Table of Compliance – Mamre Road Precinct Development Control Plan

Section 2 – Precinct Planning Outcomes

Control	Compliance (Y/N)	Assessment
2.1 Mamre Road Precinct Structure Plan		
1) Development applications are to be generally consistent with the Precinct Structure Plan (Figure 2), the water cycle management strategy and local road network strategy.	**Generally consistent**	The proposed development is consistent with the general arrangement of the Structure Plan as it: • Supports an industrial land use in accordance with the Plan; • Provides an appropriate transitional buffer at the interface of the development with the adjoining rural-residential land to the east; • Includes a local road layout consistent with the network strategy and hierarchy in the DCP. • Includes a water cycle management strategy that will enable the development to meet the DCP targets.
2) The consent authority will consider the extent to which the proposed development is consistent with the Structure Plan, including cumulative and precedent implications on existing and planned infrastructure, and services and amenities provision.	**N/A**	The proposal remains consistent with the Structure Plan vision for the following reasons: • It proposes a land use (warehousing) on large, consolidated lots to support the extension of the Western Sydney Employment Area; • The interface with existing rural-residential land has been designed to avoid any adverse environmental impacts; and • The landscaping proposed on the site will contribute to the 40% tree canopy cover under the Greater Sydney Region Plan and provide a pleasant working environment for local employment.
3) Proposed variations to the general arrangement of the Structure Plan must be consistent with the Precinct Vision, to the satisfaction of the consent authority	**Y**	The proposal remains consistent with the Structure Plan and therefore the Precinct vision for the Mamre Road precinct.
2.2. Biodiversity		
2.2.2 Biodiversity Certification		
1) Development is to be sited, designed and managed to avoid or mitigate potential adverse impacts on natural areas and habitat.	**Y**	The proposed development site does not include any areas zoned or identified for environmental conservation or recreation nor identified ecological corridors. Where not able to be avoided, impacts on natural areas or habitat are being mitigated through offsetting under the NSW Biodiversity Offset Scheme (the Scheme).

Control	Compliance (Y/N)	Assessment
2) Development applications for land that has the potential to impact biodiversity prior to the approval of the CPCP are to be accompanied by a Biodiversity Development Assessment Report.	**Y**	A Biodiversity Development Assessment Report (BDAR) is provided at **Appendix N**. The BDAR addresses that an alternative to vegetation clearing is not feasible. As per response to Section 2.2.3 (below) ameliorative measures are proposed in addition to that being offset under the Scheme.
3) Where development is proposed to impact on an area of native vegetation, it shall be demonstrated that no reasonable alternative is available and suitable ameliorative measures are proposed (e.g. weed management, rehabilitation, nest boxes).	**Y**	
4) A Weed Eradication and Management Plan outlining weed control measures during and after construction is to be submitted with the development application.	**Y**	A Weed Eradication and Management Plan is proposed to be prepared as part of the Construction Environmental Management Plan, which is to be submitted to the certifying authority prior to the issue of a Construction Certificate.
2.2.3 Biodiversity Conservation and Management		
Environmental Conservation and Recreation Zones – Blue-Green Network		
1) Minimise clearing of native vegetation within the blue-green network, which comprises land zoned E2 Environmental Conservation, RE1 Public Recreation, RE2 Private Recreation and riparian corridors. Note: Clause 33K of WSEA SEPP also applies.	**Y**	The proposed development site does not include any areas zoned or identified for environmental conservation or recreation nor identified ecological corridors.
2) No clearing of native vegetation shall occur within the Precinct on land zoned Environmental Conservation (E2), Public Recreation (RE1), and Private Recreation (RE2) without having regard to the *Biodiversity Conservation Act 2016.*	**Y**	The proposed development site does not include any areas zoned or identified for environmental conservation or recreation nor identified ecological corridors.
3) A Vegetation Management Plan (VMP) for the rehabilitation and conservation of native vegetation is to be prepared by a suitably qualified expert for land within the blue-green network.	**N/A**	The site does not contain land within the blue-green network. A Vegetation Management Plan is proposed to be prepared as part of the documentation for the Construction Environmental Management Plan, whilst an Operational Environmental Management Plan is also proposed to be prepared upon finalisation of construction.
4) A Threatened Species Assessment is to be undertaken for development applications on land within 500m of an E2 Environmental Conservation zone to determine the presence of threatened species or their habitat. Building setbacks for grey-headed flying fox and raptors are required, if present on or adjacent to the development site, are outlined in Table 3. *Table 3. Prescribed building setbacks for specific threatened species* *Species* — *Setback control* *Grey-headed flying fox* — *Grey-headed flying fox camp requires 100m setback to any buildings and development. The setback area should be maintained free of flying fox roosting habitat.* *Raptors* — *Raptor nests require a 500m circular setback from where nests are located in extensive undisturbed bushland.*	**N/A**	The site is not located within 500m of an E2 Zone. A Biodiversity Development Assessment report (BDAR) was submitted with the EIS (**Appendix N**). The BDAR found that the site contained limited foraging resources for the Grey-headed Flying Fox, nor any camp. No raptor nests were found on site or identified within 500m of the site.

Control		Compliance (Y/N)	Assessment
	Where nests are located closer to existing developments, a minimum circular setback distance of 250m should be **Capable of compliance** *maintained along with an undisturbed corridor at least 100m wide extending from the nest to the nearest foraging grounds.*		
5) Bushfire Asset Protection Zones (APZs), stormwater detention basins, and roads are to be located wholly within land zoned IN1 General Industrial and avoid the blue-green network.		**Y**	All APZs, roads and stormwater detention basins are located wholly within the IN1 zone
General Biodiversity Management			
6) Avoid impacts on habitat features which provide essential habitat for threatened species and other fauna including large trees including dead trees at (>50cm trunk diameter at breast height) and avoid impacts to soil within the dripline of the retained trees.		**Y**	The accompanying BDAR (refer **Appendix N**) details that there are no habitat features that present significance to threatened species.
7) Any mature native tree removed is to be replaced by at least 2 trees selected from the Plant List (Appendix C) which would develop to a similar size at maturity.		**Y**	Refer to landscape Plan at **Appendix F.**
8) Mitigation for threatened ecological communities is to be undertaken in accordance with: • Best Practice Guidelines: Cooks River/Castlereagh Ironbark Forest (NSW DECC, 2008) within and adjacent to the TEC; and, • Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (NSW DECC, 2005).		**Y**	The mitigation measures proposed in the BDAR (**Appendix N**) have addressed the relevant information contained within the Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (NSW DECC, 2005).
9) Where practical, prior to development commencing, applicants are to: • Provide for the appropriate re-use of native plants (including but not limited to seed collection) on site and re-use of topsoil that contains known or potential native seed bank; • Undertake a pre-clearance assessment for native fauna immediately prior to native vegetation clearing to ensure arboreal mammals, roosting and hollow-using birds, bats and reptiles found to be present are prevented from accessing vegetation to be cleared, and appropriately removed prior to clearing; and • Native animals are to be relocated from development sites in accordance with the former Office of Environment and Heritage's Policy on the Translocation of Threatened Fauna in NSW.		**Capable of compliance**	These are post-approval matters and can form part of the conditions of development consent.
10) WONS and weeds on the National Environmental Alert List under the National Weeds Strategy are to be managed and eradicated (refer to NSW Weed Wise for current weed identification and management approaches).			A Weed Eradication and Management Plan will be prepared prior to the issue of a Construction Certificate.

Control	Compliance (Y/N)	Assessment
11) Subdivision design and bulk earthworks are to consider the need to minimise weed dispersion during and after construction and promote weed eradication. A Weed Eradication and Management Plan is to be submitted with subdivision development applications.	**Capable of compliance**	
12) Pest control techniques implemented during and post construction are to be in accordance with regulatory requirements for chemical use and address the relevant pest control strategy and are to reduce the risk of secondary poisoning (e.g. from Pindone or second-generation rodenticides).		
13) Vegetation to which Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies is the same vegetation that must not be ringbarked, cut down, lopped, topped, removed, injured, wilfully destroyed or cleared without a development consent or permit granted by Council.	**N/A**	Not applicable.
14) Where high intensity lighting is necessary for site operation, safety and security, it is to be designed to avoid light spill into adjoining natural areas. Australian Standard AS 4282 or updates to that standard are to be considered as a minimum.	**Y**	The site does not contain, nor is within 100m of microbat colonies or habitat. The site is not adjacent to natural areas.
15) Where a development footprint contains or is within 100m of known microbat colonies or habitat likely to support microbat colonies, street lighting must be of the type that will not attract insects.		
16) Where noise adjacent to natural areas is likely to impact wildlife, the proponent must manage the timing of noise producing activities, including installing appropriate noise treatment barriers along major roads and other attenuation measures.		
17) Ensure appropriate mitigation strategies (including fauna-sensitive road design elements) are employed to minimise vehicle strike during and after road construction and upgrading.	**Capable of compliance**	To be addressed as part of the Construction Traffic Management Plan. The site does not contain nor is adjacent to any Environmental Conservation or Recreation zoned land.
18) Traffic calming measures shall be considered in all development areas adjacent to Environmental Conservation and Recreation zoned lands not subject to wildlife (including koala) exclusion fencing, such as speed humps, audible surfacing and faunal bridges.		
19) Ensure movement of fauna is facilitated within and through wildlife corridors by: • Ensuring that activities do not create barriers to the movement of fauna along and within wildlife corridors; • Separating fauna from potential construction hazards through the pre-construction and construction process.	**Y**	The site is not mapped within any connecting threatened species habitat or movement corridors.
20) Adopt and implement open structure design for roads adjacent to known populations of Cumberland Plain Land Snail in accordance with actions under the Save our Species Program (EES, 2020).	**Y**	Most vegetated areas of the site were deemed unsuitable habitat for the Cumberland Plain Land Snail, and no remnant of existence was found upon field surveys. No individuals of the species were identified on the site.

Control	Compliance (Y/N)	Assessment
2.3 Riparian Land		
1) Within a mapped riparian corridor (field-validated), as identified in Figure 2, existing native vegetation is to be retained, rehabilitated and managed in accordance with the controls below, except where clearing is required for essential infrastructure e.g. roads.	**N/A**	The site is not within a mapped riparian corridor and contains no Waterways of Strahler Order 2 or higher.
2) Modifications to a natural (or historic) waterbody and waterfront land requires the approval of Natural Resources and Assessment Regulator (NRAR), including the enhancement of the ecological outcomes of the watercourse, hydrological benefits and ensure the long-term geomorphic stability of the watercourse.	**N/A**	
3) Waterways of Strahler Order 2 and higher will be maintained in a natural state, including the maintenance and restoration of riparian area and habitat, such as fallen debris.	**N/A**	
4) Where a development is associated with or will affect a waterway of Strahler Order 2 or higher, rehabilitation shall return that waterway to a natural state.	**N/A**	
5) Waterway crossings such as bridges are to be maintained to retain ecological connectivity and water quality	**N/A**	
6) Road crossings across a waterway of Strahler Order 2 or higher are to be designed to minimise impacts to vegetated riparian area and species movements in accordance with NSW Department of Primary Industries - Fisheries requirements to maintain fish passage.	**N/A**	
7) Where development is unavoidable within riparian areas or waterfront lands, the development application shall demonstrate that potential impacts on water quality, aquatic habitat, and riparian vegetation will be negligible or offset in accordance with the vegetated riparian zone and offsetting requirements as specified NRAR Guidelines for Controlled activities on waterfront land - riparian corridors (May 2018).	**N/A**	
8) All riparian corridors shall comprise a vegetated riparian zone along each side of the watercourse/channel.	**N/A**	
9) The vegetated riparian zone shall be vegetated with fully structured native vegetation (trees, shrubs and groundcover species).	**N/A**	
10) Riparian areas along Kemps Creek and Ropes Creek shall retain proteaceae shrubs providing habitat and connectivity for the Eastern Pygmy Possum Cercartetus nanus.	**N/A**	
11) Activities within the vegetated riparian zone, such as cycleways and paths, detention basins, stormwater management devices and essential services, must comply with the 'riparian corridor matrix' in the NRAR Guidelines.	**N/A**	
12) The number of vehicular and pedestrian watercourse crossings should be minimised and designed in accordance with the NRAR Guidelines.	**N/A**	

Control	Compliance (Y/N)	Assessment
13) Private and public fencing should avoid intersecting across riparian corridors.	**N/A**	
14) Bushfire asset protection zones should be located outside the vegetated riparian zones.	**N/A**	
15) Appropriate widths for vegetated riparian zones are dependent on the stream order in accordance with the Strahler methodology. Stream width shall be measured either in accordance with the 'Waterfront Land Tool' as developed by the NRAR, or from the top of the highest bank on both sides of the channel/watercourse. Enhancement of riparian corridors should: • Respond to the hydrological regime of the drainage area for watercourse treatments; • Replicate the natural watercourse through creation of a meandering channel; • Simulate natural stream bank and bed substrate having regard to riparian requirements and flow velocities to sustain vegetation groupings; • Minimise ongoing maintenance through channel and stream bed design; • Establish functional riparian zones and natural stream channels; • Maintain or create a full assemblage of local indigenous vegetation with natural instream obstructions; • Minimise damage to channel banks and vegetation from storm flow events; and Ensure that the channel has the capacity to support flood flows having regard to the steepness of the catchment and stream channel morphology.	**N/A**	
16) Where a development proposal would significantly affect Key Fish Habitat and/or threatened fish, applicants must include an Aquatic Ecological Environmental Assessment in accordance with the Fisheries Management Act 1994.	**N/A**	
17) Water holding structures (e.g., farm dams) more than 0.1ha in area or 3ML in volume within 3km of the approach boundary to Western Sydney Airport, are to be avoided unless appropriate wildlife strike assessment and design/maintenance controls are implemented, to ensure there is no attraction for water-favouring fowl.	**N/A**	
18) Dams proposed for retention must be subject to a geotechnical investigation to determine the safety of the structure with respect to surrounding land uses.	**N/A**	
19) Where development immediately abuts a riparian corridor, development shall be located and designed to minimise environmental impact to the riparian corridor. Consideration must be given to issues such as surveillance, built form and design, landscaping, opportunity for public interfaces, where appropriate, and protection from bushfire threat.	**N/A**	
2.4 Integrated Water Cycle Management		
Waterway health and Water Sensitive Urban Design		

Control	Compliance (Y/N)	Assessment
1) Development applications must demonstrate compliance with the stormwater quality targets in Table 4 and the stormwater flow targets during construction and operation phases in Table 5 and Table 6 at the lot or estate scale to ensure the NSW Government's waterway objectives (flow and water quality) for the Wianamatta-South Creek catchment are achieved (see Appendix D). Where the strategy for waterway management is assessed at an estate level, the approval should include for individual buildings within the estate, which may be the subject of future applications.	**Y**	Compliance with the stormwater flow and quality targets is addressed in the Civil Report by AT&L Engineers at **Appendix I.** The Water Management Strategy has been developed for two scenarios: a) An Interim Arrangement (refer to drawing 20-748-C1220), for which approval is being sought under SSD-9138102. This Arrangement is intended to be implemented to satisfy stormwater quality, quantity and flow controls in the absence of regional stormwater management interventions. b) An Ultimate Arrangement (refer to drawing 20-748-C1225), which incorporates measures to address stormwater quantity controls within the Estate. This Arrangement has been developed on the basis that a regional stormwater management scheme is in place to satisfy the stormwater quality and flow controls for the Mamre Road Precinct. This Arrangement is proposed to supersede the Interim Arrangement, without modification to any development approval in place, once regional stormwater management measures that will service the site have been delivered.
2) The stormwater flow targets during operation phase (Table 5) include criteria for a mean annual runoff volume (MARV) flow-related option and a flow duration-related option. Applicants must demonstrate compliance with either option.	**Y**	Refer to the Civil Report by AT&L Engineers at **Appendix I.**
3) Development applications must include a Water Management Strategy (WMS) detailing the proposed Water Sensitive Urban Design (WSUD) approach, how the WMS complies with stormwater targets (i.e. MUSIC modelling), and how these measures will be implemented, including ongoing management and maintenance responsibilities. Conceptual designs of the stormwater drainage and WSUD system must be provided to illustrate the functional layout and levels of the WSUD systems to ensure the operation has been considered in site levels and layout.	**Y**	Refer to at **Appendix I.** The Water Management Strategy for the site is outlined in the Civil Report by AT&L Engineers at **Appendix I**, and includes the approach to WSUD for the site, performance of the proposed stormwater management measures against the DCP targets, and description of delivery, ongoing management and maintenance of each proposed measure. Design drawings showing the layout and levels of the proposed stormwater management elements are included in the AT&L civil package.
4) The design and mix of WSUD infrastructure shall consider ongoing operation and maintenance. Development applications must include a detailed lifecycle cost assessment (including capital, operation/maintenance, and renewal costs over 30 years) and Maintenance Plan for WSUD measures.	**Y**	Refer to the Civil Report by AT&L Engineers at **Appendix I.** All costs associated with the delivery, operation and maintenance of the estate-based water management measures will be borne by the proponent.
5) WSUD infrastructure may be adopted at a range of scales (i.e. allotment, street, estate, or sub-precinct scale) to treat stormwater, integrate with the landscape and maximise evaporative losses to reduce development flow runoff. Vegetated WSUD measures, naturalised trunk drainage and rainwater/stormwater reuse are preferred. Acceptable WSUD measures to retain stormwater within the development footprint and subdivision are shown in Table 7.	**Y**	Refer to the Civil Report by AT&L Engineers at **Appendix I.**

Control	Compliance (Y/N)	Assessment
6) Development must not adversely impact soil salinity or sodic soils and shall balance the needs of groundwater dependent ecosystems.	**Y**	Refer to the Salinity Report prepared by Alliance Geotechnical at **Appendix DD.**
7) Infiltration of collected stormwater is generally not supported due to anticipated soil conditions in the catchment. All WSUD systems must incorporate an impervious liner unless a detailed Salinity and Sodicity Assessment demonstrates infiltration of stormwater will not adversely impact the water table and soil salinity (or other soil conditions).	**Y**	The proposed water management strategy does not incorporate infiltration of collected stormwater.
8) Where development is not serviced by a recycled water scheme, at least 80% of its non-potable demand is to be supplied through allotment rainwater tanks.	**Y**	Measures including rainwater tanks are proposed for the site so as to achieve 80% recycled water for non-potable demand. Refer **Appendix I** for more detail.
9) Where a recycled water scheme (supplied by stormwater harvesting and/or recycled wastewater) is in place, development shall: • Be designed in a manner that does not compromise waterway objectives, with stormwater harvesting prioritised over reticulated recycled water; • Bring a purple pipe for recycled water to the boundary of the site, as required under Clause 33G of the WSEA SEPP. Not top up rainwater tanks with recycled water unless approved by Sydney Water; and • Design recycled water reticulation to standards required by the operator of the recycled water scheme.	**Y**	Stormwater harvesting in the form of rainwater tanks on the proposed lots will form one of the components of the Interim Arrangement. The supply of harvested rainwater for non-potable uses within the development will be prioritised over reticulated recycled water. It is envisaged that reticulated recycled water would supply the shortfall in supply from the rainwater tank and would not top up rainwater tanks unless approved by Sydney Water.
Trunk Drainage Infrastructure		
10) Indicative naturalised trunk drainage paths are shown in Figure 4.	-	Noted.
11) Naturalised trunk drainage paths are to be provided when the: • Contributing catchment exceeds 15ha; or • 1% AEP overland flows cannot be safely conveyed overland as described in Australian Rainfall and Runoff – 2019; unless otherwise agreed by the consent authority	**Y**	Details of the proposed trunk drainage infrastructure are included in **Appendix I.**
12) The design and rehabilitation of naturalised trunk drainage paths is to be generally in accordance with NRAR requirements (refer to Section 2.3) that replicates natural Western Sydney streams. An example of a naturalised trunk drainage path is shown in Figure 3.	**N/A**	It is proposed that trunk drainage infrastructure in the form of a pit and pipe system be provided in lieu of open channel(s) within the site. The topography of the site is very steep and is not conducive to open channels. The proposed gradient of Road 01 varies between 1.7% and 7.5%. An open channel adjacent to Road 01 would require several high drop structures (to maintain maximum channel gradients), which would result in deep sections of channel adjacent to the road reserve.

Control	Compliance (Y/N)	Assessment
13) Naturalised trunk drainage paths shall be designed to: • Contain the 50% AEP flows from the critical duration event in a low flow natural invert; • Convey 1% AEP flows from the critical duration event with a minimum 0.5m freeboard to applicable finished floor levels and road/driveway crossings; and • Provide safe conveyance of flows up to the 1% AEP flood event.	**N/A**	As described above, trunk drainage infrastructure in the form of a pit and pipe system is proposed to be provided within the site. This system will have sufficient capacity to capture and convey flows up to the 1% AEP design event.
14) Where naturalised trunk drainage paths traverse development sites, they may be realigned to suit the development footprint, provided that they: • Comply with the performance requirements for flow conveyance and freeboard; • Are designed to integrate with the formed landscape and permit safe and effective access for maintenance; • Do not have adverse flood impacts on neighbouring properties; and • Enter and leave the development site at the existing points of flow entry and exit.	**N/A**	The proposed trunk drainage lines within the site will: • Comply with requirements for flow conveyance and freeboard. • Incorporate sufficient access points for maintenance – maximum spacing of pits will not exceed 75 metres, which is consistent with Penrith City Council's *Design Guidelines for Engineering Works for Subdivisions and Developments* (considered an appropriate reference in the absence of any specific Sydney Water guideline or standard). • Have sufficient capacity to capture and convey flow from the external catchments to the east of the Westlink Industrial Estate and will therefore not result in adverse flood impacts on neighbouring properties. • Discharge from the Westlink Industrial Estate to a point of discharge within the Abbotts Road reserve, to proposed drainage that will be constructed
15) Trunk drainage paths shall remain in private ownership with maintenance covenants placed over them to the satisfaction of Council (standard wording for positive covenants is available from Council). Easements will also be required to benefit upstream land.	Noted	The proposed trunk drainage lines will be located in Road 01 / Abbotts Road. The need or otherwise for maintenance covenants to be placed over the proposed stormwater drainage will be confirmed subject to further discussion and coordination with the road authority (Penrith City Council) and the Waterway Manager (Sydney Water).
16) Where pipes/ culverts are implemented in lieu of naturalised trunk drainage paths, they must remain on private land and not burden public roads, unless otherwise accepted by Council.	**Y**	Reference is made to Penrith City Council's submission on the SSDA documentation in their letter to DPIE dated 21 July 2021, which states: '*No objections are raised to the proposed methodology to separate internal treated stormwater flows from external catchment flows*'. This comment was provided based on the proposal to construct the external catchment diversion line within the Road 01 / Abbotts Road road reserve and under the road pavement.
17) High vertical walls and steep batters shall be avoided. Batters shall be vegetated with a maximum batter slope 1V:4H. Where unavoidable, retaining walls shall not exceed 2.0m in cumulative height.	**N/A**	Based on the proposal to implement pit and pipe drainage for trunk drainage infrastructure, this control is not considered relevant as it is intended to apply to naturalised trunk drainage channels.
18) Raingardens and other temporary water storage facilities may be installed online in naturalised trunk drainage paths to promote runoff volume reductions.	**N/A**	

Control	Compliance (Y/N)	Assessment
19) Subdivision and development are to consider the coordinated staging and delivery of naturalised trunk drainage infrastructure. Development consent will only be granted to land serviced by trunk drainage infrastructure where suitable arrangements are in place for the delivery of trunk infrastructure (to the satisfaction of the relevant Water Management Authority).	**N/A**	The proposed trunk drainage infrastructure will be staged and delivered commensurate with the staging of earthworks and infrastructure across the estate. The trunk drainage infrastructure will form a critical component of the site water management strategy throughout construction and will be incorporated into the Erosion and Sediment Control Plan and Construction Environmental Management Plan. The final form of the trunk drainage lines, including connections to infrastructure downstream of the Westlink Industrial Estate, will be undertaken at a suitable stage of development and will be subject to further consultation with the Sydney Water (the nominated Waterway Manager).
20) Stormwater drainage infrastructure, upstream of the trunk drainage, is to be constructed by the developer of the land considered for approval.	**Y**	All stormwater drainage upstream of the proposed trunk drainage lines will be designed and delivered by the proponent.
21) All land identified by the Water Management Authority as performing a significant drainage function and where not specifically identified in the Contributions Plan, is to be covered by an appropriate "restriction to user" and created free of cost to the Water Management Authority.	**Capable of compliance**	Noted – subject to further consultation with Sydney Water (the nominated Waterway Manager).
22) All proposed development submissions must clearly demonstrate via 2-dimensional flood modelling that: 1) Overland flow paths are preserved and accommodated through the site; 2) Runoff from upstream properties (post development flows) are accommodated in the trunk drainage system design; 3) Any proposed change in site levels or drainage works are not to adversely impact and upstream or downstream, or cause a restriction to flows from upstream properties; 4) There is no concentration of flows onto an adjoining property; and 5) No flows have been diverted from their natural catchment to another	**Y**	Refer to **Appendix I** for details of overland flow flooding through the site.
2.5 Flood Prone Land		
1) A comprehensive Flood Impact Risk Assessment (FIRA) (prepared by a qualified hydrologist and hydraulic engineer) is to be submitted with development applications on land identified as fully or partially flood affected. The FIRA should utilise Council's existing data and data arising from the Wianamatta (South) Creek Catchment Flood Study to provide an understanding of existing flooding condition and developed conditions consistent with the requirements of the NSW Flood Prone Land Policy and Floodplain Development Manual. The FIRA shall determine: • Flood behaviour for existing and developed scenarios for the full range of flooding including the 5% Annual Exceedance Probability (AEP), 1% AEP, 0.5% AEP, 0.2% AEP and Probable Maximum Flood (PMF);	**N/A**	Site is not identified as fully or partially flood affected. The site is above the 1% AEP Flood levels and is not identified as flood prone in accordance with the *Penrith Local Environmental Plan 2010.*

Control	Compliance (Y/N)	Assessment
• Flood Function (floodways, flood fringe and flood storage areas); • Flood Hazard; and • Flood constraints, including evacuation constraints (if applicable).		
2) The FIRA shall adequately demonstrate to the satisfaction of the consent authority that: • Development will not increase flood hazard, flood levels or risk to other properties; • Development has incorporated measures to manage risk to life from flooding; • For development located within the PMF, an Emergency Response Plan is in place; • Structures, building materials and stormwater controls are structurally adequate to deal with PMF flow rates and velocities (including potential flood debris); • Development siting and layout maintains personal safety during the full range of floods and is compatible with the flood constraints and potential risk; • The impacts of sea level rise and climate change on flood behaviour has been considered; • Development considers Construction of Buildings in Flood Hazard Areas and accompanying handbook developed by the Australian Building Codes Board (2012); and Fencing does not impede the flow of flood waters/overland flow paths.	**N/A**	
3) New development in floodways, flood fringe and/or flood storages or in high hazard areas in the 1% AEP flood event considering climate change is not permitted.	**N/A**	
Flood Constraints		
3) New development in floodways, flood fringe and/or flood storages or in high hazard areas in the 1% AEP flood event considering climate change is not permitted.	**N/A**	
4) Development applications are to consider the depth and nature of flood waters, whether the area forms flood storage, the nature and risk posed to the development by flood waters, the velocity of floodwaters and the speed of inundation, and whether the development lies in an area classed as a 'floodway', 'flood fringe area' or 'flood storage area'.	**N/A**	
Subdivision		
5) Subdivision of land below the flood planning level will generally not be supported.	**N/A**	
6) Subdivision must comply with Designing safer subdivisions guidance on subdivision design in flood prone areas 2007 (Hawkesbury-Nepean Floodplain Management Steering Committee).	**Y**	
New development		
7) Finished floor levels shall be at 0.5m above the 1% AEP flood.	**Y**	

Control	Compliance (Y/N)	Assessment
8) Flood safe access and emergency egress shall be provided to all new and modified developments consistent with the local flood evacuation plan, in consultation with Council and the State Emergency Services (SES).	**Y**	
Storage of Potential Pollutants		
9) Potential pollutants stored or detained on-site (such as on-site effluent treatment plants, pollutant stores or on-site water treatment facilities) shall be stored above the 1% AEP flood. Details must be provided as part of any development application.	**N/A**	
Overland Flow Flooding		
10) Development should not obstruct overland flow paths. Development is required to demonstrate that any overland flow is maintained for the 1% AEP overland flow with consideration for failsafe of flows up to the PMF.		The proposed major and minor system drainage has been designed such that development within the estate will not obstruct any overland flow paths. Suitable allowance for overland flow has been made within the design of the major and minor system.
11) Where existing natural streams do not exist, naturalised drainage channels are encouraged to ensure overland flows are safely conveyed via vegetated trunk drainage channels with 1% AEP capacity plus 0.5m freeboard. Any increase in peak flow must be offset using onsite stormwater detention (OSD) basins.	**Noted**	Refer to **Appendix I** for details of the proposed trunk drainage infrastructure and detention basin. The detention basin will attenuate peak flows within the estate prior to discharge across the estate boundary and into the proposed drainage system in Abbotts Road.
12) OSD is to be accommodated on-lot, within the development site, or at the subdivision or estate level, unless otherwise provided at the catchment level to the satisfaction of the relevant consent authority.	**Y**	The location of the proposed detention basin within the estate is presented on drawing 20-748-C1071 as part of the Civil Infrastructure plans.
13) Stormwater basins are to be located above the 1% AEP.	**Y**	The site is not subject to mainstream flooding, and therefore the proposed detention basins will be located outside the extent of 1% AEP mainstream flooding.
14) Post-development flow rates from development sites are to be the same or less than predevelopment flow rates for the 50% to 1% AEP events.	**Y**	The performance of the proposed detention basin against the stormwater quantity targets in the Mamre Road Precinct DCP is summarised in **Appendix I**.
15) OSD must be sized to ensure no increase in 50% and 1% AEP peak storm flows at the Precinct boundary or at Mamre Road culverts. OSD design shall compensate for any local roads and/or areas within the development site that does not drain to OSD.	**Y**	As demonstrated in **Appendix I**, the proposed detention basin has been sized to ensure no increase in peak flows at the discharge point from the estate.
Filling of Land at or Below the Flood Planning Level		
16) Earthworks up to the PMF must meet the requirements of Clauses 2.40 and 2.41 of the I&E SEPP as well as Sections 2.5 and 4.4 of this DCP.	**N/A**	Site is above the PMF
17) Filling of floodways and/or critical flood storage areas in the 1% AEP flood will not be permitted. Filling of other land at or below the 1% AEP is also discouraged, but will be considered in exceptional circumstances where: *The below criteria have been addressed in detail in the supporting FIRA;* *1. The purpose for which the filling is to be undertaken is adequately justified;* *2. Flood levels are not increased by more than 10mm on surrounding properties;*	**N/A**	

Control	Compliance (Y/N)	Assessment
3. Downstream velocities are not increased by more than 10%; *4. Flows are not redistributed by more than 15%;* *5. The cumulative effects of filling proposals is fully assessed over the floodplain;* *6. There are alternative opportunities for flood storage;* *7. The development potential of surrounding properties is not adversely affected;* *8. The flood liability of buildings on surrounding properties is not increased;* *9. No local drainage flow/runoff problems are created; and* *The filling does not occur within the drip line of existing trees.*		
2.6 Aboriginal Heritage		
1) Sites of known Aboriginal Heritage and areas of high and moderate–high Aboriginal archaeological potential, as identified in the Mamre Road Aboriginal Heritage Study (EMM Consulting 2020), are shown in Figure 5.	**Noted**	Portions of the site are identified in Figure 5.
2) Any development application within land that contains a known Aboriginal cultural heritage site and/or areas of moderate and moderate–high archaeological potential (refer Figure 5) must consider and comply with the requirements of the NPW Act and related guidelines. An Aboriginal Cultural Heritage Assessment in accordance with Heritage NSW guidelines (e.g. Code of Practice for Archaeological Investigation of Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010) shall be completed to inform future assessment and approval requirements for the activity (if any).	**Y**	An Aboriginal Cultural Heritage Assessment Report (ACHAR) is provided at **Appendix P.** The ACHAR details the relevant measures to be undertaken by ESR in order to respond to Aboriginal Cultural Heritage considerations.
3) In order to ensure that a person undertaking any development or activities on land does not harm Aboriginal objects, development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that are to be retained and protected (and identify the management protocols for these).		
4) Ground disturbance proposed in areas where cultural material has not been identified and/or is considered of low potential to occur is to be subject to a due diligence investigation consistent with best practice guidelines (e.g. Due Diligence Code of Practise for the Protection of Aboriginal Objects in NSW). The findings of the due diligence should guide future assessment and approval requirements for the activity (if any).		
5) Developments or other activities that will impact on Aboriginal heritage may require consent under the NPW Act, such as an Aboriginal Heritage Impact Permit, from Heritage NSW and consultation with the relevant Aboriginal communities.		
6) Where the necessary consents have already been obtained from Heritage NSW, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.		
2.7 Non-Aboriginal Heritage		

Control	Compliance (Y/N)	Assessment
1) A Heritage Impact Statement shall be lodged with a development application for subdivision, buildings or works in the vicinity of heritage items listed under the WSEA SEPP and identified in Figure 6, including development that: • May have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing; or • May undermine or otherwise cause physical damage to a heritage item; or • Will otherwise have any adverse impact on the heritage significance of a heritage item within which it is situated.	**N/A**	The site is in close proximity to Non-Aboriginal Heritage Item No.3 in Figure 6, being the Gateposts to "Colesbrook". A Heritage Impact Statement has been prepared by Urbis (refer **Appendix O**) and found that while the proposed future development of the subject site will create an altered setting to the south of the heritage item and change existing inward views towards the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance.
2) Subdivision applications shall define an appropriate setting or curtilage for the heritage building as part of the Heritage Impact Statement or Conservation Management Plan.	**Y**	The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west, and be able to be understood and interpreted in its existing setting The proposal is considered to have an acceptable heritage impact on this adjoining heritage item
3) In determining the curtilage of a heritage building, consideration is to be given to: • The original form and function of the heritage building: The heritage building's former use and architecture should be reflected in the design of the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building; • Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage.	**Y**	See above
4) Development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item, and consider the following: • The height of new development near heritage items shall be less than the subject item. New development or large additions or alterations must provide a transition in height from the heritage item. Increases in height shall be proportional to increased distance from the items; • Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained; • If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.	**Y**	See above

Control	Compliance (Y/N)	Assessment
5) The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item. New development within the curtilage must not adversely impact upon the significant fabric of a heritage item.	**Y**	Adjoining heritage item is gateposts not a building. The proposed colours and materials are sympathetic.
6) Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired.	**N/A**	
7) New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and height.	**N/A**	
8) New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item.	**N/A**	
9) Vegetation around a heritage item shall be assessed for its value to the item and retained where required.	**N/A**	
2.8 Bush Fire Prone Land		
1) Land identified as 'bushfire prone land' on the Penrith City Council Bushfire Prone Land Map is to address the bush fire protection measures in the Rural Fire Service publication Planning for Bushfire Protection 2019 (PBP) (as amended).	**Y**	The site is identified as Category 2. A Bushfire Assessment Report has been provided at **Appendix U.** An assessment against the relevant provisions of the PBP is contained within the Report.
2) A Bushfire Assessment Report, prepared in accordance with PBP, must accompany all development applications on land identified as bush fire prone land.		
3) Development on land within 250m of land zoned RU2, E2, and E4 that is not identified as bushfire prone land must consider ways to minimise the risk of ember attack, particularly with regard to roof design, building materials and landscape design.		
4) Bushfire hazard reduction work must be authorised by the Rural Fires Act 1997.	**Noted**	
2.9 Salinity		
1) Development applications shall include a detailed salinity analysis and Salinity Management Plan, noting the relatively low permeability and saline clay soils dominant in the area. The analysis is to consider the stormwater management measures proposed in accordance with Section 2.4 to limit the mobilisation of salts in the catchment.	**Y**	Refer to the Salinity Report prepared by Alliance Geotechnical at **Appendix DD.**
2) Salinity investigations are to be conducted in accordance with the Local Government Salinity Initiative series by the former Department of Natural Resources (2002).		
3) The author of the salinity analysis must sign off on the project on completion of works and submit this to Council prior to an occupation certificate being issued, if required.		

Control	Compliance (Y/N)	Assessment
4) Disturbance to the natural hydrological system shall be minimised by maintaining good surface drainage and reducing water logging on the site.		
5) Groundwater recharge is to be minimised to the extent it does not adversely impact groundwater dependent ecosystems downstream.		
6) Construction techniques shall be employed that prevent structural damage to the development as a result of salinity (see Building in a Saline Environment).		
7) All works are to conform with the Western Sydney Salinity Code of Practice June 2003.		
2.10 Contaminated Land		
1) Prior to granting development consent, the consent authority must be satisfied that the site is suitable, or can be made suitable, for the proposed use having regard to land contamination.	**Y**	Separate geotechnical investigations were commissioned for different components of the site, namely that of 59-63 Abbotts Road (**Appendix S**) and 290-308 Aldington Road (**Appendix T**), as part of the originally exhibited EIS. The assessments completed do not change as a result of the amended proposal. Furthermore, a Detailed Site Investigation and Remediation Action Plan have been prepared for the amended proposal, to carry out remediation as required across the site to ensure it is suitable for its future intended purpose. (**Appendices BB** and **CC)**
2) All development applications shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with State Environmental Planning Policy No 55 – Remediation of Land and the Contaminated Land Management Act 1995.		
3) Where a site has known contamination, or a Stage 1 Preliminary Site Investigation identifies potential or actual site contamination, a Stage 2 Detailed Site Investigation must be prepared in accordance with State Environmental Planning Policy No 55 – Remediation of Land and the Contaminated Land Management Act 1995. A Remediation Action Plan (RAP) will be required for contaminated land identified in the Stage 2 Detailed Site Investigation. Remediation works identified in the RAP will require development consent.		
4) A Section A1 Site Audit Statement (SAS) or Section A2 SAS accompanied by an Environmental Management Plan (EMP) (issued by a NSW EPA Accredited Site Auditor) will be required where remediation works have been undertaken to confirm a site is suitable for the proposed use.		
2.11 Aviation Safeguarding		
1) An Aviation Safeguarding Assessment is to be submitted with development applications detailing compliance with aviation safeguarding measures and the controls outlined below. • The aviation safeguarding assessment must evaluate the wildlife likely to be present on the subject land and the risk of the wildlife to the operation of the Airport provided by the applicant which includes; – the species, size, quantity, flock behaviour (where applicable) and the particular times of day or year when the wildlife is likely to be present, – whether any of the wildlife is a threatened species,	**Y**	A Wildlife Management Assessment Report has been prepared by Eco Logical Australia (**Appendix AA)** to address the potential impacts and mitigation of wildlife risk to Western Sydney international Airport.

Control	Compliance (Y/N)	Assessment
– a description of how the assessment was carried out, and – is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport.		
Heights		
2) The height of buildings, structures, landscaping and cranes do not impact on the operations of the airport or create a hazard to the safe navigation of aircraft. Buildings and any ancillary structures must not encroach into protected airspace.	**Y**	The height of the proposed warehouses is compliant with all built form controls and will not impact on Airport operations.
Noise		
3) Development is constructed in accordance with Australian Standards AS2021 – Acoustics Noise Intrusion – Building Siting and Construction.	**Y**	Proposed development is not a noise sensitive use and will not be impacted by aircraft noise.
Lighting		
4) Development does not impact on the operational aspects of the Airport with regard to light emission and reflective surfaces.	**Y**	The proposed development is located outside the lighting zones of NASF Guideline E and will therefore not impact on the operational aspects of the airport.
Emissions		
5) Development must not generate emissions into the protected airspace.	**Y**	Proposed development will not generate emissions into the airspace.
6) Any plumes do not: • Have peak vertical velocities of more than 4.3m/sec. • Incorporate flares.	**Y**	
Wildlife Hazards		
7) Development must not attract wildlife which would create a safety hazard in the operations of the Airport.	**Y**	The proposed development is located within the 8km wildlife buffer around the airport, although will not attract any wildlife that would create adverse safety hazards. A Wildlife Management Assessment Report has been prepared by Eco Logical Australia (**Appendix x)** to address the potential impacts and mitigation of wildlife risk to Western Sydney international Airport.
8) All waste bins are to be designed and installed with fixed lids.	**Capable of complying**	To be addressed at detailed design stage.
9) Any bulk waste receptacle or communal waste storage area must be contained within enclosures that cannot be accessed by birds or flying foxes.	**Capable of complying**	To be addressed at detailed design stage.

Control	Compliance (Y/N)	Assessment
10) Any stormwater detention within the 8km wildlife buffer is to be designed to fully drain within 48 hours after a rainfall event.	**Y**	The OSD basin on site will be able to fully drain within 48 hours of a rainfall event. Refer to **Appendix I**.
Communications, Navigation and Surveillance Systems		
11) Development must not impact upon communication, navigation and surveillance systems.	**Y**	Proposed development will not impact on communication, navigation or surveillance systems.
12) Development within the building restricted area does not create electromagnetic field radiations that will interfere with signals transmitted by the communication, navigation or surveillance facility.	**Y**	
2.12 Development Adjacent to Warragamba Pipelines		
1) Where development (including subdivision) is proposed adjacent to the Warragamba Pipelines corridor, applicants shall consult with Water NSW. Development is to be consistent with Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW). Any written requirements of Water NSW shall be submitted with the development application, including how the requirements have been addressed.	**N/A**	The site is not located adjacent to the Warragamba Pipelines
2) Prior written approval shall be obtained from Water NSW for any access required to the Warragamba Pipelines corridor during the investigation and construction phases.	**N/A**	
3) Access points to the Warragamba Pipelines corridor for Water NSW staff and contractors to carry out inspections and maintenance shall be retained or provided.	**N/A**	
4) Stormwater systems serving development adjacent to the Warragamba Pipelines shall be designed to ensure that stormwater does not enter the corridor.	**N/A**	
5) Security fencing shall be provided, or existing security fencing retained along the length of development boundaries that directly adjoin the Warragamba Pipelines corridor.	**N/A**	
6) Road crossings should generally avoid the Warragamba Pipelines corridor. Any proposed road crossings shall be designed and located in accordance with Water NSW requirements.	**N/A**	
7) Earthworks (excavation or filling) and landscaping works carried out adjacent to or crossing the Warragamba Pipelines shall avoid damage to the infrastructure.	**N/A**	
2.13 Electricity Transmission Line Easements		
1) Development on land affected by the Electricity Transmission Line Easements (refer Figure 8) must be in accordance with the relevant electricity supply authority's requirements.	**N/A**	The site is not affected by an Electricity Transmission Line easement.
2.14 Utilities Services		
1) Applicants shall liaise with relevant service providers to ensure satisfactory arrangements have been made to service the development, in accordance with the relevant service providers requirements. This includes water, recycled water, sewer,	**Y**	The proponent as well as certain sub-consultants have liaised with the relevant utilities providers throughout the design process to ensure adequate arrangements will be in place to service the development. The Civil Engineering

Control	Compliance (Y/N)	Assessment
drainage, electricity, gas (where required) and telecommunications. Indicative trunk infrastructure is identified in Figure 8.		Plans and Report have assessed the public utility infrastructure requirements needed to support the proposed development. The assessment concludes that wastewater, potable water, power and telecommunications can be made available to the site to support the proposed development. Refer **Appendix I**.
2) A Utilities Plan is to be submitted with subdivision development applications demonstrating satisfactory arrangements for the delivery of utilities and services connections.	**Y**	Refer to **Appendix I.**
3) The Utilities Plan should allow for the installation of emerging utilities technologies, such as hydrogen district cooling/heating systems and micro-grids for energy sharing.	**Y**	The Utilities plans would not preclude the installation of emerging technologies.
4) Where a recycled water network is available, development shall connect to this network (refer Section 2.4). Development must be plumbed to enable connection to and use of recycled water via the third pipe network and designed in consultation with Sydney Water.	**Y**	Refer to **Appendix I** for an overview of potable water, wastewater and recycled water servicing, including servicing advice received from Sydney Water.
5) Utilities are to be accommodated in the road reserve, unless otherwise required by the relevant utility authority. The design of roads will need to take this into consideration.	**Y**	Utility mains are proposed to be located within the road reserve, with roads being designed accordingly.
6) Electricity and telecommunication mains are to be placed underground.	**Y**	Utilities will be placed underground.
7) Where technically feasible, compatible public utility services shall be coordinated in common trenching to maximise cost-effectiveness.	**Y**	Telecommunications and electrical cables will occupy common trenches adjacent to the road reserve.
8) Premises are to be provided with high speed, high reliability telecommunications infrastructure (e.g. optic fibre or DSL technology).	**Y**	It is expected connection could be made from the existing infrastructure located within Aldington Road. Subject to the requirements of the relevant telecommunications authority, new pit and pipe may need to be installed from Aldington Road to the Site. NBN requires an application for connection to be made with appropriate lead times to ensure the network can be delivered to the site.
9) Applicants will be required to deliver water and sewer services upgrades (in accordance with current Sydney Water procurement guidelines) to meet the anticipated demand.	**Noted**	
2.15 Transport Investigation Areas		
Proposed Western Sydney Intermodal Terminal *This section applies to land identified as Transport Investigation Area marked "A" under Clause 2.34 of the I&E SEPP.*		
1) Proposed development on land subject to the proposed Intermodal Terminal (refer Section 3.4.2 and Figure 9) must make provision for the Intermodal Terminal and any road and rail access points..	**N/A**	The site is not identified as a Transport Investigation Area A under the I&E SEPP

Control	Compliance (Y/N)	Assessment
2) Applicants must consult with TfNSW in preparing development applications for this land to ensure an appropriate area is available and access is not adversely impacted by development		
Proposed Western Sydney Freight Line *This section applies to land identified as Transport Investigation Area marked "B" under Clause 2.34 of the I&E SEPP.*		
3) Proposed development on land subject to the proposed Western Sydney Freight Line (WSFL) corridor (refer Figure 9) must make provision for the WSFL and access to the corridor.	**N/A**	The site is not identified as a Transport Investigation Area B under the I&E SEPP
4) Applicants must consult with TfNSW in preparing development applications for this land to ensure an appropriate area is available and future access is not adversely impacted by development.		
5) The WSFL corridor is not to be compromised by development, including any key rail and road interfaces with the Intermodal Terminal.		
Classified Roads – Mamre Road and Proposed Southern Link Road *This section applies to the Mamre Road corridor and land identified as Transport Investigation Area marked "B" under Clause 2.34 of the I&E SEPP.*		
6) Proposed development on land subject to Mamre Road and the proposed Southern Link Road (refer Figure 9) must make provision for the upgrade and construction of these roads and future access to the corridors.	**N/A**	The site is not identified as a Transport Investigation Area B under the I&E SEPP
7) Applicants must consult with TfNSW in preparing development applications for this land to ensure an appropriate area of land is available and future access is not adversely impacted by development.		

Section 3 – Precinct and Subdivision Design

Control	Compliance (Y/N)	Assessment
3.1 Subdivision		
1) Subdivision is to be in accordance with the controls in Table 8 *Table 8 – Subdivision controls* ***Subdivision element*** / ***Area*** / ***Control*** *Minimum Allotment Size* / *IN1 General Industrial* / *1000m²* *E2 Environmental Conservation* / *Single contiguous lot* *Minimum Frontage* / *IN1 General Industrial* / *40m (excluding cul-de-sacs) and 35m minimum lot width at building line*	**Y**	The proposed subdivision complies with all the relevant minimum lot sizes.
2) Subdivision design is to enable the conservation of natural and landscape features, including important fauna habitats, rare or threatened plant habitats, and designated biodiversity areas.	**Y**	The site does not contain or adjoin any areas of natural or landscape features, nor fauna habitats, rare or threatened plan habitats nor designated biodiversity areas.
3) Subdivision design shall balance cut and fill as far as practicable. Development applications must include an Earthworks Plan, detailing the proposed cut and fill strategy, how the design minimises cut and/or fill, and justification for the proposed changes to the landform.	**Y**	To achieve the DCP requirement of a balanced cut and fill, earthworks is proposed to be majority cut from the existing estate and filled within the two new lots. This would result in a maximum export of 1,000m^3. Given these two lots do not form part of this SSDA application, ESR has developed a staging plan which enables a balanced cut and fill for Stage 1 within the estate with Stage 2 contingent on a subsequent development application approval for the additional two lots. This is addressed in the Civil Infrastructure Report (**Appendix I**).
4) Lots adjoining or containing watercourses are to maintain or establish native vegetation riparian corridors in accordance with Section 2.3.	**N/A**	Site does not adjoin or contain a watercourse.
5) Land zoned E2 Environmental Conservation must not be subdivided unless the consent authority is satisfied appropriate arrangements have been made for revegetation and rehabilitation in accordance with a Vegetation Management Plan, including ongoing monitoring and management.	**N/A**	The site does not include any E2 zoned land.
6) Subdivision design is to facilitate the precinct road network and hierarchy.	**Y**	The proposed subdivision design will not preclude the facilitation of the desired road network and hierarchy for the wider precinct.
7) Access to lots should be from local or collector industrial roads.	**Y**	All proposed lots are accessed from local roads.

Control	Compliance (Y/N)	Assessment
8) Lots adjoining the potential intermodal terminal and dedicated freight corridor shown in Figure 17 should be larger lots (i.e. 10,000m2 or greater) to support freight and logistics development.	**N/A**	The site does not adjoin the Intermodal freight terminal nor the Dedicated freight Corridor.
3.2 Views and Visual Impacts		
1) The design of subdivisions and building orientation should respond to the significant landscape elements and view corridors identified in Figure 10, including Mount Vernon, Wianamatta-South Creek and Ropes Creek. Development applications should demonstrate how the natural features of the site have influenced the design.	**Y**	A Visual Impact Assessment has been prepared to support the proposal and is provided at **Appendix J.** This report confirms that the proposed development will not have any significant adverse impacts on the adjoining rural residential areas which will be screened by existing ridgeline along the eastern boundary of the site as well as the landscaping that is proposed as part of the development.
2) Site design shall retain visual connection with the blue-green network, ridge lines and vistas	**Y**	The design of the site has been facilitated for the primary purpose to create a layout that is commensurate to industrial development and freight operations. In doing this, visual connections to the blue-green network have not been completely retained, notwithstanding that the site is not located in close proximity to any conservation or recreation zoned land nor identified riparian corridors.
3) The design of lots adjoining Mamre Road, Southern Link Road, and Aldington/Abbotts Road shall promote a high-quality landscape character.	**Y**	As is discussed within the EIS, the proposed development incorporates high-quality landscaping elements to complement the subdivision design.
4) Subdivision development applications for land on ridgelines and highpoints shall give careful consideration to the potential siting and scale of buildings.	**Y**	the siting and scale of buildings has been designed to work in with the topography. The site's eastern boundary is characterised by a significant ridgeline. The development pads along this eastern boundary have been designed to cut into and sit below this feature, thus retaining the visual prominence of the ridgeline and reducing the visual impact of the warehouses when viewed from the west. The warehouse are also designed to not be visible from the rural residential properties to the east. Cross section of the development are in **Appendix A** and the visual Impact Assessment is at **Appendix J**.
5) All retaining walls must include mature tree planting along the top of the retaining wall to mitigate the visual impact of buildings when viewed from sensitive locations (refer Figure 9). Sufficient deep soil shall be available to accommodate a mature screening tree.	**N/A**	No retaining walls on the site are able to be viewed from sensitive locations. Adjoining rural residential properties are separated from the site by a ridgeline and the site is not within their visual catchment.
3.4 Transport Network		
3.4.1 Road Network, Hierarchy and Design		
Traffic and Transport Assessments		
1) Development applications shall be accompanied by a Traffic and Transport Report. The Traffic and Transport Report shall include a Green Travel Plan and Travel Access Guide, and assess the impact of projected pedestrian and vehicular traffic associated	**Y**	A Transport and Accessibility Management Plan has been provided at **Appendix K**.

Control	Compliance (Y/N)	Assessment
with the proposal, and outline the extent and nature of traffic facilities necessary to preserve or improve the safety and efficiency of the road system.		
2) Subdivision and development are to consider the coordinated staging and delivery of final road infrastructure throughout the precinct. Development consent will only be granted to land serviced by a suitable road network with traffic capacity to service the development (to the satisfaction of the relevant roads authority).	**Y**	As identified within **Appendix K** the proposed development can be adequately serviced by the surrounding road network. ESR, as part of the Land Owner's Group (East) (LOG-E) is currently negotiating a planning agreement with Penrith City Council for upgrades to Abbotts Road and Aldington Road to facilitate the construction and operation of several developments which will access these roads.
Road Network		
3) The Precinct shall be developed generally in accordance with the desired road network structure and hierarchy (Figure 12). The road network will comprise the arterial roads of Mamre Road and the future Southern Link Road (Movement Corridors), Aldington Road/ Abbotts Road (distributor road) and an indicative internal industrial local and collector road network.	**Y**	The proposed development's road network is consistent with Figure 12 of the DCP.
4) Until the delivery of the connection of Aldington Road to the future Southern Link Road, all development accessed from Aldington Road and Abbotts Road is to be accessed via the southern end of Aldington Road/ Abbotts Road and Mamre Road. Access to the north via Bakers Lane is not permitted.	**Y**	Access to the arterial road network for the proposed development will be via the Abbotts Road / Mamre Road intersection.
5) The centre line for all Local Industrial Roads and Collector Industrial Roads shall be on the common cadastre boundary between adjoining lot plans unless otherwise agreed by adjoining owners.	**N/A**	The development does not include shared boundary roads.
6) Internal local roads are to be designed to: • Create a permeable network based on a modified grid system; • Provide access to and facilitate the development of adjoining properties; • Provide a pedestrian and cycle network that minimises travel distances and conflicts with industrial traffic; • Maximise connectivity to and from open space and employment service hubs; • Take account of topography, view corridors, site drainage, and vegetation; • Provide frontage to and maximise surveillance of open space and riparian corridors; • Provide views to landscape features and visual connections to activity nodes; and • Maximise the effectiveness of water sensitive urban design measures.	**Y**	The proposed internal road network has been designed so as to maximise accessibility and connectivity with the surrounding locality. Pedestrian footpaths are also proposed on either side of the internal roadways. The proposed road layout will facilitate connection to the lots to the south as required by the DCP road network in Figure 12.
7) Variations to the desired road network and hierarchy (refer Figure 12) must demonstrate to the consent authority's satisfaction that the proposal: • Will not detrimentally impact on access to adjoining properties;	**N/A**	No variation to the desired road network is proposed.

Control	Compliance (Y/N)	Assessment
• Provides for the management of stormwater to drain to the trunk drainage network without negative impacts on other properties; • Will not impede the orderly development of adjoining properties in accordance with the Structure Plan (Figure 2) and this DCP; • Does not restrict the ability to provide water, sewer, electricity and other essential services to adjoining properties; and • Includes written evidence of consultation with affected adjoining owners and agreement with these affected owners.		
8) A public road is to adjoin land zoned RE1 Public Recreation along Wianamatta-South Creek precinct in accordance with Figure 12.	**N/A**	
9) Access points shall be located to optimise safety, traffic flow and landscape opportunity, as well as end user operations. All parking shall be provided either on site or in centralised offroad locations.	**Y**	Access to the site has been designed with consideration to safety and traffic flow. All parking is provided onsite.
10) Direct vehicle access to Mamre Road, Southern Link Road and distributor roads (Aldington Road/ Abbotts Road) is not permitted.	**Y**	Direct access to these roads is not proposed. Access from proposed lots will be available to the local industrial road extension to Abbotts Road.
11) All intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient pedestrian, cyclist and traffic movement.	**Y**	
12) The internal road pattern is to facilitate 'through-roads' with cul-de-sacs to be avoided unless dictated by topography or other constraints.	**Y**	A temporary cul-de-sac is proposed for the Internal Access Road to facilitate safe traffic movement prior to the future connection of this road through to the lot to the south. The cul-de-sac will be removed upon development of the lot to the south.
13) Heavy vehicles are to avoid Bakers Lane, especially in the vicinity of existing schools.	**Y**	It is proposed that heavy vehicles from the site will access Mamre Road via Abbotts Road.
14) Internal road network intersections to be provided at the following minimum intervals: • Local to local industrial road 40m-60m; • Local to collector / distributor street 100-200m; and • Collector / distributor to sub-arterial 400m-500m.	**Y**	
15) Development shall, where appropriate, be designed to: • Allow all vehicles to either leave or enter the site in a forward direction; • Accommodate heavy vehicle parking and manoeuvring areas; • Avoid conflict with staff, customer and visitor vehicular movements; and • Ensure satisfactory and safe operation with the adjacent road system.	**Y**	All internal estate roads and movement pathways have been designed to accommodate B-Doubles, which will be able to leave and enter the site in a forward direction.

Control	Compliance (Y/N)	Assessment
16) Development applications shall detail the volume, frequency and type of vehicle movements.	**Y**	The Transport and Accessibility Management Plan provided at **Appendix K** details trip generation and distribution.
17) The design of manoeuvring areas for large vehicles shall consider the Australian Standard 2890 series and Performance Based Standards An Introduction for Road Managers (National Heavy Vehicle Regulator – May 2019).	**Y**	The development has been designed to accommodate B-Doubles. Turning circles and movement corridors are contained within the boundary of each warehouse lot and enable large trucks to be manoeuvred around the site without interfering with parked cars or other building services.
Road Design		
18) Road design is to address the Guide for Traffic Generating Development (former RTA 2002).	**Y**	
19) Road design must comply with the road configurations in Table 8 and corresponding typical road cross-sections (Figure 12, Figure 13, Figure 14, Figure 15, and Figure 16).	**Y**	The internal road network has been designed in accordance with all the aforementioned Type 1 configurations (refer **Appendix K**).
20) The road network is to be designed for 30m Performance Based Standards (PBS) Level 2 Type B vehicles and tested for a 36.5m PBS Level 3 Type A vehicles.	**Y**	Internal road network has been designed to cater for B- Doubles.
21) To accommodate the design vehicle (i.e. B-double and B-triple) the standard kerb return radius will need to increase from 12.5m to 15.0m.	**Y**	Kerb return radii have been designed to accommodate B-Doubles.
22) Road design shall consider arrangements for broken down vehicles and incident response.	**Y**	Incident response can be accommodated within the road network.
23) For roads adjoining open space, finished road design levels shall match with existing levels of open space and negate the need for retaining walls or battering. Design is to address: • Public access to open space; • Function of the road; • Impact on existing vegetation; • Public amenity; • Public safety; and • Impact on ability to provide street tree planting.	**N/A**	No proposed roads within the development will adjoin open space.
24) Alternate road configurations may be considered in special circumstances where it can be demonstrated the following key principles can be achieved: • Road and lane widths must allow for two-way movement and turning movements of design vehicles, including consideration for buses, heavy vehicles, garbage trucks and emergency vehicles;	**N/A**	The proposed road configuration is consistent with the DCP.

Control	Compliance (Y/N)	Assessment
• Verge widths must consider requirements for utilities, street tree planting, footpaths, shared paths and urban design outcomes; • Adequate on-street parking must be provided; • Adequate swept turning paths must be provided for all design vehicles at intersections and for property access to meet the required design vehicle; • Road widths must be set to minimise kerbside restrictions and regulatory signage; • Sufficient width must be provided for specialist drainage functions; and • Life cycle costs for construction and maintenance must be minimised.		
3.4.2 Western Sydney Intermodal Terminal and Freight Network		
1) Development is to enable the delivery of the Intermodal Terminal and dedicated freight network, as identified in Figure 17.	**Y**	The proposed development will not preclude the delivery of the proposed freight network.
2) Land identified for the intermodal facility is to be integrated with a dedicated freight network to the south, via a road crossing of future Southern Link Road.	**N/A**	Site is not identified within the intermodal terminal.
3) Development applications for lots including or adjacent to the dedicated freight corridor shall make provision for the dedicated freight corridor.	**N/A**	The site does not adjoin the dedicated freight corridor.
4) The dedicated freight corridor shall be a minimum of 10.0m wide and meet the design requirements specified by Transport for NSW.	**N/A**	The site does not adjoin the dedicated freight corridor.
5) Development applications for lots with an identified access point (refer Figure 17) shall demonstrate how access to and from the dedicated freight corridor will be achieved.	**N/A**	The site does not adjoin the dedicated freight corridor.
6) All fire compliant internal access roads are to be a minimum of 8.0m wide to safeguard for a precinct-wide AGV freight network unless development applications can demonstrate how an AGV freight network can be safeguarded within their development.	**Y**	Fire compliant internal access roads are a minimum 8m in width.
3.4.3 Public Transport, Pedestrian and Cycle Network		
Desired Public Transport, Pedestrian and Cycle Network		
1) Bus stops should be provided, if identified by bus operators and TfNSW in consultation with Council as part of the development application process.	**N/A**	No bus stops have been identified for the site by TfNSW during the DA process.
2) Development is to respond to the provision of a future bus link to the M4 Motorway	**N/A**	
3) Pathways for cyclists and pedestrians are to be provided that integrate with regional active transport connections, and links to key catchments and employment hubs across WSEA.	**Y**	Pathways and cycleways have been provided for the internal access road in accordance with DCP requirements.

Control	Compliance (Y/N)	Assessment
Public Transport		
4) The road network is to be designed in accordance with this DCP, to ensure public transport (i.e. buses) can be accommodated along key roads to support early adoption of good travel practices by future workers.	**Y**	The Internal Access Road had been designed to be compliant with DCP provisions.
5) Indented bus bays should be provided along Aldington Road and Abbotts Road, as required by TfNSW as part of the public exhibition process for a development application.	**Y**	Bus bays along Aldington Road are being negotiated with Penrith City Council as part of the LOG-E planning agreement for the road upgrades.
Pedestrian Connections		
6) All footpaths are to be consistent with the relevant requirements of Walking Space Guide - Towards Pedestrian Comfort and Safety (NSW Government).	**Y**	
7) Footpaths should have ramps at all kerb corners for wheelchairs and pram access and cater for all people with diverse abilities in line with current Australian Standards.	**Y**	
8) Street lighting in accordance with the provisions of AS1158 should be provided in all streets.	**Y**	To be addressed at detailed design phase.
9) Pedestrian crossing distances in local streets should be shortened through kerb extensions and tight turning radii, which can cause vehicular traffic to slow to negotiate the tighter corners.	**Y**	
10) To enable comfortable passage for all people with diverse abilities, footpaths must be: • Provided on both sides of the road; • A minimum of 1.5m wide on one side; • A minimum of 2.5m shared path on the opposing side (with the exception of distributer roads, refer to Table 9); • A minimum of 3.0m on approach routes to predictable destinations such as employment hubs and parks; and • A minimum width of 3.5m for shared paths for recreational use within open space and environmental corridors.	**Y**	Refer to Architectural Plans at **Appendix A** and Civil Infrastructure Plans at **Appendix I**.
11) A durable, non-slip surface and even paving is to be designed and constructed for minimum maintenance. Continuous pathways, uninterrupted by variations in surface material must be provided.	**Y**	To be addressed at detailed design phase.
12) Gradients from pathways to streets are to be minimal, safe and comfortable for people with limited mobility and those using wheelchairs, prams and trolleys in line with current Australian Standards.	**Y**	
13) Gradients and ramps must be aligned with desired paths of travel for pedestrians and cyclists.	**Y**	To be addressed at detailed design phase.

Control	Compliance (Y/N)	Assessment
14) A smooth transition from ramps to roads is to be provided for people using wheelchairs or prams. Ramps should be designed in accordance with appropriate design guidelines and be as wide as the pathway or marked crossing point to eliminate squeeze points at transition areas.	**Y**	To be addressed at detailed design phase.
15) Reconstructed driveways/pathways are to achieve a useable cross slope for a width of 915mm. Cars must slow to negotiate the two steeper ramps on either side of the pathway crossing, but will not 'bottom out' at these angles (Preiser. W and Ostroff E (2001) Universal Design Handbook McGraw-Hill).	**Y**	To be addressed at detailed design phase.
Cycleways		
16) All cycle routes and facilities are to be consistent with the relevant requirements of Austroads Cycling Aspects of Austroads Guides and former RMS Bicycle Guidelines including line-marking, signage and logos and Council policies regarding bicycle access.	**Y**	To be addressed at detailed design phase.
17) Pedestrian and cycle routes and facilities in public spaces are to encourage way finding and be convenient, safe, well lit, clearly defined, functional and accessible to all.	**Y**	To be addressed at detailed design phase.
18) Shared paths and pedestrian refuge islands are to be designed to be fully accessible by all in terms of access points and gradients, in accordance with Australian Standard 1428:1-4.	**Y**	To be addressed at detailed design phase.
3.5 – Council Engineering Works and Construction Standards		
1) Engineering works shall be consistent with Council's standards, as amended: • Stormwater Drainage Specifications for Building Developments; • Council's Water Sensitive Urban Design (WSUD) Technical Guidelines; Engineering Design Specifications for Civil Works; and • Engineering Construction Specifications for Civil Works.	**Y**	Refer to Civil Engineering Report and Plans for works guidelines (**Appendix I**).

Section 4 – General Requirements for Industrial Development

Control	Compliance (Y/N)	Assessment
4.1 Site Analysis		
1) All development applications are to be accompanied by a Site Analysis Plan.	**Y**	A Site Analysis Plan forms part of the Design Report at **Appendix B**.
4.2 Bult form design controls		
4.2.1 Building Height		
1) Building height should respond to the natural landscape and scale of adjoining development, with lower elements towards the street, pedestrian paths, adjoining rural-residential areas, environmental and open space areas, riparian corridors and ridgelines.	**Y**	The proposed height and massing has been designed to best suit the natural attributes of the site and its surrounds, and any visual impacts from existing and future adjoining development.
2) 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.	**Y**	The site is within 250m of surrounding rural-residential zoned land. Each of the warehouses proposes a maximum building height of 14.6m, which is compliant with this control.
3) Should the nature of the business require that part of the building exceeds the 20m building height control (e.g. high bay warehouses), the proponent must demonstrate that the taller element will not create unacceptable solar, wind and visual impacts to surrounding sensitive uses or impact on the environmental and open space lands or the public domain.	**N/A**	No portion of the proposal exceeds the maximum permissible height.
4) Taller building elements over 15m should be set back from the street frontage.	**Y**	No building elements above 15m are proposed.
5) Building height must ensure direct solar access to public domain, including street trees and footpaths, open space and environmental areas, between the hours of 11:00am and 2:00pm at the winter solstice, 21 June. Shadow diagrams must demonstrate this outcome.	**Y**	Shadow diagrams form part of the architectural pack (**Appendix A**). These plans confirm that solar access is available to footpaths and environmental areas on the site between 11:00am and 2:00pm at the winter solstice.
6) 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 and away from the street frontage or sensitive interfaces where possible.	**Y**	Given that the proposed maximum building height is 14.6m, any servicing infrastructure located on the roof is capable of remaining under the 20m height limit.
7) A Visual Impact Assessment is to be submitted with development applications demonstrating that development will not have a significant adverse impact on the scenic quality of: • The Precinct, particularly when viewed from elevated locations and view lines identified in Figure 10; • Wianamatta-South Creek; and • Adjoining rural-residential areas	**Y**	Refer to Visual Impact Assessment (**Appendix J**). the proposed development is largely shielded from being visible from adjoining rural residential development by a ridgeline along the site's eastern boundary. The cross sections of the proposed development (**Appendix A**) demonstrate that the buildings step up and down with the slope.
8) Buildings should be sited on mid-slope to minimise visual impact on ridges and to be in harmony with the existing landscape. Where possible, buildings should be designed to "step" physically up or down the site in keeping with the existing topography.		

<table>
<tr><th>Control</th><th>Compliance (Y/N)</th><th>Assessment</th></tr>
<tr><td colspan="3">4.2.2 Building Setbacks</td></tr>
<tr><td>1) Building setbacks are to be in accordance with the standards outlined in Table 10 below.

Table 10. Building setback requirement
<table>
<tr><th>Location</th><th>Distance (m)</th></tr>
<tr><td>Lots fronting designated roads (Mamre Road and Potential Southern Link Road)</td><td>20</td></tr>
<tr><td>Lots fronting key access roads (distributor and collector roads)</td><td>12</td></tr>
<tr><td>Lots fronting all other roads (local estate roads)</td><td>7.5</td></tr>
<tr><td>Secondary road frontages (corner lots)</td><td>5</td></tr>
<tr><td>Rear and side boundaries</td><td>5</td></tr>
<tr><td>Lots adjoining existing rural-residential development in Mount Vernon</td><td>Refer to Section 3.3</td></tr>
<tr><td>Lots adjoining Warragamba Water Supply Pipeline (unless specified elsewhere in this DCP)</td><td>5</td></tr>
<tr><td>Lots adjoining the proposed Intermodal Terminal (setback from any boundary that adjoins the Intermodal Terminal site)</td><td>20</td></tr>
<tr><td>Lots adjoining the proposed WSFL corridor</td><td>5</td></tr>
<tr><td>Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)</td><td>10m from the edge of E2, RE1 and RE2 land, unless separated by a road, and then no setback is required.</td></tr>
</table></td><td>Partial compliance</td><td>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.

Warehouses 1B and 5 are adjacent to the rural residential properties to the east. Warehouse 1B and 5 have a building setback of 30m which is compliant with the DCP control.</td></tr>
<tr><td>2) Notwithstanding control (1) above, the following development is permitted within the defined setback for any road (excluding Mamre Road and proposed Southern Link Road):</td><td>Noted</td><td></td></tr>
</table>

Control	Compliance (Y/N)	Assessment
• Landscaping; • Maintenance/rehabilitation of biodiversity corridors or areas; • Utility services installation; • Cross-overs; • Fire access roads; • Approved signage; • Street furniture; or • Drainage works.		
3) Side and rear boundary setbacks may incorporate accessways and driveways (not permitted in setbacks to designated roads), where an alternative arrangement cannot be achieved. Setbacks to public roads may incorporate loading dock manoeuvring areas and associated hard stand if set behind a landscape setback of at least 6.0m to the property boundary.	**Y**	
4) 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 at least 13.0m in depth, as measured from the property boundary to the building line, and set behind a landscape setback at least 6.0m in depth; • 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.	**Y**	
5) The design of setbacks and hardstand areas should seek to minimise the visual impacts of the development (see also 4.2.3 Landscaping).	**Y**	It has been established throughout this supplementary document and the EIS that proposed setbacks are sufficiently landscaped in order to mitigate visual impacts.
6) Additional setbacks may be applicable to avoid construction over easements.	**N/A**	No easements applicable to the site.
7) For corner sites, setbacks must ensure clear vehicular sight lines for perpendicular traffic (Figure 18).	**Y**	Refer Transport and Accessibility Management Plan (**Appendix K**) for vehicular sight lines.
4.2.3 Landscaping		
1) Development proposals must demonstrate a 10% tree canopy on development lot (excluding public roads and any non-industrial land). This includes preserving existing trees, where possible, and adding to the existing canopy to provide green infrastructure and amenity. This control can be measured at estate or lot scale, depending on the subject land of the development application. Where the tree canopy strategy is established at an estate level, the approval should establish the	**Partial compliance**	The proposed development achieves 8% tree canopy cover. The tree canopy cover has been dictated by bushfire requirements, which requires trees to be spaced to minimise threat to bushfire. Trees within public roads have been designed to DCP standards. Street trees have been excluded from this calculation.

<table>
<tr><th>Control</th><th>Compliance (Y/N)</th><th>Assessment</th></tr>
<tr><td>framework for individual lots, where future development applications will be required. If the control is satisfied at an estate scale, the 10% tree canopy control does not need to apply again to individual lots, if they are consistent with the concept plan or estate approval.</td><td></td><td></td></tr>
<tr><td>2) A Landscape Plan prepared by a Landscape Architect is to be submitted with all development applications.</td><td>Y</td><td>A Landscape Plan has been prepared by Site Image and is provided at Appendix F.</td></tr>
<tr><td>3) Landscaped area is to be provided in accordance with Table 11.

Table 11. Minimum landscape requirements
<table>
<tr><th>Location</th><th>Requirement</th></tr>
<tr><td>Lots fronting designated roads (Mamre Road and Potential Southern Link Road)</td><td>10m landscape setback to the road frontage</td></tr>
<tr><td>Lots fronting key access roads (distributor and collector roads)</td><td>6m or average 50% of the front setback from the site boundary along the road frontage</td></tr>
<tr><td>Lots fronting all other roads (local estate roads)</td><td>Average of 50% of setback along the road frontage</td></tr>
<tr><td>Rear boundary</td><td>2.5m from the rear boundary</td></tr>
<tr><td>Side Boundary</td><td>No minimum requirement</td></tr>
<tr><td>Lots adjoining existing rural-residential development in Mount Vernon</td><td>Refer to Section 3.3.</td></tr>
<tr><td>Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)</td><td>5m landscape setback from the edge of the E2, RE1 and RE2 zoned land, unless separated by a road</td></tr>
</table></td><td>Y</td><td>A Landscape Plan has been prepared by Site Image and is provided at Appendix F.

The proposed development utilises landscaping and urban design features to complement biodiversity values. Landscaping around the site has been specifically designed to respond to the interfaces of the estate with adjoining properties.

The site partly adjoins the existing rural residential development in Mount Vernon for development on Lots 1B and 5. In accordance with Section 3.3 of the DCP, a minimum 30m building setback has been provided for the warehouses on these lots. The landscape treatment of the setback area departs from the indicative treatment provided in Figure 11 of the DCP for lot 1B. This is due to the rising topography of the site in up to a ridgeline at this location which provides a visual screening of the development from adjoining residences and negates the need for a landscaped bund to be provided. A landscaped bund is provided for Lot 5.</td></tr>
<tr><td>4) A minimum 15% of the site area is to be pervious surfaces, achieved through landscaping and/or the use of permeable paving materials. Perviousness is to be calculated in accordance with the following index:
• Deep soil (one metre or more in depth, connected subsoil) – 100%
• Shallow soil (less than one metre in depth, not connected to subsoil) – 75%
• Permeable pavement – 50%
• Hardstand – 0%</td><td>Y</td><td>The whole estate achieves a total pervious area of 16.4% comprising:
• Lot 1 – 13.4%
• Lot 1A – 13.2%
• Lot 1B – 20.9%
• Lot 2 - 56.4%
• Lot 3 - 11.9%
• Lot 4 – 10.4%</td></tr>
</table>

Control	Compliance (Y/N)	Assessment
		• Lot 5 - 32.1%
5) Existing remnant vegetation and paddock trees shall be retained within setback areas and enhanced as an integral part of the landscaping proposals for each development.	**N**	Given the extensive cut and fill earthworks required to grade the site for industrial development, it is impractical to retain existing remnant vegetation within the setback areas. Notwithstanding, the extensive landscaping that is proposed as part of the development will act to offset this.
6) Landscaped front setbacks should include canopy trees whose mature height is in scale with the proposed development.	**Y**	Refer to Landscape Plans at **Appendix F.**
7) Setbacks shall include suitable tree planting along the northern and western elevations of buildings to provide shadow and cool the building.	**Y**	Setbacks include tree planting at each elevation. Refer to **Appendix F**.
8) Developments adjoining existing sensitive receivers (e.g. educational establishments) shall be designed to mitigate impacts on sensitive receivers such as through generous buffer zones and landscaping, and locating noise generating activities away from the sensitive interface, as well as traffic management measures to improve safety and minimise conflicts. .	**N/A**	The site partly adjoins the existing rural residential development in Mount Vernon for development on Lots 1B and 5. In accordance with Section 3.3 of the DCP, a minimum 30m building setback has been provided for the warehouses on these lots. The landscape treatment of the setback area departs from the indicative treatment provided in Figure 11 of the DCP for lot 1B. This is due to the rising topography of the site in up to a ridgeline at this location which provides a visual screening of the development from adjoining residences and negates the need for a landscaped bund to be provided. A landscaped bund is provided for Lot 5. Noise generating activities for Lots 1B and 5 are located on the western side of the warehouses to shield noise impacts from adjoining properties.
9) Tree planting in the form of island planter beds shall be provided at a rate of one planter bed per 10 car spaces within car parks to reduce the heat island effect of hard surfaces that are a minimum 1.5m dimension.	**Y**	Planter beds are proposed at a maximum 1 planter bed per 10 spaces.within the respective car parks of the lots.. This landscaped interface is considered to be appropriate in addressing the objective to soften the appearance of the hard surfaces as well as reduce the heat island effect.
10) Evergreen shrubs and trees shall screen car parks, vehicular manoeuvring areas, garbage areas, storage areas from the street frontage.	**Y**	Refer to Landscape Plans at **Appendix F**
11) Paving, structures and wall materials should complement the architectural style of buildings.	**Y**	Materials have been selected to suit the industrial purpose of the proposed development.
12) The selection and location of proposed trees and other landscaping plants is to: • Be consistent with the preferred trees identified in Appendix C; • Consider the use of local native vegetation communities; • Re-use of native plants or topsoil removed during earthworks; • Contribute to the management of soil salinity, water levels and soil erosion; • Ensure tree species being low maintenance and drought tolerant; • Consider the capacity of the species to contribute to tree canopy cover;	**Y**	Refer Landscaping Plans (**Appendix F**).

Control	Compliance (Y/N)	Assessment
• Ensure invasive turf (including Kikuyu) is not used in areas adjoining remnant vegetation within environmental conservation and recreation areas and riparian corridors, or within landscape buffers; • Incorporate a diverse range of flora species for to increase species resilience; and • Consider service authority requirements in easement locations.		
13) Street tree planting is to: • Target a minimum container pot of 75L; • Provide continuous canopy along road corridors, including appropriate spacing; • Be setback a minimum 600mm from the back of kerb to tree centreline; and • Take account of sight line requirements near intersections.	**Y**	Proposed street trees have been sited and spaced to optimise canopy cover.
14) Sufficient area/space is to be made available to allow trees to grow to maturity and not damage local infrastructure.	**Y**	Trees will be able to grow to maturity – refer Landscaping Plans at **Appendix F**.
15) No plant species that are considered a Weed of National Significance and/or a Noxious Weed in New South Wales shall be used.	**Y**	Noted
16) Consolidate landscape areas to maximise space for deep soil, tree growth and aesthetic opportunities.	**Y**	Trees will be able to grow to maturity – refer Landscaping Plans at **Appendix F**.
4.2.4 Communal Areas		
1) Each building shall be provided with at least 1 communal area for the use and enjoyment of employees and visitors to that development. The space shall be commensurate with the scale of the development and be accessible from the main office.	**Partial non-compliance**	A communal recreation area is located for each warehouse, which contains seating and tree cover to maximise amenity for staff. Refer to the Architectural Plans at **Appendix A**. All communal areas receive minimum 2hrs direct sunlight with the exception of Warehouses 1 and 1A. For these warehouses, the communal areas have been co-located with the offices which have been located to address the local industrial road and are this located on the south side of the building. Locating the communal areas on the north side of the building would dis-connect the areas from the offices and undermine their utility.
2) In locating communal areas, consideration should be given to the outlook, natural features of the site, and neighbouring buildings.		
3) Communal areas shall be embellished with appropriate soft landscaping, shade, paving, tables, chairs, bins, and access to drinking water etc. commensurate with the scale of the development, activities, and anticipated number of workers. Consider opportunities for small scale active recreation uses, such as a basketball half court or table tennis.		
4) Communal areas shall be relatively flat and not contain impediments which divide the area or create physical barriers which may impede use.		
5) Communal areas must receive a minimum of 2 hours direct sunlight between 11am and 3pm on the 21st of June.		
4.2.5 Building Design		

Control	Compliance (Y/N)	Assessment
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)).	**Generally Consistent**	The proposed development seeks to achieve appropriate sustainability. Refer to the Sustainability Management Plan prepared by SLR (**Appendix X**). ESR has submitted application to the Green Building Council for each warehouse to be rated 5-star Green Star in December 2021. The application was accepted, which confirms all buildings within Westlink to deliver to this rating.
2) An access report is required where universal access is a requirement of the Disabilities Discrimination Act 1992.	**N/A**	Access report is not required.
Siting / Building Orientation		
1) Buildings shall be oriented so building frontage is parallel with the primary street frontage.	**Generally Consistent**	Given the geometry and land use composition of the site, it is not practical or feasible to orientate each of the proposed warehouses in parallel with this street frontage. Notwithstanding, the proposed warehouses are generally parallel to the Internal local industrial road. Notwithstanding this the office components of all warehouses address the street.
2) Buildings should take advantage of a north or north-easterly aspect to maximise passive solar illumination, heating and natural cross-ventilation for cooling.	**Y**	Each warehouse has been orientated so as to utilise climatic factors for passive benefits and mitigate reliance on mechanical services.
3) Siting and building orientation shall consider landscaping requirements (refer Section 4.2.3), including the best location for tree planting to shade and screen development.	**Y**	Refer to Section 4.2.3 of this DCP Table for landscaping analysis.
4) Building design should minimise overshadowing within the site and on adjoining buildings.	**Generally Consistent**	The relative bulk/scale of each of the proposed buildings have been facilitated to as to ensure there is no adverse shadowing impacts on the site or adjoining sites.
5) Buildings should be oriented so that loading, servicing and large areas of car parking (i.e. greater than 20 spaces) are accommodated to the rear or the side of the site and not directly visible from the public domain.	**N**	The proposed layout for warehouses on the site provides for functional efficiency while at the same time reducing noise emissions to surrounding receivers which is considered on balance to provide a better outcome for the site and surrounding receivers, compared to placing loading and service areas to the rear of the warehouses. This is particularly the case for Warehouses 1 which currently adjoins a residence and Lots 1B and 5 which adjoin the rural residential zoned land.
Architectural Design		
6) The design of facades along the primary street frontage(s) should strengthen passive surveillance and streetscape character, such as through the use of glazing for the office or administration components of the building.	**N/A**	Refer to the Architectural Plans, including building elevations at **Appendix A**.
7) External finishes should contain a mix of materials and colours and low reflectivity to minimise glare and reflection.	**Y**	Building materials have been selected with consideration to the potential impacts of excessive glare and reflection to surrounding areas.
8) Elevations visible from the public domain must be finished with materials and colours and articulation that enhance the appearance of that façade and provide an attractive and varied streetscape.	**Y**	External facades have been designed to be appropriately articulated and visually interesting in the context of an industrial precinct. Materials proposed include precast concrete panels, metal wall cladding, soffit cladding and aluminium cladding for detailed fin elements. Refer to the Urban Design Report at **Appendix B**.

Control	Compliance (Y/N)	Assessment
9) In visually sensitive locations, such as adjoining the Mount Vernon rural-residential area, the colour and material palette should utilise muted tones of the natural landscape and avoid bright bold colours and textures.	**Y**	Building colours and materials are commensurate with the proposed development's objectives and functions, with neutral, muted tones being provided so as to ensure compatibility with the natural and built form features of the surrounding locality.
10) Large expanses of wall or building mass should be relieved by the use of articulation, variation in construction materials, fenestration or alternative architectural enhancements (refer Figure 19 and Figure 20).	**Y**	External facades have been designed to be appropriately articulated and visually interesting in the context of an industrial precinct. Materials proposed include precast concrete panels, metal wall cladding, soffit cladding and aluminium cladding for detailed fin elements.
11) Energy efficient design principles shall be employed in all building designs (Figure 21).	**Y**	Refer to the Sustainability Management Plan (**Appendix X**).
12) Entrances to buildings must be highlighted by architectural features consistent with the overall design of the building.	**Y**	Pedestrian entrance points to each of the warehouses are distinguishable by architectural features.
13) Courtyard and screen walls shall be in the same material as the building facades.	**Y**	Refer to Urban design Report at **Appendix B**.
14) The design and location of roof elements and plant and mechanical equipment, including exhausts, is to minimise visual impact from the street or from elevated locations, such as screening with an integrated built element such as parapets.	**Y**	The roof elements have been designed so as to not be visible from the streetscape, with their structural form being commensurate with the function of the development as a warehouse and logistics estate.
15) The design of the main office and administration components shall: • Be located at the main frontage of the building and be designed as an integral part of the overall building, rather than a 'tack on' addition; • Have a designated entry point that is highly visible and directly accessible from visitor parking and the main street frontage; and • Incorporate the principles of Universal Design.	**Y**	All offices and administrative areas are located at the street frontage of the building and have been integrated with the building's overall design framework.
16) Roof forms should help to visually articulate the use within the building. This may include transitions between foyer, office and larger warehouse uses.	**Y**	The rooves have been designed so as to not be visible from the streetscape, with their structural form being commensurate with the function of the development as a warehouse and logistics estate.
17) Roof design must provide natural illumination to the interior of the building.	**Y**	
Environmentally Sustainable Design		
18) Development applications shall demonstrate Ecological Sustainable Design (ESD) measures have been incorporated into the design, including a consideration of: • Building and window orientation; • Window size and glass type; • Material, colour and surface treatments (note control 19 in relation to roof colour); • Insulation;	**Y**	Refer to Sustainability Management Plan (**Appendix X**).

Control	Compliance (Y/N)	Assessment
• Landscaping and trees to provide shade and moderate the building microclimate; • Natural ventilation and light with generous, all weather openings; • Utilise extensive roof areas for energy and water collection; • Air flow, ventilation and building morphology to support cooling; and • Circular economy in the design, construction and operation of buildings, public domain, infrastructure, and energy, water and waste systems.		
19) Light coloured materials should be used in roof construction to reduce the urban heat effect.	**Y**	Refer to the Urban Design Report (**Appendix** B).
20) Building services, excluding manufacturing plant and operations, should promote: • Separate metering of water and electricity for multiple uses or tenants; • Shut-off valves at stormwater outlets to trap toxic spills; • Waterless urinals; • Energy efficient lighting; • Gas boosted solar hot water for staff amenities (kitchen, toilets, showers); • Rainwater and recycled water for toilet flushing, irrigation or other non-potable uses; • Waste heat recovery systems; • Integrated systems for energy generation – waste and water; • Air-cooled systems, ground source heat rejection or pond heat rejection; and • Energy storage systems combined with the use of photo voltaic cells for roof areas.	**Y**	Refer to Sustainability Management Plan (**Appendix X**). These issues will be addressed at the detailed design stage.
21) Measures to improve air quality and visual and thermal comfort to be considered include: • Low VOC paints and low-formaldehyde floor covering, adhesives and furniture; • Glazed facades to be shaded and/or use performance glass to control radiant heat; • Occupant control of comfort parameters (e.g. operable windows, control of air flow); • Protection from noise (e.g. open windows or between production and office areas); • Provision of quality landscaped outdoor amenity areas for staff; • Hydronic heating and ceiling fans; and o Materials with low reflectance values.	**Y**	Refer to Sustainability Management Plan (**Appendix X**). These issues will be addressed at the detailed design stage.

Control	Compliance (Y/N)	Assessment
4.2.6 Design of Storage Areas		
1) Storage areas are to be located within the building, where practical.	**Y**	Storage is located within respective building footprints.
2) External storage areas must be located behind the front building setback, not be visible from a public place, and be consistent with the design of the primary development. The following matters must be addressed in designing external storage areas: • The proposed height and on-site arrangement of stored goods; • The visual and amenity impact of the storage area and how this is proposed to be minimised (orientation, screening with landscaping and/or solid fencing, etc.), particularly where the development interfaces with Mount Vernon; • Access arrangements; and • Noise, odour and safety issues.	**Y**	Storage areas are located within the building footprint Rainwater tanks will be located in areas not visible from the street frontage with the exception of Lot 1 where the rainwater tank, while located at the front of the building, will not be visible due to the tiered retaining wall and associated landscaping.
3) 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		
4.2.7 Storage, Transportation, Handling and Processing of Chemical Substances		
1) Development involving the storage, transportation and processing of chemical substances shall have regard to the requirements of State Environmental Planning Policy No. 33 - Hazardous and Offensive Development.	**N/A**	No storage, transportation or processing of chemical substances is proposed.
2) A Chemical Use and Storage Report is to accompany development applications involving the storage, transportation and/or processing of chemical substances, except where: • The chemicals are of household or hospital grade and used for routine cleaning; • The total quantity of chemicals used or stored does not exceed 100 litres; or • The chemicals are not of sufficient acidity, alkalinity or strength to cause significant harm on skin contact, or to the environment.		
3) Development applications shall outline methods for the storage and handling of chemical substances and measures to manage potential spills, such as bunding developed in accordance with the EPA's Bunding and Spill Management Guidelines.		
4.2.8 Signage and Estate Entrance Walls		
1) All advertising is required to be: • Constructed of high quality, durable materials; • Considered in conjunction with the design and construction of buildings;	**Y**	signage zones for the proposed warehouse buildings and estate are shown on the Architectural Plans in **Appendix A**. These will contain the future tenants' business identification signage, subject to separate requirements at that time.

Control	Compliance (Y/N)	Assessment
• Restricted generally to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and • Contained wholly within the site.		
2) Free standing pylon signage must not exceed 10m in height from finished ground level and 2m width. No signage is permitted in the bottom 2m of the structure.	**Y**	
3) Building identification signage should have a maximum advertising area of up to 0.5 square metres for every metre of lineal street frontage.	**Y**	
4) Sky signs and roof signs that project vertically above the roof of a building are not permitted.		
5) Flat mounted wall signs for business identification signage are to be no higher than 15 metres above finished ground level.		
6) Signs should generally be confined to the ground level of the building, awning or fascia, unless it can be demonstrated that the building is of a scale, architectural style and in a location that would be enhanced by signage at different elevations.		
7) Signs are to be contained fully within the confines of the wall or awning to which it is mounted.		
8) In the case of multiple occupancy of a building or site: • Each development should have a single directory board listing each occupant of the building or site; • Only one sign is to be placed on the face of each premises either located on or over the door; and • Multiple tenancies in the same building should use consistent sign size, location and design to avoid visual clutter and promote business identification.	**Y**	
Illuminated Signage		
9) Illuminated signs are not to detract from the architecture of the building during daylight.	**N/A**	No illuminated signage proposed as part of this application.
10) Illumination (including cabling) of signs is to be either: • Concealed; • Integral with the sign; • Provided by means of carefully designed and located remote or spot lighting.	**N/A**	
11) A curfew may be imposed on the operation of illuminated signs where continuous illumination may adversely impact the amenity of residential buildings or the environment.	**N/A**	

Control	Compliance (Y/N)	Assessment
12) Up-lighting of signs is prohibited. External lighting of signs is to be downward pointing and focused directly on the sign and is to minimise the escape of light beyond the sign.	**N/A**	
13) A maximum of one illuminated sign is permitted on each elevation of each building.	**N/A**	
14) Illuminated signage shall be oriented away from residential receivers.	**N/A**	
4.2.9 Safety and Surveillance		
1) A Crime Risk Assessment Report must be prepared for the development of new buildings.	**Y**	Addressed in **Submissions and Amendment Report**
2) Buildings should be designed to overlook public domain areas and provide casual surveillance.	**Y**	All offices are orientated towards the street, which provides an element of passive surveillance. Lighting included as part of the proposed development will be designed to ensure CPTED principles are addressed and there are no impacts to operation or safety to adjoining sites.
3) Building entrances should be orientated towards the street to ensure visibility between entrances, foyers, car parking areas and the street.	**Y**	
4) Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings.	**Y**	
5) Development should provide clear sight lines and well-lit routes between buildings and the street, and along pedestrian and cycle networks within the public domain.	**Y**	
6) Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety.	**Y**	
4.2.10 Lighting		
1) Lighting details shall be provided as part of development applications.	**Y**	Lighting included as part of the proposed development will be designed to ensure CPTED principles are addressed and there are no impacts to operation or safety to adjoining sites.
2) Lighting design should address the principles of CPTED where there is significant pedestrian activity, late night work-shifts or safety and security issues.	**Y**	
3) Adequate lighting shall be provided to meet security requirements without excessive energy consumption. Lighting powered by solar batteries or other renewable energy sources and the use of sensor lighting, both internally and externally, is encouraged.	**Y**	
4) Lighting is to be designed or directed so as to not cause light spill onto adjoining sites or sensitive receivers, such as rural-residential areas.	**Y**	
4.2.11 Fencing		
1) Fencing along street frontages should provide open style fencing, which does not obstruct views of landscaping from the street or reduce visibility.	**Y**	Fencing is proposed to encircle each warehouse lot

Control	Compliance (Y/N)	Assessment
2) Palisade fencing is encouraged.		
3) Solid fences above 1 metre in height are not permitted along street frontages.		
4) No fencing other than a low ornamental type may be erected at the front or secondary street site boundary.		
5) High security fencing should be located either behind the landscape setback or alternatively within the landscaped area midway between the site front or secondary boundary and the building line (refer to Figure 22). The design of the landscape setback should consider site security management.		
4.3 – Amenity		
4.3.1 Noise and Vibration		
1) Any machinery or activity considered to produce noise emissions from a premise shall be adequately sound-proofed so that noise emissions are in accordance with the provisions of the Protection of the Environment Operations Act 1997.	**Y**	Refer to Noise and Vibration Assessment prepared by RWDI at **Appendix L.**
2) Noise should be assessed in accordance with Noise Policy for Industry (EPA, 2017) and NSW Road Noise Policy (Department of Environment, Climate Change and Water, 2011).		
3) An Acoustic Report by a qualified acoustical engineer must be submitted where proposed development, including traffic generated by that development, will create noise and/or vibration impacts, either during construction or operation, that impacts on adjoining developments or nearby rural-residential areas. The Acoustic Report should outline the proposed noise amelioration strategies and management methods.		
4) An Acoustic Report shall be prepared for developments within 500m of rural-residential areas and other sensitive receivers, including educational establishments.		
5) Acoustic Reports for individual developments must assess cumulative noise impacts, including likely future noise emissions from the development and operation of the Precinct. The consultant should liaise with the relevant consent authority to determine acceptable amenity goals for individual industrial developments and background noise levels.		
6) The use of mechanical plant and equipment may be restricted in areas close to sensitive receivers, such as adjoining rural-residential development and educational establishments.		
7) Building design is to incorporate noise amelioration features. Roof elements are to control potential breakout noise, having regard to surrounding topography.		

Control	Compliance (Y/N)	Assessment
8) Boundary fences are to incorporate noise amelioration features and control breakout noise having regard to developments adjoining rural-residential areas.		
9) Development shall comply with the relevant Australian Standards for noise and vibration.		
10) A qualified acoustical consultant is to certify any acoustic design measures have been satisfactorily incorporated into the development at construction certificate stage and validate the criteria at occupation certificate stage.		
4.3.2 Trading Hours and Operating of Premises		
1) The consent authority shall have regard to the likely impact of the trading hours of a particular activity on the amenity of adjoining sensitive receivers including rural-residential areas and educational establishments.	**-**	
4.3.4 Air Quality		
1) Any development likely to, or capable of, generating air emissions must comply with the Protection of the Environment Operations Act 1997 and associated regulations.	**Y**	Refer to Air Quality Assessment prepared by RWDI at **Appendix V**.
2) An Air Quality and Odour Assessment is required for development that may have an adverse impact on local and regional air quality, including construction impacts on adjoining rural-residential areas.	**Y**	
3) The Air Quality and Odour Assessment should be in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2017) and/or The Technical framework - assessment and management of odour from stationary sources in NSW (EPA 2006) and include but not be limited to: • Characterisation of all emissions; • Measures to mitigate air impacts, including best practice measures; and • Details of any monitoring programs to assess performance of any mitigation measures and to validate any predictions as a result of the assessment.	**Y**	
4) Developments that involve back up power generation of electricity with diesel equipment that has the capacity to burn more than 3 megajoules of fuel per second must include a best practice review of reasonable and feasible diesel emission reduction technology.	**Capable of complying**	Capable of compliance in the event back up power generation is incorporated into the design.
4.4 – Earthworks and Retaining Walls		
4.4.1 Development on Sloping Sites		
1) Site planning is to respond to the natural topography of the site and protect vegetation, particularly where it is important to site stability.	**Generally Consistent**	To achieve the DCP requirement of a balanced cut and fill, earthworks is proposed to be majority cut from the existing estate and filled within the two new lots. This would

Control	Compliance (Y/N)	Assessment
2) Where practicable, site design shall balance cut and fill and minimise the extent of earthworks and need for retaining walls (refer Section 3.1).		result in a maximum export of 1,000m^3. Given these two lots do not form part of this SSDA application, ESR has developed a staging plan which enables a balanced cut and fill for Stage 1 within the estate with Stage 2 contingent on a subsequent development application approval for the additional two lots. This is addressed in the Civil Infrastructure Report (**Appendix I**).
3) A Geotechnical Report is to be submitted with applications proposing to change site levels.	**Y**	Geotechnical considerations are detailed within the following reports: • Civil Engineering Plans (**Appendix I**) • Civil Engineering Report (**Appendix I)** • Geotechnical Reports (**Appendices S** & **T**) • Preliminary Site Investigation Reports (**Appendix R**)
4) Excavation and fill shall be adequately retained and drained in accordance with Council's Engineering Works and Construction Standards.	**Y**	Cut and fill is detailed within the Civil Engineering Report (**Appendix I**), which is generally in excess of 1.0m.
5) Level transitions must be managed between lots and not at the interface to the public domain.	**Y**	All level changes will be accommodated within the development site and will not adjoin the public domain.
6) Finished ground levels adjacent to the public domain or public road shall be no greater than 1.0m above the finished road level (or public domain level).	**Y**	Level differences will be less than 1.0m adjacent to the public domain and roadways for all Lots except Lot 1. The proposed retaining wall for Lot 1 is tiered in accordance with the DCP requirements. A cross section of the proposed retaining wall arrangement is included in the Landscape Plans at **Appendix F.**
7) Where a level difference must exceed 1.0m and adjoins the public domain or public road, the retaining wall must be tiered. Each retaining wall tier element shall be no more than 2.0m. A 1.5m wide deep soil zone with suitable landscaping is to be provided between each tier. An indicative tiered retaining wall is shown in Figure 23. The maximum cumulative height of any retaining walls adjoining the public domain is 6.0m.		
8) The toe (fill retaining wall) or top (cut retaining wall) of all retaining walls are to be setback 2.0m into the property boundary and the setback is to be suitably landscaped.	**Y**	Retaining walls are proposed to be set back 2m into the property boundaries.
9) The highest retaining wall element is to be suitably fenced for safety.	**Y**	Retaining walls will be fenced for safety.
10) Imported fill it is to be Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) and validated by a suitably qualified person.	**Capable of Complying**	To be detailed within the Fill Import Protocol at the Construction Certificate Stage. All provisions capable of being complied with.
11) Where possible, fill material should be sourced from within the Precinct.	**Capable of Complying**	To be detailed within the Fill Import Protocol at the Construction Certificate Stage. All provisions capable of being complied with.
12) On sloping sites, site disturbance is to be minimised by using split level or pier foundation building designs.	**Y**	Earthworks will create flat pads for development.
13) All retaining walls proposed for the site are to be identified in the development application for the proposed development.	**Y**	Retaining walls are identified on the Civil Engineering Plans.

Control	Compliance (Y/N)	Assessment
14) Retaining wall design and materials shall complement architectural and landscape design.	**Y**	Retaining walls have been designed to integrate with the broader design scheme.
15) Topsoil shall be preserved on site and suitably stockpiled and covered for re-use.	**Y**	Topsoil is proposed to be blended in with cut material for reuse where possible. Excess topsoil will be stockpiled for reuse within landscape zones.
16) Earthworks in the floodplain must address Section 2.5 and Clause 33H of the WSEA SEPP.	**N/A**	Site is not located within the floodplain.
4.4.2 Erosion and Sediment Control		
1) Development applications must include an Erosion and Sediment Control Plan (ESCP) prepared by a Certified Professional in Erosion and Sediment Control (CPESC).	**Y**	Refer to Civil Engineering Report and Plans at EIS **Appendix I**. Provisions capable of being satisfied through the Construction Management Plan.
2) The ESCP is to be implemented under the supervision of a CPESC. The relevant consent authority will require the CPESC to regularly audit and certify that the works are suitable to protect Wianamatta-South Creek and its tributaries, including audit reports.	**Noted**	
3) Soil erosion and sediment control measures are to be provided on-site before the commencement of any earthworks or development activity, in accordance with the approved ESCP. These must be maintained throughout the course of construction until disturbed areas have been revegetated and the soil stabilised to the satisfaction of the relevant consent authority.	**Noted**	
4) Development is to comply with the construction phase targets in Table 5.	**Noted.**	
5) Erosion and sediment control measures are to be installed in accordance with best practice (including Managing Urban Stormwater – Soils and Construction and Best Practice Erosion and Sediment Control, IECA).	**Noted.**	
6) The ESCP is to consider the following measures: • Identify all areas likely to cause pollution of waterways from stormwater run-off and implement appropriate devices to stop the risk of pollution; • Divert clean water around the construction site to prevent contamination; • Retain as much natural vegetation as possible and limit site disturbance; • Control stormwater that enters the construction site from upstream; • Divert stormwater from undisturbed upper slopes onto stable areas; • Retain and stockpile all excavated topsoil for future landscaping; • Prevent sediment/silt from entering adjoining property by installing sediment control devices at the low side of sites and wash down areas; • Install high efficiency sediment basins to ensure compliance with the water quality target throughout the construction and building phases;	**Y**	Refer to Civil Engineering Report and Plans at EIS **Appendix I**. Provisions capable of being satisfied through the Construction Management Plan.

Control	Compliance (Y/N)	Assessment
• Provide a single, stabilised entry/exit point to the site; • Prevent sediment, including building materials, from reaching the road or stormwater system. Sediment is to be removed by sweeping, shovelling or sponging. Under no circumstances shall sediment be hosed; • Where a work zone permit over public property is applicable, debris control devices are to prevent spillage of building materials into stormwater drains; • Compact all drainage lines when backfilling; • Connect downpipes to the stormwater system as early as possible; • Revegetate all disturbed areas, after on-site works are completed; and • Maintain all sediment control devices during earthworks and construction.		
4.5 – Waste Minimisation and Management		
1) Development applications shall include a Waste and Resource Recovery Management Plan (WRRMP)[6] developed by an appropriate specialist. The WRRMP is to outline the waste likely to be generated by the development and methods of managing the generation, storage and disposal of wastes in an integrated way during construction and operation.	**Y**	Refer to Waste Management Plan prepared by SLR (**Appendix W**).
2) The WRRMP should address the following matters: • The types and volumes of waste and recyclables generated; • Details of on-site storage and/or treatment of waste; • Disposal of waste generated which cannot be re-used or recycled; and • Ongoing management of waste during the operational phase of the development.		
3) Waste storage and collection areas should be: • Flexible in their design to allow for future changes in the activities and tenancies; • Located away from primary street frontages, where applicable; • Suitably screened from public areas to minimise noise, odour and visual impacts; • Designed and located to consider possible traffic hazards (pedestrian/vehicular); • Accessible to collection vehicles; • Compatible with the collection service(s) to be used; and • Designed to encourage the separation of materials.	**Y**	Refer to Waste Management Plan prepared by SLR (**Appendix W**).
4) The design of waste storage and collection areas must consider:	**Y**	Refer to Waste Management Plan prepared by SLR (**Appendix W**).

<table>
<tr><th>Control</th><th>Compliance (Y/N)</th><th>Assessment</th></tr>
<tr><td>• Separating dry recyclables for recycling on-site, including containers, paper, cardboard and toners for printers and photocopiers;
• Placing food scraps in specialised containment bins, with regular collection;
• Providing refrigerated garbage rooms where there are large quantities of perishable wastes and infrequent collections; and
• Placing clinical or hazardous and liquid waste in specialised containment bins for collection by specialised services.</td><td></td><td rowspan="3"></td></tr>
<tr><td>5) Grease traps must be provided where there is a likelihood of liquid waste entering the drainage system (contact Sydney Water to obtain trade waste requirements).</td><td>-</td></tr>
<tr><td>6) For communal storage/collection facilities, each tenant should have a designated area.</td><td>-</td></tr>
<tr><td colspan="3">4.6 – Access and Parking</td></tr>
<tr><td colspan="3">4.6.1 Parking and Manoeuvring Areas</td></tr>
<tr><td colspan="3">Provision of Parking Spaces</td></tr>
<tr><td>1) On-site car parking is to be provided to a standard appropriate to the intensity of the proposed development as set out in Table 11. Parking is to meet AS 2890 and AS 1428.

Table 12. Minimum parking rates
<table>
<tr><th>Activity</th><th>Parking Requirement</th></tr>
<tr><td>Freight Transport Facilities</td><td>1 per transport vehicle present at peak vehicle accumulation plus 1 per 2 employees, or to be determined by a car parking survey of a comparable facility</td></tr>
<tr><td>Industries</td><td>1 space per 200m^2 of gross floor area or 1 space per 2 employees, whichever is the greater</td></tr>
<tr><td>Vehicle Body Repair Workshops/ Vehicle Repair Stations</td><td>3 spaces per 100m^2 of gross floor area or 6 per work bay, whichever is the greater</td></tr>
<tr><td>Warehouses or distribution centres</td><td>1 space per 300m^2 of gross floor area or 1 space per 4 employees, whichever is the greater</td></tr>
</table></td><td>Y</td><td>In accordance with Table 13, the proposed development is required to provide 635 parking spaces. It is noted that the proposal includes a provision for 658 spaces. Refer to Appendix K.</td></tr>
</table>

Control		Compliance (Y/N)	Assessment
Ancillary office space	*1 space per 40m² of gross floor area*		
Neighbourhood shops	*1 space per 40m² of gross leasable area*		
Other Uses	*In accordance with TfNSW Guidelines or if there are no parking guidelines for a specific use, then a site specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitably qualified traffic consultant.*		
Accessible Parking	*Accessible car spaces should be in accordance with the Access to Premises Standards, Building Code of Australia and AS2890.*		
Bicycle Parking	*1 space per 600m² of gross floor area of office and retail space (over 1200m² gross floor area)* *1 space per 1000m² of gross floor area of industrial activities (over 2000m² gross floor area)*		
2) For activities not identified in Table 11, the TfNSW's (formerly RTA) Guide to Traffic Generating Developments (ISBN 0 7305 9080 1) and AS 2890 should be referred to as a guide.		**Noted.**	
3) Car parking and associated internal manoeuvring areas provided over and beyond the requirements of this DCP shall be calculated as part of the development's gross floor area.		**N/A**	
Design of Parking and Manoeuvring Areas			
4) The design of car parks and spaces must comply with the relevant Australian Standards.		**Y**	Refer to Transport and Accessibility Management Plan (**Appendix K**).
5) The movement of pedestrians throughout the car park shall be clearly delineated and be visible for all users of the car park to minimise conflict with vehicles.		**Y**	Refer to Transport and Accessibility Management Plan (**Appendix K**).
6) Car parking areas for heavy vehicles should be constructed of hard standing, all weather material, with parking bays and circulation aisles clearly delineated. Permeable paving materials should be used where practicable.		**Y**	

Control	Compliance (Y/N)	Assessment
7) The design of parking and access areas is to address WSUD principles (refer Section 2.4), including the use of permeable pavement materials in light vehicle parking areas.	**Y**	Refer to Civil Infrastructure report and Plans (**Appendix I**)
8) Parking areas should incorporate dedicated parking bays for electric vehicle charging.		It is proposed that a total of 5% of the parking provision be designated as electric vehicle parking bays. Refer to Transport and Accessibility Management Plan (**Appendix K**).
9) Vehicle access is to be integrated into the building design as to be visually recessive.	**Y**	Refer to Transport and Accessibility Management Plan (**Appendix K**).
10) Vehicular access must be swept path tested for the largest vehicle that will access a particular site e.g. 30m PBS Level 2 Type B or 36.5m PBS Level 3 Type A vehicles.	**Y**	Internal road network has been designed to cater for B-Doubles. Refer to Transport and Accessibility Management Plan (**Appendix K**).
11) Turning circles shall accommodate the largest type of truck reasonably expected to service the site. A standard truck must be able to complete a 3-point or semi-circular turn on-site without interfering with parked vehicles, buildings, landscaping, storage and work areas.	**Y**	The site's access and movement pathways have been designed to accommodate B-Doubles, providing adequate space for manoeuvring practices that does not interfere with parked vehicles, landscaping, or any other function of the overall development. Refer to Transport and Accessibility Management Plan (**Appendix K**).
12) Internal directional signs are to be provided to assist site visitors in locating parking areas.	**Y**	Refer to the Architectural Plans at **Appendix** A and the Transport and Accessibility Management Plan at **Appendix K**
13) Car park design is to promote passive surveillance, incorporate active measures (e.g. cameras and security patrols) where necessary, and minimise dark areas through lighting.	**Y**	
14) Access to security parking shall be designed to ensure the access mechanism is accessible to the vehicle driver on the entry side of the driveway.	**Y**	
15) Provision should be made for all vehicles to enter and exit a secure (i.e. boom-gated) area in a forward direction.	**Y**	
16) Visitor parking should be provided outside the secured parking areas.	**Y**	
17) The design of car parks should ensure staff/visitor parking is given safe separation from loading dock circulation areas for heavy vehicles.	**Y**	
18) Vehicular ramps less than 20m long must have a maximum grade of 1 in 5 (20%).	**Y**	
19) Development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site.	**Y**	Loading facilities are provided in accordance with anticipated heavy vehicle demand.
20) All loading and unloading areas are to be: • Integrated into the design of developments; • Separated from car parking and waste storage and collection areas; • Located away from the circulation path of other vehicles; and	**Y**	Refer to the Architectural Plans at **Appendix** A and the Transport and Accessibility Management Plan at **Appendix K**.

<table>
<tr><th>Control</th><th>Compliance (Y/N)</th><th>Assessment</th></tr>
<tr><td>• Designed for commercial vehicle circulation and access.</td><td></td><td rowspan="2"></td></tr>
<tr><td>21) Vehicular access to the loading / unloading area(s) is preferred off rear lanes, side streets and right of ways. Where appropriate, consider a single vehicular access point for the loading/unloading area(s) and waste collection area(s).</td><td>Y</td></tr>
<tr><td>22) Car park surfaces should use finishes that minimise heat retention e.g. painted in light coloured paint.</td><td>Capable of compliance</td><td>Refer to the Architectural Plans at Appendix A and the Transport and Accessibility Management Plan at Appendix K.</td></tr>
<tr><td>23) Potential entrapment points shall be avoided (e.g. blind corners, wide columns) and lighting and mirrors used when unavoidable.</td><td>Y</td><td>Refer to Transport and Accessibility Management Plan (Appendix K16.4%</td></tr>
<tr><td>24) Access, parking, manoeuvring and loading facilities shall be in accordance with AS 2890 and Performance Based Standards An introduction for road managers (National Heavy Vehicle Register, May 2019) to accommodate vehicle types outlined in Table 12. The design shall have regard to the Standard Vehicle Turning Templates of the former RMS publication Policies Guidelines and Procedures for Traffic Generating Developments.

Table 13. Minimum design vehicle requirements for industrial developments
<table>
<tr><th>Site Area</th><th>Design Vehicle</th></tr>
<tr><td>Up to 1,500m^2</td><td>Medium Rigid Vehicle (MRV)</td></tr>
<tr><td>1,500m^2 to 4,000m^2</td><td>Heavy Rigid Vehicle (HRV)</td></tr>
<tr><td>4000m^2 to 20,000m^2</td><td>Articulated Vehicle (AV)</td></tr>
<tr><td>Greater than 20,000m^2</td><td>30m PBS Level 2 Type B</td></tr>
</table>
Note: Transport depots and warehouses may be required to cater for vehicles larger than the minimum specified above.</td><td>Y</td><td>The proposed development has been designed to accommodate B-Double trucks.</td></tr>
<tr><td colspan="3">Bicycle Parking, Facilities and Storage</td></tr>
<tr><td>25) The following bicycle destination facilities for staff are to be provided:
• For ancillary office and retail space with a gross floor area over 2500m2, at least 1 shower cubicle with ancillary change rooms;
• For industrial activities with a gross floor area over 4000m2, at least 1 shower cubicle with ancillary change rooms;
• Change and shower facilities are to be located close to the bicycle storage areas; and
• Where the building is strata-titled, the facilities are to be available to all occupants.</td><td>Y</td><td>Refer to Transport and Accessibility Management Plan (Appendix K).</td></tr>
</table>

Control	Compliance (Y/N)	Assessment
26) Bicycle parking, facilities and storage must be in convenient locations, visible, secure, and provide weather protection for the bicycle.		
4.6.2 Driveways		
1) The road access to the site must provide for safe entry and exit, with appropriate traffic sight distance. All vehicles should enter/exit the site in a forward direction.	**Y**	Refer to **Appendix K.** All vehicles will enter/exit the site in a forward direction and the traffic volumes of the surrounding road network have been taken into account when designing the proposed development's access arrangements.
2) Driveways and access roads shall be designed in accordance with AS2890.1 and 2 - 2004.	**Y**	Driveways have been designed in accordance with all relevant Australian Standards.
3) The design of driveways shall consider traffic volumes on the surrounding road network and to and from the development.	**Y**	Design of driveways has taken into surrounding road network traffic volumes.
4) Driveways should be: • Provided from lanes and secondary streets rather than the primary street; • Located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees; • Designed to avoid conflict between heavy vehicle and staff, customer and visitor vehicular and cycle movements, preferably by providing separate access driveways; • Located to minimise amenity impacts to adjacent rural-residential development; • Designed to avoid direct access across a site boundary with a major road. Auxiliary lanes (deceleration and acceleration) may need to be provided to minimise conflicts between entering / leaving traffic and fast moving through traffic; and • For driveways with high traffic volumes, located away from major roads, intersections, opposite other intense developments, high pedestrian zones, and where right turn movements would obstruct traffic.	**Y**	Driveways are proposed directly off the internal estate road, traversing the front setbacks of each respective warehouse lot.
5) Driveway widths must have swept turning paths tested for larger vehicle types such as 30m PBS Level 2 Type B vehicles and 36.5m PBS Level 3 Type A vehicles where appropriate.	**Y**	Vehicle driveways and access have been designed to accommodate B-Double trucks.
6) The required threshold should be set within the property to prevent cross fall greater than 4% within the footway area.		
7) Driveways are to be sealed from the public road up to the parking areas.	**Y**	All driveways will be sealed.
8) New allotments must have direct access to dedicated public roads.	**Y**	All lots will be accessed from the Internal Access Road.

Section 5 – Other Developments

Control	Compliance (Y/N)	Assessment
5.1 – Employment Service Hubs		
1) Indicative locations for employment service hubs are identified in the Mamre Road Precinct Structure Plan (refer Figure 2). An alternate location for an employment service hub may be considered, if: • It is located at least 1km from other existing and/or planned employment service hubs; and • It does not preclude the provision of an employment service hub in a more accessible location.	**N/A**	
2) Development applications must demonstrate that the size, function and proposed use serves the daily convenience needs of the workforce in the zone or is for the benefit of the local workforce and businesses.		
3) Employment service hubs must not have an unreasonable impact on the viability of any other nearby established centre within an industrial or business zone.		
4) Uses are to be located within the primary street frontage to generate activity and interest on the street.		
5) Active transport paths and bicycle parking should be prioritised and incorporated into the design of the development		
6) The built form should address co-located open space areas.		
7) Outdoor furniture and shading shall be provided.		