Mamre Road Precinct DCP Compliance Table

Westlink Industry Park – Stage 2

1030-1048 & 1050-1064 Mamre Road, 59-62 & 63 Abbotts Road, 290-308 Aldington Road, Kemps Creek

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Contents

2.0 Precinct Planning Outcomes

2.1 Mamre Road Precinct Structure Plan

Control	Compliance	Assessment
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.	**Y**	The proposed development is consistent with the general arrangement of the Structure Plan as it: • Supports an industrial land use in accordance with the Structure Plan; • Provides an appropriate transitional buffer at the interface of the development with the adjoining rural-residential land to the east; • Provides a local road layout that is generally consistent with the network strategy and hierarchy in the DCP; and • 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.	**Y**	The proposed development remains consistent with the MRP Structure Plan vision as it: • Comprises a land use (warehouse or distribution centres) on large, consolidated lots to support the extension of the Western Sydney Employment Area; • The interface with the 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 proposed development remains consistent with the Structure Plan and therefore the Precinct vision for the Mamre Road Precinct.

2.2 Biodiversity

Control	Compliance	Assessment
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 Site does not include any areas zoned or identified for environmental conservation or recreation nor identified ecological corridors.

Control	Compliance	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**	The Site has been certified as 'urban capable land' under the CPCP from 17 August 2022. An assessment of the likely impact on biodiversity of development on biodiversity certified land is not required for the purposes of Part 4 of the EP&A Act.
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 (CEMP), 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 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 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.	**Y**	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*	**N/A**	Not applicable. The Site is not located within 500m of an E2 Environmental Conservation Zone and does not contain grey-headed flying foxes or raptors.

Control		Compliance	Assessment
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. 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 are located wholly within the IN1 General Industrial zone - refer to the Bushfire Hazard Assessment. Additionally all roads are located wholly within the IN1 General Industrial 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**	There are no existing habitats for threatened species, all proposed vegetation is proposed to be removed. The Site has been certified as 'urban capable land' under the CPCP from 17 August 2022.
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**	Complies. Refer to the Landscaping Drawings prepared by Site Image (**Attachment B**).
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**	In the unlikely event that unexpected threatened species are identified during the project, works should cease, and an ecologist should be contacted for advice which is include as a mitigation measure.

Control	Compliance	Assessment
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).	**Capable of compliance**	A Weed Eradication and Management Plan will be prepared prior to the issue of a Construction Certificate.
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.		
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.	**Capable of compliance**	To be addressed at the detailed design stage, however high intensity lighting is unlikely to spill onto adjoining natural areas given there are no surrounding natural areas.

Control	Compliance	Assessment
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.	**N/A**	Not applicable. The Site does not contain, nor is within 100m of microbat colonies or habitat. Further, it is not adjacent to natural areas.
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.	**Y**	It is not expected that any noise from the proposed development would be of a nature that would adversely impact wildlife.
17) Ensure appropriate mitigation strategies (including fauna-sensitive road design elements) are employed to minimise vehicle strike during and after road construction and upgrading.	**Y**	A draft Construction Traffic Management Plan has been prepared. This report identifies truck haulage and egress routes during construction of the proposal and includes a traffic management strategy to ensure that traffic can be managed in a safe manner including vehicle strike.
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.	**N/A**	Not applicable. The Site does not contain nor is adjacent to any environmental conservation or recreation zoned land.
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 of 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.

2.3 Riparian Land

Control	Compliance	Assessment
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 identified as containing a mapped riparian corridor. It is noted that the Site contains one mapped un-named second order Strahler Stream in the north-west corner, one drainage line, and two farm dams. These are proposed to be removed due to the need to deliver infrastructure in these areas.
2) Modifications to a natural (or historic) waterbody and waterfront land requires the approval of Natural Resources and Assessment		The un-named second order stream is disconnected due to the presence of a farm dam in the adjacent property to the north, and it is not considered to meet the definition of a 'river' under

Control	Compliance	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.		the Water Management Act 2000, with no remnant vegetation surrounding the Site which is made up solely of urban native/exotic grasslands. There is no indication that this mapped stream would provide any sort of flow path for waterlogged soils in the area. This stream is to be integrated with the proposed detention basin. Soils along the bed and bank of the drainage line were observed to be highly unstable, comprising of predominantly clay based loams and the lack of bank stabilising vegetation and the presence of highly unstable clay soils make this drainage line highly susceptible to erosion in the event of flooding. The two farm dams (noting these are artificial) provide poor habitat for aquatic and semi-aquatic fauna due to the limited amount of riparian vegetation surrounding each dam, that is mostly dominated by urban native/exotic grasses. Furthermore, there are no aquatic or terrestrial groundwater dependant ecosystems within the study area that are expected to be impacted by the proposal. In relation to habitat for threatened species, Biosis provide the following: No suitable habitat for the above listed MSW or Commonwealth threatened species was recorded within the study area. The study area contains neither the suitable waterbodies nor the connective corridors to allow for the movement of threatened species throughout the study area. Vegetation cover within the study area is limited to urban native/exotic grasslands which has been historically grazed by livestock.
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.		
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..		
5) Waterway crossings such as bridges are to be maintained to retain ecological connectivity and water quality		
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.		
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).		
8) All riparian corridors shall comprise a vegetated riparian zone along each side of the watercourse/channel.		
9) The vegetated riparian zone shall be vegetated with fully structured native vegetation (trees, shrubs and groundcover species).		
10) Riparian areas along Kemps Creek and Ropes Creek shall retain proteaceae shrubs providing habitat and connectivity for the Eastern Pygmy Possum Cercartetus nanus.		
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.		

Control	Compliance	Assessment
12) The number of vehicular and pedestrian watercourse crossings should be minimised and designed in accordance with the NRAR Guidelines.		
13) Private and public fencing should avoid intersecting across riparian corridors.		
14) Bushfire asset protection zones should be located outside the vegetated riparian zones.		
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.*		
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.		

Control	Compliance	Assessment
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.		
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.		
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.		

2.4 Integrated Water Cycle Management

Control	Compliance	Assessment
Waterway health and Water Sensitive Urban Design		
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**	Performance of the proposed water management strategy against the stormwater quality targets is presented in Section 4.2 of the Water and Stormwater Management Plan (WSMP) (**Attachment G**). Performance against the construction phase stormwater flow & quality targets is shown indicatively in plan 20-748-C5201 within the Estate Civil Drawings (**Attachment D**) noting that contractors are to create their own detailed plan for construction. A CPESC has revised the plan and confirms the detail in the documentation is sufficient for the SSDA. Performance of the proposed water management strategy against the operational stormwater flow targets is presented in Table 13 of the WSMP, which includes measures for Lot 6 Warehouse under the interim arrangement. The strategy is also demonstrated on plan 20-748-C5220 of the Estate Civil Drawings (**Attachment D**).
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**	Performance of the proposed water management strategy against the operational stormwater flow targets is presented in Table 13 of the WSMP (**Attachment G**) which demonstrated that Option 1 has been satisfied.

Control	Compliance	Assessment
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**	The water management strategy for the Site is outlined in Section 4 of the WSMP (**Attachment G**), and includes the approach to WSUD for the Site, performance of the proposed stormwater management measures against the MRP 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**	Ongoing management and maintenance considerations are addressed in Section 4.10 of the WSMP (**Attachment G**). All costs associated with the delivery, operation and maintenance of the estate-based water management measures will be borne by the Applicant.
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**	A summary of the proposed WSUD infrastructure adopted in the water management strategy is presented in Table 3 of the WSMP (**Attachment G**).
6) Development must not adversely impact soil salinity or sodic soils and shall balance the needs of groundwater dependent ecosystems.	**Y**	Refer to the Geotechnical Investigations prepared by Douglas Partners (**Appendix FF** of the EIS).
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 nonpotable demand is to be supplied through allotment rainwater tanks.	**Y**	Refer to Section 4.5.5 of the WSMP (**Attachment G**) for details of proposed rainwater tanks and demand statistics.
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;*	**Y**	Stormwater harvesting in the form of rainwater tanks on Lot 6 will not be incorporated. For further discussion, refer to Section 4.5.5 of the WSMP (**Attachment G**).

Control	Compliance	Assessment
• *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.*		
Trunk Drainage Infrastructure		
10) Indicative naturalised trunk drainage paths are shown in Figure 4.	-	Noted. The Site incorporates a naturalised trunk drainage channel that will ultimately direct water to future basins to the west of Mamre Road along the Kemps Creek corridor. The alignment of the naturalised trunk drainage has been altered with the approval of Sydney Water. The naturalised trunk drainage path is now along the northern boundary of Lot 2 which was deemed to not compromise the objectives of the trunk drainage while assisting in preferred layouts of the industrial development. As described above, trunk drainage infrastructure in the form of a 20m wide open channel along the northern boundary between Aldington Road extension and Mamre Road is proposed as the naturalised trunk drainage path.
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 naturalised trunk drainage infrastructure are included in the Trunk Drainage drawings (**Attachment H**) and in Section 3.3 of the WSMP (**Attachment G**).
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.	**Y**	The design of the naturalised trunk drainage channel was developed in close collaboration with Sydney Water (the Water Management Authority) and meets the specific requirements of their Stormwater Scheme Infrastructure Design Guidelines (Aug 2024).
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.*	**Y**	The proposed naturalised trunk drainage systems hydraulic performance has been assessed using TUFLOW which confirms it has sufficient capacity to capture and safely convey flows up to or exceeding the 1% AEP design event. The system meets the hydraulic performance objectives specified in Sydney Water's Stormwater Scheme Infrastructure Design Guidelines (Aug 2024) which has evolved from the requirements of the MRP DCP. Refer to the Trunk Drainage Drawings (**Attachment H**) and Trunk Drainage Design Report (**Attachment I**) for further details.
14) Where naturalised trunk drainage paths traverse development sites, they may be realigned to suit the development footprint, provided that they:	**Y**	The alignment of the naturalised trunk drainage has been altered with the approval of Sydney Water. The naturalised trunk drainage path is now along the northern boundary of Lot 6 which

Control	Compliance	Assessment
• *Comply with the performance requirements for flow conveyance and freeboard; o 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.*		was deemed to not compromise the objectives of the trunk drainage while assisting in preferred layouts of the industrial development. The channel design and hydraulic performance are fully compliant with Sydney Water's Stormwater Scheme Infrastructure Design Guidelines (Aug 2024) including: • Compliance with requirements for flow conveyance and freeboard. • Incorporation of sufficient access points for maintenance • Having sufficient capacity to capture and convey flow from the southern portion of the Westlink Industry Park and the external catchments to the east. This capacity has been confirmed by detailed 2D hydraulic modelling to not result in adverse flood impacts on neighbouring properties. Refer to the Trunk Drainage Drawings (**Attachment H**) and Trunk Drainage Design Report (**Attachment I**) for further details.
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.	**Y**	The proposed trunk drainage channel will be located in private lands considered part of the Lot 6 gross land area. Maintenance covenants over the trunk drainage channel and easements over public stormwater infrastructure located within private lands will be incorporated in the deposited plans prepared by a Registered Surveyor.
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.	**N/A**	Not applicable. Pipe/culverts are not proposed for the designated trunk drainage localities on the Site. A Naturalised open channel drainage is proposed which will be situated within private lands and not within a public road reserve. The downstream culvert design is part of the Mamre Road upgrade works.
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.	**Y**	Given the existing sloping topography of the Site along with proposed "flat" pads for industrial warehouses (as the estate is zoned for) and associated large-diameter pipe systems discharging to the channel, retaining walls are unavoidable. The maximum wall height proposed is 2.8 m at the eastern end of the channel which is necessary to receive pipe inflows. The channel design transitions to much lower walls as quickly as possible along the length of the channel. All walls are contained in private lands outside of the trunk drainage easement in accordance with Sydney Water's requirements and will be maintained by the landowner. Refer to the Trunk Drainage Drawings (**Attachment H**) for further details.
18) Raingardens and other temporary water storage facilities may be installed online in naturalised trunk drainage paths to promote runoff volume reductions.	**N/A**	Not applicable.
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	**Y**	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 water management strategy throughout construction and will be incorporated into the Erosion and Sediment Control Plan and Construction Environmental Management Plan.

Control	Compliance	Assessment
the delivery of trunk infrastructure (to the satisfaction of the relevant Water Management Authority).		The final form of the trunk drainage lines, including connections to infrastructure downstream of the Westlink Industry Park, will be undertaken at a suitable stage of development and will be subject to further consultation with 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 Applicant.
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.	**Y**	Consultation with Sydney Water confirms that the proposed naturalised drainage channel between the extension of Aldington Road and Mamre Road is the only land within the southern part of Westlink Industry Park that would be categorised in this way. The channel will be fully contained in a dedicated drainage easement benefitting the Water Management Authority. 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**	The hydraulic performance of the naturalised drainage channel was assessed using TUFLOW 2-dimensional flood modelling and comprehensive flood mapping which confirms that: • Overland flow paths on the existing land are substituted with suitable on-lot and street drainage systems and realigned consistent with the Precinct Planning objectives and in consultation with Sydney Water (the Water Management Authority). • Post-development runoff from the Westlink Industry Park and upstream properties are accommodated. • There is no concentration of flows onto an adjoining property. • No catchment diversions. • The design is fully compliant with the hydraulic performance requirements of Sydney Water's Stormwater Scheme Infrastructure Design Guidelines (Aug 2024). Refer to the Trunk Drainage Drawings (**Attachment H**) and Trunk Drainage Design Report (**Attachment I**) for further details.

2.5 Flood Prone Land

Control	Compliance	Assessment
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 Study5 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);* • *Flood Function (floodways, flood fringe and flood storage areas);* • *Flood Hazard; and* • *Flood constraints, including evacuation constraints (if applicable).*	**Y**	A comprehensive Flood Impact and Risk Assessment (FIRA) (**Attachment J**) has been developed for the southern portion of the Westlink Industry Park and encompasses Stage 2 (this application), and the future Lot 4 and Lot 5 stages of the estate. The flood impacts for this portion of the Site were assessed by reviewing the Wianamatta South Creek Catchment Flood Study (2020) to identify regional impacts and by the development of a TUFLOW 2-dimensional flood model and comprehensive flood mapping to assess local flood impacts. The FIRA confirms that for local flooding: • The Site's elevation is higher than regional PMF flood levels in Kemps Creek and is therefore not affected by South Creek /Kemps Creek flooding. • Local flood behaviour was identified for existing and developed scenarios for the full range of flood events nominated. • The large pad industrial development proposed modifies the existing landform across the Site and consequently, the mapping of hydraulic categories for existing and post-development scenarios was considered to be of negligible value. The proposed naturalised drainage channel is designed to perform a floodway function. The lot and street drainage system proposed meets all design criteria for performance and safety. As the flood impact assessment demonstrates that there are no unacceptable off-site impacts then all additional flooding within the Site must be flood fringe by definition. • Flood hazards for events up to and including PMF were mapped and are within expected safety standards. The flood assessment confirms there are no constraints arising from flooding on the Site. Flood evacuation is not required for regional flooding and due to the fast flood response times in local events, evacuation is not viable during local flooding. A shelter-in-place strategy is proposed in these circumstances. This is discussed further in the FIRA (**Attachment J**)
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);*	**Y**	As aforementioned, a comprehensive FIRA (**Attachment J**) has been developed for the southern portion of the Westlink Industry Park and encompasses Stage 2 (this application), and the future Lot 4 and Lot 5 stages of the estate. The FIRA demonstrates that: • There are no flood impacts for regional Wianamatta South Creek flood events. • The proposed development does not cause adverse local flood impacts of any kind on adjacent properties. • The flood hazards associated with the 1% AEP local flooding are generally H1 (generally safe) category in all roads and publicly accessible areas on the Site other than in the trunk drainage channel where they are Max H4 (unsafe for people and vehicles) category. In a PMF local flood, hazards reach a H5 (Unsafe for vehicles and people) category in most roadways and as these events feature a fast flood rise and fall response, a Shelter-in-Place based Emergency Response Plan (ERP) is required to effectively manage flood-related risks. An indicative ERP that would apply to the warehouse buildings proposed within the Westlink Industry Park, included as an Appendix in the FIRA report (**Attachment J**).

Control	Compliance	Assessment
• *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.*		• All future structures on the Site will need to adopt flood-compatible building materials and practices and will be structurally designed to accommodate local PMF flow rates and velocities while considering the impact of potential flood debris. The proposed stormwater system that services the development lots and supporting infrastructure has been designed to accommodate these loads.
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.	**Y**	The Westlink Industry Park is located at an elevation that is higher than regional PMF flood levels identified in the Wianamatta (South) Creek Catchment Flood Study (2020) and consequently, this requirement is not applicable.
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'.	**Y**	A comprehensive FIRA (**Attachment J**) has been developed for the southern portion of the Westlink Industry Park and encompasses Stage 2 (this application), and the future Lot 4 and Lot 5 stages of the estate. The proposed naturalised drainage channel is designed to perform a floodway function. The lot and street drainage system proposed meets all design criteria for performance and safety. As the flood impact assessment demonstrates that there are no unacceptable off-site impacts for flood events up to the 1% AEP flood then all additional flooded areas on the Site are not 'flood storage' and consequently can be categorised as 'flood fringe'. Flood Hazards for the 1% AEP flood were also mapped and generally have a hazard category of H1 (generally safe) in roadways and overland flow paths. For the local PMF event hazards up to a maximum H5 (Unsafe for vehicles and people) category have been identified on the Site. This local extreme flooding is characterised by a fast rise and fall flood response. Flood evacuation of the Site in these extreme local flash flooding events is considered to be substantially more dangerous than applying a shelter-in-place approach and consequently, an Emergency Response Plan (ERP) focused on a shelter-in-place strategy is required to effectively manage flood-related risks. An indicative ERP that would apply to the warehouse buildings proposed within the Westlink Industry Park is included as an Appendix in the FIRA (**Attachment J**). Consequently, the development meets this development control.
Subdivision		

Control	Compliance	Assessment
5) Subdivision of land below the flood planning level will generally not be supported.	**N/A**	The Site is located at an elevation that is higher than regional PMF flood levels identified in the Wianamatta (South) Creek Catchment Flood Study (2020) and consequently, this requirement is not applicable.
6) Subdivision must comply with Designing safer subdivisions guidance on subdivision design in flood prone areas 2007 (Hawkesbury-Nepean Floodplain Management Steering Committee).	**Y**	A comprehensive FIRA (**Attachment J**) has been developed for the southern portion of the Westlink Industry Park and provides detailed flood mapping for a wide range of storms and parameters. This assessment confirms that there are no off-site flood-related impacts associated with the development and that flooding within the Site is managed effectively and safely. Consequently, the proposal complies with the Designing Safer Subdivision (2007) guidelines.
New Development		
7) Finished floor levels shall be at 0.5m above the 1% AEP flood.	**Y**	A comprehensive FIRA (**Attachment J**) has been developed for the southern portion of the Westlink Industry Park and provides 1% AEP flood depth and flood elevation maps. All finished floor levels proposed on the Site are set a minimum of 0.5 m above the mapped 1% AEP flood levels.
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**	The Site is located at an elevation that is higher than regional PMF flood levels identified in the Wianamatta (South) Creek Catchment Flood Study (2020) and consequently, this requirement does not apply to regional flood events. For the local PMF event hazards up to a maximum H5 (Unsafe for vehicles and people) category have been identified on the Site. This local extreme flooding is characterised by a fast rise and fall flood response. Flood evacuation of the Site in these extreme local flash flooding events is considered to be substantially more dangerous than applying a shelter-in-place approach and consequently, an Emergency Response Plan (ERP) focused on a shelter-in-place strategy is required to effectively manage flood-related risks. An indicative ERP that would apply to the warehouse buildings proposed within the Westlink Industry Park is included as an Appendix in the FIRA (**Attachment J**).
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**	Note applicable. The development does not propose any infrastructure that requires the storage of potential pollutants.
Overland Flow Flooding		
10) Development should not obstruct overland flow paths. Development is required to demonstrate that any overland flow is	**Y**	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 systems. Any future

Control	Compliance	Assessment
maintained for the 1% AEP overland flow with consideration for failsafe of flows up to the PMF.		development in the external catchments must be attenuated to this flow regime. The flood impact assessment assesses storms above the 1% AEP and up to the PMF and demonstrates these can me managed appropriately through the development. For further details refer to the FIRA (**Attachment J**).
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.	**Y**	The Site incorporates a naturalised trunk drainage channel between the extension of Aldington Road and Mamre Road that will ultimately direct water to future basins to the west of Mamre Road along the Kemps Creek corridor. Details of the proposed naturalised trunk drainage infrastructure are included in the Trunk Drainage Drawings (**Attachment H**). The stormwater quantity and peak flows of the proposed development are addressed in the WSMP (**Attachment G**).
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**	OSD is incorporated into the proposed development. Refer to the On-Lot Civil Drawings (**Attachment E**) and the WSMP **(Attachment G**).
13) Stormwater basins are to be located above the 1% AEP.	**N/A**	The subject property is higher than the Kemps Creek / South Creek PMF levels. Consequently, the basins are located outside of the mainstream flood extents.
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 DRAINS modelling undertaken in support of the Civil Infrastructure Designs confirms that the on lot OSD system attains these performance objectives. Refer to the WSMP (**Attachment G**) for further details.
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**	The proposed OSD has been sized to ensure no increase in peak flows at the discharge point from the estate. Refer to the WSMP (**Attachment G**).
Filling of Land At or Below the Flood Planning Level		
16) Earthworks up to the PMF must meet the requirements of Clauses 33H and 33J of the WSEA SEPP as well as Sections 2.5 and 4.4 of this DCP.	**N/A**	The Site is higher than the Kemps Creek / South Creek PMF levels and accordingly no filling is proposed within the mainstream PMF. The criteria are not applicable.
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;* • *The purpose for which the filling is to be undertaken is adequately justified;*	**N/A**	The Site is higher than the Kemps Creek / South Creek PMF levels and accordingly no development is proposed in mainstream floodways or critical flood storage areas in the 1% AEP as mapped in the 2020 Wianamatta (South) Creek Catchment Flood Study. The criteria are not applicable. Refer to the FIRA (**Attachment J**).

Control	Compliance	Assessment
• *Flood levels are not increased by more than 10mm on surrounding properties;* • *Downstream velocities are not increased by more than 10%;* • *Flows are not redistributed by more than 15%;* • *The cumulative effects of filling proposals is fully assessed over the floodplain;* • *There are alternative opportunities for flood storage;* • *The development potential of surrounding properties is not adversely affected;* • *The flood liability of buildings on surrounding properties is not increased;* • *No local drainage flow/runoff problems are created; and* • *The filling does not occur within the drip line of existing trees.*		

2.6 Aboriginal Cultural Heritage

Control	Compliance	Assessment
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.	-	The Site is identified as including areas of high and moderate-high Aboriginal archaeological potential in Figure 5 of the MRP DCP.
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) has been prepared by Biosis and is included at **Attachment N**.
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,		

Control	Compliance	Assessment
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.	**N/A**	Not applicable. This proposed development is State Significant Development and as such an AHIP is not required.
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.	**N/A**	Not applicable.

2.7 Non-Aboriginal Cultural Heritage

Control	Compliance	Assessment
2.7 Non-Aboriginal Heritage		
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.*	**Y**	The Site is not on land in the vicinity of heritage items in Figure 6. Notwithstanding, a Heritage Impact Statement (**Appendix LL** of the EIS) has been prepared which confirms the proposed development will have nil or negligible impacts on Non-Aboriginal Heritage items.

Control	Compliance	Assessment
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.	**N/A**	Not applicable. The Site does not comprise or is located immediate adjacent to a 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.*		
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.*		
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.		

Control	Compliance	Assessment
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.		
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.		
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.		
9) Vegetation around a heritage item shall be assessed for its value to the item and retained where required.		

2.8 Bushfire Prone Land

Control	Compliance	Assessment
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' Bushfire Prone Land. A Bushfire Assessment Report (**Appendix NN** of the EIS) has been prepared and provides an assessment against the relevant provisions of the PBP 2019 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.	**N/A**	Not applicable. The proposed development is not located within 250m of land zoned RU2, E2 or E4.
4) Bushfire hazard reduction work must be authorised by the Rural Fires Act 1997.	**N/A**	Not applicable.

2.9 Salinity

Control	Compliance	Assessment
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.	**Capable of Compliance**	The Geotechnical Investigations (**Appendix FF** of the EIS) identify that soils on the Site are typically non-saline to moderately saline, and concludes that a detailed Salinity Management Plan is to be prepared to guide the civil construction works. Given this, it is intended that this SMP would form part of the Construction Management Plan to be prepared prior to construction commencing.
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.	**Capable of Compliance**	Noted, these provisions can be conditioned.
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

Control	Compliance	Assessment
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**	A Detailed Site Investigation (**Appendix HH** of the EIS) has been prepared and are appended to the EIS. In accordance with the findings, a Remediation Action Plan (**Appendix L** of the EIS) has also been prepared, it details all necessary measures required to make the Site suitable for the proposed development.
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.	**Y**	
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.	**Y**	
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.	**Capable of compliance**	Noted, this provision can be conditioned.

2.11 Aviation Safeguarding

Control	Compliance	Assessment
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;*	**Y**	Aviation Safeguarding has been addressed in **Section 4.5** of the **EIS**. The proposed development is unlikely to result in impact to the operation of the future Western Sydney International (WSI) Airport.

Control	Compliance	Assessment
– *i. the species, size, quantity, flock behaviour (where applicable) and the particular times of day or year when the wildlife is likely to be present,* – *ii. whether any of the wildlife is a threatened species,* – *iii. a description of how the assessment was carried out, and* – *iv. 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 development will not impact on Airport operations. It is located well below the prescribed airspace for WSI Airport and will sit below other approved development.
Noise		
3) Development is constructed in accordance with Australian Standards AS2021 – Acoustics Noise Intrusion – Building Siting and Construction.	**Y**	The Site is identified as being located within the 20 and 25 ANEF zones on the Noise Exposure Contour Map under the Western Parkland City SEPP. The proposed industrial use is not considered a noise sensitive use, while the proposed ancillary commercial use is considered acceptable' in less than 25 ANEF in accordance with the AS 2021:2015.
Lighting		
4) Development does not impact on the operational aspects of the Airport with regard to light emission and reflective surfaces.	**Y**	The Site is identified as being located outside the light control zones and outside the 6 km radius on the Lighting Intensity and Wind Shear Map under the Western Parkland City SEPP.
Emissions		
5) Development must not generate emissions into the protected airspace.	**Y**	The proposed development is for the purposes of *warehouse or distribution centres* and will not generate emissions or plumes 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 Site is located within the 3-8 km wildlife management area (Area B) on the Wildlife Buffer Zone Map under the Western Parkland City SEPP. The Proposal is classified as 'warehouse (non-food storage)' at Attachment 1 to Guideline C, where no action is required in Area B.

Control	Compliance	Assessment
8) All waste bins are to be designed and installed with fixed lids.	**Y**	All bins will include lids and not include and exposed waste able to be accessed by birds or flying foxes.
9) Any bulk waste receptacle or communal waste storage area must be contained within enclosures that cannot be accessed by birds or flying foxes.		
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 proposed development does not include any permanent storage basins with all temporary sediments basins to fully drain within 48 hours after a rainfall event
Communications, Navigation and Surveillance Systems		
11) Development must not impact upon communication, navigation and surveillance systems.	**Y**	The 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**	The proposed development will not create electromagnetic field radiations.

2.12 Development Adjacent to the Warragamba Pipelines

Control	Compliance	Assessment
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**	Not applicable, 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.		
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.		
4) Stormwater systems serving development adjacent to the Warragamba Pipelines shall be designed to ensure that stormwater does not enter the corridor.		

Control	Compliance	Assessment
5) Security fencing shall be provided, or existing security fencing retained along the length of development boundaries that directly adjoin the Warragamba Pipelines corridor.		
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.		
7) Earthworks (excavation or filling) and landscaping works carried out adjacent to or crossing the Warragamba Pipelines shall avoid damage to the infrastructure.		

2.13 Electricity Transmission Line Easements

Control	Compliance	Assessment
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.	**Y**	An Electricity Transmission Line Easement runs across the north-western tip of the Site where the proposed trunk drainage channel meets Mamre Road. The easement beneficiary (Transgrid) have reviewed the Proposal and raise no objections.

2.14 Utilities Services

Control	Compliance	Assessment
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, drainage, electricity, gas (where required) and telecommunications. Indicative trunk infrastructure is identified in Figure 8.	**Y**	The Applicant has liaised with the relevant utilities providers throughout the design process to ensure adequate arrangements will be in place to service the development. This is discussed in further detail in the Civil Infrastructure Report prepared by AT&L (**Attachment F**).
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 the Estate and On-Lot Civil Drawings prepared by AT&L (**Attachment D** and **E**).
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.

Control	Compliance	Assessment
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 the Civil Infrastructure Report (**Attachment F**) 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**	The proposed development's electricity and telecommunications 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**	The proposed development will extend the telecommunications infrastructure delivered as part of Westlink Stage 1 (SSD-9138102).
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

Control	Compliance	Assessment
Proposed Western Sydney Intermodal Terminal **This section applies to land identified as Transport Investigation Area marked "A" under Clause 33B of the WSEA SEPP.**		
1) Proposed development on land subject to the proposed Intermodal Terminal (refer to Section 3.4.2 and Figure 9) must make provision for the Intermodal Terminal and any road and rail access points..	**N/A**	Not applicable. The Site is not identified as a Transport Investigation Area A under the Industry and Employment SEPP.
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 33B of the WSEA SEPP.**		

Control	Compliance	Assessment
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**	Not applicable. The Site is not identified as a Transport Investigation Area B under the Industry and Employment 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 33B of the WSEA 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.	**Y**	The Proposal will connect to the internal road network being delivered under Westlink Stage 1, which is currently under construction. The Westlink Stage 1 development will connect to the external road network through the upgrading of Abbotts Road as well as the Mamre Road / Abbotts Road and Abbotts Road / Aldington Road intersections.
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.	**Y**	The Applicant has consulted with TfNSW, refer to the Engagement Outcomes Report prepared by Ethos Urban (**Appendix U** of the EIS).

3.0 Precinct and Subdivision Design

3.1 Subdivision

<table>
<tr><th>Control</th><th>Compliance</th><th>Assessment</th></tr>
<tr><td>
Subdivision is to be in accordance with the controls in Table 8.
Table 7 – Subdivision controls
<table>
<tr><th>Subdivision element</th><th>Area</th><th>Control</th></tr>
<tr><td rowspan="2">Minimum Allotment Size</td><td>IN1 General Industrial</td><td>1000m^2</td></tr>
<tr><td>E2 Environmental Conservation</td><td>Single contiguous lot</td></tr>
<tr><td>Minimum Frontage</td><td>IN1 General Industrial</td><td>40m (excluding cul-de-sacs) and 35m minimum lot width at building line</td></tr>
</table>
</td><td>Y</td><td>The proposed Plan of Subdivision (Attachment C) complies with all the relevant minimum lot sizes.</td></tr>
<tr><td>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.</td><td>Y</td><td>The proposed development does not detract from the views of the rural-residential land to the east in any adverse way with views maintained west toward the Blue Mountains.</td></tr>
<tr><td>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.</td><td>Y</td><td>To achieve the DCP requirement of a balanced cut and fill, earthworks is proposed to be majority cut from the existing estate and used as fill on the residual lots. This would result in no net export from the broader Westlink Industry Park.
Refer to the Civil Infrastructure Report (Appendix M) for additional discussion.</td></tr>
<tr><td>4) Lots adjoining or containing watercourses are to maintain or establish native vegetation riparian corridors in accordance with Section 2.3.</td><td>Y</td><td>An un-named second order (Strahler) stream traverses a small portion of the north-west corner of the Site. This stream currently does not contain any vegetated riparian corridor, with no remnant vegetation occurring. Whilst the proposed development does not strictly seek to ‘establish’ a native vegetation riparian corridor around this stream, given a lack of surface or sub-surface flows, in accordance with regional stormwater plans the proposed development comprises a natural trunk drainage channel which will be landscaped to embellish this component as an environmental feature.</td></tr>
<tr><td>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</td><td>N/A</td><td>Not applicable. No portion of the Site is zoned C2 Environmental Conservation.</td></tr>
</table>

Control	Compliance	Assessment
with a Vegetation Management Plan, including ongoing monitoring and management.		
6) Subdivision design is to facilitate the precinct road network and hierarchy.	**Y**	The proposed subdivision design will enable the development of the internal road network on the Site.
7) Access to lots should be from local or collector industrial roads.	**Y**	Complies.
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**	Not applicable. The Site does not adjoin the potential intermodal terminal or the dedicated freight corridor.

3.2 Views and Visual Impact

Control	Compliance	Assessment
1) The design of subdivisions and building orientation should respond to the significant landscape elements and view corridors identified in Figure 11, 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 (VIA) has been prepared by Geoscapes (**Appendix Y** of the EIS) to assess the potential visual impact of the proposed development. It confirms that the proposed development will not have any significant adverse impacts on the surrounding rural residential areas and will largely be screened by existing vegetation 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 proposed development and Westlink Industry Park has been facilitated for the primary purpose to create a layout that is commensurate to industrial development and freight operations. In light of this, it is noted that in accordance with the DCP, the portion of the Site proposed to be developed are not visually sensitive locations and do not comprise areas of the blue-green network.
3) The design of lots adjoining Mamre Road, Southern Link Road, and Aldington/Abbotts Road shall promote a high-quality landscape character.	**Y**	The proposed development incorporates high-quality landscaping elements to complement the subdivision design. Refer to the Landscape Drawings prepared by Site Image (**Attachment B**).
4) Subdivision development applications for land on ridgelines and highpoints shall give careful consideration to the potential siting and scale of buildings.	**Y**	The proposed development is situated on land that contains significant slope with significant ridgelines and highpoints located on the eastern point of the Site. The design of the proposed levels has been carefully considered and gone through multiple iterations to produce the best outcome. The proposed layout including the siting and scale of the warehouse and distribution centre has been carefully considered. In accordance with the DCP, retaining walls that face the public domain and public roads have been landscaped to provide a significant lesser visual impact as a result of the Site's topography. Refer to the Civil Drawings (**Attachment D** and **E**).

Control	Compliance	Assessment
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.	**Y**	Where tiered retaining walls are proposed landscaping is included within to mitigate the potential visual impact. Where retaining wall are not tiered landscaping is provided along the top and bottom of the retaining wall. Refer to the Landscape Drawings (**Attachment**).

3.3 Interface with Mount Vernon Rural-Residential Area

Control	Compliance	Assessment
1) Development applications for land within 250m of the southern and south-eastern Precinct boundary (refer Figure 10) are to include a Landscape Plan and Visual Impact Assessment by suitably qualified designers which demonstrate a sympathetic transition to Mount Vernon, including appropriate cross-sections illustrating visual mitigation strategies.	**Y**	The Site is located within 250m of the Mount Vernon rural-residential area. It is noted that the proposed development of Lot 6 is not located within the buffer zone, with only site preparation and infrastructure works proposed to facilitate the development of the remainder of the Westlink Industry Park. The SSDA is supported by Landscape Drawings (**Attachment B**) and a VIA (**Appendix Y** of the EIS) that includes details and an assessment of the proposed works within the 250m buffer zone.
2) Landscape setbacks and treatments are to be in accordance with Section 4.2.3.	**Y**	Noted, refer to Section 4.2.3 below for assessment.
3) A minimum 30m building setback is to be provided to buildings that directly adjoin a rural residential zone. An indicative landscape treatment within the interface area is shown in Figure 11.	**Y**	A 30m setback has been allocated along the Site's eastern boundary to the rural-residential zone. The Applicant is seeking to plant out the 30m setback as part of the Stage 2 works ahead of the construction of development on Lot 4 and 5 of the Westlink Industry Park. Refer to the Landscape Drawings (**Attachment B**).
4) Subdivision within the visually sensitive interface (refer Figure 10) should relate to the scale of adjoining rural-residential buildings and consider the use of height transitions and more generous building separation.	**Y**	The proposed subdivision has sought to provide an appropriate response and supply the market in-demand large format industrial warehouses. The proposed management of the Site's topography to transition the difference in height between the Site's eastern boundary throughout the proposed three development stages and down to Mamre Road. It is noted that the future development on Lot 4 and 5 will be located below the adjoining Mount Vernon rural-residential properties to the east, enabling the retention of views from residential properties to the east. Refer to the Visual Impact Assessment (**Appendix Y** of the EIS).
5) The design of sites adjoining rural-residential areas should respond to natural level changes and use a combination of mounding and vegetation screening to soften the visual impact.	**Y**	The proposed development has carefully considered the natural topography of the Site and sought to appropriately respond. The proposed development includes generous vegetation screening. Refer to the Landscape Drawings (**Attachment B**).

Control	Compliance	Assessment
6) Tree planting shall be located to provide a visual barrier to industrial development. Mature tree planting is to be located on the top of landscape mounds, as well as on the rise or fall, to ensure the lower tree canopy meets the canopy of the tree on the top of the mound. The placing of trees shall also be staggered to ensure a continuous visual screen.	**Y**	The Applicant is seeking to plant out the 30m setback as part of the Stage 2 works ahead of the construction of development on Lot 4 and 5 of the Westlink Industry Park. Refer to the Landscape Drawings (**Attachment B**). The proposed development includes tree planting within the proposed 30m setback, this includes on top of the proposed retaining wall within the 30m setback. Refer to the Landscape Report (**Appendix K**).
7) At planting, trees within the sensitive interface area should be a minimum 2m in height.	**Y**	The proposed landscaping includes trees greater than 2m in height. Refer to the Landscape Drawings (**Attachment B**).
8) Boundary fences within the sensitive interface area should be a minimum 1.8m in height.	**N/A**	The Proposal does not include the construction of buildings within the 250m buffer zone, which will be subject to separate Development Applications.
9) Site design shall minimise light spill to adjoining residential areas (refer Section 4.2.10).		
10) Uses and building elements that are likely to adversely impact the amenity of adjoining rural-residential areas (e.g. loading areas, driveways, storage areas and roof top equipment) shall be sited away from the sensitive interface and use landscaped screening. *Note. Development applications must also address Section 4.3 Amenity of this DCP and Clause 23 of the WSEA SEPP.*		

3.4 Transport Network

Control	Compliance	Assessment
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 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.	**Y**	A Transport Management and Accessibility Plan has been prepared by Ason Group and included at **Appendix Z** of the EIS. It is supported by an Addendum at **Attachment K**.

Control	Compliance	Assessment
Note: Development identified in Schedule 3 of SEPP (Infrastructure) 2007 is referred to TfNSW (Column 2) or Council's Local Traffic Development Committee (Column 3), as required.		
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**	Noted. As identified within Transport Management and Accessibility Plan (**Appendix Z** of the EIS) the proposed development can be adequately serviced by the future surrounding road network. The external road network upgrades being completed as part of the approved Westlink Stage 1 development.
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 generally consistent with Figure 12. As part of the approved Westlink Stage 1 development, the internal north-south road was moved further west to accommodate the revised estate layout. The proposed Westlink Stage 2 development remains consistent with the approved road network under Westlink Stage and does not preclude the remainder of the MRP DCP road network from being delivered as envisaged. Refer to the Estate Civil Drawings (**Attachment D**).
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**	The proposed development will exit via the upgraded Mamre Road / Abbotts Road intersection upgrade.
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.	**Y**	No MRP DCP roads are located on Site boundaries, where consultation with adjoining landowners would be required.
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;*	**Y**	The proposed internal road network has been designed to maximise accessibility and connectivity with the surrounding locality. Pedestrian footpaths are also proposed on either side of the internal roadways.

Control	Compliance	Assessment
• *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.*		
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;* • *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.*	**Y**	As mentioned above, the approved Westlink Stage 1 development moved the north-south internal access road slightly to the west of its indicative position outlined in Figure 12 of the DCP. The proposed development remains consistent with the approved Westlink Stage 1 development and does not preclude the remainder of the MRP DCP road network from being delivered as envisaged.
8) A public road is to adjoin land zoned RE1 Public Recreation along Wianamatta-South Creek precinct in accordance with Figure 12.	**N/A**	The Site does not comprise or is located adjacent to land zoned RE1 Public recreation.
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, traffic flow and opportunity for landscaping. All parking is provided on-site. Refer to the Architectural Drawings (**Attachment A**)
10) Direct vehicle access to Mamre Road, Southern Link Road and distributor roads (Aldington Road/ Abbotts Road) is not permitted.	**Y**	Complies. Direct access to these roads is not proposed. Refer to the Estate Civil Drawings (**Attachment D**).
11) All intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient pedestrian, cyclist and traffic movement.	**Y**	Complies. Refer to the Estate Civil Drawings (**Attachment D**).
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**	The proposed development comprises cul-de-sacs at the southern boundary that are required until development to the south of the Site in completed.
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.

Control	Compliance	Assessment
14) Internal road network intersections are to be provided at the following minimum intervals: • *Local to local industrial road – 40m-60m;* • *Local to collector/distributor road – 100-200m; and* • *Collector/distributor to sub-arterial – 400m-500m.* • *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**	Complies. Refer to the Estate Civil Drawings (**Attachment D**).
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 a 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B), which will be able to leave and enter the Site in a forward direction. Refer to the Transport Management and Accessibility Plan (**Appendix Z** of the EIS).
16) Development applications shall detail the volume, frequency and type of vehicle movements.	**Y**	The Transport Management and Accessibility Plan (**Appendix Z** of the EIS) outlines the estimated trip generation and distribution. It is supported by a Transport Management and Accessibility Plan Addendum (**Attachment K**), which provides updated traffic generation estimates.
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 a 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B). 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. Refer to the Transport Management and Accessibility Plan (**Appendix Z** of the EIS).
Road Design		
18) Road design is to address the Guide for Traffic Generating Development (former RTA 2002).	**Y**	Complies. Ason Group have referenced *Guide for Traffic Generating Development* within the Transport Management and Accessibility Plan (**Appendix Z** of the EIS).
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 to the Estate Civil Drawings prepared by AT&L (**Attachment D**).

Control	Compliance	Assessment
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**	The proposed internal road network has been designed to cater for 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B). Refer to the Estate Civil Drawings (**Attachment D**) and Civil Infrastructure Report (**Attachment F**).
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 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B). Refer to the Estate Civil Drawings (**Attachment D**) and Civil Infrastructure Report (**Attachment F**).
22) Road design shall consider arrangements for broken down vehicles and incident response.	**Y**	Incident response can be serviced by 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**	Not applicable. The Proposal does not comprise a road adjoining 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;* • *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*	**N/A**	Not applicable. The Proposal does not include an alternate road design.

Control	Compliance	Assessment
• *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.	**N/A**	Not applicable. The Proposal is not located adjacent to or in proximity of the intermodal terminal or dedicated 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.		
3) Development applications for lots including or adjacent to the dedicated freight corridor shall make provision for 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.		
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.		
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.		
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.	**Capable of compliance**	To be addressed at the detailed design stage.
2) Development is to respond to the provision of a future bus link to the M4 Motorway.		
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.		

Control	Compliance	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 proposed road network has been designed in accordance with the MRP DCP criteria. Refer to the Estate Civil Drawings (**Attachment D**).
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	**N/A**	Not applicable. The Site does not adjoin Aldington Road or Abbotts Road.
Pedestrian Connections		
6) All footpaths are to be consistent with the relevant requirements of Walking Space Guide - Towards Pedestrian Comfort and Safety (NSW Government).	**Capable of compliance**	To be addressed at the detailed design stage.
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.		
8) Street lighting in accordance with the provisions of AS1158 should be provided in all streets.		
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**	Pedestrian crossing distances have been facilitated with pedestrian and vehicle safety being considered.
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**	Complies. Refer to the Estate Civil Drawings (**Attachment D**).

Control	Compliance	Assessment
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.	**Capable of compliance**	To be addressed at the detailed design stage.
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.		
13) Gradients and ramps must be aligned with desired paths of travel for pedestrians and cyclists.		
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.		
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).		
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.	**Capable of compliance**	To be addressed at the detailed design stage.
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.		
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.		

3.5 Council Engineering Works and Construction Standards

Control	Compliance	Assessment
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.*	**Capable of compliance**	The proposed civil and stormwater works have been design, and will be constructed, to the relevant standards. Refer to the Estate Civil Drawings (**Attachment D**) and WSMP (**Attachment G**).

4.0 General Requirements for Industrial Development

4.1 Site Analysis

Control	Compliance	Assessment
1) All development applications are to be accompanied by a Site Analysis Plan.	**Y**	A Site Analysis Plan has been provided as part of the Architectural Drawings (**Attachment A**), which is further supported by a Detailed Site Survey (**Appendix G** of the EIS).

4.2 Built Form Design Controls

Control	Compliance	Assessment
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.	**N/A**	Not applicable. No buildings are proposed within 250m of a rural-residential zone.
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**	The proposed development on Lot 6 is not within the 250m rural-residential buffer zone, with the proposed warehouse and distribution centre being 16.8m in height when measured from the new ground level, being the base of the flat development pad. However, given the undulating topography of the existing landscape, when measured strictly from the existing ground level, 430m2 (1.07%) of the building area exceeds the height 20m limit. Refer to DA074 of the Architectural Drawings (**Attachment A**). Given the proposed exceedance, a variation is proposed to the subject control, with justification provided in **Section 6.0** of this document.
4) Taller building elements over 15m should be set back from the street frontage.	**Y**	Taller building elements are set back from the street frontage.
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 Drawings (**Attachment 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.

<table>
<tr><th>Control</th><th>Compliance</th><th>Assessment</th></tr>
<tr><td>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.</td><td>Capable of Compliance</td><td>The proposed Lot 6 development represents a speculative development and therefore the exact plant requirements are unknown. The building services and plant will be located away from the primary frontage and are capable of being below the 20m building height limit from the existing ground level.</td></tr>
<tr><td>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</td><td>Y</td><td>A Visual Impact Assessment prepared by Geoscapes and included at Appendix Y of the EIS. The Proposal includes bulk earthworks levels that effectively manages the level transitions across the Site to ensure future development is within its context and well sited.</td></tr>
<tr><td>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.</td><td></td><td></td></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.
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></table></td><td>Y</td><td>The proposed building is sufficiently setback from lot boundaries. The proposed development is compliant with all relevant setback standards imposed through all primary, side and rear setback requirements in the DCP. Refer to the Architectural Drawings (Attachment A).
It is noted there is a slight intrusion of car parking within the 20m building setback to Mamre Road. Given majority of the landscaping encompasses the full 20m building setback, it is deemed acceptable as the car parking will be screened by landscape and the future IOP area will be converted back to landscaping once the ultimate sewer is delivered. The Applicant also notes that this requirement has been varied by Warehouse 9 of the Aspect Industrial Estate (SSD-46516461) and the Yiribana Logistics Estate West (DA23/0067).</td></tr>
</table>

Control		Compliance	Assessment
Lots adjoining Warragamba Water Supply Pipeline (unless specified elsewhere in this DCP)	*5*		
Lots adjoining the proposed Intermodal Terminal (setback from any boundary that adjoins the Intermodal Terminal site)	*20*		
Lots adjoining the proposed WSFL corridor	*5*		
Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)	*10m from the edge of E2, RE1 and RE2 land, unless separated by a road, and then no setback is required.*		
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): • *Landscaping;* • *Maintenance/rehabilitation of biodiversity corridors or areas;* • *Utility services installation;* • *Cross-overs;* • *Fire access roads;* • *Approved signage;* • *Street furniture; or* • *Drainage works.*		**Y**	Refer to the Architectural Drawings (**Attachment A**). Setback areas are comprised of elements such as the following: • Landscaping; • Truck accessways; • Car parking areas; and • Ancillary servicing infrastructure.
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**	The Proposal does not include accessways within the primary or secondary setbacks. Refer to the Architectural Drawings (**Appendix B**).
4) Setbacks may incorporate an off-street parking area if it can be demonstrated that the location of the car parking area:		**Y**	Complies. Refer to the Architectural Drawings (**Attachment A**).

Control	Compliance	Assessment
• *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.*		
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 compliance table and the relevant sections of 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.	**Y**	The proposed development does not require any additional setbacks over easements with the proposed development not impact the Transgrid easement that traverses the very north-west corner of the Site.
7) For corner sites, setbacks must ensure clear vehicular sight lines for perpendicular traffic (Figure 18).	**N/A**	The Site is not located on a corner of a public road.
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 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.	**Y**	The proposed Westlink Industry Park on-lot tree canopy cover is **10.6%**, as illustrated in **Table 1**. The proposed Westlink Stage 2 development, although proposed as a standalone SSDA, forms an integrated part of the wider Westlink Industry Park. ***Table 1 On-Lot Tree Canopy Cover*** **Stage** / **Lot** / **Lot Area** / **Requirement (10%)** / **Canopy Cover** / **Canopy Cover (%)** **Stage 1** / Lot 1 / 110,793m² / 11,079m² / 13,164.49m² / 12% **Stage 1** / Lot 3 / 43,420m² / 4,342m² / 4,212.64m² / 10% **Stage 2** / Lot 6 / 71,780m² / 7,178m² / 6,572.92m² / 9% **Total** / / **225,993m²** / **22,599m²** / **23,950.05m²** / **10.6%** It is noted that **Table 1** above does not include the to be heavily vegetated 30m setback to the east of Lot 5 as well as street trees. As such, the Westlink Industry Park is compliant with Control 1 of Section 4.2.3 of the MRP DCP and will provide sufficed tree canopy consistent with the landscaping objectives under Section 4.2.3 of the MRP DCP.

<table>
<tr><th>Control</th><th>Compliance</th><th>Assessment</th></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>Landscape Drawings have been prepared by Site Image and are included at Attachment B.</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>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. All landscape setbacks are complied with in accordance with the DCP. Refer to the Architectural Drawings (Attachment A) and Landscape Drawings (Attachment B).</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%</td><td>Y</td><td>The proposed development of Lot 6 includes a total pervious area of 15,079m^2 (21%). Refer to the Lot 6 Pervious Area Plan (DA053) within the Architectural Drawings (Attachment A).</td></tr>
</table>

Control	Compliance	Assessment
• *Hardstand – 0%*		
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.	**Y**	The Site does not comprise any existing remnant vegetation or paddock trees.
6) Landscaped front setbacks should include canopy trees whose mature height is in scale with the proposed development.	**Y**	The proposed landscaping includes canopy trees within the setbacks to Mamre Road and Aldington Road. Refer to the Landscape Drawings (**Attachment B**).
7) Setbacks shall include suitable tree planting along the northern and western elevations of buildings to provide shadow and cool the building.	**Y**	The proposed setbacks include tree planting at each elevation. Refer to the Landscape Drawings (**Attachment B**).
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 does not directly adjoin any existing sensitive receivers.
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**	The Proposal includes planter beds at various intervals within the outdoor car park on Lot 5. 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. Refer to the Landscape Drawings (**Attachment B**).
10) Evergreen shrubs and trees shall screen car parks, vehicular manoeuvring areas, garbage areas, storage areas from the street frontage.	**Y**	The proposed landscaping will embellish the car parking areas of each lot. Vehicle manoeuvring and freight areas are situated to the centre of the two proposed warehouses and are screened from public domain view through proposed landscaping with additional landscaping at the rear boundaries will provide additional screening from the development to the West of the Site. Refer to the Landscape Drawings (**Attachment B**).
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;*	**Y**	Refer to the indicative plant schedule within the Landscape Drawings (**Attachment B**).

Control	Compliance	Assessment
• *Consider the capacity of the species to contribute to tree canopy cover;* • *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**	The proposed street trees have been sited and spaced to optimise canopy cover, whilst being mindful of kerb setbacks and vehicle sight lines into lots. Refer to the Landscape Drawings (**Attachment B**).
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 with adequate spacing provided. Refer to the Landscape Drawings (**Attachment B**).
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**	No such species are proposed. Refer to the indicative plant schedule within the Landscape Drawings (**Attachment B**).
16) Local Indigenous groundcovers should be considered as a turf alternative in areas not specifically designed for pedestrian use.	**-**	Noted, to be consideration through the detailed design phase.
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.	**Y**	Communal areas are provided adjacent to the office spaces, which have been designed to be of a size that is commensurate with the envisaged future number of employees. Refer to the Architectural Drawings (**Attachment A**).
2) In locating communal areas, consideration should be given to the outlook, natural features of the site, and neighbouring buildings.	**Y**	Communal areas have been designed with this in mind. Refer to the Architectural Drawings (**Attachment A**).
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	**Y**	Complies. Refer to the Landscape Drawings (**Attachment B**).

Control	Compliance	Assessment
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.	**Y**	Complies. Refer to the Architectural Drawings (**Attachment A**).
5) Communal areas must receive a minimum of 2 hours direct sunlight between 11am and 3pm on the 21st of June.	**Y**	The Lot 6 communal open space achieves 2 hours of sunlight being located on the northern elevation of each office. Refer to the Architectural Drawings (**Appendix B**).
4.2.5 Building Design		
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)).	**Y**	The proposed development seeks to achieve appropriate sustainability, refer to the ESD Report prepared by E-Lab Consulting (**Appendix BB** of the EIS).
2) An access report is required where universal access is a requirement of the Disabilities Discrimination Act 1992.	**Y**	Refer to the BCA Report prepared by Blackett, Maguire + Goldsmith (**Appendix BB** of the EIS).
Siting/Building Orientation		
1) Buildings shall be oriented so building frontage is parallel with the primary street frontage.	**Y**	The primary frontage of the proposed development appropriately addresses Mamre Road to the west. Refer to the Architectural Drawings (**Attachment A**).
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**	The proposed development 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.	**Y**	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. Refer to the Architectural Drawings (**Attachment A**).
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.	**Y**	Loading and servicing areas are located at the centre of the allotment between the proposed warehouse and distribution centre, with landscaping proposed to provide screening of these areas. Refer to the Architectural Drawings (**Attachment A**).
Architectural Design		

Control	Compliance	Assessment
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.	**Y**	The facades along the collector industrial road, being the primary street frontage have been considered to provide glazing along the office components along this frontage, with the car parking proposed in this area to provide for passive surveillance. Refer to the Architectural Drawings (**Attachment 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. Refer to the Architectural Drawings (**Attachment A**).
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 Architectural Drawings (**Attachment A**).
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. Refer to the Architectural Drawings (**Attachment A**).
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, recycled brickwork and aluminium cladding elements. Refer to the Architectural Drawings (**Attachment A**).
11) Energy efficient design principles shall be employed in all building designs (Figure 21).	**Y**	Refer to ESD Report prepared by E-Lab Consulting (**Appendix BB** of the EIS).
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. Refer to the Architectural Drawings (**Attachment A**).
13) Courtyard and screen walls shall be in the same material as the building facades.	**Y**	The communal areas for each office space is proposed as a courtyard style design, with fencing which is the same as the building facades where relevant. Refer to the Architectural Drawings (**Attachment A**).
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 roofs 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. Refer to the Architectural Drawings (**Attachment A**).
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;*	**Y**	Offices and any administrative areas are located in the most prominent portions of the Site and have been integrated with the building's overall design framework. Refer to the Architectural Drawings (**Attachment A**).

Control	Compliance	Assessment
• *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.*		
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 roof will not be visible from the streetscape, with the 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.		
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;* • *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.*	**Y**	Refer to ESD Report prepared by E-Lab Consulting (**Appendix BB** of the EIS).
19) Light coloured materials should be used in roof construction to reduce the urban heat effect.	**Capable of compliance**	To be addressed at the detailed design stage.
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;*	**Capable of compliance**	To be addressed at the detailed design stage.

Control	Compliance	Assessment
• *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.*		
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.*	**Capable of compliance**	To be addressed at the detailed design stage.
4.2.6 Design of Storage Areas		
1) Storage areas are to be located within the building, where practical.	**Generally consistent**	Storage is located within respective building footprints where practicable.
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;*	**Y**	Storage areas are proposed within the warehouses. Rainwater tanks will be located in areas either not visible from the street frontage or will be screened by landscaped elements where this is not possible. Refer to the Architectural Drawings (**Attachment A**).

Control	Compliance	Assessment
• *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 o Noise, odour and safety issues.*		
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.	**Capable of Compliance**	No storage, transportation or processing of chemical substances that would consider the proposed development a potentially hazardous is proposed. Refer to **Section 6.12** of the **EIS**.
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;*	**N/A**	Not applicable. The proposed design contains identification or wayfinding signage only.

Control	Compliance	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**	The proposed main estate pylon signage is 10m in height and 2m in width. Refer to the Architectural Drawings (**Attachment A**).
3) Building identification signage should have a maximum advertising area of up to 0.5 square metres for every metre of lineal street frontage.	**N/A**	The Proposal does not seek consent for advertising signage.
4) Sky signs and roof signs that project vertically above the roof of a building are not permitted.	**N/A**	The Proposal does not seek consent for sky or roof signage.
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.	**Y**	Complies. Refer to the Architectural Drawings (**Attachment A**).
7) Signs are to be contained fully within the confines of the wall or awning to which it is mounted.	**Y**	Complies. Refer to the Architectural Drawings (**Attachment A**).
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**	The proposed warehouse and distribution centre will be tenanted by a single operator.
Illuminated Signage		
9) Illuminated signs are not to detract from the architecture of the building during daylight.	**Y**	Complies. Refer to the Architectural Drawings (**Attachment A**).
10) Illumination (including cabling) of signs is to be either: • *Concealed;*	**Y**	Complies. Refer to the Architectural Drawings (**Attachment A**).

Control	Compliance	Assessment
• *Integral with the sign;* • *Provided by means of carefully designed and located remote or spot lighting*		
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.	**-**	The proposed signage is backlit and will not impact on the amenity of any residential buildings.
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.	**Y**	Complies. The proposed illuminated signage is to be back-lit.
13) A maximum of one illuminated sign is permitted on each elevation of each building.	**Variation Requested**	The western and eastern elevation of the Lot 6 Warehouse each comprise multiple illuminated signs. This is considered to be generally consistent with the objective of the control as the proposed illuminated signage is back-lit, appropriately placed, not intrusive and will not cause any impact on motorists. Justification to the proposed variation of this control is provided in **Section 6.0**.
14) Illuminated signage shall be oriented away from residential receivers.	**Y**	Complies. The proposed development (Lot 6) is not located in close proximity to residential receivers.
4.2.9 Safety and Surveillance		
1) A Crime Risk Assessment Report must be prepared for the development of new buildings.	**Y**	A Crime Prevention Through Environmental Design Report has been prepared by Mecone (**Appendix T** of the EIS).
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.		
4) Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings.		
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.		
6) Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety.		
4.2.10 Lighting		

Control	Compliance	Assessment
1) Lighting details shall be provided as part of development applications.	**Y**	An Indicative Lighting Layout Plan has been prepared. Refer to DA052 of the Architectural Drawings (**Attachment A**). The proposed indicative lighting layout will not result in impacts to operation or the 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.		
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**	Lighting included as part of the proposed development will not cause light spill into adjoining sites or sensitive receivers.
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 Lot 6. Refer to the Retaining Wall & Fencing Plan (DA051) of the Architectural Drawings (**Attachment A**).
2) Palisade fencing is encouraged.	**Y**	Palisade fencing is proposed. Refer to the Retaining Wall & Fencing Plan (DA051) of the Architectural Drawings (**Attachment A**).
3) Solid fences above 1 metre in height are not permitted along street frontages.	**Y**	No solid fencing is proposed.
4) No fencing other than a low ornamental type may be erected at the front or secondary street site boundary.	**Y**	Low ornamental type fencing is provided on primary and secondary frontages. Refer to the Retaining Wall & Fencing Plan (DA051) of the Architectural Drawings (**Attachment A**).
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.	**Y**	Security fencing is situated within the landscape setback due to the provision of permeable parking spaces. Refer to the Retaining Wall & Fencing Plan (DA051) of the Architectural Drawings (**Attachment A**).

4.3 Amenity

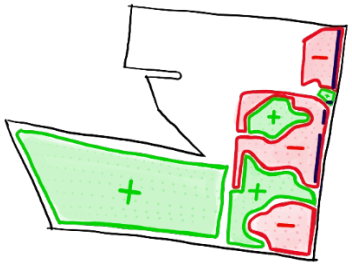
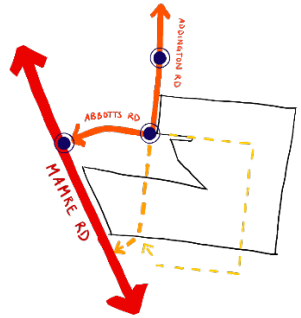
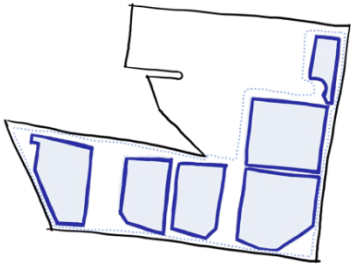
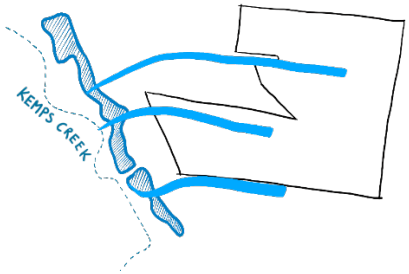
Control	Compliance	Assessment
4.3.1 Noise and Vibration		
1) Any machinery or activity considered to produce noise emissions from a premise shall be adequately sound-proofed so that noise emissions are in accordance with the provisions of the Protection of the Environment Operations Act 1997.	**Y**	The Noise and Vibration Impact Assessment (NVIA) (**Attachment L**) has considered indicative plant and machinery consistent with the proposed *Warehouse or distribution centres* land use.
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).	**Y**	The NVIA (**Attachment L**) has been prepared in accordance with the *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.	**Y**	A Noise and Vibration Impact Assessment has been prepared by SLR Consulting and included at **Attachment L**.
4) An Acoustic Report shall be prepared for developments within 500m of rural-residential areas and other sensitive receivers, including educational establishments.	**Y**	
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.	**Y**	The NVIA (**Attachment L**) has appropriately considered the potential for cumulative noise impacts from concurrent surrounding development within the MRP.
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.	**-**	The Proposal complies with the operational noise criteria for all sensitive receivers outside the MRP, including those located within the Mount Vernon rural-residential area to the east. Refer to the NVIA (**Attachment L**).
7) Building design is to incorporate noise amelioration features. Roof elements are to control potential breakout noise, having regard to surrounding topography.	**Y**	The proposed Lot 6 building design includes features such as an awning over the hardstand area and adjacent loading dock that will contribute to noise amelioration.

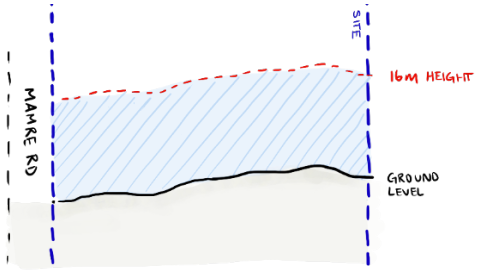
Control	Compliance	Assessment
8) Boundary fences are to incorporate noise amelioration features and control breakout noise having regard to developments adjoining rural-residential areas.	**N/A**	The proposed development on Lot 6 does not directly adjoin the Mount Vernon rural-residential area.
9) Development shall comply with the relevant Australian Standards for noise and vibration.	**Y**	The proposed development on Lot 6 will comply with all 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.	**Capable of Compliance**	The Applicant will comply with all operational noise conditions of consent.
4.3.2 Trading and Operating Hours 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.	**Noted**	The proposed development is to operate 24 hours, 7 days a week which is consistent with the operational requirements for industrial development. The relevant assessment reports such as the Noise and Vibration Impact Assessment have assessed the impact of 24/7 operation, which conclude that the proposed operation hours are acceptable.
4.3.3 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**	The Proposal will comply will the relevant provisions of the *Protection of the Environment Operations Act 1997* and associated regulations.
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**	An Air Quality Impact Assessment (AQIA) has been prepared by SLR Consulting and is included at **Appendix DD** of the EIS.
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**	The AQIA (**Appendix DD** of the EIS) has been prepared in accordance with relevant EPA guidelines and addresses potential air emissions and mitigation measures.

Control	Compliance	Assessment
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 compliance**	Capable of compliance as backup power generation is incorporated into the design.

4.4 Earthworks and Retaining Walls

Control	Compliance	Assessment
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.	**Y**	The proposed development has been designed to achieve a balance cut and fill, completing the remaining bulk earthworks across the estate utilising excess fill from Stage 1. Refer to the Estate Civil Drawings (**Attachment D**) and Civil Infrastructure Report (**Attachment F**).
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).		
3) A Geotechnical Report is to be submitted with applications proposing to change site levels.	**Y**	Geotechnical Investigations for the Site are provided at **Appendix FF** of the EIS.
4) Excavation and fill shall be adequately retained and drained in accordance with Council's Engineering Works and Construction Standards.	**Y**	Excavation and fill are discussed within the Civil Infrastructure Report (**Attachment F**).
5) Level transitions must be managed between lots and not at the interface to the public domain	**Variation Requested**	The Proposal includes bulk earthworks that will require level transitions to be managed at the public domain for Lot 4 and 5. It is noted that the Lot 6 development complies with the subject controls. Refer to the Estate and On-Lot Civil Drawings (**Attachment D** and **E**). The proposed level transitions to the public domain are considered to be appropriate and supportable for a variation as it enables for a balanced cut and fill across the broader Westlink Industry Park, while also providing the large flat building pads required for the proposed warehouse or distribution centre required to satisfy the overall vision of the MRP and market demand, through the delivery of larger consolidated land parcels for warehousing and logistics. Specifically, these proposed bulk earthworks strategy has had to consider: • Undulating topography within the MRP and on the Site resulting in the requirement for extensive cut and fill operations to facilitate orderly and economic development and provide flexibility to cater for the range of industrial customer requirements; • Provisioning for connectivity to adjoining lands and managing existing upstream catchment flows;
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).		
7) Where a level difference must exceed 1.0m and adjoins the public domain or public road, the retaining wall must be tiered. Each		

Control	Compliance	Assessment
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.		• To enable the delivery of the internal road network; • Minimising retaining walls fronting Aldington Road and mitigating retaining walls fronting internal public road reserves; • Mitigate extensive cut in bedrock sub-surface units; and • Meet the requirements for the Site to cater for the IN1 General Industrial zone of the Site for employment purposes which requires large flexible allotments. As detailed in the Submissions Report, an evidence-based and spatial decision-making framework has been used to determine the civil design, considering:  ***Balanced Cut and Fill requirements of the MRP DCP***  ***Road Hierarchy established by the MRP DCP and need to tie levels in with surroundings***  ***Market Demand for Large Format Warehouse and Distribution Centres***  ***Trunk Drainage in accordance with the MRP Integrated Stormwater Scheme Plan***

Control	Compliance	Assessment
		 ***Building Height Limits from Existing Ground Levels established by the MRP DCP*** Refer to the proposed variation justification in **Section 6.0**.
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 setback 2m into the property boundaries Refer to the Estate and On-Lot Civil Drawings (**Attachment D** and **E**).
9) The highest retaining wall element is to be suitably fenced for safety.	**Y**	Retaining walls will be fenced to ensure safety. Refer to the Retaining Walls & Fencing Plan (DA051) of the Architectural Drawings (**Attachment A**).
10) Imported fill 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.		
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, in a manner that is most appropriate to address the Site topography as well as being commensurate with its future use.
13) All retaining walls proposed for the site are to be identified in the development application for the proposed development.	**Y**	All retaining walls are identified on the Estate and On-lot Civil Drawings (**Attachment D** and **E**).
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**	The Site is not located within the floodplain.
4.4.2 Erosion and Sediment Control		

Control	Compliance	Assessment
1) Development applications must include an Erosion and Sediment Control Plan (ESCP) prepared by a Certified Professional in Erosion and Sediment Control (CPESC).	**Y**	A detailed ESCP has been prepared by AT&L and included within the Estate Civil Drawings at **Attachment D**. It has been prepared under the supervision of a CPESC, refer to **Appendix C** of the Submissions Report.
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.	**Y**	The ESCP has been prepared under the supervision of a CPESC. Refer to **Appendix GG**.
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.	**-**	The Applicant will comply with any erosion and sediment control conditions of consent, as well as the relevant guidelines for the duration of construction.
4) Development is to comply with the construction phase targets in Table 5.	**Y**	The development will achieve the construction phase targets. Refer to the Civil Infrastructure Report (**Attachment F**).
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).	**Y**	The ESCP will be installed and implemented in accordance with best practice.
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;*	**Y**	Complies. Refer to the Estate Civil Drawings (**Attachment D**) and Civil Infrastructure Report (**Attachment F**).

Control	Compliance	Assessment
• *Install high efficiency sediment basins to ensure compliance with the water quality target throughout the construction and building phases;* • *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

Control	Compliance	Assessment
1) Development applications shall include a Waste and Resource Recovery Management Plan (WRRMP) 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**	A Waste Management Plan has been prepared by SLR Consulting (**Appendix JJ** of the EIS).
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.*	**Y**	The Waste Management Plan addresses the types of waste and quantities of waste expected to be generated by the proposed development. Refer to the Waste Management Plan (**Appendix JJ** of the EIS).

Control	Compliance	Assessment
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**	Waste storage areas are generally integrated with the warehouses and are visually screened from the street frontages and public domain.
4) The design of waste storage and collection areas must consider: • *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.*	**Capable of compliance**	Refer to Waste Management Plan (**Appendix JJ** of the EIS), it provides adequate mitigation measures to ensure compliance during operation.
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).	**Capable of compliance**	To be subject to detailed design.
6) For communal storage/collection facilities, each tenant should have a designated area.	**Capable of compliance**	To be subject to detailed design.

4.6 Access and Parking

Control	Compliance	Assessment
4.6.1 Parking and Manoeuvring Areas		

Control	Compliance	Assessment
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.	**Y**	In accordance with Table 13, 163 parking spaces are required. The proposed development includes 166 parking spaces. Refer to the Architectural Drawings (**Attachment A**).

Table 12. Minimum parking rates

Activity	***Parking Requirement***
Freight Transport Facilities	*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*
Industries	*1 space per 200m^2 of gross floor area or 1 space per 2 employees, whichever is the greater*
Vehicle Body Repair Workshops/ Vehicle Repair Stations	*3 spaces per 100m^2 of gross floor area or 6 per work bay, whichever is the greater*
Warehouses or distribution centres	*1 space per 300m^2 of gross floor area or 1 space per 4 employees, whichever is the greater*
Ancillary office space	*1 space per 40m^2 of gross floor area*
Neighbourhood shops	*1 space per 40m^2 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.*

Control		Compliance	Assessment
Bicycle Parking	*1 space per 600m^2 of gross floor area of office and retail space (over 1200m^2 gross floor area)* *1 space per 1000m^2 of gross floor area of industrial activities (over 2000m^2 gross floor area)*		
2) For activities not identified in Table 12, 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.		**N/A**	Not applicable.
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**	Not applicable. The proposed development does not include excess parking.
Design of Parking and Manoeuvring Areas			
4) The design of car parks and spaces must comply with the relevant Australian Standards.		**Y**	All parking areas, including access aisles and parking modules shall be designed with reference to AS 2890.1 and AS 2890.6. It is anticipated that full parking area design compliance with AS 2890.1 and AS 2890.6 would form a standard Condition of Consent further to approval. Refer to the Transport Management and Accessibility Plan (**Appendix Z** of the EIS).
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 the Architectural Drawings (**Attachment A**) which illustrates clear delineation between pedestrian and vehicle areas with dedicated pedestrian crossings throughout the car park.
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**	Hardstand, accessways and driveways will be constructed with concrete of an appropriate thickness and reinforcement to be able to support enduring heavy vehicle movements.
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**	The proposed car parking areas include landscaped bays and setbacks. Refer to the Landscape Drawings (**Attachment B**).
8) Parking areas should incorporate dedicated parking bays for electric vehicle charging.		**Y**	Electric vehicle charging bays will be provided within the proposed development in accordance with a condition of consent.
9) Vehicle access is to be integrated into the building design as to be visually recessive.		**Y**	Vehicle access has been designed so that trucks are loaded/unloaded in areas away from the street frontage. In this sense, when viewed from the public domain, the access is visually recessive and does not detract from the broader building design.

Control	Compliance	Assessment
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**	Refer to the swept path analysis at **Appendix J** of the Submissions Report. Additionally swept path diagrams are provided for the proposed internal estate roads, refer to the Estate Civil Drawings (**Attachment D**).
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 a 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B), providing adequate space for manoeuvring practices that does not interfere with parked vehicles, landscaping, or any other function of the overall development. Refer to the swept path analysis at **Appendix J** of the Submissions Report).
12) Internal directional signs are to be provided to assist site visitors in locating parking areas.	**Y**	Refer to the Architectural Drawings (**Attachment A**) and the Transport Management and Accessibility Plan (**Appendix Z** of the EIS).
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.		
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.		
15) Provision should be made for all vehicles to enter and exit a secure (i.e. boom-gated) area in a forward direction.		
16) Visitor parking should be provided outside the secured parking areas.		
17) The design of car parks should ensure staff/visitor parking is given safe separation from loading dock circulation areas for heavy vehicles.		
18) Vehicular ramps less than 20m long must have a maximum grade of 1 in 5 (20%).		
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**	The proposed loading and hardstand areas have been specifically designed and integrate to the proposed warehouse. Refer to the Architectural Drawings (**Attachment A**). Refer to Transport Management and Accessibility Plan (**Appendix Z** of the EIS) all loading and hardstand areas are design for a 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B).

Control	Compliance	Assessment
• *Designed for commercial vehicle circulation and access.*		
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).	**Y**	Truck entry is proposed via Aldington Road extension (Local Industrial Road), which is the most suitable access arrangement for the proposed development.
22) Car park surfaces should use finishes that minimise heat retention e.g. painted in light coloured paint.	**Capable of compliance**	To be addressed at the detailed design stage.
23) Potential entrapment points shall be avoided (e.g. blind corners, wide columns) and lighting and mirrors used when unavoidable.	**Y**	Complies.
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 13 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* ***Site Area*** / ***Design Vehicle*** *Up to 1,500m²* / *Medium Rigid Vehicle (MRV)* *1,500m² to 4,000m²* / *Heavy Rigid Vehicle (HRV)* *4000m² to 20,000m²* / *Articulated Vehicle (AV)* *Greater than 20,000m²* / *30m PBS Level 2 Type B* *Note: Transport depots and warehouses may be required to cater for vehicles larger than the minimum specified above.*	**Y**	The proposed development has been designed to accommodate a 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B). Refer to the Swept Path Diagrams prepared by Ason Group at Appendix A of the Transport Management and Accessibility Plan (**Appendix Z** of the EIS).
Bicycle Parking, Facilities and Storage		

Control	Compliance	Assessment
25) The following bicycle destination facilities for staff are to be provided: • *For ancillary office and retail space with a gross floor area over 2500m^2 , at least 1 shower cubicle with ancillary change rooms;* • *For industrial activities with a gross floor area over 4000m^2 , 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.*	**Y**	Bicycle spaces are proposed and amenities are included in close proximity within in the office spaces. Refer to the Architectural Drawings (**Attachment A**).
26) Bicycle parking, facilities and storage must be in convenient locations, visible, secure, and provide weather protection for the bicycle	**Y**	Bicycle parking spaces are provided adjoining the office space. Weather protection is not specifically provided to these bicycle racks however internal bicycle spaces could be created by the tenant.
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**	All vehicles will enter and 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. Additionally traffic sight distances are considered appropriate. Refer to the Architectural Drawings (**Attachment A**).
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**	The 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*	**Y**	All access driveways (to the proposed road network within the MRP) have been, and shall be, designed with reference to AS 2890.1, AS 2890.2, and any other relevant published road design and road engineering guidelines.

Control	Compliance	Assessment
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.*		
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 a 30m long Performance Based Standards (PBS) Level 2 Type B vehicle (Type 2B), refer to the swept path analysis at **Appendix J** of the Submissions Report.
6) The required threshold should be set within the property to prevent cross fall greater than 4% within the footway area.	**Y**	The threshold has been set within the property.
7) Driveways are to be sealed from the public road up to the parking areas.	**Y**	All driveways will be sealed from the public road up to the parking areas.
8) New allotments must have direct access to dedicated public roads.	**Y**	All proposed allotments will have directed access to dedicated roads.

5.0 Other Developments

5.1 Employment Service Hubs

Control	Compliance	Assessment
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: o It is located at least 1km from other existing and/or planned employment service hubs; and o It does not preclude the provision of an employment service hub in a more accessible location.	**N/A**	Not applicable.
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.		

Control	Compliance	Assessment
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.		

6.0 Variation Justification

Section 1.5.2 of the MRP DCP stipulates that a proposed departure from the development controls will only be considered where the written justification demonstrates:

- *Why the controls are unreasonable or unnecessary in the circumstances.*
- *How the development will achieve the aims and objectives of the DCP, Precinct Structure Plan, and Precinct Plan under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 despite the proposed departure.*
- *What innovative and improved outcomes will be achieved to justify the departure.*
- *That coordinated and orderly development outcomes will be achieved, including a suitable interface with adjoining sites in terms of finished ground levels.*
- *The departure would not result in unacceptable impacts on other sites, nor make it difficult for other sites to comply with the Structure Plan. Where inconsistencies with the DCP may have the potential to significantly impact adjoining landowners, written evidence of consultation with those landowners and support for an agreed alternative solution is required.*
- *The departure would not impact on accessibility to sites in the precinct and the safety and efficiency of the proposed road system and its relationship to the broader road network.*

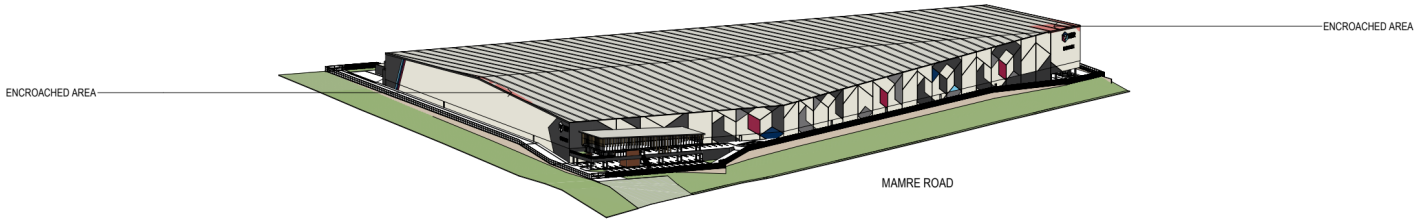
The proposed variations to the MRP DCP are justified in accordance with Section 1.5.2 of the MRP DCP in the following sections.

Section 4.2.1 Building Height – Control 2

(2) 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.

Justification

The proposed development is situated outside of the 250m buffer to surrounding rural-residential (land zoned C4 Environmental Living) land and is therefore subject to a 20m height limit. Noting the cut and fill required and existing undulating topography across the Site, there are partial exceedance of the 20m height limit from the existing ground level. As illustrated in **Figure 1**, 430m^2 (1.07%) of the Lot 6 building area exceeds the 20m height limit by a relatively small amount only when measured from the existing ground level.



WAREHOUSE	AREA ENCROACHED 20m HEIGHT LIMIT	PERCENTAGE (OF WAREHOUSE ROOF AREA)
WAREHOUSE LOT 6	430 m^2	1.07% (OF 40,180m^2)

Figure 1 20m Height Limit Exceedance

Source: Nettletontribe Architects

Written justification against the requirements of Section 4.2.1 (Control 2) of the MRP DCP in relation to the proposed variation is provided in **Table 2** below.

Table 2 Section 4.2.1 (Control 2) Variation Justification

Requirement	Response
Why the controls are unreasonable or unnecessary in the circumstances.	As discussed above, there are variations to the 20m height limit based on the existing topography of the Site and the need to provide a balanced cut and fill, noting that while this is a height breach of the existing ground level the exceedance is minor and intermittent through the roof line of each warehouse. The variations are considered appropriate in the broader context of the Site. Importantly, the building heights proposed still achieve compliance with the objectives of the building height Section 4.2.1 in the DCP, in that: • Building form response to the topography of the Site and relative position of the allotments to other allotments; • The scale of the buildings is consistent with market demands as required in Western Sydney to support and complement the broader Aerotropolis; • Views are retained noting the adjoining C4 Environmental Living land sits higher than the Site; and • The impact of the buildings on the surrounding environment has been considered and mitigated where practical. Further, the proposed height exceedances do not result in unacceptable solar, wind or visual impacts to surrounding uses or the environment.

Requirement	Response
How the development will achieve the aims and objectives of the DCP, Precinct Structure Plan, and Precinct Plan under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 despite the proposed departure.	The development satisfies the objectives of the MRP DCP, Structure Plan and Industry and Employment SEPP as it will ensure delivery of industrial focused development, notwithstanding the height exceedance of the MRP DCP control. Furthermore, the height of the buildings still sits significantly lower than the height of the eastern Mount Vernon.
What innovative and improved outcomes will be achieved to justify the departure.	As previously described, the adjustments to cut and fill provide for a balance across the broader Westlink Industry Park, which would not be achieved should levels be required to change to lower the building height. Provision of a cut and fill balance is considered a more appropriate result to minimise fill wastage and export off-site.
That coordinated and orderly development outcomes will be achieved, including a suitable interface with adjoining sites in terms of finished ground levels.	The proposed developments bulk earthworks levels have been considered in terms of the interface with adjoining sites.
The departure would not result in unacceptable impacts on other sites, nor make it difficult for other sites to comply with the Structure Plan. Where inconsistencies with the DCP may have the potential to significantly impact adjoining landowners, written evidence of consultation with those landowners and support for an agreed alternative solution is required.	The proposed building height exceedance does not impact on adjoining properties or reduce the ability for other sites to be developed in a manner consistent with the Structure Plan.
The departure would not impact on accessibility to sites in the precinct and the safety and efficiency of the proposed road system and its relationship to the broader road network.	The proposed building height exceedance does not impact on adjoining properties ability to be accessed from the broader road network.

As a result of the aforementioned justification, the proposed variation is considered acceptable and supportable on merit.

Section 4.2.8 Signage and Estate Entrance Walls – Control 13

(13) A maximum of one illuminated sign is permitted on each elevation of each building.

Justification

The proposed development comprises multiple illuminated signs each on the western and eastern elevation for the purposes of business identification signage. The proposed signage are signage zones that will be subject to future detail and will be back-lit, appropriately placed, not intrusive and will not cause any impact on motorists.

Written justification against the requirements of Section 4.2.8 (Controls 13) of the MRP DCP in relation to the proposed variation is provided in **Table 6** below.

Table 3 Section 4.2.8 (Control 13) Variation Justification

Requirement	Response
Why the controls are unreasonable or unnecessary in the circumstances.	The proposed signage zones on the eastern and western façade are not out of context for industrial development, are appropriately sized as to not cause any impact and will accurately identify the future operator/s at the Site. In addition, the proposed signs are to be back-lit through a translucent acrylic material.
How the development will achieve the aims and objectives of the DCP, Precinct Structure Plan, and Precinct Plan under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 despite the proposed departure.	The development satisfies the objectives of the MRP DCP, Structure Plan and Industry and Employment SEPP as it will ensure adequate building identification signage that supports the orderly and economic development of the Site for a warehouse and distribution centre. The proposed signage is consistent with the objectives of section 4.2.8 of the DCP in that it: • Will include an integrated and coordinated design approach that is supportive of the design character; • Will provide an appropriate interface to Mamre Road and the extension of Aldington Road; • Will not increase the visual impacts of the proposed development; • Will not distract motorists as the signage will be back-lit and not cause any glare; and • Accurately identify any future operators at the Site.
What innovative and improved outcomes will be achieved to justify the departure.	The proposed signage will be of a high quality design and finish that is consistent with the desired future character.
That coordinated and orderly development outcomes will be achieved, including a suitable interface with adjoining sites in terms of finished ground levels.	The proposed business identification signage will support business identification of the proposed development and therefore orderly development outcomes will be achieved.
The departure would not result in unacceptable impacts on other sites, nor make it difficult for other sites to comply with the Structure Plan. Where inconsistencies with the DCP may have the potential to significantly impact adjoining landowners, written evidence of consultation with those	The departure will not result in any impact as it will not distract motorists as the signage will be back-lit and not cause any glare, nor will it result in any visual impact.

Requirement	Response
landowners and support for an agreed alternative solution is required.	
The departure would not impact on accessibility to sites in the precinct and the safety and efficiency of the proposed road system and its relationship to the broader road network.	Not applicable.

As a result of the aforementioned justification, the proposed variation is considered acceptable and supportable on merit.

Section 4.4.1 Development on Sloping Sites – Control 5, 6 and 7

(5) Level transitions must be managed between lots and not at the interface to 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).
(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.

Justification

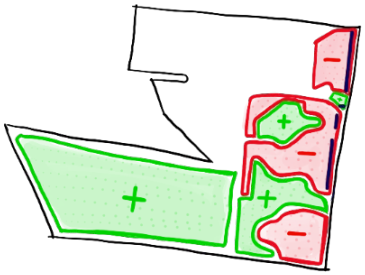
The Proposal includes bulk earthworks that will require level transitions to be managed at the public domain for Lot 4 and 5. It is noted that the Lot 6 development complies with the subject controls. Refer to the Estate and On-Lot Civil Drawings (**Attachment D** and **E**).

The proposed level transitions to the public domain are considered to be appropriate and supportable for a variation as it enables for a balanced cut and fill across the broader Westlink Industry Park, while also providing the large flat building pads required for the proposed warehouse or distribution centre required to satisfy the overall vision of the MRP and market demand, through the delivery of larger consolidated land parcels for warehousing and logistics.

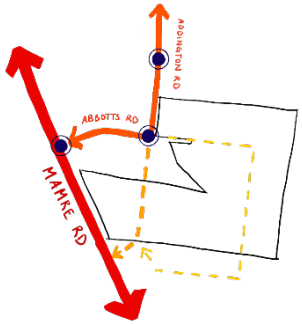
Specifically, these proposed bulk earthworks strategy has had to consider:

- Undulating topography within the MRP and on the Site resulting in the requirement for extensive cut and fill operations to facilitate orderly and economic development and provide flexibility to cater for the range of industrial customer requirements;
- Provisioning for connectivity to adjoining lands and managing existing upstream catchment flows;
- To enable the delivery of the internal road network;
- Minimising retaining walls fronting Aldington Road and mitigating retaining walls fronting internal public road reserves;
- Mitigate extensive cut in bedrock sub-surface units; and
- Meet the requirements for the Site to cater for the IN1 General Industrial zone of the Site for employment purposes which requires large flexible allotments.

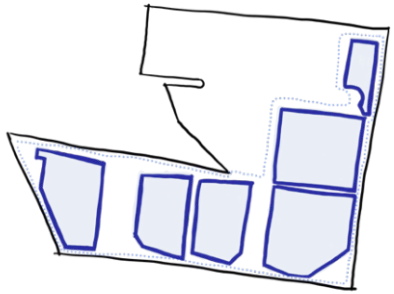
As detailed in the Submissions Report, an evidence-based and spatial decision-making framework has been used to determine the civil design, considering:



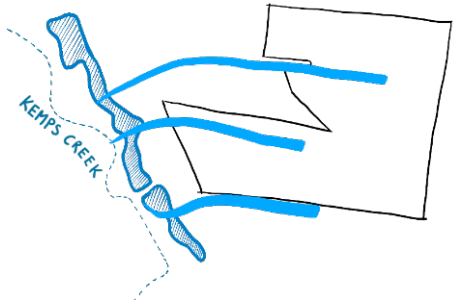
Balanced Cut and Fill requirements of the MRP DCP



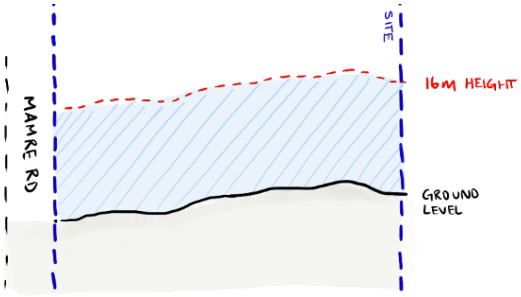
Road Hierarchy established by the MRP DCP and need to tie levels in with surroundings



Market Demand for Large Format Warehouse and Distribution Centres



Trunk Drainage in accordance with the MRP Integrated Stormwater Scheme Plan



Building Height Limits from Existing Ground Levels established by the MRP DCP

Written justification against the requirements of Section 4.4.1 (Controls 5, 6 and 7) of the MRP DCP in relation to the proposed variation is provided in **Table 7** below.

Table 4 Section 4.4.1 (Control 5, 6 and 7) Variation Justification

Requirement	Response
Why the controls are unreasonable or unnecessary in the circumstances.	The steep, undulating topography of the Site presents significant challenges with respect to facilitating flat development pads that are conducive to large scale industrial development (consistent with the desired outcomes of the I&E SEPP and the Mamre Road DCP and Structure Plan), whilst being mindful of attempting to balance cut and fill earthworks as well as the usage of retaining walls. By extension, with regards to the proposed earthworks strategy, the topography of the Site also necessitates that these exceed 2m in height, and 6m in cumulative height. It is necessary to incorporate non-compliant level transitions to appropriately bench the Site for industrial development. It must be noted that combining battering and retaining walls is not necessarily possible across the Site given the extent of cut/fill required – tiering all retaining walls across the Site would unreasonably impact on its developability, by reducing the amount of land available to be utilised for industrial development as envisioned by the broader objectives of the MRP. On top of this, given the Site's topography, the only way to minimise retaining walls to comply with the above control would be through additional cut practices, resulting in a significant imbalance in cut and fill across the Site and the requirement to export fill off-site, again being contrary to the objectives of the MRP and the desire for a circular economy to be established.
How the development will achieve the aims and objectives of the DCP, Precinct Structure Plan, and Precinct Plan under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 despite the proposed departure.	Section 4.4 of the DCP (Earthworks and Retaining Walls) outlines the objectives and controls relating to how each development should design their estate. To understand the justification for the proposed earthworks strategy, it is important to address each objective. a) *To ensure site planning considers the stability of land, its topography, geology and soils;* The Applicant has undertaken significant work to understand the existing topography of the Site. The existing characteristics reflect undulating, hilly topography. To meet the overall intentions of the Precinct and meet its employment objectives, it requires flat pads to support industrial and logistics uses. Westlink has been designed to meet this commercial requirement, while balancing the Site. It is further responding to the requirement in Section 3.1 of the DCP, Control 3, which requires a balance cut and fill. Therefore, the proposed response is a result of the existing Site conditions and zoning/precinct objectives and considers the geology and soils to ensure a sound, safe construction of retaining structures fronting public domain.

Requirement	Response
	a) *To ensure land is appropriately stabilised and retained;* Geotechnical works, including bore hole drilling throughout the Site, confirms the proposed earthworks strategy can be safely constructed to ensure earth is retained and stabilised to support future employment uses. b) *To minimise the extent of earthworks when creating a building site;* Earthworks has been contained to the Site boundaries. There is not export or import of fill material. The height of the pads have been set based on this requirement and the need to create sized pad areas to support our customer requirements. c) *To minimise the disturbance of vegetation that stabilises land, particularly sloping sites;* The Applicant has worked extensively with the civil engineer and architectlandscape architect and engineer to ensure the proposed retaining walls, especially fronting public domain, can support viably planting including trees. The inground retaining wall structures will enable deep soil planting and appropriate funding has been allocated to support its ongoing maintenance to ensure viability of plant species. d) *To encourage reuse of fill materials from within the Precinct;* ESR has proposed a balance cut and fill strategy which wholly reuses cut material within the Site. There will be no import or export of fill material. e) *To ensure that earthworks and retaining wall construction is suitably designed and landscaped to ameliorate its visual presentation to and from the public domain and adjacent properties;* The retaining walls are proposed and designed in a manner to minimise visual impact and create an appearance reflective of the industrial nature of the Site.
What innovative and improved outcomes will be achieved to justify the departure.	The proposed retaining walls meets all the objectives outlined above. It also responds to further requirements in other sections of the DCP. These are based on the existing conditions of the Site and the need to create commercially viable pads to support customer requirements. Alternative considerations such as reducing retaining walls will create extensive amounts of export/import into the Site, which does not meet Section 3 or Section 4.4 objectives. It also further creates significant risk to reducing the pad sizes of warehouses, which would result in a commercially unviable development and would result in a loss of investment and jobs due to a resultant reduction in floor space.
That coordinated and orderly development outcomes will be achieved, including a suitable interface with adjoining sites in terms of finished ground levels.	The proposed variation will ensure the coordinated and orderly development of the Site and broader precinct. It provides for appropriate level interfaces with adjoining sites where practical.
The departure would not result in unacceptable impacts on other sites, nor make it difficult for other sites to comply with the Structure Plan. Where inconsistencies with the DCP may have the potential to significantly impact adjoining landowners, written evidence of consultation with those	The proposed variation does not preclude other sites from complying with the structure plan. The proposed earthworks, as well as use of retaining walls does not impact on the delivery of the precinct road network, nor the developability of surrounding sites.

Requirement	Response
landowners and support for an agreed alternative solution is required.	
The departure would not impact on accessibility to sites in the precinct and the safety and efficiency of the proposed road system and its relationship to the broader road network.	As aforementioned, the proposed variation does not impact on accessibility for any adjoining sites and does not preclude the delivery of the DCP road network.

As a result of the aforementioned justification, the proposed variation is considered acceptable and supportable on merit.