



APPENDIX C

STATUTORY COMPLIANCE TABLE

APPENDIX C – STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<i>Environmental Planning and Assessment Act 1979</i>			
Section 1.3	<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>	The proposal will provide higher order employment opportunities on currently underutilised land in the Northern Gateway and will support the broader growth of the Aerotropolis.	Section 4
	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal seeks to redevelop the site for uses which will provide significant jobs for the local and broader Western Sydney community. The proposal considers all potential economic, environmental, and social impacts and outline mitigation measures in Section 6 of the EIS.	
	<i>To promote the orderly and economic use and development of land</i>	The proposed development is a detailed development of a staged concept plan in terms of its planning, development, and construction to promote the orderly and economic use and development of the land. This approach is necessary in relation to the precinct as it offers the flexibility needed to respond to changes in the market and the ability to respond to opportunistic conditions that may arise in meeting the specific needs and preferences of potential tenants and end-users.	
	<i>To promote the delivery and maintenance of affordable housing,</i>	Not applicable to this application.	
	<i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	As detailed in Section 6 of this EIS, a suite of technical studies has been undertaken to determine the environmental impact of the warehouse and distribution centre use on the surrounding natural environment. The technical studies have confirmed that there is limited environmental impact associated with the proposal. Where there is an impact present, these mitigation measures have been implemented as detailed in Section 6 and Appendix E to ensure that it does not cause an unacceptable impact on the surrounding natural environment.	
	<i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	In preparation of this SSDA, a range of technical studies have been undertaken that have identified the presence of built and cultural heritage and ensure their sustainable management. Refer to Section 6 of the EIS for an environmental impact assessment of potential built, cultural, and Aboriginal cultural heritage impacts.	
	<i>To promote good design and amenity of the built environment,</i>	The proposed design demonstrates design excellence as explained in the Urban Design Report (Appendix K) prepared by SBA Architects. The proposal delivers the highest standard of architectural and landscape design.	
	<i>To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The detailed design of the warehouse building and associated offices will comprise of high-quality materials. The health and safety of all occupants remains a top priority of the development, as such, several technical studies have been undertaken to ensure that the development remains safe both in the construction and operational phases, these include: <ul style="list-style-type: none"> ▪ BCA; ▪ Fire Safety; and ▪ Waste Management Plan. 	
	<i>To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	N/A to this proposal.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<i>To provide increased opportunity for community participation in environmental planning and assessment.</i>	Consultation was undertaken as required by the SEARs. Additionally, the application is required to be notified for a minimum of 28 days which will allow for further consultation opportunities for community participation in the assessment of the application.	
Section 4.15	Relevant environmental planning instruments: <i>State Environmental Planning Policy (Planning Systems) 2021;</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021;</i> <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021;</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021;</i> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Industry and Employment) 2021;</i> and <i>Penrith Local Environmental Plan 2010.</i>	See detail below under State Environmental Planning Policies (SEPPs).	
	Draft environmental planning instruments	No draft EPI's have been identified as relevant to this application.	
	Relevant planning agreement or draft planning agreement	DHL is prepared to enter into a VPA to provide a cash contribution equivalent to the any draft flat rate s.7.12 that has been publicly exhibited. The VPA would include a clause requiring refund of any amount if the final adopted s.7.12 plan is less than the draft exhibited amount.	Section 6.2.10
	<i>Environmental Planning and Assessment Regulation 2021 – Schedule 2</i>	This EIS has been prepared in accordance with Schedule 2 of the Regulations.	Section 4
	Development control plans: <i>Western Sydney Aerotropolis Development Control Plan – Phase 2 (WSADCP 2022)</i>	See detail below under development control plan	Appendix C
	The 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 the environmental impacts on the natural and built environments, and social an economic impact on the locality is assessed in detail within the EIS.	Section 6
	The suitability of the site for the development	The suitability of the site for the proposed development is demonstrated in the EIS	Section 7
	Any submissions made	Submissions will be considered following exhibition of the application.	
	The public interest	The proposed development is compliant with the relevant planning instruments and controls applying to the site. The proposal will not create any adverse social, economic or environmental impacts which cannot be mitigated via the proposed mitigation measures in this application. On balance, the benefits of the development outweigh any adverse impacts and as such, the development is in the public interest.	Section 7
Environmental Planning and Assessment Regulation 2021			
Schedule 2	Schedule 2 of the EP&A Reg provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS	This EIS has been prepared to address the requirements of Schedule 2 of the EP&A Regulations and SEARs.	Section 4
Clause 35(4)(e)	A person cannot apply to a consent authority for consent to carry out development on land in the Western Sydney Aerotropolis under <i>State Environmental Planning Policy</i>	The proposed development has responded to the Western Sydney Aerotropolis Plan as detailed against the plans objectives in the below section of this Table and Section 4 of the EIS.	Section 4

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p><i>(Precincts – Western Parkland City) 2021</i> unless the application is accompanied by an assessment of the consistency of the development with—</p> <p>the Western Sydney Aerotropolis Plan as defined in that Policy, and</p> <p>any Precinct Plan that applies to the land under that Policy.</p>		
Biodiversity Conservation Act 2016			
Section 7.14	<p>The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that BC Act the likely impact of the proposed development on biodiversity values.</p>	<p>The SEARs require the preparation of a BDAR as the proposal seeks to remove vegetation and impact on biodiversity values at the site.</p> <p>The Cumberland Plain Conservation Plan (CPCP), finalised by DPHI in August 2022, outlines a comprehensive conservation strategy for Western Sydney through to 2056. It pinpoints strategically significant biodiversity areas within the Cumberland subregion and aligns with the Greater Sydney Region Plan and the Western City District Plan.</p> <p>The development site is situated within the CPCP area and is entirely located on certified land. The CPCP stipulates that certified land does not necessitate further assessment under Part 8 of the BC Act or the EPBC Act, nevertheless a Biodiversity Assessment Report has been prepared to support the SSDA, refer to Appendix O.</p>	Section 6.1.9 and Appendix O
State Environmental Planning Policies			
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<p>Clause 12 of Schedule 1 of the Planning Systems SEPP provides that development for the purpose of warehouse or distribution centre that has a CIV of more than \$30 million is classified as SSD.</p>	<p>The works comprising the Stage 2 of the SSDA would have a CIV of \$94,250,000. The project is therefore characterised as SSD and approval is sought via SSDA to NSW DPHI. The Minister for Planning and Public Spaces is the consent authority.</p>	Appendix G
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 2</i>	<p>The Transport & Infrastructure SEPP is the primary planning instrument addressing the provision and operation of infrastructure across NSW. The SEPP provides planning pathways for various types of infrastructure within prescribed zones.</p> <p>Traffic generating development specified in clause 2.122 requires referral to Transport for NSW, this includes:</p> <ul style="list-style-type: none"> ▪ Carparking for 200 or more spaces; and ▪ Industry involving additional GFA that exceeds 20,000sqm. 	<p>Transport for NSW has been consulted as part of the preparation of the EIS and concept design, the project requires referral to Transport for NSW as part of the SSD DA process due to the proposed 440 carparking spaces and 66,756m² of industrial development.</p>	Section 5 and Appendix M
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 4</i>	<p>Clause 4.9 of the Transport & Infrastructure SEPP requires concurrence with Transport for NSW for any excavation works in, above, below, or adjacent to future infrastructure corridors. It notes that a consent authority must not grant consent to development without the concurrence of Transport for NSW.</p>	N/A	N/A
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 3</i>	<p>Chapter 3 of the Resilience & Hazards SEPP applies to any proposals which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'.</p>	<p>The proposal is for a master planned industrial or warehouse and distribution complex which is intended to have a freight and logistics focus. The proposal itself is not potentially hazardous or potentially offensive development. Should DHL seek to occupy the premises within the subject site for purposes that would be classified as potentially offensive or hazardous, a PHA would be required to be prepared and submitted with a further application for assessment and approval.</p>	Section 6.2.5 and Appendix Z and AA

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4</i>	Chapter 4 of the Resilience & Hazards SEPP states that land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.	Development at the site will be informed and supported by detailed contamination investigations undertaken in accordance with the provisions of Resilience & Hazards SEPP. Remediation of the subject site is encompassed in the proposal under the environmental management of the estate works. A remediation action plan has been prepared to minimise any potential impacts.	Section 6.1.11 and Appendix U
<i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021 – Chapter 4</i>	<p>Clause 4.1 Aims of Chapter</p> <p>(a) to facilitate development in the Western Sydney Aerotropolis in accordance with the objectives and principles of the Western Sydney Aerotropolis Plan,</p> <p>(b) to promote sustainable, orderly and transformational development in the Western Sydney Aerotropolis,</p> <p>(c) to ensure development is compatible with the long-term growth and development of the Western Sydney Airport (including in relation to the operation of the Airport 24 hours a day) and other critical transport infrastructure,</p> <p>(d) to promote employment and world-class innovation and provide for residential development in suitable locations,</p> <p>(e) to recognise the physical and cultural connection of the local Aboriginal community to the land and to incorporate local Aboriginal knowledge, culture and tradition into development,</p> <p>(f) to preserve land for future infrastructure development,</p> <p>(g) to protect, maintain and enhance, and to minimise the impact of development on, trees and vegetation, soil quality and the health of waterways and to contribute to the conservation of biodiversity,</p> <p>(h) to recognise and protect the ecological and cultural value of Wianamatta–South Creek.</p>	<p>Chapter 4 of the Western Parklands SEPP is the principal environmental planning instrument which applies to the site. The site is zoned Enterprise (ENT) under the SEPP. Warehouse and distribution centres are permissible development within the ENT zone.</p> <p>The proposal aligns with the aims of Chapter 4 of the SEPP in that it will facilitate the orderly occupation of the subject site in a way that caters to the current and future needs of the Northern Gateway Precinct. As per the key drivers within the Precinct Plan, industrial uses or warehousing will generate employment and kickstart development. As such the first tenants within the Northern Gateway precinct in this key location adjacent to WSA are likely to be related warehousing and freight related to the operation of the WSA.</p> <p>Over time it is expected that higher order land uses will move into the subject site due to its strategic location and size, providing a diversity of employment opportunities and the more refined urban structure sought by the Precinct Plan.</p> <p>The proposed concept plan has been informed by a recognition and cultural connection to the local indigenous communities and will look to incorporate this local knowledge, culture and tradition into the development.</p> <p>The proposal will ensure that the subject site is adequately serviced and prepared to facilitate the early occupation of the site.</p>	Section 4
	<p>Clause 4.12 Zone objectives and Land Use Table</p> <p>The site is zoned largely ENT, part ENZ, and part SP2 Infrastructure under the SEPP. Warehouse and distribution centres are permissible development within the ENT zone.</p>	The proposed development is permissible with consent in the ENT zone. The proposal aligns with the objectives of the ENT zone as it will encourage early employment opportunities in logistics and warehousing that will support the growth of the Northern Gateway Precinct as a first priority area. The proposed staging of the development will provide necessary flexibility to respond to opportunistic conditions and market changes. The proposal will not limit the future capability of the site to adapt to the future demands of the site, rather it will catalyse future development capabilities of the site. All future developments must also demonstrate consistency with the objectives of the zone.	Section 4
	<p>Clause 4.14 Subdivision</p> <p>Land to which this Policy applies may be subdivided, but only with development consent.</p>	Subdivision of the site is permissible with consent under the SEPP. The subject site is not proposed to be subdivided under this application.	N/A
	<p>Clause 4.15 Demolition requires development consent</p> <p>The demolition of a building or work may be carried out only with development consent.</p>	Demolition of the existing built form at the site is permissible with consent under the SEPP. Demolition is not sought under this application.	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>Clause 4.17 Aircraft noise</p> <p>Development consent must not be granted to noise sensitive development if the development is to be located on land that is in an ANEF or ANEC contour of 20 or greater.</p>	<p>The ENT Zone does not permit noise sensitive development, nor does the proposal include the development of noise sensitive receivers. Despite this a detailed Acoustic Report has considered the impact of the ANEF/ANEC contours on the predominant land use being 'light industrial'</p>	<p>Section 6.1.8 and Appendix S</p>
	<p>Clause 4.18 Building wind shear and turbulence</p> <p>Development consent must not be granted to the following development unless the consent authority has consulted the relevant Commonwealth body—</p> <p>(a) development on land shown on the Lighting Intensity and Wind Shear Map,</p> <p>(b) development that penetrates the 1:35 surface.</p>	<p>An Aviation Impact Assessment has been undertaken to support the proposed development and notes that whilst the proposal to have building to a height of 15-m AGL may produce building induced turbulence across the runway and low-level flight paths, the final building design and siting will determine the magnitude of these disturbance. Given the potential for these impacts, it is expected that the proposed development will be referred to the relevant Commonwealth Body for consultation.</p>	<p>Section 6.1.8 and Appendix S</p>
	<p>Clause 4.19 Wildlife hazards</p> <p>Development consent must not be granted to relevant development on land in the 13 km wildlife buffer zone unless the consent authority—</p> <p>(a) has consulted the relevant Commonwealth body, and</p> <p>(b) has considered a written assessment of the wildlife that is likely to be present on the land and the risk of the wildlife to the operation of the Airport provided by the applicant, which includes—</p> <p>(c) species, size, quantity, flock behaviour and the particular times of day or year when the wildlife is likely to be present, and</p> <p>(d) whether any of the wildlife is a threatened species, and</p> <p>(e) a description of how the assessment was carried out, and</p> <p>(f) is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport, including, for example, measures relating to—</p> <p>(g) waste management, landscaping, grass, fencing, stormwater or water areas, or</p> <p>(h) the dispersal of wildlife from the land by the removal of food or the use of spikes, wire or nets.</p>	<p>The subject site is within the 13km and 3km wildlife buffer. Whilst the proposed development is not listed as relevant development under this clause. A written assessment of the wildlife that is likely to be present on the land and the risk of the wildlife to the operation of the Airport has been undertaken and included at Appendix S.</p> <p>Critically the report has found that SSD-70316465 will reduce the amount of wildlife attracting habitat on the site through the removal of key attracting features such as farm dams. Whilst some attracting flora will be provided on the subject site, this will not be an attractant for birds or bats and not encouraging fauna such as rats and mice, being recognised as food, that would attract birds to the site. As such, the subject site will not impact the risk of wildlife strikes in the vicinity of Western Sydney Airport.</p> <p>Further, the overall concept plan, will be accompanied by Wildlife Management Plan with direct monitoring and mitigating activities to reduce the wildlife attracting properties of the precinct.</p>	<p>Section 6.1.8 and Appendix S</p>
	<p>Clause 4.20 Wind turbines</p> <p>Development for the following purposes is prohibited on land in the 3 km zone—</p> <p>(a) electricity generating works comprising a wind turbine,</p> <p>(b) wind monitoring towers that are not ancillary to the Airport.</p>	<p>Not applicable.</p>	<p>N/A</p>
	<p>Clause 4.21 Lighting</p> <p>Development consent must not be granted to development for the following purposes on land shown on the Lighting Intensity and Wind Shear Map unless the consent authority has consulted the relevant Commonwealth body—</p>	<p>The subject site includes land that is shown on the Lighting Intensity and Wind Shear Map however none of the prohibited land uses are proposed. The proponent needs to ensure that the design and construction of the proposed development limits the upward light (measured 3° to the horizontal) is no more than 0 candelas for Zone A area, 50 candelas for Zone B area, 150 candelas for Zone C area and 450 candelas for Zone D area during both construction and ultimate operation.</p>	<p>Section 6.1.8 and Appendix S</p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>(a) installation and operation of external lighting (whether coloured or white lighting) in connection with development for the following purposes—</p> <p>(b) classified roads,</p> <p>(c) freight transport facilities,</p> <p>(d) heavy industrial storage establishments,</p> <p>(e) recreation facilities (major),</p> <p>(f) recreation facilities (outdoor),</p> <p>(g) installation and operation of external lighting in connection with construction works that is likely to be obtrusive or create light spill outside the land on which the construction works are carried out.</p>		
	<p>Clause 4.22 Airspace operations</p> <p>Development consent must not be granted to development to which this clause applies unless—</p> <p>(a) the consent authority has consulted the relevant Commonwealth body, and</p> <p>(b) the relevant Commonwealth body advises the consent authority that—</p> <p>(c) the development will penetrate the prescribed airspace but it does not object to the development, or</p> <p>(d) the development will not penetrate the prescribed airspace.</p>	<p>As noted in the Aviation Impact Assessment, the Project Site will be partly within the windshear trigger area. The height at the Project Site will be from 93.3 m AHD to 103.2 m AHD. The maximum height of the warehouses will be 79.6 m, which will be lower than height of the trigger area.</p> <p>With the assumption of 15 m above the roof for crane operations, it will up to 94.6 m. However, narrow structures like cranes do not cause significant wind turbulence effects. The Aeronautical Impact Assessment provides mitigation measures to reduce any risks.</p>	<p>Section 6.1.8 and Appendix S</p>
	<p>Clause 4.23 Public Safety</p> <p>Development for the following purposes is prohibited on land shown as the “public safety area” on the Public Safety Area Map—</p> <p><i>Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Education establishments; Entertainment facilities; Function centres; Funeral homes; Health services facilities; Heavy industrial storage establishments; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Tourist and visitor accommodation</i></p>	<p>The development site is not within Public Safety Areas.</p>	<p>N/A</p>
	<p>Clause 4.24 Flood planning</p> <p>Development consent must not be granted to development on land to which this clause applies unless the development—</p> <p>(a) is compatible with the flood hazard of the land, taking into account projected changes as a result of climate change, and</p>	<ul style="list-style-type: none"> ▪ The internal lots and roads of the proposed Stage 1 development (including DHL’s site) remain flood free up to the PMF event for both the post-development and the cumulative post-development scenarios. ▪ The proposed development is compatible with the predicted flood hazard up to and including the PMF event. 	<p>Section 6.2.4 and Appendix T</p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) will enable safe occupation of and evacuation from flood prone land, and</p> <p>(e) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(f) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding, and</p> <p>(g) is consistent with any relevant floodplain risk management plan adopted by the council for the land in accordance with the Floodplain Development Manual.</p>	<ul style="list-style-type: none"> ▪ The proposed development is not predicted to result in significant modifications in design flood behaviour. ▪ The proposed main site access routes have been predicted to be flood-free and/or trafficable (with low flood hazard) in the rare events up to and including the 0.2% AEP event. ▪ The proposed development will not impact on any existing emergency management arrangements. ▪ The proposed development is not anticipated to cause adverse social and economic impacts associated with flooding. ▪ It has been determined that the development has design resilience to climate change. ▪ The cumulative post-development scenario has predicted localised increases in peak flood level upstream of the M12 Motorway Crossings of Cosgroves Creek, Badgerys Creek and South Creek for all events up to and including the PMF. However, these localised changes in flood behaviour will not impact on the flood immunity of Burrah Park Site. 	
	<p>4.25 Preservation of trees and vegetation in Environment and Recreation Zone and Cumberland Plain</p> <p>Development must not be granted unless the consent authority is satisfied that, in relation to the disturbance of native vegetation caused by the clearing—</p> <p>(a) there is no reasonable alternative available to the disturbance of the native vegetation, and</p> <p>(b) any impact of the proposed clearing on biodiversity values is avoided or minimised, and</p> <p>(c) the disturbance of the native vegetation will not increase salinity, and</p> <p>(d) native vegetation inadvertently disturbed for the purposes of construction will be re-instated where possible on completion of construction, and</p> <p>(e) the loss of remnant native vegetation caused by the disturbance will be compensated by revegetation on or near the land to avoid a net loss of remnant native vegetation, and</p> <p>(f) the clearing of the vegetation is unlikely to cause or increase soil erosion, salination, land slip, flooding, pollution or other adverse land or water impacts.</p>	<p>The subject site is an essential strategic landholding that will support the growth of the Northern Gateway Precinct as an employment generating precinct. The subject site has been extensively cleared in the past for agricultural purposes however pockets of biodiversity still exist on the site. However, no land mapped as High Biodiversity Value is within the proposed impact area.</p> <p>The development is proposed in an area of largely exotic grassland. No hollow-bearing trees are within the site. The majority of native vegetation to be removed is considered planted (1.362 ha). Canopy cover will be reinstated through landscaping and street tree plantings as part of the proposed development. Zoning has enabled large trees to be retained in the adjacent Cosgrove's Creek riparian Corridor.</p> <p>The entirety of the site has been certified as urban capable under the Cumberland Plain Conservation Plan. That said, a detailed BAR has been prepared to provide evidence of biodiversity certification, compliance with relevant development controls and provides an assessment of relevant MNES under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).</p> <p>All development and Asset Protection Zones are located on land certified as 'Urban Capable' under the Cumberland Plain Conservation Plan (CPCP).</p>	<p>Section 6.1.9 and Appendix O</p>
	<p>4.26 Heritage conservation</p> <p>Requirement for consent Development consent is required for the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <ol style="list-style-type: none"> i. a heritage item, ii. an Aboriginal object, 	<p>An assessment of the Aboriginal and European heritage significance of the site has been addressed by Artefact and Mountain Heritage within Sections 6.2.1 and 6.2.2 of the EIS. These sections have similarly considered the impact of the proposal to the heritage fabric identified on site.</p> <p>In terms of Aboriginal Archaeology, the covering letter prepared by Artefact takes into account the proposal in the context of previous investigations and studies of indigenous heritage on the site. Artefact has concluded that the DHL warehouse study area does not contain any Aboriginal sites or Aboriginal heritage constraints as identified in the ACHAR for the concept plan. Impacts of SSD-38201739 (DHL Warehouse) are therefore consistent with those assessed for the concept plan.</p>	<p>Sections 6.2.1 and 6.2.2 and Appendix P and Appendix Q</p>

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	<p>iii. a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 2 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>i. on which a heritage item is located or that is within a heritage conservation area, or</p> <p>ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>i. on which a heritage item is located or that is within a heritage conservation area, or</p> <p>ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	<p>Given there are no Aboriginal heritage constraints identified within the DHL warehouse study area and bulk earthworks would be carried out under SSD-70316465, no management of Aboriginal heritage is required.</p> <p>In terms of European Heritage, the original Statement of Heritage Impact (SoHI) report prepared by Baker Archaeology in August 2024 remains relevant. Following a review of the updated drawings listed in EIS prepared by SBA Architects dated October 2024, Urbis can confirm that the Statement of Heritage Impact (SoHI) report prepared by Baker Archaeology in August 2024 remains relevant, fulfils the Industry Specific SEARS for Environmental Heritage and that no further heritage impact assessment is required. The large-scale facilities proposed at the subject site as part of the Stage 1 works would have the same impact on heritage items identified, removing all physical traces of the former CSIRO Division of Animal Health (DAH) facility.</p> <p>The proposed mitigation measures recommended by the 2024 report do not require amendment and are copied below:</p> <p><i>None of the heritage elements identified in this SOHI warrant conservation. Archival recording is warranted prior to removal. A photographic archival record of the former CSIRO McMaster Field Station site, including all of its built and landscape elements, should be prepared by a suitably qualified heritage consultant prior to the Stage 1 development. This record should be prepared in accordance with the NSW Heritage Council's Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Council, 2006).</i></p>	
	<p>Clause 4.27 Transport corridors</p> <p>Development consent must not be granted to the following development unless the consent authority has obtained the concurrence of Transport for NSW—</p> <p>(a) development on transport corridor land with a capital investment value of more than \$200,000,</p> <p>(b) development that involves the penetration of ground to a depth of at least 2 metres below ground level (existing) on land within 25 metres (measured horizontally) of transport corridor land.</p>	N/A	N/A
	<p>Clause 4.28 Warragamba Pipelines</p> <p>Development consent must not be granted to development on land shown on the Warragamba Pipelines Map unless the consent authority—</p> <p>(a) has obtained the concurrence of Water NSW, and</p> <p>(b) is satisfied that the development will not adversely affect—</p> <p>(c) the quantity or quality of water in the Warragamba Pipelines controlled area (declared under the Water NSW Act 2014), or</p> <p>(d) the operation and security of water supply pipelines from Warragamba Dam to Prospect Reservoir and associated infrastructure.</p>	N/A	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>Clause 4.31 Design review panel</p> <p>Development consent must not be granted to the development unless—</p> <p>(a) a design review panel reviews the development, and</p> <p>(b) the consent authority takes into account the findings of the design review panel, and</p> <p>(c) the consent authority is of the opinion that the development exhibits design excellence.</p>	<p>The proponent group met with the State Design Review Panel (SDRP) on 2 June 2022. Feedback from this session was a catalyst for scheme refinements, whilst still enabling the operational outcomes sought by DHL. The Urban Design Report prepared by SBA Architects is attached at Appendix K.</p>	<p>Section 6.1.1, 6.1.2 and Appendix K</p>
	<p>Clause 4.33 Consideration of design excellence</p> <p>When considering whether development exhibits design excellence, the consent authority must have regard for the following—</p> <p>(a) whether the development responds to the physical and cultural connection of the local Aboriginal community to the land,</p> <p>(b) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(c) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</p> <p>(d) whether the development detrimentally impacts on view corridors.</p>	<p>The proposed development is strategically designed to ensure good design is delivered. The built form is wrapped in a fluid and dynamic façade that is sympathetic to industrial precinct the site is in and future surrounding developments, ensuring the overall amenity of future surrounding developments is maintained.</p> <p>Design excellence has been addressed within the Urban Design Report attached at Appendix K.</p>	<p>Section 6.1.2 and Appendix K</p>
	<p>Clause 4.39 Development must be consistent with precinct plan</p> <p>Development consent must not be granted to development on land to which a precinct plan applies unless the consent authority is satisfied that the development is consistent with the precinct plan.</p>	<p>See below.</p>	<p>-</p>
	<p>Clause 4.49 Public utility infrastructure</p> <p>Development consent must not be granted to development unless the consent authority is satisfied that—</p> <p>(a) public utility infrastructure that is essential for the development is available, or</p> <p>(b) the public utility infrastructure will be available when required.</p>	<p>The proposal responds to the needs of clause 4.49 in that the public utility estate works will be provided under the concept plan. These include site preparation and earthworks, road infrastructure, stormwater infrastructure, utilities and services, environmental management works.</p> <p>Thus, this site will adequately be serviced by public utility infrastructure in preparation for its occupation and operation.</p>	<p>Section 6.2.11 and Appendix JJ</p>
	<p>Clause 4.50 Relevant acquisition authority</p> <p>(2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).</p>	<p>Land is identified to be acquired within the project area for the following: Stormwater Infrastructure.</p> <p>It is expected that the extent of land required for this Infrastructure will be determined through ongoing discussions with Sydney Water, DPHI and the Burra Park Prop Trust 1 through the assessment process for the broader Burrah Park proposal (SSD-70316465).</p> <p>Development on site may be carried for any purpose with development consent.</p>	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<p><i>State Environmental Planning Policy (Industry and Employment) 2021 – Schedule 5 Assessment Criteria</i></p>	<p>Character of the area</p> <ul style="list-style-type: none"> ▪ Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? ▪ Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The proposed signage is compatible with the proposed industrial land and desired future character of the area. The proposed signage will not detract from the streetscape as the signage will be located within the site and will not disrupt vehicular flow.</p> <p>The scale and location of the proposed signage is consistent with the scale of similar industrial development locations. The proposed street landscaping will further integrate the signage within the streetscapes.</p>	<p>Section 4 and Appendix K</p>
	<p>Special areas</p> <ul style="list-style-type: none"> ▪ 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? 	<p>The proposal does not detract from the amenity or visual quality of any environmentally sensitive areas, natural or other conservation areas, open space area, waterways or rural landscapes.</p> <p>The proposed signage will not adversely impede the visibility of other signage within the surrounding area.</p>	
	<p>Views and vistas</p> <ul style="list-style-type: none"> ▪ Does the proposal obscure or compromise important views? ▪ Does the proposal dominate the skyline and reduce the quality of vistas? ▪ Does the proposal respect the viewing rights of other advertisers? 	<p>The signage will not obscure or compromise views, dominate the skyline or impede on the viewing rights of other advertisers.</p>	
	<p>Streetscape, setting or landscape</p> <ul style="list-style-type: none"> ▪ Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? ▪ Does the proposal contribute to the visual interest of the streetscape, setting or landscape? ▪ Does the proposal reduce clutter by rationalising and simplifying existing advertising? ▪ Does the proposal screen unsightliness? ▪ Does the proposal protrude above buildings, structures or tree canopies in the area or locality? ▪ Does the proposal require ongoing vegetation management? 	<p>The proposed signage is compatible with the scale of the proposed streetscape and setting.</p> <p>The proposed signage will incorporate quality materials and finishes and provide a coherent and integrated colour scheme based on the marketing colours of DHL</p> <p>The proposal will appropriately reflect the future design and character of the logistics and warehouse facility and does not present visual clutter.</p>	
	<p>Site and building</p> <ul style="list-style-type: none"> ▪ 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? ▪ Does the proposal respect important features of the site or building, or both? ▪ Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The signage will be of suitable scale and design for its intended purpose. The signage will only occupy a small proportion of the building façade and overall site area.</p> <p>The signage will not be the dominant visual feature of the building and will remain below the roof line.</p> <p>Signage will be logically positioned to identify the warehouse and distribution centre and tenants. The sign also contributes to the industrial character of the precinct.</p>	
	<p>Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> ▪ 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? 	<p>The signage will display the DHL name and logo. Illumination devices are integrated into the existing design of the sign.</p>	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>Illumination</p> <ul style="list-style-type: none"> ▪ Would illumination result in unacceptable glare? ▪ Would illumination affect safety for pedestrians, vehicles or aircraft? ▪ Would illumination detract from the amenity of any residence or other form of accommodation? ▪ Can the intensity of the illumination be adjusted, if necessary? ▪ Is the illumination subject to a curfew? <p>Safety</p> <ul style="list-style-type: none"> ▪ Would the proposal reduce the safety for any public road? ▪ Would the proposal reduce the safety for pedestrians or bicyclists? ▪ Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>Illumination will occur at low wattage and will not impact the safety or amenity of pedestrians, vehicles or nearby residential receivers. The light source for the signage will be static.</p> <p>The proposed signage will not distract motorists. No safety implications for pedestrians or vehicular users are envisaged.</p> <p>The signage will not be illuminated and will be set back from the boundaries.</p>	
State Environmental Planning Policy (Sustainable Buildings) 2022			
3.2 Development consent for non-residential development	<p>(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following— (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, (e) the metering and monitoring of energy consumption, (f) the minimisation of the consumption of potable water.</p> <p>(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified</p>	The project has been prepared with a supporting embodied emissions materials form and responds to the sustainable design measures requirements, as detailed.	Section 6.1.4 Appendix JJ
3.3 Other considerations for large commercial development	<p>(1) In deciding whether to grant development consent to large commercial development, the consent authority must consider whether the development minimises the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.</p> <p>(2) Development consent must not be granted to large commercial development unless the consent authority is satisfied the development is capable of achieving the standards for energy and water use specified in Schedule 3.</p> <p>(3) For the purposes of subsection (2), development is capable of achieving a standard specified in Schedule 3 if there is a NABERS commitment agreement in place to achieve the standard.</p>	The development comprises over 1,000m ² of cumulative office space. A Net Zero Statement and NABERS Agreement has also been prepared.	Appendix CC Appendix MM

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>(4) Subsection (2), to the extent it relates to energy use, does not apply to large commercial development on land to which the following local environmental plans apply—</p> <p>(a) Sydney Local Environmental Plan 2012,</p> <p>(b) Sydney Local Environmental Plan (Green Square Town Centre) 2013,</p> <p>(c) Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013.</p> <p>(5) Despite subsection (4), subsection (2) applies to large commercial development to the extent that the development relates to prescribed serviced apartments.</p>		
Penrith Local Environmental Plan 2010			
<i>Penrith Local Environmental Plan 2010</i>	This Plan aims to make local environmental planning provisions for land in Penrith in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.	<p>The SEARs provided for SSD-70817958 in May 2024 do not reference the Penrith Local Environmental Plan 2010 as a planning instrument that the application is to demonstrate its consistency with.</p> <p>Since the gazettal of the Western Parklands SEPP on the 02 December 2021 the Penrith Local Environmental Plan 2010 no longer applies to the site, and thus, no further assessment of the instrument is required.</p>	N/A
Western Sydney Aerotropolis Development Control Plan 2022			
Phase 2		An assessment of the Western Sydney Aerotropolis Development Control Plan 2022 is provided at Appendix C .	Appendix C
Mandatory Matters for Consideration			
Western Sydney Aerotropolis Plan 2020	<p>Objective 1 An accessible and well-connected Aerotropolis</p> <ul style="list-style-type: none"> ▪ PR1 Ensure walking or cycling is the most convenient option for short trips around centres and local areas. ▪ PR2 Prioritise public and active transport in centres with general through traffic and freight directed outside of these centres. ▪ PR3 Match car parking with the level of public transport access. ▪ PR4 Limit direct property access to classified roads and rationalise or orient to the local street network. 	<p>Connecting the site to the broader aerotropolis will encompass the prioritisation of freight corridors to support the growth of the Western Sydney Airport on roads outside of local centres. In the Western Parkland City, transport networks will be developed to support sustainability outcomes and jobs growth within the District. The Future Transport Strategy 2056 has identified and committed to the following infrastructure projects which will ultimately benefit the site.</p> <ul style="list-style-type: none"> ▪ Committed Initiative (0-10years) – M4 Smart Motorway; Western Sydney Airport. ▪ Initiatives for Investment (0-10 years) – Infrastructure to support rapid and regular bus connections between the Western Sydney Airport – Badgerys Creek Aerotropolis, Penrith, Liverpool, Blacktown, and Campbelltown – Macarthur; M12 Motorway. ▪ Initiatives for Investigation (10-20 years) – Western Sydney Freight Line; Western Sydney Outer Orbital. <p>Given the location and scale of the site, all the above infrastructure projects will benefit the proposed warehouse and logistics estate not only in terms of accessibility for future clients and staff but improve opportunities for product outputs and overall increase operational capacity. It also proposes a land use and development type that will ultimately complement the overall objectives of a number of these projects, as well as the wider Aerotropolis.</p>	Section 6.1.3 Appendix M

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>Objective 2 High-value jobs growth is enabled, and existing employment enhanced</p> <ul style="list-style-type: none"> ▪ PR5 Develop vibrant centres with high quality public domain, a rich urban tree canopy, and well-designed buildings and places that attract workers and investment. ▪ PR6 Establish a centres hierarchy, including future centres, in line with the Region Plan (Strategy 22.2). 	<p>The proposed warehouse and distribution centre will maximise the employment generating potential of the site to create an efficient, attractive, and high-quality employment zone in line with the objectives of the Draft Penrith Employment Lands Strategy 2021.</p> <p>Higher order employment uses will be predominant within the Northern Gateway precinct, with desirable uses including (but not limited to) freight and logistics, warehousing, technology, commercial enterprise, offices, and industry amongst other employment generating uses. The precinct will have synergies with the adjacent Airport Business Park.</p> <p>The proposed warehouse and logistics estate will maximise the employment generating potential of the site to create an efficient, attractive, and high-quality employment zone which addresses the following overarching principals of the Aerotropolis.</p>	<p>Appendix DD</p>
	<p>Objective 3 Safeguard airport operations</p> <ul style="list-style-type: none"> ▪ PR7 Appropriately design, construct and locate development to safeguard 24/7 airport operations. ▪ PR8 Require development up to the 20 ANEC/ANEF contour to adopt appropriate design and construction standards to reduce aircraft noise impacts and prohibit intensification of residential development within the ANEC/ANEF 20 and above contours. 	<p>The proposal has adopted the National Airports Safeguarding Framework which will ensure:</p> <ul style="list-style-type: none"> ▪ The protection of airport operation through ensuring sensitive land uses will not be affected by aircraft noise. This is monitored through the Australian Noise Exposure Concept (ANEC) and Australian Noise Exposure Forecast (ANEF) maps. ▪ The protection of airspace through ensuring appropriate heights for buildings and temporary structures do not affect airport operations. ▪ Wildlife management around airports to minimise wildlife strikes which cause major damage to aircraft and/or compromises aircraft safety. ▪ Noise sensitive development has not been included in this proposal. 	<p>Section 6.1.8 and Appendix S</p>
	<p>Objective 4 A landscape-led approach to urban design and planning</p> <ul style="list-style-type: none"> ▪ SU1 Retain and enhance natural features such as waterways, vegetation, landform and culturally significant landscapes. ▪ SU2 Integrate Blue Green Infrastructure links with public open spaces and the Green Grid, maximising opportunities for connections, an urban tree canopy and active use of the floodplain. ▪ SU3 Retain water in the landscape by maximising appropriate permeable surfaces, reusing water and developing appropriate urban typologies. ▪ SU4 Orient urban development towards creeks and integrate into the landscape through quality open space, a high degree of solar access and tree canopy. ▪ SU5 Develop a connected parkland network linking with the Wianamatta–South Creek corridor that shapes the Aerotropolis and provides amenity and ecological value and create a high-quality ridgeline and linear parks adjacent to, and integrated with, riparian corridors that retain water. ▪ SU6 Retain and increase the urban tree canopy and green cover across the Aerotropolis consistent with the Region Plan target of 40% and the Premier’s Priority for Greening our city. ▪ SU7 Retain, enhance and co-locate vegetation on ridgelines with active open space and use it to guide building heights. 	<ul style="list-style-type: none"> ▪ The Landscape Design plays an important role mitigating impacts of development. The reinforcement of hydrology and its interconnected nature resulted in the inclusion of significant water devices in the proposal. The inclusion of Water on site not only expresses the importance of Water Country, but more inlays Care for Country of this element; natural de-toxifying water and recharging the water table (a particularly strong message delivered to the project team by the Dharug Aunties) ▪ A key consideration thought the landscape design is the inclusion and provision of generous areas of softscape which will facilitate the growth of a healthy tree canopy. Through the provision of 481 new trees on site, the 16% tree canopy coverage which contributes to the overall concept plan tree canopy target of 15% (On-Lot) and 60% (Open Space) will contribute to shade cover over hardstand areas mitigating the heat island affect while playing a key role in establishing the Connecting with Country Element of Wind Country. Tree canopies contribute to the function of the ecological corridors of the green grid. The site currently includes scattered existing trees. These are unable to be retained due to necessary civil works. The replacement tree canopy will significantly exceed the current cover. 	<p>Section 6.1.1.3 and Appendix I</p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> ▪ SU8 Identify and protect scenic and cultural landscapes and develop a street grid based on landforms, with long north–south blocks in urban areas to attain good solar performance, and east–west streets to capture long views to the Blue Mountains. ▪ SU9 Meet the requirements of the biodiversity conservation program in the Cumberland Plain Conservation Plan and approved strategic biodiversity certification and strategic assessment protecting land with biodiversity value and provide a sensitive urban interface that supports and enhances corridors and reserves. ▪ SU10 Avoid, minimise and mitigate impacts on threatened species and endangered ecological communities, habitat corridors, and riparian and aquatic habitats to prioritise length, connectivity and representativeness to maintain ecological function. Protect the integrity and continuity of wildlife by: <ul style="list-style-type: none"> - protecting priority habitat corridors to support migrating species, birds and arboreal mammals, - using public land for biodiversity conservation with an appropriate management regime, - expanding vegetation corridors if impacted by utility installations. ▪ SU11 Retain and protect wetland environments to support plant animal communities and to mitigate wildlife attraction or wildlife strike. ▪ SU12 Provide open space buffers and asset protection zones to conservation areas wholly within urban capable footprints. ▪ SU13 Plan stormwater and wastewater in the Wianamatta–South Creek Catchment to minimise potential hydrologic and hydraulic impacts on ecology, creek structure, infrastructure, water quality and the natural water cycle. Integrate water sensitive urban design and use stormwater or recycled water to irrigate streets and public open space to support public amenity and urban cooling. Co-locate industrial water users, where appropriate. 		
	<p>Objective 5 A sustainable, low carbon Aerotropolis that embeds the circular economy</p> <ul style="list-style-type: none"> ▪ SU14 Use low carbon, high efficiency strategies to reduce emissions and energy use in line with NSW net zero emissions target and mitigate urban heat through urban development and building design. Use innovative and integrated approaches to achieve higher standards of resource recovery, waste management, water management and renewable energy. 	<p>A range of environmentally sustainable principles are proposed for the development. Detail on these design considerations is detailed further in Appendix CC.</p>	<p>Section 6.1.4 and Appendix CC</p>
	<p>Objective 6 A resilient and adaptable Aerotropolis</p> <ul style="list-style-type: none"> ▪ SU15 Plan for compatible land uses within the floodplain, provide safe evacuation and egress from flood events and consider climate change, culvert blockage and floodplain revegetation. ▪ SU16 Prohibit cut and fill to alter the 1% AEP flood extent. 	<p>The warehouse development will allow for the flexibility for DHL to adapt to meet the changing needs of consumers and market conditions. This will facilitate a more resilient and adaptable aerotropolis.</p> <p>The proposal will also consider future environmental events that may impact upon the development. Technical studies have been undertaken to depict how the proposal will mitigate</p>	<p>Section 6 and Appendix O, P and T.</p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> ▪ SU17 Design, build and manage flood mitigation assets to provide where feasible native habitat, aesthetics, public recreation and amenity, whilst not impacting on flood behaviour. ▪ SU18 Protect, maintain and improve the water quality and flow to meet the NSW Government waterway health targets. ▪ SU19 Protect high value terrestrial and aquatic ecosystems to enhance biodiversity and protect environmental values. 	risks of flooding, biodiversity loss etc. and can be found in Section 6 of the EIS and Appendix O, P and T.	
	<p>Objective 7 Infrastructure that connects and services the Western Parkland City as it grows</p> <ul style="list-style-type: none"> ▪ IC1 Integrate passenger and freight transport with urban design at the Aerotropolis-wide, precinct and local scale, connected more broadly to the Western Parkland City, to achieve quality movement and place outcomes. ▪ IC2 Locate and stage high quality active and public transport, utility and digital networks to align with projected land uses and secure corridors and sites early. ▪ IC3 Develop the Aerotropolis as a Smart City supported by fast and reliable and adaptable digital connectivity. ▪ IC4 Ensure the interoperability of systems align with NSW Government connected infrastructure and Internet of Things policies. ▪ IC5 Dimension local and town centre networks to allow tree planting, lower vehicle speeds and intuitive and safe walking and cycling infrastructure. ▪ IC6 Plan for car parking, setbacks and intersections to allow easy crossing of streets and maintain compact, consistent built form edges. ▪ IC7 Adopt an integrated water management approach that considers urban form and streetscape, trunk drainage land and assets, waterway health, stormwater, wastewater and recycled water. 	<p>Connecting the subject site to the broader aerotropolis will encompass the prioritisation of freight corridors to support the growth of the Western Sydney Airport on roads outside of local centres. In the Western Parkland City, transport networks will be developed to support sustainability outcomes and jobs growth within the District.</p> <p>The sites proximity and future access to Elizabeth Drive allows it to not only benefit from its immediate proximity to the adjacent WSA but presents an opportunity to leverage of several major State and Nationally significant infrastructure projects, such as;</p> <ul style="list-style-type: none"> ▪ M4 Smart Motorway; Western Sydney Airport. ▪ Infrastructure to support rapid and regular bus connections between the Western Sydney Airport – Badgerys Creek Aerotropolis, Penrith, Liverpool, Blacktown, and Campbelltown – Macarthur; M12 Motorway. ▪ Western Sydney Freight Line; Western Sydney Outer Orbital. <p>Given the location and scale of the site, all the above infrastructure projects will benefit the proposed warehouse and distribution centre not only in terms of accessibility for future clients and staff but improve opportunities for product outputs and overall increase operational capacity. It also proposes a land use and development type that will ultimately complement the overall objectives of a number of these projects, as well as the wider Aerotropolis.</p> <p>The staged construction of the internal estate road network and connection to Elizabeth Drive (as under SSD-70316465) will ensure that the proposed development;</p> <ul style="list-style-type: none"> ▪ Is compatible with existing and planned external road network, including the future widening of Elizabeth Drive and access through the M12 corridor. ▪ Consists of Internal road configuration that maximises efficiency and flexibility in the concept plan layout and development sites. ▪ Ensures the estate road design complies with the relevant Council and Australian standards. ▪ The proposed design has been designed to accommodate generic warehousing and distribution facilities and uses. 	Section 6.1.3 and Appendix M.
	<p>Objective 8 A collaborative approach to planning and delivery</p> <ul style="list-style-type: none"> ▪ IC8 Adopt a collaborative approach to precinct planning and master planning with all three levels of government, the community, industry, utilities and landowners. 	Extensive consultation has been undertaken with all levels of government including Council, the DPHI and it is expected that concurrence will be achieved with the appropriate federal bodies once the EIS has been formally lodged.	Section 5 and Appendix EE
	Objective 9 Diverse, affordable, healthy, resilient and well-located housing	The subject site is zoned ENT under the Western Parkland SEPP, as such, no housing is permitted within the zone. The subject is encumbered by major transport routes further limiting its	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> ▪ LV1 Create a compact urban form in areas of high accessibility with a rich urban tree canopy and along creeks so that residents live within a 10-minute walk of quality green, open and public space consistent with the Premier's Priority for Greener Public Spaces. ▪ LV2 Provide affordable rental housing in line with the Western City District Plan targets. ▪ LV3 Provide for a diverse range of housing types and price points. ▪ LV4 Avoid residential development on major roads, freight or public transport corridors. 	<p>residential use. The site will prioritise development for warehousing and logistics purposes. Development of housing in the broader Aerotropolis will not be impacted by the proposal.</p>	
	<p>Objective 10 Social and cultural infrastructure that strengthens communities</p> <ul style="list-style-type: none"> ▪ LV5 Provide multi-purpose and intergenerational community and cultural facilities and services which meet the needs of the community and bring people together. ▪ LV6 Integrate health and education infrastructure into local centres with supporting public transport services. ▪ LV7 Locate health, education, residential and other sensitive land uses away from major road, rail and freight movement corridors. 	<p>The subject site is not classified as a local centre and will primarily function as an employment generating site prioritising warehousing and logistics. The proposal does not include health, education, residential or other sensitive receivers as the subject site is encumbered by major road and freight corridors. These services will be concentrated in and around local centres and will not be impacted by the proposed development.</p>	<p>N/A</p>
	<p>Objective 11 Great places that celebrate local character and bring people together</p> <ul style="list-style-type: none"> ▪ LV8 Plan for a mix of high quality, fine grain places that engage and connect people and attract residents, workers, visitors, enterprise and investment. ▪ LV9 Create a strong sense of place through a well-designed built environment, a fine grain urban form, a diverse and flexible land use mix, high levels of amenity and legibility of movement through the place. ▪ LV10 Integrate development with precinct-wide place and public domain outcomes. ▪ LV11 Design streets, neighbourhoods, centres and employment areas to be people friendly and promote local connection. ▪ LV12 Create valued public and private places that demonstrate a high degree of design excellence and activate open spaces in line with Better Placed, Greener Places and the Premier's Priority for Greener Public Spaces. ▪ LV13 Celebrate open space areas as places of shared importance to Aboriginal and non-Aboriginal people and maintain important landscapes and views. Provide opportunities for connection to Country. ▪ LV14 Acknowledge and celebrate Aboriginal culture, history and heritage, alongside non-Aboriginal heritage. ▪ LV15 Design major streets as green active parkways and places supporting new technology. 	<p>The proposal ultimately proposes to respect the land as it currently exists, while allowing it to be developed in a way that is in line with the NSW State governments vision for the Northern Gateway. The proposal will provide essential employment opportunities in higher order industries. Specific consideration has been given to improving the connectivity of the site through design principles which leverage the sites strategic positioning, whilst accommodating potential through fares between neighbouring land uses, as well as to key existing roads. The road network as under SSD-70316465 not only allows for multiple end users and development types with varying lot sizes, but it has also been designed to accommodate for potentially interconnected use types with neighbouring landowners.</p> <p>The site has also been designed in a way that not only achieves the purpose of creating a gateway to the wider Aerotropolis and the diversity of surrounding land uses, but also proposes buildings and communal open spaces of the highest quality and amenity to showcase the Western Parkland City.</p>	<p>Appendix I</p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Aerotropolis Precinct Plan	3.1 Infrastructure Delivery – Requirements		
	I1. Prior to granting development consent, the consent authority must be satisfied that essential services and infrastructure are available or will be available when required for the development. Essential services and infrastructure is road access, water supply, sewer, electricity and stormwater infrastructure.	The utilities / services infrastructure requirements have been assessed and any connection or augmentation requirements identified. The proponent will provide essential infrastructure services to facilitate the scale of the proposed development.	Section 6.2.11 and Appendix JJ
	I2. Development near utility infrastructure should be in accordance with the relevant service authority's guidelines and requirements.	Noted.	
	I3. Development will need to investigate and consider future planned utility infrastructure including the aviation fuel pipeline	The Infrastructure Services Report at Appendix JJ has investigated all planned utility infrastructure.	Section 6.2.11 and Appendix JJ
	I4. Where the alignment of an aviation fuel pipeline is specified, applicants for development that adjoins the pipeline (including the planned pipeline alignment if not yet constructed) are to undertake a land use safety assessment to determine appropriate buffers and mitigation measures to reduce public risk in consultation with the relevant authority.	N/A	N/A
	I5. Shared utility trenches are to be used and located generally in accordance with the utilities allocations in the Western Sydney Street Design Guideline and relevant cross-sections in the DCP to minimise the impacts of utilities allocations on landscaping and street tree planting.	Utility facilities are provided with regard to the Western Sydney Street Design Guideline as part of SSD-70316465.	Section 6.2.11 and Appendix JJ
	I6. Fast, reliable and high-speed internet connectivity infrastructure is to be provided as part of all subdivision development and all buildings are to have direct connection to high speed broadband that complies with the standards listed in the Australian and New Zealand Smart Cities Council Code for Smart Communities.	It is anticipated that there is adequate capacity within the existing telecommunications network to supply the site. It is understood that a minor Telstra network is located within the site and will ultimately need to be relocated by the developer. NBN requires an application for connection to be made with appropriate lead times to ensure the network can be delivered to the site.	Section 6.2.11 and Appendix JJ
	3.2 Development Sequencing – Requirements		
	DS1. The sequencing of development is to be generally in accordance with the Sequencing Plan at Figure 2 (Out of Sequence provisions are outlined in Section 3.3).	The proposed development not considered 'out of sequence' as it is identified as a first priority area within the sequencing plan at Figure 2 of the Aerotropolis Precinct Plan.	N/A
	DS2. Development is not to compromise the efficient and orderly provision and staging of the transport network, utilities and servicing	The proposed development does not result in such outcomes.	N/A
DS3. Early development must prioritise locations well supported by high levels of public and active transport accessibility	The site is in proximity to critical transport infrastructure including the M12 Motorway Corridor, Metro Western Sydney Airport and rapid bus services.	N/A	
DS4. Development does not result in isolated areas requiring out of sequence servicing by transport networks, utilities and services, or at additional cost to government or utility agencies.	The proposed warehouse and distribution centre is being delivered in accordance with the staging of the Precinct Plan.	N/A	
DS5. The road network proposed as part of development applications is to be consistent with the Street Hierarchy Map at Figure 9, or temporary arrangements must be made with agreement of the relevant Roads Authority.	NA – this proposal does not propose any road network. Road design and construction formed part of the concept approval.	N/A	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	DS6. Locations with good access to the Western Sydney Airport for freight and passengers are to be prioritised.	The proposal is considered as priority as the site has a good access to the Western Sydney Airport and nature of the proposed use being a warehouse and distribution centre will increase freight movements within the area.	N/A
	3.3 Out of Sequence Development – Requirements OS1. Where a development application proposes development that does not meet the Requirements of Section 3.1, the applicant is required to demonstrate, to the satisfaction of the consent authority, that arrangements have been made for all essential services and infrastructure to be provided when required and at no additional cost to government (including the relevant Council and the NSW Government) and utilities authorities.	The proposed development not considered 'out of sequence' as it is identified as a first priority area within the sequencing plan at Figure 2 of the Aerotropolis Precinct Plan.	N/A
	OS2. Applicants for development under Requirement OS1 must provide, as part of the development application, confirmation from utilities providers including Sydney Water and infrastructure delivery agencies including the relevant Council and Transport for NSW that: a) planned servicing and infrastructure provision will be in place to support development; and b) the development is capable of connecting to and integrating with existing or planned services and infrastructure.	NA – for the reason stated above.	N/A
	OS3. Applicants for development under Requirement OS1 must demonstrate, to the satisfaction of the consent authority, that out of sequence development does not unreasonably impact on the ability of adjoining or nearby landowners to develop their land in accordance with the Precinct Plan or result in unreasonable impacts on the environment of adjoining land.	NA – for the reason stated above.	N/A
	4.1 Proposed Land Use & Structure Plan – Requirements LU1. The types and densities of land uses are to be consistent with the Land Use Plan at Figure 3. Key land use terms used in the Land Use Plan are described in the Glossary.	The proposal recognises the strategic importance of the WSI as a major trade gateway and proposes a new industrial development which will encourage employment, minimise any adverse effect on surrounding industries on other land uses, and facilitate and encourage freight related industries that will contribute to the growth and diversification of trade through the Western Sydney Airport.	N/A
	LU2. Subdivision and civil works are to be consistent with the road network shown on the Transport Network Plan (Figure 7). Local streets, laneways and active transport routes are designed to integrate with the Transport Network Plan and to: ▪ Ensure connectivity ▪ Encourage sustainable transport choices by providing direct routes that prioritise active transport and public transport for workers ▪ Appropriately cater for heavy vehicles including freight movements and public transport vehicles ▪ Facilitate coordinated development of parcels in different ownerships or at different times ▪ Assist with managing water in the landscape	The proposal remains consist with the road network under the concept plan (SSD-70316465), ensuring the proposed DHL Stage 2 SSDA development is well connected with the overall precinct. The site will be highly accessible to both the transport and regional freight network and caters to heavy vehicle and freight movements.	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS								
	<ul style="list-style-type: none"> ▪ Minimise the extent and depth of earthworks and the need for retaining walls. 										
	LU3. Local or Neighbourhood Centres in the Enterprise Zone or Agribusiness Zone are to be located within 400m of the indicative location on the Land Use Plan (Figure 3), and on public transport routes (collector roads or Sub-arterial Roads).	NA - the site is not located within the Local/Neighbourhood Centre.	N/A								
	LU4. Connect ridgelines to watercourses through linear streets that maintain and enhance visual connections, integrate canopy cover, deep soil, landscaping and water management.	Through the provision of 481 new trees on site, the 16% tree canopy coverage which contributes to the overall concept plan tree canopy target of 15% (On-Lot) and 60% (Open Space) will contribute to shade cover over hardstand areas mitigating the heat island affect while playing a key role in establishing the Connecting with Country Element of Wind Country.	Appendix I								
	LU5. Ensure built form is appropriate for its use and ensure natural cross ventilation, improved internal thermal comfort and reduced reliance on air conditioning.	The built form and function have considered practical and effective sustainability measures, relating to shading, ventilation, power generation and water.	Appendix K								
	LU6. Provide for high quality architectural and design outcomes which respond to topography and site characteristics.	The gradient of the site is generally flat. The built form has been well designed in response to the site topography and the surrounding context.	Appendix K								
	LU7. Residential development in the Mixed Use Zone is to be located: <ul style="list-style-type: none"> a) Within 1 kilometre walking distance of Metro stations; or b) Within 400 metres of a bus stop or a Collector Street; and c) Within 200 metres of open space 	NA – the proposal does not involve a residential development.	N/A								
	4.2 Subdivision & Block Structure – Requirements SU1. Block structure is designed to enable the delivery of efficient and accessible public transport routes.	Subdivision patterns and block sizes are included within the concept approval. This proposal only involves construction of a warehouse and distribution centre and associated fitout, earthworks, landscaping, and hardstand.	N/A								
	SU2. Block structures and the road network are designed to respond to the natural topography and the flow of water in the landscape, including measures to appropriately manage overland flow and localised flooding of properties.	NA – refer above.	N/A								
	SU4. Development consent must not be granted to development on a lot at Sydney Science Park (as identified in the SEPP) for a purpose shown in Column 1 of the following Table unless the area of the lot is as specified opposite in Column 2— <table border="1" data-bbox="492 1423 1463 1633" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Column 1</th> <th style="width: 50%;">Column 2</th> </tr> </thead> <tbody> <tr> <td>Dwelling house</td> <td>Equal to or greater than 450 square metres</td> </tr> <tr> <td>Dual occupancy</td> <td>Equal to or greater than 650 square metres</td> </tr> <tr> <td>Semi-detached dwellings</td> <td>Equal to or greater than 250 square metres</td> </tr> </tbody> </table>	Column 1	Column 2	Dwelling house	Equal to or greater than 450 square metres	Dual occupancy	Equal to or greater than 650 square metres	Semi-detached dwellings	Equal to or greater than 250 square metres	NA – the proposal does not involve a residential development.	N/A
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	4.3 Aboriginal Culture & Heritage – Recognising Country – Requirements RC1. Development applications are to retain access to and connect significant Aboriginal heritage and areas of cultural value, conservation corridors and other identified areas of significant Aboriginal heritage.	Artefact was commissioned to prepare a covering letter (refer to Appendix Q)., which assessed the proposal in the context of previous investigations and studies of indigenous heritage on the site.	Section 6.2.1 and Appendix Q.								

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	RC2. Development applications that propose disturbance to the landscape in areas of moderate, high or very high Aboriginal sensitivity on Figure 4, or include known Aboriginal cultural or archaeological sites, are required to include an assessment of impacts on archaeological and or cultural heritage values and significance. Where specific measures are required to mitigate or avoid impacts, applications are to include a cultural heritage management plan or conservation management plan prior to the issue of a construction certificate.	<ul style="list-style-type: none"> ▪ Artefact was commissioned to prepare a covering letter (refer to Appendix Q), which assessed the proposal in the context of previous investigations and studies of indigenous heritage on the site. ▪ The DHL warehouse study area does not contain any Aboriginal sites or Aboriginal heritage constraints as identified in the ACHAR for the concept plan. ▪ As there are no Aboriginal heritage constraints identified within the DHL warehouse study area and bulk earthworks would be carried out under the concept plan SSD-70316465, no management of Aboriginal heritage is required 	Appendix Q.
	RC3. Modified trees (carved or scarred) and grinding grooves are to be protected and preserved in situ, and management plans are to be prepared to demonstrate how these items are to be retained and protected.	N/A	N/A
	RC4. Interpretation and story-telling required to inform impact assessments, mitigation measures and management plans are to be undertaken in consultation with, and walking on Country with, the traditional custodians and Local Aboriginal Land Councils (LALCs).	<ul style="list-style-type: none"> ▪ Yerrabingin has developed a Connection to Country Framework (refer to Appendix H) and has collaborated on the design with project Architects, SBA Architects and Landscape Architects, Site Image. ▪ Elements of Country have driven the spatial, functional, and material design of the external spaces and are embedded in the landscape design. The proposed landscape elements and areas such as the communal open space, WSUD component, and circulation and breakout spaces are driven by Country with Country and relative elements. ▪ Each Element has an interconnected relationship to one another, each interdependent on others success in the design and implementation process. 	Section 6.1.1 and Appendix H
	<p>4.4 Non-Aboriginal & European Heritage – Requirements</p> <p>NA1. Existing heritage items and their significant elements are to be retained and managed, including implementation of adaptive re-use and land uses which ensure the long term conservation viability of heritage items.</p>	<p>Given the sites context within the wider Burrah Park estate, the site has previously been the subject of a Statement of Heritage Impact (SoHI) prepared by Baker Archaeology in August 2024.</p> <p>The report prepared by Baker Archaeology in August 2024 remains relevant. It is acknowledged that the removal of all heritage items is sought under the concept plan, and thereby the removal of no items of heritage significance is sought under this application. Following a review of the updated drawings listed in EIS prepared by SBA Architects dated October 2024, Urbis can confirm that the SoHI report prepared by Baker Archaeology in August 2024 remains relevant, fulfils the Industry Specific SEARS for Environmental Heritage and that no further heritage impact assessment is required.</p> <p>The DHL warehouse study area does not contain any Aboriginal sites or Aboriginal heritage constraints as identified in the ACHAR for the concept plan.</p>	Section 6.2.1 and 6.2.2 and Appendix P and Q
	NA2. Position new development, including the design of subdivision and buildings, to maintain visual links, context and significance of the heritage item and its setting.	N/A - there are no listed heritage items located on the site.	N/A
	NA3. Investigate the significance of potential heritage items identified on Figure 4. Where investigations identify heritage values, a heritage management plan is to be prepared outlining the required measures to conserve these values.	<p>Given the sites context within the wider Burrah Park estate, the site has previously been the subject of a Statement of Heritage Impact (SoHI) prepared by Baker Archaeology in August 2024.</p> <p>The report prepared by Baker Archaeology in August 2024 remains relevant. The proposed mitigation measures recommended by the 2024 report do not require amendment and are copied below:</p>	Section 6.2.2 and Appendix Q

Statutory Reference	Relevant Considerations	Relevance	Section in EIS																										
		None of the heritage elements identified in this SOHI warrant conservation. Archival recording is warranted prior to removal. A photographic archival record of the former CSIRO McMaster Field Station site, including all of its built and landscape elements, should be prepared by a suitably qualified heritage consultant prior to the Stage 1 development. This record should be prepared in accordance with the NSW Heritage Council's Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Council, 2006).																											
	4.5 Blue-Green Infrastructure Framework – Requirements BG1. Development is to contribute to the establishment of the blue-green infrastructure framework for the Aerotropolis in accordance with Figure 5.	The proposed design celebrates and directly aligns itself with the existing ridgelines and blue-green grid that is envisioned for the Western Parkland City. The proposed development is constructed on blue infrastructure.	Appendix I																										
	4.5.1 Total Water Cycle Management – Requirements BG1. Development applications are to demonstrate how the following performance criteria for ambient water quality objectives for waterways and waterbodies are to be met either by: a) On-lot or on-street measures; or b) As part of a regional stormwater approach demonstrating the development will connect to the stormwater infrastructure shown on Figure 6 <table border="1" data-bbox="498 949 1317 1392"> <thead> <tr> <th colspan="2">Performance Criteria relating to water quality objectives:</th> </tr> </thead> <tbody> <tr> <td>*Total Nitrogen (TN, mg/L)</td> <td>1.72</td> </tr> <tr> <td>Dissolved Inorganic Nitrogen (DIN, mg/L)</td> <td>0.74</td> </tr> <tr> <td>Ammonia (NH₃-N, mg/L)</td> <td>0.08</td> </tr> <tr> <td>Oxidised Nitrogen (NO_x, mg/L)</td> <td>0.66</td> </tr> <tr> <td>*Total Phosphorus (TP, mg/L)</td> <td>0.14</td> </tr> <tr> <td>Dissolved Inorganic Phosphorus (DIP, mg/L)</td> <td>0.04</td> </tr> <tr> <td>Turbidity (NTU)</td> <td>50</td> </tr> <tr> <td>Total Suspended Solids (TSS, mg/L)</td> <td>37</td> </tr> </tbody> </table> <table border="1" data-bbox="498 1413 1317 1602"> <tbody> <tr> <td>Conductivity (µS/cm)</td> <td>1103</td> </tr> <tr> <td>pH</td> <td>6.20 - 7.60</td> </tr> <tr> <td>Dissolved Oxygen (DO, %SAT)</td> <td>43 - 75</td> </tr> <tr> <td>Dissolved Oxygen (DO, mg/L)</td> <td>8</td> </tr> </tbody> </table> <small>* when showing compliance towards TN and TP through industry models, the DIN and DIP performance criteria should be used to recognise that stormwater discharges of nutrients are mostly in dissolved form</small>	Performance Criteria relating to water quality objectives:		*Total Nitrogen (TN, mg/L)	1.72	Dissolved Inorganic Nitrogen (DIN, mg/L)	0.74	Ammonia (NH ₃ -N, mg/L)	0.08	Oxidised Nitrogen (NO _x , mg/L)	0.66	*Total Phosphorus (TP, mg/L)	0.14	Dissolved Inorganic Phosphorus (DIP, mg/L)	0.04	Turbidity (NTU)	50	Total Suspended Solids (TSS, mg/L)	37	Conductivity (µS/cm)	1103	pH	6.20 - 7.60	Dissolved Oxygen (DO, %SAT)	43 - 75	Dissolved Oxygen (DO, mg/L)	8	The water quality has been assessed within the Civil Infrastructure Report at Appendix JJ and meets the performance criteria.	Appendix JJ
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Statutory Reference	Relevant Considerations	Relevance	Section in EIS																					
	<p>b) As part of a regional stormwater approach demonstrating that the development will connect to stormwater infrastructure shown on Figure 6.</p> <p>Performance criteria relating to water flow objectives:</p> <table border="1" data-bbox="498 348 1314 835"> <thead> <tr> <th></th> <th>1st – 2nd order streams</th> <th>≥ 3rd order streams</th> </tr> </thead> <tbody> <tr> <td>Median Daily Flow Volume (L/ha/day)</td> <td>71.8 ± 22.0</td> <td>1095.0 ± 157.3</td> </tr> <tr> <td>Mean Daily Flow Volume (L/ha/day)</td> <td>2351.1 ± 604.6</td> <td>5542.2 ± 320.9</td> </tr> <tr> <td>High Spell (L/ha/day) ≥ 90th Percentile Daily Flow Volume</td> <td>2048.4 ± 739.2</td> <td>10091.7 ± 769.7</td> </tr> <tr> <td>Freshes (L/ha/day) ≥ 75th and ≤ 90th Percentile Daily Flow Volume</td> <td>327.1 to 2048.4</td> <td>2642.9 to 10091.7</td> </tr> <tr> <td>Cease to Flow (proportion of time/y)</td> <td>0.34 ± 0.05</td> <td>0.03 ± 0.01</td> </tr> <tr> <td>Cease to Flow – Duration (days/y)</td> <td>39.2 ± 8</td> <td>3.9 ± 1.2</td> </tr> </tbody> </table>		1 st – 2 nd order streams	≥ 3 rd order streams	Median Daily Flow Volume (L/ha/day)	71.8 ± 22.0	1095.0 ± 157.3	Mean Daily Flow Volume (L/ha/day)	2351.1 ± 604.6	5542.2 ± 320.9	High Spell (L/ha/day) ≥ 90 th Percentile Daily Flow Volume	2048.4 ± 739.2	10091.7 ± 769.7	Freshes (L/ha/day) ≥ 75 th and ≤ 90 th Percentile Daily Flow Volume	327.1 to 2048.4	2642.9 to 10091.7	Cease to Flow (proportion of time/y)	0.34 ± 0.05	0.03 ± 0.01	Cease to Flow – Duration (days/y)	39.2 ± 8	3.9 ± 1.2		
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	<p>BG3. Where development uses on-lot or on-street measures to achieve the performance criteria for ambient water quality and the flow objectives, the development application must demonstrate, to the satisfaction of the consent authority, the ability to connect the development to regional stormwater infrastructure when it is available</p>	<p>Refer to the Civil Infrastructure Report at Appendix JJ</p>	<p>Appendix JJ</p>																					
	<p>BG4. Compliance with the ambient water quality and flow objectives must be consistent with the NSW Government Technical guidance for achieving Wianamatta-South Creek stormwater management targets (DPIE, 2022).</p>	<p>Refer to the Civil Infrastructure Report at Appendix JJ</p>	<p>Appendix JJ</p>																					
	<p>BG5. Multifunctional stormwater assets are to be located generally as shown on Figure 6.</p>	<p>N/A - the site does not contain multifunctional stormwater assets as per Figure 6.</p>	<p>N/A</p>																					
	<p>BG6. Multifunctional stormwater assets are to integrate with the Open Space Network to support multifunctional open space areas for recreation, urban cooling and water management.</p>	<p>N/A – refer comment above.</p>	<p>N/A</p>																					
	<p>BG7. The multifunctional detention basins (as shown on Figure 6) are to be designed in accordance with the regional stormwater management strategy and recycled water network developed by the relevant stormwater authority.</p>	<p>N/A – refer comment above.</p>	<p>N/A</p>																					
	<p>4.5.2 Riparian Corridors – Requirements</p> <p>BG1. Waterways and riparian corridors of Strahler Order 2 (refer to Figure 5) and higher are to be retained and rehabilitated to a natural state (unless minor realignment can be justified), in accordance with the requirements of the Guidelines for Riparian Corridors on Waterfront Land published by the Department of Primary Industries (Office of Water), or other relevant guidelines adopted and in operation at the time.</p>	<p>The subject site for this application being part of Lot 1 in Deposited Plan 1306448 does not include riparian corridors, large dams, waterbodies and parks or biodiversity conservation sites. Any stormwater evaporation ponds DHL proposed development site required under DCP Stormwater Strategy will be covered with netting in accordance with DCP Stormwater requirements.</p>	<p>Section 6.1.6 and Appendix JJ</p>																					
	<p>BG2. Riparian Streets on Figure 5 are to be adjacent to riparian corridors. The design of Riparian Streets is to be integrated with the retention or naturalisation of the adjacent watercourse and associated riparian zone in accordance with the</p>	<p>N/A – the site is not identified to contain riparian streets.</p>	<p>N/A</p>																					

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	requirements of the Guidelines for Riparian Corridors on Waterfront Land published by the Department of Primary Industries (Office of Water), or other relevant guidelines adopted and in operation at the time.		
	BG3. Consistency with DCP indicative cross-sections to guide the design of Riparian Streets and associated riparian zones.	N/A – refer comment above.	N/A
	BG4. The outer 50% of the Riparian Zone, as defined by the Guidelines for Riparian Corridors on Waterfront Land may contain paths, passive recreation facilities and other amenities subject to the appropriate consideration of flood impacts and safety.	N/A – refer comment above.	N/A
	BG5. Where a development application proposes the creation of a Riparian Street in association with a riparian corridor in accordance with Requirement BG2, and one or more lots for development, the area of land that comprises the riparian corridor is taken to be part of the minimum pervious area to be provided as part of the development under the DCP.	N/A – refer comment above.	N/A
	<p>4.5.3 Public Domain & Canopy Cover – Requirements</p> <p>BG1. Open space is to be provided to cater for local, district and regional requirements as shown in the Open Space Network at Figure 5.</p>	<p>N/A – open spaces will be provided as per the concept plan, which has been informed by detailed field validation of all riparian corridors, 1:100 mainstream flood extents and biodiversity areas.</p> <p>The subject site is not identified to contain an open space as per the concept plan. The proposal is for an industrial development and does not require open space. The proposed design, however, provides ample landscaped space and outdoor communal space for staff and visitors.</p>	Appendix I
	<p>BG2. Where development generates demand for open space as a result of resident or worker population densities exceeding those for land uses as specified in the WSAP, the development application is to include or be accompanied by proposed measures to meet that additional demand through:</p> <p>a) Delivery of additional open space as part of the development; and/or</p> <p>b) Establishment of appropriate arrangements for payment of monetary contributions to the relevant authority for the provision of open space in another suitable location.</p>	N/A – the proposal does not generate demand for open space.	N/A
	BG3. Tree canopy is to be provided on Sub-arterial Roads and Collector Streets shown on Figure 10 to achieve a minimum of 40% tree canopy cover at maturity, measured as a percentage of the area of the road reserve.	The proposed design allows for a canopy site coverage of 16% and provides trees along the street to the west of the site and estate road contributing to the tree canopy within the broader Burrah Park industrial area.	Section 6.1.1.3 and Appendix I
	BG4. Park Edge Streets are to be provided generally in accordance with the locations shown on Figure 5 (Figure 10), and development is to be oriented towards the street and provide for surveillance of the public domain	Street trees are provided along the street to the west of the site and Estate Road. The proposed warehouse is oriented towards the Estate Road. The proposal allows for improved amenity resulting in active streetscapes and passive surveillance, being far superior over the existing situation.	Appendix K, Appendix I
	<p>BG5. In the Enterprise Zone and Agribusiness Zone an urban park is to be integrated into the design of any local centre or neighbourhood centre that contains any combination of retail premises, commercial premises or food and drink premises with a total minimum Gross Floor Area of 10,000 square metres.</p> <p>Urban Parks:</p>	N/A – However, the proposal provides an urban tree canopy of 16% for the site and extensively contributes to the landscape design and rehabilitates Country.	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> a) are to be a minimum of 5,000 square metres and up to 10,000 square metres, b) Contribute to achievement of the total pervious area for the development under the DCP (where the development application includes subdivision into one or more lots for development and/or buildings in addition to the proposed urban park), c) Are to demonstrate achievement of a minimum 50% tree canopy cover at maturity and a minimum of 70% of the area as deep soil or landscaped area, and d) Are to include landscaping, amenities, active transport provision and furniture to facilitate recreational uses. 		
	<p>BG5. In the Enterprise Zone and Agribusiness Zone, Indicative Open Space has been shown in Figure 5. If Indicative Open Space is set aside for the purpose of biodiversity conservation or additional open space as part of a development application, it:</p> <ul style="list-style-type: none"> a) Can contribute to achievement of the total pervious area for the development under the DCP (where the development application includes subdivision into one or more lots for development and/or buildings in addition to the proposed urban park), b) Must be subject to any relevant measures relating to the protection of Existing Native Vegetation or areas of high biodiversity value (refer to Figure 5), and c) Is to be subject to management and maintenance arrangements to the satisfaction of the consent authority or arrangements to dedicate the land to a public authority. 	N/A – as per comment above.	N/A
	<p>BG6. Within the Mixed Use Zone, Indicative Open Space is shown on Figure 5. Where the Indicative Open Space is identified as part of a development application that also proposes one or more buildings:</p> <ul style="list-style-type: none"> a) the site area, for the purposes of calculating Floor Space Ratio under the Requirements in section 5.3 of this Precinct Plan is taken to include the area of land proposed to be used as open space, despite the maximum Floor Space Ratio applying to the land on which the building or buildings are sited under; b) The area of land identified for open space is taken to be part of the minimum pervious area to be provided as part of the development under the DCP, and c) Is to be subject to management and maintenance arrangements to the satisfaction of the consent authority or arrangements to dedicate the land to a public authority. 	N/A – as per comment above.	N/A
	<p>4.5.4 Biodiversity & Vegetation Corridors – Requirements</p> <p>BG1. Existing Native Vegetation and other vegetation under the Cumberland Plain Conservation Plan (refer to Figure 7) is to be protected as required by the Aerotropolis SEPP. Development applications are to demonstrate, to the satisfaction of the consent authority, that measures are in place to protect and provide for the long term management of the vegetation to achieve biodiversity conservation outcomes under</p>	<p>The subject site has been extensively cleared in the past for agricultural purposes however pockets of biodiversity still exist on the site and are concentrated mostly along the Cosgrove's Creek Riparian Corridor. This area will be prioritised for protection with an increase in tree canopy proposed.</p> <p>The entirety of the site has been certified as urban capable under the Cumberland Plain Conservation Plan. That said, a detailed BAR has been prepared to outline how to reduce impacts</p>	Section 6.1.9 and Appendix O

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	the Growth Centres Biodiversity Certification Order or the Cumberland Plain Conservation Plan as relevant.	to the biodiversity value of the site and the number and type of biodiversity credits that are required. It is noted that the majority of the site is certified as 'urban capable' under the CPCP. The concept plan seeks a balanced approach to the on-site landscaping and urban tree canopy in the proposal that reflects the future function of the site as a warehouse and logistics precinct. Significantly, despite the SEPP conferred a high biodiversity value area (HBVA) over the central portions of the site, the BAR and Riparian Corridor Study has not identified any HBVA over this land.	
	BG2. Recreation facilities, pathways and other infrastructure are not to be located on land referred to in Requirement BG1.	As per comment above.	Section 6.1.9 and Appendix O
	BG3. Revegetation and landscaping are designed and managed to account for future climatic conditions and include climate ready species. Resources relating to climate-ready species are available at: https://climatechange.environment.nsw.gov.au/Adapting-toclimate-change/Biodiversity-Adaptation/Managing-changinglandscapes	The general landscaping strategy for the site and the selection of planting palette are appropriate for the site and climate. The selection of planting takes into account the prescribed planting within the Northern Gateway Masterplan, overlaying re-establishment of fora communities, cultural and Connection with Country species, and environmental overlays including bushfire constraints.	Appendix I
	BG4. Development applications are to demonstrate: a) reuse of native plants (including but not limited to seed collection) and top soil from development sites that contain known or potential native seed bank. Appropriate uses may include, but are not limited to, application in re-vegetation or restoration works and landscaping in the precincts, b) the relocation of native animals from development sites, prior to development commencing.	Most of the site is covered by mixed, exotic grass species. The proposed landscape design facilitates reintroduction of plant species and will preserve and expand the native species.	Appendix I
	4.5.5 Scenic & Cultural Connection – Requirements SC1. Subdivision design is to orient streets to align with ridgelines.	N/A - this application does not include subdivision of the subject site.	N/A
	SC2. Any required onsite provision of open space is to incorporate high points and retain existing trees.	The proposal does not include removal of any significant trees on site. The subject site has been extensively cleared in the past for agricultural purposes however pockets of biodiversity still exist on the site and are concentrated mostly along the Cosgrove's Creek Riparian Corridor. This area will be prioritised for protection and will be reinstated through the proposed tree canopy cover.	Appendix I
	SC3. Creek to creek and creek to ridgeline landscape connections are established through the design of public domain elements including streets and open space. Landscape connections on Sub-arterial Roads and Collector Streets shown on Figure 9 (refer to the Requirements in Section 4.5.3) are to be continuously accessible by the public and active transport is prioritised on these connections.	Landscaping will be provided adjacent to the estate road.	Appendix I
	SC4. Streets are to be designed to follow natural drainage lines and overland flow paths to minimise the need for drainage easements or reserves through private land.	The design and construction of primary estate road connection and external road network will be in accordance with the existing SSDA (SSD-70316465) for the broader, concept plan.	N/A
	4.6 Movement Frameworks – Requirements Transport Strategy MF1. The Transport Network is to be designed generally in accordance with Figure 8	The road network as proposed for the broader concept plan, considered the requirements around the bus network within the Precinct Plan and composed an access and circulation analysis that ensures a streetscape that is capable to support an extensive bus network, whilst ensuring the vast majority of the site has access to a stop within a 400-m radius.	Appendix M

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>MF2. The Transport Network is designed to accommodate bus corridors and the Indicative Local Bus Network generally as shown on Figure 8, so that:</p> <ul style="list-style-type: none"> a) 90% of businesses are within a 400 metre walk of a street that is capable of carrying public transport in the Enterprise Zone and Agribusiness Zone. b) All businesses and residents in the Mixed Use Zone are within a 400 metre walk of a street that is capable of carrying public transport or a Metro station. 	Refer comment above.	-
	<p>MF3. Active transport is integrated with the Blue Green Infrastructure Framework in Figure 5 and provided generally in accordance with the Active Transport Network in Figure 9.</p>	The street network is in accordance with the broader concept plan, and encourages active modes of transport.	Appendix M
	<p>Street Hierarchy & Typology (refer to Street Cross Sections pack)</p> <p>SH1. The Road Network within the Transport Network is to be generally consistent with the alignment and connections of roads shown in Figures 8-10. Major roads (Sub-arterial and Arterial and Rapid Bus Routes) are to be designed to:</p> <ul style="list-style-type: none"> a) Respond to topography; b) Enable the efficient movement of water, replicating natural flow patterns as closely as possible; c) Intersect with arterial or classified roads at locations and using intersection treatments nominated or agreed by the road authority; d) Accommodate buses generally consistent with the alignments and connections shown in Figure 8; e) Accommodate separated cycleways generally consistent with the alignment and connections of cycleways shown in Figure 9; and f) Connect with centres and metro stations 	The construction of the street to the west of the site and Estate Road forms part of SSD-70316465. This application does not involve construction of any road.	N/A
	<p>SH2 Local and Collector streets are to be designed to:</p> <ul style="list-style-type: none"> a) Connect to other streets in the hierarchy in a logical sequence, so that Local Streets connect to other Local Streets or to Collector Streets; b) Incorporate priority-controlled intersection treatments; c) Minimise 4-way intersections and avoid intersections with more than 4 streets; d) Provide interfaces between urban land and land identified for open space, conservation, or stormwater management e) Enable land in different ownerships to be developed independently and ensure that legal and physical access to properties is maintained at all stages in the development process; f) Convey stormwater within the Total Water Cycle Management network as shown on Figure 6; 	The construction of the street to the west of the site and Estate Road forms part of SSD-70316465. This application does not involve construction of any road.	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>g) Contribute to tree canopy and the Blue Green Infrastructure Framework shown on Figure 5; and</p> <p>h) Maximise opportunities for the energy efficient design of buildings.</p>		
	<p>SH3. The layout and location of Local Streets and Collector Streets on Figure 10 is indicative. Where a development application proposes a variation to the Local Street or Collector Street, the applicant must demonstrate that in addition to the requirements in SH2, that the variation:</p> <p>a) Achieves a permeable street network;</p> <p>b) Encourages walking and cycling and minimises travel distances;</p> <p>c) Maximises connectivity to community facilities, open space and centres;</p> <p>d) Takes into account topography and the flow of water in the landscape;</p> <p>e) Will not detrimentally impact on access to adjoining properties or result in isolation of properties; and</p> <p>f) Will not impede the orderly development of adjoining properties.</p>	<p>The construction of the street to the west of the site and Estate Road forms part of SSD-70316465. This application does not involve construction of any road.</p>	<p>N/A</p>
	<p>SH4. Roads and streets are to be designed in accordance with the Western Sydney Street Design Guidelines, except where specific street cross sections are provided in the DCP for streets as shown on the street hierarchy map at Figure 10.</p>	<p>The construction of the street to the west of the site and Estate Road forms part of SSD-70316465. This application does not involve construction of any road.</p>	<p>N/A</p>
	<p>SH5. Roads and streets are aligned to follow property boundaries where possible to reduce lot severance</p>	<p>The construction of the street to the west of the site and Estate Road forms part of SSD-70316465. This application does not involve construction of any road.</p>	<p>N/A</p>
	<p>4.6.3 Development Adjacent to Protected Transport Corridors – Requirements</p> <p>PC1. Development adjacent to corridors identified on the Transport and Infrastructure SEPP and the Aerotropolis SEPP is to be designed to orient noise sensitive elements (for example habitable rooms) away from the noise source</p>	<p>N/A - the subject site is located outside the transport corridors identified within the Aerotropolis SEPP.</p>	<p>N/A</p>
	<p>4.7 Sustainability & Resilience – Requirements</p> <p>SR1. Energy, water and waste systems are to use a circular economy approach to improve efficiency and result in low-carbon developments.</p>	<p>Renewable energy and water recycling measures will be adopted to ensure circular economy objectives can be realised. Details are included within the Ecologically Sustainable Development Report at Appendix CC and Civil Infrastructure Report at Appendix JJ.</p>	<p>Section 6.1.4 and Appendix JJ, Appendix CC</p>
	<p>SR2. Effectively use renewable energy supply including solar, wind, green hydrogen, and bio-energy.</p>	<p>Renewable energy and water recycling measures will be adopted to ensure circular economy objectives can be realised. Details are included within the Ecologically Sustainable Development Report at Appendix CC.</p>	<p>Section 6.1.4 and Appendix CC</p>
	<p>SR3. Plan for, and achieve, leading industry targets by 2025 and from 2026 beyond to achieve sustainable regenerative targets:</p>	<p>The proposal aims to achieve a high level of environmental performance including:</p> <ul style="list-style-type: none"> – achieving a minimum 5 Star Green Star rating; (i) measures that promote and support the uptake of sustainable transport options, and – design features that provide resilience against potential environmental risks including climate change. 	<p>Section 6.1.4 and Appendix CC</p>

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	<p>SR4. Circular economy activities must be located with consideration of:</p> <ul style="list-style-type: none"> ▪ nearby land uses, considering the likely construction and operational impacts of the proposed development ▪ proximity of the proposed development in relation to the Western Sydney Airport, and associated risks to airport and aircraft operations (in reference to the proposed development’s risk assessment) ▪ proximity to land in the Environment and Recreation Zone and impacts on the environmental values of that land ▪ potential impacts on the amenity and use of open space ▪ proximity to major transportation routes, considering safe transportation of extractive and waste materials 	N/A – no circular economy activities are proposed under this application.	N/A															
	<p>SR5. In deciding whether to grant development consent for the purposes of commercial premises, industrial premises or residential accommodation, the consent authority must consider whether—</p> <ol style="list-style-type: none"> a) the façade and roof of the proposed buildings and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including open space and the public domain, including a requirement for light-coloured roofs, and b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and c) building plant and equipment is designed to minimise the release of heat in the direction of open space and the public domain, and d) the development accommodates tree canopy, pervious surfaces and landscaped areas to minimise solar heat absorption and reflection by hard surface. 	Refer comment above.	N/A															
	<p>5.1 Hierarchy of Centres – Objectives</p> <p>LU1. The indicative locations of local and neighbourhood centres in the Enterprise Zone and Agribusiness Zone are identified in Figure 11. Where a centre is proposed</p>	N/A -the proposed does not involve these uses.	N/A															

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	<p>in an alternative location the development application is to demonstrate that the location achieves the role, intent, uses, transport connectivity and locational criteria outlined in Table 2 below.</p> <table border="1" data-bbox="498 365 1457 1079"> <thead> <tr> <th data-bbox="498 365 706 474">Centre type and Precinct</th> <th data-bbox="715 365 914 474">Role and intent</th> <th data-bbox="923 365 1101 474">Typical uses</th> <th data-bbox="1110 365 1288 474">Transport connectivity</th> <th data-bbox="1297 365 1457 474">Critical locational criteria</th> </tr> </thead> <tbody> <tr> <td data-bbox="498 480 706 1079">Neighbourhood centres or business hubs that are located in all Precincts as identified in Figure 11</td> <td data-bbox="715 480 914 1079">Provide daily convenience goods and range of neighbourhood scale services to support workers and residents.</td> <td data-bbox="923 480 1101 1079">Some retail floor space (not a supermarket, or significant specialised retail); multiple retail premises (not just a petrol station or one standalone store); activity or business hub; community facilities. Does not include residential uses.</td> <td data-bbox="1110 480 1288 1079">High level of pedestrian accessibility from surrounding development, provision of bus access, drop off points.</td> <td data-bbox="1297 480 1457 1079">Located adjacent to areas of open space. Located on a frequent bus route. Location must consider the barrier impacts of major roads and different sizes.</td> </tr> </tbody> </table>	Centre type and Precinct	Role and intent	Typical uses	Transport connectivity	Critical locational criteria	Neighbourhood centres or business hubs that are located in all Precincts as identified in Figure 11	Provide daily convenience goods and range of neighbourhood scale services to support workers and residents.	Some retail floor space (not a supermarket, or significant specialised retail); multiple retail premises (not just a petrol station or one standalone store); activity or business hub; community facilities. Does not include residential uses.	High level of pedestrian accessibility from surrounding development, provision of bus access, drop off points.	Located adjacent to areas of open space. Located on a frequent bus route. Location must consider the barrier impacts of major roads and different sizes.		
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	LU2. Local and Neighbourhood Centres are to be located on or adjacent to bus routes.	N/A -the proposed does not involve these uses.	N/A										
	LU3. Local and Neighbourhood Centres are not to be located on arterial roads	N/A -the proposed does not involve these uses.	N/A										
	LU4. Retail and social infrastructure in the Agribusiness and Enterprise Zones is to be concentrated in the Local and Neighbourhood Centres.	N/A -the proposed does not involve these uses.	N/A										
	LU5. Bulky goods and specialised retail that requires larger floor plates are to be located outside of the identified centres.	N/A -the proposed does not involve these uses.	N/A										
	<p>5.2 Height – Requirements</p> <p>H1. The height of buildings is not to exceed the maximum for the land shown on Figure 12.</p>	As per Figure 12, the height of the building on site can be a maximum of 24m. the proposed warehouse building has a maximum height of 14.6m and is compliant with this control.	Section 3.1 and Appendix B										
	H2. In the Mixed Use Zone, ensure development does not adversely impact on the amenity of the public domain and adjacent residential areas and that site topography, views and landscape character have been considered.	N/A.	N/A										
	<p>5.3 Floor Space Ratio – Requirements</p> <p>FS1. Buildings are not to exceed the maximum FSR shown on the Floor Space Ratio Map in Figure 13.</p>	N/A - there is no maximum FSR applicable to the site.	N/A										

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>5.4 Yield & Density – Requirements</p> <p>YD1. Residential development is to be primarily located in those parts of the Mixed Use Zone identified on the Land Use Plan at Figure 3 as Mixed Use Residential.</p>	N/A – the proposal does not include a residential development.	N/A
	YD2. Development applications in the Mixed Use Zone are to demonstrate how they will contribute to achieving the employment densities in YDO3.	N/A – the site is not located in the Mixed Use Zone.	N/A
	<p>5.5 Temporary Land Use – Requirements</p> <p>LU1. Development that is inconsistent with this Precinct Plan is permitted where required to enable temporary or short term uses on land, where it can be demonstrated that the intended use under the Precinct Plan can be achieved in the future</p>	N/A	N/A
	LU2. The consent authority may, by condition of consent, impose a sunset date on temporary and short term uses, to ensure that the intended use under the Precinct Plan can be achieved in the future. The sunset date must not extend beyond 2036, or 10 years from the date of development consent, whichever is the later.	N/A	N/A
	LU3. Industrial development should provide a plan of management to demonstrate the management of land use conflicts with adjacent uses during the transitional period.	N/A	N/A
	<p>5.6 Design Excellence – Requirements</p> <p>DE1. An architectural design competition is to be undertaken generally in accordance with the NSW Government Architect’s Draft Design Excellence Competition Guidelines (2018) (the Guidelines), or the relevant guidelines published at the time.</p>	N/A	N/A
	<p>DE2. Where a design competition is required by the Aerotropolis SEPP:</p> <p>a) A concept development application made under Part 4 Division 4.4 of the EP&A Act must be accompanied by a Design Excellence Strategy.</p> <p>b) For any development application that is not a concept development application the consent authority must approve a Design Excellence Strategy prior to the lodgement of a development application.</p>	N/A	N/A
	<p>DE3. A Design Excellence Strategy must define:</p> <p>a) the location, context and extent of the design competition site(s);</p> <p>b) the objectives of the design competition(s);</p> <p>c) where there will be multiple development applications for separate buildings following approval of a concept development application, the number of design competitions to be undertaken;</p> <p>d) the type of design competition(s) to be undertaken;</p> <p>e) an explanation for the selection of competition type, including how the selected process(es) will meet the objectives of the Guidelines and those of the proponent;</p>	N/A	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>f) the number of designers involved in the process(es);</p> <p>g) the means for ensuring diversity amongst participating designers;</p> <p>h) timelines and programme;</p> <p>i) where the proposed process differs from that outlined in the Guidelines, a justification for the variation.</p>		
	<p>DE4. Exemptions to the requirement for a design competition under the Aerotropolis SEPP requires specific consideration of impacts on view corridors, the relationship of development to major roads and visual prominence and are unlikely to be granted in those areas shown on Figure 14.</p>	N/A	N/A
Cumberland Plain Conservation Plan	<p>The CPCP is a study area that classifies land as certified-urban capable (Certified) under the plan. Land certified under the plan does not require further biodiversity approvals under the BC Act following approval of the CPCP, and if the current draft certified-urban capable mapping is accepted without revision. The plan is also seeking strategic assessment approvals under Part 10 of the Commonwealth EPBC Act which, once approved, will also mean development on the land will not require biodiversity approval under the EPBC Act. However, riparian corridor guidelines under the WM Act will still need to be adhered to.</p>	<p>The CPCP identifies the site as 'certified – urban capable land'.</p> <p>The BAR report attached at Appendix O assessed the proposal against the WM Act. In accordance with Part 4, Division 1.7, Section 4.41 (g) of the EP&A Act, a water use approval under Section 89, a water management work approval under Section 90 or an activity approval (other than an aquifer interference approval) under Section 91 of the WM Act is not required for SSD.</p>	Appendix O
Special Infrastructure Contribution – Western Sydney Aerotropolis 2022	<p>The contribution rates that apply, as at 1 July 2023, in the calculation of the contribution for greenfield SIC development is as follows:</p> <ul style="list-style-type: none"> ▪ Agribusiness Zone - \$226,065 per hectare of NDA ▪ Enterprise Zone - \$226,065 per hectare of NDA ▪ Mixed Use Zone - \$565,162 per hectare of NDA ▪ Mamre Road Industrial Zone - \$226,065 per hectare of NDA <p>It is to be noted on 1 July annually the contribution amount is to be adjusted by multiplying the latest CPI number over the base CPI number.</p> <p>There are several development types that are exempt from SIC. Whilst the list within Part 3, clause 19(2) of the Environmental Planning and Assessments (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 is exhaustive, the most relevant development typologies on the list to ESR include public open space, drainage reserve, public utility undertaking, roads or other public amenities or services, for which development contributions may be paid under section 7.11 or 7.12 of the Act.</p>	Refer to Section 6.2.10 of the EIS which provides a high level overview of likely contributions payable.	Section 6.2.10
Liverpool & Penrith City Council Draft Aerotropolis Contributions Plan 2023	<p>The proposed local contributions plan by Penrith & Liverpool Council's for the Aerotropolis is designed to accommodate the envisaged 100,000 workers and 30,000 residents in the initial five precincts of the Aerotropolis. Whilst the high order infrastructure to support the airport and associated Aerotropolis development – such as, arterial roads, metro lines, and water and wastewater facilities - will be provided by the Commonwealth and State government agencies. Local councils and land</p>	Refer comment above regarding contributions.	Section 6.2.10

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>developers will be responsible for providing local infrastructure such as local and collector roads, stormwater drainage facilities, parks, and community services.</p> <p>To meet these infrastructure demands, a fixed rate section 7.12 levy has been proposed to contribute an amount determined by applying a fixed percentage rate to the cost of that development.</p>		

