Deliver infrastructure improvements based on Australian Standards and that will sustain over time</li> <li>When replacement is required, consider relocating infrastructure to best suit community needs and requests</li> </ul>
8.1.10 Vegetation	
<ul style="list-style-type: none"> <li>To create a sense of open space within a built environment</li> <li>To create a consistency to the current planting theme, using native species where possible</li> <li>To provide an aesthetically designed park</li> <li>To improve current vegetation</li> </ul>	<ul style="list-style-type: none"> <li>Limit future tree plantings and the variety of species</li> <li>Maintain health and improve visual appearance of current plantings through best practice principles</li> <li>Develop an indicative vegetation /landscape maintenance plan through the recommendations of an arborist report</li> </ul>
8.1.11 Drainage	
<ul style="list-style-type: none"> <li>To minimise the remnant effects of wet weather</li> <li>To consider alternative designs for dispersion of water</li> </ul>	<ul style="list-style-type: none"> <li>Review current maintenance program to allow for an increase in soil saturation i.e. excessive rain fall</li> <li>Review alternate grass species more suitable for park's natural condition</li> <li>Design future footpaths to be slightly higher than ground to operate as a natural run off</li> </ul>
8.1.12 Amenities	
<ul style="list-style-type: none"> <li>To increase access to amenities, as required</li> </ul>	<ul style="list-style-type: none"> <li>Ensure the events hire policy provides for a minimum ratio of toilets to be supplied at large scale events</li> <li>Undertake a needs analysis on access to amenities from Bigge Park</li> </ul>

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Objectives	Targets
8.1.13 Site embellishment	
<ul style="list-style-type: none"> <li>To further develop a key city centre park</li> <li>To improve the visual appearance of the park</li> <li>To retain the park's past historical nature</li> <li>To develop a consistent aesthetic appearance to the park</li> </ul>	<ul style="list-style-type: none"> <li>Highlight the park's historical significance through aesthetically pleasing infrastructure and design which is also consistent with other historical sites</li> <li>Promote and incorporate public art</li> <li>Develop a concept design plan for the site to create a key city centre park</li> </ul>
8.1.14 Cultural users	
<ul style="list-style-type: none"> <li>To support and encourage community events</li> </ul>	<ul style="list-style-type: none"> <li>Promote cultural events at the park through recognising opportunities and partnerships</li> <li>Utilise future cultural planning documents to encourage access and opportunities</li> <li>Advertise Bigge Park as the preferred CBD cultural event park</li> </ul>
8.1.15 Transport	
<ul style="list-style-type: none"> <li>To encourage safer alternate transport links throughout the CBD</li> <li>To increase pedestrian traffic access to transport links</li> </ul>	<ul style="list-style-type: none"> <li>Upgrade and promote bike and pedestrian accessibility to park</li> <li>Design paths as an alternative safe thoroughfare to transport links</li> <li>Increase passive transport participation through signage</li> </ul>
8.1.16 Emergency services	
<ul style="list-style-type: none"> <li>To ensure continued emergency access and procedures</li> </ul>	<ul style="list-style-type: none"> <li>Maintain emergency accessibility to park</li> <li>Notify hirers of an emergency evacuation plan for events</li> <li>Update and maintain an emergency contact sign in park</li> </ul>
8.1.17 Future planning and design	
<ul style="list-style-type: none"> <li>To leave a positive legacy for future generations</li> <li>To promote the historical and cultural significance of the park</li> <li>To acknowledge the civic importance of the park to Liverpool</li> </ul>	<ul style="list-style-type: none"> <li>Develop an indicative concept design plan based on community input and best practice principles</li> <li>Recognise historical, cultural and civic significance of the park during planning and design phases</li> <li>Incorporate public art that reflects the significance of the park, using community cultural development approaches</li> </ul>

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Objectives	Targets
8.1.18 Funding resources	
<ul style="list-style-type: none"> <li>▪ To secure funding for development and maintenance of Bigge Park</li> </ul>	<ul style="list-style-type: none"> <li>Seek and apply for funding opportunities that are applicable to the development and management of the park</li> <li>Review internal maintenance and management budgets annually</li> <li>Develop an indicative five year capital works program for Bigge Park</li> </ul>

## 8.2 Monitoring Program

This plan of management will be evaluated over a five year period and will include:

- A review of the plan of management objectives
- Reports on the progress of implementation
- Recommendations on any alterations or amendments that may be required.

Council's Recreation and Open Space Planner will undertake the process of evaluation. Reports will be presented to the Executive Committee of Council for consideration.



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

### Report Attachment 2 : Plans of the Proposal

#### BIGGE ESPRESSO

KIOSK, BIGGE PARK  
124 BIGGE STREET,  
LIVERPOOL, NSW 2170

- 801 DRAWING REGISTER
- 802 SITE + TENANCY LOCATION PLANS
- 803 SITE PLAN
- 804 PROSPECTIVE
- 805 KEY PLAN
- 806 PROPOSED FLOOR PLAN
- 807 ELECTRICAL PLAN
- 808 REFLECTED CEILING PLAN
- 809 FINISHES SCHEDULE
- 810 LIFTING + SECTION SCHEDULE
- 811 STAIRWAY SCHEDULE
- 812 STAIRWAY SCHEDULE
- 813 SECTION 1
- 814 SECTION 2
- 815 SECTION 3
- 816 SECTION 4
- 817 SECTION 5 - 12
- 818 SECTION 5 - 12
- 819 SECTION 5 - 12
- 820 STAIRWAY TO THE 5<sup>TH</sup> - EXISTING STAIRWAY
- 821 STAIRWAY TO THE 5<sup>TH</sup> - NEW STAIRWAY



#### GENERAL NOTES:

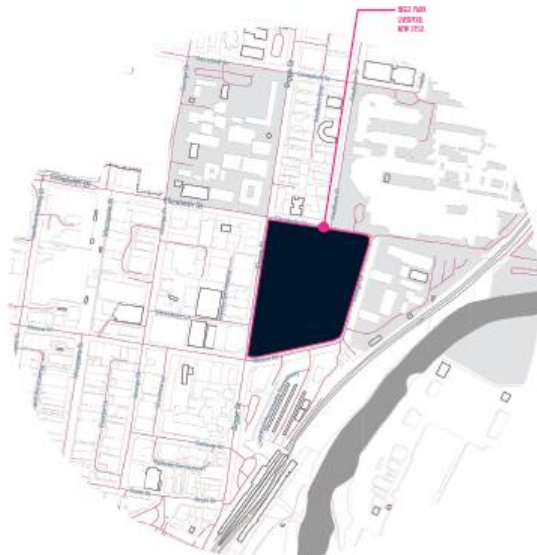
1. THIS IS A PRELIMINARY PLAN AND IS SUBJECT TO THE APPROVAL OF THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT. THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT MAY REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION AND DOCUMENTATION TO SUPPORT THIS PLAN. THE SUBMITTER IS ADVISED THAT THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT MAY REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION AND DOCUMENTATION TO SUPPORT THIS PLAN. THE SUBMITTER IS ADVISED THAT THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT MAY REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION AND DOCUMENTATION TO SUPPORT THIS PLAN.

REV	DATE	CHK BY	REASON FOR ISSUE
1	24/08/22	MS	FOR REVIEW
2	24/08/22	MS	FOR REVIEW
3	24/08/22	MS	FOR REVIEW
4	24/08/22	MS	FOR REVIEW
5	24/08/22	MS	FOR REVIEW

#### FACULTY

RETAIL + HOSPITALITY  
CONTACT US AT WWW.FACULTYDESIGN.COM.AU

PROJECT NO.	22001	PROJECT	BIGGE ESPRESSO - CONCERN HOSPITAL
PROJECT NAME	CENTRAL BIGGE PARK (CA BIGGE ST)	DRAWING REGISTER	
TOWNSHIP	401504	PAPER SIZE	A3
START DATE	20/08/2021	DRAWN BY	CS
		CHK	MS
		APP	F



#### SITE LOCATION PLAN

NOT TO SCALE

#### GENERAL NOTES:

1. THIS IS A PRELIMINARY PLAN AND IS SUBJECT TO THE APPROVAL OF THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT. THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT MAY REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION AND DOCUMENTATION TO SUPPORT THIS PLAN. THE SUBMITTER IS ADVISED THAT THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT MAY REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION AND DOCUMENTATION TO SUPPORT THIS PLAN. THE SUBMITTER IS ADVISED THAT THE LOCAL COUNCIL AND THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT MAY REQUIRE THE SUBMITTER TO PROVIDE ADDITIONAL INFORMATION AND DOCUMENTATION TO SUPPORT THIS PLAN.

REV	DATE	CHK BY	REASON FOR ISSUE
1	24/08/22	MS	FOR REVIEW
2	24/08/22	MS	FOR REVIEW
3	24/08/22	MS	FOR REVIEW
4	24/08/22	MS	FOR REVIEW
5	24/08/22	MS	FOR REVIEW

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#### TENANCY LOCATION PLAN

NOT TO SCALE

PROJECT NO.	22001	PROJECT	BIGGE ESPRESSO - CONCERN HOSPITAL
PROJECT NAME	CENTRAL BIGGE PARK (CA BIGGE ST)	SITE + TENANCY LOCATION PLANS	
TOWNSHIP	401504	PAPER SIZE	A3
START DATE	20/08/2021	DRAWN BY	CS
		CHK	MS
		APP	F









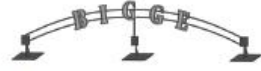




# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022



CODE: S010  
ITEM: REST TOP SIGNAGE  
SPEC: 2MM THICK PT-3 FRAME  
CURVED FRAMING FIXED OFF EXISTING BRACKETS  
DIM: 2500 W X 500 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S022  
ITEM: ORDER SIGNAGE  
SPEC: STENCILED HAND PAINTED  
PT-3 'ORDER HERE' + 'TINY BEER'  
LETTERING  
DIM: 730 W X 100 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: MENU SIGNAGE  
SPEC: 2MM THICK PANEL PAINTED  
PT-6 WITH 2MM MAT-4 LOGO, HAND  
PAINTED WITH PT-6 MENU BACKING,  
LASER CUT WHITE VINYL MENU  
LETTERING STENCILED HAND  
PAINTED PT-3 'TINY A GOOD DAY AT  
BIGGE' LETTERING TO FACE OF  
PANEL ALLOW FOR MORTICE TRING  
BETWEEN BEARD AND TM-2 BEERS  
DIM: 1025 W X 810 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: MENU SIGNAGE  
SPEC: HAND PAINTED 'ESPRESSO'  
AND 'TAKAWAY' LETTERS TO FACE OF  
SIGNAGE  
DIM: 1465 W X 810 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



PICK UP

BACK TO  
REST TOP SIGNAGE

CODE: S010  
ITEM: WINDOW SIGNAGE  
SPEC: STENCILED HAND PAINTED  
PT-6 'PICK UP' LETTERING + PT-1  
'BACK TO REST TOP SIGNAGE'  
LETTERING INTO EXISTING WINDOW  
PICK UP DIM: 510 W X 105 H  
BACK SIGN DIM: 410 W X 140 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S017  
ITEM: MENU SIGNAGE  
SPEC: HAND PAINTED PT-2 BEER MENU GRAPHIC WITH STENCILED HAND PAINTED  
PT-1 TOWN SIGNAGE COFFEE PUT ON SOME GANGLISTA PAPER AND HANDLE LETTERING  
DIM: 400 W X 700 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S018  
ITEM: SIDE WINDOW 01 SIGNAGE  
SPEC: LASER CUT BLACK VINYL LITTLE  
MARGARETTA GRAPHIC APPLIED TO  
PAINTED PT-4 FACES OF EXISTING  
WINDOW  
DIM: 500 W X 415 H (CONFORM  
DIMENSIONS ON SITE PRIOR TO  
ORDER)  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S018  
ITEM: SIDE WINDOW 02 SIGNAGE  
SPEC: LASER CUT BLACK VINYL LITTLE  
MARGARETTA + WHITE BEER GRAPHIC  
APPLIED TO PAINTED PT-4 FACES OF  
EXISTING WINDOW  
DIM: 500 W X 415 H (CONFORM  
DIMENSIONS ON SITE PRIOR TO  
ORDER)  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S018  
ITEM: SIDE WINDOW 03 SIGNAGE  
SPEC: STENCILED HAND PAINTED  
PT-3 'BIGGE'S BARBECUE' LETTERING  
TO TM-2 SIGNAGE  
DIM: 1000 W X 810 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S018  
ITEM: SIDE WINDOW SIGNAGE  
SPEC: 2MM THICK FOLDED MAT-3 BEER  
SIGN WITH STENCILED HAND  
PAINTED PT-3 'CHECK OF MEAT +  
DRINK QUALITY'  
DIM: 1005 W X 150 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES, CLIENT TO  
CONFORM GRAPHICS

### SIGNAGE SCHEDULE

NOT TO SCALE

#### GENERAL NOTES:

CONSENT FOR WORK IS GRANTED FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT. THE PERIOD OF VALIDITY OF THE CONSENT IS 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT. THE PERIOD OF VALIDITY OF THE CONSENT IS 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT. THE PERIOD OF VALIDITY OF THE CONSENT IS 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT.

REF	DATE	CHG BY	REASON FOR CHG
A	24/05/22	MD	FOR REVIEW
B	24/05/22	MD	FOR REVIEW
C	16/07/22	MD	PLANNING PERMISSION
D	16/07/22	MD	FOR REVIEW
E	16/07/22	MD	FOR REVIEW
F	24/05/22	MD	FOR REVIEW

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PROJECT NO.	22000	PROJECT	BECK EXPRESSO - CHELSEA HOSPITAL
PROJECT ADR	CHESS, BECK PARK, CHESS ST	SIGNAGE SCHEDULE	
PROJECT ADR	CHESS, BECK PARK, CHESS ST	DMG TITLE	
FORMAT	A3 (DMG)	PAPER SIZE	A3 SCALE
START DATE	20/06/2021	QUANTITY	10
		CHK	MD
		APP	F



CODE: S017  
ITEM: ORDER HERE SIGNAGE  
SPEC: STENCILED HAND PAINTED  
PT-3 'ORDER HERE' LETTERING TO  
EXISTING EXTERNAL COLUMN  
DIM: 40 W X 850 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: PICK UP SIGNAGE  
SPEC: STENCILED HAND PAINTED  
PT-3 'PICK UP' LETTERING TO  
EXISTING EXTERNAL COLUMN  
DIM: 40 W X 520 H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: PICK UP SIGNAGE  
SPEC: 2MM THICK TM-3 PANEL  
WITH CLAMP TO BE FIXED BETWEEN SIGN  
+ DAY VERANDA. STENCILED HAND  
PAINTED BEER ESPRESSO LOGO TO  
THE FACE  
DIM: 340 W X 340 H X 20 D  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: PICK UP SIGNAGE  
SPEC: 2MM THICK TM-3 FRAME  
WITH CLAMP TO BE FIXED BETWEEN SIGN  
+ DAY VERANDA. STENCILED HAND  
PAINTED 'CUPPY' LETTERING LOGO  
TO THE FACE  
DIM: 340 W X 340 H X 20 D  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: PICK UP SIGNAGE  
SPEC: 2MM THICK TM-3 PANEL  
WITH CLAMP TO BE FIXED BETWEEN SIGN  
+ DAY VERANDA. STENCILED HAND  
PAINTED 'CATS & BEARS' LETTERING  
LOGO TO THE FACE  
DIM: 340 W X 340 H X 20 D  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES



CODE: S010  
ITEM: PICK UP SIGNAGE  
SPEC: 2MM THICK TM-4 FRAME  
SIGN WITH LASER CUT VINYL BEER  
SIGNAGE WITH WHITE GRAPHICS  
APPLIED TO BOTH FACES WITH 50MM  
RADIUS EDGES  
DIM: 1000 W X 810 MM H  
GRAPHIC DESIGNER TO PROVIDE GRAPHICS FILES

### SIGNAGE SCHEDULE

NOT TO SCALE

#### GENERAL NOTES:

CONSENT FOR WORK IS GRANTED FOR THE PERIOD OF 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT. THE PERIOD OF VALIDITY OF THE CONSENT IS 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT. THE PERIOD OF VALIDITY OF THE CONSENT IS 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT. THE PERIOD OF VALIDITY OF THE CONSENT IS 12 MONTHS FROM THE DATE OF ISSUE OF THE CONSENT.

REF	DATE	CHG BY	REASON FOR CHG
A	24/05/22	MD	FOR REVIEW
B	24/05/22	MD	FOR REVIEW
C	16/07/22	MD	PLANNING PERMISSION
D	16/07/22	MD	FOR REVIEW
E	16/07/22	MD	FOR REVIEW
F	24/05/22	MD	FOR REVIEW

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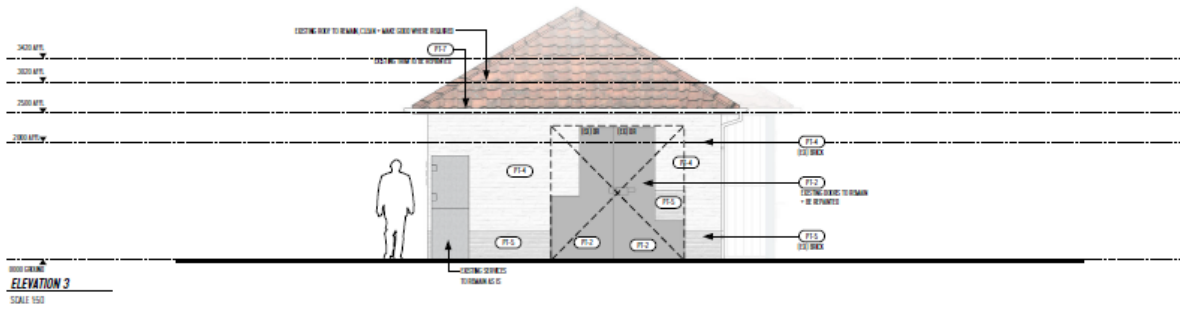
PROJECT NO.	22000	PROJECT	BECK EXPRESSO - CHELSEA HOSPITAL
PROJECT ADR	CHESS, BECK PARK, CHESS ST	SIGNAGE SCHEDULE	
PROJECT ADR	CHESS, BECK PARK, CHESS ST	DMG TITLE	
FORMAT	A3 (DMG)	PAPER SIZE	A3 SCALE
START DATE	20/06/2021	QUANTITY	10
		CHK	MD
		APP	F



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

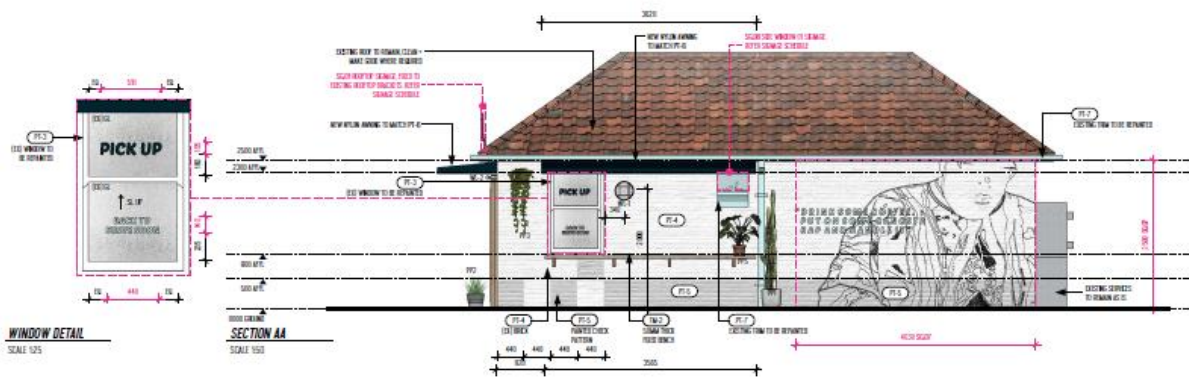


**GENERAL NOTES:**  
 DRAWING TO BE IN CONJUNCTION WITH ALL OTHER TECHNICAL AND SPECIAL AGREEMENTS, TECHNICAL SPECIFICATIONS AND CONDITIONS. CONSULT WITH ARCHITECT FOR APPROVED TO BE USED IN TECHNICAL SPECIFICATIONS.  
 CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND ALL OTHER RELEVANT REGULATIONS AND BY LAWS TO THE SATISFACTION OF THE SUPERVISOR.  
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REV	DATE	CHK BY	REASON FOR REVISE
A	24/08/22	MS	FOR REVIEW
B	24/08/22	MS	FOR REVIEW
C	16/09/22	MS	PLANNING CONSULTATION
D	16/09/22	MS	FOR REVIEW
E	16/09/22	MS	FOR REVIEW
F	24/08/22	MS	FOR REVIEW

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PROJECT NO.	PROJECT	ISSUE APPROVED - CONSULTING REPORT
221001	ISSUE APPROVED - CONSULTING REPORT	ELEVATION 3
PROJECT NAME	UNIT 100A, BRISTOL PARK, CHA (M2) ST, CHESTERFIELD, Notts, S43 7JY	ISSUE TITLE
TOWNKEY	461204	PAPER NO.
START DATE	26/10/2021	DRAWN BY



**GENERAL NOTES:**  
 DRAWING TO BE IN CONJUNCTION WITH ALL OTHER TECHNICAL AND SPECIAL AGREEMENTS, TECHNICAL SPECIFICATIONS AND CONDITIONS. CONSULT WITH ARCHITECT FOR APPROVED TO BE USED IN TECHNICAL SPECIFICATIONS.  
 CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND ALL OTHER RELEVANT REGULATIONS AND BY LAWS TO THE SATISFACTION OF THE SUPERVISOR.  
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REV	DATE	CHK BY	REASON FOR REVISE
A	24/08/22	MS	FOR REVIEW
B	24/08/22	MS	FOR REVIEW
C	16/09/22	MS	PLANNING CONSULTATION
D	16/09/22	MS	FOR REVIEW
E	16/09/22	MS	FOR REVIEW
F	24/08/22	MS	FOR REVIEW

**FACULTY**  
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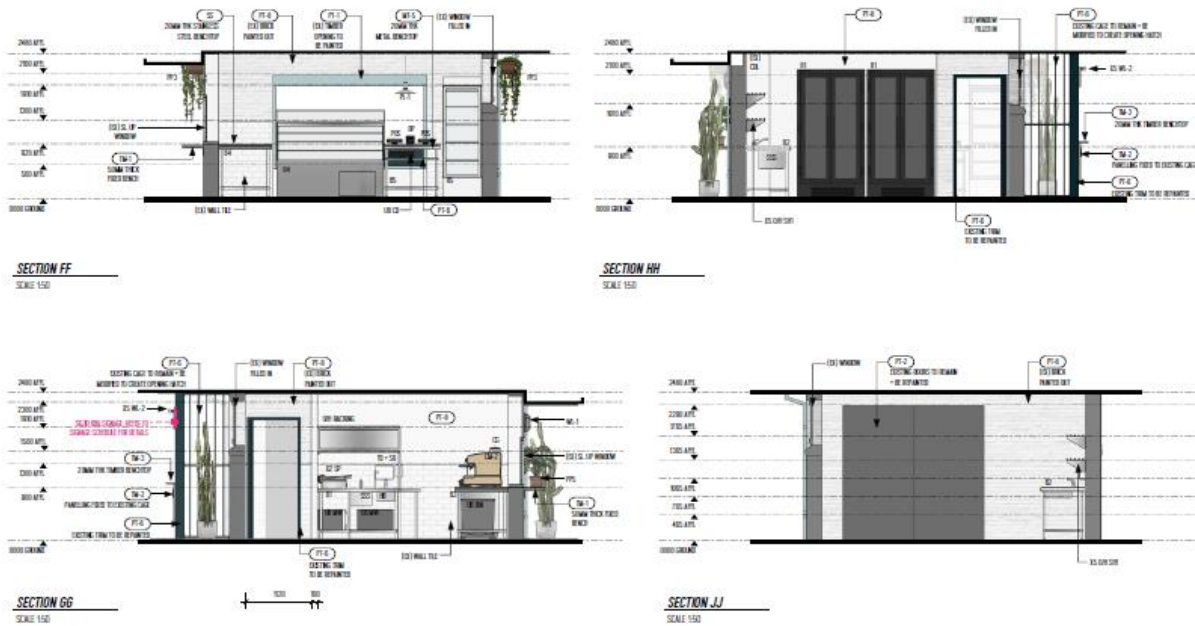
PROJECT NO.	PROJECT	ISSUE APPROVED - CONSULTING REPORT
221001	ISSUE APPROVED - CONSULTING REPORT	SECTION AA
PROJECT NAME	UNIT 100A, BRISTOL PARK, CHA (M2) ST, CHESTERFIELD, Notts, S43 7JY	ISSUE TITLE
TOWNKEY	461204	PAPER NO.
START DATE	26/10/2021	DRAWN BY





# LIVERPOOL CITY COUNCIL LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022



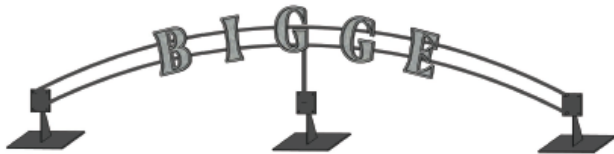
**GENERAL NOTES:**  
 1. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 2. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 3. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 4. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 5. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 6. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 7. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 8. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 9. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 10. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
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REV	DATE	CHK BY	REASON FOR ISSUE
A	24/05/22	MD	FOR REVIEW
B	24/05/22	MD	FOR REVIEW
C	16/05/22	MD	PLANNING SUBMISSION
D	16/05/22	MD	FOR REVIEW
E	16/05/22	MD	FOR REVIEW
F	24/05/22	MD	FOR REVIEW

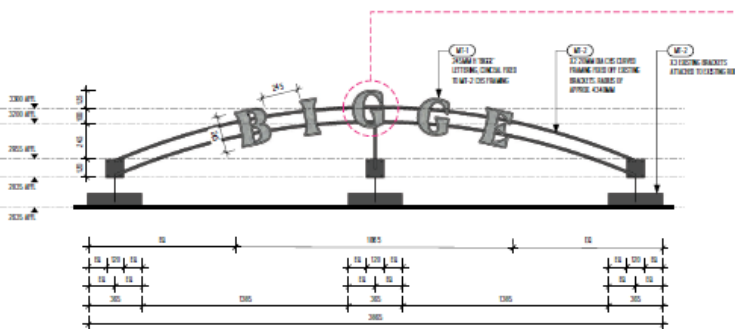
**FACULTY**  
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PROJECT NO.	32100	PROJECT	DECK EXPANSION - CONCRETE HOSPITAL
PROJECT NAME <td>101 WEST BRIDGE PARK 10A BRIDGE ST LIVERPOOL, MER. L3 5YU</td> <td>PROJECT TYPE <td>SECTION FF, GG, HH + JJ</td> </td>	101 WEST BRIDGE PARK 10A BRIDGE ST LIVERPOOL, MER. L3 5YU	PROJECT TYPE <td>SECTION FF, GG, HH + JJ</td>	SECTION FF, GG, HH + JJ
CONTRACT <td>401204</td> <td>PAPER SIZE <td>A3</td> </td>	401204	PAPER SIZE <td>A3</td>	A3
START DATE <td>20/06/2021</td> <td>ISSUE BY <td>CL</td> </td>	20/06/2021	ISSUE BY <td>CL</td>	CL
		CHK	MD
		APP	F

**NOTE:**  
 ALL GRAPHIC TEXT TO BE SUPPLIED BY  
 SEPARATE CONTRACTOR OR GRAPHIC DESIGNER



**SIGNAGE DETAIL SG.01 - PERSPECTIVE**  
 NOT TO SCALE



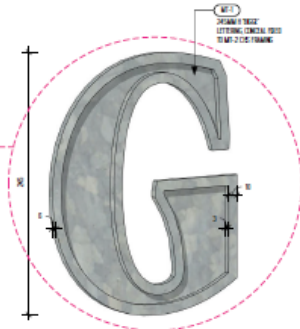
**SIGNAGE DETAIL SG.01 - FRONT ELEVATION**  
 SCALE 1:20

**GENERAL NOTES:**  
 1. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 2. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 3. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 4. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 5. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 6. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 7. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 8. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 9. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
 10. CONSULT WITH ARCHITECT FOR ALL TECHNICAL, STRUCTURAL, SERVICES, AND MATERIALS.  
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REV	DATE	CHK BY	REASON FOR ISSUE
A	24/05/22	MD	FOR REVIEW
B	24/05/22	MD	FOR REVIEW
C	16/05/22	MD	PLANNING SUBMISSION
D	16/05/22	MD	FOR REVIEW
E	16/05/22	MD	FOR REVIEW
F	24/05/22	MD	FOR REVIEW

**FACULTY**  
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 020 825 4627 | WWW.FACULTYDESIGN.CO.UK

PROJECT NO.	32100	PROJECT	DECK EXPANSION - CONCRETE HOSPITAL
PROJECT NAME <td>101 WEST BRIDGE PARK 10A BRIDGE ST LIVERPOOL, MER. L3 5YU</td> <td>PROJECT TYPE <td>SIGNAGE</td> </td>	101 WEST BRIDGE PARK 10A BRIDGE ST LIVERPOOL, MER. L3 5YU	PROJECT TYPE <td>SIGNAGE</td>	SIGNAGE
CONTRACT <td>401204</td> <td>PAPER SIZE <td>A3</td> </td>	401204	PAPER SIZE <td>A3</td>	A3
START DATE <td>20/06/2021</td> <td>ISSUE BY <td>CL</td> </td>	20/06/2021	ISSUE BY <td>CL</td>	CL
		CHK	MD
		APP	F



**DETAIL 1 - TYPICAL LETTER**  
 NOT TO SCALE





## Report Attachment 3: Recommended Conditions of Consent

**ATTACHMENT 1 – CONDITIONS OF APPROVAL**

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

**A. THE DEVELOPMENT****Approved Plans**

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

Plan No.	Plan Name	Date	Revision	Prepared by
A1	Drawing Register	24.06.22	F	Faculty Design
A2	Site + Tenancy Location Plans	24.06.22	F	Faculty Design
A3	3D Floor Plans	24.06.22	F	Faculty Design
A4	Perspectives	24.06.22	F	Faculty Design
A5	Key Plan	24.06.22	F	Faculty Design
A6	Proposed Floor Plan	24.06.22	F	Faculty Design
A7	Electrical Plan	24.06.22	F	Faculty Design
A8	Reflected Ceiling Plan	24.06.22	F	Faculty Design
A9	Finishes Schedule	24.06.22	F	Faculty Design
A10	Lighting + Decoration Schedule	24.06.22	F	Faculty Design
A11	Signage Schedule	24.06.22	F	Faculty Design
A12	Signage Schedule	24.06.22	F	Faculty Design
A13	Elevation 1	24.06.22	F	Faculty Design
A14	Elevation 2	24.06.22	F	Faculty Design
A15	Elevation 3	24.06.22	F	Faculty Design
A16	Section AA	24.06.22	F	Faculty Design
A17	Section BB + CC	24.06.22	F	Faculty Design
A18	Section DD + EE	24.06.22	F	Faculty Design
A19	Section FF + GG + HH + JJ	24.06.22	F	Faculty Design
A20	Signage Detail	24.06.22	F	Faculty Design
A21	Signage Detail	24.06.22	F	Faculty Design

Report Name	Completed By	Date
Waste Management Plan	Applicant	Supplied with application
Heritage Impact Statement	Outlook Planning	Supplied with application

2. As shown in red on the Proposed Floor Plan, Prepared by Faculty Design, Plan no. A6, Revision F, Dated 24.06.22, no consent is expressed or implied for the caged area to be used for the purposes of a Kiosk.

**Comply with EP&A Act**

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

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

**Prescribed condition**

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

**Products banned under the Building Products (Safety) Act 2017**

5. 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.

**Works at no cost to Council**

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

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

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

**Fee Payments – Development**

7. 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. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery,

- b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve, and
- c) Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

#### **Cladding**

- 8. 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 NCC BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2.2 of the BCA for all products/systems proposed.

#### **Site Development Work**

- 9. 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.

#### **Food Premises – Construction**

- 10. To ensure compliance with the relevant standards and requirements, the following details are to be submitted to the Principal Certifying Authority for approval:
  - a) Plans, to scale, demonstrating the proposed floor layout as well as associated works is in compliance with;
    - (i) AS4674-2004 – Design, construction and fit-out of food premises,
    - (ii) Food Standards Code (Australia),
    - (iii) Building Code of Australia,
  - b) Proposed/altered mechanical ventilation system/s (Building Code of Australia & Australian Standard 1668 Part 1 & 2).

### **C. PRIOR TO WORKS COMMENCING**

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

#### **Commencement of building works**

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

#### **Construction certificates**

12. Prior to the commencement of any building works, the following requirements must be complied with:
- a) Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.
  - 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 6.6 of the Act.
  - 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.
  - d) A principal certifier must be appointed to carry out the necessary building inspections and to issue an occupation certificate.
  - e) The principal certifier 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.

**Sediment & Erosion Control**

13. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".

**Notification**

14. Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:
- a) Any excavation, below the base of the footings of a building on an adjoining allotment of land, and
  - b) The notice shall be given seven (7) days prior to the commencement of work.

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

15. All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, in particular the NSW EPA Waste Classification Guidelines, prior to off-site disposal. All Waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to the Principal Certifying Authority within 30 days of the waste being disposed of.

**Environmental Management**

16. 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: Siltation fencing; Protection of the public stormwater system; and Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.



**Painting**

17. Prior to commencement of works the PCA shall ensure the following:
- a) Where paint is to be removed, it is to be removed using a chemical-based remover including Heritage One or Peel Away. No mechanical or pressurised paint removal processes are to be used;
  - b) All external paint to brick work is to be water or lime based and not an external acrylic or oil based;
  - c) All unpainted bricks are to remain unpainted;
  - d) Painting or other external modifications must not inhibit subfloor or weep holes.

**D. DURING CONSTRUCTION**

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

**Building Work**

18. The building works must be inspected by the Principal Certifying Authority, in accordance with section 6.5 of the EP&A Act 1979 and Clause 61 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

**Sign Notice Board**

19. A sign must be erected and maintained in a prominent position on the site, which contains the following details:
- a) name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
  - b) name, address and telephone number of the principal certifier
  - c) a statement stating that 'unauthorised entry to the work site is prohibited'.

**Toilet Facilities**

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

**Hours of Construction Work and Deliveries**

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

**Security Fence**

22. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction. Note. Fencing is not to be located on Council's reserve area.

**Waste Management Plan**

23. The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

**Ventilation**

24. To ensure that adequate provision is made for ventilation of the building, the design, construction, installation and commissioning of the mechanical ventilation systems(s) shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person and shall be positioned to comply with AS 1668 Part 2, Section 3.7.

**Food Premises**

25. The construction, fitout and finishes of the premises shall comply with the Australian Standards 4674-2004, Food Act 2003 and Regulations thereunder. Construction is to include, but not be limited to the following:
- a) All walls (including partition walls) within the kitchen, food preparation, storage and display areas shall 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;
  - b) Walls within the kitchen, food preparation, storage and display areas which are not of solid construction (eg. stud walls) shall be finished in tiles or other approved material from the floor level to the underside of the ceiling;
  - c) The floors within the kitchen, food preparation, storage and display areas shall 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;
  - d) If the floor in the food preparation and storage areas is constructed of tiles, the joints between the tiles shall 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 shall 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 shall 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) All service pipes and electrical conduits shall 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.
- i) All architraves, skirting boards, picture rails and the like are not permitted within the kitchen, food preparation and storage areas;
- j) 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;
- k) 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 (eg laminate, stainless steel or other approved material) that is capable of being easily cleaned;
- l) All shelving shall 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 shall be a minimum of at least 150mm above the floor level;
- m) The hot water service unit shall 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;
- n) 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;
- o) 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.
- p) A cleaners sink shall be provided. The sink is NOT to be within an area where open food is handled.

### **Refuse Disposal**

- 26. 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.

### **Contamination**

- 27. 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, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).

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

**The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifier (PC):  
Certificate**

28. The premises must not be utilised until an Occupation Certificate is issued by the principal certifier.
29. Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.
30. The Principal Certifying Authority (Building) shall ensure that all compliance certificates required by this development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.
31. A single and complete Fire Safety Certificate, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the Occupation Certificate.

**Works as executed**

32. Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

**Notification of Food Premises**

33. The food business is required to notify Council of the food business details. The PCA is to ensure a Liverpool City Council approved registration form is completed and submitted to the Council with any relevant fee.

**Food Premises - Commencement of trade**

34. Trading shall not commence until an Occupation Certificate has been issued by the PCA.

**Mechanical Ventilation Certification**

35. Upon completion of works and prior to the issue of an Interim or Final Occupation Certificate, a Mechanical Ventilation Certificate of Completion and Performance prepared by a professional engineer or other suitably qualified person shall be submitted to the Principal Certifying Authority (PCA) for their review and approval. The certification shall 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.

**F. CONDITIONS RELATING TO USE**

**The following conditions relate to the ongoing use of the premises:**

**Hours of Operation**

36. The hours of operation of the premises are limited to:

Monday to Sunday: 5:00am to 5:00pm

The premises may operate on Public Holidays between the hours specified for Sundays.

**Staff Numbers**

37. The approved use shall operate with a maximum of three (3) employees on-site at any one time.

**Unreasonable Noise and Vibration**

38. The industry, including but not limited to the operation of vehicles, mechanical plant and equipment, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance, particularly from machinery, plant, vehicles, warning sirens, public address systems and the like.

In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by a suitably qualified acoustic consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the consultant's recommendations and any additional requirements to the satisfaction of Liverpool City Council.

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.

**Waste Collection**

39. All solid waste stored on site is to be covered at all times. Furthermore, all solid and liquid waste is to be removed from the site by a registered waste contractor.

**Waste**

40. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.

**Waste Storage Area**

41. 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.



**Storage of Flammable and Combustible Liquids**

42. Flammable and combustible liquids shall be stored in accordance with AS 1940:2017– The Storage and Handling of Flammable and Combustible Liquids.

**Noise - Spruiking**

43. No persons, such as those commonly known as ‘spruikers’ shall 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 the like.

**Food Premises - Use of Charcoal**

44. The use of charcoal for the purposes of heating, cooking or smoking food on the premises is strictly prohibited.

**Waste Management**

45. Waste and recyclable material generated from the operations of the premises shall be managed in a satisfactory manner that does not give rise to offensive odour or encourage pest activity. All waste material shall be regularly removed from the premises. Waste shall not be permitted to accumulate near the waste storage bins.

**Complaints register**

46. The operator shall 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:
- a) the date and time, where relevant, of the complaint;
  - b) the means by which the complaint was made (telephone, mail or email);
  - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
  - d) the nature of the complaint;
  - 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.
  - f) allocate an individual “complaint number” to each complaint received.

The Complaints Register must be made available for inspection when requested by Liverpool City Council.

The industry shall be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times.

**Noise - General**

47. Noise associated with the use of the premises, including mechanical plant and equipment, shall not give rise to any one or more of the following:
- a) The use of the premises including the cumulative operation of any mechanical plant, equipment, public address system or other amplified sound equipment shall not give rise to the emission of ‘offensive noise’ as defined by the Protection of the Environment Operations Act 1997.
  - b) The operation of any mechanical plant, equipment, public address system or other

amplified sound equipment installed on the premises shall not cause:

- 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);
- 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;
- iii. 'offensive noise' as defined by the Protection of the Environment Operations Act 1997; and
- iv. Transmission of vibration to any place of different occupancy greater than specified in AS 2670.

### **Environment**

48. The use of the premises shall 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.

### **Smoke-free Environment Act and Smoke-free Environment Regulation**

49. The Applicant and Occupier of the premises are alerted to the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016. Nothing in this consent is to be taken to imply that the development meets the requirements of the aforementioned legislation. In the event that the Applicant and/or Occupier wishes to facilitate smoking within the premises, they must ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016.

### **Goods in Building**

50. All materials and goods associated with the use shall be contained within the building at all times.

### **Lighting**

51. Illumination of the site is to be arranged in accordance with the requirements and specifications of AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby premises.

### **Use of Kiosk**

52. The use of the building must remain in association with the use as a 'Kiosk', as defined in the Liverpool Local Environmental Plan 2008.

### **Use of Caged Area**

53. As shown in red on the Proposed Floor Plan, Prepared by Faculty Design, Plan no. A6, Revision F, Dated 24.06.22, the caged area is not to be used as part of the approved kiosk.

#### **Loading Areas**

54. All loading and unloading must take place from the designated loading bay. This area is to be clearly marked/signposted for loading and must not be used for any other purpose.

## **H. ADVISORY**

- (a) Section 4.53 of the EP&A Act provides that unless otherwise stated by a condition of this consent, this consent will lapse if development is not physically commenced within five years of the date of this notice.
- (b) 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.

- (c) Section 8.7 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.
- (d) Section 8.8 of the EP&A Act provides that an objector who is dissatisfied with the determination of the consent authority to grant consent to a Development Application for Designated Development (including any State significant development that would be designated development but for Section 4.10(2) of the EP&A Act), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court, against the determination.
- (e) The Commonwealth Disability Discrimination Act 1992 may apply to this proposal. Approval of this application does not imply or infer compliance with this Act. Applicants and owners are required to satisfy themselves as to compliance and make their own enquiries to the Human Rights and Equal Opportunity Commission. Attention is also drawn to the provisions of Australian Standard 1428 – Design for Access and Mobility.
- (f) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regard to the operation of the building.
- (g) “DIAL BEFORE YOU DIG”

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be

necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

(h) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- (i) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment has been made by Council. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
- (j) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.
- (k) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for letter box positioning and dimensions.
- (l) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

<b>ITEM No:</b>	2
<b>APPLICATION NUMBER:</b>	DA-1240/2021
<b>SUBJECT:</b>	FITOUT AND USE OF AN EXISTING STRUCTURE AS A KIOSK WITH ASSOCIATED SIGNAGE
<b>LOCATION:</b>	BIGGE PARK, 124 BIGGE STREET, LIVERPOOL NSW 2170
<b>OWNER:</b>	THE STATE OF NEW SOUTH WALES
<b>APPLICANT:</b>	KARIMA GROUP
<b>AUTHOR:</b>	GLEN HANCHARD

#### ISSUES RELATED TO THE APPLICATION

The Panel has read the Council officers' report and accompanying documents. Panel members have familiarised themselves with the site of the proposed development.

**31 OCTOBER 2022**

The Panel requires further information about the plan of management adopted under the *Local Government Act 1993* for Bigge Park before determining the development application. The Local Government Act 1993 is a relevant matter for consideration in the assessment and determination of the application.

The Panel requires advice from Council officers as to whether the proposed use is authorised by the plan of management. Subject to consideration of the further information, the Panel is otherwise satisfied that the proposed development has merit.

#### VOTING NUMBERS:

4 - 0

#### DETERMINATION OF PANEL:

That:

- a) determination of development application DA-1240/2021 for the fitout and use of an existing structure as a kiosk with associated signage be deferred.
- b) Council officers submit a revised assessment report to the Panel addressing whether the proposed development is authorised by the plan of management applying to the land.
- c) the application be determined by electronic means once the revised assessment report is submitted.

<b>Item no:</b>	2
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# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

<b>Application Number:</b>	DA-695/2022
<b>Proposed Development:</b>	Detailed DA for the internal fit-out, operation and detailed landscaping works associated with the single storey preschool cold shell/structure approved in SSDA 10224.  The development is identified as Integrated Development, requiring concurrence under Section 100B of the <i>Rural Fires Act 1997</i>
<b>Property Address</b>	Faulkner Way, Edmondson Park.
<b>Legal Description:</b>	Lot 1 and part Lot 2 in DP 1257105
<b>Applicant:</b>	Liverpool City Council
<b>Land Owner:</b>	Minister for Education and Early Childhood Learning
<b>Cost of Works:</b>	\$1,050,000.00
<b>Recommendation:</b>	Approval
<b>Assessing Officer:</b>	Kimberley Kavwenje, Creative Planning Solutions

### 1. EXECUTIVE SUMMARY

This report considers a Development Application (DA) under Section 4.15 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') on land at Faulkner Way, Edmondson Park, which is legally identified as Lot 1 and part Lot 2 in DP 1257105. The site is located on the corner of Faulkner Way and Buchan Avenue, Edmondson Park.

The subject DA was lodged on 16 June 2022 and seeks consent for the internal fit-out, operation and detailed landscaping works associated with the single storey preschool cold shell/structure approved in State Significant Development Application (SSDA) 10224.

SSDA 10224 was approved on 15 December 2021 for the construction and operation of a New Primary School to accommodate up to 1,012 students. The school is presently under construction.

In accordance with the *Environmental Planning and Assessment Act 1979*, Section 9.1 – Directions by the Minister, this application is reported to the Liverpool Local Planning Panel for determination in accordance with Schedule 2(a), as the development falls in the category of:

#### ***Conflict of interest***

*Development for which the applicant or landowner is:*

- (a) the council,*
- (b) a councillor,*
- (c) a member of council staff who is principally involved in the exercise of council's functions under the Environmental Planning and Assessment Act 1979,*
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or*

*(e) a relative (within the meaning of the Local Government Act 1993) of a person referred to in (b) to (d).*

Liverpool City Council is the applicant and there is a conflict of interest. Furthermore, in accordance with Council policy, an independent planning assessment of this application has been undertaken by Creative Planning Solutions (CPS).

The site is zoned R1 General Residential pursuant to *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* and the proposed development is permissible with consent.

The DA was notified in accordance with Liverpool Community Participation Plan 2019 between 30 July 2022 and 16 August 2022. In response, no submissions were received.

The NSW Rural Fire Service issued General Terms of Approval on 2 December 2022 and have been included in the recommended conditions of consent.

The proposal has been assessed in accordance with the relevant environmental planning instruments and local provisions in accordance with Section 4.15 of the EP&A Act. The proposal does not result in any significant adverse impacts upon neighbouring properties or the streetscape. The planning assessment found that the site is suitable for the proposed development.

For the reasons outlined above, the subject DA for internal fit-out, operation and detailed landscaping works associated with the single storey preschool cold-shell/structure is recommended for approval subject to conditions **Attachment 1**.

## 2. SITE DESCRIPTION AND LOCALITY

### 2.1 The site

The subject site is located on land legally described as Lot 1 and part of Lot 2 in DP1257105, Faulkner Way, Edmondson Park. The site presents to Buchan Avenue to the north-east, Faulkner Way to the west and a future road to the south. **Figure 1** below shows Lot 1 in red and Lot 2 in blue with the site shown in yellow. The remainder of Lot 2 is for educational purposes.



Figure 1 Lot 1 shown in red and Lot 2 in blue with site shown in yellow.  
Source: Gyde Statement of Environmental Effects

The entire subject site, including the already approved school, has an area of 20,080m<sup>2</sup>. The site is rectangular in shape with access from both Buchan Avenue and Faulkner Way. Future access will also be available from the future road along the south-west boundary. The site is located on the south-eastern corner of Faulkner Way and Buchan Avenue and is located within the 'Edmondson Park South' State Significant Precinct in the Southwest Growth Area (SWGA). The site falls approximately 15m from the south-west to the north-east and has a bank along the Faulkner Way frontage.



Figure 2 Aerial photograph of the subject site, with the approximate boundaries in red  
Source: Nearmap, 4 October 2022

The preschool is located towards the south-western end of the site, with access from Faulkner Way.

The subject site is mapped as being within the R1 – General Residential zone, with residential developments located on the north-western side of Faulkner Way. The site is mapped as being Bush Fire Prone Land within Vegetation Category 3 and Vegetation Buffer.

Construction of the school and preschool (to which this application relates) has been commenced on site.

## 2.2 Locality Description

The site lies within a State Significant Precinct in the Southwest Growth Area (SWGA). The site is located approximately 39km south-west of the Sydney Central Business District (CBD), 26km south-west of the Parramatta CBD and 1.5km north-west of the Edmondson Park town centre.

The site is located in the 'Edmondson Park South' State Significant Precinct in the SWGA. In the past decade, the surrounding area has experienced a transition from semi-rural to residential, retail and commercial development, due to the south-west railway line and housing growth associated with the SWGA.



To the north of the site is Clermont Park, low density residential development and vacant residential land to be developed. Further north, past Clermont Park, is St Francis Catholic College, a Kindergarten to Year 12 School.

To the east of the site is vacant land currently identified in the Edmondson Park Concept Plan as being a future school. The extension of Buchan Avenue, east of the site, is intended to provide direct access to the Edmondson Park railway station and Soldiers Parade.

To the south of the site is a road under construction expected to be completed in late 2022 The site is bordered by the T2 Inner West & Leppington railway line and T5 Cumberland railway line to the south. Further south of the railway lines is Edmondson Park town centre comprising a shopping centre and high-density residential development. To the west of the site is low density residential development which contains one to two storey dwelling housing.

The locality of the site and surrounding areas can be seen in **Figure 3**.



**Figure 3:** An aerial photograph of the subject site (outlined by the red border) and surrounding area  
Source: (Nearmap, 4 October 2022, edited for diagrammatic purposes)

### 3. HISTORY

Date	Description
16 June 2022	The subject DA was lodged with Council.
30 July 2022 and	The DA was notified in accordance with Liverpool Community



LIVERPOOL CITY COUNCIL

LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

16 August 2022	Participation Plan 2019. In response, no submissions were received.
August 2022	DA referred to external consultant
25 August 2022	Referrals to internal officers, including building, engineering, flooding, traffic and transport, waste management, community planning and landscape.
13 October 2022	Request for information sent to the Applicant requesting the application to be referred to Rural Fire Service as the proposal constitutes a Special Fire Protection Purpose, updated landscape plan, concerns relating to internal and external storage, access to bathroom facilities and solar access. Request for the submittal of an Evacuation Management Plan.
17 November 2022	The Applicant submits amended plans and information.
2 December 2022	The NSW RFS issue General Terms of Approval for the development.

The following is a table of Development Application history, pertaining to the subject allotment.

Application Number	Description
SSDA-10224	<p>State Significant Development Application 10224 for the construction and operation of a New Primary School to accommodate up to 1,012 students at Edmondson Park. The construction of a 'cold shell'/structure and use of the building as a preschool was approved by the Department of Planning and Environment pursuant to on 15 December 2021.</p> <p>The approved works are described as follows:</p> <ul style="list-style-type: none"> <li>- Construction of a single storey pre-school building accommodating up to 40 children, and construction and operation of a new educational facility to accommodate up to 1,012 students, including: <ul style="list-style-type: none"> <li>o General and special support learning areas</li> <li>o Staff rooms and administration office</li> <li>o Hall</li> <li>o Library</li> <li>o Out of school hours care facility</li> </ul> </li> <li>- Landscaping works and open space improvements</li> <li>- Parking, pickup and set down zones, bus zones and loading areas</li> <li>- Associated works including school identification signage and on-site infrastructure and utilities</li> </ul> <p>The subject DA focuses on the internal fit out, operation and landscaping works at the already approved 'cold shell'.</p>

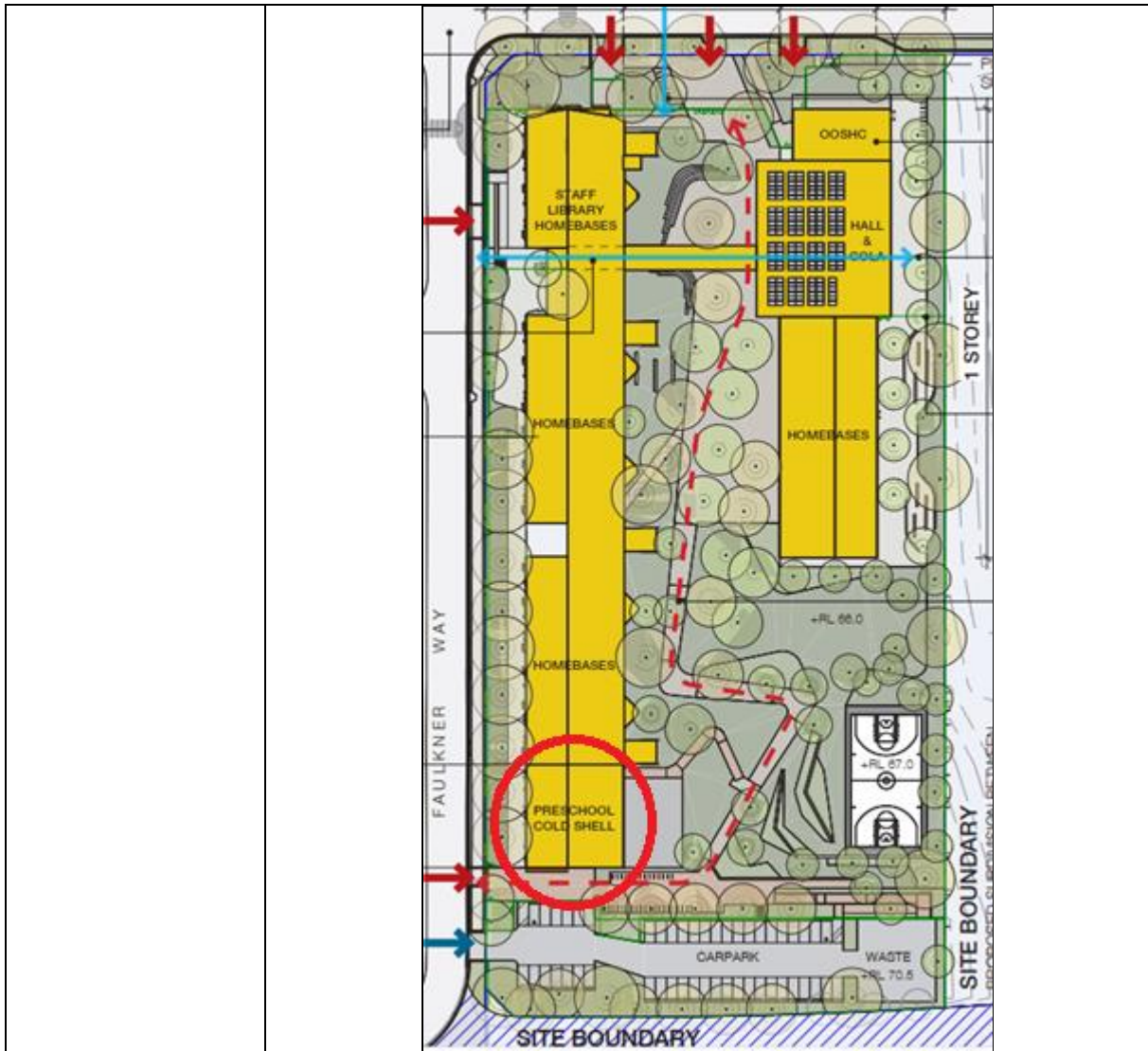


Figure 4 Site plan of approved development with the childcare shell shown circled in red.  
Source: TKD Architects, modified by CPS

DA670/2021	Development Application DA-670/2021 for bulk earthworks and site preparation, including cutting and filling, was approved by Liverpool City Council on 15 October 2021.
SSDA-10224-MOD-1	Modification Application to SSDA-10224 to amend operational conditions for the northern part of the site (relating to the school) to improve access and usage of the multi-purpose hall and open space outside of standard school hours, was approved 28 April 2022.

**4. DETAILS OF THE PROPOSAL**

The DA (as amended) seeks consent for the internal fit-out, operation and detailed landscaping works associated with the single storey preschool cold shell/structure approved in SSDA 10224. The SSDA approved the single storey pre-school building accommodating 40 children. The proposal is configured as follows:

- The preschool (**Figure 5**) comprises foyer entry, admin room, meeting room, staff room with WC, laundry, kitchen, storage rooms and two (2) playrooms separated by

bathroom facilities.

- Total of 40 children including 20 children aged 3 – 4 years and 20 children aged 4 – 5 years.

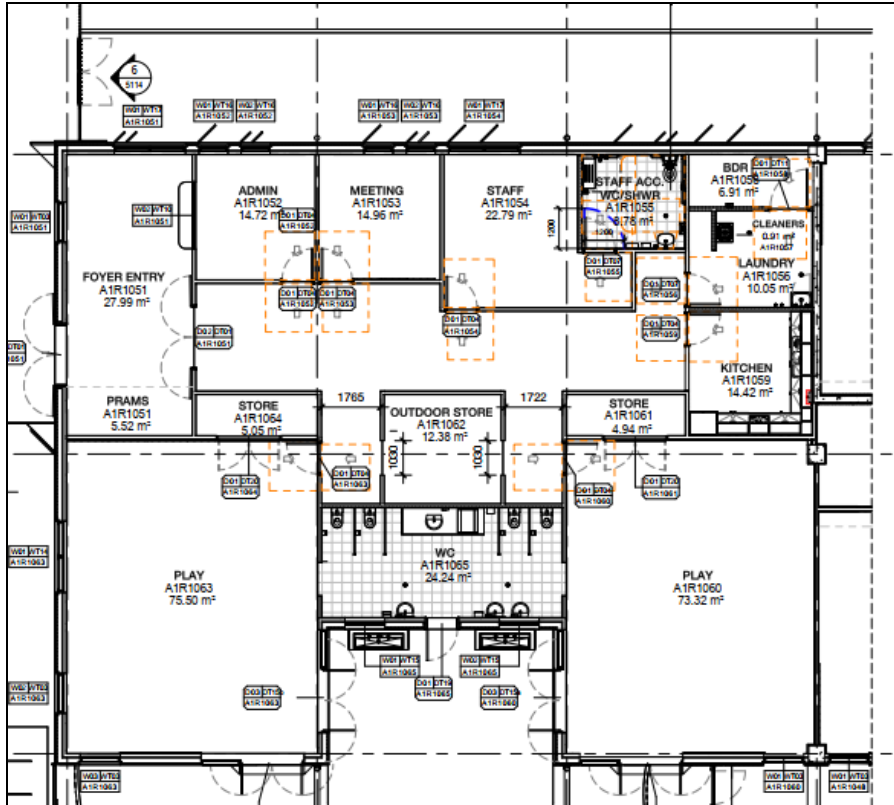


Figure 5 Proposed fit out of preschool  
Source: TKD Architects

- Landscaping works (**Figure 6**) comprising soft and hard landscaped areas including grasses, ground covers and shrubs. Suspended bridge, sand pit, timber sleepers, concrete paving, balance beam, shade sails, sports equipment including basketball hoop and volleyball nets.

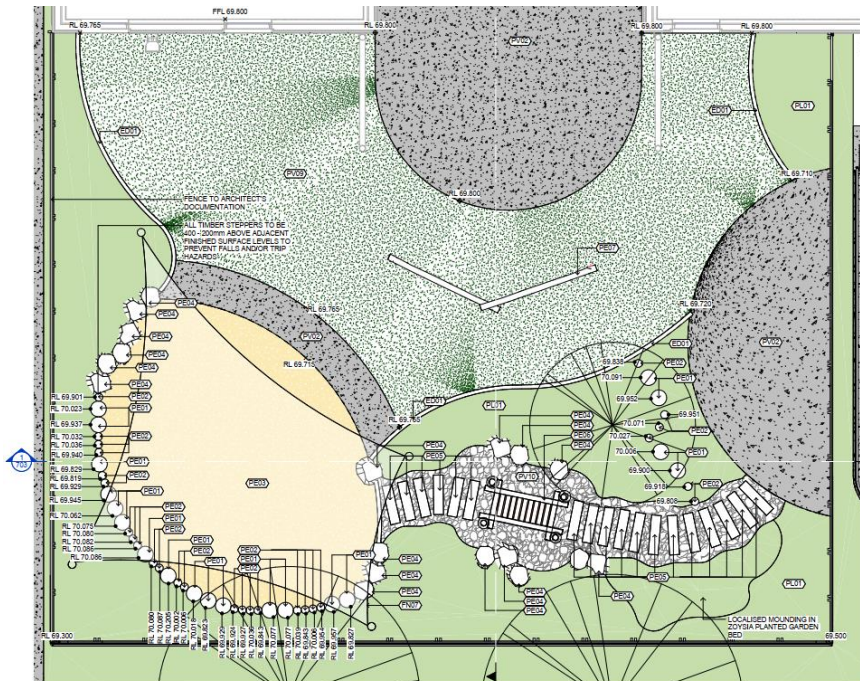


Figure 6 Landscape Detailed Plan

Source: Oculus

- The hours of operation are 8:30am to 4:30pm, Monday to Friday, 40 weeks per year. The preschool will not operate during NSW Public School holidays.
- The centre will include seven (7) staff.
- The preschool has its own designated car park for thirteen (13) spaces for the use of families and staff. This was approved under the SSDA (Figure 7).

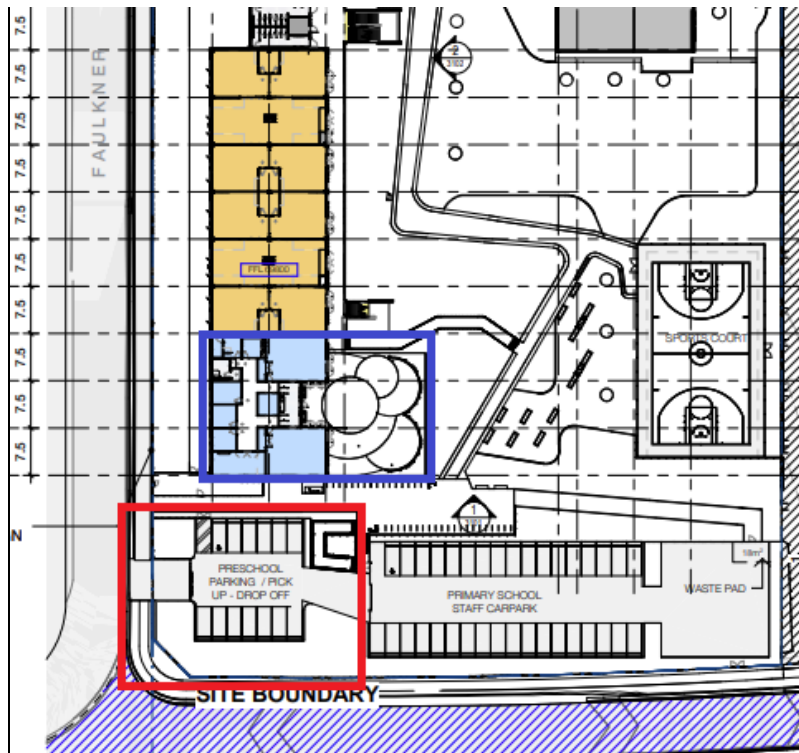


Figure 7 Approved carparking to the west of preschool, with parking outlined in red and childcare internal areas outlined in blue.  
Source: TDK Architects

## 5. STATUTORY CONSIDERATIONS

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

### 5.1 Relevant matters for consideration

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

- Environmental Planning and Assessment Act 1979.
- Environmental Planning and Assessment Regulation 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP);
  - Chapter 2 Infrastructure
  - Chapter 3 Educational establishments and childcare facilities
- State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP);
  - Chapter 7 Western Sydney Parklands
- State Environmental Planning Policy Resilience and Hazards 2021 (RH SEPP);
  - Chapter 4 Remediation of Land.
- State Environmental Planning Policy (Planning Systems) 2021.
  - Chapter 2 State and Regional Development.
- Liverpool Local Environmental Plan (LLEP) 2008.
- Edmondson Park South Development Control Plan (EPSDCP) 2012.
- Liverpool Development Control Plan (LDCP) 2008.
  - Part 3.8 Non-Residential Development in Residential Zones

## 6. ASSESSMENT

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

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.14 and 4.15 Evaluation of the EP&A 1979 and the Environmental Planning and Assessment Regulation (Regs) 2021 as follows:

#### (a) Environmental Planning and Assessment Act 1979

##### **Section 1.3 Objects of EP&A Act**

The objects of the Act are as follows:

#### **1.3 Objects of Act (cf previous s 5)**

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic,*



*environmental and social considerations in decision-making about environmental planning and assessment,*

- (c) to promote the orderly and economic use and development of land,*
- (g) to promote good design and amenity of the built environment,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposal achieves the objectives. The site has been approved for development for the purposes of an educational establishment including the preschool. The proposal is for the fit of the preschool to facilitate its operation. The development would not unreasonably impact negatively on the economic welfare of the community, or the natural environment. The development is an orderly and economic use of the land that provides for a fit for purpose preschool to support the growing demand for services. The proposed fit out would not affect any protected or threatened species or vegetation communities. The proposed landscaping and plantings are considered to be appropriate. The proposal has been designed to minimise the potential amenity impacts whilst maximising internal amenity consistent with the Child Care Planning Guideline.

#### **Section 4.46 – Integrated Development**

The site is mapped as bush fire prone land (**Figure 8**). The preschool is identified as a Special Fire Protection Purpose (SFPP) development under the provisions of *Planning for Bush Fire Protection 2019*. Under Section 100B of the Rural Fires Act 1997, a childcare centre constitutes integrated development. The structure has been approved under SSDA 10224.

The proposal has been referred to the NSW Rural Fire Service with General Terms of Approval issued on 2 December 2022. These have been included in the Draft Consent.

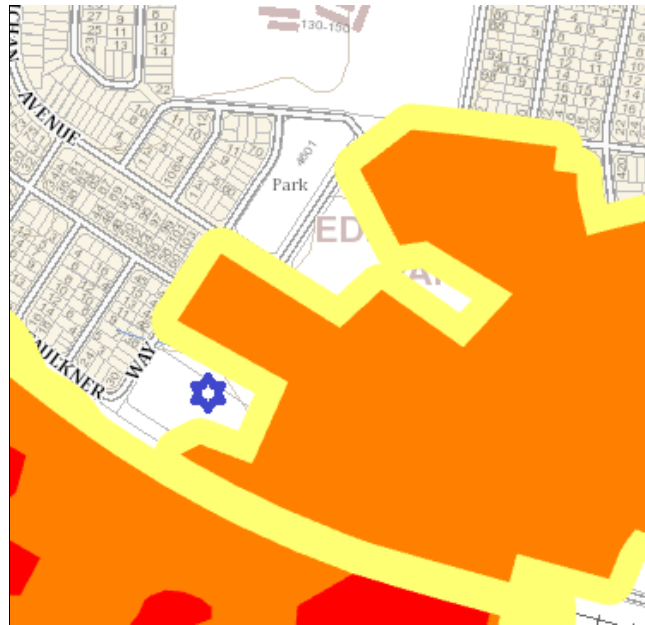


Figure 8 Bush Fire Prone Land Map  
Source: Planning Portal 30 November 2022

(b) State Environmental Planning Policy (Transport and Infrastructure) 2021

<b>Chapter 2 Infrastructure</b>		
<b>Division 15 Railways and rail infrastructure facilities</b>		
<b>Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors</b>		
<p>Pursuant to Clause 2.98</p> <p>(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—</p> <p>(a) is likely to have an adverse effect on rail safety, or</p> <p>(b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or</p> <p>(c) involves the use of a crane in air space above any rail corridor, or</p> <p>(d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.</p>	<p>The site is immediately adjoined by the T2 Inner West &amp; Leppington railway line and T5 Cumberland railway line to the south. As advised by Liverpool City Council, the proposal does not require a referral to Sydney Trains.</p> <p>The proposed landscaping works include metal shade canopies. The conditions provided in the SSDA consent relating to Sydney Train requirements have been included in the draft consent. Reference is made to Condition 35.</p>	<p>Conditions recommended</p>
<p><b>2.99 Excavation in, above, below or adjacent to rail corridors</b></p> <p>(1) This section applies to development (other than development to which section 2.101 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land—</p> <p>(a) within, below or above a rail corridor, or</p> <p>(b) within 25m (measured horizontally) of a rail corridor, or</p> <p>(c) within 25m (measured horizontally) of the ground directly below a rail corridor, or</p> <p>(d) within 25m (measured horizontally) of the ground</p>	<p>The southern boundary is approximately 17m from the rail corridor boundary. The proposal does not include excavation which alters the ground level by 2m and this provision is therefore not applicable.</p>	<p>N/A</p>

<p>directly above an underground rail corridor.</p>		
<p>Pursuant to Clause 2.100(1)(d) the impact of rail noise or vibration on non-rail development as the proposal is for an educational establishment or centre-based childcare facility.</p>	<p>In accordance with Clause 2.100(2), consideration has been given to the guideline <i>Development near Rail Corridors and Busy Roads – Interim Guideline</i>.</p> <p>Pursuant to Clause 2.100(1)(d) - proposal being for a centre-based childcare facility and is subject to the noise criteria.</p> <p>A Noise and Impact Assessment was prepared by JHA Services. The assessment was conducted in accordance with the guideline <i>Development near Rail Corridors and Busy Roads – Interim Guideline</i>, which are the guidelines prescribed by subclause (2).</p> <p>The noise levels range from 48 to 51 dB(A) for each train pass-by (which has an approximate duration of 20 seconds).</p> <p>JHA Services considers that relevant SEPP noise level criteria will be achieved with typical façade and glazing treatments.</p> <p>The Noise and Vibration Assessment concludes that the relevant guidelines and objectives will be satisfied.</p> <p>A condition is recommended requiring the development to be treated to ensure consistency with the above requirements.</p>	<p>Yes</p>

**Chapter 3 Educational establishments and child care facilities**

Part 3.3 Early education and care facilities – specific development controls Clause 3.23 Centre-based childcare facility – matters for consideration by consent authorities

Clause 3.23 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*

provides that:

*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 *Child Care Planning Guideline* (CCPG) establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based childcare facilities in NSW.

A detailed assessment of the proposal against the provisions of the CCPG is contained within **Attachment 2** appended to this report, which finds the proposal to be consistent with the objectives and guidelines of the CCPG, with the exception of minor and acceptable non-compliances discussed following the table.

<b>Chapter 3 Educational establishments and childcare facilities</b>		
Clause 3.22 Centre-based childcare facility—concurrence of Regulatory Authority required for certain development	The proposal satisfies the National Regulations and therefore concurrence is not required.	Yes
Clause 3.23 Centre-based childcare facility – matters for consideration by consent authorities	The <i>Child Care Planning Guideline</i> (herein simply referred to as ‘the Guideline’) establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based childcare facilities in NSW.  A detailed assessment of the proposal against provisions of the Guidelines is illustrated in the compliance table held in <b>Attachment 2</b> . This matter has also been discussed in greater detail following the table.	Yes
Clause 3.26 Centre-based childcare facility – Nondiscretionary standards		
(a) <b>location</b> —the development may be located at any distance from an existing or proposed early education and care facility,	Noted.	Yes
(b) <b>indoor or outdoor space</b> (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of	Number of children: 40 Required indoor space: 130m <sup>2</sup> Proposed indoor space: 136.71m <sup>2</sup>	Yes

<p>the <a href="#">Education and Care Services National Regulations</a> applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or</p> <p>(j) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <a href="#">Children (Education and Care Services) Supplementary Provisions Regulation 2012</a> applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> <p>(c) <b>site area and site dimensions</b>—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) any matter relating to development for the purpose of a centre-based child care facility contained in—</p> <p>(i) the design principles set out in Part 2 of the <i>Child Care Planning Guideline</i>, or</p> <p>(ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).</p>	<p>Number of children: 40 Required outdoor space: 280m<sup>2</sup> Proposed outdoor space: 328.61m<sup>2</sup></p> <p>Noted.</p> <p>A detailed assessment of the proposal against the provisions of the CCPG is contained within <b>Attachment 2</b>.</p> <p>The matters set out in Part 3 and 4 are also considered within <b>Attachment 2</b>. Where non-compliance occurs, it is discussed below.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Clause 3.27(1) Centre-based childcare facility –Development Control plans</p> <p>A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers of the like, of</p>	<p>An assessment against relevant DCP provisions is included below under Part 6.3 of this report.</p>	<p>Yes</p>



children) does not apply to development for the purpose of a centre-based child care facility:		
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Part 2 - Design Quality Principles and Part 3 and 4 Specific Requirements

Whilst Part 2 provides broad requirements for the assessment of centre-based child care facilities, Part 3 and Part 4 provide specific numerical and non-numerical requirements. A number of non-compliances are detailed in **Attachment 2** and are summarised below:

*4.1 – Indoor Space Requirements – Storage*

To achieve a functional unencumbered area free of clutter, storage areas must be considered when designing and calculating the spatial requirements of the facility.

The Guideline recommends 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.

The Guideline further states that storage does not need to be in a separate room or screened, and that there should be a mixture of safe shelving and storage that children can access independently. Storage of items such as prams, bikes and scooters should be located adjacent to the building entrance.

The proposal provides for the following storage:

Internal storage:

- Required: 8m<sup>3</sup>
- Proposed: 44m<sup>3</sup>

External storage:

- Required: 12m<sup>3</sup>
- Proposed 33.4m<sup>3</sup>

The proposal seeks to locate the identified external storage area between the two buildings (**Figure 9**). Although the storage area is not located within the outdoor play space it does comfortably exceed the numerical requirement and is located so it does not encumber the outdoor play space but is readily accessible for carers. The storage immediately adjoins the two playrooms and would enable ease of access. The storage area is also located within direct access of the entrance foyer. Given there are limitations with the number of children and shell of the building already being approved, the proposed siting of the external storage is considered to be acceptable.

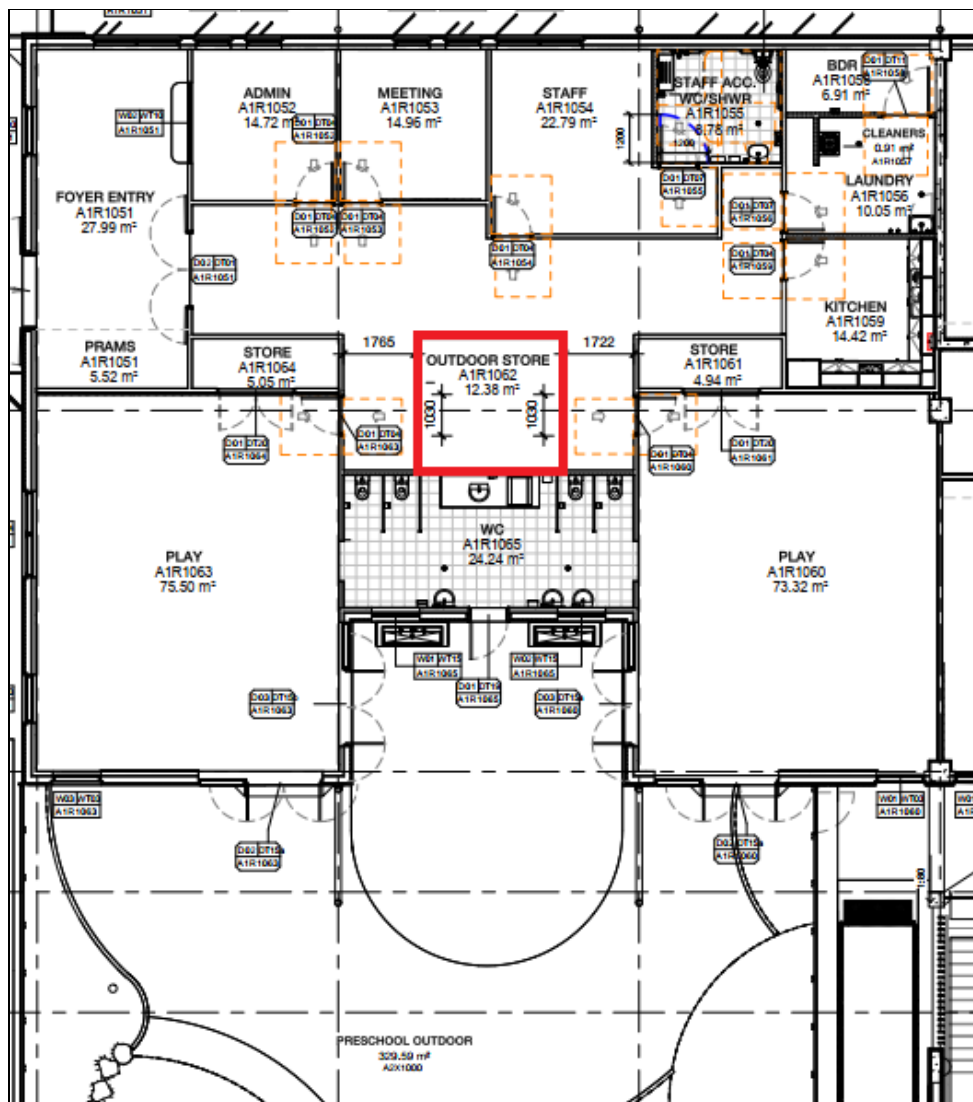


Figure 9 Designated external storage outlined in red.  
Source: TKD Architects

#### 4.8 – Emergency and Evacuation procedures

Regulation 168 sets out the list of mandatory procedures for each care service, including procedures for emergency and evacuation. Regulation 97 sets out further detail that must be covered by those procedures, including:

- instructions for what must be done in the event of an emergency.
- an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit; and,
- a risk assessment to identify potential emergencies that are relevant to the service.

The submitted Plan of Management (PoM) includes specified details on instructions for the required response to different types of emergencies, including bushfire, severe storms, earthquake, workplace intrusion, terrorism, personal harm and civil disorder. The PoM includes coding of different events and the procedures associated with such events. The PoM also addresses events related to power failure, gas leaks, flooding, and water disconnection.

The proposal has been supported by an evacuation management plan (**Figure 10**). The evacuation strategy will rely upon the egress route through the building and along the south western boundary, then travelling along Faulkner Way, with the assembly point at the corner of Faulkner Way and Buchan Avenue.

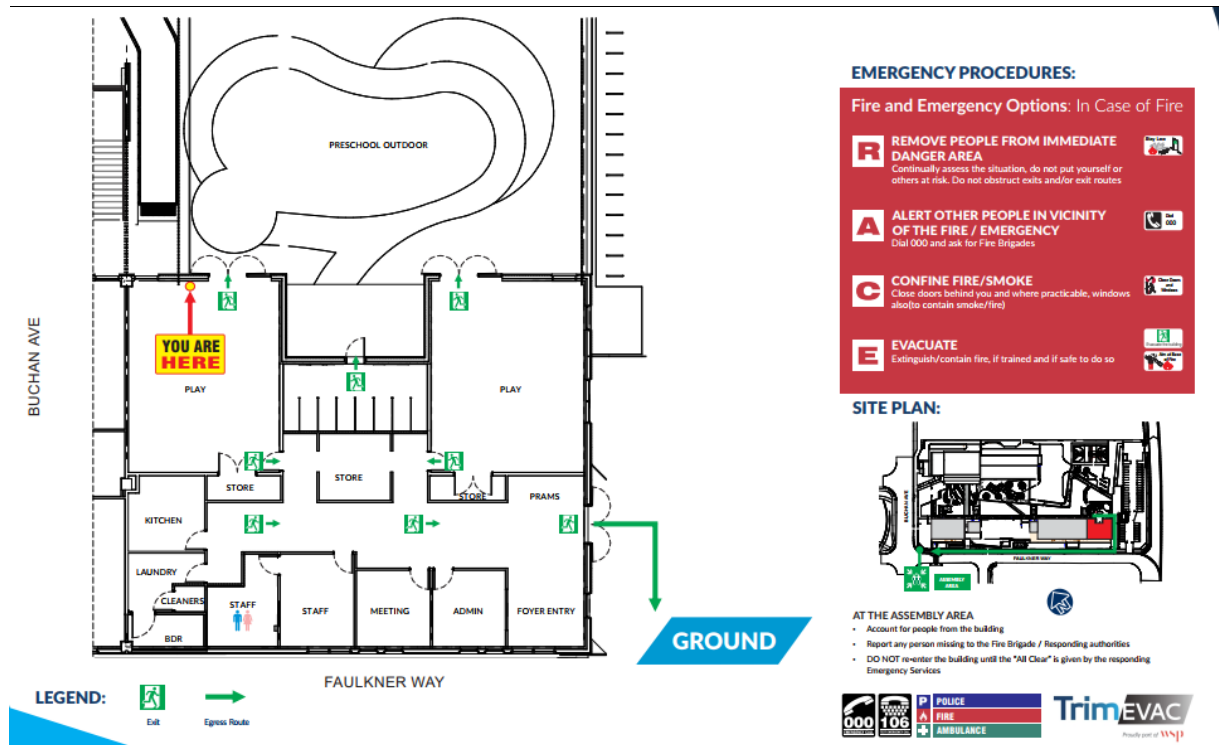


Figure 10 Evacuation Diagram  
Source: TrimEVAC

The siting of the approved shell extends boundary to boundary and therefore prevents external access alongside boundaries and necessitates egress through the building and out towards Faulkner Way. The proposal will be required to comply with the applicable Regulations as part of the conditional requirements and is considered to be satisfactory.

4.11 – Shade

Part 4.11 states that outdoor play spaces should 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.

Adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structure giving protection from ultraviolet radiation to at least 30% of the outdoor play area.

The site has a generally north – south orientation with the outdoor play space located to the south. The proposal has been supported by hourly shadow diagrams. The shadow diagram indicate 30% solar access is received between 8am – 10am, reducing to approximately 25% at 12 noon. The shadow diagram is shown in **Figure 10**.



Figure 11 Hourly shadow diagrams Source: TKD Architects

The submitted landscape plan indicates a shade structure in the south western corner of the property where the proposal relies upon for attaining the 30% shade (**Figure 12**). Regulation 114 requires the outdoor spaces to include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun. The proposal would not be contrary to Regulation 114; The approved building footprint and shell, has established the height and orientation of the centre and limits the opportunity for access to solar access which is not considered to be unreasonable.

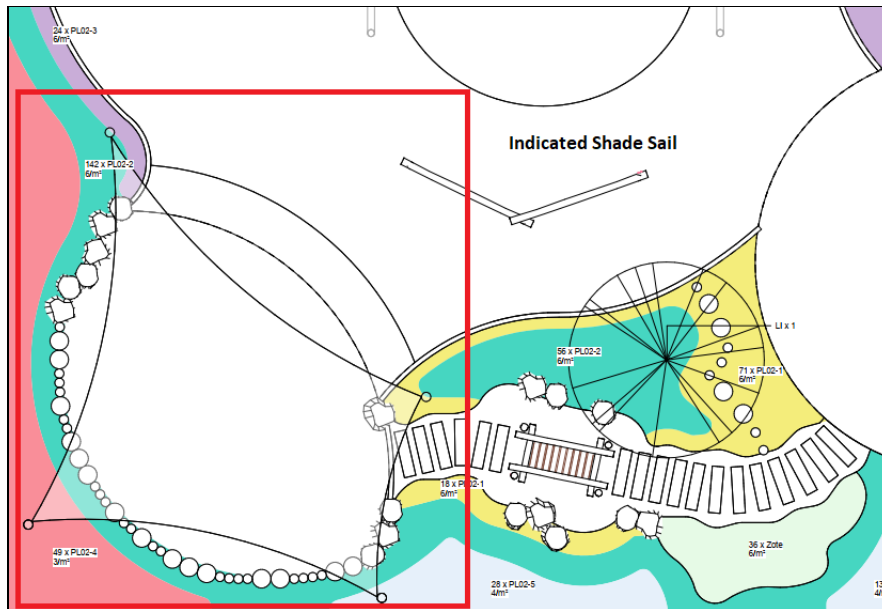


Figure 12 Shade sail located in the south western corner outlined in red Source: TKD Architects

**(c) State Environmental Planning Policy (Precincts – Western Parkland City) 2021**

Chapter 7 ‘Western Sydney Parklands’ of *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (‘the Western Parkland City SEPP’) applies to this DA.

The purpose of the Western Parkland City SEPP is to facilitate development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. It is also focussed on servicing specific delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose.

Appendix 1 of the Western Parkland City SEPP relates to the Edmondson Park South Precinct and is the primary EPI relating to the site which is considered below. It should be noted that the maps within this policy have been transferred from State Environmental Planning Policy (Major Development) 2005 (SEPP (Major Development)).

(i) Zoning

The site is zoned R1 General Residential pursuant to Appendix 1 of the Western Parkland City SEPP.

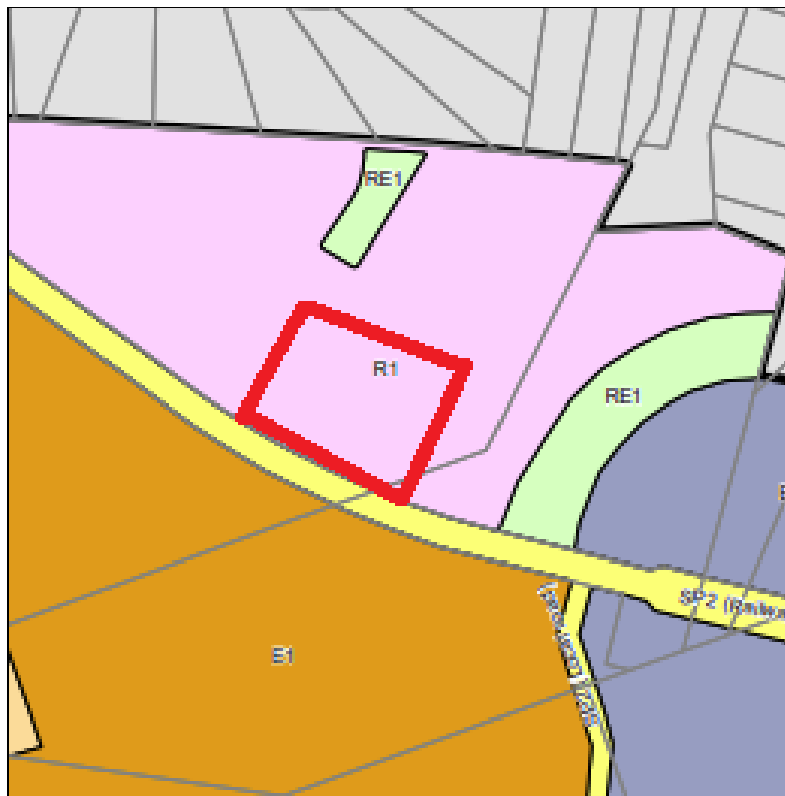


Figure 13 Zoning Map - R1 General Residential Land Zoning Map Sheet LZN\_001 SEPP (Major Development) 2005 Edmondson Park South. Site outlined in red.  
Source: NSW Planning Portal, 22 November 2022

(i) Permissibility

The proposed development relates to the internal fit out, operation and landscaping of a 'centre based childcare facility'. Pursuant to Clause 9(3) of Appendix 1 the proposal is permitted with development consent.

(ii) Objectives of the zone

Pursuant to Clause 9(1) of Appendix 1 the Zone R1 General Residential, the objectives are as

follows:

- (a) to provide for the housing needs of the community,
- (b) to provide for a variety of housing types and densities,
- (c) to enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposal involves the internal fit-out, operation and landscaping of the approved preschool and does not include housing. The proposal is a suitable land use which provides for a service associated with the approved educational establishment that will meet the day to day needs of surrounding residents.

(iii) Other Provisions

Other provisions within the Western Parkland City SEPP (WPC SEPP) that are relevant to the proposal are considered within the following table:

Appendix 1 of State Environmental Planning Policy (Precincts – Western Parkland City) 2021

Clause	Assessment
18 Height of Buildings	15m –The proposal does not alter the height of the approved building which is less than 15m.
19 Floor Space Ratio	<b>Not applicable.</b> The site is not subject to a maximum FSR. Notwithstanding, the proposal does not seek to alter the approved building footprint.
24 Development near zone boundaries	<b>Not applicable.</b> The site is located within 25m of the SP2 zoning, however the proposal does not seek to rely on a different use, than the approved centre based child care facility.
26 Flood Planning	The site is not mapped as located within flood prone land. Maxwell Creek to the east does not extend to the site.
32 Native Vegetation Areas	<b>Not applicable.</b> The site is not mapped as a native vegetation protection area.
33 Heritage Conservation	<p>The site is not identified as a heritage item nor located in a heritage conservation area, or within the vicinity of any heritage items or heritage conservation areas.</p> <p>The site does not include any buildings with European heritage values or significance.</p> <p>The concept approval included an Assessment of Impact on Aboriginal Cultural Heritage which advised the site has been subject to a past Aboriginal Cultural Heritage Assessment Report (ACHAR) associated with the Edmondson South Concept Plan and has an existing Aboriginal Heritage Impact Permit (AHIP).</p> <p>The site previously contained one archaeological site that has since been destroyed under the AHIP and no longer exists. Four further archaeological sites were located surrounding the subject site and were also destroyed under the AHIP.</p>

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

The object of this Chapter is to provide for a Statewide planning approach to the remediation



of contaminated land. The aims are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

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

There is no excavation, earthworks or site clearing required to facilitate the fit out and operation of an approved preschool cold shell. Contamination was addressed in detail in SSD 10224, hence no further consideration is required in this DA.

**(e) Liverpool Local Environmental Plan 2008 (LLEP 2008)**

The Liverpool Local Environmental Plan (LLEP 2008) does not apply to the subject site (as per the Land Application Map) and is therefore not relevant for the proposed development.

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

There are currently no draft Environmental Planning Instruments which are of particular relevance to the development.

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

**(a) Edmondson Park South Development Control Plan 2012 (EPSDCP 2012)**

Clause 3.27(1) of TI SEPP provides that a provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers of the like, of children) does not apply to development for the purpose of a centre-based child care facility:

- (a) *Operational or management plans or arrangements (including hours of operation),*
- (b) *Demonstrated need or demand for child care services,*
- (c) *Proximity of facility to other early education and care facilities,*
- (d) *Any matter relating to development for the purpose of a centre-based child care facility contained in:*
  - (i.) *The design principles set out in Part 2 of the Child Care Planning Guideline, or*
  - (ii.) *The matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that guideline (other than those concerning building height, side and rear setbacks or car parking rates).*

The proposal is consistent with relevant development controls for the design of child care centres under Part 3.8 of LDCP 2008 outlined in Part 6.3 (b) below. The relevant provisions of the EPSDCP 2012 are considered within the following table.

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

Section	Assessment	Complies
<b>1.0 Introduction</b>		
1.3 Land to which this Plan applies	The subject site is located within Edmondson Park South, which is where this DCP applies.	Yes
<b>2.0 The Vision for Edmondson Park South</b>		
<b>2.1 Desired Outcomes</b>		
Edmondson Park South will be different from most parts of western Sydney. It will become a transit oriented community providing a diverse range of higher density housing and a vibrant, mixed use town centre within a well-connected and walkable urban environment Edmondson Park South will be characterised by urban streetscapes and environmentally responsible development. High quality pathways, direct connections, attractive and safe streets will encourage walking and cycling.	The development meets the desired outcomes stated within the EDSDCP 2012. The proposal will provide nearby residential areas with more preschool options and will improve the accessibility of the already approved school located on the site.	Yes
<b>2.2 Character Area</b>		
The site is located within 'Area 2' 4. Urban, but predominately residential area surrounding the combined primary and high school and the Maxwells Creek North Riparian Corridor. Physical and visual links to the Town Centre.	The proposal will positively contribute to the surrounding residential area, by enhancing learning opportunities. The development will support the already approved primary school located on the subject site.	Yes
<b>3.0 Urban Structure and Public Domain</b>		
<b>3.5 Safety and Security</b>		
For Edmondson Park South to be a desirable place to live, work and visit, it will need to be perceived as a safe place. A safe and secure environment encourages activity, and therefore vitality. A secure environment provides casual surveillance of public space and avoids physical threats to safety.	The school has been designed with the relevant controls in mind to ensure students, staff and visitors are safe onsite.	Yes
<b>3.7 Schools, Childcare Centres and Community Facilities</b>		
1. The siting of school buildings is to:		
a) Address the street frontage	The proposed development relates to the internal fit out, operation and	Yes

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

	detailed landscaping of the preschool. The shell of the building has been approved under the SSDA 10224.	
b) Be setback a minimum of 35m	The proposed development relates to the internal fit out, operation and detailed landscaping of the preschool. The shell of the building has been approved under the SSDA 10224.	Yes
c) Accommodate any relevant APZ requirements	RFS have issued GTA for the proposal.	Yes
d) Meet the acoustic requirements relevant to rail and road noise	A Noise and Impact Assessment was prepared by JHA Services. The assessment was conducted in accordance with the guideline <i>Development near Rail Corridors and Busy Roads – Interim Guideline</i> . The Noise and Vibration Assessment concludes that the relevant guidelines and objectives will be satisfied.	Yes
e) Retain neighbouring residential amenity	The outdoor play space is located to the south west with neighbouring residential properties located to the north. The proposal has been supported by an acoustic report and is not considered likely to result in any adverse amenity impacts to neighbouring residential properties.	Yes
f) Provide appropriate provision of set down and pick areas	SSDA 10224 approved carparking to the west of the preschool. The preschool contains a reception area and foyer.	Yes
2. Landscaping on school sites is to respect and retain major natural site vegetation or the theme of the nearest local park and streetscapes where possible.	The site is presently clear. The proposed landscaping is appropriate for the land use and site.	Yes
5. Childcare centres within residential zones:		
a) will be assessed on their merits,	The preschool location has been approved under SSDA 10224. The proposed fitout and landscaping works are considered satisfactory.	Yes
b) have minimum site area of 700m <sup>2</sup> with a minimum frontage width of 22.5m, and	The site meets these requirements.	Yes
c) address the specific child care centre provisions of the respective Council (i.e. Part 7 of Campbelltown (Sustainable) City	Refer to discussions under (b) below.	Yes

LIVERPOOL CITY COUNCIL

LOCAL PLANNING PANEL REPORT

12<sup>th</sup> December 2022

DCP and Part 3.8 of Liverpool Development Control Plan 2008).		
<b>4.0 Environmental Management</b>		
<b>4.2 Bushfire Management</b>		
The Edmondson Park South Part 3A Concept Plan Bushfire Risk Assessment (McKinlay Morgan and Associates Pty Ltd, August 2010) includes the detailed assessment of bushfire risk of future development within Edmondson Park South and recommendations for bushfire management. Development is to consider the recommendations of the Bushfire Risk Assessment and the assessment of future development applications is to consider the issues resolved as part of the Concept Plan process.	The site is identified as being located on bushfire prone land. A Bushfire Assessment Report (BAR) has been submitted alongside the proposed development. The report was initially submitted alongside the SSDA 10224, which was approved.  RFS issued GTA on 2 December 2022 which have been incorporated into the draft consent.	Yes
<b>4.3 Noise and Vibration</b>		
1. Development in proximity to the rail corridor is to demonstrate consistency with the Infrastructure SEPP 2007 and 'Development Near Rail Corridors and Busy Roads - Interim Guideline'.	The subject site is located in close proximity to a rail corridor.	Yes
Where development is proposed that is affected by 1-4 above, an acoustic report is required to be submitted as part of a subdivision application demonstrating that the proposed subdivision design and any required acoustic attenuation can comply with the relevant criteria.	A Noise and Vibration Impact Assessment prepared by JHA Services has been submitted with the application.  The assessment found that each train pass-by, which lasts around 20 seconds, produces steady noise levels with a range from 48 to 51dB(A).  The report found that meeting the criteria within the SEPP is likely and can be done through the typical façade and glazing treatments.	Yes

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

Part 3.7 Control 5(c) of EPSDCP 2012 requires consideration of the specific child care centre provisions of Part 3.8 of LDCP 2008. The relevant provisions of the LDCP 2008 are considered below, noting the requirements of the CCPG take precedence:

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

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Section	Assessment	Complies
<b>Part 3.8 – Non-Residential Development in Residential Zones</b>		
<b>Child Care Centres</b>		
<b>2.1 Licence Requirements</b>		
1. Development consent from Council under the Environmental Planning and Assessment Act 1979	Development consent is sought from the LLPP under the EP&A	Yes
2. 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	A licence to operate the Education and Care Services National Regulations (which superseded the former NSW legislation) can be obtained following the issued of a development consent for the subject proposal. A condition is recommended.	Yes
<b>2.2 Lot Sizes</b>		
The proposed child care centre must comply with open space requirements as set out in the Children Services Regulation 2004	The proposal complies with the open space requirements of the Education and Care Services National Regulations	Yes
<b>a. Site Planning</b>		
1. To ensure that Child Care Centres are sensitive to site attributes, such as streetscape character, natural landform, drainage, existing vegetation, land capability, slope, solar access and if relevant, heritage items.	The application relates to the internal fit-out, operation and detailed landscaping of the approved preschool cold shell which was approved as part of SSDA 10224.	Yes
4.Site layout should ensure that the external play area is maximised and enjoys solar access.	The approved building footprint positions the external play area to the south The proposal provides the required shading of the external play area consistent	Yes
5. 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 centre presents to Faulkner Way and contains openings within the front elevation.	Yes
9. The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.	An acoustic report has been submitted alongside the application. The preschool complies with the noise assessment requirements. Therefore, there will be minimal acoustic impact on neighbours.	Yes
<b>2.4 Setbacks</b>		
1.Front setback 5.5m	The proposal relates to the internal fit-out, operation and detailed landscaping of the approved preschool cold shell. There are no	Yes

	changes to the already approved setbacks within SSDA 10224.	
4.1.2m side setback and 4m rear setback	As above	Yes
<b>2.6 Building Form, Style and Streetscape</b>		
	The proposal relates to the internal fit-out, operation and detailed landscaping of the approved preschool cold shell. There are no changes to the already approved building form, style, and streetscape within SSDA 10224.	Yes
<b>2.8 Car Parking and Access</b>		
Part 1 Section 20 includes the car parking requirements for child care centres which includes 1 space staff member and 1 space per 10 children.	<p>The proposal relates to the internal fit-out, operation and detailed landscaping of the approved preschool cold shell. Parking was included and approved within SSDA 10224.</p> <p>As discussed within the PoM, the preschool has its own designated car park for the use of families and staff. This will include a drop off and pick up area.</p> <p>The child care centre includes 7 staff and 40 children. The parking required is 11 spaces</p> <p>The approval includes 13 parking spaces.</p>	Yes

**6.4 Section 4.15(1)(a)(iiia) - Planning Agreements**

There are no planning agreement or draft planning agreements that apply to the site.

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

Environmental Planning and Assessment Regulation 2021

Section 4.15(a)(iv) of the Act requires a consent authority to consider the Regulations, to the extent that they prescribe matters for the purposes of that paragraph (i.e. paragraph (iv)). The proposal would not be expected to change any conclusions made within the SSDA assessment in relation to clauses 61 - 66 of the Regulation.

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

The assessment demonstrates that, subject to conditions, the proposal will not have any significant adverse nor unreasonable impacts upon adjoining properties or the environment in general. The development will not result in any significant or adverse visual privacy or overshadowing impacts on adjoining sites, and the visual appearance of the development with



the public domain remaining consistent with the development approved under SSDA-10224. Given the nature of the proposed works being internal fit-out, operation and landscaping works the proposal is not considered to result in any adverse impacts.

**Natural and Built Environment**

The proposed development is unlikely to create a detrimental impact upon the natural environment surrounding the subject site. The detailed landscape area is located to the south of the approved preschool. The plan proposes the planting of various types of vegetation including grass and shrubbery.

The proposed development is unlikely to create unreasonable adverse impacts on the surrounding built environment, the locality and future character of the area. The development is part of an already approved school. The development will increase learning opportunities in the area.

**Social Impacts and Economic Impacts**

The proposal is likely to result in a positive socio-economic outcome for the locality through the addition of child care facilities. The proposal is unlikely to generate any identifiable detrimental social impacts, being consistent with the desired development type in the zone and for the locality. The proposal’s social and economic impacts have already been assessed as part of SSDA 10224.

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

The subject site is located within the R1 General Residential zone. ‘Centre-based child care facilities’ are permitted with consent in the R1 zone. The proposed development is for the fit-out, operation and landscaping associated with the approved preschool. The proposal is consistent with the approved building envelope and the relevant planning controls and provisions that are applicable to development in the locality. The GTAs issued by the RFS and those conditions previously recommended by Sydney Trains under the SSDA have been included in the draft consent. It is therefore considered that the site is suitable for the proposed development.

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

**(a) Internal Referrals**

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

DEPARTMENT	COMMENTS
Building	No objections, supported subject to conditions of consent
Community Planning	No objections, supported as long as proposed development complies with the standard

	statutory requirements and protects public interest.
Engineering	Referral returned with no comments.
Flooding	No objections, supported subject to conditions of consent
Landscape	No objections, supported subject to conditions of consent
Traffic and Transport	No objections, supported subject to conditions of consent
Waste Management	No objections, supported subject to conditions of consent

**(b) External Referrals**

The proposal, being development for the purposes of a child care centre, is defined as a Special Fire Protection Purpose under Section 100B of the Rural Fires Act 1997, and requires referral to NSW RFS. General Terms of Approval were issued on 2 December 2022 and have been included in the draft consent.

The application was not notified to Sydney Trains. The conditions provided by Sydney Trains in relation to the SDDA have been included in the draft conditions of consent.

**(c) Community Consultation**

The Development Application was notified on the 30<sup>th</sup> of July 2022, with the submission period closing on the 16<sup>th</sup> of August 2022. No submissions were received by Council regarding this application.

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

The development is consistent with the objectives of the R1 General Residential zone and is generally compliant with the relevant planning provisions and controls contained under the relevant environmental planning instruments and policies. Where non-compliances have been identified, these have either been considered justifiable in the circumstances, or addressed by way of recommended consent conditions. The public interest is best serviced by the consistent application of the requirements of the relevant environmental planning instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal is consistent with other relevant planning provisions, will not significantly or unreasonably affect surrounding sites and the broader area and is consistent with the existing and future character of the area. The proposal would therefore be in the public interest.

**7. DEVELOPMENT CONTRIBUTIONS**

Not applicable.

## 8. CONCLUSION

After consideration of the development against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the relevant statutory and policy provisions, the proposal is suitable for the site and is not contrary to the public interest.

It is therefore recommended that the subject application be approved (subject to recommended conditions) for the following reasons:

1. The proposal for the fit-out, operation and detailed landscaping of an approved preschool is consistent with the objectives of the relevant provisions of TI SEPP, WPC - SEPP2021, EPSDCP 2012, and LDCP 2008 with minimal environmental impacts.
2. The proposal is a permissible form of development that achieves the objectives of the R1 General Residential zone.
3. The proposal is consistent with the provisions of the Child Care Planning Guidelines.
4. The application was notified in accordance with the Liverpool Community Participation Plan and no submissions were received.
5. The proposed development is consistent with the existing and desired future character of the local area and will have no unacceptable impacts on adjoining properties.
6. The site is suitable for the proposed development, which is also in the public interest.

## 9. RECOMMENDATION

That the Liverpool Local Planning Panel, as the consent authority, grant development consent to Development Application DA-695/2022 for the internal fit-out, operation and detailed landscaping works associated with the single storey preschool cold shell/structure approved in SSDA 10224 on land at Lot 1 and part Lot 2 DP1257105, subject to the recommended conditions of consent.

## ATTACHMENTS

1. Recommended conditions of consent
2. Compliance table - Child Care Planning Guideline
3. Plans submitted with the development application

**Attachment 1 –****Draft consent conditions for DA-695/2022 (Lots 1 and Part Lot 2 DP 1257105 )****1. Approved Plans**

Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows:

**Architectural Plans**

<b>Document Title</b>	<b>Ref.</b>	<b>Date</b>	<b>Prepared by</b>
GA – LEVEL 01 FLOOR PLAN – BLOCK A – ZONE PS	AR CD PS 2133 Revision B	05.05.2022	TKD Architects
FLOOR FINISHES – LEVEL 01 – FLOOR PLAN – BLOCK A – ZONE PS	AR DD PS 2313 Revision P1	08.09.21	TKD Architects
WALL TYPES – LEVEL 01 FLOOR PLAN – BLOACK A – ZONE PS	AR DD PS 2413 Revision P1	08.09.21	TKD Architects
FURNITURE LAYOUTS – LEVEL 01 FLOOR PLAN – BLOCK A – ZONE PS	AR DD PS 2713 Revision P1	08.09.21	TKD Architects
BLOCK A – ZONE PS – ELEVATIONS	AR CD PS 3104 Revision B	05.08.2022	TKD Architects
DOOR SCHEDULE – BLOCK A – ZONE PS	AR DD PS 4004 Revision P1	08.09.21	TKD Architects
WINDOW SCHEDULE – BLOCK A – ZONE PS	AR DD PS 4104 Revision P1	08.09.21	TKD Architects
SANITARY FF&E SCHEDULE – BLOCK A – ZONE PS	AR DD PS 4603 Revision P1	08.09.21	TKD Architects
WET AREAS – LEVEL 01 FLOOR PLAN – BLOCK A – ZONE PS	AR DD PS 6107 Revision P1	08.09.21	TKD Architects
WALL TYPES AND LININGS 01	AR DD SW 2430 Revision P1	08.09.21	TKD Architects
WALL TYPES AND LININGS 02	AR DD SW 2431 Revision P2	08.09.21	TKD Architects
FURNITURE SCHEDULE – SHEET 01	AR DD SW 4700 Revision P2	08.09.21	TKD Architects
FURNITURE SCHEDULE – SHEET 02	AR DD SW 4701 Revision P2	08.09.21	TKD Architects
FURNITURE SCHEDULE – SHEET 03	AR DD SW 4702 Revision P2	08.09.21	TKD Architects
PRESCHOOL PLAYSPACE SECTIONS	LA-PS-CD 703 Issue B	08.03.2022	OCULUS
PRESCHOOL PLAYSPACE	LA-PS-CD 860 Issue B	08.03.2022	OCULUS
PRESCHOOL PLAYSPACE	LA-PS-CD 861 Issue D	18.10.2022	OCULUS
PRESCHOOL PLAYSPACE DETAILS	LA-PS-CD 862 Issue B	08.03.2022	OCULUS
PRESCHOOL PLAYSPACE DETAILS	LA-PS-CD 863 Issue B	08.03.2022	OCULUS
MATERIALS SCHEDULE	LA-SW-CD 002 Issue B	08.03.2022	OCULUS
PLANTING SCHEDULE	LA-SW-CD 003 Issue B	08.03.2022	OCULUS

**Reports and Documents**

<b>Document Title</b>	<b>Ref.</b>	<b>Date</b>	<b>Prepared by</b>
Noise & Vibration Impact Assessment	21014 Revision A	01/06/2022	JHA
Operational Plan of Management	No reference	Undated	Liverpool City Council
Emergency Response Procedures Manual	44873 Version 1.0	09/11/2022	TrimEVAC
Daylight Analysis and First Floor Plan	AR C SW 2001 Revision A	16.03.2022	TKD Architects
Bushfire Report		13 May 2022	Peterson Bushfire
Social Impact Assessment	J210258 RP1 v3	25 May 2021	EMM Consulting
Operational Waste Management Plan	Version 1	2/06/2022	EcCell environmental management pty ltd

except where modified by the undermentioned conditions.

**2. Signage**

This consent does not approve any signage. Separate consent is to be obtained for any new signage, except for signage that is 'exempt development' pursuant to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

**3. Works at no cost to Council**

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

**4. From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:**

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth-barked and evergreen trees
- create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed

5. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:
- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
  - Planting is limited in the immediate vicinity of the building;
  - Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
  - Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
  - Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
  - Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
  - Avoid planting of deciduous species that may increase fuel at surface/ground level (i.e. leaf litter);
  - Avoid climbing species to walls and pergolas;
  - Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
  - Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
  - Low flammability vegetation species are used

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

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

### **6. Section 73 Certificate**

An application to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*, must 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 [www.sydneywater.com.au](http://www.sydneywater.com.au), 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 Principal Certifying Authority.

### **7. Street Lighting in Built Up Areas outside the Liverpool CBD - Street Lighting Provision or Upgrade.**



The applicant/developer shall engage the services of an Endeavour Energy accredited ASP Level 3 service provider to assess adequacy of street lighting along a development site frontage and submit a report on whether the existing street lighting needs to be upgraded.

If upgrade is required, the ASP Level 3 service provider is to submit a Public Lighting Design Brief to Council's Transport Management Section, to specify design requirements for the required upgrade.

A street lighting design plan prepared by the accredited service provider is to be submitted to and approved by Council's Transport Management Section and the electricity service provider (currently Endeavor Energy), prior to construction.

The street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.

**8. Fees and charges**

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. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more,
- (b) Fee associated with any Application for a Permit to Carry Out Work Within a Road, Park and Drainage Reserve, and
- (c) Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

**9. Fee Payments - Road Opening**

All fees associated with a road opening permit required for the connection, extension or amplification of any services within Council's road reserve must be paid to Council and receipts provided to the Principal Certifying Authority. A separate form must be submitted in conjunction with payment of the fees. The fees include the standard road opening permit fee and any restoration fees that may be required as a result of the works.

**10. Site Development Work**

Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a Construction Certificate has been issued.

**11. National Construction Code**

All aspects of construction shall comply with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- (a) Complying with the Deemed to Satisfy Provisions; or
- (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

**12. Compliance with EP&A Act**

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

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

**13. Prescribed condition (General)**

In accordance with Section 4.16(11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- (a) Complying with the Deemed to Satisfy Provisions; or
- (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

**14. Long Service Levy (General)**

*Long Service Levy* payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

**15. Notification**

The certifying authority must advise Council, in writing of:

- (1) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
- (2) 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.

**16. Products banned under the *Building Products (Safety) Act 2017***

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.

**17.** Prior to the issue of a Construction Certificate, details of the expected generation of waste materials from the pre-school fit-out process, and the minimisation of waste to landfill, will be provided, showing:

- 1) Estimated amount (volume or weight) for each material type;
- 2) Whether the material will be re-used on site, returned, recycled or landfilled, and;
- 3) The licensed facility (or possible range of facilities), to which the materials will be taken.

**18.** Prior to the issue of a Construction Certificate, any drawings showing any drainage points or strip drains within 15 metres of the bin collection area, are to note those drainage points as being fitted with a fine grade grating or drain cover, to prevent the ingress of large litter items into the drainage system.

**19. Access**

Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority.

**Stormwater discharge**

**20.** Development controls (items 6, 7, 8 & 9 of Determination) imposed under approved DA-670/2021 on the site in relation to stormwater and water quality control measures must be fulfilled prior to commencing of proposed landscaping works of the current DA.

**Waste**

**21.** Prior to the issue of a Construction Certificate, details of the expected generation of waste materials from the pre-school fit-out process, and the minimisation of waste to landfill, will be provided, showing:

- (a) Estimated amount (volume or weight) for each material type;

- (b) Whether the material will be re-used on site, returned, recycled or landfilled, and;
- (c) The licensed facility (or possible range of facilities), to which the materials will be taken.

22. Prior to the issue of a Construction Certificate, any drawings showing any drainage points or strip drains within 15 metres of the bin collection area, are to note those drainage points as being fitted with a fine grade grating or drain cover, to prevent the ingress of large litter items into the drainage system.

23. **Recommendations of Acoustic Report**

The recommendations provided in the approved Noise & Vibration Impact Assessment (Ref. 21014 Revision A prepared by JHA and dated 1 June 2022) 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.

24. **Mechanical Plant and Equipment**

Mechanical plant and equipment shall be selected in consultation with a suitably qualified acoustic consultant in accordance with the recommendations of the approved Noise & Vibration Impact Assessment (Ref. 21014 Revision A prepared by JHA and dated 1 June 2022) to ensure compliance with the acoustic criteria.

**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.

25. **Food Premises - Construction**

To ensure compliance with the relevant standards and requirements, the following details are to be submitted to the Principal Certifying Authority for approval:

- (a) Plans, to scale, demonstrating the proposed floor layout as well as associated works is in compliance with;
  - (i.) AS4674-2004 – Design, construction and fit-out of food premises,
  - (ii.) Food Standards Code (Australia),
  - (iii.) Building Code of Australia,

- (b) Proposed/altered mechanical ventilation system/s (Building Code of Australia & Australian Standard 1668 Part 1 & 2).

**C. PRIOR TO WORKS COMMENCING**

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

- 26. Commencement of building works (Prior to works commencing)**  
Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the EP&A Act means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines.
- 27. Construction certificates (prior to works commencing)**  
Prior to the commencement of any building works, the following requirements must be complied with:
- (a) Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of *the Environmental Planning & Assessment Act 1979*.
  - (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 6.6 of the Act.
  - (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.
  - (d) A principal certifier must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and
  - (e) The principal certifier 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.
- 28. Construction Certificates**  
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.
- 29. Site Facilities**  
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.

**30. Site Notice Board**

A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:

- (a) the name, address and telephone number of the principal certifying authority for the work,
- (b) the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) unauthorised entry to the premises is prohibited.

**31. Sydney Water**

Development plans must be processed and approved by Sydney Water.

**32. Sediment & Erosion Control**

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the *Protection of the Environment Operations Act 1997* and Landcom's publication "*Managing Urban Stormwater – Soils and Construction (2004)*" – also known as "The Blue Book".

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

**33. Environmental Management**

Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum:

- (a) Siltation fencing;
- (b) Protection of the public stormwater system; and
- (c) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

**34. Notification**

Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:

- (a) Any excavation, below the base of the footings of a building on an adjoining allotment of land, and
- (b) The notice shall be given seven (7) days prior to the commencement of work.

**35. Waste bins**

Prior to any works commencing, if there are any Liverpool City Council domestic waste bins on the site, these must be returned to Liverpool City Council. Please ring Council on 1300 36 2170 to advise if there are empty bins ready to be removed, so their removal can be noted on the rates system.



**36. Excavation**

- (a) In the event the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer:
- (b) Protect and support the adjoining premises from possible damage from the excavation, and
- (c) Where necessary, underpin the adjoining premises to prevent any such damage.

**37. Construction Requirements - Retaining Walls**

Any 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.

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.

**38. Currents and Electrolysis from Rail Operations**

Prior to commencement of works, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating the recommendations of 'Electrolysis Testing, Buchan Avenue, Edmondson Park NSW 2174', prepared by Corrosion Control Engineering dated 18 May 2021, have been incorporated into the detail design.

**39. Structural and Geotechnical Impacts on Rail Infrastructure.**

Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier certification from a suitably qualified Geotechnical and Structural Engineer that the proposed works will have no negative impact on the rail corridor and associated rail infrastructure. A copy of the certification is to be submitted to Sydney Trains for information.

**40. Sydney Trains Approved Documents.**

Prior to commencement of works, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating conditions issued as part of any Sydney Trains approvals or certification required for the development have been incorporated into the detailed design, as required.

- 41.** Prior to commencement of works, copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for information

**42. Sydney Trains Liaison.**

Prior to commencement of works, the Applicant must provide, in writing, to Sydney Trains the contact details of a representative who:

- (a) will oversee the carrying out of the Applicant's obligations under the conditions of this consent and respond to correspondence issued by Sydney Trains;

- (b) acts as the authorised representative of the Applicant;
- (c) is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant

#### **D. DURING CONSTRUCTION**

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

**43. Building Work**

The building works must be inspected by the Principal Certifying Authority, in accordance with Sections 6.5 (3) of the *Environmental Planning & Assessment Act 1979* and Clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

**44. Building Work**

The *Principal Certifying Authority* (PCA) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PCA, prior to proceeding to the subsequent stages of construction or finalisation of the works.

**45. Building Work**

The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA 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 PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

In the event that Council is not the PCA, a copy of the survey shall be provided to Council within three (3) working days.

**46. Sign Notice Board (During construction)**

A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:

- (a) the name, address and telephone number of the principal certifying authority for the work,
- (b) the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) unauthorised entry to the premises is prohibited.

**47. Toilet Facilities**

Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one

additional toilet for every 20 persons employed at the site. Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

**48. Hours of Construction Work and Deliveries**

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

**49. Security Fence**

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

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

**50. Refuse Disposal**

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.

**51. Notification of Damage**

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

**52. General Site Works - Surface Contours**

Any 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.

**53. General Site Works - Roofwater**

All roofwater is to be connected to an approved stormwater system.

**54. General Site Works - Stormwater Connection**

Stormwater pipeline connections to the street kerb shall be constructed in the following manner:

- (a) the kerb shall be sawcut on both sides of the proposed pipe outlet,
- (b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter, and
- (c) The kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb.

**55. Identification Survey Report (During construction)**

The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA 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 PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

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.

**56. Identification Survey Report (During construction)**

On placement of the concrete, works again shall not continue until the PCA has issued a certificate stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

**57. Excavation (During construction)**

In the event the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the building, structure or work from possible damage from the excavation, and
- (b) where necessary, underpin the building, structure or work to prevent any such damage.
- (c) a and b above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.
- (d) 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.

**58. Craning and Hoardings (During construction)**

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.

**59. Refuse Disposal (During construction)**

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.

**60. Waste Management Plan**

The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

**Note:** Any non-compliance with this requirement will result in penalties being issued.

**61. Aboriginal Relics/Artefacts**

If any Aboriginal relics/artefacts are uncovered during the course of any construction works including demolition, work is to cease immediately. Government agencies shall be contacted and no further work shall be undertaken until relevant assessments/approvals/ salvage excavation has been undertaken and permission is given by the relevant authorities to re commence works.

**62. Unidentified Contamination**

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be immediately notified to Council and the Principal Certifying Authority in writing.

A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

**63. Erosion Control - Stabilisation**

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.

**64. Erosion Control - Measures**

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

**65. Removal of dangerous and/or hazardous waste**

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

**66. Pollution Control - Site Operations**

During construction the consent holder is to ensure building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work,

concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.

**67. Imported Fill Material**

Any filling material must be limited to the following:

- (a) Virgin excavated natural material (VENM)
- (b) Excavated natural material (ENM) certified as such in accordance with Protection of the Environment Operations (Waste) Regulation 2014; and/or
- (c) Material subject to a Waste Exemption under Clause 91 and 92 Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW Environment Protection Authority as being "fit for purpose" with respect to the development subject of this application.

Certificates proving that the material imported is ENM or VENM must be provided to the Principal Certifying Authority prior to filling. Certificates are to be provided to Council officers if and when requested.

Fill imported on to the site must be compatible with the existing soil characteristic for site drainage purposes.

**68. Record Keeping of Imported Fill**

The following records of any accepted waste derived fill material must be submitted to the Principal Certifying Authority at the completion of earth works:

- (a) 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,
- (b) Documentation confirming the results of the waste classification assessment carried out on the fill material used in the development, and
- (c) The results of any chemical testing undertaken on fill material.

**69. Erosion Control - Stabilisation**

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.

**70. Erosion Control - Measures**

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

**71. Erosion Control - Maintenance**

Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.

**72. Erosion Control**



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 it 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.

**73. Water Quality**

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.

**74. Food Premises – Construction**

- (a) The construction, fitout and finishes of the premises shall comply with the Australian Standards 4674-2004, Food Act 2003 and Regulations thereunder. Construction is to include, but not be limited to the following:
- (b) All walls (including partition walls) within the kitchen, food preparation, storage and display areas shall be of solid construction (e.g., 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;
- (c) Walls within the kitchen, food preparation, storage and display areas which are not of solid construction (e.g. stud walls) shall be finished in tiles or other approved material from the floor level to the underside of the ceiling;
- (d) The floors within the kitchen, food preparation, storage and display areas shall 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;
- (e) If the floor in the food preparation and storage areas is constructed of tiles, the joints between the tiles shall be of a material that is non-absorbent and impervious to moisture;
- (f) 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;
- (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 shall 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) All service pipes and electrical conduits shall be either:
  - (i.) concealed in floors, walls, ceiling or concrete plinths, or
  - (ii.) fixed with brackets so as to provide at least:
    - (1) - 25mm clearance between the wall and the pipe/conduit; &
    - (2) - 100mm between the floor and the pipe/conduit

- (3) - pipes so installed are not to run underneath fittings.
- (i) All architraves, skirting boards, picture rails and the like are not permitted within the kitchen, food preparation and storage areas;
  - (j) 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;
  - (k) 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 (egg laminate, stainless steel or other approved material) that is capable of being easily cleaned;
  - (l) All shelving shall 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 shall be a minimum of at least 150mm above the floor level;
  - (m) The hot water service unit shall 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;
  - (n) A free-standing, hands-free hand wash basin shall be provided in a convenient position within the food preparation and serving areas. The hand wash basin shall 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;
  - (o) 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;
  - (p) A double bowl sink or two-compartment tub shall be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs shall 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.
  - (q) A cleaner's sink shall be provided. The sink is NOT to be within an area where open food is handled.

**75. Fencing**

Any gate associated with a front fence shall swing inwards from the property boundary.

**76. Switchboards**

Switchboards for utilities shall not be attached to the street and/or road elevations of the development.

**77. Glass Reflectivity**

The reflectivity index of glass used in the external facade of the building is not to exceed 20%.

**78. Graffiti**

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.

**79. External Lighting**

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.

**80. Air Conditioning Plant**

The plant associated with any air conditioning system is to be located a minimum of 3 metres from any property boundary, to the satisfaction of the PCA.

**Demolition and waste**

**81.** All lightweight or granular demolition, excavation or construction waste, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent it from becoming displaced by the wind in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.

**82.** All 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.

**83. Obstruction of the Rail Corridor.**

The rail corridor (and its easements and access gates) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

Excess soil is not allowed to enter, be spread or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.

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

The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifying Authority:

**84. Occupation Certificate**

The premises must not be utilised until an Occupation Certificate is issued by the principal certifier.

**85. Certificates**

Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.

**86. Certificates**

The Principal Certifying Authority (Building) and/or the Accredited Certifier (Subdivision) shall ensure that all compliance certificates required by this

development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.

**87. Waste disposal**

Prior to issue of an Occupation Certificate, both the PCA and Council are to be provided with records of all waste transport and disposal dockets, demonstrating that the waste materials from the project, have been disposed of at the waste facilities nominated in the waste management plan.

**88. Section 73 Sydney Water Certificate**

A Section 73 Compliance Certificate issued in accordance with the *Sydney Water Act 1994* must be submitted to the PC.

**89. Display of Street Numbers**

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.

**90. Landscaping**

Upon completion of the approved landscape works associated with the development and prior to the issue of any OC, an Implementation Report is to be submitted to the PCA 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.

**91. Recommendations of Acoustic Report**

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 & Vibration Impact Assessment (Ref. 21014 Revision A prepared by JHA and dated 1 June 2022). 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.

**92. Noise Management Plan**

A Noise Management Plan shall be prepared under the supervision of a suitably qualified acoustic consultant. The Noise Management Plan must identify and implement strategies to minimise Noise from the proposed development and incorporate: approaches for promoting Noise awareness by patrons and staff;

training procedures; a complaint lodgement procedure to ensure that members of the public and local residents are able to report Noise issues; an ongoing review process and a plan for responding to Noise complaints.

The Noise Management Plan shall clearly specify the responsibilities of site personnel in managing Noise and include a detailed list of steps taken to manage potential Noise impacts. This documentation shall be submitted to the PCA and Council for review and approval prior to issue of an Interim or Final Occupation 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.

**93. Regulated Systems**

Regulated systems installed, such as air-handling systems, heated water systems and cooling water systems, must comply with the Public Health Act and Public Health (Microbial Control) Regulation thereunder, including AS3666.1:2011 & AS1668.

The PCA is to ensure a Liverpool City Council approved registration form is completed and submitted to the Council with any relevant fee for the system.

**94. Landscaping**

Prior to the commencement of operation, landscaping of the site (including hard and soft landscaping, all open spaces, fencing, paths and the like) must be completed in accordance with landscape plan(s) listed in Condition 1.

**F. CONDITIONS RELATING TO USE**

**95. Plan of Management**

The operation of the site is to be undertaken in accordance with the Plan of Management as approved by this consent. Any updates to the Plan of Management are to be approved by Council prior to their implementation.

**96. Hours of Operation**

The hours of operation of the premises are limited to:

- Monday to Friday: 8:30am to 4:00pm 40 weeks per year. The preschool shall not operate during NSW Public School Holidays.

**97. Childcare Centres**

Approval is granted for a maximum of **forty (40)** children to be on the premises at one time, in accordance with the following groupings:

- 3 – 4 years: 20 Children
- 4 – 5 years: 20 Children

**98. Staff numbers**

A maximum number of **seven (7)** staff are permitted to work at the childcare centre at any given time.

**99. Graffiti**

Any graffiti carried out on the property shall be removed, within 48 hours, at full cost to the owner/occupier of the site.

**100. Noise - Silent Alarm System**

Any alarm installed on the site is to be "silent back to base" type.

**101. Waste**

All waste products associated with the use of the site are to be placed in containers and stored within the designated waste storage area. All waste collection activities are to occur within the boundaries of the site by a registered waste contractor.

**102. Deliveries**

All loading and unloading operations associated with deliveries shall be carried out wholly within the confines of the site at all times.

**103. Car Parking Management**

All parking areas as approved under SSDA-10224 which includes thirteen (13) spaces shown on the approved plans are to be used solely for purposes specified within the plans and documents approved by this consent.

**104. Waste Collection and Delivery hours**

Waste collection and deliveries are limited to the times specified by the approved Plan of Management. Any changes to such times are to be approved by Council prior to their implementation.

**105. Lighting**

Any outdoor illumination of the site is to 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.

**106. Environment**

The use of the premises shall 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.

**107. Unreasonable Noise and Vibration**

The proposed 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.

Should an offensive noise complaint be received and verified by Council, an acoustic assessment is to be undertaken by a suitably qualified acoustic consultant and an acoustic report is to be submitted to Council for review. Any noise attenuation recommendations approved by Council must be implemented.

**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.

**108. Noise Management**

The operation of the child care centre shall comply with the approved Noise Management Plan (titled Noise & Vibration Impact Assessment (Ref. 21014 Revision A prepared by JHA and dated 1 June 2022) at all times.

**Waste**

**109.** The operators of the childcare centre will ensure that licensed waste contractors are engaged and remain engaged at all times while the centre is operating, to handle all the waste materials being generated.

**110.** If Liverpool City Council withdraws from providing a schools recycling service, the operators of the pre-school must source an equivalent co-mingled waste service from a private waste contractor.

**111.** All waste materials must be stored wholly within the bins provided, with lids fully closed, to prevent waste escaping due to weather conditions, or animals.

**112.** All bins are to be collected from the waste pad area within the shared area of the site, as noted in the waste management plan, no bins are to be placed at the road kerbside.

**113.** Any materials that may be spilled during the bin emptying process must be collected up and correctly disposed of by agents of the childcare centre, to ensure that these do not escape into the environment.

**114.** Waste storage areas within the childcare centre and its immediate site will be maintained in a clean and litter-free condition.

**115. Acoustic Report**

An acoustic report prepared by a suitably qualified acoustic consultant shall be submitted to Council for its assessment and approval within twelve (12) 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 Environmental Noise Impact Assessment, Ref. 7350-1.1R, Rev B, prepared by Day Design Pty Ltd, dated 28 September 2022;
- (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.

**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.

**116. Noise Complaints register**

The operator shall 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:

- (a) the date and time, where relevant, of the complaint;
- (b) the means by which the complaint was made (telephone, mail or email);
- (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- (d) the nature of the complaint;
- (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.
- (f) allocate an individual "complaint number" to each complaint received.

The Complaints Register must be made available for inspection when requested by Liverpool City Council.

The industry shall be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times.

**117. Landscaping**

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.

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.

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.

**118. Bush fire requirements.**

The requirements of Conditions 4 and 5 shall be maintained for the duration of occupation of the development.

**G. ADVISORY**

1. Sections 8.2, 8.3, 8.4 & 8.5 of the *Environmental Planning and Assessment Act 1979* allow you to request the consent authority to review this determination notice if you are dissatisfied with it or the conditions contained within this determination notice. This right must be exercised within six (6) months from the date of this notice with the appropriate fee.
2. Under Sections 8.7 & 8.10 of the *Environmental Planning and Assessment Act 1979* applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice of determination.
3. In accordance with Section 4.53 of the *Environmental Planning and Assessment Act 1979*, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
4. In accordance with Sections 8.8 and 8.10 of the *Environmental Planning and Assessment Act 1979*, an objector who is dissatisfied with the determination of a consent authority to grant consent to a Development Application for Designated Development (including Designated Development that is Integrated Development), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court.
5. The approval of this application does not imply or infer compliance with the *Disability Discrimination Act* and that the developer should investigate their liability under the Act.
6. The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regard to the operation of the building.
7. **DIAL BEFORE YOU DIG**

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

Before any excavation work starts, contractors and others should phone “Dial Before You Dig” service to access plans/information for underground pipes and cables. [www.1100.com.au](http://www.1100.com.au)

8. Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra’s network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution. Furthermore, damage to Telstra’s infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra’s assets in any way, you are required to contact: Telstra’s Network Integrity Team on Phone Number 1800 810 443.
9. The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential effects of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
10. Care shall be taken by the applicant and the applicant’s agents to prevent any damage to adjoining properties. The applicant or applicant’s agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.
11. The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

**Attachment 2 - Child Care Planning Guideline 2021**

Guideline	Compliance with standard/provision
<b>Part 2 Design Quality Principles</b>	
<p><b>Principle 1. Context</b> Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood.</p> <p>Well-designed child care facilities take advantage of its context by optimising nearby transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic makeup of the facility users and surrounding communities.</p>	<p>The preschool shell has been approved in conjunction with the Edmondson Park School to provide educational facilities to the new residential development areas to the north and east. The proposal being the fit out and detailed landscaping works will not alter the development's relationship with its context. There is no proposed alteration to the north western elevation presenting to Faulkner Way.</p>
<p><b>Principle 2. Built Form</b> Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area.</p> <p>Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design also uses a variety of materials, colours and textures.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p> <p>Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm.</p>	<p>There will be no change to the current built form which is single storey in scale with centrally open area sited between the north western side of the building containing the reception and staffing rooms and the playrooms to south east. The proposal does not alter the approved setbacks and height under SSDA-10224.</p>
<p><b>Principle 3. Adaptive learning spaces</b> Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces fit-out.</p> <p>Good design achieves a mix of inclusive learning</p>	<p>The built form includes an open plan internal play areas allow for a range of activities. The proposal incorporates separate areas both to the north west of the playrooms in addition to a large outdoor space to the south east which incorporates appropriately designed physical spaces.</p>

Guideline	Compliance with standard/provision
<p>spaces to cater for all students and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.</p>	
<p><b>Principle 4. Sustainability</b> Sustainable design combines positive environmental, social and economic outcomes.</p> <p>This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p> <p>Well-designed facilities are durable and embed resource efficiency into building and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.</p>	<p>The shell of the preschool has been approved and as a result there is limited opportunity for direct solar access to the internal play areas of the building. The applicant has submitted a daylight analysis report outlining the daylight access received to playrooms which includes 100% to 1 play space and 57.5% to the other. Despite the siting and orientation, the indoor play spaces will achieve optimum daylight amenity.</p> <p>The proposal has been designed with two separate buildings connected along the side elevations with an open area between to ensure cross ventilation is achieved throughout the building.</p>
<p><b>Principle 5. Landscape</b> Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p>	<p>The proposal includes a detailed landscape design which incorporates a mixture of areas and facilities including balance beams, sandpits, a combination of soft and hard landscape areas. The proposed landscaping includes a variety of species including grasses, shrubs and plants. The proposal incorporates both natural and shade cloths to the outdoor play space.</p>
<p><b>Principle 6. Amenity</b> Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning environments and the well-being of students and staff.</p> <p>Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.</p>	<p>The application deals predominantly with the external amenity for children associated with the detailed landscaping design. There are no significant issues in terms of outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility. The landscape design provides for a variety of spaces and includes access for different age groups and degrees of mobility.</p>

Guideline	Compliance with standard/provision
Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.	
<p><b>Principle 7 - Safety</b></p> <p>Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately.</p> <p>Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).</p> <p>Well designed vehicular parking and access minimise traffic safety risks on children and staff.</p>	<p>The proposal has been amended to provide internal access from playrooms to the bathroom facilities and the addition of windows to ensure the bathroom facilities can be seen by carers.</p> <p>The shell of the building has been approved under the SSDA in addition to the carparking which is provided to the south west of the site. The parking is accessible from the site.</p>
<b>Part 3 Matters for Consideration</b>	
<b>3.1 Site Selection and Location</b>	
The development application is for the internal fit-out, operation and detailed landscaping of the existing preschool cold-shell/structure which was approved as part of SSD 10224. This DA will have no impact on the sites already approved use, built form and location.	
<b>3.2 Local Character, streetscape and the public domain interface</b>	
The proposed internal fit-out, operation and detailed landscaping will not have an impact on the local character, streetscape, and the public domain. Any impacts will have been assessed alongside SSD 10224 which was approved in December 2021.	
<b>3.3 Building orientation, envelope and design</b>	
The proposed development will have no impact on the building orientation, envelope and design which was approved as part of SSD 10224.	
<b>3.4 Landscaping</b>	
<p><b>C17</b></p> <p>Appropriate planting should be provided along the boundary integrated with fencing.</p> <p>Screen planting should not be included in calculations of unencumbered outdoor space.</p>	Landscaping along the boundaries include varying heights, thickness and densities; gaps are also proposed between parts of the landscaping, particularly along the eastern boundary.
<p><b>C18</b></p> <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</li> </ul>	Parking for the childcare centre was approved alongside SSD 10224 and is not relevant to this application. The car parking is located to the south west and provides for 13 spaces.

Guideline	Compliance with standard/provision
<p>areas within the front setback.</p>	
<p><b>3.5 Visual and acoustic privacy</b></p>	
<p><b>C20</b>                      Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> <li>• Appropriate site and building layout</li> <li>• Suitably locating pathways, windows and doors</li> <li>• Permanent screening and landscape design.</li> </ul>	<p>The playrooms and outdoor play area is located to the south east and will not be directly overlooked by public areas. The landscaping design includes screen planting along the boundaries.</p>
<p><b>C21</b>                      Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> <li>• Appropriate site and building layout</li> <li>• Suitable location of pathways, windows and doors</li> <li>• Landscape design and screening.</li> </ul>	<p>No living spaces or private open spaces will be overlooked by the development. Building layout has already been approved as part of SSDA 10224.</p>
<p><b>C22</b>                      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:</p> <ul style="list-style-type: none"> <li>• provide an acoustic fence along any boundary where the adjoining property contains a residential use. An acoustic fence is one that is a solid, gap free fence.</li> <li>• 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.</li> </ul>	<p>The proposal has been supported by an acoustic report, noting the preschool shell and number of children (40) has been approved. The report considers operational noise, use of the outdoor play space and considers impacts from the adjoining railway in terms of noise and vibration.</p> <p>Acoustic barriers / screens are provided for external mechanical plant to minimise any noise impacts.</p> <p>Due to the siting of the preschool building, the building itself provides noise shielding to the nearest noise sensitive areas of the residential properties on the western side of Faulkner Way.</p> <p>The outdoor play space will meet the noise level criterion without reliance upon acoustic fencing.</p>
<p><b>C23</b>                      A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> <li>• identify an appropriate noise level for a child care facility located in residential and other zones</li> <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>	<p>The proposal has been supported by an acoustic report which demonstrates the proposal achieves an acceptable acoustic outcome.</p>



Guideline	Compliance with standard/provision
<b>3.6 Noise and Air Pollution</b>	
<p><b>C24</b> Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> <li>• Creating physical separation between buildings and the noise source</li> <li>• Using landscaping to reduce the perception of noise</li> <li>• Limiting the number and size of openings facing noise sources</li> <li>• using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)</li> <li>• using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits</li> <li>• Locating cot rooms, sleeping areas and play areas away from external noise sources.</li> </ul>	<p>The proposal has been supported by an acoustic report prepared by JHA.</p> <p>Acoustic barriers / screens are provided to the external mechanical plant to minimise any noise impact to the nearest residential receivers on Faulkner Way.</p> <p>The noise impacts from the use of the childcare outdoor and indoor playgrounds will meet the noise level criteria at the nearest noise residential receivers. Noise level criteria will be achieved by the shielding provided by the childcare building plus location of the childcare outdoor playground</p>
<p><b>C25</b> An acoustic report should identify appropriate noise levels for sleeping areas and 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>• Other land that is impacted by substantial external noise</li> </ul>	<p>The accompanying acoustic report considers the impact the nearby railway line will have on the child care centre. The acoustic report states the vibration and noise generated from passing trains are acceptable.</p>
<p><b>C26</b> 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 site is located within an R1 General Residential zone. The site is not located in close proximity to a major road or industrial zone.</p>
<p><b>C27</b> 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>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 separation distance</li> </ul>	<p>An Air Quality assessment report has not been submitted; however the site is not located close to a major road or industrial development.</p>

Guideline	Compliance with standard/provision
<p>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>	
<p><b>3.7 Hours of Operation</b></p>	
<p><b>C28</b> 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>As per the submitted Plan of Management and Statement of Environmental Effects, the proposed hours of operation are 8:30am to 4:30pm, 40 weeks per year. The Preschool will be closed for NSW Public School Holidays.</p>
<p><b>C29</b> 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>The subject site is located within the R1 General Residential zone and is located on the site of a primary school. The hours of operation are considered satisfactory and compatible with the local area.</p>
<p><b>3.8 Traffic, parking and pedestrian circulation</b></p>	
<p>Traffic, parking and pedestrian circulation is not within the scope of this development application. These matters were approved as part of the SSD 10224. The approved car parking provides for 13 spaces and is located to the south east of the site. This development application relates to internal fit-out, operation and detailed landscaping of the preschool.</p>	
<p><b>Part 4 Applying the National Regulations to development proposal</b></p>	
<p><b>4.1 Indoor Space Requirements</b></p> <p><b>Regulation 107 Education and Care Services National Regulations</b> Every child being educated and cared for within a facility must have a minimum of 3.25m<sup>2</sup> of unencumbered indoor space.</p> <p>All unencumbered indoor spaces must be provided as a secure area for children. The design of these spaces should consider the safe supervision of children.</p> <p>Applicants should also note that regulation 81 requires that the needs for sleep and rest of children at the service be met, having regard to their ages, development stages and individual needs. Development applications should indicate how these needs will be accommodated.</p> <p><b>Storage</b> It is recommended that a child care facility provide:</p> <p>a. a minimum of 0.3m<sup>3</sup> per child of external</p>	<p>Each child will have the required 3.25m<sup>2</sup> of unencumbered indoor space.</p> <p>Internal storage:</p> <ul style="list-style-type: none"> <li>• Required: 8m<sup>3</sup></li> </ul>

Guideline	Compliance with standard/provision
<p>storage space</p> <ul style="list-style-type: none"> <li>a minimum of 0.2m<sup>3</sup> per child of internal storage space.</li> </ul>	<ul style="list-style-type: none"> <li>Proposed: 44m<sup>3</sup></li> </ul> <p>External storage:</p> <ul style="list-style-type: none"> <li>Required: 12m<sup>3</sup></li> <li>Proposed: No external storage is proposed. The proposal identifies an external storage area 33.4m<sup>3</sup> located between the two buildings. Although the storage area is not located within the outdoor play space it does exceed the requirement and is located in a space so it does not encumber the outdoor play space but it readily accessible for carers.</li> </ul>
<p><b>4.2 Laundry and hygiene facilities</b></p> <p><b>Regulation 106 Education and Care Services National Regulations</b></p> <p>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering.</p> <p><b>On site laundry</b></p> <p>On site laundry facilities should contain:</p> <ul style="list-style-type: none"> <li>a washer or washers capable of dealing with the heavy requirements of the facility</li> <li>a dryer</li> <li>laundry sinks</li> <li>adequate storage for soiled items prior to cleaning</li> <li>an on site laundry cannot be calculated as usable unencumbered play space for children (refer to Figure 2)</li> </ul> <p><b>External laundry service</b></p> <p>A facility that does not contain on site laundry facilities must make external laundering arrangements. Any external laundry facility providing services to the facility needs to comply with any relevant Australian Standards.</p>	<p>Laundry facilities are to be included within the preschool, however it is unclear who will undertake laundering tasks. The submitted POM indicates the laundering will be undertaken by external service, despite the facilities being provided within the centre.</p> <p>9.5m<sup>2</sup> laundry proposed. No detail on space for storage of soiled items, however there is a separate room to the north 6.95m<sup>2</sup> in area which immediately adjoins the laundry.</p> <p>Not proposed; see above. Internal laundry facilities have been provided.</p>
<p><b>4.3 Toilet and hygiene facilities</b></p> <p><b>Regulation 109 Education and Care Services National Regulations</b></p> <p>A service must ensure that adequate, developmentally and age appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children. Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.</p>	<p>The toilet and nappy change facilities have been appropriately located for safe and convenient use with washing and drying facilities. The plans suggest that age-appropriate toilets have been provided. In the event of approval, appropriate bathroom fittings (if not already proposed) are capable of being provided subject to conditions.</p> <p>The amended proposal provides for windows</p>

Guideline	Compliance with standard/provision
<p>Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants (refer to Figure 3). Design considerations could include:</p> <ul style="list-style-type: none"> <li>• junior toilet pans, low level sinks and hand drying facilities for children</li> <li>• a sink and handwashing facilities in all bathrooms for adults</li> <li>• direct access from both activity rooms and outdoor play areas</li> <li>• windows into bathrooms and cubicles without doors to allow supervision by staff</li> <li>• external windows in locations that prevent observation from neighbouring properties or from side boundaries</li> </ul>	<p>to enable the bathroom areas to be seen by staff. Direct access by the provision of doors from the playrooms to the bathrooms has been provided for on the amended plans.</p>
<p><b>4.4 Ventilation and natural light</b></p> <p>Regulation 110 Education and Care Services National Regulations Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children. Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.</p> <p><b>Ventilation</b></p> <p>To achieve adequate natural ventilation, the design of the child care facilities must address the orientation of the building, the configuration of rooms and the external building envelope, with natural air flow generally reducing the deeper a building becomes. It is recommended that child care facilities ensure natural ventilation is available to each indoor activity room.</p> <p><b>Natural Light</b></p> <p>Solar and daylight access reduces reliance on artificial lighting and heating, improves energy efficiency and creates comfortable learning environments through pleasant conditions. Natural light contributes to a sense of well-being, is important to the development of children and improves service outcomes. Daylight and solar access changes with the time of day, seasons and weather conditions. When designing child care facilities consideration should be given to:</p> <ul style="list-style-type: none"> <li>• providing windows facing different orientations</li> <li>• using skylights as appropriate</li> <li>• ceiling heights. It is recommended that ceiling</li> </ul>	<p>The building includes windows and doors that allow for natural ventilation and solar access into the buildings. the main rooms are however oriented to the south; natural light access issues will be exacerbated by coverings above the south-facing windows, and the size of the windows on the western elevation will limit natural light access. NCC lighting requirements can likely be met, but there are fundamental design issues with natural light access as a result of the orientation and siting of the approved building.</p> <p>The proposed development has no impact on the existing preschool cold-shell/structure which was approved as SSD 10224. The building allows for natural ventilation. The proposal has been designed with two separate buildings connected along the side elevations with an open area between to ensure cross ventilation is achieved throughout the building.</p> <p>The applicant has submitted a daylight analysis report outlining the daylight access received to playrooms which includes 100% to 1 play space and 57.5% to the other. Despite the siting and orientation, the indoor play spaces will achieve optimum daylight amenity.</p>

Guideline	Compliance with standard/provision
<p>heights be proportional to the room size, which can be achieved using raked ceilings and exposed trusses, creating a sense of space and visual interest.</p> <p>Designers should aim to minimise the need for artificial lighting during the day, especially in circumstances where room depth exceeds ceiling height by 2.5 times. It is recommended that ceiling heights be proportional to the room size, which can be achieved using raked ceilings and exposed trusses, creating a sense of space and visual interest.</p>	
<p><b>4.5 Administrative Space</b></p> <p><b>Regulation 111 Education and Care Services National Regulations</b></p> <p>A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.</p>	<p>The proposal includes a 14.72m<sup>2</sup> admin area which connects to the foyer entry. The foyer entry is 27.99m<sup>2</sup> in size and will allow for administration to be undertaken. The PoM states that onsite staff and educators will have access to a centralised administration team.</p> <p>The proposed development includes a 14.96m<sup>2</sup> meeting room which will allow for consulting with parents and conducting private conversations as is required by the regulations.</p>
<p><b>4.6 Nappy change facilities</b></p> <p><b>Regulation 112 Education and Care Services National Regulations</b></p> <p>Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children. Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.</p> <p>In circumstances where nappy change facilities must be provided, design considerations could include:</p> <ul style="list-style-type: none"> <li>• properly constructed nappy changing bench or benches</li> <li>• a bench type baby bath within one metre from the nappy change bench</li> <li>• the provision of hand cleansing facilities for adults in the immediate vicinity of the nappy change area</li> </ul>	<p>No nappy changing facilities are provided. Given the proposal is a preschool which caters for children aged 3 – 6 this is considered acceptable.</p>

Guideline	Compliance with standard/provision
<ul style="list-style-type: none"> <li>positioning to enable supervision of the activity and play areas.</li> </ul>	
<p><b>4.7 Premises designed to facilitate supervision</b></p> <p><b>Regulation 115 Education and Care Services National Regulations</b></p> <p>A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity. Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.</p> <p>Design considerations should include:</p> <ul style="list-style-type: none"> <li>solid walls in children's toilet cubicles (but no doors) to provide dignity whilst enabling supervision</li> <li>locating windows into bathrooms or nappy change areas away from view of visitors to the facility, the public or neighbouring properties</li> <li>avoiding room layouts with hidden corners where supervision is poor, or multi room activity rooms for single groups of children</li> <li>avoiding multi-level rooms which compromise, or require additional staffing, to ensure proper supervision. If multilevel spaces are proposed, consideration should be given to providing areas that can be closed off and used only under supervision for controlled activities.</li> </ul> <p><b>4.8 Emergency and evacuation procedures</b></p> <p>Regulations 97 and 168 Education and Care Services National Regulations Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including:</p> <ul style="list-style-type: none"> <li>instructions for what must be done in the event of an emergency</li> <li>an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit</li> <li>a risk assessment to identify potential emergencies that are relevant to the service</li> </ul> <p>Facility design and features should provide for the</p>	<p>The proposed centre has been designed to allow for supervision of the children from within the indoor and outdoor play spaces. The amended plans include windows to enable supervision by staff of the toilets facilities.</p> <p>Partition walls have been provided between cubicles.</p> <p>The amended proposal provides for direct access from playrooms to the bathroom facilities and the addition of windows to enable supervision,</p> <p>Multi-level rooms are not proposed.</p> <p>The amended information includes provision of Evacuation Diagrams and details on the procedures.</p> <p>These will be informed by guidelines consistent with Early Childhood Education regulations and standards.</p> <p>The child care centre will have its emergency evacuation procedures prominently displayed near each exit.</p>

Guideline	Compliance with standard/provision
<p>safe and managed evacuation of children and staff from the facility in the event of a fire or other emergency. Multi-storey buildings with proposed child care facilities above ground level may consider providing additional measures to protect staff and children. For example:</p> <ul style="list-style-type: none"> <li>• independent emergency escape routes from the facility to the ground level that would separate children from other building users to address child protection concerns during evacuations</li> <li>• a safe haven or separate emergency area where children and staff can muster during the initial stages of a fire alert or other emergency. This would enable staff to account for all children prior to evacuation. An emergency and evaluation plan should be submitted with a DA and should consider:</li> <li>• the mobility of children and how this is to be accommodated during an evacuation</li> <li>• the location of a safe congregation/assembly point, away from the evacuated building, busy roads and other hazards, and away from evacuation points used by other occupants or tenants of the same building or of surrounding buildings</li> <li>• how children will be supervised during the evacuation and at the congregation/assembly point, relative to the capacity of the facility and governing child-to-staff ratios.</li> </ul>	<p>An evacuation plan has been provided and identifies the assembly area at the corner of Buchan Avenue and Faulkner Way, The PoM details the child care centres emergency preparedness.</p>
<p><b>4.9 Outdoor Space requirements</b></p> <p><b>Regulation 108 Education and Care Services National Regulations</b> An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m<sup>2</sup> of unencumbered outdoor space.</p> <p><b>Verandahs as outdoor space</b> Where a covered space such as a verandah is to be included in outdoor space it should:</p> <ul style="list-style-type: none"> <li>• be open on at least one third of its perimeter</li> <li>• have a clear height of 2.1 metres</li> <li>• have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter</li> <li>• have adequate flooring and roofing • be designed to provide adequate protection from</li> </ul>	<p>Outdoor Space:</p> <ul style="list-style-type: none"> <li>• Required: 280m<sup>2</sup></li> <li>• Proposed: 328.61m<sup>2</sup></li> </ul> <p>Verandahs are not proposed.</p>



Guideline	Compliance with standard/provision
<p>the elements.</p> <p><b>Simulated outdoor environments should include:</b></p> <p>more access to natural light and ventilation than required for an internal space through large windows, glass doors and panels to enable views of trees, views of the sky and clouds and movement outside the facility:</p> <ul style="list-style-type: none"> <li>• skylights to give a sense of the external climate</li> <li>• a combination of different floor types and textures, including wooden decking, pebbles, mounds, ridges, grass, bark and artificial grass, to mimic the uneven surfaces of an outdoor environment</li> <li>• sand pits and water play areas</li> <li>• dense indoor planting and green vegetated walls</li> <li>• climbing frames, walking and/or bike tracks</li> <li>• vegetable gardens and gardening tubs.</li> </ul>	<p>The proposal demonstrates natural light and ventilation is achieved to internal spaces.</p> <p>The preschool also includes sand pits, grass, planting, balance beam.</p>
<p><b>4.10 Natural Environment</b></p> <p><b>Regulation 113 Education and Care Services National Regulations</b></p> <p>The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.</p> <p>Creating a natural environment to meet this regulation includes the use of natural features such as trees, sand and natural vegetation within the outdoor space.</p> <p>Shrubs and trees selected for the play space must be safe for children. Avoid plant species that risk the health, safety and welfare of the facility's occupants, such as those which:</p> <ul style="list-style-type: none"> <li>• are known to be poisonous, produce toxins or have toxic leaves or berries</li> <li>• have seed pods or stone fruit, attract bees, have thorns, spikes or prickly foliage or drop branches.</li> </ul> <p>The outdoor space should be designed to:</p> <ul style="list-style-type: none"> <li>• provide a variety of experiences that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment</li> <li>• assist supervision and minimise opportunities for bullying and antisocial behaviour</li> <li>• enhance outdoor learning, socialisation and recreation by positioning outdoor urban</li> </ul>	<p>A wide variety of outdoor play environments are proposed. The proposal is considered to be satisfactory in this regard. The submitted landscape plans demonstrate:</p> <ul style="list-style-type: none"> <li>- grass areas</li> <li>- plantings and shrubs</li> <li>- balance beams</li> <li>- mixture of soft play areas in addition to paving</li> <li>- timber bridge</li> <li>- bolders and Tallowood stump</li> <li>- bicycle loop</li> <li>- bench seats</li> </ul> <p>The design provides for a variety of experiences. The outdoor play space is visible from playrooms for supervision.</p>

Guideline	Compliance with standard/provision
<p>furniture and play equipment in configurations that facilitate interaction.</p>	
<p><b>4.11 Shade</b>  <b>Regulation 114 Education and Care Services National Regulations</b>                      The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.</p> <p>Providing the correct balance of sunlight and shade to play areas is important for the health and wellbeing of children and staff. Combining built and natural shade will often be the best option.</p> <p><b>Solar access and sun protection</b>                      Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. However, exposure to ultraviolet radiation in childhood significantly increases the chances of getting skin cancer later in life.</p> <p>Outdoor play areas should be provided with controlled solar access throughout the year, including protecting children and staff from ultraviolet radiation from the sun and play equipment from becoming hot. Well-designed play spaces provide comfortable and safe areas for children to engage in activities for improved health and well-being.</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><b>Natural Shade</b>                      Natural shade should be a major element in</p>	<p>Covered areas are provided. The covered shade is provided in the south western corner.</p> <p>An amended Solar Analysis which includes consideration at hourly intervals from 8am – 4pm for the winter solstice, and the area calculations of solar access to the outdoor play area. The shadow diagrams indicated solar access was received to 30% of the outdoor play space between 8am – 10am. The solar access is received to the south western corner of the property which is where the shade sail is proposed.</p> <p>The analysis confirms that 30% of the outdoor play area will achieve a minimum of 2 hours of solar access between 8am and 4pm in accordance with Section 4.11 Shade of the Child Care Planning Guideline.</p> <p>The proposal includes landscaping and shadowing plantings along the eastern and western side boundaries.</p>

Guideline	Compliance with standard/provision
<p>outdoor play areas. Trees with dense foliage and wide-spreading canopies provide the best protection. Existing stands of trees, particularly in rear setbacks, should be retained to provide shaded play areas. Species that suit local soil and climatic conditions and the character of the environment are recommended.</p> <p>Dense shrubs can also provide shade. They should be planted around the site perimeter so they don't obstruct supervision. Pruning shrubs on the underside may create shaded play nooks underneath.</p> <p>Planting for shade and solar access is enhanced by:</p> <ul style="list-style-type: none"> <li>• placing appropriately scaled trees near the eastern and western elevations</li> <li>• providing a balance of evergreen and deciduous trees to give shade in summer and sunlight access in winter.</li> </ul> <p><b>Built shade structures</b>                      Built structures providing effective shade include:</p> <ul style="list-style-type: none"> <li>• permanent structures (pergolas, sails and verandahs)</li> <li>• demountable shade (marquees and tents)</li> <li>• adjustable systems (awnings)</li> <li>• shade sails.</li> </ul> <p>Shade structures should not create safety hazards. Support systems such as upright posts should be clearly visible with rounded edges or padding. Vertical barriers at the sides of shade structures should be designed to prevent children using them for climbing. Shade structures should allow adults to view and access the children's play areas, with a recommended head clearance of 2.1 metres. The floor area underneath the structure should be of a sufficient size and shape to allow children to gather or play actively.</p>	<p>Complies. Shade is provided by a shade sail with clearance height of 2.1m.</p>
<p><b>4.12 Fencing</b>  <b>Regulation 104 Education and Care Services National Regulations</b></p> <p>Any outdoor space used by children must be 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.</p> <p>This regulation does not apply to a centre-based service that primarily provides education and care to children over preschool age, including a family day care venue where all children are over preschool age.</p> <p>Child care facilities must also comply with the</p>	<p>The amended elevations demonstrate the proposed fencing which includes 1.8m high fencing along the north western boundary presenting to Faulkner Way with internal fencing having a height of 1200mm as shown in the south western elevation.</p> <p>Regulations state that fencing should prevent children climbing through and that height should have a maximum height of 1800mm in which the proposed fencing achieves. The fencing is palisades.</p>

Guideline	Compliance with standard/provision
<p>requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.</p> <p>In general, fencing around outdoor spaces should:</p> <ul style="list-style-type: none"> <li>• prevent children climbing over, under or through fences</li> <li>• prevent people outside the facility from gaining access by climbing over, under or through the fence</li> <li>• Design considerations for side and rear boundary fences could include: <ul style="list-style-type: none"> <li>○ being made from solid prefinished metal, timber or masonry</li> <li>○ having a minimum height of 1.8 metres</li> <li>○ having no rails or elements for climbing higher than 150mm from the ground.</li> </ul> </li> </ul> <p>Fencing and gates should be designed to ensure adequate sightlines for vehicles and pedestrian safety in accordance with Australian Standards and Roads and Maritime Services Traffic Management Guidelines. Gates should be designed to prevent children leaving/entering unsupervised by use of childproof locking systems (refer to Figure 11).</p>	
<p><b>4.13 Soil Assessment</b></p> <p>Regulation 25 Education and Care Services National Regulations Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval. With every service application one of the following is required:</p> <ul style="list-style-type: none"> <li>• a soil assessment for the site of the proposed education and care service premises</li> <li>• if a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.</li> </ul>	<p>As part of the approval of the site for the purpose of a preschool considered the requirements associated with Regulation 25.</p>

Attachment 3 - Plans submitted with the development application

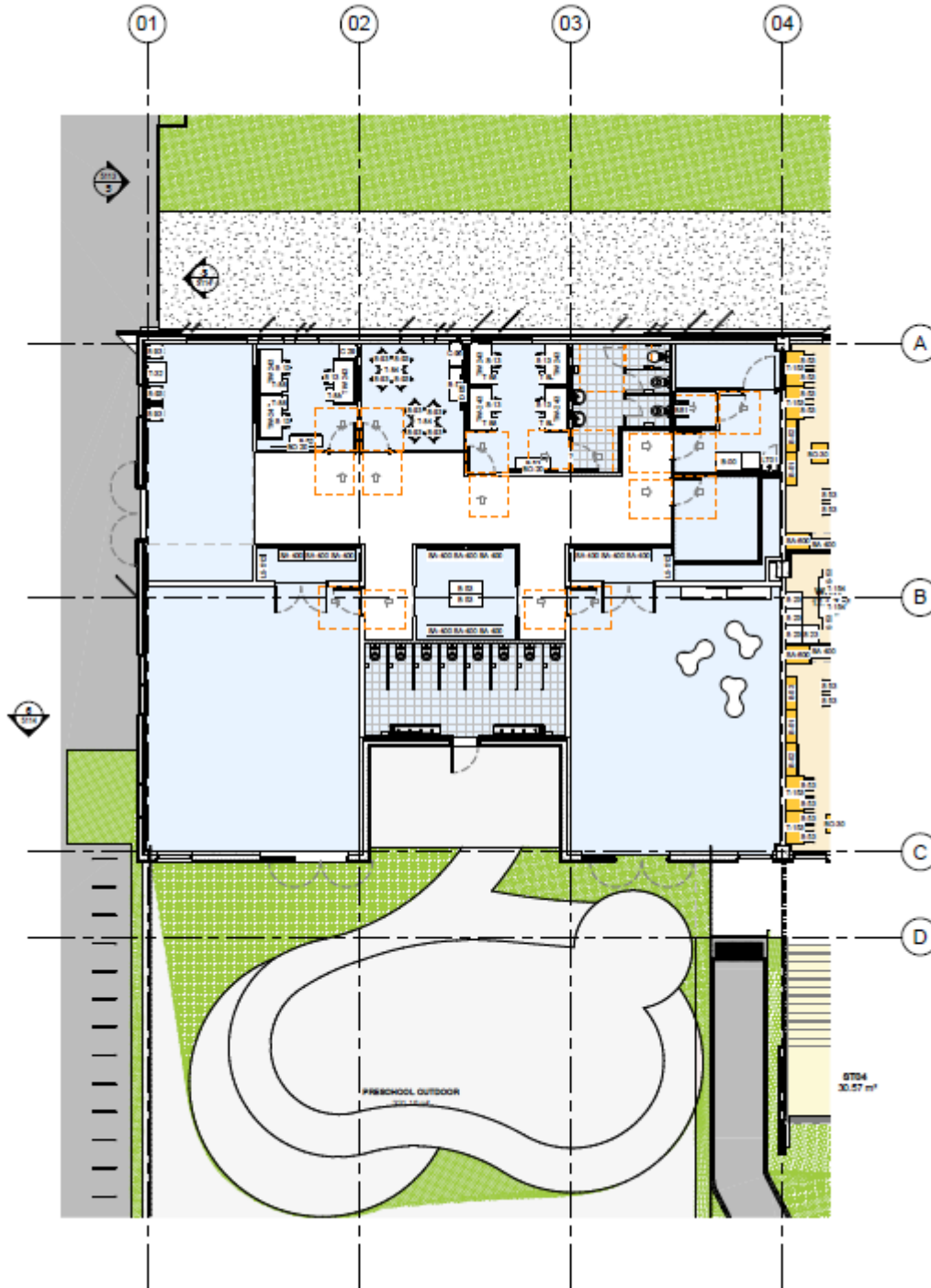
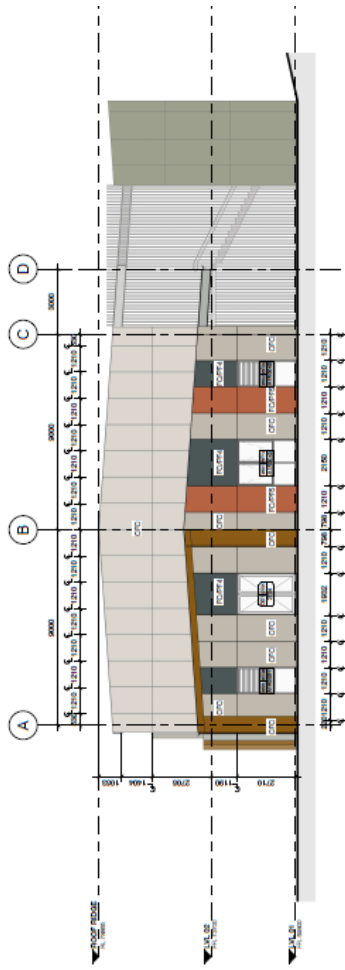
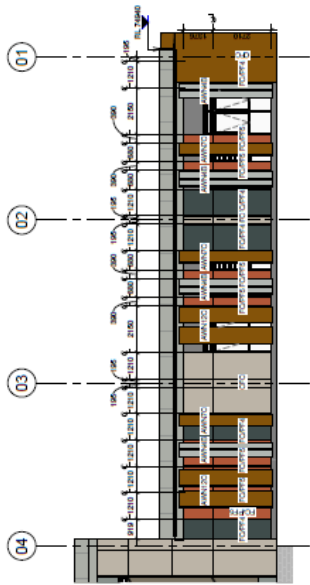


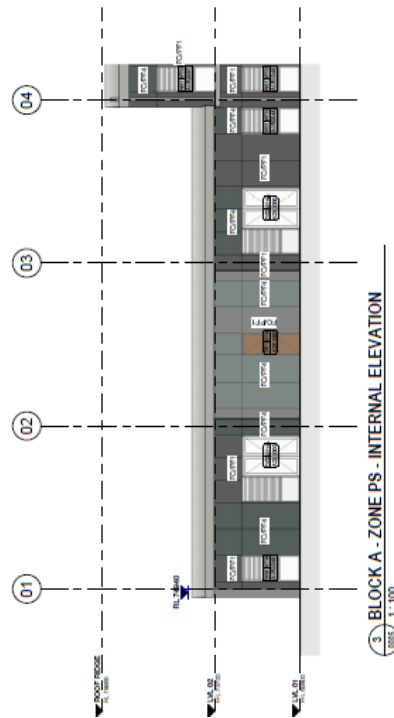
Figure 1- Furniture layout plan/ Site Plan



2 SOUTH - WEST ELEVATION  
1:100



1 BLOCK A - ZONE PS - NORTH - WEST ELEVATION  
1:100



3 BLOCK A - ZONE PS - INTERNAL ELEVATION  
1:100

Figure 2- Elevation Plans