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Environmental Planning and Assessment Act

Development under the Act must have regard to its objects as set out under Section 1.3. The proposed development is considered consistent with the objects of the Act, as outlined in the table below.

Consideration	Relevance	EIS ref.
Section 1.3 Objects of the Act		
a. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal promotes social and economic welfare by contributing to employment generating uses within the WSEA and whilst ensuring protection of the surrounding conservation land and natural environment.	Section 7
b. to promote the supply, delivery and maintenance of housing, including affordable housing	The proposed use is consistent with the zoning of the site and does not compromise delivery of housing.	N/A
c. to promote productivity through the development and management of the State and its resources	The proposal promotes productivity by creating job opportunities in the construction and operation of the development. The proposed use provides a regional service.	Appendix 1b Appendix 20a
d. to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats	The proposal incorporates adequate mitigation measures to ensure the protection of the natural environment.	Appendix 8a Appendix 8b
e. to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention	The proposal incorporates measures to minimise energy consumption and greenhouse gas emissions in the design, construction and operation as detailed in the Sustainability Management Plan at Appendix 24.	Appendix 24
f. to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,	The proposal ensures there are no adverse impacts on items of European or Aboriginal heritage significance.	Appendix 12a Appendix 12b

Consideration	Relevance	EIS ref.
g. to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,	The proposal promotes amenity through compliance with development controls, with National Construction Code and Australian Standard. It incorporates high quality industrial design. The development will be constructed in line with any conditions of approval issued by the consent authority and the relevant requirements that relate to health and safety, construction and maintenance.	
h. to provide opportunities for participation in environmental planning and assessment,	As part of Department of Planning, Housing and Infrastructure's assessment of the application, this EIS will made publicly available to the community, Council and any NSW Government agencies invited to provide a submission on the proposal. Any submissions received will be addressed by Goodman as part of a 'Response to submissions report'.	Section 5 Appendix 20a Appendix 20b
i. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal incorporates measures to facilitate ecologically sustainable development including: • Rooftop solar panel system • Passive design to support natural lighting and ventilation and passive solar heating and cooling • High-performance glazing, LED lighting, HVAC and lighting control and motion sensors • Rainwater harvesting and reuse system with 200kL tank • Low-impact construction materials • Provision of bicycle parking, end-of-trip facilities and electric vehicle charging stations • Low maintenance landscaping using endemic plant species	Appendix 24

Consideration	Relevance	EIS ref.
j. to promote a proportionate and risk-based approach to environmental planning and assessment	Potential risks associated with the proposal have been considered in the planning and design. The assessment and mitigation measures detailed in this EIS address potential environmental, economic and social impacts.	All
k. to promote the orderly and economic use and development of land.	The proposal promotes orderly and economic use and development of the land as it involves warehouse and distribution centre uses consistent with the zoning of the site and vision for the broader WSEA.	All
Section 4.12(8)		
A development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations.	This EIS has been prepared to accompany an SSD application and is in the form prescribed by the regulations.	All
Section 4.15		
a) the provisions of:		
i) any environmental planning instrument	The environmental planning instruments relevant to the site are addressed later in this Appendix.	Section 4 Appendix 6
ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)	There are no draft environmental planning instruments relevant to the site.	N/A

Consideration	Relevance	EIS ref.
iii) any development control plan	The Oakdale East Industrial Estate DCP is addressed later in this Appendix. Notwithstanding, Section 2.10 of State Environmental Planning Policy (Planning Systems) 2021 specifies that DCPs do not apply to SSD. An assessment has been undertaken for consistency.	N/A
a. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	A voluntary planning agreement (VPA) between Goodman and the Minister for Planning was entered under Section 7.4 of the EP&A Act in 2023 in relation to the Oakdale East Industrial Estate (OEE). In accordance with the adopted VPA, the application of Sections 7.11 and 7.12 of the Act and the Housing and Productivity Contribution is not excluded in respect of the development.	Section 2.4
iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The Environmental Planning and Assessment Regulation is addressed at Section 4 of the EIS.	Section 4
v) Repealed	N/A	
b) The significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The likely impacts of the development, including environmental impacts on the natural and built environments, social and economic impacts are addressed at Section 7.	Section 7
c) the suitability of the site for the development	The suitability of the site for the development is considered at Section 7.	Section 7
d) any submissions made in accordance with this Act or the regulations	Any submissions received on the application will be considered and addressed as part of a 'Response to submission report'.	N/A
e) the public interest.	The development is in the public interest as:	Section 7

Consideration	Relevance	EIS ref.
	- it provides significant industrial floor space generating jobs in an area identified for employment uses - it is consistent with the strategic direction for OEE and the broader Western Sydney Employment Area (WSEA) - all potential environmental impacts of the proposal can be suitably mitigated	
Section 4.55		
(1A) Modifications involving minimal environmental impact	An assessment against the provisions of Section 4.55(1A) of the EP&A Act has been provided within the EIS. The assessment demonstrates that the proposed modifications to SSD-37486043 to facilitate SSD-120888992 are of minimal environmental impact, result in substantially the same development and are wholly in the public interest.	Section 4.4

Environmental Planning and Assessment Regulation 2021

This EIS has been prepared in line with form and content requirements of Section 192 of the Environmental Planning and Assessment Regulation. An overview of how the requirements of the Regulation have been satisfied is included in the table below.

Consideration	Relevance	EIS ref.
Section 190		
Form of environmental impact statement	The EIS has been prepared in accordance with this section including consideration of the <i>State Significant Development Guidelines</i> .	All
Section 192		

Consideration	Relevance	EIS ref.
Content of an environmental impact statement	The EIS includes all content required under this section.	All

Protection of the Environment Operations Act 1997

Consideration	Relevance	EIS ref.
Chapter 3 Environment protection licences		
Pursuant to Chapter 3 of the POEO Act, an Environment Protection Licence (EPL) is required for certain scheduled activities listed under Schedule 1 of the Act, including applicable waste processing, waste storage and remediation-related activities where relevant thresholds are exceeded.	The proposed remediation works will be undertaken in accordance with the <i>Protection of the Environment Operations Act 1997</i> (POEO Act) and the requirements of the NSW Environment Protection Authority (EPA). Where required under Schedule 1 of the POEO Act, an Environment Protection Licence (EPL) will be obtained for the remediation works prior to the commencement of any licensed activities. The EPL process will address the detailed operational and environmental management measures for the remediation works, including matters such as waste handling, dust suppression, noise management and contamination controls. Accordingly, the detailed regulation of the remediation activities will occur through the EPA licensing framework following development consent, including obtaining an EPL for the proposed remediation works.	Section 6.6 Appendix 13a Appendix 13b

Biodiversity Conservation Act 2016

Consideration	Relevance	EIS ref.
Section 7.9		
1. This section applies to— (a) an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and (b) an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure. 2. Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head determines that the proposed development is not likely to have any significant impact on biodiversity values. 3. The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the Environmental Planning and Assessment Act 1979.	A Biodiversity Impact Assessment Report (BIAR) has been prepared by Ecologique which demonstrates that the proposed development is unlikely to have significant impacts on biodiversity values on the site. All vegetation planting required for clearing and associated offsets has been completed as part of the approval for SSD 37486043 which was addressed under a former Biodiversity Development Assessment Report (BDAR) provided at Appendix 8a. The BIAR confirms there are no further impacts under this application.	Section 6.9 Appendix 8a Appendix 8b

Contaminated Land Management Act 1997

Consideration	Relevance	EIS ref.
This Act establishes a process for investigating and (where appropriate) remediating land where contamination poses a significant risk of harm to human health or the environment.	Contamination for the broader OEE was addressed under the earthworks and rehabilitation development application, DA 347.1/2021. The site was assessed to be suitable for proposed industrial uses. Notwithstanding, a RAP has been prepared and submitted for: - the additional containment cell works for the storage of contaminated material - Precinct 5 data gap (not assessed under RAP for DA 347.1/2021)	Section 6.6 Appendix 13b

State Environmental Planning Policy (Industry and Employment) 2021

The *State Environmental Planning Policy (Industry and Employment) 2021* seeks to support diverse, inclusive and productive employment opportunities across the state, both on employment lands, and through opportunities to work flexibly. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref.
2. Western Sydney Employment Area			
Section 2.2	This chapter applies to land identified on the Land Application Map.	Precinct 2 and the broader OEE are located within the WSEA.	N/A
Section 2.9	Zoning of land to which policy applies	All proposed works are within the portion of the site zoned IN1 General Industrial.	N/A
Section 2.12	(1) Land to which this Chapter applies may be subdivided, but only with consent.	The application seeks approval for the subdivision of Lot 109 DP 1293112 into four separate lots.	Appendix 30

Chapter/ Section	Consideration	Discussion	EIS ref.
Section 2.17	(1) Except in such cases as the Secretary may determine by notice in writing to the consent authority or as provided by section 2.18, the consent authority must not grant consent to development on any land to which this Chapter applies unless a development control plan has been prepared for that land.	A DCP was made for the OEE under SSD 37486043. An assessment against the DCP is provided later in this table.	Appendix 6
Section 2.19	Development must include measures to minimise the consumption of potable water and greenhouse gas emissions.	A Sustainability Management Plan has been submitted with the EIS. This includes measures to reduce greenhouse gas emission and potable energy consumption in the operation of the proposed warehouses.	Appendix 24
Section 2.20	Building heights for proposed development to adequately respond to site topography and preserve the amenity of adjacent zones.	The proposed building heights are appropriate for the site topography. The proposed earthworks facilitate stepped building pad levels which will ensure that the perceived height of Building 2B is reduced and minimise potential visual impacts to rural residential receivers to the south/southeast. Adequate setbacks have been provided to prevent amenity impacts to the adjacent rural residential uses as a result of building height.	Appendices 3a - 3b
Section 2.21	Adequate arrangements must be made to connect the roof areas of buildings to any rainwater harvesting scheme.	Rainwater collected from the roof of Buildings 2A and 2B drain to a rainwater tank for reuse in irrigation and toilet flushing. A Stormwater Management Plan is included in the Civil Engineering Plans.	Appendix 11
Section 2.22	(1) This section applies to any land to which this Chapter applies that is within 250 metres of land zoned primarily for residential purposes.	The site adjoins rural land zoned RU4 Primary Production Small Lots. Notwithstanding this, the land to the east and south is predominantly comprised of rural residential properties.	

Chapter/ Section	Consideration	Discussion	EIS ref.
	(2) The consent authority must not grant consent to development on land to which this section applies unless it is satisfied that— (a) wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and (b) 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, and (c) 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, and (d) noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and (e) 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, and (f) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated, and	The Visual Impact Assessment confirms that the building is sited and designed appropriately to minimise the appearance of bulk from residential land. Plant equipment is positioned away from the boundary adjoining residential buildings and appropriately screened by planting, fencing and building materials or otherwise integrated into the building. The proposed acoustic walls at the south and south-east boundaries of the development will assist with mitigation of noise impacts to sensitive receivers. Potential amenity impacts to surrounding development relating to hours of operation, traffic movement, parking and lighting can be managed. Sufficient car parking spaces are provided for both Building 2A and 2B. Landscaping will be provided throughout the site including landscaped setbacks to internal estate roads.	

Chapter/ Section	Consideration	Discussion	EIS ref.
	(g) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.		
Section 2.23	The consent authority must consider the potential land use impacts of proposed subdivision.	The proposed subdivision pattern will not have any adverse land use impacts. The proposed lot configuration and access arrangements remain consistent with the character of the OEE site and will not compromise on the ongoing operation of existing development, amenity of neighbouring properties or conservation land.	
Section 2.24	Requirement to demonstrate that adequate public utility infrastructure for the development is available or suitable arrangements are in places.	The site has sufficient access to electricity, telecommunications, water, sewerage and gas to service the proposed development. Public utility infrastructure is addressed in the Civil Engineering Report and Plans prepared by Costin Roe.	Appendix 10 Appendix 11
Section 2.25	The consent authority must consider any comments of the Director-General as to the compatibility of the development with proposed transport infrastructure routes.	The proposed traffic routes are considered compatible with the locality and context and will not detrimentally impact the operation of the surrounding road network. Details of the proposed routes are provided in the Traffic and Accessibility Impact Assessment (TAIA) provided at Appendix 14.	Appendix 14
Section 2.30	In determining a development application that relates to land to which this Chapter applies, the consent authority must take into consideration whether or not— (a) the development is of a high quality design, and	The proposed buildings are of a high-quality design with elevations that incorporate a variety of materials and external finishes, articulation features and landscaping to create visual interest and minimise visual bulk. The appearance and scale of the buildings is consistent with the character of existing development within the OEE.	Appendices 3a - 3b

Chapter/ Section	Consideration	Discussion	EIS ref.
	(b) a variety of materials and external finishes for the external facades are incorporated, and (c) high quality landscaping is provided, and (d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.		
Section 2.31	(1) The objective of this section is to preserve the amenity of the area through the preservation of trees and other vegetation. (2) This section applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this section by a development control plan made under Division 3.6 of the Act.	There is no tree or vegetation removal proposed. All removal required to facilitate the development was approved and undertaken as part of the consent for SSD 37486043.	N/A
Section 2.40	The objective of this section is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. Before granting development consent for earthworks, the consent authority must consider the following matters —	Bulk earthworks including approximately 550,000m ³ of fill importation are proposed throughout the site. The Civil Engineering Report at Appendix 10 confirms that potential impacts on drainage patterns and soil stability can be managed through mitigation measures including retaining walls and stormwater management. The proposed earthworks will have minimal impact on amenity of surrounding residential receivers and OEE development. It will not prevent future use or redevelopment of the land. There are no identified heritage items at the site. If unexpected objects are uncovered during works, all works will cease and qualified professionals will be contacted.	Appendix 10 Appendix 11 Appendix 29

Chapter/ Section	Consideration	Discussion	EIS ref.
	(a) the likely disruption of, or detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of fill material and the destination of excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on a waterway, drinking water catchment or environmentally sensitive area, (h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development, (i) the proximity to and potential for adverse impacts on a heritage item, an archaeological site, or a heritage conservation area, (j) the visual impact of earthworks as viewed from the waterways.	The Visual Impact Assessment supporting the proposal confirms that visual impacts resulting from higher proposed building pad levels are minimal.	

Chapter/ Section	Consideration	Discussion	EIS ref.
Section 2.41	Flood prone land	A Flood Risk Assessment has been prepared by Colliers which confirms that the proposed development complies with the requirements of Section 2.41 relating to flood impacts. There will be no adverse impacts within the Reedy Creek catchment.	Appendix 23
Section 2.44	The objective of this section is to avoid or minimise the adverse impacts of stormwater on the land on which development is to be carried out, adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems.	The proposed stormwater management system incorporates sufficient stormwater drainage, attenuation and treatment infrastructure to prevent or minimise runoff from affecting the site, adjoining land and the Reedy Creek riparian corridor.	Appendix 10 Appendix 11
3. Advertising and signage			
Section 3.1 Aims, objectives etc.	This Chapter aims: - to ensure that signage (including advertising): - is compatible with the desired amenity and visual character of an area, and - provides effective communication in suitable locations, and - is of high quality design and finish, and - to regulate signage (but not content) under part 4 of the Act, and - to provide time-limited consents for the display of certain advertisements, and	The proposed business identification signage satisfies the objectives of Chapter 3 of the SEPP through compliance with the relevant controls. The signs support wayfinding within the precinct to ensure effective operation and are consistent with the visual character of the area. Proposed signage is shown in the Architectural Drawings provided at Appendices 3a - 3b.	Section 6.1.3 Appendices 3a - 3b

Chapter/ Section	Consideration	Discussion	EIS ref.
	- to regulate the display of advertisements in transport corridors, and - to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. - This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.		
Section 3.4	Signage to which this Chapter applies.	This chapter applies to the proposed signage at the site as it is visible from public places. Proposed signage is shown in the Architectural Drawings provided at Appendices 3a - 3b	
Section 3.6	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.	Consideration against Section 3.1 is provided above. An assessment against Schedule 5 is provided in the table below.	Appendix 6

Schedule 5 criteria	Comment	Compliance
1. Character of the area		

Schedule 5 criteria	Comment	Compliance
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is compatible with the desired future character of OEE as it identifies anticipated tenancies within the site. The materials and finishes and selected colour schemes assist with business identification and integrate with the proposed warehouse designs.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?		
2. Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage is simple in nature and contained wholly within the site. It does not impact the amenity or visual quality of the surrounding rural residential uses and conservation land.	Yes
3. Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signs have been located and designed to retain important views within the site and for surrounding receivers.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The scale of the proposed signs ensures that they do not visually dominate the skyline or reduce the quality of vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	The proposal does not compromise the viewing rights of other advertiser and is located away from existing signage within the estate.	Yes
4. Streetscape, setting or landscape		

Schedule 5 criteria	Comment	Compliance
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape	The scale, proportion and form of the proposed signage is appropriate for the industrial setting of Precinct 2 and the broader estate to support wayfinding and business identification.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs identify the warehouse tenants assist with wayfinding within the OEE. The simple design contributes to the visual interest of Precinct 2.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signs are simple in design and will not result in visual clutter on the site.	Yes
Does the proposal screen unsightliness?	The proposed signage does not need to screen any unsightliness.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage does not protrude above any buildings, structures or tree canopies.	Yes
Does the proposal require ongoing vegetation management?	The proposed signage does not require ongoing vegetation management.	Yes
5. Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	All proposed signs are proportionate to the scale of the corresponding building on which they are located. The Goodman wall signs are consistent across all buildings within the OEE.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed signage is compatible with important features of the site and building.	Yes

Schedule 5 criteria	Comment	Compliance
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is designed to integrate seamlessly into the surrounding context, incorporating business and building identification through a mix of signage types. The Building 2B signage is consistent with the colour scheme of façade materials.	Yes
6. Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The signage incorporates tenant and estate logos to support business identification and navigation.	Yes
7. Illumination		
Would illumination result in unacceptable glare?	Illuminated signage will be lit in accordance with relevant Australian standards. The illuminance levels will not result in unacceptable glare.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?	Illumination will not impact the safety of pedestrians and vehicles. It will assist with identification of signage to support wayfinding.	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	The illuminated signs are small in scale and located away from the site boundaries. They will not affect residential properties to the south and southeast.	Yes
Can the intensity of the illumination be adjusted, if necessary?	Although illumination cannot be adjusted, the proposed illumination will comply with relevant Australian Standards. All illuminated signage is also oriented to the west and away from the riparian corridor or surrounding receivers.	Yes
Is the illumination subject to a curfew?	Illuminated signage is not subject to a curfew given the proposed 24/7 operation of the development.	Yes
8. Safety		

Schedule 5 criteria	Comment	Compliance
Would the proposal reduce the safety for any public road?	The proposed signage does is positioned away from carriageways and will not disrupt the sightlines of motorists.	Yes
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage does not obstruct any pedestrian or cycling paths.	Yes
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obscure sightlines from public areas or hinder visibility.	Yes

State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* seeks to reduce risk and build resilience in the face of natural hazards as well as development-related hazards. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref.
3. Hazardous and offensive development			
Section 3.1	Chapter 3 applies to any development which is defined as potentially hazardous or potentially offensive.	The proposal involves storage of dangerous goods within both Building 2A and Building 2B, including Class 2.1, 3, 4.1, 5.1, 8 and 9 Dangerous Goods.	Section 6.15 Appendix 18
Section 3.7	In determining whether a development is potentially hazardous industry consideration must be given to current circulars of guidelines published by DPHI relating to hazardous or offensive development.	The quantity of dangerous goods to be stored on the site will be below the thresholds prescribed under the <i>Hazardous and Offensive Development Application Guidelines - Applying SEPP 33</i>. The Preliminary Risk Screening prepared by Riskcon Engineering confirms that no further hazard assessment is required.	

Chapter/ Section	Consideration	Discussion	EIS ref.
4. Remediation of land			
Section 4.6	A consent authority must be 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.	Remediation works are enabled under the Mining Lease (M(MO)L7) and will be completed in accordance with the MOP and Rehabilitation Management Plan. A containment cell estimated to hold up to 40,000m³ metres of contaminated soil is proposed as part of this SSDA. An updated RAP has been prepared to support the SSDA to address additional contaminated material to be stored at the site beyond that approved under DA 347.1/2021 (refer Appendix 13). Suitable mitigation measures have been proposed to ensure appropriate management of contaminated material. Goodman have received support from TfNSW on the containment cell expansion included within the SSDA. A Site Remediation and Validation Report will be prepared following completion of these works to confirm that the site is suitable for the proposed development	Section 6.6 Appendix 13b

State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Building) 2022 (Sustainable Buildings SEPP) encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials.

Specific design elements have been integrated in the development to ensure the building embodies best practice sustainable design.

Sustainability commitments and objectives have been incorporated into the design of the proposed development to achieve a high level of energy efficiency and sustainability.

The project is committed to achieve a 5-Star Green Star using the Green Building Council of Australia (GBCA) Building V1.0 Rating Tool. NABERS Agreement to Rate for post-occupation verification has been obtained and is provided at Appendix 26.

The development is also committed to achieving compliance with all the requirements as set out in the Oakdale East Industrial Estate Development Control Plan, section 6.3.

Chapter/ Section	Consideration	Discussion	EIS ref.
Chapter 3 Standards for non-residential development			
Section 3.1	1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involve (a) the erection of a new building, if the development has an estimated development cost of \$5 million or more,	The proposal involves the erection of two new buildings and has a combined estimated development cost of \$633,697,216. An Estimated Development Cost Report is provided at Appendix 1a.	Appendix 1a
Section 3.2	(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 — (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials, (b) a reduction in peak demand for electricity, including through the use of energy efficient technology, (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design, (d) the generation and storage of renewable energy,	The proposal incorporates measures to minimise waste, energy consumption and potable water consumption in the construction and operation of the development as outlined in the Sustainability Management Plan at Appendix 24. These include: • LED lighting and HVAC controls • Rooftop PV • Passive design features to support solar access, natural ventilation and passive cooling and heating • Metering and monitoring systems • Stormwater reuse The estimated embodied emissions for the development are provided in the Embodied Emissions Form at Appendix 25.	Section 6.13 Appendix 24

Chapter/ Section	Consideration	Discussion	EIS ref.
	(e) the metering and monitoring of energy consumption, (f) the minimisation of the consumption of potable water. (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.		

State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* seeks to guide the provision of well-designed and located infrastructure including transport. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref.
2. Infrastructure			
Section 2.48	Section 2.48 provides for development likely to affect an electricity transmission or distribution network. Development carried out within or immediately adjacent to an electrical substation must give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and take into consideration any response to the notice that is received within 21 days after the notice is given.	An electrical easement for Transgrid is located within the north-eastern corner of the site, adjacent to Lot 2C. Notification of the intent to lodge this SSD has been given to Transgrid, however, the application will also be referred to them during the assessment process for comment.	N/A
Section 2.118	Section 2.118 stipulates that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that vehicular access to the land is provided by a road other than the classified road and the safety, efficiency and ongoing operation of the classified road will not be adversely affected.	Precinct 2 has street frontage to Keystone Drive and Latitude Road which are not classified roads.	N/A

Chapter/ Section	Consideration	Discussion	EIS ref.
Section 2.122	Section 2.122 requires that development applications for certain traffic generating development, as set out in Schedule 3 of the policy, be referred to the Transport for NSW (TfNSW) and that any submission from the it be considered prior to the determination of the application.	The proposal is considered traffic generating development. The application will be referred to TfNSW for comment. The TAIA contains an assessment of traffic generation, parking provision, vehicle movements, swept paths and construction traffic management plan.	Section 6.7 Appendix 14
4. Major infrastructure corridors			
Section 4.7	Chapter 4 aims to preserve corridors for future major infrastructure and covers portions of Fairfield, Blacktown, Penrith, Liverpool, Camden and Campbelltown LGAs. This Chapter applies to all land within a future infrastructure corridor and the adjacent land referred to in section 4.9(1)(b)–(d).	A future freight line corridor traverses the northeast corner of the OEE separating Lot 2B and 2C. The SSDA proposes a new private access road and stormwater drainage works in this corridor. Under Section 4.7, the proposed development can be carried out within the corridor as: - the proposed use was permitted before the land was included in the corridor; - it has an EDC over \$200,000; and - the development is consistent with the aims of the chapter to allow ongoing use and development of the land. The land was zoned IN1 prior to Future Infrastructure Corridor maps being put into effect on 1 March 2022. The works proposed in the corridor are sited appropriately and will not compromise future delivery of the infrastructure corridor.	Section 6.7 Appendix 14

Fairfield Local Environmental Plan 2013

The *Fairfield Local Environmental Plan 2013* (Fairfield LEP 2013) regulates development throughout the Fairfield Local Government Area. As Chapter 2 of the *State Environmental Planning (Industry and Employment) 2021* applies to the site, the LEP does not apply.

Oakdale East Development Control Plan

The Oakdale East Development Control Plan (OEE DCP) was prepared under the Industry and Employment SEPP to facilitate redevelopment of the OEE site.

Consideration	Discussion	EIS ref.												
Chapter 2 - Development Controls														
2.2 Subdivision Layout														
2.2.1 Subdivision														
a) Industrial lots are to be sited and designed and must demonstrate consistency with the prescribed subdivision controls listed in Table 2 (of the Oakdale East Estate Development Control Plan (OEE DCP)). The lot sizes and frontages may be varied where required for utility installations or undertakings (e.g. electricity substations) or environmental protection works (e.g. water quantity and quality control measures).	An assessment of the proposed subdivision against the Table 2 controls is provided in the table below. <table><tr><th>Control</th><th>Requirement</th><th>Compliance</th></tr><tr><td>Minimum lot size</td><td>5,000m²</td><td>All proposed lots are over 5,000m².</td></tr><tr><td>Minimum frontage (street)</td><td>40m (excluding cul-de-sacs)</td><td>Proposed subdivision of Lot 109 will result in the following street frontages at Latitude Road and Keystone Drive. Lot 110 (Lot 2B/2C): 289.8m Lot 113 (Lot 2A): 40.2m</td></tr><tr><td>Minimum width (at the building line)</td><td>35m</td><td>All proposed lots are at least 35m wide.</td></tr></table>	Control	Requirement	Compliance	Minimum lot size	5,000m ²	All proposed lots are over 5,000m ² .	Minimum frontage (street)	40m (excluding cul-de-sacs)	Proposed subdivision of Lot 109 will result in the following street frontages at Latitude Road and Keystone Drive. Lot 110 (Lot 2B/2C): 289.8m Lot 113 (Lot 2A): 40.2m	Minimum width (at the building line)	35m	All proposed lots are at least 35m wide.	Appendix 30
Control	Requirement	Compliance												
Minimum lot size	5,000m ²	All proposed lots are over 5,000m ² .												
Minimum frontage (street)	40m (excluding cul-de-sacs)	Proposed subdivision of Lot 109 will result in the following street frontages at Latitude Road and Keystone Drive. Lot 110 (Lot 2B/2C): 289.8m Lot 113 (Lot 2A): 40.2m												
Minimum width (at the building line)	35m	All proposed lots are at least 35m wide.												

Consideration	Discussion			EIS ref.
	Minimum depth	30m	All proposed lots measure over 30m in depth.	
b) Land adjoining or containing a watercourse (or part thereof) shall be designed to achieve the recommended corridors and buffer zones in accordance with section 6.1 (of the OEE DCP).	The Reedy Creek riparian corridor bounds the site to the east. The proposed development is located outside the buffer zone.			Appendix 8a
(c) Battle-axe lots are prohibited.	The proposed subdivision will not result in a battle-axe lot. Lot 2C is accessible via an internal access road and only contains uses ancillary to Building 2B.			Appendix 30
(e) Access to lots should be from an estate road. Direct access from the Link Road (i.e. Old Wallgrove Road extension) and future Southern Link Road is not to be permitted.	Vehicle access to Lots 2A and 2B is provided via the estate roads Keystone Drive and Latitude Road. Access to parking at Lot 2C will be provided through a new internal access road. There is no access to the site proposed along Old Wallgrove Road or the future Southern Link Road.			Appendices 3a - 3b
(f) Where a residue lot is created through subdivision, the applicant must demonstrate that future development of that residue lot can meet the controls of the DCP.	The proposed subdivision does not result in any residue lots.			Appendix 30
(g) Pedestrian and vehicular access is to be provided in accordance with the controls set out in section 3 (of the OEE DCP).	Pedestrian and vehicular access arrangements are provided in accordance with section 3 of the DCP.			Appendices 3a - 3b Appendix 14
(h) Where a strata or community title subdivision is proposed, any space for parking or other purposes forming part of a sole occupancy unit must be included in the same strata lot as the unit.	Strata or community title subdivision is not proposed.			N/A
(i) All landscape, access areas and directory board signs not forming part of an individual unit are required to be included in any strata plan of subdivision as common property.	N/A			N/A

Consideration	Discussion	EIS ref.												
(j) A cut and fill plan overlayed onto a contour plan must be provided with any future development application lodged for the site demonstrating finished ground levels on the development site and adjoining lands.	A cut and fill plan is provided within the Civil Plans at Appendix 11.	Appendix 11												
2.3 Built Form and Streetscape Amenity														
2.3.1. Site Coverage and Building Setbacks														
(a) Site coverage is not to exceed 65 per cent on each lot (excluding awnings).	The proposed site coverage for each lot is as follows: 2A: 52.4% 2B and 2C: 53%	Appendices 3a - 3c												
(b) Buildings and structures are to have the minimum setbacks as set out in Table 3 (of the OEE DCP).	Minimum building setbacks are provided in accordance with Table 3 as follows: <table border="1"> <thead> <tr> <th>Control</th><th>Requirement</th><th>Compliance</th></tr> </thead> <tbody> <tr> <td>Old Wallgrove Road</td><td>15m</td><td>The site is not adjacent to Old Wallgrove Road.</td></tr> <tr> <td>Estate Roads</td><td>7.5m</td><td>All buildings and structures have a minimum setback of 7.5m from Latitude Road and Keystone Drive.</td></tr> <tr> <td>Southern Link Road</td><td>15m</td><td>A building setback of 17.5m is provided to Southern Link Road.</td></tr> </tbody> </table>	Control	Requirement	Compliance	Old Wallgrove Road	15m	The site is not adjacent to Old Wallgrove Road.	Estate Roads	7.5m	All buildings and structures have a minimum setback of 7.5m from Latitude Road and Keystone Drive.	Southern Link Road	15m	A building setback of 17.5m is provided to Southern Link Road.	Appendices 3a - 3b
Control	Requirement	Compliance												
Old Wallgrove Road	15m	The site is not adjacent to Old Wallgrove Road.												
Estate Roads	7.5m	All buildings and structures have a minimum setback of 7.5m from Latitude Road and Keystone Drive.												
Southern Link Road	15m	A building setback of 17.5m is provided to Southern Link Road.												

Consideration	Discussion			EIS ref.
	Corner lots - secondary street frontage	5m	All buildings and structures have a minimum setback of 7.5m from Latitude Road and Keystone Drive.	
	Rear and side setbacks within the estate	5m	The proposal provides rear and side setbacks greater than 5m.	
	WNSW water pipelines corridor	5m	All buildings and structures are sited over 5m away from the water pipelines.	
(c) Subject to compliance with fire rating standards, side and rear setbacks set out in Table 3 (of the OEE DCP) may be reduced to nil where the lot boundaries are internal to the site.	N/A			N/A
(e) No development is to be provided within the front setback apart from: - Landscaping; - Utility services; - Approved signage; and - Drainage works.	Car parking spaces encroach minimally on the front landscaping and building setbacks areas of Lot 2A and 2B. Car parking has been provided within parts of the front setback to minimise impacts to surrounding receivers, noting the OEE is bound by rural residential receivers to the south and east. Notwithstanding, car parking areas are provided with island planter beds to break up any perceived bulk from large spans of hardstand. This is required to ensure adequate parking is provided on the site, allow safe movement of workers between the carpark and buildings and avoid conflicts with truck circulation areas. Planter beds are proposed within the car parking area to break up large areas of hardstand.			Appendices 3a - 3b

Consideration	Discussion	EIS ref.
(f) The following are acceptable within the WNSW water pipeline setback: • Landscaping; • Utility services; • Approved signage; and • Drainage works	Lot 2C is limited to hardstand area to facilitate parking for trucks and trailers.	Appendix 3b
2.3.2. Building Height		
(a) The maximum height for buildings in the Oakdale East Precinct is 15 metres (excluding rooftop mechanical plant and solar panels) above ground level. The maximum height for building 3B is 16.8m (excluding rooftop mechanical plant and solar panels) above ground level.	The proposed building height of Building 2A is 14.6m. The proposed building height of Building 2B is 24.6m. The proposal seeks to amend the Concept Approval to allow for a maximum building height of 25m on Lot 2B.	Appendix 3
(b) Where a development otherwise achieves the objectives of section 2.3.2 (of the OEE DCP), Council may consider varying the control set out in (a) above depending on the merits of the proposal.	The proposal satisfies the objectives of section 2.3.2 as: • the scale responds to the topography of the site and existing development within the OEE; • the impact to views is low as confirmed under the Visual Impact Assessment; and • the proposed development contributes to the growth of the WSEA .	Section 6.1
(c) Where development involves the alteration of ground levels, building height (for the purpose of compliance with this section) will be measured from the post-development finished ground level.	The proposed development involves alteration of ground levels. Building heights have been measured from the post-development finished ground level.	Appendices 3a - 3b
2.3.3. Building Layout and Design		

Consideration	Discussion	EIS ref.
(a) Industrial and warehouse facades orientated towards the street frontage should (i) be articulated using architectural elements and avoid long expanses of unbroken blank walls; (ii) use a variety of materials and finishes (refer to section 2.3.5) (of the OEE DCP).	The western elevation of Building 2B and northern elevation of Building 2A facing Latitude Road incorporate a variety of materials and finishes to avoid a continuous blank façade.	Appendices 3a - 3c
(b) Where industrial and warehouse components incorporate commercial office space or showroom areas, building facades should include large windows at least every 20m.	The commercial office space of both Building 2A and Building 2B includes sufficient glazing on the façade.	
(c) Where possible, loading docks and roller doors should not be visible from a primary street frontage.	Building 2A and 2B loading docks are located away from the primary Latitude Road frontage and screened by proposed perimeter fencing.	
(d) Above ground water tanks and plant where possible should be located behind the front facade of any development.	Water tanks and plant have been located behind front facades and away from street frontages.	
(e) Rooftop structures such as plant rooms, solar panels, air conditioning and ventilation systems are to be incorporated into the design of the building or located within a well-designed, integrated roof top element.	Rooftop plant and solar are integrated into the roof top for both warehouses.	
2.3.4. Storage Areas		
(a) Where practical and appropriate, storage areas should be provided within buildings.	The proposal includes external waste storage areas. These will be screened with minimum 1.5m high fencing.	Appendices 3a - 3b

Consideration	Discussion	EIS ref.
(b) Where screening of outdoor storage areas is required, the applicant will need to demonstrate consistency with the fencing provisions of section 2.3.8 (of the OEE DCP). Where practical additional landscaping may be provided to ensure visual amenity is preserved.		
(c) Where open storage areas are proposed a Development Application may be required to provide suitable technical assessment to support the use. This may include an Air Quality Assessment to manage dust and/or acoustic impacts associated with the use.	The Air Quality Impact Assessment outlines mitigation measures to manage potential dust generation. Proposed storage areas do not impact on vehicle manoeuvring.	Appendix 17
(d) Open storage areas must not be located on areas designated for parking or truck/vehicle manoeuvring.		Appendices 3a - 3b
2.3.5. Materials and Finishes		
(a) Building materials and colours used on facades fronting any street shall be compatible with the design of the building and contribute positively to the streetscape.	The building materials for warehouse facades fronting Latitude Road include: - metal wall cladding - shale grey and dover white - precast concrete panel - natural off form finish - powder coated metal mesh in steel frame - block work - horizontal aluminium weather protection louvres - glazing These materials are simple in design and compatible with the industrial character of the building. Building 2B incorporates red metal wall cladding to reflect the Australia Post branding and support business identification.	Appendices 3a - 3b

Consideration	Discussion	EIS ref.	
(b) Materials used should achieve a balance between solid surfaces (that may include coloured metal cladding, masonry or brick and render) and vertical walling which contains large areas of glass.	The façade materials for the proposed buildings provide a suitable balance between solid and glazed surfaces.		
(c) Solid surfaces should dominate the overall building facade.	The building façades for all proposed buildings are primarily comprised of solid coloured metal cladding surfaces.		
(d) Where metal cladding is used on walls or roofs, colour selection should avoid those of high reflectivity.	The proposed external design incorporates grey, white and red coloured metal cladding. Lighter colours are consistent with existing development in the OEE and assist with the reduction of solar heat gain.		
2.3.6. Landscape Design			
(a) Landscaped area is to be provided generally in accordance with the minimum requirements set out in Table 4 (of the OEE DCP).	Control	Requirement	Appendices 3a - 3b Appendix 9
	Old Wallgrove Road and Southern Link Road	10m	
	Collector Road	7.5m	
	Local Estate Roads	3.75m	
	Side boundary (internal)	No minimum requirement	
	Rear boundary	2.5m	
(b) A minimum 10% of the lot should be covered by tree canopy (once mature). This 10% excludes public roads and non-industrial land.	The proposal includes mature tree canopy as follows:		
	• Lot 2A: 10.2% • Lot 2B and 2C: 10.98% • Total Precinct 2: 10.90%		

Consideration	Discussion	EIS ref.
	The proposed tree planting utilises all available space without compromising proposed operations and safe access throughout the site.	
(c) A landscape plan prepared by a Landscape Architect is to be submitted with all Development Applications involving new developments or major additions and alterations. Landscape plans submitted in accordance with this control should include: • any existing vegetation to be retained or removed; • planting scheme including trees, shrubs, grasses and ground covers; • parking and associated access driveways; • paved and grassed areas; • boundary fencing to adjoining properties; • loading/unloading areas; • any outside storage areas; and • any open space and any outdoor furniture.	Landscape plans prepared by Scape detailing the proposed planting scheme are provided at Appendix 9.	
(d) Where a watercourse occurs through or adjacent to the site, a riparian vegetated zone in accordance with section 6.1 (of the OEE DCP) will be required.	The Reedy Creek riparian corridor is located along the eastern boundary of the site. A riparian vegetated zone was approved and established under SSD 37486043 with a Vegetation Management Plan in place to ensure ongoing maintenance.	Appendix 8a
(e) Landscaped front setbacks should include canopy trees whose mature height is in scale with the proposed development.	The landscape plans outline the anticipated heights of proposed trees. Canopy trees are provided within the landscaped front setback to internal estate roads.	Appendix 9

Consideration	Discussion	EIS ref.
(f) Tree planting in the form of island planter beds should be provided at a rate of one planter bed per 10 car spaces within car parks to reduce the heat effect and soften the hard surfaces.	Island planter beds are provided within the car parks of Lot 2A and 2B. The canopy cover for the car parking areas at each of the lots is as follows: - Lot 2A: 10.93% - Lot 2B and 2C: 26.88%	
(g) Screen planting with evergreen shrubs and trees is required to screen car parks, vehicular manoeuvring areas, garbage areas, storage areas from the street frontage.	Planting is provided at the site boundaries, car parking areas and vehicular driveways for screening	
(h) Outdoor recreation areas for staff should be integrated into landscaped areas, where possible, to provide shade and an appropriate level of amenity and comfort.	Outdoor recreation space is provided adjacent to both offices for each warehouse. This is integrated with the surrounding landscaped area.	
(i) Indigenous species from the area are encouraged for all landscape plantings, however non-native species may be considered in limited use to external courtyard areas to achieve seasonal climate management.	The proposed planting schedule primarily uses native species.	
(j) Non-native species listed as biosecurity matters under the Biosecurity Act must not be used. Appendix F of the Fairfield City Wide DCP 2013 is to be used to determine appropriate non-native species plantings.	A Biosecurity Management Plan to address weeds and other potential biosecurity risks was submitted and approved under SSD 37486043. The proposed planting schedule does not include any non-native species listed as biosecurity matters.	N/A
2.3.7. Cut and Fill		
(a) Excavation and fill in excess of 1 metre may be permitted to allow for the establishment of a level construction pad providing the excavations are adequately retained and drained in accordance with engineering requirements.	The proposal involves earthworks including approximately 550,000m ³ of fill importation to achieve the stepped building pad levels. Retaining walls are provided to accommodate this step in levels.	Appendix 10 Appendix 11

Consideration	Discussion	EIS ref.
(b) Cut and fill batters shall not: (i) exceed a slope of 1:4 (v:h) unless geotechnical reports result in the consent authority being satisfied with the site stability. All batters are to be provided with both short term and long term stabilization to prevent soil erosion. (ii) extend onto Council's road reserve.	Erosion and sediment control plans and details are outlined in the Civil Engineering Report and Drawings.	
(c) Retaining walls in excess of 3 metres and likely to be visible from adjacent land, such as those along street edges or external boundaries, should be in a stepped form with landscaped areas in between level changes to soften the visual impact of the retaining wall.	Proposed retaining walls exceed a height of 3 metres. Notwithstanding, this is mitigated by vegetative screening and landscaping to soften any potential visual impact.	Appendix 9 Appendix 11
(d) Where fill material is required to be imported to the site, all material is required to be Excavated Natural Material (ENM).	The application seeks consent for fill importation as either virgin excavated material (VENM), excavated natural material (ENM) or Resource Recovery Order.	Appendix 10
(e) Where fill material is proposed to be reused on site, material must first be validated by a suitably qualified contamination consultant as clean.	N/A. The proposal relies on the importation of fill to fulfil proposed levels. Previous work and investigation have demonstrated the need to import fill to site.	Appendix 10
(f) Development Applications involving cut and fill must be accompanied by detailed survey of the site prepared by a registered surveyor combined with detailed cut and fill plans including quantities of material required to create an appropriate construction pad.	The quantity of material required for the building pads is shown in detailed cut and fill plans provided at Appendix 11.	Appendix 11.
(g) Applications for bulk earthworks shall be accompanied by detailed Geotechnical investigations to include:	Detailed geotechnical investigations containing all required information is provided within the Geotechnical Report at Appendix 32.	Appendix 32

Consideration	Discussion	EIS ref.
(i) subsurface conditions, including the location of the base of the existing stockpiles, where possible; (ii) site reactivity and its effects on earthworks and foundations; (iii) excavatability, with particular reference to deep cuttings; (iv) groundwater flow, soil erosion and soil permeability, and their effects on site drainage; (v) foundation design; and (vi) pavement thickness design.		
2.3.8. Fencing		
(a) Fencing along street frontages should provide open style fencing, which does not obstruct views of landscaping from the street or reduce visibility.	Palisade style fencing is proposed at the street frontage for Lot 2A and 2B. Fencing does not obstruct views or reduce visibility to and from the lots.	Appendices 3a - 3b
(b) The maximum height of a front boundary fencing is 1.8 metres.	The proposed front boundary fencing for Lot 2A and 2B has a height of 2.1m. This is suitable for enhanced safety and security.	
(c) Where enhanced safety and security is required for development, the maximum height of front boundary fencing may be increased to a maximum of 2.4 metres.		
(d) Palisade fencing is encouraged.	The proposed fencing is palisade fencing.	
(e) Solid fences above 1 metre in height are not permitted along street frontages.	There is no solid fencing proposed along the street frontages.	
2.3.9. Signing and Estate Identification		
(a) Building identification signage is to be considered on a case by case basis in the context of the building design and scale of the facade.		Appendices 3a - 3b

Consideration	Discussion	EIS ref.
(b) Building identification signage should have a maximum advertising area of up to 0.5 square metres for every metre of lineal street frontage. (c) Sky signs and other roof signs that project vertically above the roof of a building are not permitted. (d) Flat mounted wall signs for business identification signage are to be no higher than 15 metres above existing ground level. (e) Where illuminated signage is proposed, (i) a maximum of one illuminated sign is permitted on each elevation of each building, and (ii) should be orientated away from residential properties. (f) In the case of Estate Signage involving multiple occupancies of a building or site: (i) Each development should have a single directory board listing each occupant of the building or site; and (ii) Where possible, multiple tenancies in the same building should use consistent sign size, location and design to avoid visual clutter and promote business identification (g) Signage is to be installed and secured in accordance with relevant Australian Standards. (h) Signage in the form of banners, flags and other fabric signs are not permitted. (i) Other forms of signage not provided for in this section, may be permitted and is subject to an assessment of merit.	The proposed signage plan is included within the Architectural Drawings prepared by SBA Architects. Signage has been designed to support business identification and wayfinding at the site. The proposed signs will be consistent with the remainder of the estate.	

Consideration	Discussion	EIS ref.
2.3.10. Lighting		
(a) Street lighting within new subdivisions is to be designed to the principles and guidelines of the Public Lighting Standard "Lighting for Roads and Public Spaces" AS 1158 and a Crime Risk Assessment. (b) Lighting provided on private land should: (i) have fully shielded fittings to reduce light spill onto adjoining properties; and (ii) be generally in accordance with Australian Standard 4282 Control of the Obtrusive Effects of Outdoor Lighting. (c) External lighting shall be positioned to avoid light spillage to adjoining residential properties. In this regard, Council may require additional information such as Light Spill diagrams where it considers there is potential for negative impacts on residential amenity from any proposed development.	Lighting will be provided in accordance with Australian Standards. External lighting will be designed and positioned to prevent light spillage to the riparian corridor and adjoining rural residential land.	N/A
2.3.11. Transmission Lines		
(a) Land identified as being for the purpose of a transmission line, shall not be permitted to be utilised for the following purposes unless expressly authorised by the relevant energy authority: (i) Construction of permanent buildings or fixed plant and equipment, (ii) Storage of combustible materials, garbage or fallen timber, (iii) The planting of large trees that grow in excess of three metres, (iv) Driven fence posts or stakes in easements with underground electricity cables, or	There is an electrical easement at the western boundary of Lot 2A hosting transmission lines. Only hardstand driveway access is provided within this area. The application will be referred to the relevant agency for comment during the assessment period.	N/A

Consideration	Discussion	EIS ref.
(v) Installation of unapproved third party utilities such as telecommunications, gas, water or sewerage service.		
(b) All development applications involving land burdened by an easement for the purpose of transmissions lines shall ensure comprehensive consultation be undertaken with the relevant energy authority prior to development application lodgement.		
2.4. Industrial/Residential Interface		
(a) Loading areas, driveways, rubbish, storage areas and roof top equipment shall, where possible, not be located adjacent to residential properties.	Loading areas, rubbish, storage areas and roof top equipment is located away from adjoining rural residential properties. Proposed setbacks, boundary fencing, acoustic barriers and existing tree planting outside the site boundary provide sufficient separation and protection from potential amenity impacts.	Appendices 3a - 3c
(b) New buildings or additions to existing buildings shall not unnecessarily overshadow adjoining residential development including private open space. In this regard, Council may require the submission of shadow diagrams where it considers the proposed development may create the potential for overshadowing.	The proposed buildings are sited to avoid overshadowing impacts on adjoining residential development.	
3. Transport, Access and Parking		
3.1 Roads and Traffic		
(a) Primary access to the Oakdale East Estate shall be provided by the intersection of Old Wallgrove Road & Estate Road 1. Prior to the completion of the Southern Link Road, this intersection will provide for all movements to and from the Estate.	Access to Precinct 2 is provided via estate roads.	Section 6.7 Appendix 14

Consideration	Discussion	EIS ref.
(b) Further to the completion of the Southern Link Road, the intersection of Old Wallgrove Road & Estate Road 1 shall be restricted to provide for left in / left out only movements at Estate Road 1.	There are no proposed changes to the intersection of Old Wallgrove Road and Estate Road 1 (Keystone Drive).	
(c) The layout of the road network for the site is to generally accord with the Indicative Access Plan and Indicative Future Movement Corridor (to be determined/approved pursuant to future approval as shown in Figure 5 (of the OEE DCP).	The proposal is not consistent with the Indicative Ultimate Lot Layout in the DCP. An alternative road network layout is required to facilitate the desired site layout. The eastern end of internal estate road, Keystone Drive, will terminate adjacent to the eastern extent of Lot 3B and a new private access road will be provided for Building 2B.	
(d) A construction traffic management plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to and approved by Council's co-ordinator (traffic and transport), prior to the issue of a construction certificate.	A Construction Traffic Management Plan is included in the TAIA at Appendix 14.	
(e) Road design and hierarchy in accordance with Table 5 and Figures 6 and 7 (of the OEE DCP).	There are no changes to the total road reserve, including carriageway or footpaths. The proposed change to roads is limited to the length and extent of roadway which will now cease approximately 260m west of the originally approved cul-de-sac.	
(f) All vehicles must be able to enter and exit the site in a forward direction.	A swept path analysis is included as part of the TAIA at Appendix 14. The analysis demonstrates that all vehicles can enter and exit the site via the nominated access point in a forward direction, and there is sufficient turning space within the site.	
(g) Intersections must be provided with splay corners measuring a minimum of 6m x 6m.	N/A	

Consideration	Discussion	EIS ref.
(h) New Estate Roads are to provide a turning circle at its eastern end to facilitate turning vehicles within the Estate area until such time as additional access is provided to Old Wallgrove Road.	N/A	
(i) All estate roads are to be designed in accordance with Austroads guidelines, to accommodate the maximum sized vehicles (B-double trucks).	The application proposes amendments to maximum vehicle size in the Concept Approval to allow for 36.5m B-triples. All estate roads will be designed in accordance with Austroad guidelines.	
(j) Lot access points, internal driveways, service and circulation areas must be designed in accordance with the relevant Australian Standards, most notably AS2890.1 Parking Facilities – Off Street Car Parking and AS2890.2 Parking Facilities – Off Street Commercial Vehicle Facilities.	The proposed development complies with the relevant Australian Standards.	
(k) Future access provisions are to be considered in detail during Development Application stages.	Access provisions for Precinct 2 are proposed under this application.	
(m) Council may require the preparation and submission of: (i) a Traffic Impact Assessment to determine trip generation and impacts from the proposed development during construction and/or operation. The Traffic Impact Assessment shall consider the operation of the broader local road network, with the scope of analysis to be determined further to consultation with, and to the satisfaction of, Roads and Maritime Services; (ii) a swept path analysis demonstrating all vehicles are capable of entering and exiting a site in a forward direction; (iii) a Construction Traffic Management Plan to manage the impacts of construction traffic.	A Transport Accessibility and Impact Assessment (TAIA) is provided at Appendix 14. This includes an assessment of trip generation and anticipated impacts on the local road network, swept path analysis and a Construction Traffic Management Plan.	
3.2 Loading		

Consideration	Discussion	EIS ref.							
(a) Loading and unloading areas shall be appropriately screened from public view.	Loading and unloading areas are screened by boundary fencing and proposed landscaping.	Appendices 3a - 3c							
(b) All loading and unloading is to be undertaken on-site and shall be serviced by vehicles.	Loading docks are provided on-site and will be serviced by vehicles.								
(c) Loading bays are to be designed in accordance with the relevant Australian Standards, such as AS2890.2 Parking Facilities – Off Street Commercial Vehicle Facilities.	All proposed loading bays will be designed in accordance with the relevant Australian Standards.	Appendices 22a - 22b							
3.3 Pedestrian and Cycling									
(a) Applicants are encouraged to incorporate, in the design of their buildings, safe storage/parking areas for bicycles in secure and accessible locations with weather protection, with adequate shower and change facilities provided for staff (where appropriate).	Bicycle parking is proposed near the entry of the proposed warehouses. Shower and change facilities are also provided within the main office of both warehouses.	Appendices 3a - 3b Appendix 14							
(b) Footpaths are to be provided as set out in Table 5 of section 3.1 (of the OEE DCP).	Footpaths are provided on both sides of the Keystone Drive and Latitude Road carriageways as originally approved. As per the actual carriageway, footpath will now cease approximately 260m west given revisions to the precinct and building layout.								
3.4 Car Parking									
(a) Car parking to be provided in accordance with the rates set out in Table 6 and controls 3.4 (b)-(i) (of the OEE DCP).	Warehouse parking rate: 1 per 300m ² GFA Office parking rate: 1 per 40m ² GFA Workshop rate (per FDCP 2024): 6 spaces per work bay plus 1 space per 40sqm gross leasable area for any spare parts shop	Section 6.7 Appendix 14							
	<table><tr><th>Building</th><th>GLA</th><th>Required spaces</th><th>Proposed spaces</th></tr><tr><td></td><td></td><td></td><td></td></tr></table>		Building	GLA	Required spaces	Proposed spaces			
Building	GLA	Required spaces	Proposed spaces						

Consideration	Discussion				EIS ref.
	2A	Warehouse: 17,284m² Office: 826 m²	79	79	
	2B	Warehouse: 120,250m² Office: 4,436m² Workshop: 2,373m²	572	646	
(b) 1 accessible parking space is to be provided for every 100 car parking spaces required by Table 6 above.	Building	Required accessible spaces	Proposed accessible spaces		
	2A	1	2		
	2B	7	7		
(c) A minimum of 5% of car parking spaces are to be electric vehicle charging stations.	Building	Required EV charging stations	Proposed EV charging stations		
	2A	4	4		
	2B	33	34		
(d) Parking calculations should be rounded up. Where there is more than one use on a site or within a development each type is to be calculated separately and rounded up separately.	The calculations above are rounded up.				
(e) All parking areas must provide for disabled parking in accordance with the provisions of the Building Code of Australia (BCA) and the relevant Australian Standards.	Disabled parking is provided in accordance with Australia Standards.				
(f) Underground or basement level parking is not permitted.	There is no underground or basement level parking proposed.				
(g) The use of stack parking is not permitted.	There is no stack parking proposed.				

Consideration	Discussion	EIS ref.
(h) The number of on-site truck parking spaces provided should be on the basis of 1 space for each vehicle present at any one time, excluding those vehicles in loading docks. Under no circumstances is the parking of trucks on public streets acceptable.	Sufficient truck parking spaces are provided to service the proposed development.	
(i) All parking areas and access roadways must be provided with a drainage system comprising surface inlet pits. Details of pipe sizes (with calculations) and drainage layouts (including discharge points) must be submitted with future Development Applications.	Drainage details for parking areas and access roads are provided within the Civil Report and Plans.	Appendix 10 Appendix 11
3.5 Public Transport		
(a) Bus stop locations should be provided in close proximity to the intersection(s) of Old Wallgrove Road and planned Estate Roads to reduce walking distances.	A Preliminary Green Travel Plan is included in the Traffic and Accessibility Impact Assessment prepared by Ason Group. A final GTP is to be prepare prior to occupation and will provide measures to encourage public transport measures.	Appendix 14
(b) Bus stops should be designed to provide suitable shelter and seating.		
(c) Consideration is to be given to implementation of a Workplace Travel Plan to encourage non-car transport and increase public transport usage. This is to be done at such a time that the necessary infrastructure is in place for the Workplace Travel Plan to be successful (i.e. public transport links are improved to the broader area).		
4. Stormwater and Flooding		
4.1 Flood Management		

Consideration	Discussion	EIS ref.
(a) Where development occurs on land identified in the flood maps contained on Council's website as being flood affected, a proposal will be required to consider the relevant controls contained within the Fairfield City Council Development Control Plan, Chapter 11 Flood Risk Management Controls and Schedule 6.	The site is identified as flood affected on Council's flood maps.	
(b) For land where the flood risk is unknown and alteration of existing ground level may result in, an increased potential for flood risk, a proposal must be accompanied by an appropriate engineering statement to determine the extent of the risk and provide guidance as to an appropriate management response. For mainstream flooding, refer to Council's latest flood model through the Developer Agreement Process. For overland flooding, the development should be modelled by a suitably qualified engineering consultant.	N/A	
(c) Ensure that any on-site detention systems have sufficient capacity to retain stormwater in accordance with the provisions for Chapter 4 of Fairfield City Council's Stormwater Management Policy – September 2017.	The proposed bio-retention basins have sufficient capacity to comply with the requirements of Fairfield City Council's Stormwater Management Policy as shown in the stormwater management plans at Appendix 11.	Appendix 10 Appendix 11
(d) Provide a stormwater management and maintenance plan for stormwater management systems at DA lodgement providing a description of the infrastructure, responsibility for ongoing management and maintenance, expected timings of maintenance checks, and funding arrangements.	A stormwater management plan that addresses the control is provided in the Civil Plans at Appendix 11. All stormwater infrastructure proposed under this application will connect to existing infrastructure within the OEE.	
4.2 Stormwater Drainage Management		

Consideration	Discussion	EIS ref.
(a) Stormwater management systems shall be designed and constructed in accordance with the provisions of Fairfield City Council Stormwater Management Policy – September 2017.	All stormwater drainage infrastructure to be constructed in accordance with relevant Fairfield City Council standards. Stormwater design criteria are outlined within Civil Report and Drawings.	Appendix 10 Appendix 11
(b) Where Onsite Detention (OSD) is required or proposed, applicants should demonstrate consistency with the provisions of the Fairfield City Council Chapter 4 of the Stormwater Management Policy – September 2017. Any OSD should be designed with sufficient stormwater capacity as to perform in accordance with the performance criteria identified in Council's Stormwater Management Policy 2017.	Stormwater runoff will be managed via two On-Site Detention (OSD) basins that discharge into Reedy Creek. Under the existing approval (SSD 3748604), Lots 2A and 2B drain to Basin C. The proposed development includes the construction and fit-out of Basin D which has a storage volume of 1,419m ³ . Lot 2C will drain to Basin D.	
(c) In general, where OSD is required the following standards may be applied; (i) OSD to mitigate post development flows to pre-developed flows for peak Average Recurrence Interval (ARI) events. (ii) OSD to restrict the peak discharge from the site for 100 year 9-hour storm even to 140/1/s/ha. (iii) OSD to restrict the peak discharge from the site to the pre-developed site discharge for the 5, 15, 30, 60, 90, 120 and 540-minute duration storms for the 5 and 100-year ARIs for the total site.		
(d) Provide a management and maintenance plan for stormwater management systems at DA lodgement providing a description of the infrastructure, agency responsibility for ongoing management and maintenance, expected timing of maintenance checks, and funding obligations for repairs.	A stormwater management plan is provided in the Civil Plans at Appendix 11.	

Consideration	Discussion	EIS ref.
4.3 Stormwater Quality Management		
(a) All development applications for first builds, subdivision or substantial alterations or additions involving ground disturbance works or an increase in impervious surface shall be accompanied by a suitable stormwater quality assessment that demonstrates consistency with the following Stormwater Quality Improvement Targets for Industrial Developments: (i) 85% Total Suspended Solids (TSS) (ii) 55% Total Phosphorus (TP) (iii) 40% Total Nitrogen (TN) (iv) 90% Gross Pollutants (GP) A Water Sensitive Urban Design Strategy Report will be required detailing the stormwater quality control measures and how these measures will be implemented as part of the development and should include details of MUSIC modelling prepared to reflect how the improvement targets are met.	The Civil Report at Appendix 10 provides MUSIC modelling results which demonstrate compliance with the treatment reduction targets. The Civil Report details stormwater management measures which incorporate WSUD principles to achieve the improvement targets.	Appendix 10 Appendix 11
(b) Erosion and sediment control plans are required to accompany all Development Applications involving subdivision or construction works. Plans are to be prepared in accordance with Managing Urban Stormwater – Soils and Construction 2004.	Erosion and sediment control plans including measures to manage salinity and seepage are provided in the Civil Engineering Report and Drawings.	
(c) Any matters relating to the management of potential salinity set out in section 6.8 (of the OEE DCP) must be addressed.		

Consideration	Discussion	EIS ref.
(d) Implement measures to collect, treat and manage any seepage waters from basement or underground car parking areas in order to prevent pollution of waters INSW should also be consulted in relation to work being undertaken on the South Creek Corridor Plan to help understand relationships with this area and current work and strategies that could help shape the DCP provisions.		
5. Infrastructure and Services		
(a) The developer shall liaise with relevant service providers, as set out in Table 7 (of the OEE DCP), and confirm the suitability of the indicative layout plan provided in Appendix A (of the OEE DCP).	Service providers were consulted during assessment of the Concept Approval. Early engagement with service providers including Endeavour Energy, WaterNSW and Transgrid for this project has commenced. Proposed connections to services are addressed in the Civil Engineering Report.	Appendix 10 Section 5
(b) The developer shall submit sufficient evidence at subdivision stage to demonstrate that satisfactory arrangements have been made to ensure the delivery and construction utilities and services connections.		
(c) All utilities are to be accommodated in the road reserve. The design of the estate roads will need to take this into consideration.		
(d) Developers will be required to fund and construct necessary utilities to and throughout the DCP area. Where necessary to enable the development, the developer is also responsible for the amplification of existing utilises and services to ensure there is adequate capacity.		
(e) Future Development Applications will be required to demonstrate that satisfactory arrangements have been made with the relevant utility nominated in Table 7 (of the OEE DCP).		

Consideration	Discussion	EIS ref.
(f) Applicants are required to demonstrate consistency with any other matters required by this DCP including, but not limited, section 6.9 Bushfire Risk (of the OEE DCP).	The proposal is consistent with the requirements of section 6.9 of the DCP.	
6. Environmental Management		
6.1 Biodiversity and Riparian Land		
(a) Clearing of any native vegetation within the DCP area automatically triggers entry into the NSW Biodiversity Offsets Scheme (BOS) and requires the application of the Biodiversity Assessment Methodology (BAM) to assess the impacts of a proposal on biodiversity.	There is no clearing of native vegetation proposed.	N/A
(b) A Biodiversity Development Assessment Report (BDAR) must be prepared that describes how the development has avoided or minimised environmental impacts and the results of the BAM assessment and calculations.	A BIAR has been prepared by Ecologique. The BIAR does not identify any impacts on biodiversity that require biodiversity offsets. All required offsets and clearing were undertaken as part of SSD 374860343.	Appendix 8a Appendix 8b
(c) Any unavoidable impacts on biodiversity from development shall be offset through the retirement of a credit obligation as calculated by the BAM. The results under the NSW Biodiversity Offset Scheme (BOS).		
(d) Any future development on waterfront land as defined by the Water Management Act 2000 (WM Act) must consider the Natural Resource Access Regulator (NRAR) 'guidelines for controlled activities on waterfront land -Riparian-corridors' (2018). Waterfront land within the DCP area is shown in Appendix C (of the OEE DCP).	There are no works proposed within the buffer zone of the Reedy Creek riparian corridor.	N/A

Consideration	Discussion	EIS ref.
(e) Council may require Development Applications proposing the removal or substantial pruning of trees to be supported by an Arboriculture Report prepared by an arborist with a minimum AQF Level 5.	N/A	N/A
(f) Prior to any development works, including subdivision works, being undertaken within the DCP area those areas identified in Figure 8 (of the OEE DCP) as being of high ecological sensitivity should be fenced to prevent damage associated with the storage of materials or uncontrolled and unauthorised dumping of waste materials.	Fencing was provided prior to works beginning in accordance with SSD 37486043.	N/A
(g) A Fauna sensitive lighting plan shall be submitted for future development stages in the DCP works area which will consider light and noise spill into the Riparian area of Reedy Creek. The plan must follow the National Light Pollution Guidelines for Wildlife (awe.gov.au).	Given the proposed orientation of the buildings on site, there is low risk of light and noise spill into the Riparian area. This is reinforced by the accompanying BIAR.	Appendix 8b
(h) A vegetation management plan shall be provided to Council in relation to any future DA and associated BDAR, for the Reedy Creek corridor and is to be provided to Council's satisfaction addressing the following matters: a. Subsequent amendments to the VMP will be required for future development stages in the DCP area. b. On-going habitat management, weed management, and native flora plantings. c. A qualified and experienced ecologist detailing management methods, timeframes and outcomes, including Key Performance Indicators, to undertake the VMP.	A Vegetation Management Plan was prepared and provided to Council.	N/A

Consideration	Discussion	EIS ref.
d. Any revegetation of woodland/ riparian area is to be planted with appropriate species, with local providence using appropriate species from vegetation communities identified by an ecologist. e. Compliance with Vegetation Management Plan – maintenance. All Vegetation Management Plan works shall be maintained throughout the demolition, construction and operational phase of the development in accordance with the approved plan and conditions to ensure restoration of environmental amenity		
(i) A biosecurity management plan covering the extent of works is to be provided to Council for assessment and approval prior to the issue of a Construction Certificate.	A biosecurity management plan was included within the BDAR prepared by Ecologique under the Concept approval for OEE (SSD 37486043).	Appendix 8a
6.2 Heritage Conservation		
6.2.1. General Provisions		
(a) All applications involving subdivision or construction works that require interference with existing ground levels within an area of sensitivity as indicated in Figure 9 (of the OEE DCP) must prepare a construction management plan (CMP) that includes an unexpected finds protocol. The protocol must include the following methods to manage: (i) unexpected Aboriginal objects or potential objects that remain protected by the National Parks and Wildlife Act 1974 that may be uncovered in the course of future activities. This should include the immediate cessation of works and a qualified archaeologist being contacted to assess the find and the Office of Environment and Heritage (OEH) and Deerubbin LALC must be notified.	An unexpected finds protocol will be included in the construction management plan for the proposed development. This will ensure that in the event that an unexpected object is uncovered, all works will cease, the OEH and Deerubbin LALC will be notified, and a qualified professional will be contacted.	N/A

Consideration	Discussion	EIS ref.
(ii) unexpected Non-aboriginal objects or potential objects that remain protected by the Heritage Act 1977 that may be uncovered in the course of future activities. This should include the immediate cessation of works and a qualified archaeologist being contacted to assess the find and the Office of Environment and Heritage (OEH) being notified (iii) human remains, or suspected human remains, that may be found in the course of the activity. Methods of management should include cessation of all work in the vicinity of the remains, the site being secured, and notification of the NSW Police and OEH.		
(b) The requirement to prepare a CMP for applications described in (a) above may be a condition of consent.	A CMP for the proposed development will be prepared following approval.	N/A
6.2.2. Aboriginal Archaeology		
(a) Development Applications on land identified in an area of potential archaeological sensitivity, including OE AS1, as shown in Figure 9 (of the OEE DCP), for subdivision works or first builds involving land disturbance must submit an Aboriginal archaeological survey prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (Code of Practice) (Department of Environment, Climate Change & Water [DECCW] 2010a). (b) Where identified by an Archaeological Survey Report (required by (a) above) Development Applications should be supported by an Aboriginal Cultural Heritage Assessment Report.	An Aboriginal Heritage Memorandum has been prepared by Artefact. This draws upon previous studies undertaken for the OEE under SSD 37486043 and includes a review of the current AHIMS database. The Memorandum confirms that there has been no change to the site context in relation to Aboriginal heritage since the preparation of the ACHAR. There are two sites listed on the Aboriginal Heritage Information Management System (AHIMS) located within the boundary of Precinct 2 or the overall OEE - OE AS1 and WR1. The area in which OE AS1 is located will not be impacted by the planned development and has been fenced off by the developer.	Appendices 12a - 12b

Consideration	Discussion	EIS ref.
(c) Any works within an area that that may harm Aboriginal objects should apply for consent in the form of an Aboriginal Heritage Impact issued by Heritage NSW, Department of Premier Cabinet (DPC). (d) Consultation with the local Aboriginal Land Council must be undertaken to establish whether Aboriginal archaeological sites, PADs or values are present within the study area. Further archaeological assessment such as test excavation may be required. Test excavation should be undertaken in accordance with the Guide to investigating, assessing and reporting of Aboriginal cultural heritage in NSW (Office of Environment and Heritage 2011) and the Aboriginal cultural heritage consultation requirements for proponents 2010 prepared by DEECW.	WR1 was registered as destroyed in 2008 and will not be impacted by the proposed development.	
6.2.3. Non-Aboriginal Heritage and Archaeology		
(a) Development Applications for first builds involving subdivision works or physical disturbance to the existing ground levels, as at the time of this DCP being prepared (excluding stockpiles), are to be accompanied by an historical archaeological assessment undertaken in accordance with the following: The Burra Charter (Australia ICOMOS 2013); Assessing heritage significance (NSW Heritage Office 2001); and Assessing significance for historical archaeological sites and 'relics' (Heritage Branch 2009).	Heritage for the site was addressed under the Concept Approval. There are no identified heritage items within the site or in the locality. No further assessment is required.	N/A

Consideration	Discussion	EIS ref.
(b) Where an archaeological assessment identifies an item of non-aboriginal heritage, the applicant must prepare and submit a Statement of Heritage Impact as part of the Development Application.		
6.3 Ecologically Sustainable Development		
(a) Applications for new development or substantial alterations and additions shall be accompanied by water conservation measures in accordance with Section 5 Water Conservation of the Fairfield City Council, Stormwater Management Policy, September 2017	Water conservation measures for the proposed development are addressed under the Sustainability Management Plan (SMP) provided at Appendix 24.	Appendix 24
(b) Water conservation measures provided for developments referred to in (a) above may include: (i) the roof area of the development being drained to a tank to meet part of the water use demand of that development, and (ii) 50 per cent of water use demand for irrigation of landscaped areas and toilet flushing to, where possible, being supplied from sources other than potable mains	The proposal includes a 200kL rainwater harvesting system. Rainwater will be harvested and reused for landscape irrigation and toilet flushing.	Appendix 24
(c) Applications are to demonstrate consistency with section 6.1 Biodiversity (of the OEE DCP) and section 2.3.6 Landscape Design (of the OEE DCP), to encourage the capture and retention of carbon dioxide.	The proposal provides landscaping design that is consistent with sections 2.3.6 and 6.1 of the DCP.	Appendix 9
(d) New developments are to incorporate measures that encourage employees to utilise alternative modes of transport - refer to sections 3.2 and 3.4 (of the OEE DCP).	Adequate bicycle parking and end-of-trip facilities including showers and locker rooms are provided for both tenancies to encourage active transport alternatives.	Appendix 14

Consideration	Discussion	EIS ref.
(e) New developments and significant alterations and additions should be sited and design to enhance passive solar heating and cooling opportunities and optimise natural light and ventilation.	The SMP outlines design features and operational strategies to support passive thermal control, natural light and natural ventilation.	Appendix 24
6.4 Noise and Vibration		
(a) An acoustic assessment prepared by a suitably qualified acoustic consultant must be submitted with any Development Application for the construction of a new industrial building, or any major modifications to an existing industrial development, that could give rise to concerns regarding potential acoustic impacts. The assessment is to be prepared with consideration of the relevant guideline documents, including the Noise Policy for Industry (2017), the NSW Road Noise Policy and the Interim Construction Noise Guidelines, or any subsequent revisions. The acoustic assessment should specifically identify: – Noise emission goals for the site (including sleep disturbance) and demonstrate compliance. – Proposed numbers of vehicles movements associated with the use, and consider impacts associated with road traffic noise. – Any noise generating activities to be conducted onsite (such as mechanical plant and equipment) and activities in external areas (such as use of forklifts, truck washes or similar). – Recommended noise attenuation and management methods.	A Noise and Vibration Impact Assessment is provided at Appendix 15. The assessment addresses the requirements in accordance with the relevant noise management guidelines.	Appendix 15

Consideration	Discussion	EIS ref.
(b) For new industrial developments, the siting and design of buildings should take into account the location of sensitive receivers (i.e. residential properties) and, where possible, adopt a site configuration that aims to baffle potential noise generating activities, such as external loading and unloading, forklift movements and the like.	Rural residential uses are located to the east and south of Precinct 2. Noise generating activities are sited away from the site boundary where possible and the proposal includes acoustic barriers located at the south and southeast boundary to minimise noise impacts.	
(c) Operating hours outside of the following hours: 7.00am and 6.00pm Monday to Friday 7.00am and 12.00pm on Saturday No operations on Sunday must be supported by an acoustic assessment confirming proposed operations meet the relevant criteria.	The Noise and Vibration Impact Assessment confirms that the proposal is capable of complying with relevant noise criteria.	
6.5 Air Quality and Odour		
(a) A Development Application seeking approval for the construction of a new building, major alterations and additions to an existing building and/or the occupation of an existing building may be required to be accompanied by an assessment of the potential impacts of the development on air quality and odour in the region.	An Air Quality Impact Assessment prepared by SLR Consulting has been provided at Appendix 17.	Appendix 17
(b) All development should be designed to avoid, minimise or manage potential air quality and odour impacts, including the appropriate selection of plant and equipment, minimising emissions and the like.	The assessment confirms that the proposed development appropriately avoids, minimises and managements potential air quality and odour impacts in the project design.	
(c) All development should consider (but are not limited to) the following guidelines when assessing air quality and odour impacts:	The assessment confirms that the proposal can comply with relevant NSW EPA criteria by incorporating recommended mitigation measures.	

Consideration	Discussion	EIS ref.
1. The Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA 2017) 2. The Technical framework - assessment and management of odour from stationary sources in NSW (EPA Nov2006)		
6.6 Waste Management		
(a) A Waste Management Plan is to be prepared and lodged with a Development Application involving demolition, construction and/or changes of use.	A Waste Management Plan prepared by SLR is provided at Appendix 28.	Appendix 28
(b) A Waste Management Plan shall include details regarding: - the types and volumes of waste and recyclables generated during the demolition, construction and operational phases - details of on-site storage and/or treatment of waste during the demolition, construction and operational phases. - disposal of waste generated during the demolition and construction phases which cannot be re-used or recycled. - ongoing management of waste and recycling during the operational phase of the development.	The Waste Management Plan provides details on waste types and quantities and processes for waste storage, treatment, recycling and disposal during the demolition, construction and operation of the development.	
(c) A Waste and Resource Recovery Plan (Plan) should be developed by a specialist in environmental and/or waste management. The Plan should include a vision and strategy for how waste and recycling can be managed in an integrated way across the development. This includes construction through to the operation stage. The Plan should be informed by the following principles which should guide and underpin the planning and design of waste and resource recovery systems.	The design objectives have been considered in the development of the Waste Management Plan which promotes waste minimisation, responsible waste separation and resource recovery practices.	

Consideration	Discussion	EIS ref.
Design objective 1: Environmental sustainability and best practice. Developments meet requirements for long-term sustainability and best practice when. • systems are designed to maximise waste separation and resource recovery including organics. • innovative and best practice waste management collection systems and technologies are considered and supported where appropriate. • flexibility in design allows for future changes in waste generation rates, materials collected and methods of collection. Design objective 2: Effective waste and resource management. Developments achieve effective waste and resource management when: • waste services can occur in a seamless and timely manner. • collection points, street widths and street configurations especially in new subdivisions and precinct developments, allow for waste to be removed safely and conveniently. • where applicable allow for access onsite for waste collection service vehicles. • the distance residents have to travel to dispose of waste is minimised.		

Consideration	Discussion	EIS ref.
- functional and convenient storage spaces are provided for waste and recycling, including temporary storage areas for bulky materials like cardboard boxes and bulky household waste, e-waste, household batteries, communal worm farms or composting (when possible). Design objective 3: Clean, safe and healthy living environments. Developments protect and enhance the quality of life for the community when: - negative impacts on amenity for residents, neighbours and the public, such as visually unpleasant waste storage areas, noise from waste collection including traffic noise and bad odours are minimised. - illegal dumping and litter from bins are minimised through good planning and installation of adequate storage and waste recovery infrastructure and education. - safe and easy to access waste and recycling storage areas are provided for residents, tenants, building managers and collection contractors. Design objective 4: Affordability Developments provide affordable living and working when: - careful design and construction prevents costly retrofits. - operational waste management is cost-effective for residents and tenants.		

Consideration	Discussion	EIS ref.
(d) Any waste generated during demolition and construction needs to be classified in accordance with the EPA's Waste Classification Guidelines and managed in accordance with that classification.	The proposed development will be consistent with the Waste Management Plan which outlines the process for managing waste in accordance with EPA legislation and guidelines.	
(e) Any waste stored on site may require the applicant to obtain an Environmental Protection Licence in accordance with the POEO Act 1997 from the EPA for the storage of waste.		
(f) Any waste being removed from the site can only be transported to a site that can lawfully receive that type of waste, The EPA legislation and guidelines should be consulted in relation to this.		
6.7 Site Contamination		
(a) Development Applications are to be consistent with the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021.	The proposed development is consistent with <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .	N/A
(b) All subdivision Development Applications shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021 and guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997. The investigation should also be informed by information provided at the time of rezoning the land including any supporting Stage 1 or Stage 2 Investigation.	A Stage 1 investigation has not been prepared given a Stage 2 Detailed Site Investigation has been prepared alongside a Remediation Action Plan (RAP).	Appendices 13a - 13b

Consideration	Discussion	EIS ref.
(c) Where the Stage 1 Investigation identifies potential or actual site contamination, a Stage 2 Detailed Site Investigation must be prepared in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021 and guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997. The Stage 2 Detailed Site Investigation must include at a minimum, an assessment of soil and groundwater, and where required, assessment of other environmental media.		
(d) A Remediation Action Plan (RAP) will be required for areas where contamination has been identified or contains contaminants at levels that may pose a risk to human health and the environment. If necessary, the consent authority can require or engage a NSW contaminated site auditor accredited by the EPA to review the works including the RAP and prepare a Part B Site Audit Statement and Site Audit Report to certify if the land will be suitable for the intended use subject to any remediation plans.	A Remediation Action Plan has been prepared by JBS&G in accordance with the relevant policies and guidelines.	Appendix 13b
(e) All investigation, reporting and identified remediation works must be undertaken in accordance with the following policy and guidelines. This include but should not be limited to the following: 1. Councils protocols/Policies — Management of Contaminated Lands 2. State Environmental Planning Policy (Resilience and Hazards) 2021 3. EPA Sampling Design Guidelines (NSWEPA 1995) 4. Guidelines for the NSW Site Auditor Scheme (3rd edition) (NSW EPA 2017)		

Consideration	Discussion	EIS ref.
5. Guidelines for Consultants Reporting on Contaminated Sites (NSW OEH 2014) 6. Guidelines for the Assessment and Management of Groundwater Contamination (NSW DEC 2007) 7. The National/ Environment Protection (Assessment of Contamination) Measure 1999 (as amended 2013, NEPC 2013) 8. Australian and New Zealand Guidelines for Fresh and Marine Water ua/it (ANZG 2018) 9. Australian and New Zealand Guidelines for Fresh and Marine Water ualit - Water Quality for primary industries (ANZECC 2000)		
6.9 Bushfire Risk		
(a) A bushfire protection assessment is to be submitted for any development on land identified as being bushfire prone. This may be confirmed using the Rural Fire Service on line mapping system, “check if you’re bushfire prone” at www.rfs.nsw.gov.au .	A Bushfire Hazard Assessment (BHA) prepared by Blackash Bushfire Consulting has been provided at Appendix 19.	Section 6.10 Appendix 19
(b) Assessment of threat from bushfire is to examine impacts of the proposal both within and external to the site.	The assessment addresses impacts within the Precinct 2 boundary, to the broader OEE development and surrounding land uses.	
(c) Fire protection measures are to be capable of being maintained by the owners and the occupants of the land/building.	The proposed fire protection measures can be maintained by the owners and occupants of the development.	
(d) Asset Protection Zones (APZ)/Defendable spaces and access roads are to be provided in accordance with the Bushfire Assessment referred to in (a) above.	As per the recommendations of the BHA, the proposal provides defendable spaces, access roads and an Asset Protection Zone providing a 40m buffer to forested wetland to the east in accordance with the recommendations of the BHA and requirements of <i>Planning for Bush Fire Protection 2019</i> .	

Consideration	Discussion	EIS ref.
(e) Asset Protection Zones (APZ)/Defendable spaces are to be: (i) sufficient in width to prevent flame contact with buildings, and (ii) located wholly within the boundaries of a future development site or lot, and (iii) located and designed to minimise impacts on native flora and fauna, and where possible located outside environmentally sensitive areas.	The proposed APZ covers hardstand area in Lot 2B, proposed Basin D and existing vegetation. The proposed width of the APZ exceeds the minimum required width to provide flame protection and is wholly contained within the site boundaries.	
(f) APZs may be accommodated within boundary setbacks.	The proposed APZ extends to the boundary of the site.	
(g) Public roads are to be designed and located to comply with the relevant provisions of Planning for Bushfire Protection 2006.	The proposed upgrades to road infrastructure are compliant with relevant provisions of PBP 2019.	
(h) Perimeter or fire-access roads should be provided between development and any identified bushfire hazard, unless otherwise varied by a detailed investigation carried out in accordance with sub-clause (b).	The proposed internal road network within Precinct 2 is able to provide fire access. The location of driveways provides access around proposed buildings and bushfire prone vegetation within the riparian corridor.	
(i) Hydrants for reticulated water are to be located outside the road carriageway.	Hydrants will be provided outside the road carriageway as shown in the Fire Safety Strategy plans.	Appendix 27
(j) Buildings to be constructed in accordance with Australian Standard 3959 Construction of Buildings in Bushfire prone areas.	Buildings shall be constructed in accordance with Australian Standard 3959 Construction of Buildings in Bushfire prone areas.	Appendix 22
(k) Water supply for fire-fighting operations is to be provided in accordance with Australian Standard 2419.1 – 2005 Fire Hydrant installation system design, installation and commission.	The fire-fighting water supply to the proposed buildings shall comply with Australian Standard 2419.1 – 2005.	

Consideration	Discussion	EIS ref.
(l) All Development Applications for initial construction, substantial modification or redevelopment of a site are to be accompanied by an appropriate management plan for Defendable Space to the standard of an “Inner Protection Area” as defined by Planning for Bushfire Protection 2006 and the NSW Rural Fire Services document “Standards for Asset Protection Zones”.	The proposed APZ will be maintained in accordance with PBP 2019 and the Standards for Asset Protection Zones, with appropriate ongoing management and maintenance mechanisms implemented to ensure the APZ remains effective for the life of the development.	Appendix 19
(m) All Development Applications for initial construction are to be accompanied by a Bushfire Emergency Evacuation Plan.	As per the recommendations of the BHA, an Emergency Management and Evacuation Plan will be provided and reviewed prior to occupation.	