

Appendix C Statutory Compliance Table

Table 1 Mandatory Considerations Table

SSD-10448 MOD11, SSD-46516461 MOD4, SSD-58257960 MOD3 and SSD-60513208 MOD3 (The Proposals)

Statutory Reference	Statutory Consideration	Relevance	Compliance
Environmental Planning and Assessment Act 1979			
Section 1.3	<ul style="list-style-type: none"> to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources, to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, to promote the orderly and economic use and development of land, to promote the delivery and maintenance of affordable housing, to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats, to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage), to promote good design and amenity of the built environment, to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants, 	<p>The Proposals will ensure the delivery of the intended employment land uses at the site, providing a number of economic and social benefits to the area.</p> <p>The stormwater management strategy as proposed to be modified will continue to support the established ESD design strategies.</p> <p>The Proposals will maintain the staged delivery of the estate, ensuring the orderly development of the industrial land.</p> <p>The Proposals will not change the impacts to ecological areas and</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<ul style="list-style-type: none"> to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, to provide increased opportunity for community participation in environmental planning and assessment 	<p>potential habitat areas from the approved concept proposal for the overall master plan.</p> <p>The Proposals will not result in any change the potential impacts to aboriginal heritage that will be addressed in the approved concept proposal and site preparation works (SSD-10448).</p> <p>The Proposals do not include any modifications to the approved built form and building design.</p> <p>The appropriate community notification has been undertaken as detailed in Section 5 of the Modification Report.</p>	
Section 4.15	<p>Relevant environmental planning instruments include:</p> <ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Western Parkland City) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Planning Systems) 2021 Penrith Local Environmental Plan 2010 	The relevant environmental planning instruments have been assessed in the statutory compliance table sections below.	Yes
Section 4.55	<i>(1A) Modifications involving no or minimal environmental impact A consent authority may, on application being made by the applicant or any other person entitled to act on</i>	From a quantitative and qualitative perspective, the Proposals will result in a development that is substantially the	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p><i>a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—</i></p> <p><i>(a) it is satisfied that the proposed modification is of no or minimal environmental impact, and</i></p> <p><i>(b) it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and</i></p> <p><i>(c) it has notified the application in accordance with—</i></p> <p><i>(i) the regulations, if the regulations so require, or</i></p> <p><i>(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and</i></p> <p><i>(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.</i></p> <p><i>Subsections (1) and (2) do not apply to such a modification.</i></p>	<p>same as the development for which consent was originally granted.</p> <p>Specifically:</p> <ul style="list-style-type: none"> ▪ The key principles of the approved development remain unchanged with the Concept Proposal retaining warehouse and distribution centre buildings in their approved location and yield. The development will remain consistent with the land use objectives for Zone IN1 General Industrial. The AIE site will continue to consist of warehouse and distribution centre land uses. ▪ No changes are proposed to the overall number of lots, the internal road network layout, warehousing footprints, parking, and landscaping across the site. The hours of operation remain unchanged. ▪ The on-site stormwater works do not change as a result of this modification application. The modification to the Concept Consent conditions are simply to allow consistency with the approach being adopted at the EEP site while maintaining the conditioned stormwater targets. ▪ In terms of a quantitative assessment the proposed development will not result in any 	

Statutory Reference	Statutory Consideration	Relevance	Compliance
		<p>significant changes to the numerical features of the approved development (under SSD-10448). No new works are proposed as part of this application and so no physical amendments are proposed to the scheme that may generate impacts for consideration.</p> <ul style="list-style-type: none"> With regard to a qualitative assessment, the modification application demonstrates that the AIE site will continue to meet the requisite stormwater management and water quality targets required by the Mamre Road DCP, along with the Technical Guidance for achieving Wianamatta South Creek The proposal will not give rise to more than a minimal environmental impact as detailed in Section 6 of the Modification Report. 	
State Environmental Planning Policy (Industry and Employment) 2021			
Clause 2.1 – Aims of chapter	Aims to protect and enhance the land within the WSEA for employment purposes.	The Proposals seek to maintain and support development for employment purposes at the site, consistent with the overarching aim of the WSEA Chapter of the SEPP. The proposals will not restrict the delivery of the intended employment land uses across both the AIE and the EEP.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
Clause 2.8 – Land Use Zones	The site is zoned IN1 – General Industrial	The Proposals do not seek to change the approved warehouse and distribution centre use and manufacturing (printing) which is permissible with consent in the zone.	Yes
Clause 2.10 – Zone Objectives	<p>General Industrial – Zone Objectives</p> <ul style="list-style-type: none"> To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space. To encourage employment opportunities along motorway corridors, including the M7 and M4. To minimise any adverse effect of industry on other land uses. To facilitate road network links to the M7 and M4 Motorways. To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment. To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone. 	<p>The Proposals are consistent with the zone objectives as it facilitates warehouse and distribution centre uses and manufacturing (printing) which are employment generating land uses at the site with ancillary office space.</p> <p>As detailed in Section 6 of the Modification Report, there are negligible adverse impacts to the surrounding land and the environment that will otherwise be appropriately mitigated.</p> <p>The Proposals are highly consistent with the objectives of the IN1 zone.</p>	Yes
Clause 2.17 – Requirement for development control plans	Requires that a DCP be in place before consent can be granted for development within the WSEA.	The Mamre Road Precinct DCP was adopted in November 2021 which applies to the land. This requirement has been satisfied.	Yes
Clause 2.19 – Ecologically Sustainable Development	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:	The stormwater management across the AIE as proposed to be modified will continue to support the established ESD design strategies.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<ul style="list-style-type: none"> the consumption of potable water, and greenhouse gas emissions. 		
Clause 2.20 – Height of Building	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:</p> <p>(a) building heights will not adversely impact on the amenity of adjacent residential areas, and</p> <p>(b) site topography has been taken into consideration.</p>	No changes to previously approved warehouse development within AIE.	Yes
Clause 2.21 – Rainwater Harvesting	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General.	Rainwater tanks are provided as part of the stormwater management strategy in accordance with the 80% demand for non-potable water.	Yes
Clause 2.22 – Development Adjoining Residential Land	<p>Development adjoining residential land:</p> <p>Wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity.</p> <p>Goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land.</p> <p>The elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance.</p> <p>Noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised.</p> <p>The development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like.</p> <p>The development will provide adequate off-street parking, relative to the demand for parking likely to be generated.</p>	The proposed modifications to the stormwater management strategy will not result in any changes to the overall height, scale and sitting within the surrounding context. The proposal will not result in any changes to noise and vibration, traffic impacts or the provision of landscaping across the site.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	The site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.		
Clause 2.24 – Public Utility Infrastructure	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	All necessary public utility infrastructure and services are being provided to the site in accordance with the warehouse approvals across AIE. The Proposals will not disrupt the delivery of the utility infrastructure.	Yes
Clause 2.25 – Development on or in the Vicinity of Proposed Transport Infrastructure Routes	Development on or in the Vicinity of Proposed Transport Infrastructure Routes	The Proposals will not affect any future infrastructure route.	Yes
Clause 2.28 – Industrial Release Area	Despite any other provision of this Policy, the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which this Policy applies	DPHI has advised Mirvac that, as the Aerotropolis SIC has been determined, a satisfactory arrangements certificate no longer needs to be issued.	Yes
Clause 2.30 – Design Principle	<p>In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not:</p> <ul style="list-style-type: none"> the development is of a high-quality design, a variety of materials and external finishes for the external facades are incorporated, high quality landscaping is provided, and the scale and character of the development is compatible with other employment-generating development in the precinct concerned. 	There are no changes to previously approved design of the warehouse development at AIE.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
Clause 2.34 Development of land within or adjacent to transport investigation area	<p>(1) Consent must not be granted to development in the area marked "Transport Investigation Areas A and B" on the Land Zoning Map that has a capital investment value of more than \$200,000 without the concurrence of Transport for NSW.</p> <p>(2) In determining whether to provide concurrence, Transport for NSW is to take into account the likely effect of the development on—</p> <p>(a) the practicability and cost of carrying out transport projects on the land in the future, and</p> <p>(b) without limiting paragraph (a), the structural integrity or safety of, or ability to operate, transport projects on the land in the future, and</p> <p>(c) without limiting paragraph (a), the land acquisition costs and the costs of construction, operation or maintenance of transport projects on the land in the future, and</p> <p>(d) in relation to Transport Investigation Area A—current or future development and operation of an intermodal terminal, including whether the development for which consent is sought is likely to impede access to or from an intermodal terminal.</p>	N/A	N/A
Clause 2.35 Development within the Mamre Road Precinct	<p>(1) Consent must not be granted to development on the land identified on the Land Application Map as Precinct 12 (Mamre Road) that has a capital investment value of more than \$200,000 without the concurrence of Transport for NSW.</p> <p>(2) In determining whether to provide concurrence, Transport for NSW is to take into account the likely effect of the development on—</p> <p>(a) the compatibility of the proposed development with the delivery of an integrated freight network, including use of fire access roads and connection to the fire access roads of adjoining land, and</p> <p>(b) the operation of an integrated freight network, including whether the development is likely to impede access to or from the integrated freight network, and</p> <p>(c) the practicability and cost of carrying out transport projects on the land in the future.</p>	N/A	N/A

Statutory Reference	Statutory Consideration	Relevance	Compliance
Clause 2.36 Development in areas subject to aircraft noise	<p>(1) The objectives of this section are as follows—</p> <p>(a) to prevent certain noise sensitive developments from being located near the Airport and its flight paths,</p> <p>(b) to assist in minimising the impact of aircraft noise from the Airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,</p> <p>(c) to ensure that land use and development in the vicinity of the Airport do not hinder, or have other adverse impacts on, the ongoing, safe and efficient operation of the Airport.</p> <p>(2) This section applies to development—</p> <p>(a) on land that is—</p> <p>(i) in the vicinity of the Airport and its flight paths, and</p> <p>(ii) in either an ANEF contour of 20 or greater or an ANEC contour of 20 or greater, and</p> <p>(b) that the consent authority considers is likely to be adversely affected by aircraft noise.</p> <p>(3) Before determining a development application for development to which this section applies, the consent authority—</p> <p>(a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and</p> <p>(b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and</p> <p>(c) must be satisfied that the development will meet the indoor design sound levels set out in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.</p> <p>(4) Despite another provision of this Chapter, development consent must not be granted to development on land to which this section applies for the purposes of a place</p>	<p>The AIE is located within the ANEF 20–25 as shown on the ANEF Maps associated with the Aerotropolis.</p> <p>The Proposals do not include residential development and is suitably located within this ANEF contour.</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>of public worship, a centre-based child care facility or a TAFE establishment or for residential development.</p> <p>(5) In this section—</p> <p>ANEC contour means a contour on the Australian Noise Exposure Concept Map for the Airport, published on the Department’s website.</p> <p>ANEF contour means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for the Airport prepared by the Department of the Commonwealth responsible for airports.</p> <p>AS 2021:2015 means AS 2021:2015, Acoustics—Aircraft noise intrusion—Building siting and construction.</p> <p>(6) For the purposes of this section, a reference to ANEF in AS 2021:2015 is taken to include a reference to ANEC.</p>		
Clause 2.38 Development of land adjacent to Airport	<p>(1) The objectives of this section are as follows—</p> <p>(a) to provide for the effective and ongoing operation of the Airport by ensuring that such operation is not compromised by proposed development in close proximity to the Airport,</p> <p>(b) to protect the community from undue risk from that operation.</p> <p>(2) This section applies to development on land, any part of which is less than 13 kilometres from a boundary of the Airport.</p> <p>(3) The consent authority must not grant consent for development to which this section applies unless the consent authority is satisfied that the proposed development will not attract birds or animals of a kind and in numbers that are likely to increase the hazards of operating an aircraft.</p>	<p>The AIE is located 4km north-east from the Western Sydney Nancy-Bird Walton Airport.</p> <p>The Proposals do not introduce any additional elements that would attract birdlife to the site.</p>	Yes
Clause 2.40 Earthworks	Before granting development consent for earthworks, the consent authority must consider the following matters—	There are no changes to previously approved site preparation works under SSD-10448 MOD10, SSD-	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>(a) the likely disruption of, or detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of fill material and the destination of excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on a waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,</p> <p>(i) the proximity to and potential for adverse impacts on a heritage item, an archaeological site, or a heritage conservation area,</p> <p>(j) the visual impact of earthworks as viewed from the waterways.</p>	46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	
Clause 2.41 Development on flood prone land	<p>(2) Consent is not to be granted to the carrying out of development to which this section applies unless the consent authority has taken into consideration whether or not—</p> <p>(a) the development will adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(b) the development will alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain, and</p> <p>(c) the development will enable safe occupation of the flood prone land, and</p>	<p>A detailed flood study was undertaken as part of the concept proposal SSD-10448.</p> <p>Flood risk can be managed on the site with appropriate measures to ensure no negative cumulative impacts.</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>(d) the development will detrimentally affect the floodplain environment or cause avoidable erosion, siltation, salinity, destruction of riparian vegetation or a reduction in the stability of the riverbank/watercourse, and</p> <p>(e) the development will be likely to result in unsustainable social and economic costs to the flood affected community or general community, as a consequence of flooding, and</p> <p>(f) the development is compatible with the flow conveyance function of the floodway, and</p> <p>(g) the development is compatible with the flood hazard, and</p> <p>(h) in the case of development consisting of the excavation or filling of land, the development—</p> <p>(i) will detrimentally affect the existing drainage patterns and soil stability in the locality, and</p> <p>(ii) will adversely impact or alter flood behaviour.</p>	The Proposals will not compromise the approved flood risk management strategies.	
Clause 2.44 Stormwater, water quality and water sensitive design	<p>The consent authority must consider the following matters before granting consent:</p> <p>(a) water sensitive design principles are incorporated into the design of the development, and</p> <p>(b) riparian, stormwater and flooding measures are integrated, and</p> <p>(c) the stormwater management system includes all reasonable management actions to avoid adverse impacts on the land to which the development is to be carried out, adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and</p> <p>(d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and</p>	<p>The Stormwater Management Strategy provided at Appendix D, E, F & G provides an updated WSUD strategy which reflects the changes to the intended development outcome at the EEP site that is being progressed under a separate SSDA for works at the EEP site, EEP Stage 1A SSDA (SSD-19618251).</p> <p>The updated WSUD strategy also identifies the previously proposed water management measures across the AIE will remain to ensure</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	(e) the development will have an adverse impact on— (i) the water quality or quantity in a waterway, including the water entering the waterway, and (ii) the natural flow regime, including groundwater flows to a waterway, and (iii) the aquatic environment and riparian land (including aquatic and riparian species, communities, populations and habitats), and (iv) the stability of the bed, banks and shore of a waterway, and (f) the development includes measures to retain, rehabilitate and restore riparian land.	that the Proposals are compliant with the water quality, quantity and flow requirements under the DCP. Updated catchment and flow curve diagrams have been prepared to inform the MUSIC and DRAINS modelling. The modelling results demonstrate that the proposal will comply with the relevant DCP requirements, the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> and will not result in any adverse water quantity and quality impacts.	
3.6 Granting of consent to signage	A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied— (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	N/A	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021			
Clause 2.118 Development with frontage to a classified road	(1) The objectives of this section are— (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and	Mamre Road is a classified road. No changes are proposed to the approved intersection works with Mamre Road from those approved in SSD 10448.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.</p> <p>(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</p> <p>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</p> <p>(i) the design of the vehicular access to the land, or</p> <p>(ii) the emission of smoke or dust from the development, or</p> <p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> <p>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</p>		
2.121 Traffic generating development	<p>(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—</p> <p>(a) new premises of the relevant size or capacity, or</p> <p>(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</p>	N/A	N/A

Statutory Reference	Statutory Consideration	Relevance	Compliance
State Environmental Planning Policy (Resilience and Hazards) 2021			
Chapter 3	<p>Requires the consent authority to consider whether an industrial proposal is a potentially hazardous or a potentially offensive industry.</p> <p>In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out. Any application to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA).</p>	The Proposals do not seek to introduce the storage of hazardous or potentially offensive materials.	Yes
Chapter 4 Remediation of Land	<p>A consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</p>	<p>Site remediation was approved via SSD 10448.</p> <p>The Proposals do not include any changes to earthworks that would change the conclusion of the contamination status of the site. The appropriate remediation and management works will support the proposal.</p>	Yes
State Environmental Planning Policy (Planning Systems) 2021			
Chapter 2 Clause 8	The SEPP identifies certain types of development as SSD under Clause 8 of the SEPP. Specifically, Clause 8(1b) of SRD SEPP relevantly states that:	As identified in Section 4.1 of the Modification Report, each of the Proposals are classified as a State significant development (SSD).	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>(1) Development is declared to be State significant development for the purposes of the Act if— (b) the development is specified in Schedule 1 or 2.</p> <p>Schedule 1 of the SEPP identifies the general classes of SSD including development for the purposes of ‘warehouse and distribution centres’ with a capital investment value (CIV) of more than \$50 million at one location and related to the same operation as SSD.</p>	Accordingly, the proposed modifications maintain the development’s classification as SSDs.	
State Environmental Planning Policy (Biodiversity and Conservation) 2021			
Chapter 2 – Vegetation Clearance	<p>The aims of this Chapter are—</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p>	The Proposals do not propose any additional tree or vegetation removal beyond that approved under the SSD-10448. As such, it will not give rise to any further impacts.	Yes
Chapter 6 – Bushland Areas in Urban Areas	The general aim of this Chapter is to protect and preserve bushland within the urban areas.	The Proposals will not result in any removal of bushland as the site was formerly farmland, and there will be not additional impacts upon any of the areas identified in Chapter 6, Section 6.1, Clause 2 beyond those assessed as part of the original SSD.	Yes
Chapter 13 – Strategic Conservation Planning	<p>The aims of this Chapter are as follows—</p> <p>(a) to ensure development in the nominated areas is consistent with the biodiversity certification under the Biodiversity Conservation Act 2016, Part 8 and strategic assessment under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth, Part 10,</p> <p>(b) to facilitate appropriate development on biodiversity certified areas,</p> <p>(c) to identify and protect areas with high biodiversity value or regionally significant biodiversity that can support ecological functions, including threatened ecological</p>	<p>The Proposals will not result in any changes with the approved developments:</p> <ul style="list-style-type: none"> Consistency with Biodiversity Conservation Act 2016; and Environment Protection and Biodiversity Conservation Act 1999 	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>communities, species and areas with important connectivity or ecological restoration potential,</p> <p>(d) to avoid or minimise impacts from future development on biodiversity values in areas with high biodiversity value,</p> <p>(e) to support the acquisition of priority areas with high biodiversity value as conservation lands in perpetuity.</p>		
State Environmental Planning Policy (Western Parkland City) 2021			
Clause 4.17 – Development controls—Airport safeguards	(2) Development consent must not be granted to noise sensitive development if the development is to be located on land that is in an ANEF or ANEC contour of 20 or greater.	The AIE is located within the ANEC 20–25 Contour. The Proposals do not include any noise sensitive uses.	Yes
Clause 4.19 Wildlife Hazards	(1) The objective of this clause is to regulate development on land surrounding the Airport where wildlife may present a risk to the operation of the Airport	The AIE lies within an 8km wildlife buffer zone. The proposed uses on the AIE site will not increase risk of wildlife strikes associated with Airport operations.	Yes
Clause 4.20 Wind Turbines	(1) The objective of this clause is to regulate the construction of wind turbines and wind monitoring towers on land within 30 kilometres of the Airport.	No wind turbines are proposed.	Yes
Clause 4.22 Airspace operations	<p>(3) Development consent must not be granted to development to which this clause applies unless—</p> <p>(a) the consent authority has consulted the relevant Commonwealth body, and</p> <p>(b) the relevant Commonwealth body advises the consent authority that—</p> <p>(i) the development will penetrate the prescribed airspace but it does not object to the development, or</p> <p>(ii) the development will not penetrate the prescribed airspace.</p>	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
Land Use Table	Permissibility retaining undeveloped land at EEP	No works at the EEP site are proposed as part of this modification application. The works being progressed under a separate application, the EEP Stage 1A SSDA (SSD-19618251), and is considered as part of the updated cumulative stormwater management plan, are permissible with consent under the ENT zone.	Yes
State Environmental Planning Policy (Sustainable Buildings) 2022			
Clause 3.2 Development consent for non-residential development	<p>(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—</p> <p>(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,</p> <p>(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,</p> <p>(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,</p> <p>(d) the generation and storage of renewable energy,</p> <p>(e) the metering and monitoring of energy consumption,</p> <p>(f) the minimisation of the consumption of potable water.</p> <p>(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.</p>	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
Penrith Local Environmental Plan 2010			
	The WSEA SEPP 2009 is the primary environmental planning instrument applying to the site and the proposed development. Penrith LEP 2010 does not apply to the land.	N/A	N/A
Development Control Plan: Mamre Road Precinct DCP 2021			
2.1 Mamre Road Precinct Structure Plan	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.2 Biodiversity	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.3 Riparian Land	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.4 Integrated Water Cycle Management	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.	The Stormwater Management Plans provided at Appendix D, E, F & G detail the updated WSUD strategy, including the EEP site, will achieve the stormwater flow targets and water quality targets. The relevant modelling and outcomes been informed through the prepared Flow Duration Curve and Catchment Plans.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	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.	The Stormwater Management Plan provided at Appendix D, E, F & G include an assessment of the MUSIC model results against the MARV approach option and flow duration related option. It demonstrates that the measures implemented with satisfy the stormwater flow targets per Option 1 (MARV).	Yes
	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.	The Stormwater Management Plans provided at Appendix D, E, F & G include an assessment of the MUSIC model results which demonstrates that the proposal will comply with the stormwater targets and the plan also identifies the relevant maintenance and operations of the management measures.	Yes
	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.		
	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.	The proposed stormwater management measures, across the AIE and EEP sites, will be wholly located within the respective development footprints and lot subdivisions across the sites.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	6) Development must not adversely impact soil salinity or sodic soils and shall balance the needs of groundwater dependent ecosystems.	An Assessment of Potential Impact on Soil Resources and Infrastructure has previously been prepared for each of the approved warehouse developments at AIE. The Proposals will not result in any changes to the findings that the warehouse development have close to no impact on soil resources at the site.	Yes
	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 Sodidity Assessment demonstrates infiltration of stormwater will not adversely impact the water table and soil salinity (or other soil conditions).	The Proposals do not propose infiltration of collected stormwater.	Yes
	8) Where development is not serviced by a recycled water scheme, at least 80% of its non-potable demand is to be supplied through allotment rainwater tanks.	The Stormwater Management Plan provided at Appendix D, E, F & G identify that the rainwater tanks for will be able to meet the 80% demand for non-potable water.	Yes
	9) Where a recycled water scheme (supplied by stormwater harvesting and/or recycled wastewater) is in place, development shall: Mamre Road Precinct –Development Control Plan (November 2021) NSW Department of Planning, Industry and Environment 18 o Be designed in a manner that does not compromise waterway objectives, with stormwater harvesting prioritised over reticulated recycled water; o 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 o Design	A recycled water scheme is not proposed as part of the Proposals.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance																																										
	<p>recycled water reticulation to standards required by the operator of the recycled water scheme.</p> <p>Table 4. Stormwater quality targets</p> <table><tr><th>Parameter</th><th>Target</th></tr><tr><td>Gross pollutants (anthropogenic litter >5mm and coarse sediment >1mm)</td><td>90% reduction (minimum) in mean annual load from unmitigated development</td></tr><tr><td>Total suspended solids (TSS)</td><td>90% reduction in mean annual load from unmitigated development</td></tr><tr><td>Total Phosphorus (TP)</td><td>80% reduction in mean annual load from unmitigated development</td></tr><tr><td>Total Nitrogen (TN)</td><td>65% reduction in mean annual load from unmitigated development</td></tr></table> <p>Table 5. Stormwater flow targets - Construction Phase</p> <table><tr><th></th><th>Construction Phase Target</th></tr><tr><td>TSS and pH</td><td>All exposed areas greater than 2500 square metres must be provided with sediment controls designed, implemented and maintained to a standard achieving at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L TSS or less, and pH in the range 6.5–8.5.</td></tr><tr><td>Oil, litter and waste contaminants</td><td>No release of oil, litter or waste contaminants.</td></tr><tr><td>Stabilisation</td><td>Prior to completion of works for the development, and prior to removal of sediment controls, all site surfaces must be effectively stabilised including all drainage systems. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation water contamination.</td></tr></table> <p>Table 6. Stormwater flow targets – Operational Phase.</p> <table><tr><th></th><th>Target</th></tr><tr><td colspan="2">Option 1: Mean Annual Runoff Volume (MARV) Approach</td></tr><tr><td>MARV</td><td>≤ 2 ML/ha/year at the point of discharge to the local waterway</td></tr><tr><td>90%ile flow</td><td>1000 to 5000 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td>50%ile flow</td><td>5 to 100 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td>10%ile flow</td><td>0 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td colspan="2">Option 2: Flow Duration Curve Approach</td></tr><tr><td>95%ile flow</td><td>3000 to 15000 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td>90%ile flow</td><td>1000 to 5000 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td>75%ile flow</td><td>100 to 1000 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td>50%ile flow</td><td>5 to 100 L/ha/day at the point of discharge to the local waterway</td></tr><tr><td>Cease to flow</td><td>Cease to flow to be between 10% to 30% of the time</td></tr></table>	Parameter	Target	Gross pollutants (anthropogenic litter >5mm and coarse sediment >1mm)	90% reduction (minimum) in mean annual load from unmitigated development	Total suspended solids (TSS)	90% reduction in mean annual load from unmitigated development	Total Phosphorus (TP)	80% reduction in mean annual load from unmitigated development	Total Nitrogen (TN)	65% reduction in mean annual load from unmitigated development		Construction Phase Target	TSS and pH	All exposed areas greater than 2500 square metres must be provided with sediment controls designed, implemented and maintained to a standard achieving at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L TSS or less, and pH in the range 6.5–8.5.	Oil, litter and waste contaminants	No release of oil, litter or waste contaminants.	Stabilisation	Prior to completion of works for the development, and prior to removal of sediment controls, all site surfaces must be effectively stabilised including all drainage systems. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation water contamination.		Target	Option 1: Mean Annual Runoff Volume (MARV) Approach		MARV	≤ 2 ML/ha/year at the point of discharge to the local waterway	90%ile flow	1000 to 5000 L/ha/day at the point of discharge to the local waterway	50%ile flow	5 to 100 L/ha/day at the point of discharge to the local waterway	10%ile flow	0 L/ha/day at the point of discharge to the local waterway	Option 2: Flow Duration Curve Approach		95%ile flow	3000 to 15000 L/ha/day at the point of discharge to the local waterway	90%ile flow	1000 to 5000 L/ha/day at the point of discharge to the local waterway	75%ile flow	100 to 1000 L/ha/day at the point of discharge to the local waterway	50%ile flow	5 to 100 L/ha/day at the point of discharge to the local waterway	Cease to flow	Cease to flow to be between 10% to 30% of the time		
Parameter	Target																																												
Gross pollutants (anthropogenic litter >5mm and coarse sediment >1mm)	90% reduction (minimum) in mean annual load from unmitigated development																																												
Total suspended solids (TSS)	90% reduction in mean annual load from unmitigated development																																												
Total Phosphorus (TP)	80% reduction in mean annual load from unmitigated development																																												
Total Nitrogen (TN)	65% reduction in mean annual load from unmitigated development																																												
	Construction Phase Target																																												
TSS and pH	All exposed areas greater than 2500 square metres must be provided with sediment controls designed, implemented and maintained to a standard achieving at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L TSS or less, and pH in the range 6.5–8.5.																																												
Oil, litter and waste contaminants	No release of oil, litter or waste contaminants.																																												
Stabilisation	Prior to completion of works for the development, and prior to removal of sediment controls, all site surfaces must be effectively stabilised including all drainage systems. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation water contamination.																																												
	Target																																												
Option 1: Mean Annual Runoff Volume (MARV) Approach																																													
MARV	≤ 2 ML/ha/year at the point of discharge to the local waterway																																												
90%ile flow	1000 to 5000 L/ha/day at the point of discharge to the local waterway																																												
50%ile flow	5 to 100 L/ha/day at the point of discharge to the local waterway																																												
10%ile flow	0 L/ha/day at the point of discharge to the local waterway																																												
Option 2: Flow Duration Curve Approach																																													
95%ile flow	3000 to 15000 L/ha/day at the point of discharge to the local waterway																																												
90%ile flow	1000 to 5000 L/ha/day at the point of discharge to the local waterway																																												
75%ile flow	100 to 1000 L/ha/day at the point of discharge to the local waterway																																												
50%ile flow	5 to 100 L/ha/day at the point of discharge to the local waterway																																												
Cease to flow	Cease to flow to be between 10% to 30% of the time																																												
2.5 Flood Prone Land	1) A comprehensive Flood Impact Risk Assessment (FIRA) (prepared by a qualified hydrologist and hydraulic engineer) is to be submitted with development applications on land identified as fully or partially flood affected.	The Proposals will not result in any changes to the Flood Risk Assessment and Flood Impact Assessment was prepared by Stantec in July 2022.	Yes																																										

Statutory Reference	Statutory Consideration	Relevance	Compliance
2.6 Aboriginal Heritage	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.7 Non-Aboriginal Heritage	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.8 Bushfire Prone Land	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.9 Salinity	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.10 Contaminated Land	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.11 Aviation Safeguarding	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.12 Development Adjacent to the	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	N/A	N/A

Statutory Reference	Statutory Consideration	Relevance	Compliance
Warragamba Pipelines	Warragamba Pipelines (WaterNSW). Any written requirements of Water NSW shall be submitted with the development application, including how the requirements have been addressed.		
2.13 Electricity Transmission Line Easements	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.14 Utilities Services	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
2.15 Transport Investigation Areas	a) To safeguard the future transport infrastructure essential to the delivery of the Precinct.	AIE is not identified as Transport Investigation Area marked "A" or "B" under Clause 33B of the WSEA SEPP.	N/A
3.1 Subdivision	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
3.2 Views and Visual Impacts	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
3.3 Interface with Mount Vernon rural-residential area	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
3.4.1 Road Network, Hierarchy and Design	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
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	The Proposal do not impact the delivery of the Intermodal Terminal.	N/A
3.4.3 Public Transport, Pedestrian and Cycle Network	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
3.5 Council Engineering Works and Construction Standards	1) Engineering works shall be consistent with Council's standards, as amended: <ul style="list-style-type: none"> 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. 	The stormwater management measures as proposed will be delivered in accordance with the relevant standards and guidelines.	Yes.
4.1 Site Analysis	1) All development applications are to be accompanied by a Site Analysis Plan.	The Proposals will not affect the site analysis prepared for the original SSD-10448 approval or subsequent stage approvals.	Yes
4.2 Built form design controls	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
4.2.2 Building Setbacks	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.3 Landscaping	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.4 Communal Areas	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.5 Building Design	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.6 Design of Storage Areas	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.7 Storage, Transportation, Handling and Processing of Chemical Substances	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
4.2.8 Signage and Estate Entrance Walls	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.9 Safety and Surveillance	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.10 Lighting	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.2.11 Fencing	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.3.1 Noise and Vibration	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.3.2 Trading and Operating Hours of Premises	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.3.3 Air Quality	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3,	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
		SSD-58257960 MOD2 and SSD-60513208 MOD2.	
4.4.1 Development on Sloping Sites	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.4.2 Erosion and Sediment Control	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.5 Waste Minimisation and Management	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.6.1 Parking and Manoeuvring Areas	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes
4.6.2 Driveways	-	No changes to previously approved SSD-10448 MOD10, SSD-46516461 MOD3, SSD-58257960 MOD2 and SSD-60513208 MOD2.	Yes

Conditions for Future Development Applications – SSD 10448

Condition	Consistency
Condition B1 – Traffic Impact Assessment:	N/A
Condition B2 – Car Parking:	N/A
Condition B3 – Access:	N/A
Condition B4 – Bicycle Parking and End-of-Trip Facilities:	N/A
Condition B5 – Future Freight Network	N/A
Condition B6 – Stormwater Management Future development on the site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the <i>Draft Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Government, 2022). The Applicant must ensure sufficient land is reserved for stormwater management purposes, unless the Applicant provides evidence that an agreement is in place to demonstrate that the development is integrated into the regional stormwater system.	The Stormwater Management Plan – Appendix D, E, F & G demonstrate the various stages of development achieve compliance with the IWCM controls in the MRP DCP. The appropriate quantum of land across the AIE and EEP will be retained for stormwater management purposes.
Condition B7 – Stormwater Management Development application for each future stage must include a Stormwater Management Strategy (SMS) incorporating the relevant stage and all preceding stages of the AIE. The Strategy must: <ul style="list-style-type: none"> (a) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems in consultation with the relevant stormwater management authority; (b) consider the approved or as modified stormwater management system for preceding stages of the development, including compliance of this system with the IWCM controls of the MRP DCP (refer to Condition D30); 	The Stormwater Management Plans/ Strategies – Appendix D, E, F & G have been prepared by AT&L. The Proposals demonstrate compliance with the IWCM controls of the MRP DCP. The Proposals will integrate with the broader estate management system detailed in AT&L's MOD4 WSMP report (December 2023).

Condition	Consistency
(c) outline any stormwater infrastructure required to be upgraded, installed, or removed consistent with the site-wide stormwater management strategy for the AIE as required by Condition A4B;	
(d) demonstrate the relevant stage can comply with the IWCM controls of the MRP DCP;	
(e) include an assessment of any impacts on salinity and sodic soils from the future development including any proposed WSUD infrastructure; and	
(f) detail what infrastructure may be required to connect to a precinct-wide stormwater management system for the relevant stage.	
Condition B8 – Development Contributions	N/A
Condition B9 – Development Contributions	N/A
Condition B10 – Noise and Vibration	N/A
Condition B11 – Landscaping	N/A
Condition B12 – Landscaping	N/A
Condition B13 – Outdoor Lighting	N/A
Condition B14 – Signage	N/A
Condition B 15 – Glazing	N/A
Condition B16 – Bushfire Protection	N/A
Condition B17 – Endeavour Energy	N/A
Condition B18 – Sydney Water	N/A
Condition B19 – External Walls and Cladding	N/A
Condition B20 – External Walls and Cladding	N/A

Condition	Consistency
<p>Condition A4A – Future Development Applications</p> <p>This consent does not approve the concept stormwater management strategy described in:</p> <ul style="list-style-type: none"> ▪ Section 3.3 of the AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 4) Modification Report, prepared by Urbis Ltd, dated September 2023; ▪ Section 3.2 of the SSD-10448 MOD 4 Response to Submissions, prepared by Urbis Ltd, dated 6 December 2023; and ▪ Section 5.1 of the Aspect Industrial Estate Water and Stormwater Management Plan, prepared by AT&L, dated 6 December 2023. 	Noted.
<p>Condition A4B – Future Development Applications</p> <p>Any development applications for future stages of the AIE must be accompanied with a revised site-wide stormwater management strategy demonstrating compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Government, 2022).</p>	The Proposals have been prepared to demonstrate the Stage 5 development achieves compliance with the IWCM controls in the MRP DCP.
<p>Condition A6 – Limits Of Consent</p> <p>The Applicant must ensure any future development of the site is consistent with the Mamre Road Precinct Development Control Plan 2021 (NSW Government, 2021) (MRP DCP).</p>	Compliance Table above
<p>Condition A9E – Stormwater Management</p> <p>The site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Government, 2022).</p>	The Proposals have been prepared to demonstrate the Stage 5 development achieves compliance with the IWCM controls in the MRP DCP.
<p>Condition A14 – Future Infrastructure Requirements</p>	N/A