



## APPENDIX C STATUTORY COMPLIANCE TABLE

Table 1 Mandatory Considerations Table

Statutory Reference	Statutory Consideration	Relevance	Compliance
<b>Environmental Planning and Assessment Act 1979</b>			
Section 1.3	<p>(a) <i>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,</i></p> <p>(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i></p> <p>(c) <i>to promote the orderly and economic use and development of land,</i></p> <p>(d) <i>to promote the delivery and maintenance of affordable housing,</i></p> <p>(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i></p>	<p>The proposed development has been assessed and designed in respect to the relevant objects of the EP&amp;A Act as defined in Section 1.3 the Act. This includes the appropriate assessment of the following elements:</p> <ul style="list-style-type: none"> <li>Improvement of the social and economic environmental within the community/area. Refer to <b>Section 7.3.6</b> and <b>Section 7.3.9</b> of the EIS</li> <li>The proposal will accommodate ecologically sustainable development. Refer to <b>Section 6.2.4</b> of the EIS</li> <li>The proposed fit-out seeks to align with the development context/history of the site as well as the strategic goals of the region. Refer to <b>Section 1.4</b> and <b>Section 2</b> of the EIS.</li> <li>The proposal will maintain the approved design and materiality as approved in SSD-10436. This is considered to provide the appropriate level of amenity and design with</li> </ul>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>(f) <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i></p> <p>(g) <i>to promote good design and amenity of the built environment,</i></p> <p>(h) <i>to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i></p> <p>(i) <i>to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i></p> <p>(j) <i>to provide increased opportunity for community participation in environmental planning and assessment</i></p>	<p>consideration of the industrial and residential context of the area.</p> <ul style="list-style-type: none"> <li>▪ The proposal will maintain the appropriate maintenance and protection of health for occupants. Refer to <b>Section 6</b> of the EIS.</li> <li>▪ The appropriate community consultation has been undertaken in the environmental planning and assessment of this proposal. Refer to <b>Section 5</b> of the EIS and <b>Appendix D</b>.</li> </ul>	
Section 4.15	<p>Relevant environmental planning instruments include:</p> <ul style="list-style-type: none"> <li>▪ State Environmental Planning Policy (State &amp; Regional Development) 2011</li> <li>▪ State Environmental Planning Policy (Western Sydney Employment Area) 2009</li> <li>▪ State Environmental Planning Policy (Infrastructure) 2007</li> <li>▪ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> </ul>	State Environmental Planning Instruments have been assessed in the statutory compliance table sections below.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</li> <li>Fairfield Local Environmental Plan 2013</li> </ul>		
<b>State Environmental Planning Policy (State &amp; Regional Development) 2011</b>			
Clause 8	<p>The SRD SEPP identifies certain types of development as SSD under Clause 8 of the SEPP. Specifically, Clause 8(1b) of SRD SEPP relevantly states that:</p> <p><i>(1) Development is declared to be State significant development for the purposes of the Act if— (b) the development is specified in Schedule 1 or 2.</i></p> <p>The proposed development for the site is specified under Part 10 of Schedule 1 of the SRD SEPP as follows:</p> <p><i>Chemical, manufacturing and related industries” development that:</i></p> <p><i>(1) Has a capital investment value of more than \$30 million for the purpose of the manufacturing of reprocessing of the following (not including labelling or packaging)—</i></p> <p><i>a. Soap, detergent or cleaning agents</i></p>	<p>The proposed development has an estimated capital investment value of \$39,988,446 and accordingly, is classified as a State significant development (SSD) under Schedule 1, cause 10 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is “Chemical, manufacturing and related industries”.</p> <p>The proposal is characterised as SSD and approval is sought via a SSD DA to the DPIE</p>	Yes

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<b>State Environmental Planning Policy (Western Sydney Employment Area) 2009</b>			
Clause 3 - Aims	Aims to protect and enhance the land within the WSEA for employment purposes.	The Proposal seeks consent to establish an industrial use in the HLP that supports industrial employment, consistent with the overarching aim of the WSEA SEPP.	Yes
Clause 10 – Land Use Zoning	The site is zoned IN1 – General Industrial	Development for the purpose of General Industry is permissible with consent within the IN1 General Industrial zone pursuant to the provisions outlined within Part 2 clause 11 of the WSEA SEPP.	Yes
Clause 11 – Zone Objectives	<p>General Industrial – Zone Objectives</p> <ul style="list-style-type: none"> <li>▪ <i>To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.</i></li> <li>▪ <i>To encourage employment opportunities along motorway corridors, including the M7 and M4.</i></li> <li>▪ <i>To minimise any adverse effect of industry on other land uses.</i></li> <li>▪ <i>To facilitate road network links to the M7 and M4 Motorways.</i></li> <li>▪ <i>To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.</i></li> </ul>	The proposed development is consistent with the zone objectives as it facilitates an industrial, employment generating land use at the site with ancillary office space with connection to the M7 motorway. As detailed in <b>Section 6</b> of the EIS, there are negligible adverse impacts to the surrounding land uses and the environment. The Proposal is highly consistent with the objectives of the IN1 zone.	Yes

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	<ul style="list-style-type: none"> <li>To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.</li> </ul>		
Clause 18 – Development Control Plans	Requires that a DCP be in place before consent can be granted for development within the WSEA.	Development Control Plan: 327 – 335 Burley Road, Horsley Park March 2016 applies to the subject site. Clause 18(6) of the SEPP recognises the provisions of this DCP for the purposes of the clause. The requirement for, and provisions of, the DCP is therefore satisfied.	Yes
Clause 20 – Ecologically Sustainable Development	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:</p> <ul style="list-style-type: none"> <li>the consumption of potable water, and</li> <li>greenhouse gas emissions.</li> </ul>	The proposal has prepared as to address the Principles of ESD and will appropriately maintain the environmental values of the area while establishing the appropriate energy and water efficiency systems. Refer to <b>Section 6.2.4</b> and <b>Section 6.2.5</b> and <b>Appendix H</b> .	Yes
Clause 21 – Height of Building	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:</p> <p>(a) building heights will not adversely impact on the amenity of adjacent residential areas, and</p> <p>(b) site topography has been taken into consideration.</p>	The proposed change of use and fit-out does not include any built works that will affect the maximum building height.	N/A
Clause 22 – Rainwater Harvesting	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements	Rainwater tanks are provided across the building in accordance with the approved SSD-10436 (as modified by Mod-1) and the appropriate rainwater	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General.	management is detailed at <b>Section 6.1.5</b> and <b>Appendix P</b> .	
Clause 23 – Development Adjoining Residential Land	<p>Development adjoining residential land:</p> <ul style="list-style-type: none"> <li>Wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity.</li> <li>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</li> <li>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.</li> <li>Noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised.</li> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>The proposed change of use and built works will result in negligible impacts to the building's integration with the compatible scale in the area.</li> <li>All goods will be stored within the warehouse building and screened by that building and the landscaped bund from view from the residential dwellings to the south. Refer to <b>Section 6.1.2</b> and <b>Section 6.1.4</b> and <b>Section 6.1.5</b> of the EIS</li> <li>No change is proposed to the external built form approved by SSD-10436. The relevant landscape buffer and screening will be maintained.</li> <li>The relevant noise mitigation measures will be implemented. Refer to <b>Section 6.1.2</b> and <b>Appendix L</b></li> <li>The proposed development will not result in any adverse amenity impacts by way of operations. Refer to <b>Section 6.1.1</b> and <b>Appendix N</b></li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<ul style="list-style-type: none"> <li>The development will provide adequate off-street parking, relative to the demand for parking likely to be generated.</li> <li>The site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.</li> </ul>	<ul style="list-style-type: none"> <li>The off-street parking available at the site is in excess of that required for the intended land use. Refer to <b>Section 6.1.1</b> and <b>Appendix N</b></li> <li>The proposed development will maintain consistency with the Landscape Concept Plan prepared by Geoscapes approved under SSD-10436 and as modified under SSD-10436 MOD 1.</li> </ul>	<p>Yes</p> <p>Yes</p>
Clause 25 – Public Utility Infrastructure	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	All necessary public utility infrastructure and services are being provided to the HLP in accordance with DA 893/2013. No augmentation of these services is proposed as part of this application.	Yes
Clause 26 - Development on or in the Vicinity of Proposed Transport Infrastructure Routes	Development on or in the Vicinity of Proposed Transport Infrastructure Routes	The site is not located on or in the vicinity of a proposed transport infrastructure route	N/A
Clause 29 - Industrial Release Area	Despite any other provision of this Policy, the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine	As executed on the 24 April 2017, CSR have entered into a Voluntary Planning Agreement (VPA) (SVPA reference no. SVPA-2016-8153) to address the above clause within the WSEA SEPP. The amended planning agreement provides that CSR will carry out road works and will make monetary contributions of \$182,898 per hectare of net developable area (subject to indexation in	Yes

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	Park Link Road Network) in relation to the land to which this Policy applies	<p>accordance with the Minister for Planning and CSR Building Products Limited) in connection with the Proposed Development for the purposes of regional transport infrastructure and services provision within the meaning of clause 29 of the WSEA SEPP.</p> <p>The above VPA is the sole responsibility of CSR and has been paid by CSR. ESR previously contracted the land and settlement was conditional on all subdivision and remediation works being complete by CSR. With the completion of these works, ESR took ownership of the lots on 25 January 2021.</p>	
Clause 31 – Design Principles	<p>In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not:</p> <ul style="list-style-type: none"> <li>the development is of a high-quality design,</li> <li>a variety of materials and external finishes for the external facades are incorporated,</li> <li>high quality landscaping is provided, and</li> <li>the scale and character of the development is compatible with other employment-generating development in the precinct concerned.</li> </ul>	<p>The warehouse building on Lot 201 has previously been designed with external materials and finishes that complement the surrounding natural and built form of the locality. The materials selected, and as approved in the assessment of SSD-10436 are considered to be durable, hardwearing, low maintenance and evoke smart building design. The proposed development does not seek to change the existing design, materiality and landscape buffer at the site.</p>	Yes
Clause 33L - Stormwater, Water Quality and WSUD	The consent authority must consider the following matters before granting consent:	The appropriate consideration and management procedures for the proper Jalco fit-out are detailed in <b>Section 6.1.5</b> of the EIS and <b>Appendix P</b> . The	Yes



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	<p>(a) water sensitive design principles are incorporated into the design of the development, and</p> <p>(b) riparian, stormwater and flooding measures are integrated, and</p> <p>(c) the stormwater management system includes all reasonable management actions to avoid adverse impacts on the land to which the development is to be carried out, adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and</p> <p>(d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and</p> <p>(e) the development will have an adverse impact on— (i) the water quality or quantity in a waterway, including the water entering the waterway, and (ii) the natural flow regime, including groundwater flows to a waterway, and (iii) the aquatic environment and riparian land (including aquatic and riparian species, communities, populations and habitats), and (iv) the stability of the bed, banks and shore of a waterway, and (f) the development includes</p>	<p>identified strategies and measures will ensure that the specific industrial operations will not adversely impact the water quality, quantity and will include the appropriate WSUD measures.</p>	

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	measures to retain, rehabilitate and restore riparian land.		
<b>State Environmental Planning Policy (Infrastructure) 2007</b>			
Clause 104	Clause 104 of the ISEPP applies to traffic generating development.	The proposed development is expected to be accommodated within the approved, formal parking spaces across the site. The development does not trigger referral under the Schedule 3 of the ISEPP and is therefore not considered to be traffic generating development for the purposes of the ISEPP as the proposal will not generate 200 or more vehicles per hour.	N/A
<b>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</b>			
Part 2	The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 aims to protect the amenity of non-rural areas and associated biodiversity value of vegetation.	No tree removal is part of this DA therefore the considerations to biodiversity offsets are not relevant to this DA.	N/A
<b>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</b>			
Part 3	State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33) requires the consent authority to consider whether an industrial proposal is a potentially hazardous or a potentially offensive industry. In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out. Any application to carry out potentially hazardous development must be	<p>Given that the Jalco fit-out is required to Dangerous Goods, a PHA was prepared by Riskon. The findings of the report is included at <b>Section 6.1.4</b> of the EIS and <b>Appendix M</b>.</p> <p>Based on the analysis conducted, it is concluded that the risks at the site boundary are not considered to exceed the acceptable risk criteria; hence, the facility would only be classified as</p>	Yes

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	supported by a preliminary hazard analysis (PHA).	potentially hazardous and would be permitted within the current land zoning for the site.	
<b>Fairfield Local Environmental Plan 2013</b>			
	The WSEA SEPP 2009 is the primary environmental planning instrument applying to the site and the proposed development.	N/A	N/A
<b>Development Control Plan: 327 – 335 Burley Road, Horsley Park March 2016 Penrith</b>			
<b>3.1 – Ecologically Sustainable Development</b>	1. Development Applications are required to demonstrate consideration of: <ul style="list-style-type: none"> <li>measures that will reduce waste and conserve water through water recycling;</li> <li>measures to minimise run-off and stormwater generation;</li> <li>implementing total water cycle management by including measures that reduce consumption of potable water for non-potable uses, minimise site run-off and promote stormwater re-use;</li> </ul>	The appropriate water management, reuse/recycling and quantity management procedures will be implemented into the fit-out design. Refer to <b>Section 6.1.5</b> of the EIS and <b>Appendix P</b> .	Yes
	<ul style="list-style-type: none"> <li>utilising recycled materials and renewable building resources;</li> </ul>	The approved building design SSD-10436 includes the appropriate sustainable building material selection.	Yes
	<ul style="list-style-type: none"> <li>promoting biological diversity through appropriate retention, planting and maintenance of indigenous flora of the area;</li> </ul>	The proposed fit-out does not include any landscaping works or tree removal works.	Yes

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	<ul style="list-style-type: none"> <li>implementing a waste management strategy that promotes the overall reduction of waste levels.</li> <li>promoting the achievement of the 60 per cent waste reduction target for New South Wales; and</li> <li>implementing energy conservation measures that include reducing energy consumption and increasing inherent energy efficiency through design and materials selection, and adopting energy management plans.</li> </ul>	<p>An operational waste management plan has been prepared <b>Appendix O</b></p>	Yes
	<p>2. Roof stormwater should be collected in tanks or street level reticulation, which would serve as a retention system. The water in the retention system would be available for use for non-potable uses such as the watering of landscaped areas and use in toilet and hot water systems.</p>	<p>The proposal has prepared as to address the Principles of ESD and will appropriately maintain the environmental values of the area while establishing the appropriate energy and water efficiency systems. Refer to <b>Section 6.2.4</b> and <b>Section 6.2.5</b> and <b>Appendix H</b>.</p>	Yes
	<p>3. Consideration should be given to the feasibility of any measures to substitute grid-source power with environmentally sustainable alternatives such as tri-generation (green transformers), co-generation (i.e. recovery of waste energy) or photovoltaics.</p>	<p>The appropriate management and re-use of stormwater collection for non-potable uses will be implemented into the fit-out design. Refer to <b>Section 6.1.5</b> of the EIS and <b>Appendix P</b>.</p>	Yes
	<p>4. Development shall incorporate water efficient fixtures such as taps, showerheads, and toilets. The fixtures must be rated to at least AAA under the National Water Conservation Rating and Labelling Scheme. Where the building or</p>	<p>The relevant energy efficiency strategies are implemented in the design, consistent with the approved SS-10436. Refer to <b>Section 6.2.4</b> and <b>Section 6.2.5</b> and <b>Appendix H</b>.</p>	Yes
		<p>The appropriate water efficiency systems will be integrated. Refer to <b>Appendix H</b>.</p>	Yes

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	<p>development is water intensive (ie. high water user), specific water conservation objectives must be resolved with Council.</p> <p>5. Appropriate use of energy efficient materials during construction is to be demonstrated.</p> <p>6. Development should incorporate energy efficient hot water systems, air-conditioning, lighting and lighting control systems.</p> <p>7. New industrial and light industrial buildings must achieve a minimum 4 star Green Star rating from the Green Building Council of Australia. Refer to the 'Green Star - Industrial V1 Technical Manual'.</p>	<p>The approved building design SSD-10436 includes the appropriate sustainable building material selection. The proposed development will maintain the appropriate materiality.</p> <p>The appropriate energy efficiency systems will be integrated. Refer to <b>Appendix H</b>.</p> <p>The proposed development does not include any new industrial buildings.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>3.2 – Flooding and water cycle management</b>	<p>2. Management of 'minor' flows using piped systems shall be designed to:</p> <ul style="list-style-type: none"> <li>prevent damage by stormwater to the built and natural environment,</li> <li>direct stormwater runoff from lots to a trunk drainage system for minor storm events in a conventional pit and pipe system.</li> <li>provide on-site detention and water quality treatment on each lot to manage water quantity and quality at the outlet.</li> <li>provide a grassed swale and headwall to direct flow from the landfill zone into the piped network.</li> </ul>	<p>The approved building design SSD-10436 was prepared to efficiently integrate with the pipe drainage system designed for the HLP. The proposed change of use/fit-out will not alter the relevant pipe systems.</p> <p>The minor system consists of a piped drainage system which has been designed to accommodate the 1 in 20-year ARI storm event (Q20). The major system will be designed to cater for storms up to and including the 1 in 100-year ARI storm event (Q100). The major system will employ the use of defined overland flow paths, such as roads and open channels, to safely convey excess run-off from the site.</p>	<p>Yes</p> <p>Yes</p>

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<ul style="list-style-type: none"> <li>▪ provide appropriate pipe sizes and drainage layout to accommodate the 5 year ARI permissible peak flow.</li> <li>▪ provide appropriate sized pipes for development of the entire site, i.e. pipes to be constructed during Stage 1 are tone sized to accommodate stages 1, 2 and 3.</li> </ul> <p>3. Management of 'major' flows in excess of the piped system capacity will be conveyed through the site to the nominated discharge pipes as overland flow along the internal access roads and temporary trunk drainage channels in place. Management measures shall be designed to:</p> <ul style="list-style-type: none"> <li>▪ convey Flows in excess of the piped system capacity through the site to the nominated and controlled discharge points as overland flow along the internal access roads and temporary trunk drainage channels in place.</li> <li>▪ design the stormwater detention system at each lot to reduce post to pre developed peak flows for up to 100 year ARI.</li> <li>▪ operate the detention systems so that the major flows are contained within the piped drainage system.</li> <li>▪ provide overland flow paths only as an emergency overflow provision for instances of blockage or detention system failure.</li> </ul>		

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	<ul style="list-style-type: none"> <li>allow runoff from lots to be directed to the underground stormwater drainage network contained within the internal access road.</li> <li>grade Lots towards the road, avoiding the requirement for inter-allotment drainage.</li> </ul> <p>4. The trunk stormwater system is to be constructed and maintained to achieve water quality targets set by the Department of Environment, Climate Change and Water in Table 2.</p> <p>6. Each lot of the subdivision is to provide an individual OSD system incorporated into its respective internal drainage systems. Each lot will have Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) based on a lot area basis as summarised in Table 3.</p> <p>7. Roof water runoff is to be directed to rainwater harvesting tanks, with rainwater tanks to be designed to accommodate the non-potable water used within the development and reduce the demand on potable water supplies. Flows in excess of the capacity of the tanks will be directed to the detention basins and from there will be discharged to the trunk drainage system</p> <p>8. The proposed gross pollutant traps for the access road areas are to be placed in line of the trunk drainage system prior to discharge into specific outlets to remove litter, debris and sediment. The GPT will be capable of removing</p>	<p>The proposed development does not include any changes to the approved trunk drainage system. Otherwise, the proposed development will not result in any adverse impacts to the water quality targets as detailed in <b>Section 6.1.5</b> of the EIS and <b>Appendix P</b>.</p> <p>The proposed development does not include any changes to the approved OSD under SSD-10436 and Mod 1.</p> <p>The appropriate rainwater harvesting and non-potable uses will be established for the proposed land use as detailed in <b>Section 6.1.5</b> of the EIS and <b>Appendix P</b>.</p> <p>The approved building design SSD-10436 was prepared with the appropriate gross pollutant traps for water cycle management measures. The</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<p>of the typical treatment performance as outlined in Table 4.</p> <p>9. A Soil and Water Management Plan is to be prepared and implemented for new development to minimise potential impacts on hydrology and water quality during the construction period. This plan will incorporate the design and installation of erosion controls in accordance with the requirements of the “Blue Book” (Landcom 2004)</p>	<p>proposed change of use will not alter the provision of GPTs at the site.</p> <p>Soil and Water Management Plans (SWMP) have been prepared for the whole HLP site in accordance with the <i>NSW Department of Housing Publication titled: Managing Urban Stormwater- Soils and Construction (2004)</i>.</p>	Yes
<b>3.5 – Site Contamination</b>	4. Prior to granting development consent, the Consent Authority must be satisfied that the site is suitable, or can be made suitable, for the proposed use. Remediation works identified in any RAP will require consent prior to the works commencing.	The appropriate RAP and contamination remediation works have been approved for the site relating to the previously approved DA, DA 21.1/2020.	Yes
<b>3.7 – Bushfire Management</b>	<p>3. Each lot will be required to manage the APZ in accordance with RFS guidelines Standards for Asset Protection Zones(RFS, 2005).</p> <p>4. In terms of implementing and / or maintaining APZs, there is no physical reason that would constrain hazard management from being successfully carried out by normal means (e.g.mowing / slashing / grazing).</p> <p>8. Fuel management within the APZs will be maintained by regular maintenance of the landscaped areas. Future landscape plans are to comply with Appendix 5 of PBP.</p>	<p>In accordance with the works and assessment approved for the SSD-10436 and Mod 1, it was the recommendation that the development site for the HLP be issued a Bushfire Safety Authority. The assessment found Lot 201 as having a Bushfire Attack Level (<b>BAL</b>) of BAL-29.</p> <p>Given the Jalco proposal intends to remain within the Warehouse 1 building footprint as approved under SSD-10435 and MOD 1, the identified BAL-29 and relevant APZs will be established for the site.</p>	<p>Yes</p> <p>Yes</p>



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	<p>11. A hydrant water supply will be installed in accordance with Australian Standard AS2419.1.</p> <p>12. The landowner / manager is to be made aware of their liability to manage the development lands for the ongoing protection of themselves and their neighbours (refer Section 63(2) Rural Fires Act (RF Act)).</p>	<p>No changes are proposed to the building that would change its acceptable bushfire risk profile from that assessed under SSD-10436 MOD 1.</p> <p>Refer to <b>Section 6.2.2</b> of the EIS.</p>	
<b>3.9 – Air Quality</b>	<p>1. Development applications should, where appropriate, provide an assessment and identify necessary mitigation measures, to minimise the potential environmental impacts from air pollutants generated by the proposed development.</p> <p>2. Development Applications must comply with any relevant NSW State Government and Fairfield City Council documents.</p> <p>3. The development must not have an adverse impact on air quality during or post development</p>	<p>The appropriate air quality assessment has been prepared by SLR in accordance with the NSW EPA document '<i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales</i>', hereafter referred to as 'The Approved Methods' <b>Appendix F</b>. The appropriate mitigation measures are identified and the proposed operations are identified to not result in any air quality impacts onto the nearby sensitive receivers. Refer to <b>Section 6.1.6</b> of the EIS.</p>	Yes
<b>3.10 – Noise</b>	<p>1. Development applications must comply with relevant Council and government authority guidelines.</p>	<p>A Noise Operational Noise Impact Assessment was prepared in accordance with the appropriate legislative requirements and relevant guidelines. Refer to <b>Appendix L</b>.</p>	Yes
<b>3.12 – Waste Management</b>	<p>1. A Waste Management Plan must be prepared.</p> <p>2. Facilities to allow on-site source separation and re-use of materials on-site should be provided.</p>	<p>A Waste Management plan has been prepared for this application and is attached at <b>Appendix O</b>.</p> <p>The appropriate separation and management of recyclable general office waste and bulk packaging will be undertaken.</p>	<p>Yes</p> <p>Yes</p>

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>3. Waste collection should be provided on-site at the street frontage with clear access to facilitate pick up.</p> <p>4. The siting of any stockpile must take into account environmental factors such as slope, drainage, location of watercourses and native vegetation.</p> <p>5. Re-use of stockpile materials on-site should be facilitated.</p> <p>6. Sufficient space for storage of recyclables and garbage should be provided on-site.</p>	<p>The location of waste and recycling storage area is to be incorporated into the existing footprint of the development.</p> <p>The required stockpiling and storage required for the on-site waste management will be supported by the required space provided by the approved building under SSD-10436 and MOD 1. Refer to <b>Section 6.2.3</b> of the EIS.</p>	<p>Yes</p> <p>Yes</p>
<b>4.3.2 - Building Design and Siting</b>	To ensure that building design enhances the existing and future desired built form character by encouraging innovation and quality architectural design.	The proposed development does not seek to change the built form character or design of the approved building under SSD-10436 and Mod 1.	Yes
<b>4.3.3 – External Building Materials and Colours</b>	<p>1. External finishes should be constructed of durable, high-quality and low maintenance materials.</p> <p>2. External finishes should contain a combination of materials and/or colours.</p> <p>3. Any wall visible from the public domain must be finished with a suitable material to enhance the appearance of that façade.</p> <p>4. Building materials should be selected to minimise reflection.</p> <p>5. The following should be considered in the choice of building materials in all developments:</p>	The warehouse building on Lot 201 has previously been designed with external materials and finishes that complement the surrounding natural and built form of the locality. The materials selected, and as approved in the assessment of SSD-10436 are considered to be durable, hardwearing, low maintenance and evoke smart building design. The proposed development does not seek to change the existing design, materiality and landscape buffer at the site.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<ul style="list-style-type: none"> <li>• energy efficiency;</li> <li>• use of renewable resources;</li> <li>• maintenance cost and durability;</li> <li>• recycled or recyclable materials;</li> <li>• non-polluting; and</li> <li>• minimal PVC content.</li> </ul>		
<b>4.3.5 – Ancillary Buildings, Storage and Service Areas</b>	1. Ancillary buildings and storage sheds are to be located behind the setback lines and be consistent with the design of the main building.	The proposed storage shed will be located as an adjoining extension to the existing building footprint to the north. The storage shed will be appropriately built/screened to the appropriate standards for the intended liquid storage	Complies with objectives.
	2. Details of any proposed ancillary buildings, open storage and services areas must be submitted with all DAs.		
	3. Storage areas should be located within the confines of the primary building. Appropriate screening must be provided where this can not be achieved.		
	4. Above ground open storage areas visible from the public domain are not permissible.	No above ground open storage areas are proposed.	Yes
	5. Above ground open storage areas should not compromise truck or vehicle manoeuvring and car parking areas.		
	6. Vehicular access to loading facilities is to be provided from secondary and tertiary streets.	Vehicular access to the loading facilities will be maintained in accordance with the approved SSD-10436 and Mod 1 from the access road Johnston Crescent.	Yes
	7. Rubbish and recycling areas must be provided in accordance with the Fairfield DCP 2013.		
	8. Barrier free access is to be provided to all shared facilities.	The design of the waste storage and recycling areas will be in accordance with the provisions of the Fairfield DCP 2013. Refer to <b>Appendix O</b> .	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>9. Provide at least one shower and changing facility that is accessible to the building users.</p> <p>10. The following information must be provided at Development Application stage for outdoor storage areas: • Size of outdoor storage area • Maximum storage height • Types of goods, materials and equipment being stored outdoors; and • Details on landscaping and screening structures.</p> <p>11. Sunken loading docks should be avoided.</p> <p>12. Above ground water tanks must not be located forward of the front facade of the primary buildings. They should not be visible from the public domain and must be suitably screened. Details (including elevations) of all water tanks must be submitted with the DA.</p>	<p>The appropriate EOT facilities will be provided including showers and change rooms.</p> <p>The relevant information on the proposed liquid storage shed is provided in the EIS. Otherwise, no outdoor storage areas are proposed.</p> <p>No changes to the loading docks approved under SD-10436 and Mod 1 are proposed.</p> <p>No changes to the rainwater tanks approved under SD-10436 and Mod 1 are proposed. Otherwise, all other liquid holding tanks will be within the building interior or will be appropriately screened.</p>	<p>Yes</p> <p>Yes</p> <p>Compliance with objectives</p> <p>Yes</p>
<b>4.5.4 – Car Parking</b>	<p>1. The provision of car parking must comply with Table 5 and as outlined in Chapter 12 of the Fairfield DCP.</p> <p><i>1 space per 70m2 gross leasable area including ancillary plus 1 space per unit for factory units.</i></p> <p>2. Refer to Chapter 12 of Fairfield DCP for general guidelines and principles for car parking, including design, materials, signs and monetary contributions.</p>	<p>The current proposal is unable to strictly comply with the required rates as outlined in the WSEA FDCP 2016. Otherwise, the identified parking demand for the intended use will be accommodated by the proposal and the required Green Travel Plan will appropriately reduce parking demand. Accordingly, the proposal will achieve compliance with the relevant objectives of the DCP. Refer to <b>Appendix N</b> and <b>Section 6.1.1</b> of the EIS.</p>	<p>Compliance with objectives</p>

Statutory Reference	Statutory Consideration	Relevance	Compliance
	3. Safe and secure 24 hour access to car parking areas is to be provided for building users.	No changes to the provided parking area designs approved under SD-10436 and Mod 1 are proposed	