ETHOS URBAN

Appendix Z – Assessment against draft Mamre Road Precinct DCP

Control	Assessment	Compliant?
Section 3.3 - Interface with Mount Vernon residential area		
Development applications are to consider the controls under Sections 3.2 and 4.	Section 4 of the subject DCP is addressed in the second portion of this Table. Section 3.2, namely 'Views and Impacts', are addressed in Section 5.6 of the attached EIS. Visual impacts are further discussed in this table, specifically in relation to Section 3.3 – Interface with Mount Vernon residential area. It is considered that the breadth of this assessment is proportionate with the scale and significance of the activities proposed at the site. Visual impacts are assessed in the attached VIA (**Appendix J**).	Yes
Development applications for land within 250m of the southern and south-eastern Precinct boundary (as indicated in Figure 10) are to include a Landscape Plan prepared by a suitably qualified and experienced consultant which demonstrates a sympathetic transition to adjoining rural-residential development.	The eastern boundary of the subject site abuts the south-eastern precinct boundary, such that this control applies. A comprehensive Landscape Plan (**Appendix F**) was prepared by Site Image Landscape Architects. Illustrated on pg.6 of the Landscape Plan are planted berms that lie immediately adjacent to the south-eastern boundary. These berms are planted with shrubbery and canopy trees. The berms mimic a naturally occurring slope with a shallow gradient. Further to this, Warehouses 4A and 4B are set back over 15m from the south-eastern precinct boundary. The finished landscape in vicinity of the south-eastern boundary, particularly when observed from adjacent properties to the east, demonstrates a sympathetic transition to adjoining rural-residential development.	Yes

Control	Assessment	Compliant?
Development applications for land within the interface area are to be accompanied by a Visual Impact Assessment to address the visual and landscape impacts to sensitive receivers, including appropriate cross-sections.	A Visual Impact Assessment (**Appendix J**) was prepared by Geoscapes Landscape Architects. Relevant cross-sections and imagery featured heavily throughout this document. The assessment noted that the proposal "*will be of similar scale and type of warehousing that has already been established within First Estate and Erskine Park*" (pg.23). As such, it is not considered that the proposal is unanticipated within this context particularly given the Mamre Road Precincts recent rezoning for this land use. Because the surrounding area has been rezoned for industrial development, visual impacts are generally to be short to medium term only (excepting the viewpoints from the Mount Vernon residential area at VP5, VP6, and VP7). The VIA notes that the proposed development responds to the sensitivity of nearby residential receivers at Mount Vernon through a number of visual mitigation measures, including significant landscape planting at the eastern boundary. This will attenuate visual effects on these properties in 15 years when vegetation matures. The civil design has taken these receivers into consideration by reducing pad heights where possible.	Yes
A minimum 30m building setback is to be provided to buildings that directly adjoin a rural residential zone. Access and car parking may be provided within 15m of the setback. An indicative landscape treatment within the interface area is shown in Figure 11.	Landscaping for the Kemps Creek Logistics Park responds to the key interfaces of the estate with the public domain, adjoining properties and environmentally sensitive lands such as increased setbacks to the Rural Residential lands. The proposed berms enable a 22m setback (gradually increasing to 30m) along the south-eastern boundary, which abuts the Rural Residential Zone. Whilst this is less than 30m, the finished landscape in this buffer area will attenuate adverse visual effects. This is validated by the VIA (**Appendix J**), which concludes that visual impacts are generally to be short to medium term only, none of which were classified as severe. It is concluded that the 'buffer area' alongside the south-eastern boundary is sufficiently landscaped, such that the noncompliance with this control is mitigated.	Variation requested
Reduced building and landscape setbacks may be considered on the merits of the application, where it can be justified that the objectives of this clause and the requirements under clause 23 of the WSEA SEPP are achieved.	The VIA (**Appendix J**) noted the majority of visual effects to be 'minor' or 'moderate', almost all of which will be temporary (short-medium term). This, in conjunction with the comprehensive landscaping regime proposed for the boundary area in the southeast, and the fact development of this nature is not unanticipated at this location, demonstrates consistency with the criteria imposed through this Control and requirements under Clause 23 of the WSEA SEPP. As such, there are sufficient grounds to disregard the noncompliance with Control Four (above). Note also that there is a setback proposed.	Yes
Building and landscape setbacks and treatments are to be in accordance with Sections 4.2 and 4.2.3.	Noted. The relevant sections are assessed below.	Yes

Control	Assessment	Compliant?
Development along the ridgeline is to incorporate earth mounds and screening vegetation to strengthen the existing ridgeline landform and screen views from rural-residential properties. Buildings should be sited downslope of the ridgeline, where possible.	The Landscaping Plan (**Appendix F**) demonstrates compliance with this control, whereby bunds and screening vegetation are incorporated into the design where appropriate.	Yes
Provide mature tree planting along the ridgeline.	Canopy Trees were planted along the bunds. These trees are anticipated to reach a stage of maturity in their growth cycle within approximately 15 years, upon which they will further soften visual effects attributed to the proposal, per findings in the attached VIA (**Appendix J**).	Yes
Development applications are to include a Lighting Plan that minimises light spill to adjoining residential areas.	Lighting Plans are provided in the Architectural Plans by Nettleton Tribe at **Appendix A**. Adverse nuisance effects attributed to light spill will be negligible. Any light spill to adjoining areas will be minimal, and anticipated for the receiving environment. This conclusion is drawn because: All lighting will be compliant with *AS1158 and AS4282 – Control of Obtrusive Effects of Outdoor Lighting*. Lighting has been provided in accordance with the requirements of *Australian Standard 1158.3.1-1999* and the recommendations contained within. Light fittings are LED wall mounted on the face of the awning and directed in a manner that they do not render nuisance effects on the occupants of surrounding properties or users of the adjacent public road corridor. Note also the necessity of lighting to ensure the proposed estate is safe during dark periods. *See Section 6.5 of the VIA (Appendix J).*	Yes
Loading areas, driveways, rubbish, storage areas and roof top equipment shall, where possible, not be located adjacent to rural-residential properties.	The primary access driveway does not abut any boundary with the Rural Residential Zone. Impervious paved ground surfaces that are in vicinity of the site boundary are sufficiently shielded by vegetation and bunds when observed from adjacent properties (**Appendix F**). There is no proposed rooftop equipment of note that could render a conspicuous visual impact on adjacent sensitive receivers (see **Appendix A**). During the operational phase of the proposed development, waste and recyclables storage units will be provided in the warehouse and office spaces, such that they will not be visible when the proposal is observed from beyond the confines of the subject site. See Section 5.19 of the SEE. The proposed development is for warehouse and distribution purposes with storage of goods being enclosed within buildings (see **Appendix A**).	Yes
Section 4.0 – General Requirements for Industrial Development		

Control	Assessment	Compliant?
All development applications are to be accompanied by a Site Analysis Plan	A Site Analysis Plan forms part of the architectural package, which is further supported by a land survey plan prepared by Land Partners, attached in **Appendix D**. A preliminary geotechnical investigation was conducted by Douglas Partners, and is attached in **Appendix S**. A comprehensive geotechnical investigation from October 2019 is attached in **Appendix T**. It is considered that criteria imposed through Control 1 (left) are sufficiently fulfilled.	Yes
4.2.1 – Built Form Design Controls: Height		
Building height should respond to the natural landscape and scale of existing adjoining development, incorporating lower elements towards the street, pedestrian paths, adjoining rural-residential areas and areas of environmental value, such as riparian corridors and ridgelines.	The building envelopes have been designed to be comparable in scale across the site. As detailed in the Architectural Plans at **Appendix A**, each envelope in the proposed masterplan adopts a similar maximum building height ranging from RL 59 (for Warehouse 1) to RL 80 (for Warehouses 3 and 4) which is mediated by the topography of the site. This is conveyed in the cross sections contained in the Architectural Plans (**Appendix A**), which are also included on pg.28 of this EIS.	Yes
Buildings should not exceed a maximum height of 16m from the existing ground level within 250m of a rural-residential zone. For all other sites, a maximum building height of 20m from existing ground level is permitted.	Per the architectural elevations contained in Appendix A, the buildings that abut the site boundary with the Rural Residential Zone (Warehouses 4A and 4B) have a finished height of 14.6m. The finished height of these warehouses is such that the proposal is consistent with Control 2 (left).	Yes
Should the nature of the business require a taller built form (above 20m), the proponent must demonstrate that the taller element will mitigate solar and visual impacts to the surrounding uses and public amenity. The development application must be accompanied by a visual impact assessment by a suitably qualified consultant.	The proposal does not exceed 20m in height.	Yes
Taller building elements over 15m should be recessed from the street frontage	The proposal does not exceed 15m in height. However, the proposal acknowledges and responds to the underlying intentions of this control. Namely, the intention to preserve surrounding streetscapes from adverse visual dominance and shading effects. Peripheral planting will be established adjacent to Warehouse 1A along the site boundary that fronts Aldington Road to the west. Please note that the Estate Road, located on site, will feature street tree planting to both sides, whereby a turf verge between the footpath and kerb allows for clusters of trees. The proposal sufficiently responds to the presence of internal street frontages (within site) and external street frontages (abutting site) through the tactful use of vegetated space. See the Landscaping Plan attached in **Appendix F**.	Yes
Building height must ensure direct solar access to public footpaths, open space and environmental areas, between the hours of 11:00am and 2:00pm at the winter solstice, 21 June. Shadow diagrams must be submitted demonstrating this outcome.	There will be no adverse shading effects attributed to the proposal within any of the areas listed under this control.	Yes

Control	Assessment	Compliant?
Building services located on the roof (such as HVAC, lift motor room, exhaust fans, etc) must be accommodated within the maximum permissible height of the building.	There are no fixed roof units that breach the maximum permissible height limit.	Yes
A Visual Impact Assessment to be submitted with development applications demonstrating that development will not adversely affect the scenic quality of: *The precinct, particularly when viewed from elevated locations.* *Wianamatta-South Creek.* *Adjoining rural-residential areas.*	A comprehensive VIA was prepared by Geoscapes and is attached at **Appendix J**. The VIA concluded that shading effects, almost all of which were temporary, ranged from minor to moderate. We consider the conclusions drawn from this report to indicate that shading effects have been appropriately mitigated, such that they will render a negligible impact on the amenity of adjoining Rural Residential areas. Further to this, landscaping along the south-eastern boundary with Rural Residential areas uses canopy trees and shrubs to attenuate the visual dominance effects associated with the proposal when observed from adjacent Rural Residential areas. The bund features a shallow gradient that will mimic that of naturally occurring topographic features in the area. Upon synthesizing previously discussed observations in the VIA, it is considered that adverse effects on the scenic landscape of adjoining rural residential areas will be insignificant.	Yes
Buildings should be sited on mid-slope to avoid visual impact on ridges and to be in harmony with the existing landscape.	Proposed buildings are not located on ridges. The visual appearance of the ridges is enhanced through the formation of planted bunds, as shown in the Landscaping Plan (**Appendix F**).	Yes
On sloping sites, the building or buildings should be designed, where possible, so as to "step" physically up or down the site to avoid visual impact on ridges.	The site comprises a predominantly undulating topography, with high points running along the eastern boundary (RL 92.50), which accommodates a ridge line. The proposed buildings are not constructed on the ridge line. The warehouses are recessed into the slope, particularly Warehouse 5 *(see pg 9, cross section 2 of Architectural Plans in Appendix A).* The buildings have been recessed into the terrain as far as practicable, such that consistency with this control is achieved.	Yes
) Buildings located within visually sensitive locations (e.g. around ridgelines) should use materials that minimise visual impacts and reflectivity, such as green roofs. Visually sensitive areas are identified in Figure 8.	Colour tones have been chosen to integrate the proposal into its surrounding context. A palette of whites and greys are typically used on the building façades with materials such as colorbond and pre-cast concrete. The VIA (**Appendix J**) asserted that these features *"help make the buildings more recessive into the skyline and consistent with adjacent proposed developments"* (pg.25). In relation to sensitive receivers, also note the following excerpt from pg.44 of the VIA (**Appendix J**): *"Although properties within Mount Vernon or the Western Sydney Aerotropolis are not situated within IN1 zoning as per the Mamre Road Precinct, they are located directly adjacent to it. Therefore, as more industrial development occurs in the short to medium term, the visual sensitivity of their view is also possibly likely to decrease."*	Yes
4.2.1 – Built Form Design Controls: Building Setbacks		

Control	Assessment	Compliant?
Building setbacks are to be in accordance with the standards outlined in Table 11.	Proposed buildings are sufficiently setback from site boundaries. The proposal is compliant with all relevant setback standards imposed through all primary, side and rear setback requirements in the DCP. In addition, it has been established that the width of setbacks is proposed to increase along site boundaries that abut the Rural Residential area.	Yes
3) Setbacks may incorporate an off-street parking area if it can be demonstrated that the location of the car parking area: *Is within a setback which is at least 13m wide and set behind a landscaped area which is at 50% of the required setback;* *Promotes the function and operation of the development;* *Enhances the overall design of the development by implementing design elements, including landscaping, that will screen the parking area and is complementary to the development; and* *Does not detract from the streetscape values of the locality.*	Proposed carparking areas are fringed with peripheral vegetation and occupy an insignificant portion of setback areas to which Control 3 (left) relates. Carparks are required to ensure access to the site for employees. It is not considered that the proposal contravenes this control.	Yes
4) The design of setbacks and hardstand areas should seek to minimise the visual impacts of the development (see also Landscaping).	It has been established throughout this supplementary document and the EIS that proposed setbacks are sufficiently landscaped, such that adverse visual dominance effects are attenuated. This assertion is validated in the VIA (**Appendix J**).	Yes
5) Additional setbacks may be applicable to avoid construction over easements.	There are no easements.	Yes
6) For corner sites, setbacks must also ensure clear vehicular sight lines for perpendicular traffic.	A Transport Assessment (**Appendix K**) was prepared by Ason Group. It concluded that all access driveways, parking areas and service areas have been designed with reference to the appropriate Australian Standards. The internal access driveway widens at the corner, so as to ensure that a clear line of vision for motorists is not obstructed, and that sufficient pace is allowed.	Yes
4.2.3 – Built Form Design Controls: Landscaping		

Control	Assessment	Compliant?
1) Landscaped area is to be provided generally in accordance with the requirements set out in Table 12.	The proposed development utilises landscaping and urban design features to complement biodiversity values. Landscaping for the Kemps Creek Logistics Park responds to the key interfaces of the estate with the public domain, adjoining properties and environmentally sensitive lands such as increased setbacks to the Rural Residential lands. The landscape strategy for the Kemps Creek Logistics Park site aims to reflect a consistent image and maintenance regime across the entire estate and respond to its unique site characteristics, Please also note that: The proposed lots have direct access to an internal access route; Vegetated areas surround the built form, site boundaries of contention, and access ways, and; An OSD detention basin is proposed for the subject site. This limits discharges to pre-developed rates, ensuring that downstream catchments will not be inundated with flows and cause adverse flooding affects downstream of the development. The external catchment is proposed to be diverted through the pipe network on site to connect to the proposed pipe along Abbotts Road which eventually discharges into the existing gully across Mamre Road until the proposed stormwater system is constructed within Mamre Road. *Pease see Section 5.9 of the attached EIS.* Please refer to page 31 of the VIA (**Appendix J**) to observe the street-level appearance of the proposed warehouses, and the extent to which they will be screened by vegetation, particularly once this vegetation matures.	Yes
2) A Landscape Plan prepared by a Landscape Architect is to be submitted with all development applications	The subject landscape plan (see appendices) was prepared by a certified landscape architect in conjunction with this DA and has been submitted as part of the SSD package.	Yes
3) Landscape design should contribute to the Greater Sydney Regional Plan canopy cover target of 40%, including by retaining existing paddock trees, windrows and large canopy trees where possible, and adding to the existing canopy	Large canopy trees are proposed along the south-eastern site boundary that abuts the Rural Residential Area. These canopy trees are integral to the motive of attenuating visual dominance effects associated with the proposed built form. In addition, verges that abut the proposed access way are vegetated. The site does not contain prescribed trees by an existing DCP. It is largely considered, given the regional significance of this proposal, that all practicable measures have been employed to ensure proposed pervious surface coverage is acceptable.	Yes
4) Outdoor recreation areas for staff should be integrated into landscaped areas, where possible, to provide shade and an appropriate level of amenity and comfort.	Vegetated areas are proposed in order to attenuate visual dominance effects and adhere to emphasis in the DCP placed on the presence of pervious site coverage.	Yes
5) Minimum of 15% of the site area is to be pervious. Achieved via either landscaping or the use of permeable paving materials.	It has been established that a detention basin will capture runoff, whilst pervious areas have been incorporated into the proposal as far as practicable. Vegetated areas along the south-eastern boundary will have drainage infrastructure. It is largely considered that the extent pervious surfaces have been proposed is appropriate in relation to the state significance of this proposal.	Yes

Control	Assessment	Compliant?
6) Landscaped front setbacks should include canopy trees whose mature height is in scale with the proposed development.	Canopy trees are proposed within the 'setback portion' of the south eastern boundary that abuts the Rural Residential Area. These trees, once mature, were discussed in the attached VIA to attenuate visual dominance effects. In conjunction with the provision of mature trees, shrubbery is also provided in these areas. It is largely considered that these mitigations are proportionate with the scale of development that is proposed.	Yes
7) Tree planting in the form of island planter beds should be provided at a rate of one planter bed per 10 car spaces within car parks to reduce the heat effect and soften the hard surfaces.	On-site vehicular car parking to be provided at the following rates: Warehouse: 1 space per 300sqm GFA Ancillary Office: 1 space per 40sqm GFA Industrial/manufacturing: 1 space per 200sqm GFA Dining/Hospitality facilities: 1 space per 10sqm GFA Accessible parking: 2 accessible spaces for every 100 (per BCA). This submission considers that the number of carparks provided is proportionate with the extent of proposed vegetated space, factoring also the state significance of this proposal and the necessity of constructing warehouse / distribution facilities in Western Sydney. Further to this, there will be cascading vegetation down retaining walls along the Aldington Road Frontage (Drawing 9, **Appendix F**).	Yes
8) Existing remnant vegetation within front, rear and side setback areas shall be retained and enhanced as an integral part of the landscaping proposals for each development.	An Indicative Plant Schedule is provided on the tenth page of the Landscape Plan (**Appendix F**). Amongst the canopy trees that will be established on site are Eucalyptus, Magnolia and Corymbia trees. The proposed planting is a mixture of native and exotic species primarily chosen to be low maintenance and suitable for the local growing conditions. It is considered that the finished landscape will appropriately reflect the context in which it will exist.	Yes
9) Where sites back onto designated roads or the main access roads, setback areas shall be provided with mounded landscape screens.	A portion of the site fronts Aldington Road to the north-west. The landscaping scheme proposed for this boundary is contained on page nine of the Landscaping Plan (**Appendix F**). As stated, retaining walls with cascading vegetation and shrubs to screen upper walls will be established. Upon maturity of this vegetation, the retaining wall will be screened, such that the proposal is consistent with this control.	Yes
10) Screen planting with evergreen shrubs and trees is required to screen car parks, vehicular maneuvering areas, garbage areas, storage areas from the street frontage.	The landscaping plan (**Appendix F**) proposes plant screening within vegetated strips that will be adjacent to all carparks, which also double as maneuvering areas. The proposal is consistent with this control.	Yes
11) Paving, structures and wall materials should complement the architectural style of buildings on the site.	The proposed paving will not be indifferent in character from that of what would be anticipated for a development of this nature. The proposal is consistent with this control.	Yes

Control	Assessment	Compliant?
12) The selection of proposed trees and other landscaping plants is to consider: *The preferred trees identified in the Penrith Council Street and Park Tree Management Plan.* *The use of relevant local native vegetation communities that occur, or once occurred in the area rather than exotic plant or non-local native species.* *The re-use of native plants or topsoil removed during subdivisions works or earthworks.* *The contribution to the management of soil salinity, water levels and soil erosion. Tree species being low maintenance and drought tolerant.* *The capacity of the species to contribute to tree canopy cover.* *That invasive turf (including Kikuyu) must not be used in areas adjoining, remnant vegetation within open space areas and riparian corridors.* *A diverse range of flora species for both street and suburban plantings to increase species disease resilience.* *Service authority requirements in easement locations.*	It has been established that the proposed planting is a mixture of native and exotic species primarily chosen to be low maintenance and suitable for the local growing conditions. Amongst the trees selected for the site are native canopy trees, which will attenuate visual dominance effects associated with the proposed buildings. It is considered that the finished landscape will be consistent with this control. There are no easements. The landscape plan does not propose invasive turf.	Yes
4.2.4 – Built Form Design Controls: Building Design		

Control	Assessment	Compliant?
1) Developments with a construction cost of $1 million or more are to demonstrate a commitment to achieving no less than 4 stars under Green Star or 4.5 stars under the Australian Building Greenhouse Rating system (now part of the National Australian Built Environment Rating System (NABERS)), where appropriate	A Sustainability Management Plan (SMP) is attached in **Appendix X**. Following the implementation of all energy efficiency measures described within the SMP, the project is predicted to achieve a 35.5% greenhouse gas reduction compared with the 2019 NCC Reference Building. By installing 4-star rated toilets, urinals and taps, and the proposed rainwater harvesting facility the proposed development will reduce its potable water demand by approximately 37%. It is considered that the incorporation of these features, and the extent to which they are proposed, is proportionate with the scale and significance of this proposal.	Yes
2) An access report is required where disabled access is a requirement of the Disabilities Discrimination Act 1992.	Access report is not required.	N/A
Controls 3-13: Siting and Building Orientation	The design and layout of buildings considers local climatic factors, with canopy trees established along the east boundary that will provide shade and reduce energy requirements for cooling during the summer months. Further, it has been established throughout this report and in the attached Landscaping Plan that trees will be planted around the buildings to create shade, screening and wind breaks. The geometry of the site is such that street frontage with Aldington Road is limited. Subsequently, it is not feasible to orientate each of the proposed warehouses towards this street interface. Note also that there is an internal access street proposed to protrude into the Estate. Building siting allows for adequate setbacks, which (where appropriate) are vegetated with canopy trees to attenuate visual dominance effects. It is largely considered that the proposal is consistent with controls in the subject DCP that pertain to Siting and Building Orientation (3-13).	Yes

Control	Assessment	Compliant?
Controls 14-28: Architectural Design	From outset, it is acknowledged that the architectural design of the proposed warehouses is validated through technical reports that are attached in the appendices. In particular, the VIA which does not identify any severe visual dominance effects associated with the proposed built form. It has been established that energy efficient design principles will be employed. Further to this, the VIA (**Appendix J**) noted the tactful selection of specific external colors and materials to detract from the severity of potential adverse visual amenity effects. It also discussed the reflection of these materials in the local environment. Further to this, planted bunds with canopy trees will attenuate visual dominance effects attributed to the proposed built form. Retaining walls that are visible from Aldington Road will be established in conjunction with cascading vegetation. This vegetation will make the concreted surface visually inconspicuous when observed from the road. Note also that the form and general appearance of the proposed warehouses is consistent with that of what would be anticipated for a development of this nature.	Yes
Controls 29-33: Roof Design	The warehouse roofs are not visible from the adjacent streetscape. Further to this, the buildings themselves are screened by vegetated space, which will include large canopy trees. A view of the proposal from Mamre Road is shown on page 31 of the VIA (**Appendix J**). The proposed roof form is not indifferent from that of what would be anticipated for a warehouse development of this scale and significance. It is considered that the proposal is consistent with Roof Design controls of the subject DCP (29-33).	Yes
4.2.5 – Built Form Design Controls: Design of Storage Areas		

Control	Assessment	Compliant?
1) External storage of goods must be avoided, wherever possible. Where the nature of the activity or the materials means that internal storage is impractical, all external storage areas must be located behind the front building setback. In addition, when assessing development applications involving external storage of goods, the following will be taken into consideration: *The proposed height and on-site arrangement of stored goods;* *The visual impact of the storage area and how this is proposed to be minimised (orientation, screening with landscaping and/or solid fencing, etc.);* *Access arrangements; and* *Safety issues.*	Goods will not be stored externally. Please note also that it is not intended that any of the buildings at the site will provide for the storage of dangerous goods in excess of the thresholds established under the Department of Planning's guideline, 'Applying SEPP 33'. During the operational phase of the proposed development, waste and recyclables storage units will be provided in the warehouse and office spaces. The units are to be collected at the end of each day and transferred by cleaners to the central waste storage room. Waste collection will be undertaken through a private contractor. The proposal complies with, and supports, the overall intent of Control 1 (left) to contain goods indoors and actively prevent potential site runoff.	Yes
2) For sites with multiple frontages, either to roads or other public spaces, the location and orientation of external storage areas shall minimise visual impact from all potential viewpoints.	No external storage areas proposed. Not applicable.	Yes
3) Rainwater tanks are not to be visually intrusive from the main street frontage or other public areas.	Rainwater tanks will not have a conspicuous visual presence when observed from the street frontage and/or publicly accessible spaces.	Yes
4.2.6 – Storage, Transportation and Processing of Chemical Substances		

Control	Assessment	Compliant?
1) A Chemical Use and Storage Report is to be submitted with any Development Application which involves the storage, transportation and/or processing of chemical substances, except in the following circumstances: *The use of chemicals is for routine cleaning and the chemicals to be used are of household or hospital grade.* *The total quantity of chemicals to be routinely used or stored on the site does not exceed 100 litres.* *The chemicals to be used or stored are not of sufficient acidity, alkalinity or strength to cause significant harm on skin contact, or to the environment if a spill were to occur.* *The application outlines the methods proposed to be used to minimise the potential for spills.*	Preliminary Risk Assessment of the proposed development against the relevant provisions of State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) has been prepared by Riskcon and is attached to this report at **Appendix M**. SEPP 33 applies to any proposals which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'. The Preliminary Risk Assessment notes that the development does not have any allocated tenants at this stage and so the presence of Dangerous Goods within the development are unknown; nevertheless, it is not intended that any of the buildings at the site will provide for the storage of dangerous goods in excess of the thresholds established under the Department of Planning's guideline, 'Applying SEPP 33'. Furthermore, it is not intended that any of the building occupiers would require an Environment Protection Licence from the EPA. As such, the proposed development does not constitute or permit in the future potentially hazardous or offensive industry. If in the future a potentially hazardous or offensive industry is proposed, it will be subject to future Development Applications and assessment under SEPP 33. The proposal is consistent with Control 1 (left).	Yes
4.2.7 – Signage and Estate Entrance Walls		
Controls 1-9: General Controls Controls 10-16: Illuminated Signage	An assessment of the compliance of the proposed signage against the criteria as specified under Schedule 1 of SEPP 64 is contained in Table 9 of the attached EIS (pg.54). The proposal was concluded to be compliant with all of the applicable assessment criteria under SEPP 64. Of particular note is the fact that the proposed signage is to be located entirely inside the site and will not impact the safety of any road users, including drivers, pedestrians, bicyclists, or result in the obstruction of any sightlines from public areas. Factoring both compliance with SEPP 64 and the containment of signage inside the site, it is considered that the proposal is consistent with signage provisions contained in the subject DCP.	Yes
4.2.8 – Lighting		

Control	Assessment	Compliant?
Controls 1-5: General Controls	Lighting Plans are provided in the Architectural Plans by Nettleton Tribe at **Appendix A**. Adverse nuisance effects attributed to light spill will be negligible. Any light spill to adjoining areas will be minimal, and anticipated for the receiving environment. As shown in the plans attached in Appendix (A), all of the carparking areas will feature light poles of 8m around their periphery. These same light poles will line the internal access street It is not anticipated that the site will accommodate significant levels of pedestrian activity. Factoring these points, it is considered that the proposal is consistent with controls contained in the subject DCP that pertain to lighting.	
4.2.9 – Fencing		
Controls 1-4: General Controls	There are no fences proposed along any site boundary that has street frontage. There are retaining walls proposed however, which will be completed with cascading vegetation and/or canopy trees. These retaining walls will not obstruct any clear sight line for motorists. In addition, they will screen the proposed buildings. A view of the proposal from Mamre Road is shown on page 31 of the VIA (**Appendix J**). This view demonstrates how the retaining walls and vegetation are intended to interact at this particular site boundary. Further, the Aldington road frontage on page 9 of the Landscape Plan (**Appendix F**) conveys the intention of establishing cascading vegetation down the retaining for the purpose of providing additional visual amenity. Although there aren't any proposed fences, which technically exempts the proposal from these controls, it is considered that the proposal supports the uplifting intentions of these controls. Namely, the intention to prevent unnecessary obtrusive visual barriers that don't contribute to the overall character and/or amenity of the area.	Yes
4.2.10 – Ecologically Sustainable Design		
Building Design: *1) Development applications should demonstrate Ecological Sustainable Design (ESD) measures have been incorporated into the design. An architect or appropriate building design consultant with demonstrated ESD skills should be engaged to consider the following issues:* [list of matters from DCP]	The proposed development encompasses ecologically sustainable development principles, as outlined in the Sustainability Management Plan prepared by SLR Consulting at **Appendix X**.	Yes

Control	Assessment	Compliant?
Building Services: 2*) Building services, excluding manufacturing plant and operations, should promote the following ESD measures:* [list of matters from DCP]	Page 16 of the SMP contained in **Appendix X** established that there will be sub metering. This will allow the tenants to better understand and manage their energy consumption. The proposal features a rainwater reuse and reticulation system – 300 kill rainwater will be harvested from the roof and reuse for irrigation and toilet flushing (Refer Table 13). The reticulation will be a separate system to the domestic cold water with domestic water top up in the event of insufficient rainfall. Use of water saving plumbing devices will also be employed. The SMP also noted that the landscaping proposed is 'water sensitive'. Section 8 of the SMP, contained on pg.28, summarizes all of the sustainable practices associated with this proposal.	Yes
Air Quality and Visual and Thermal Comfort: *3) Measures to improve air quality and visual and thermal comfort include:* [list of matters from DCP]	Air conditioning will be designed to the BCA/NCC section J and other statutory authorities and applicable Australian standards. The temperature control range will be 22.5±1.5°CBD. This range will be comfortable for tenants. Adequate ventilation will be supplied in accordance with AS1668. It is also not considered that noise conditions will be problematic for tenants or anybody in vicinity of the warehouse estate.	Yes
Controls 4-8 Water Servicing Controls	The on site detention basin (OSD) has been to be sized to ensure that for all rainwater events up to and including the 1:100 ARI event, does not increase stormwater peak flows in any downstream areas. Water demands for irrigation and toilet flushing within the development will be met through the use of recycled roof water drained directly into a rainwater tank. The tank will be sized to ensure the site meets the requirement to meet the 80% non-potable reuse requirement in accordance with Penrith City Council's WSUD policy. 80% of all non-potable water on each lot can be sourced from the tank, demonstrates a commitment to water recycling and minimising the usage of mains water. This is in line with the industry best practice and the NSW Stage Government's objective of reducing the amount of potable water consumed for non-potable uses. The proposal adheres to the suite of water servicing controls in the subject DCP.	Yes
4.3 – Amenity		
Controls specific to Noise and Vibration (4.3.1)		

Control	Assessment	Compliant?
Controls 1-4 Noise and Vibration Controls (general)	Please note the following in relation to the subject controls: All proposed activities will comply with the *Protection of the Environment Operations Act 1997*. The proposed development will not result in adverse acoustic impacts during its operation. Specifically, the predicted operational noise impacts of the proposed development remain below the relevant noise criteria requirements at all times of day as per the NSW Noise Policy for Industry (2017). Noise generation from vehicular movements around the site comply with the criterion for 'Arterial' and Local roads' along Mamre Road and Abbotts Road respectively, and no mitigation is considered to be required as a result. Refer to Section 5.10 of the EIS, which indicates that anticipated noise emissions are reasonable for the proposed activity, whilst all practicable mitigations have been imposed to attenuate noise effects. As such, it is largely considered that the proposal is consistent with the suite of general noise/vibration controls that apply through the DCP.	Yes
Controls 5-7 Noise and Vibration Controls (pertinent to the erection of buildings)	For most construction activities, it is expected that the construction noise levels would be frequently below what is predicted at the most-exposed receiver in the Assessment as the noise levels presented are a realistic worst-case assessment. Nevertheless, without mitigation, noise levels from construction activities have been predicted to exceed the noise management levels nominated in the guidelines at some surrounding receivers. However, there are no noise sensitive receivers that are considered to be Highly Noise Affected, i.e. with predicted noise levels exceeding 75dB LAeq. Because construction activities are temporary, and noise exceedances (if they occur) will be intermittent, it is considered that the proposal is consistent with the suite of noise and vibration controls pertinent to the erection of buildings under the DCP. *NB: Please refer to findings in the Noise and Vibration Impact Assessment at Appendix L.*	Yes
Controls specific to Trading and Operating Hours of Premises (4.3.2)		
Controls 1-2 General controls	It is not anticipated that hours of operation for this particular facility will render conspicuous adverse effects on sensitive receivers. This is because development in vicinity of the subject site is not dense. Further to this, the site will be fringed with dense peripheral planting. As stated, this planting will include canopy trees. This will create a noise buffer when the development becomes operational as well as a screening feature. In addition, the site consists of undulating slopes. The Rural Residential Area that abuts the south-eastern boundary is elevated above the subject site. This will allow for a degree of separation from this operational facility.	Yes
Controls specific to Air Quality (4.3.3)		

Control	Assessment	Compliant?
Controls 1-3 General controls	An Air Quality Assessment of the proposed development has been prepared by RWDI, and is attached to this report at **Appendix V.** The assessment provides analysis of the air quality impact of the proposed development on surrounding sensitive receivers during the construction and operation of the proposed development, and recommends mitigation measures to minimise the impact. The report concludes that the construction of the proposed development is unlikely to result in adverse air quality impacts. The construction phases can be adequately managed so that the short-term and temporary dust related impacts will remain to be low risk. Refer to the excerpts below from **Appendix V**, both of which were extracted from the conclusion on pg.27: *"The construction phases can be adequately managed so that the short-term and temporary dust related impacts will remain to be low risk."* *"Operational phase will result in similar emissions from the immediate road network, although estimated to result in a negligible increase. In accordance with the EPUK & IAQM guideline, the impact and significance has been determined to be negligible to moderate AND insignificant."* In summary, it is considered that the proposal is consistent controls in the DCP that pertain to air quality.	Yes
4.4 – Earthworks and Retaining Walls **Controls specific to Developing on Sloping Sites (4.4.1)**		
Controls 1-12 General Controls	A Geotechnical Investigation Report (GIR) for 290-308 Aldington Road has been prepared by Alliance Geotechnical and is attached to this report at **Appendix T**. This report is required under the DCP. In relation to the subject controls (left) please note the following: All retaining walls will have pedestrian and vehicular safety barriers (where required) in accordance with the Austroads Guidelines. Cascading planting will be placed along the retaining wall that fronts Aldington Road for the purpose of providing visual amenity. The eastern site boundary features vegetated bunds. These bunds mimic the site topography and are planted. The bunds are fundamental to allowing a degree of separation between the subject site and the adjacent Rural Residential Zone. Setbacks are suitably landscaped, per the landscaping plan attached in **Appendix F**. Synthesizing points, it is considered that the proposal is consistent with the suite of general controls specific to development on sloping sites.	Yes

Control	Assessment	Compliant?
Controls 13-16 Limitations on Earthworks	A topographic assessment, including a cut and fill plan, and justification demonstrating the proposed earthworks are responsive and contextually appropriate is discussed in Section 5.9 of the EIA and an assessment is contained in **Appendix I**. Suitable erosion and sediment controls will be provided by the Contractor and maintained throughout all stages of works, including at completion of the bulk earthworks. Regular site inspection and maintenance is to be carried out while earthworks and quarrying is being conducted. The Contractor will inspect the site after every rainfall event at least weekly. It is considered that the proposal is consistent with the suite of general controls specific to limitations on earthworks (left).	Yes
Controls specific to Erosion and Sediment Controls (4.4.2)		
Controls 1-7 General controls pertinent to the employment of Erosion and Sediment Controls	The proposed development will be undertaken in accordance with the Civil Infrastructure Report prepared by AT&L (**Appendix I**) and the appropriate mitigation measures for managing sediment, erosion, and dust. This report contains a description of the proposed erosion and sediment controls during construction. Further to this, please note the construction methodology, which was detailed in Section 5.9 of this report. All practicable measures have been undertaken to prevent the accumulation of silt and/or the discharge of silt-laden runoff. Such measures include, but are not limited to: Diversion of “clean” water away from the disturbed areas and discharge via suitable scour protection. Provision of hay bale type flow diverters to catch drainage and divert to “clean” water drains; Diversion of sediment-laden water into temporary sediment control basins to capture the design storm volume and undertake flocculation (if required). As such, it is largely considered that the proposal is consistent with the suite of general controls pertinent to the employment of erosion and sediment controls. *NB: The site is not identified as being flood prone land under the Penrith Overland Flow Study.* *NB: The Civil Engineering Report confirms that the erosion control measures proposed for the site will comply with the requirements of Penrith City Council Engineering Guidelines and The Department of Environment, Climate Change and Water (DECC).*	Yes

Control	Assessment	Compliant?
Control 8: Additional Measures for Large Sites	It has been established that all practicable construction practices will be employed by contractors to prevent silt-laden runoff from being discharged beyond the site. Water courses will be diverted to safeguard pre-existing water quality levels. Disturbed portions of land that are not constructed on will be reinstated, per the landscaping plan attached in Appendix F. To prevent the accumulation of rainwater and stormwater at ground level During the operational stage of the development, a OSD Basin will exist in the north-western portion of the site. Details for the OSD are specified in the EIA. Please note the following in relation to the OSD: OSD has been to be sized to ensure that for all rainwater events up to and including the 1:100 ARI event, does not increase stormwater peak flows in any downstream areas. OSD to mitigate post development flows to pre-developed flows for peak Average Reoccurrence Interval (ARI) events. For the storm events above the 1% AEP, the OSD basin will utilise an overflow weir system to drain overland on the neighbouring lot to the west. As such, it is considered that the proposal is consistent with the suite of development controls that pertain to the creation of additional measures for larger sites.	Yes
4.5 – Utilities **4.5.1 - General Principles for the Provision of Services**		
Controls 1-5 General Controls	An assessment of the development's impacts on existing utilities and services and service providers' assets surrounding the site is contained in Appendix I and discussed in Section I of this EIA. Please refer to **Appendix I**, which includes a direct response to the SEARS. It is considered that the proposal is compliant with general utility controls under the DCP.	Yes
4.5.2 - Council Engineering Works and Construction Standards		
Control 1 Council Engineering Works Standards	All proposed engineering works will be compliant with the applicable council standards.	Yes
4.6 – Waste Minimisation and Management		

Control	Assessment	Compliant?
Controls 1-12 General controls	A Waste Management Plan (WMP) for the proposed development has been prepared by SLR Consulting, and is attached to this report at **Appendix W**. The WMP identifies all potential waste likely to be generated by the proposed development during its demolition, construction and operational phases, including descriptions on how the waste is to be handled, processed, and disposed of, or re-used and recycled as consistent with Council requirements. Please also see Section 5.19 of the EIA, which details waste management procedures during construction and operational phases. Upon review of this information it is not considered that the proposal is inconsistent with the general controls under the subject DCP that pertain to waste management (left).	Yes
4.7 – Access and Parking		
4.7.1 – Parking		
Controls 1-9: Provision of parking spaces.	Parking is proposed for 777 vehicles. Please see the numerical breakdown provided in Section 3.5, pg.28 of the EIA. In relation to car parking, please note the following: The car parking rates at the site meet or exceed RMS requirements (*Guide to Traffic Generating Developments*). Car parks will have sufficient pole-mounted lighting. This will improve the perceived safety of the carpark environment. Car parks will be fringed with vegetated areas for the purpose of visual amenity. No parking is provided for the retail café building as it is intended for the café to be used by workers of the warehouses only. This will prevent additional trip generation. Further to this, please note the following documents: Detailed plans of the site access and proposed layout of the internal road and pedestrian network and parking on site in accordance with the relevant Australian Standards and Council's DCP is contained in **Appendix I**. It is considered that the parking spaces proposed are consistent with the subject controls under the DCP that relate to vehicle parking facilities.	Yes
Controls 10-33 Design of Parking and Maneuvering Areas	Proposed activities are compliant with all compulsory standards that apply. Please refer to **Appendix I.**	Yes
4.7.2 – Bike Parking		

Control	Assessment	Compliant?
Controls 1-6 General Controls	The Draft DCP refers to the document 'Planning Guidelines for Walking and Cycling' (NSW Government 2004) for the bicycle parking requirements. This requires bicycle parking for industrial uses to be provided for 3-5% of the staff population. While there is currently a lack of cycle facilities in the area, it is anticipated that such facilities will be developed as part of the broader WESA, and that as such, consideration should be given to providing appropriate bicycle facilities (such as bicycle parking and end of journey facilities) within the Site. Given the nature of the Site, it is anticipated that if required, cycle parking could be readily accommodated in the future (when appropriate, to avoid any inefficient use of space). Note that this will be done in accordance with applicable compulsory standards. Please note the following: There are no adequate public or active transport services or infrastructure in the vicinity of the Site at this time, per the assessment completed by Ason Group in **Appendix K**. As the site has capacity to meet this standard, it is not considered to be inconsistent with the suite of DCP controls that pertain to bike parking facilities.	Yes
4.7.3 – Access and Driveways		
Controls 1-9 General Controls	Please note the following points: Driveways and accessways are compliant with all applicable standards, per the Transport Assessment and Civil Infrastructure Report attached in **Appendices K and I** respectively. The access road widens at the corner in the centre of the subject site to provide safe passage for vehicles. Planted strips adjacent to the access road and the planted retaining wall that fronts Aldington Road will attenuate the nuisance effects associated with noise emissions from passing vehicles. It is considered that the proposal is consistent with, and supports the general controls (left) that pertain to Access and Driveways.	Yes
10) *All driveways are to be sealed from the point of the public road up to and including the hard-stand parking areas.*	All driveways will be sealed from the point of the public road up to and including the hard-stand parking areas.	Yes
4.7.4 Site Access and Servicing		
Controls 1-10 General Controls	Vehicles will enter and leave the site in a forward direction. There are sufficient maneuvering areas for heavy vehicles (see **Appendices K and I**). Per the assessments that were conducted (aforementioned appendices), it is acknowledged from outset that the proposal is compliant with all applicable compulsory standards, and that the proposal is consistent with the uplifting intentions of this suite of controls (left).	Yes
4.8 – Employment and Service Hubs		

Control	Assessment	Compliant?
Controls 1-7 General Controls	Please refer to the structure plan for Mamre Road Precinct, in which employment service hubs are marked. Notably, the site is not located in one of these hubs but will inevitably host a number of staff. The DCP states intentions to restrict the creation of new employment service hubs through the subject controls (left). The subject site is not proposed to develop into an employment service hub as it has no active street frontage, the proposed built form is sparse, and there are no significant commercial activities proposed.	Yes