

Statutory Compliance Table

Table 1 Mandatory Considerations Table

Statutory Reference	Statutory Consideration	Relevance	Compliance
<u>Environmental Planning and Assessment Act 1979</u>			
Section 1.3	<ul style="list-style-type: none">▪ <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 facilitate the delivery of the intended employment land uses at the site, providing economic and social benefits to the area.	Yes
	<ul style="list-style-type: none">▪ <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 will be delivered in accordance with the ESD design strategies as detailed in the attached ESD report (Appendix S) and will deliver a neutral-positive economic, environmental and social impact.	
	<ul style="list-style-type: none">▪ <i>to promote the orderly and economic use and development of land,</i>	The proposal will not affect the staged delivery of the AIE and will facilitate the operational needs of the future tenant ensuring the orderly development and use of the industrial land.	
	<ul style="list-style-type: none">▪ <i>to promote the delivery and maintenance of affordable housing,</i>	N/A	
	<ul style="list-style-type: none">▪ <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The proposal will not result in any change to the impacts to ecological areas and/or potential habitat areas from that as approved under the	

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		Concept Proposal and Stage 1 Development Application (SSD-10448).	
	<ul style="list-style-type: none"> ▪ <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i> 	The proposal will not result in any change to the potential impacts to aboriginal heritage. The relevant assessment and mitigation measures have been addressed in the approved Concept Proposal and Stage 1 Development Applications (SSD-10448).	
	<ul style="list-style-type: none"> ▪ <i>to promote good design and amenity of the built environment,</i> 	The proposal will maintain the core design concepts of the concept proposal for warehouse buildings across the estate. Details of the building design are provided in Section 3 of the Modification Report.	
	<ul style="list-style-type: none"> ▪ <i>to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i> 	The modified construction and design of Warehouse 8 has been prepared updated NCC assessment and environmental impact assessments to ensure the health and safety of its occupants. Details of the are provided in Section 6 of the Modification Report.	
	<ul style="list-style-type: none"> ▪ <i>to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, to provide increased opportunity for community participation in environmental planning and assessment</i> 	The appropriate community notification has been undertaken as detailed in Section 5 of the EIS, Appendix D and Appendix Y .	

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Section 4.15	<p>Relevant environmental planning instruments include:</p> <ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Western Parkland City) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Planning Systems) 2021 Penrith Local Environmental Plan 2010 	The relevant environmental planning instruments have been assessed in the statutory compliance table sections below.	Yes
Section 4.55	<p><i>(2) Other modifications A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—</i></p> <p><i>(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and</i></p> <p><i>(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and</i></p> <p><i>(c) it has notified the application in accordance with—</i></p> <p><i>(i) the regulations, if the regulations so require, or</i></p>	<p>Substantially the Same: the modification application is considered substantially the same development as originally granted consent and assessment against the substantially the same test is provided at Section 3.2.3 of the EIS.</p>	Yes

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	<p>(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and</p> <p>(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.</p> <p>Subsections (1) and (1A) do not apply to such a modification.</p> <p>(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.</p> <p>(4) The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part, but a reference in this or any other Act to a development consent includes a reference to a development consent as so modified.</p>		
<u>State Environmental Planning Policy (Industry and Employment) 2021</u>			
Clause 2.1 – Aims of chapter	Aims to protect and enhance the land within the WSEA for employment purposes.	The proposal seeks to maintain and support development for employment purposes at the site. The proposal complies with the aims of Chapter 2 to protect and enhance the land within the WSEA for employment purposes.	Yes
Clause 2.8 – Land Use Zones	The site is zoned IN1 – General Industrial	The site is located on land zoned IN1 General Industrial. The proposal is for the purposes of commercial 'printing' as a form of light industrial at the site. Printing is permitted with consent in the IN1 Zone.	Yes

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Clause 2.10 – Zone Objectives	<p>General Industrial – Zone Objectives</p> <ul style="list-style-type: none"> To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space. To encourage employment opportunities along motorway corridors, including the M7 and M4. To minimise any adverse effect of industry on other land uses. To facilitate road network links to the M7 and M4 Motorways. To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment. To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone. 	<p>The proposal is consistent with the zone objectives as it facilitates an industrial use with ancillary office spaces, providing employment generating space at the site.</p> <p>As detailed in Section 6 of the EIS, the proposal will not result in any significant adverse impacts to the amenity of the area or the environment. Any minor impacts will be appropriately mitigated.</p> <p>The proposed development will be designed to a high standard, achieving the relevant sustainability targets.</p> <p>As such, the proposal is highly consistent with the objectives of the IN1 zone.</p>	Yes
Clause 2.17 – Requirement for development control plans	Requires that a DCP be in place before consent can be granted for development within the WSEA.	<i>The Mamre Road Precinct DCP</i> was adopted in November 2021 which applies to the land. This requirement has been satisfied.	Yes
Clause 2.19 – Ecologically Sustainable Development	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:</p> <ul style="list-style-type: none"> the consumption of potable water, and greenhouse gas emissions. 	An ESD report has been prepared (Appendix S) which identifies the relevant energy and water efficiency systems that will be implemented as part of the development.	Yes
Clause 2.20 – Height of Building	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:</p> <p>(a) building heights will not adversely impact on the amenity of adjacent residential areas, and</p> <p>(b) site topography has been taken into consideration.</p>	<p>The proposed use and fitout will not change the approved Warehouse 8 building height of 13.7m.</p> <p>The proposal will not result in any additional impacts to the surrounding residential receivers.</p>	Yes

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Clause 2.21 – Rainwater Harvesting	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General.	Rainwater tanks are proposed at Warehouse 8 consistent with the ESD report recommendations (Appendix S).	Yes
Clause 2.22 – Development Adjoining Residential Land	<p>Development adjoining residential land:</p> <ul style="list-style-type: none"> Wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity. Goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land. The elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance. Noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised. 	<p>AIE is adjacent to residentially zoned land. However, it is recognised that existing dwellings on adjacent lots are likely to, over time, be redeveloped for industrial and warehouse purposes. Notwithstanding, the proposal maintains a respectful height, scale and sitting within the AIE and the surrounding context.</p> <p>The proposal does not seek to amend the approach to screening within the industrial estate. The Warehouse 8 development seeks to locate storage, goods, plant, equipment and other material within a building or with the appropriate screening.</p> <p>The approved Warehouse 8 development will be substantially screened by the proposed tree plantings and overall, the scale of the building is appropriate within its context. The proposal will not change this.</p> <p>A Noise Impact Assessment (Appendix K) has been prepared which illustrates the proposal will not result in any adverse acoustic impacts. The noise levels at the nearest sensitive receivers as a result of the proposed development will comply</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<ul style="list-style-type: none"> The development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like. 	<p>with the relevant NPfl criteria and SSD-10448 noise limit conditions under Condition 16A.</p> <p>The traffic movements, noise generation and hours of operation will not result in any significant impacts to nearby residents beyond that which was anticipated and approved under the Concept Approval.</p>	Yes
	<ul style="list-style-type: none"> The development will provide adequate off-street parking, relative to the demand for parking likely to be generated. 	As detailed in the Traffic Statement (Appendix J), the proposed quantum of off-street parking complies with the Mamre Road Precinct DCP (MRP DCP) minimum parking requirement and will meet the anticipated parking demand generated by the IVE Group operations.	Yes
	<ul style="list-style-type: none"> The site of the proposed development will be suitably landscaped, particularly between any building and the street alignment. 	A landscape plan has been provided that illustrates sufficient landscaping has been provided to provide a high quality of streetscape amenity.	Yes
Clause 2.24 – Public Utility Infrastructure	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	All necessary public utility infrastructure and services are being provided to the site in as detailed in the Servicing Infrastructure Assessment (Appendix V).	Yes
Clause 2.25 - Development on or in the Vicinity of Proposed	Development on or in the Vicinity of Proposed Transport Infrastructure Routes	The proposal will not affect any future infrastructure route.	Yes

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Transport Infrastructure Routes			
Clause 2.30 – Design Principle	<p>In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not:</p> <ul style="list-style-type: none"> the development is of a high-quality design, a variety of materials and external finishes for the external facades are incorporated, high quality landscaping is provided, and the scale and character of the development is compatible with other employment-generating development in the precinct concerned. 	<p>The overall concept for the development is to reflect the heritage of the site, being farming, and forestry. The forms have been developed from the original wool sheds and the forested landscape.</p> <p>The jointing in the concrete base represents the tree trunks, while the articulated cladding represents the trees with its multi-faceted branches. The offices are wrapped in perforated metal screens providing dappled shaded areas, under a ‘canopy.’</p> <p>The colour palette used reflects the Australian landscape and is concisely muted, natural and restrained.</p> <p>The Warehouse 8 development, will continue to incorporate a modern design with a modern design with high quality finishes and landscaping that complements the surrounding natural and built form of the locality. The materials selected are durable, hardwearing, low maintenance and evoke smart building design.</p>	Yes
Clause 2.34 Development of land within or adjacent to transport investigation area	<p>(1) Consent must not be granted to development in the area marked “Transport Investigation Areas A and B” on the Land Zoning Map that has a capital investment value of more than \$200,000 without the concurrence of Transport for NSW.</p> <p>(2) In determining whether to provide concurrence, Transport for NSW is to take into account the likely effect of the development on—</p>	<p>Lot 8 within AIE is not located on or adjacent to Transport Investigation Areas A and B.</p>	Yes

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	<p>(a) the practicability and cost of carrying out transport projects on the land in the future, and</p> <p>(b) without limiting paragraph (a), the structural integrity or safety of, or ability to operate, transport projects on the land in the future, and</p> <p>(c) without limiting paragraph (a), the land acquisition costs and the costs of construction, operation or maintenance of transport projects on the land in the future, and</p> <p>(d) in relation to Transport Investigation Area A—current or future development and operation of an intermodal terminal, including whether the development for which consent is sought is likely to impede access to or from an intermodal terminal.</p>		
Clause 2.35 Development within the Mamre Road Precinct	<p>(1) Consent must not be granted to development on the land identified on the Land Application Map as Precinct 12 (Mamre Road) that has a capital investment value of more than \$200,000 without the concurrence of Transport for NSW.</p> <p>(2) In determining whether to provide concurrence, Transport for NSW is to take into account the likely effect of the development on—</p> <p>(a) the compatibility of the proposed development with the delivery of an integrated freight network, including use of fire access roads and connection to the fire access roads of adjoining land, and</p> <p>(b) the operation of an integrated freight network, including whether the development is likely to impede access to or from the integrated freight network, and</p> <p>(c) the practicability and cost of carrying out transport projects on the land in the future.</p>	N/A	Yes
Clause 2.36 Development in areas subject to aircraft noise	<p>(1) The objectives of this section are as follows—</p> <p>(a) to prevent certain noise sensitive developments from being located near the Airport and its flight paths,</p>	The AIE is located within the ANEF 20-25 as shown on the ANEF Maps associated with the Aerotropolis.	Yes

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	<p>(b) to assist in minimising the impact of aircraft noise from the Airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,</p> <p>(c) to ensure that land use and development in the vicinity of the Airport do not hinder, or have other adverse impacts on, the ongoing, safe and efficient operation of the Airport.</p> <p>(2) This section applies to development—</p> <p>(a) on land that is—</p> <p>(i) in the vicinity of the Airport and its flight paths, and</p> <p>(ii) in either an ANEF contour of 20 or greater or an ANEC contour of 20 or greater, and</p> <p>(b) that the consent authority considers is likely to be adversely affected by aircraft noise.</p> <p>(3) Before determining a development application for development to which this section applies, the consent authority—</p> <p>(a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and</p> <p>(b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and</p> <p>(c) must be satisfied that the development will meet the indoor design sound levels set out in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.</p> <p>(4) Despite another provision of this Chapter, development consent must not be granted to development on land to which this section applies for the purposes of a place of public worship, a centre-based child care facility or a TAFE establishment or for residential development.</p> <p>(5) In this section—</p>	<p>The proposal does not include residential development and is suitably located within this ANEF contour.</p>	

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	<p>ANEC contour means a contour on the Australian Noise Exposure Concept Map for the Airport, published on the Department's website.</p> <p>ANEF contour means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for the Airport prepared by the Department of the Commonwealth responsible for airports.</p> <p>AS 2021:2015 means AS 2021:2015, Acoustics—Aircraft noise intrusion—Building siting and construction.</p> <p>(6) For the purposes of this section, a reference to ANEF in AS 2021:2015 is taken to include a reference to ANEC.</p>		
Clause 2 38 Development of land adjacent to Airport	<p>(1) The objectives of this section are as follows—</p> <p>(a) to provide for the effective and ongoing operation of the Airport by ensuring that such operation is not compromised by proposed development in close proximity to the Airport,</p> <p>(b) to protect the community from undue risk from that operation.</p> <p>(2) This section applies to development on land, any part of which is less than 13 kilometres from a boundary of the Airport.</p> <p>(3) The consent authority must not grant consent for development to which this section applies unless the consent authority is satisfied that the proposed development will not attract birds or animals of a kind and in numbers that are likely to increase the hazards of operating an aircraft.</p>	<p>The AIE is located 4km north-east from the Western Sydney Nancy-Bird Walton Airport.</p> <p>The proposal does not introduce any additional elements that would attract birdlife to the site and the proposed tree canopy coverage aligns with the requirements under the MRP DCP.</p>	Yes
Clause 2.40 Earthworks	<p>Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) <i>the likely disruption of, or detrimental effect on, existing drainage patterns and soil stability in the locality,</i></p> <p>(b) <i>the effect of the proposed development on the likely future use or redevelopment of the land,</i></p> <p>(c) <i>the quality of the fill or the soil to be excavated, or both,</i></p>	<p>No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.</p>	Yes

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	<p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of fill material and the destination of excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on a waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,</p> <p>(i) the proximity to and potential for adverse impacts on a heritage item, an archaeological site, or a heritage conservation area,</p> <p>(j) the visual impact of earthworks as viewed from the waterways.</p>		
Clause 2.41 Development on flood prone land	<p>(2) Consent is not to be granted to the carrying out of development to which this section applies unless the consent authority has taken into consideration whether or not—</p> <p>(a) the development will adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(b) the development will alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain, and</p> <p>(c) the development will enable safe occupation of the flood prone land, and</p> <p>(d) the development will detrimentally affect the floodplain environment or cause avoidable erosion, siltation, salinity, destruction of riparian vegetation or a reduction in the stability of the riverbank/watercourse, and</p> <p>(e) the development will be likely to result in unsustainable social and economic costs to the flood affected community or general community, as a consequence of flooding, and</p> <p>(f) the development is compatible with the flow conveyance function of the floodway, and</p>	A detailed flood study has been undertaken as part of the concept proposal SSD-10448. Flood risk can be managed on the site with appropriate measures to ensure no negative cumulative impacts. The proposal will not compromise the approved flood risk management strategies.	Yes

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	<p>(g) the development is compatible with the flood hazard, and</p> <p>(h) in the case of development consisting of the excavation or filling of land, the development—</p> <p>(i) will detrimentally affect the existing drainage patterns and soil stability in the locality, and</p> <p>(ii) will adversely impact or alter flood behaviour.</p>		
Clause 2.44 Stormwater, water quality and water sensitive design	<p>The consent authority must consider the following matters before granting consent:</p> <p>(a) water sensitive design principles are incorporated into the design of the development, and</p> <p>(b) riparian, stormwater and flooding measures are integrated, and</p> <p>(c) the stormwater management system includes all reasonable management actions to avoid adverse impacts on the land to which the development is to be carried out, adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and</p> <p>(d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and</p> <p>(e) the development will have an adverse impact on— (i) the water quality or quantity in a waterway, including the water entering the waterway, and (ii) the natural flow regime, including groundwater flows to a waterway, and (iii) the aquatic environment and riparian land (including aquatic and riparian species, communities, populations and habitats), and (iv) the stability of the bed, banks and shore of a waterway, and (f) the development includes measures to retain, rehabilitate and restore riparian land.</p>	<p>The Water and Stormwater Management Strategy for the site has been approved as part of the original SSD-10448 consent and subsequent modifications, including MOD4 which provided the estate wide stormwater solution.</p> <p>A Stormwater Letter of Support has been prepared at (Appendix M) which demonstrates the proposal will continue to comply with the relevant DCP requirements, the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> and will not result in any adverse water quantity and quality impacts.</p>	Yes
3.6 Granting of consent to signage	A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—	Overall, the signage across the building will be:	Yes

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	<p>(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</p> <p>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</p>	<ul style="list-style-type: none"> ▪ Flush against the building and will not intrude or visually affect any environmentally sensitive areas, heritage areas, conservation areas or rural landscapes. It will not intrude into any important views, skylines or viewing rights of other advertisers. ▪ The proposed location and scale of the signage is typical for a warehouse site and is generally consistent with the signage approved across the other developments within the AIE. ▪ The signage will provide visual interest onto the warehouse façade but it will not screen any unsightly features on the building. ▪ The flush signage will not affect any existing or proposed landscaping. ▪ The proposed signage illumination will be facing towards the AIE and will not affect the safety of the surrounding roads. The signage will not distract drivers or pedestrians as it is a typical for a warehouse estate. 	
State Environmental Planning Policy (Transport and Infrastructure) 2021			
Clause 2.118 Development with frontage to a classified road	<p>(1) The objectives of this section are—</p> <p>(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and</p> <p>(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.</p>	<p>Mamre Road is a classified road. No changes are proposed to the approved intersection works with Mamre Road from those approved in SSD-10448. The proposal will not result in significant, adverse air quality impacts (further details provided at Section 6.3 of the EIS and in the Air Quality</p>	Yes

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	<p>(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</p> <p>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</p> <p>(i) the design of the vehicular access to the land, or</p> <p>(ii) the emission of smoke or dust from the development, or</p> <p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> <p>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</p>	Impact Assessment at Appendix L), nor will it result in adverse traffic or vehicular access impacts (further details provided at Section 6.1 and in the Traffic Statement at Appendix J).	
2.121 Traffic generating development	<p>(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—</p> <p>(a) new premises of the relevant size or capacity, or</p> <p>(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</p> <p>(2) In this section, relevant size or capacity means—</p> <p>(a) in relation to development on a site that has direct vehicular or pedestrian access to any road (except as provided by paragraph (b))—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or</p> <p>(b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.</p>	<p>The proposal does not seek to increase the overall GFA across the site, as is being proposed under the base build modification. The overall GFA on the site will feature a total GFA in excess of 20,000m². Referral to Transport for NSW will be required.</p> <p>An assessment of the proposed parking, operations and the resultant traffic impacts are provided at Section 6.1 of the EIS (further details provided in the Traffic Statement at Appendix J).</p>	Yes

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	<p>(3) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies that this Chapter provides may be carried out without consent unless the authority or person has—</p> <p>(a) given written notice of the intention to carry out the development to TfNSW in relation to the development, and</p> <p>(b) taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.</p> <p>(4) Before determining a development application for development to which this section applies, the consent authority must—</p> <p>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</p> <p>(b) take into consideration—</p> <p>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</p> <p>(ii) the accessibility of the site concerned, including—</p> <p>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</p> <p>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</p> <p>(iii) any potential traffic safety, road congestion or parking implications of the development.</p> <p>(5) The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.</p>		

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<u>State Environmental Planning Policy (Resilience and Hazards) 2021</u>			
Chapter 3	<p>Requires the consent authority to consider whether an industrial proposal is a potentially hazardous or a potentially offensive industry.</p> <p>In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out. Any application to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA).</p>	<p>A Resilience and Hazards SEPP Report has been prepared by Riskcon (Appendix O). Based off of the assessment of proposed dangerous goods to be stored on-site, on the condition that the recommendations of this report are adhered to, the facility will not be classified as potentially hazardous or offensive. A review of the facilities operations indicates that there are no processes that would result in the manufacture, production, or transfer of materials in a form that may result in the release of bulk materials at the site or that could result in odour generation or excessive noise. An EPA license would not be required for this site.</p> <p>Refer to Section 6.6 of the EIS for details.</p>	Yes
Chapter 4 Remediation of Land	<p>A consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a</p>	<p>SSD-10448 approved a Remediation Action Plan for the AIE. Remediation of the site in accordance with the RAP will ensure that the site will be made suitable for the approved uses.</p> <p>The proposal not change the findings of the RAP nor change the approach to site remediation.</p> <p>Subject to compliance with the RAP recommendations, the site will be made suitable for the intended purpose.</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.		
<u>State Environmental Planning Policy (Planning Systems) 2021</u>			
Chapter 2 Clause 8	Schedule 1 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> identifies development that is classified as SSD.	<p><u>SSD-10448 MOD 10</u></p> <p>In accordance with Schedule 1 of the Planning Systems SEPP, development that has an Estimated Development Cost (EDC) of more than \$50 million for the purpose of warehouses or distribution centres are classified as SSD.</p> <p>The proposed modification to the approval of SSD-10448 will remain consistent with this SEPP and is appropriately characterised as SSD. The proposed modification is considered as 'substantially the same development' as the development for which consent was originally granted' so would meet the requirements of S4.55(2) of the EP&A Act.</p> <p><u>SSD-80331959</u></p> <p>In accordance with Clause 1 of Schedule 1 to the State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP), development that has a EDC of more than \$30 million for the purpose of 'printing,' is classified as SSD:</p> <p>11 Other manufacturing industries</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
		<p>(1) Development that has an estimated development cost of more than \$30 million for any of the following purposes—</p> <p>(c) printing or publishing,</p> <p>(2) Subsection (1)(b)–(f) does not apply to development on land within the area of the City of Sydney.</p> <p>The EDC for the proposed printing is estimated to be \$53,538,163. Accordingly, the proposal is classified as SSDA.</p>	
<u>State Environmental Planning Policy (Biodiversity and Conservation) 2021</u>			
Chapter 2 – Vegetation Clearance	<p>The aims of this Chapter are—</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p>	The proposal does not propose any additional tree or vegetation removal beyond that approved under the original SSD-10448. As such, it will not give rise to any further impacts.	Yes
Chapter 6 – Bushland Areas in Urban Areas	The general aim of this Chapter is to protect and preserve bushland within the urban areas.	The proposal will not result in any removal of bushland as the site was formerly farmland and has been approved for site preparation works under SSD-10448. The proposal won't result in any impacts upon any of the areas identified in Chapter 6, Section 6.1, Clause 2	Yes
Chapter 13 – Strategic Conservation Planning	<p>The aims of this Chapter are as follows—</p> <p>(a) to ensure development in the nominated areas is consistent with the biodiversity certification under the Biodiversity Conservation Act 2016, Part 8 and strategic assessment under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth, Part 10,</p>	The original SSD-10448 Application was accompanied by a Biodiversity Development Assessment Report (BDAR) (version 7) prepared by ELA, which assessed impacts to the entirety of the AIE. The proposal is generally consistent with	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>(b) to facilitate appropriate development on biodiversity certified areas,</p> <p>(c) to identify and protect areas with high biodiversity value or regionally significant biodiversity that can support ecological functions, including threatened ecological communities, species and areas with important connectivity or ecological restoration potential,</p> <p>(d) to avoid or minimise impacts from future development on biodiversity values in areas with high biodiversity value,</p> <p>(e) to support the acquisition of priority areas with high biodiversity value as conservation lands in perpetuity.</p>	<p>the overall footprint of the Concept Proposal masterplan approved under SSD-10448 and no additional vegetation is proposed to be removed. The assessment concluded that the proposed development will not result in any impact on biodiversity values beyond those assessed as part of the existing BDAR for SSD-10488.</p>	
<u>State Environmental Planning Policy (Western Parkland City) 2021</u>			
Clause 4.17 - Development controls—Airport safeguards	(2) Development consent must not be granted to noise sensitive development if the development is to be located on land that is in an ANEF or ANEC contour of 20 or greater.	The AIE is located within the ANEC 20-25 Contour. The modified development does not include any noise sensitive uses.	Yes
Clause 4.19 Wildlife Hazards	(1) The objective of this clause is to regulate development on land surrounding the Airport where wildlife may present a risk to the operation of the Airport	The AIE lies within an 8km wildlife buffer zone. The proposed uses on the site will not increase risk of wildlife strikes associated with Airport operations.	Yes
Clause 4.20 Wind Turbines	(1) The objective of this clause is to regulate the construction of wind turbines and wind monitoring towers on land within 30 kilometres of the Airport.	No wind turbines are proposed.	Yes
Clause 4.22 Airspace operations	<p>(3) Development consent must not be granted to development to which this clause applies unless—</p> <p>(a) the consent authority has consulted the relevant Commonwealth body, and</p> <p>(b) the relevant Commonwealth body advises the consent authority that—</p> <p>(i) the development will penetrate the prescribed airspace but it does not object to the development, or</p>	The AIE is located within the 180 – 210m AHD OLS. The built form of the warehouse building as proposed to be modified will be well below the OLS.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	(ii) the development will not penetrate the prescribed airspace.		
State Environmental Planning Policy (Sustainable Buildings) 2022			
Clause 3.2 Development consent for non-residential development	<p>(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—</p> <ul style="list-style-type: none"> (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>(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>	<p>The ESD report prepared in support of this application (Appendix S) set out that the proposal utilises:</p> <ul style="list-style-type: none"> (a) Construction materials re-use, recycling and suitable disposal including return to manufacturer (b) Lower operational energy demand via improved thermal performance (c) A reduction in the requirements for artificial lighting and power through energy efficient systems and lighting control (d) Generation of on-site renewable energy. (e) Tenant energy metering. (f) Best practice water efficiency measures. <p>An embodied emissions report accompanies this proposal.</p>	Yes
Penrith Local Environmental Plan 2010			
	The State Environmental Planning Policy (Industry and Employment) 2021 is the primary environmental planning instrument applying to the site and the proposed development. Penrith LEP 2010 does not apply to the land.	N/A	N/A

Statutory Reference	Statutory Consideration	Relevance	Compliance
Development Control Plan: Mamre Road Precinct DCP 2021			
2.1 Mamre Road Precinct Structure Plan	<p>1) Development applications are to be generally consistent with the Precinct Structure Plan (Figure 2), the water cycle management strategy and local road network strategy.</p> <p>2) The consent authority will consider the extent to which the proposed development is consistent with the Structure Plan, including cumulative and precedent implications on existing and planned infrastructure, and services and amenities provision.</p> <p>3) Proposed variations to the general arrangement of the Structure Plan must be consistent with the Precinct Vision, to the satisfaction of the consent authority.</p>	The proposal will not affect the estate layout and consistency with the precinct structure plan. In accordance with the water cycle management strategy established for the AIE (under SSD-10448 MOD 4) a Stormwater Letter of Support has been prepared by AT&L (Appendix M), concluding the proposal will meet the water quality, quantity and flow requirements under the MRP DCP. The proposal will not result in significant, adverse air quality impacts (further details provided at Section 6.3 of the EIS and in the Air Quality Impact Assessment at Appendix L), nor will it result in adverse traffic or vehicular access impacts (further details provided at Section 6.1 and in the Traffic Statement at Appendix J).	Yes
2.2 Biodiversity	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
2.3 Riparian Land	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
2.4 Integrated Water Cycle Management	1) Development applications must demonstrate compliance with the stormwater quality targets in Table 4 and the stormwater flow targets during construction and operation phases in Table 5 and Table 6 at the lot or estate scale to ensure the NSW Government's waterway objectives (flow and water quality) for the Wianamatta-South Creek catchment are achieved (see Appendix D). Where the strategy for waterway management is assessed at an	A Stormwater Letter of Support has been prepared by AT&L (Appendix M), concluding the proposal will meet the water quality, quantity and flow requirements under the MRP DCP, with no changes to the outcomes modelled and assessed as part of the previously prepared Civil Report which is entitled "REP021-02-18-596-Lot 8 Civil	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>estate level, the approval should include for individual buildings within the estate, which may be the subject of future applications.</p> <p>2) The stormwater flow targets during operation phase (Table 5) include criteria for a mean annual runoff volume (MARV) flow-related option and a flow duration-related option. Applicants must demonstrate compliance with either option. 3) Development applications must include a Water Management Strategy (WMS) detailing the proposed Water Sensitive Urban Design (WSUD) approach, how the WMS complies with stormwater targets (i.e. MUSIC modelling), and how these measures will be implemented, including ongoing management and maintenance responsibilities. Conceptual designs of the stormwater drainage and WSUD system must be provided to illustrate the functional layout and levels of the WSUD systems to ensure the operation has been considered in site levels and layout.</p>	<p>Infrastructure Report MOD2", dated 16/01/25. This includes the stormwater flow targets and water quality targets.</p> <p>The Civil Report which is entitled "REP021-02-18-596-Lot 8 Civil Infrastructure Report MOD2", dated 16/01/25 includes an assessment of the MUSIC model results against the MARV approach option and flow duration related option. It demonstrates that the measures implemented with satisfy the stormwater flow targets per Option 1 (MARV).</p>	Yes
	<p>3) Development applications must include a Water Management Strategy (WMS) detailing the proposed Water Sensitive Urban Design (WSUD) approach, how the WMS complies with stormwater targets (i.e. MUSIC modelling), and how these measures will be implemented, including ongoing management and maintenance responsibilities. Conceptual designs of the stormwater drainage and WSUD system must be provided to illustrate the functional layout and levels of the WSUD systems to ensure the operation has been considered in site levels and layout.</p> <p>4) The design and mix of WSUD infrastructure shall consider ongoing operation and maintenance. Development applications must include a detailed lifecycle cost assessment (including capital, operation/maintenance, and renewal costs over 30 years) and Maintenance Plan for WSUD measures.</p> <p>5) WSUD infrastructure may be adopted at a range of scales (i.e. allotment, street, estate, or sub-precinct scale) to treat stormwater, integrate with the</p>	<p>The required on-lot water management measures are unchanged as part of MOD2 and are consistent with both SSD-10448 MOD4 and SSD-10448 MOD8. The Civil Report which is entitled "REP021-02-18-596-Lot 8 Civil Infrastructure Report MOD2", dated 16/01/25 includes an assessment of the MUSIC model results which demonstrates that the proposal will comply with the stormwater targets and the plan also identifies the relevant maintenance and operations of the management measures.</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	landscape and maximise evaporative losses to reduce development flow runoff. Vegetated WSUD measures, naturalised trunk drainage and rainwater/stormwater reuse are preferred. Acceptable WSUD measures to retain stormwater within the development footprint and subdivision are shown in Table 7.		
	6) Development must not adversely impact soil salinity or sodic soils and shall balance the needs of groundwater dependent ecosystems.	An Erosion and Sediment Control Plan has been prepared in support of the original development, the guidelines identified under the plan will ensure that there is no adverse impact on soil salinity or sodic soils. The proposal does not change the ESCP or recommendations prepared for the site.	Yes
	7) Infiltration of collected stormwater is generally not supported due to anticipated soil conditions in the catchment. All WSUD systems must incorporate an impervious liner unless a detailed Salinity and Sodicity Assessment demonstrates infiltration of stormwater will not adversely impact the water table and soil salinity (or other soil conditions).	The proposed development does not propose infiltration of collected stormwater.	Yes
	8) Where development is not serviced by a recycled water scheme, at least 80% of its non-potable demand is to be supplied through allotment rainwater tanks.	The proposed development will be supported by on-site rainwater tanks for reuse for irrigation and non-potable uses.	Yes
	9) Where a recycled water scheme (supplied by stormwater harvesting and/or recycled wastewater) is in place, development shall: o Be designed in a manner that does not compromise waterway objectives, with stormwater harvesting prioritised over reticulated recycled water; o Bring a purple pipe for recycled water to the boundary of the site, as required under Clause 33G of the WSEA SEPP. Not top up rainwater tanks with recycled water unless	A recycled water scheme is not proposed as part of this proposal.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance																		
	<p>approved by Sydney Water; and o Design recycled water reticulation to standards required by the operator of the recycled water scheme.</p> <p>Table 4. Stormwater quality targets</p> <table><tr><th>Parameter</th><th>Target</th></tr><tr><td>Gross pollutants (anthropogenic litter >5mm and coarse sediment >1mm)</td><td>90% reduction (minimum) in mean annual load from unmitigated development</td></tr><tr><td>Total suspended solids (TSS)</td><td>90% reduction in mean annual load from unmitigated development</td></tr><tr><td>Total Phosphorus (TP)</td><td>80% reduction in mean annual load from unmitigated development</td></tr><tr><td>Total Nitrogen (TN)</td><td>65% reduction in mean annual load from unmitigated development</td></tr></table> <p>Table 5. Stormwater flow targets - Construction Phase</p> <table><tr><th></th><th>Construction Phase Target</th></tr><tr><td>TSS and pH</td><td>All exposed areas greater than 2500 square metres must be provided with sediment controls designed, implemented and maintained to a standard achieving at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L TSS or less, and pH in the range 6.5–8.5.</td></tr><tr><td>Oil, litter and waste contaminants</td><td>No release of oil, litter or waste contaminants.</td></tr><tr><td>Stabilisation</td><td>Prior to completion of works for the development, and prior to removal of sediment controls, all site surfaces must be effectively stabilised including all drainage systems. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation water contamination.</td></tr></table>	Parameter	Target	Gross pollutants (anthropogenic litter >5mm and coarse sediment >1mm)	90% reduction (minimum) in mean annual load from unmitigated development	Total suspended solids (TSS)	90% reduction in mean annual load from unmitigated development	Total Phosphorus (TP)	80% reduction in mean annual load from unmitigated development	Total Nitrogen (TN)	65% reduction in mean annual load from unmitigated development		Construction Phase Target	TSS and pH	All exposed areas greater than 2500 square metres must be provided with sediment controls designed, implemented and maintained to a standard achieving at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L TSS or less, and pH in the range 6.5–8.5.	Oil, litter and waste contaminants	No release of oil, litter or waste contaminants.	Stabilisation	Prior to completion of works for the development, and prior to removal of sediment controls, all site surfaces must be effectively stabilised including all drainage systems. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation water contamination.		
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2.5 Flood Prone Land	1) A comprehensive Flood Impact Risk Assessment (FIRA) (prepared by a qualified hydrologist and hydraulic engineer) is to be submitted with development applications on land identified as fully or partially flood affected.	The proposal will not result in any changes to the Flood Risk Assessment and Flood Impact Assessment was prepared by Stantec in July 2022 for SSD-10448.	Yes																		
2.6 Aboriginal Heritage	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes																		
2.7 Non-Aboriginal Heritage	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes																		
2.8 Bushfire Prone Land	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes																		
2.9 Salinity	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes																		

Statutory Reference	Statutory Consideration	Relevance	Compliance
2.10 Contaminated Land	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
2.11 Aviation Safeguarding	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
2.12 Development Adjacent to the Warragamba Pipelines	1) Where development (including subdivision) is proposed adjacent to the Warragamba Pipelines corridor, applicants shall consult with Water NSW. Development is to be consistent with Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW). Any written requirements of Water NSW shall be submitted with the development application, including how the requirements have been addressed.	N/A	N/A
2.13 Electricity Transmission Line Easements	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
2.14 Utilities Services	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
2.15 Transport Investigation Areas	a) To safeguard the future transport infrastructure essential to the delivery of the Precinct.	AIE is not identified as Transport Investigation Area marked "A" or "B" under the <i>State Environmental Planning Policy (Industry and Employment) 2021</i> .	N/A
3.1 Subdivision	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
3.2 Views and Visual Impacts	1) The design of subdivisions and building orientation should respond to the significant landscape elements and view corridors identified in Figure 11, including Mount Vernon, Wianamatta-South Creek and Ropes Creek. Development applications should demonstrate how the natural features of the site have influenced the design.	The proposed use and fitout will not change the approved Warehouse 8 maximum building height of 13.7m and is proposed to be facilitated within the building structure as proposed under the base build modification applications. The proposed	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>2) Site design shall retain visual connection with the blue-green network, ridge lines and vistas.</p> <p>3) The design of lots adjoining Mamre Road, Southern Link Road, and Aldington/Abbotts Road shall promote a high-quality landscape character.</p>	<p>building heights are consistent with the Visual Impact Assessments conducted in support of SSD-10448 which confirmed the AIE would not result in any adverse impacts to the surrounding residential receivers and viewpoints. Accordingly, the proposal will not impact the visual amenity of adjacent residential areas.</p>	
	<p>5) All retaining walls must include mature tree planting along the top of the retaining wall to mitigate the visual impact of buildings when viewed from sensitive locations (refer Figure 9). Sufficient deep soil shall be available to accommodate a mature screening tree</p>	<p>No changes are proposed to the retaining walls previously approved SSD-10448 MOD 6 or SSD-60513208.</p>	<p>Refer to comment</p>
3.3 Interface with Mount Vernon rural-residential area	<p>1) Development applications for land within 250m of the southern and south-eastern Precinct boundary (refer Figure 10) are to include a Landscape Plan and Visual Impact Assessment by suitably qualified designers which demonstrate a sympathetic transition to Mount Vernon, including appropriate cross-sections illustrating visual mitigation strategies.</p>	<p>AIE is not located within 250m of the southern and south-eastern Precinct boundary and will not result in any visual impact on the Mount Vernon residential area.</p>	<p>Yes</p>
3.4.1 Road Network, Hierarchy and Design	<p>1) Development applications shall be accompanied by a Traffic and Transport Report. The Traffic and Transport Report shall include a Green Travel Plan and Travel Access Guide, and assess the impact of projected pedestrian and vehicular traffic associated with the proposal, and outline the extent and nature of traffic facilities necessary to preserve or improve the safety and efficiency of the road system.</p>	<p>A Traffic Statement (Appendix J) has been prepared by Ason Group which details the travel access, traffic for the site. The traffic generation, vehicle types and access arrangements is detailed in the traffic impact assessment. The proposed development will result in no discernible changes expected in traffic conditions in and around the site compared to the current Concept Approval.</p>	<p>Yes</p>

Statutory Reference	Statutory Consideration	Relevance	Compliance
	2) Subdivision and development are to consider the coordinated staging and delivery of final road infrastructure throughout the precinct. Development consent will only be granted to land serviced by a suitable road network with traffic capacity to service the development (to the satisfaction of the relevant roads authority)	The Mamre Road and AIE Access Road 1 intersection and Access Road 4 have been constructed and can provide transport access to support the operations of Warehouse 8.	Yes
	3) The Precinct shall be developed generally in accordance with the desired road network structure and hierarchy (Figure 12). The road network will comprise the arterial roads of Mamre Road and the future Southern Link Road (Movement Corridors), Aldington Road/ Abbotts Road (distributor road) and an indicative internal industrial local and collector road network. 6) Internal local roads are to be designed to: - Create a permeable network based on a modified grid system; - Provide access to and facilitate the development of adjoining properties; o Provide a pedestrian and cycle network that minimises travel distances and conflicts with industrial traffic; - Maximise connectivity to and from open space and employment service hubs; - Take account of topography, view corridors, site drainage, and vegetation; - Provide frontage to and maximise surveillance of open space and riparian corridors; - Provide views to landscape features and visual connections to activity nodes; and - Maximise the effectiveness of water sensitive urban design measures.	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
	9) Access points shall be located to optimise safety, traffic flow and landscape opportunity, as well as end user operations. All parking shall be provided either on site or in centralised offroad locations.	The site layout as proposed to be modified will feature one (1) light vehicle access point as well as one (1) heavy vehicle access point. This represents a reduction of one (1) heavy vehicle	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
		access point, which is proposed to be modified to be used for fire brigade entry/exit only with a locked gate. The other access points and parking areas are generally consistent.	
	10) Direct vehicle access to Mamre Road, Southern Link Road and distributor roads (Aldington Road/ Abbots Road) is not permitted.	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
	11) All intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient pedestrian, cyclist and traffic movement.	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
	15) Development shall, where appropriate, be designed to: o Allow all vehicles to either leave or enter the site in a forward direction; o Accommodate heavy vehicle parking and manoeuvring areas; o Avoid conflict with staff, customer and visitor vehicular movements; and o Ensure satisfactory and safe operation with the adjacent road system.	The proposed access roads, car park and handstand areas will allow heavy vehicles to leave or enter in a forward direction with safe operations. Further detail is provided in the Traffic Statement prepared by Ason Group (Appendix J).	Yes
	16) Development applications shall detail the volume, frequency and type of vehicle movements.	The Traffic Statement prepared by Ason Group (Appendix J) details the volume, frequency and type of vehicle movements, confirming that the proposal will not result in any adverse traffic impacts.	Yes
	17) The design of manoeuvring areas for large vehicles shall consider the Australian Standard 2890 series and Performance Based Standards An Introduction for Road Managers (National Heavy Vehicle Regulator – May 2019).	The Traffic Statement prepared by Ason Group (Appendix J) identifies the proposed development is designed in accordance with the relevant Australian Standards.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	18) Road design is to address the Guide for Traffic Generating Development (former RTA 2002).	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
	19) Road design must comply with the road configurations in Table 8 and corresponding typical road cross-sections (Figure 12, Figure 13, Figure 14, Figure 15, and Figure 16).	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
	20) The road network is to be designed for 30m Performance Based Standards (PBS) Level 2 Type B vehicles and tested for a 36.5m PBS Level 3 Type A vehicles.	The proposal is designed in accordance with the 30m Performance Base Standard and The roads have been tested with a 36.5m PBS Level 3 type.	Yes
	21) To accommodate the design vehicle (i.e. B-double and B-triple) the standard kerb return radius will need to increase from 12.5m to 15.0m.	The proposal's road kerb radius has been designed to accommodate the appropriate vehicle access.	Yes
	22) Road design shall consider arrangements for broken down vehicles and incident response.	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
3.4.2 Western Sydney Intermodal Terminal and Freight Network	1) Development is to enable the delivery of the Intermodal Terminal and dedicated freight network	The proposal does not impact the delivery of the Intermodal Terminal.	N/A
3.4.3 Public Transport, Pedestrian and Cycle Network	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
3.5 Council Engineering Works and Construction Standards	1) Engineering works shall be consistent with Council's standards, as amended: <ul style="list-style-type: none"> Stormwater Drainage Specifications for Building Developments; Council's Water Sensitive Urban Design (WSUD) Technical Guidelines; 	A Stormwater Letter of Support has been prepared by AT&L (Appendix M), concluding the proposal will meet the water quality, quantity and flow requirements under the MRP DCP, with no changes to the outcomes modelled and assessed	Yes.

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<ul style="list-style-type: none"> Engineering Design Specifications for Civil Works; and Engineering Construction Specifications for Civil Works. 	as part of the previously prepared Civil Report which is entitled "REP021-02-18-596-Lot 8 Civil Infrastructure Report MOD2", dated 16/01/25. The engineering works in support of the proposal will be undertaken in accordance with the relevant standards and guidelines.	
4.1 Site Analysis	1) All development applications are to be accompanied by a Site Analysis Plan.	The proposal will align with the findings of the Site Analysis Plan prepared for the AIE under SSD-10448.	Yes
4.2 Built form design controls	<p>1) Building height should respond to the natural landscape and scale of adjoining development, with lower elements towards the street, pedestrian paths, adjoining rural residential areas, environmental and open space areas, riparian corridors and ridgelines.</p> <p>2) Buildings should not exceed a maximum height of 16m from the existing ground level within 250m of a rural-residential zone. For all other sites, a maximum building height of 20m from existing ground level is permitted.</p> <p>4) Taller building elements over 15m should be set back from the street frontage.</p> <p>5) Building height must ensure direct solar access to public domain, including street trees and footpaths, open space and environmental areas, between the hours of 11:00am and 2:00pm at the winter solstice, 21 June. Shadow diagrams must demonstrate this outcome.</p> <p>6) Building services located on the roof (such as HVAC, lift motor room, exhaust fans, etc) must be accommodated within the maximum permissible</p>	<p>The proposal will not change the approved maximum building height at the Warehouse 8 building of 13.7m.</p> <p>The development is beyond 250m from a rural-residential zone and below 15m in height. It will not adversely affect the solar access of any surrounding public spaces.</p> <p>The modified buildings will feature buildings heights less than 15m and are setback from the street frontages. As such, the proposal will not result in any negligible overshadowing impacts to the surrounding public domain between 11:00am and 2:00pm at winter solstice.</p> <p>The specific location of building services in support of the proposed development, are accommodated within the maximum permissible</p>	<p>Refer to comment</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

Statutory Reference	Statutory Consideration	Relevance	Compliance																						
	height of the building and away from the street frontage or sensitive interfaces where possible.	height of the building and away from the street frontage or sensitive interfaces where possible.																							
	7) A Visual Impact Assessment is to be submitted with development applications demonstrating that development will not have a significant adverse impact on the scenic quality of: o The Precinct, particularly when viewed from elevated locations and view lines identified in Figure 10; Wianamatta-South Creek; and o Adjoining rural-residential areas.	The building heights are consistent with the Visual Impact Assessments conducted in support of SSD-10448 which confirmed the AIE would not result in any adverse impacts to the surrounding residential receivers and viewpoints. Accordingly, the proposal will not impact the amenity of adjacent residential areas.	Yes																						
	8) Buildings should be sited on mid-slope to minimise visual impact on ridges and to be in harmony with the existing landscape. Where possible, buildings should be designed to "step" physically up or down the site in keeping with the existing topography.	The proposal does not seek to changes the tiered retaining walls to provide a “step” up and down across the sloped topography of the site.	Yes																						
4.2.2 Building Setbacks	<p>1) Building setbacks are to be in accordance with the standards outlined in Table 10.</p> <p>Table 10. Building setback requirements</p> <table><tr><th>Location</th><th>Distance (m)</th></tr><tr><td>Lots fronting designated roads (Mamre Road and Potential Southern Link Road)</td><td>20</td></tr><tr><td>Lots fronting key access roads (distributor and collector roads)</td><td>12</td></tr><tr><td>Lots fronting all other roads (local estate roads)</td><td>7.5</td></tr><tr><td>Secondary road frontages (corner lots)</td><td>5</td></tr><tr><td>Rear and side boundaries</td><td>5</td></tr><tr><td>Lots adjoining existing rural-residential development in Mount Vernon</td><td>Refer to Section 3.3</td></tr><tr><td>Lots adjoining Warragamba Water Supply Pipeline (unless specified elsewhere in this DCP)</td><td>5</td></tr><tr><td>Lots adjoining the proposed Intermodal Terminal (setback from any boundary that adjoins the Intermodal Terminal site)</td><td>20</td></tr><tr><td>Lots adjoining the proposed WSFL corridor</td><td>5</td></tr><tr><td>Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)</td><td>10m from the edge of E2, RE1 and RE2 land, unless separated by a road, and then no setback is required.</td></tr></table>	Location	Distance (m)	Lots fronting designated roads (Mamre Road and Potential Southern Link Road)	20	Lots fronting key access roads (distributor and collector roads)	12	Lots fronting all other roads (local estate roads)	7.5	Secondary road frontages (corner lots)	5	Rear and side boundaries	5	Lots adjoining existing rural-residential development in Mount Vernon	Refer to Section 3.3	Lots adjoining Warragamba Water Supply Pipeline (unless specified elsewhere in this DCP)	5	Lots adjoining the proposed Intermodal Terminal (setback from any boundary that adjoins the Intermodal Terminal site)	20	Lots adjoining the proposed WSFL corridor	5	Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)	10m from the edge of E2, RE1 and RE2 land, unless separated by a road, and then no setback is required.	<p>The development as proposed to be modified not change the building setbacks as they are being proposed under the base build modifications which are compliant with the DCP’s numerical requirements.</p> <p><u>Warehouse 8</u></p> <ul style="list-style-type: none">13.5m to the local estate road frontage (north)27m to Mamre Road (west)18m to the secondary road frontage (east)21.5m to the side (south).	Yes
Location	Distance (m)																								
Lots fronting designated roads (Mamre Road and Potential Southern Link Road)	20																								
Lots fronting key access roads (distributor and collector roads)	12																								
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Lots adjoining the proposed WSFL corridor	5																								
Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)	10m from the edge of E2, RE1 and RE2 land, unless separated by a road, and then no setback is required.																								

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>2) Notwithstanding control (1) above, the following development is permitted within the defined setback for any road (excluding Mamre Road and proposed Southern Link Road): o Landscaping; o Maintenance/rehabilitation of biodiversity corridors or areas; o Utility services installation; o Cross-overs; o Fire access roads; o Approved signage; o Street furniture; or o Drainage works.</p>	<p>Consistent with the approved Concept Proposal masterplan, the proposal will accommodate landscaping, off-street parking and hardstand areas where appropriate. Areas in which parking is provided are of the appropriate width and will continue be set behind a landscape setback, generally consistent with the approved development. The revised parking will not affect the streetscape values of the locality.</p>	Yes
	<p>3) Side and rear boundary setbacks may incorporate accessways and driveways (not permitted in setbacks to designated roads), where an alternative arrangement cannot be achieved. Setbacks to public roads may incorporate loading dock manoeuvring areas and associated hard stand if set behind a landscape setback of at least 6.0m to the property boundary.</p>	<p>The site does not interface with any designated roads.</p>	Yes
	<p>4) Setbacks may incorporate an off-street parking area if it can be demonstrated that the location of the car parking area:</p> <ul style="list-style-type: none"> ▪ Is within a setback at least 13.0m in depth, as measured from the property boundary to the building line, and set behind a landscape setback at least 6.0m in depth; ▪ Promotes the function and operation of the development; ▪ Enhances the overall design of the development by implementing design elements, including landscaping, that will screen the parking area and is complementary to the development; and ▪ Does not detract from the streetscape values of the locality. <p>5) The design of setbacks and hardstand areas should seek to minimise the visual impacts of the development (see also 4.2.3 Landscaping).</p>	<p>Both the north and east carpark areas are proposed to be located within a setback area with a width more than 13m. The north carpark will be located behind a landscape setback with a depth greater than 6m. While the landscape setback to the east carpark does not strictly comply with the numerical requirement of the DCP, it is consistent with the approved landscape setback under approved under SSD-10448 MOD 6 or SSD-60513208. The proposal will continue to accommodate landscaping, off-street parking and hardstand areas where appropriate. The revised parking will not affect the streetscape values of the locality.</p>	Refer to comment

Statutory Reference	Statutory Consideration	Relevance	Compliance																
4.2.3 Landscaping	1) Development proposals must demonstrate a 10% tree canopy on development lot (excluding public roads and any non-industrial land). This includes preserving existing trees, where possible, and adding to the existing canopy to provide green infrastructure and amenity. This control can be measured at estate or lot scale, depending on the subject land of the development application. Where the tree canopy strategy is established at an estate level, the approval should establish the framework for individual lots, where future development applications will be required. If the control is satisfied at an estate scale, the 10% tree canopy control does not need to apply again to individual lots, if they are consistent with the concept plan or estate approval.	A 16% total on lot canopy coverage is proposed at Lot 8. This contributes to a total estate-wide tree canopy coverage of 13%.	Yes																
	2) A Landscape Plan prepared by a Landscape Architect is to be submitted with all development applications.	A Landscape Plan has been prepared by Site Image (Appendix G).	Yes																
	3) Landscaped area is to be provided in accordance with Table 11. Table 11. Minimum landscape requirements	<table><tr><th>Location</th><th>Requirement</th></tr><tr><td>Lots fronting designated roads (Mamre Road and proposed Southern Link Road)</td><td>10m landscape setback to the road frontage</td></tr><tr><td>Lots fronting key access roads (distributor and collector roads)</td><td>6m or average 50% of the front setback from the site boundary along the road frontage</td></tr><tr><td>Lots fronting all other roads (local estate roads)</td><td>Average of 50% of the front setback along the road frontage</td></tr><tr><td>Rear boundary</td><td>2.5m from the rear boundary</td></tr><tr><td>Side boundary</td><td>No minimum requirement</td></tr><tr><td>Lots adjoining existing rural-residential development in Mount Vernon</td><td>Refer to Section 3.3.</td></tr><tr><td>Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)</td><td>5m landscape setback from the edge of the E2, RE1 and RE2 zoned land, unless separated by a road</td></tr></table>	Location	Requirement	Lots fronting designated roads (Mamre Road and proposed Southern Link Road)	10m landscape setback to the road frontage	Lots fronting key access roads (distributor and collector roads)	6m or average 50% of the front setback from the site boundary along the road frontage	Lots fronting all other roads (local estate roads)	Average of 50% of the front setback along the road frontage	Rear boundary	2.5m from the rear boundary	Side boundary	No minimum requirement	Lots adjoining existing rural-residential development in Mount Vernon	Refer to Section 3.3.	Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Private Recreation (unless otherwise specified elsewhere in this DCP)	5m landscape setback from the edge of the E2, RE1 and RE2 zoned land, unless separated by a road	The provision of side and rear landscape setbacks will be maintained in accordance with the requirements of emergency vehicle access, asset protection zones, fire rating and BCA standards. The landscape setbacks across Lot 8 are as follows: <u>Warehouse 8:</u> <ul style="list-style-type: none">20m landscape to Mamre Road frontage (side)6m landscape to local estate road (front)3.75m to secondary road (side)1.185m to the south (rear) The proposal does not change the areas of landscape setbacks of the location of main office areas and the changes the location of the main
Location	Requirement																		
Lots fronting designated roads (Mamre Road and proposed Southern Link Road)	10m landscape setback to the road frontage																		
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Statutory Reference	Statutory Consideration	Relevance	Compliance
		office areas are being proposed under the base build modification applications. The proposal is considered to achieve the same environmental and design outcome as was previously approved.	
	<p>4) A minimum 15% of the site area is to be pervious surfaces, achieved through landscaping and/or the use of permeable paving materials. Perviousness is to be calculated in accordance with the following index:</p> <ul style="list-style-type: none"> ▪ Deep soil (one metre or more in depth, connected subsoil) – 100% ▪ Shallow soil (less than one metre in depth, not connected to subsoil) – 75% ▪ Permeable pavement – 50% ▪ Hardstand – 0% 	Lot 8 achieves approx. 13% of pervious area. This is generally consistent with the approved development under SSD-10448 MOD 6 or SSD-60513208 as well as that under the base build modification applications, and contributes to the landscape and pervious area which has been prepared at an estate wide basis to facilitate its efficient distribution across the estate, and to ensure that the relevant water flow and quality targets are met.	Refer to comment
	5) Existing remnant vegetation and paddock trees shall be retained within setback areas and enhanced as an integral part of the landscaping proposals for each development.	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
	6) Landscaped front setbacks should include canopy trees whose mature height is in scale with the proposed development.	The intended tree species will grow to the appropriate height as detailed in the Landscape Masterplan established for the AIE under SSD-10448. The proposal does not seek to change the approved species under SSD-10448, details of the proposed tree species are detail in the attached Landscape Plans (Appendix G).	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	7) Setbacks shall include suitable tree planting along the northern and western elevations of buildings to provide shadow and cool the building.	The proposed development will include tree landscaping across the both the north and western setbacks and/or carparks.	Yes
	9) Tree planting in the form of island planter beds shall be provided at a rate of one planter bed per 10 car spaces within car parks to reduce the heat island effect of hard surfaces that are a minimum 1.5m dimension.	The proposed car parking areas will deliver at least 1 island tree per 10 car park spaces.	Yes
	10) Evergreen shrubs and trees shall screen car parks, vehicular manoeuvring areas, garbage areas, storage areas from the street frontage.	The proposal will screen vehicular areas with vegetated buffers and setbacks consistent with the Landscape Masterplan established for the AIE under SSD-10448.	Yes
	11) Paving, structures and wall materials should complement the architectural style of buildings.	The landscaping across the site will integrate with the contemporary warehouse design.	Yes
	12) The selection and location of proposed trees and other landscaping plants is to: o Be consistent with the preferred trees identified in Appendix C; o Consider the use of local native vegetation communities; o Re-use of native plants or topsoil removed during earthworks; o Contribute to the management of soil salinity, water levels and soil erosion; o Ensure tree species being low maintenance and drought tolerant; o Consider the capacity of the species to contribute to tree canopy cover; o Ensure invasive turf (including Kikuyu) is not used in areas adjoining remnant vegetation within environmental conservation and recreation areas and riparian corridors, or within landscape buffers; o Incorporate a diverse range of flora species for to increase species resilience; and o Consider service authority requirements in easement locations.	A range of native species have been specified, in a manner consistent with those approved by the concept masterplan.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	15) No plant species that are considered a Weed of National Significance and/or a Noxious Weed in New South Wales shall be used.	These are not proposed.	Yes
4.2.4 Communal Areas	<p>1) Each building shall be provided with at least 1 communal area for the use and enjoyment of employees and visitors to that development. The space shall be commensurate with the scale of the development and be accessible from the main office.</p> <p>2) In locating communal areas, consideration should be given to the outlook, natural features of the site, and neighbouring buildings.</p> <p>5) Communal areas must receive a minimum of 2 hours direct sunlight between 11am and 3pm on the 21st of June</p>	<p>The proposed development design, layout and offerings has been prepared to align with the robust design principles and tenant requirements. As detailed in the architectural plans (Appendix F), the proposal has been prepared to provide the appropriate communal open space for employees in response to the DCP provisions (Section 4.2.4 Communal Areas) as:</p> <ul style="list-style-type: none"> ▪ The warehouse tenancy feature a communal balcony at the first floor, accessible from the office space. These provide the appropriate communal space for employees. ▪ Breakout space is provided at the ground-floor of the main office area. Outdoor amenity areas, directly accessible from the lunchrooms, are also provided at each warehouse tenancy. ▪ The communal balconies are located at the northern ends of the warehouse building and thus, will receive sufficient sunlight access. ▪ The proposal aligns with the broader AIE which provides significant, landscaped communal open space at an estate level. The riparian zone to be located at the northern end of the estate will be vegetated with a 	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
		pedestrian path with amenity nodes with seating provided along the corridor.	
4.2.5 Building Design	<p>1) Developments with a construction cost of \$1 million or more are to demonstrate a commitment to achieving no less than 4 stars under Green Star or 4.5 stars under the Australian Building Greenhouse Rating system (now part of the National Australian Built Environment Rating System (NABERS)).</p> <p><u>Siting/Building Orientation:</u></p> <p>1) Buildings shall be oriented so building frontage is parallel with the primary street frontage.</p> <p>3) Siting and building orientation shall consider landscaping requirements (refer Section 4.2.3), including the best location for tree planting to shade and screen development.</p> <p>5) Buildings should be oriented so that loading, servicing and large areas of car parking (i.e. greater than 20 spaces) are accommodated to the rear or the side of the site and not directly visible from the public domain.</p> <p><u>Architectural Design</u></p> <p>6) The design of facades along the primary street frontage(s) should strengthen passive surveillance and streetscape character, such as through the use of glazing for the office or administration components of the building.</p>	<p>The development as proposed to be modified will target and environmental outcome equivalent to a 5 Star Green Star.</p> <p>The building alignment is designed to be parallel with the relevant street frontages.</p> <p>The proposal will deliver the appropriate landscaping in alignment with the building orientation.</p> <p>The Warehouse 8 parking arrangement will be located at the side setbacks or will be substantially screened and will not be directly visible from the public domain.</p> <p>The warehouse building design includes office glazing and will locate administration areas to provide passive surveillance. The warehouse building includes a mixture of consistent finishes and colours as well as the glazed articulation at the main office space. This will deliver a visually attractive outcome that will align with the other developments across the AIE and strengthen the streetscape character.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Refer to comment.</p> <p>Yes</p>

Statutory Reference	Statutory Consideration	Relevance	Compliance
	7) External finishes should contain a mix of materials and colours and low reflectivity to minimise glare and reflection.	Reflective, glazed facades are only proposed at the offices. These remaining façade materials will not result in any significant glare or reflection.	Yes
	8) Elevations visible from the public domain must be finished with materials and colours and articulation that enhance the appearance of that façade and provide an attractive and varied streetscape.	Warehouse 8 includes a mixture of consistent finishes and colours as well as the glazed articulation at the main office space. This will provide a visually attractive outcome which mitigates the visual bulk of any large expanses of wall or building.	Yes
	10) Large expanses of wall or building mass should be relieved by the use of articulation, variation in construction materials, fenestration or alternative architectural enhancements (refer Figure 19 and Figure 20).		
	11) Energy efficient design principles shall be employed in all building designs (Figure 21).	An ESD report has been prepared by Stantec (Appendix S) which details the energy efficient principles to be employed across the proposed building designs.	Yes
	12) Entrances to buildings must be highlighted by architectural features consistent with the overall design of the building.	The Warehouse 8 main office buildings/entrances will have a visually distinct, angular glazed design, consistent with the rest of the AIE.	Yes
	13) Courtyard and screen walls shall be in the same material as the building facades.	Any screening across Warehouse 8 will be comprised of materials and finishes consistent with the rest of the warehouse development.	Yes
	14) The design and location of roof elements and plant and mechanical equipment, including exhausts, is to minimise visual impact from the street or from elevated locations, such as screening with an integrated built element such as parapets.	The roof form design across the building elements will not result in any significant visual impact from the street.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	15) The design of the main office and administration components shall: o Be located at the main frontage of the building and be designed as an integral part of the overall building, rather than a 'tack on' addition; o Have a designated entry point that is highly visible and directly accessible from visitor parking and the main street frontage; and o Incorporate the principles of Universal Design.	The Warehouse 8 main office buildings/entrances will have a visually distinct, angular glazed design, consistent with the approved development.	Yes
	16) Roof forms should help to visually articulate the use within the building. This may include transitions between foyer, office and larger warehouse uses.	The roof forms across the office and warehouse areas of the proposed buildings will be appropriately distinguishable.	Yes
	17) Roof design must provide natural illumination to the interior of the building.	Translucent materials at the rooftops will facilitate natural illumination.	Yes
	<u>Environmentally Sustainable Design</u> 18) Development applications shall demonstrate Ecological Sustainable Design (ESD) measures have been incorporated into the design.	An ESD report (Appendix S) has been prepared by Stantec which demonstrates the development as proposed to be modified will be designed in accordance with the relevant ESD strategies.	Yes
4.2.6 Design of Storage Areas	1) Storage areas are to be located within the building, where practical.	The Warehouse 8 will locate all storage areas internally.	Yes
4.2.7 Storage, Transportation, Handling and Processing of Chemical Substances	1) Development involving the storage, transportation and processing of chemical substances shall have regard to the requirements of State Environmental Planning Policy No. 33 - Hazardous and Offensive Development.	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
4.2.8 Signage and Estate Entrance Walls	1) All advertising is required to be: Constructed of high quality, durable materials; Considered in conjunction with the design and construction of buildings; Restricted generally to one sign identifying the name of the	The signage location and dimensions at the north elevation is proposed to be modified. Overall, this includes 3 x flush building identification signs. The	Refer to comment

Statutory Reference	Statutory Consideration	Relevance	Compliance
	occupants and/or products manufactured or produced on the site; and contained wholly within the site.	proposed materials and design of the flush signs is consistent with the estate and is typical for warehouse developments. All the signage will be wholly contained in the site. Considering the scale of the warehouse building and multiple vehicle entrances, the provision of multiple signs is considered appropriate.	
	3) Building identification signage should have a maximum advertising area of up to 0.5 square metres for every metre of lineal street frontage.	The proposed building signage complies with the requirements of a maximum advertising area of up to 0.5 square metres for every metre of lineal street frontage.	Yes
	4) Sky signs and roof signs that project vertically above the roof of a building are not permitted.	No sky signs or roof signs are proposed.	Yes
	5) Flat mounted wall signs for business identification signage are to be no higher than 15 metres above finished ground level.	As above, the proposed flat mounted signage areas will be lower than 15m above the FGL.	Yes
	6) Signs should generally be confined to the ground level of the building, awning or fascia, unless it can be demonstrated that the building is of a scale, architectural style and in a location that would be enhanced by signage at different elevations.	As above, the flush façade signage area will be located on the warehouse elevations at an appropriate location, similar to the approved warehouse signage.	Yes
	7) Signs are to be contained fully within the confines of the wall or awning to which it is mounted.	As above, The proposed flush signage area will be located fully within the wall in which they are mounted	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	9) Illuminated signs are not to detract from the architecture of the building during daylight	As above, the proposed LED illumination for the western façade signage will comply with AS 4282	Yes
	10) Illumination (including cabling) of signs is to be either: o Concealed; o Integral with the sign; o Provided by means of carefully designed and located remote or spot lighting.	Control of the Obtrusive Effects of Outdoor Lighting standard. Compliance with this standard ensures protection from any light spills.	Yes
	11) A curfew may be imposed on the operation of illuminated signs where continuous illumination may adversely impact the amenity of residential buildings or the environment.	The signage illumination can be adjusted if necessary or subject to a curfew if deemed necessary.	
	12) Up-lighting of signs is prohibited. External lighting of signs is to be downward pointing and focused directly on the sign and is to minimise the escape of light beyond the sign.	The lighting of the signage development can be designed so that any LED lighting can meet requirements.	Yes
	13) A maximum of one illuminated sign is permitted on each elevation of each building.	As above, 1 x illuminated sign is proposed across each elevation across the building and it will be facing towards the AIE towards other warehouse buildings to be developed as part of the estate. It will not affect any residential receivers.	Yes
	14) Illuminated signage shall be oriented away from residential receivers		
4.2.9 Safety and Surveillance	2) Buildings should be designed to overlook public domain areas and provide casual surveillance.	The proposed Warehouse 8 office areas will have the appropriate levels of glazing to provide casual surveillance.	Yes
	3) Building entrances should be orientated towards the street to ensure visibility between entrances, foyers, car parking areas and the street.	The Warehouse 8 building layout will maintain orientation of the entrances to the car parking areas and entrance areas with the appropriate level of glazing.	Yes
	4) Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings.	The Warehouse 8 development will provide energy efficient lighting systems The proposed	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
		development will include minimum average lux levels in the warehouse, office, awning and carpark.	
	5) Development should provide clear sight lines and well-lit routes between buildings and the street, and along pedestrian and cycle networks within the public domain.	The Warehouse 8 development will provide clear paths of travel throughout the internal road and external areas.	Yes
	6) Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety.	The layout of landscaping across the Warehouse 8 site will provide the appropriate level of amenity and safety offered by the landscaping.	Yes
4.2.10 Lighting	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
4.2.11 Fencing	<p>1) Fencing along street frontages should provide open style fencing, which does not obstruct views of landscaping from the street or reduce visibility.</p> <p>2) Palisade fencing is encouraged.</p> <p>3) Solid fences above 1 metre in height are not permitted along street frontages.</p> <p>4) No fencing other than a low ornamental type may be erected at the front or secondary street site boundary.</p> <p>5) High security fencing should be located either behind the landscape setback or alternatively within the landscaped area midway between the site front or secondary boundary and the building line (refer to Figure 22). The design of the landscape setback should consider site security management.</p>	The proposal includes fencing at the appropriate locations in alignment with the landscaped setbacks and security requirements.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
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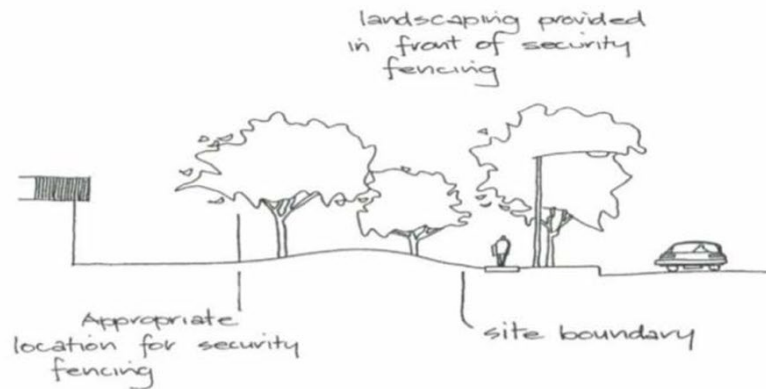


Figure 22. Location of security fencing adjoining public roads

4.3.1 Noise and Vibration

- 1) Any machinery or activity considered to produce noise emissions from a premise shall be adequately sound-proofed so that noise emissions are in accordance with the provisions of the Protection of the Environment Operations Act 1997.
- 2) Noise should be assessed in accordance with Noise Policy for Industry (EPA, 2017) and NSW Road Noise Policy (Department of Environment, Climate Change and Water, 2011).
- 3) An Acoustic Report by a qualified acoustical engineer must be submitted where proposed development, including traffic generated by that development, will create noise and/or vibration impacts, either during construction or operation, that impacts on adjoining developments or nearby rural-residential areas. The Acoustic Report should outline the proposed noise amelioration strategies and management methods.
- 4) An Acoustic Report shall be prepared for developments within 500m of rural-residential areas and other sensitive receivers, including educational establishments.

A Noise Impact Assessment has been prepared by SLR (**Appendix K**) which details the noise emission from the proposal is predicted to comply with the Operational Noise Limits established under Condition A16 of SSD-10448 and the requirements under the NPfI for the neighbouring sensitive receivers. The assessment has considered the Noise policy and the surrounding uses including the closest residential property.

Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>5) Acoustic Reports for individual developments must assess cumulative noise impacts, including likely future noise emissions from the development and operation of the Precinct. The consultant should liaise with the relevant consent authority to determine acceptable amenity goals for individual industrial developments and background noise levels.</p>	<p>The acoustic modelling was conducted with consideration of the cumulative impacts of the AIE masterplan as well as the specific operations of the approved, Warehouse 1 CEVA operations and Warehouse 9 Winnings operations. This provides a comprehensive acoustic assessment of the proposed development in the context of the wider AIE. Additionally, indicative future warehouse buildings throughout the MRP have been included in the noise model, along with associated areas of hard ground.</p>	Yes
	<p>7) Building design is to incorporate noise amelioration features. Roof elements are to control potential breakout noise, having regard to surrounding topography.</p> <p>8) Boundary fences are to incorporate noise amelioration features and control breakout noise having regard to developments adjoining rural-residential areas.</p> <p>9) Development shall comply with the relevant Australian Standards for noise and vibration.</p>	<p>Operational and detailed design mitigation measures will ensure the proposal, including the proposed rooftop plant, does not result in any adverse impacts to the nearest sensitive receivers.</p>	Yes
4.3.2 Trading and Operating Hours of Premises	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
4.3.3 Air Quality	<p>1) Any development likely to, or capable of, generating air emissions must comply with the Protection of the Environment Operations Act 1997 and associated regulations.</p> <p>2) An Air Quality and Odour Assessment is required for development that may have an adverse impact on local and regional air quality, including construction impacts on adjoining rural-residential areas.</p>	<p>An Air Quality Impact Assessment has been prepared and accompanies this application (Appendix L). The assessment determines the proposal will result in neutral or low impact to the air quality. No changes to the established</p>	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	3) The Air Quality and Odour Assessment should be in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2017) and/or The Technical framework - assessment and management of odour from stationary sources in NSW (EPA 2006) and include but not be limited to: o Characterisation of all emissions; o Measures to mitigate air impacts, including best practice measures; and o Details of any monitoring programs to assess performance of any mitigation measures and to validate any predictions as a result of the assessment.	mitigation measures are required in respect to air quality	
4.4.1 Development on Sloping Sites	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
4.4.2 Erosion and Sediment Control	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
4.5 Waste Minimisation and Management	-	No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.	Yes
4.6.1 Parking and Manoeuvring Areas	1) On-site car parking is to be provided to a standard appropriate to the intensity of the proposed development as set out in Table 11. Parking is to meet AS 2890 and AS 1428.	The proposed parking has been prepared in accordance with the Mamre Road DCP parking rate and achieves compliance with the minimum parking rates. The proposal delivers 360 car parking spaces which satisfies the minimum parking requirement of 232 spaces and meets the IVE Group's printing / manufacturing operational requirements which will see a peak parking demand occurring at 2pm with a demand of 280 spaces.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
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Activity	Parking Requirement
Freight Transport Facilities	1 per transport vehicle present at peak vehicle accumulation plus 1 per 2 employees, or to be determined by a car parking survey of a comparable facility
Industries	1 space per 200m ² of gross floor area or 1 space per 2 employees, whichever is the greater
Vehicle Body Repair Workshops/ Vehicle Repair Stations	3 spaces per 100m ² of gross floor area or 6 per work bay, whichever is the greater
Warehouses or distribution centres	1 space per 300m ² of gross floor area or 1 space per 4 employees, whichever is the greater.
Ancillary office space	1 space per 40m ² of gross floor area
Neighbourhood shops	1 space per 40m ² of gross leasable area
Other Uses	In accordance with TfNSW Guidelines or if there are no parking guidelines for a specific use, then a site specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitably qualified traffic consultant.
Accessible Parking	Accessible car spaces should be in accordance with the <i>Access to Premises Standards, Building Code of Australia</i> and AS2890.
Bicycle Parking	1 space per 600m ² of gross floor area of office and retail space (over 1200m ² gross floor area) 1 space per 1000m ² of gross floor area of industrial activities (over 2000m ² gross floor area)

The AIE DCP requires accessible parking to be provided at a rate of 1 space per 100 car parking spaces or part thereof. In this regard, a minimum of four accessible spaces are required. The MOD seeks to provides four accessible spaces and is therefore compliance with AIE DCP requirements.

4) The design of car parks and spaces must comply with the relevant Australian Standards.

The design of the car parking achieves compliance with the relevant Australian Standards.

Yes

5) The movement of pedestrians throughout the car park shall be clearly delineated and be visible for all users of the car park to minimise conflict with vehicles.

Car parking is provided close to office locations. Pedestrian ways have been provided for safe access within carparks and from the public domain into the building.

Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	6) Car parking areas for heavy vehicles should be constructed of hard standing, all weather material, with parking bays and circulation aisles clearly delineated. Permeable paving materials should be used where practicable.	The appropriate materiality is proposed for car parking areas and for heavy vehicles. Permeable paving is not proposed due to long term durability and maintenance concerns, consistent with the broader AIE.	Refer to comment.
	7) The design of parking and access areas is to address WSUD principles (refer Section 2.4), including the use of permeable pavement materials in light vehicle parking areas.	Vehicle access is proposed to be integrated with the overall development design.	Yes
	9) Vehicle access is to be integrated into the building design as to be visually recessive.	The proposal is designed in accordance with the 30m Performance Base Standard and The roads have been tested with a 36.5m PBS Level 3 type.	Yes
	10) Vehicular access must be swept path tested for the largest vehicle that will access a particular site e.g. 30m PBS Level 2 Type B or 36.5m PBS Level 3 Type A vehicles.	The swept paths analysis has been prepared in support of the Transport Statement. The swept path analysis confirms that 3-point turns can be conducted on-site.	Yes
	11) Turning circles shall accommodate the largest type of truck reasonably expected to service the site. A standard truck must be able to complete a 3-point or semi-circular turn on-site without interfering with parked vehicles, buildings, landscaping, storage and work areas.	3-point turns can be conducted on-site.	Yes
	12) Internal directional signs are to be provided to assist site visitors in locating parking areas.	The appropriate directional signs to be established under the concept approval.	Yes
	13) Car park design is to promote passive surveillance, incorporate active measures (e.g. cameras and security patrols) where necessary, and minimise dark areas through lighting.	The proposal includes open car park areas which interface with the proposed Warehouse office areas. This will provide the appropriate level of openness to facilitate passive surveillance.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance
	15) Provision should be made for all vehicles to enter and exit a secure (i.e. boom-gated) area in a forward direction.	The vehicular access layout at Warehouse 8 include car parking arrangement will allow vehicles to enter and exit in a forward direction.	Yes
	17) The design of car parks should ensure staff/visitor parking is given safe separation from loading dock circulation areas for heavy vehicles.	The car park areas and loading dock areas for heavy vehicles will be separated and distinct.	Yes
	19) Development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site. 20) All loading and unloading areas are to be: o Integrated into the design of developments; o Separated from car parking and waste storage and collection areas; o Located away from the circulation path of other vehicles; and o Designed for commercial vehicle circulation and access.	The car park areas and loading dock areas for heavy vehicles will be separated. The proposed hard-stand areas for on-site loading will be located separate from the car parking areas and will have a designated heavy vehicle access point.	Yes
	21) Vehicular access to the loading / unloading area(s) is preferred off rear lanes, side streets and right of ways. Where appropriate, consider a single vehicular access point for the loading/unloading area(s) and waste collection area(s).	Vehicular access to the loading and unloading areas will continue to be provided from the internal access roads	Yes
	23) Potential entrapment points shall be avoided (e.g. blind corners, wide columns) and lighting and mirrors used when unavoidable.	This has been addressed in the design.	Yes
	24) Access, parking, manoeuvring and loading facilities shall be in accordance with AS 2890 and Performance Based Standards An introduction for road managers (National Heavy Vehicle Register, May 2019) to accommodate vehicle types outlined in Table 12. The design shall have regard to the Standard Vehicle Turning Templates of the former RMS	Vehicular access assessment has been conducted for 30m A-double (i.e., 30m Performance Based Standards (PBS) Level 2 Type B vehicle) which found the appropriate access could be accommodated.	Yes

Statutory Reference	Statutory Consideration	Relevance	Compliance				
	<p>publication Policies Guidelines and Procedures for Traffic Generating Developments.</p> <table><tr><th>Site Area</th><th>Design Vehicle</th></tr><tr><td>Greater than 20,000m²</td><td>30m PBS Level 2 Type B</td></tr></table>	Site Area	Design Vehicle	Greater than 20,000m ²	30m PBS Level 2 Type B		
Site Area	Design Vehicle						
Greater than 20,000m ²	30m PBS Level 2 Type B						
	<p>25) The following bicycle destination facilities for staff are to be provided:</p> <ul style="list-style-type: none">- For ancillary office and retail space with a gross floor area over 2500m2 , at least 1 shower cubicle with ancillary change rooms;- For industrial activities with a gross floor area over 4000m2 , at least 1 shower cubicle with ancillary change rooms;- Change and shower facilities are to be located close to the bicycle storage areas; and- Where the building is strata-titled, the facilities are to be available to all occupants. <p>26) Bicycle parking, facilities and storage must be in convenient locations, visible, secure, and provide weather protection for the bicycle.</p>	<p>With consideration to the MRP DCP rates, a minimum of 44 bicycle spaces and one shower cubicle with ancillary change rooms will be provided.</p>	<p>Yes</p>				
4.6.2 Driveways	<p>1) The road access to the site must provide for safe entry and exit, with appropriate traffic sight distance. All vehicles should enter/exit the site in a forward direction.</p> <p>2) Driveways and access roads shall be designed in accordance with AS2890.1 and 2 - 2004.</p> <p>3) The design of driveways shall consider traffic volumes on the surrounding road network and to and from the development.</p> <p>4) Driveways should be: Provided from lanes and secondary streets rather than the primary street; Located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees; Designed to avoid conflict between heavy vehicle and staff, customer</p>	<p>The proposed vehicular access points will continue to operate safely and effectively in accordance with the relevant Australian Standards. The driveway locations will appropriately integrate with the existing traffic volumes.</p> <p>The driveways will be provided from the proposed, internal access roads and will not conflict with the neighbouring rural residential areas or the major roads. Separate access will be provided between the carpark and the heavy</p>	<p>Yes</p> <p>Yes</p>				

Statutory Reference	Statutory Consideration	Relevance	Compliance
	<p>and visitor vehicular and cycle movements, preferably by providing separate access driveways; Located to minimise amenity impacts to adjacent rural-residential development; Designed to avoid direct access across a site boundary with a major road. Auxiliary lanes (deceleration and acceleration) may need to be provided to minimise conflicts between entering / leaving traffic and fast moving through traffic; and For driveways with high traffic volumes, located away from major roads, intersections, opposite other intense developments, high pedestrian zones, and where right turn movements would obstruct traffic.</p> <p>5) Driveway widths must have swept turning paths tested for larger vehicle types such as 30m PBS Level 2 Type B vehicles and 36.5m PBS Level 3 Type A vehicles where appropriate.</p>	<p>vehicle load/unloading areas, minimizing conflict between these two vehicular movements.</p> <p>Vehicular access assessment has been conducted for 30m A-double (i.e., 30m Performance Based Standards (PBS) Level 2 Type B vehicle). Access for single-way entry or exit for these vehicles will be accommodated by the development. It is not expected at this stage that the Site will require servicing by a 36.5m PBS Level 3 Type A vehicle.</p>	<p>Yes</p>

Consistency with: SSD-10448 Conditions of Consent

Table 2 Consistency with SSD-10448 Conditions of Consent (as modified most recently by SSD-10448 MOD 6)

Condition	Proposal
PART A CONDITIONS FOR CONCEPT PROPOSAL	
<p>Condition A4 – Future Development Applications</p> <p>In accordance with section 4.22 of the EP&A Act, each subsequent stage of the Concept Proposal (excluding Stage 1 development) is to be subject to future development applications (DAs). Future DAs are to be consistent with the terms of this consent.</p>	<p>SSD-80331959 has been prepared as a separate DA, consistent with the terms of the consent or to be modified as required under SSD-10448 MOD 10.</p>
<p>Condition A4B – Modifications to the Concept Proposal</p> <p>Any development applications for future stages of the AIE must be accompanied with a revised site-wide stormwater management strategy demonstrating compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets (NSW Government, 2022).</p>	<p>Refer to the Civil Design Statement has been prepared by AT&L (Appendix M). The letter details that the proposal does not change the outcomes of the previously prepared Civil Report which is entitled “REP021-02-18-596-Lot 8 Civil Infrastructure Report MOD2”, dated 16/01/25. The previously prepared Civil Report concludes that that the cumulative development across the AIE, including the Warehouse 8, will achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets (NSW Government, 2022)</i>.</p>
<p>Condition A6 – Limits of Consent</p> <p>The Applicant must ensure any future development of the site is consistent with the Mamre Road Precinct Development Control Plan 2021 (NSW Government, 2021) (MRP DCP).</p>	<p>The proposal is consistent with the bulk of requirements under the MRP DCP. Any variations are consistent with the objectives of the DCP as detailed in the Statutory Compliance Table above.</p>

Condition	Proposal								
<p>Condition A7 – Limits of Consent</p> <p>The maximum GFA for future development on the site for the land uses described in Table 1 must not exceed the limits described in that table.</p> <p>Table 1 <i>Maximum GFA of the Concept Proposal</i></p> <table> <tr> <th>Land Use</th><th>Maximum GFA (m²)</th></tr> <tr> <td>Warehouse and distribution centres and general industrial</td><td>237,813</td></tr> <tr> <td>Ancillary offices</td><td>9,708</td></tr> <tr> <td>Total</td><td>247,646</td></tr> </table>	Land Use	Maximum GFA (m ²)	Warehouse and distribution centres and general industrial	237,813	Ancillary offices	9,708	Total	247,646	<p>This condition is proposed to be modified as part of SSD-10448 MOD 10. Refer to Section 3 of the EIS.</p>
Land Use	Maximum GFA (m ²)								
Warehouse and distribution centres and general industrial	237,813								
Ancillary offices	9,708								
Total	247,646								
<p>Condition A9A – Limits of Consent</p> <p>The maximum height for future development on the site described in Table 1A must not be exceeded.</p> <p>Table 1A <i>Maximum Building Height of the Concept Proposal</i></p> <table> <tr> <th>Land Use</th><th>Height (m)</th></tr> <tr> <td>Warehouse 1</td><td> <ul style="list-style-type: none"> 16.0 m (excluding rooftop plant) 18.4 m (including rooftop plant) </td></tr> <tr> <td>Warehouse 9</td><td> <ul style="list-style-type: none"> 14.6 m </td></tr> <tr> <td>All other warehouses</td><td>13.7 m</td></tr> </table>	Land Use	Height (m)	Warehouse 1	<ul style="list-style-type: none"> 16.0 m (excluding rooftop plant) 18.4 m (including rooftop plant) 	Warehouse 9	<ul style="list-style-type: none"> 14.6 m 	All other warehouses	13.7 m	<p>Warehouse 8 will feature a maximum height of 13.7m. This is consistent with the maximum Building Height under Condition A9A.</p>
Land Use	Height (m)								
Warehouse 1	<ul style="list-style-type: none"> 16.0 m (excluding rooftop plant) 18.4 m (including rooftop plant) 								
Warehouse 9	<ul style="list-style-type: none"> 14.6 m 								
All other warehouses	13.7 m								
<p>Condition A10 – Staging Plan</p> <p>Prior to the commencement of construction of any stage of the Concept Proposal, the Applicant shall prepare a Staging Plan for the Development, to the satisfaction of the Planning Secretary. The plan shall:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with Council, utility and service providers and other relevant stakeholders; (b) describe how the implementation of the Concept Proposal, would be staged to ensure it is carried out in an orderly and economic way and minimises construction impacts; (c) show the likely sequence of DAs that will be lodged to develop the Site, with the estimated timing for each Stage and identification of any overlapping construction and operational activities; (d) include concept design for the staged delivery of landscaping, focusing on early implementation of screen planting to minimise the visual impact of subsequent development stages; and (e) include conceptual design for the provision of services, utilities and infrastructure to the Site, including stormwater management infrastructure and any future road upgrades. 	<p>This will be prepared in accordance with the approval for SSD-60513208.</p>								

Condition	Proposal
<p>Condition A11 – Staging Plan</p> <p>The Applicant must:</p> <p>(a) not commence construction of any stage of the Development until the Staging Plan required by Condition A12 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Staging Plan approved by the Planning Secretary.</p>	<p>No changes to previously approved SSD-10448 MOD 6 or SSD-60513208.</p>
<p>Condition A14 – Future Infrastructure Requirements</p> <p>The Applicant must prepare an Infrastructure Review to support each future stage of the Concept Proposal. The Infrastructure Review must demonstrate the surrounding road infrastructure can accommodate the relevant stage and other approved developments in the MRP. The Infrastructure Review must:</p> <p>(a) detail traffic volumes from all operating stages of the Concept Proposal;</p> <p>(b) include background traffic volumes from key roads within the MRP, including Mamre Road;</p> <p>(c) assess the operating performance of key intersections in the MRP, including Mamre Road and Access Road 1;</p> <p>(d) detail the current level of approved development within the MRP, including total approved GFA;</p> <p>(e) consider consistency with the latest approved Concept Proposal traffic volumes;</p> <p>(f) demonstrate the road network has sufficient capacity to accommodate the proposed stage of the Concept Proposal, and if the proposed stage would trigger the need for any road upgrades, including those identified in the traffic modelling for the MRP;</p> <p>(g) if road upgrades are required to support the proposed stage, identify the timing and mechanisms to contribute to the delivery of the required road upgrades.</p>	<p>The Traffic Statement prepared by Ason Group (Appendix J) details that the proposal will be supported the relevant infrastructure with consideration of the assessment criteria listed in Condition A14.</p>
<p>Condition A16 – Noise Limits</p> <p>The Applicant must:</p> <p>(a) ensure the cumulative noise emission of fixed external mechanical plant for each warehouse building do not exceed 90 dB(A) and do not exhibit tonal characteristic or strong low frequency content; and</p> <p>(b) ensure the noise generated by the operation of the Development does not exceed the noise limits in Table 2.</p>	<p>Refer to the NIA (Appendix K). This assessment report includes an assessment of the items raised in Condition A16. As detailed in Section 3.2 of the EIS, the proposed printing operations require specific external mechanical plant, which produces a cumulative SWL in excess of 90 dBA. The project team has explored mitigation measures that could be incorporated into the plant to reduce the SWL and the cumulative assessment identifies that the proposal will maintain compliance with the Condition A16(b) noise limits at all receivers. As such, the</p>

Table 2 Operational Noise Limits for Concept Proposal dB(A)

Location	Day	Evening	Night
	L _{Aeq} (15 minute)	L _{Aeq} (15 min)	L _{Aeq} (15 min)

Condition				Proposal
Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mont Vernon) and Kerrs Road (Mont Vernon)	39	34	29	intention of the condition will still be achieved, despite a non-compliance with the conditioned 90 dBA limit per warehouse under Condition A16(a) and thus, Condition A16(a) is proposed to be modified to reflect the updated acoustic requirements for Warehouse 8. Otherwise, the NIA demonstrates that the proposal complies with the Operational Noise Limits under Condition A16(b).
BAPS Temple – Outdoor Use Area (Except Car Parking Area)	36 (when in use)			

Note:
Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.

PART B CONDITIONS FOR FUTURE DEVELOPMENT APPLICATIONS

Condition B1 – Traffic Impact Assessment:

Future DAs shall be accompanied by a traffic impact assessment (TIA). The TIA must:

- (a) assess the impacts on the safety and capacity of the surrounding road network and access points during construction and operation of the relevant stage in accordance with relevant TfNSW guidelines;
- (b) include traffic monitoring data collected under Condition D3 and incorporate the relevant findings into this assessment;
- (c) demonstrate internal roads and car parking complies with relevant Australian Standards and the car parking rates in Condition B2;
- (d) demonstrate the Mamre Road/Access Road 1 intersection can accommodate operational traffic associated with the relevant stage;
- (e) detail the scope and timing of any required road or intersection upgrades to service the relevant stage if the assessment under sub-clause (d) identifies that additional upgrades are required; and
- (f) detail measures to promote non-car travel modes, including a Sustainable Travel Plan identifying pedestrian and cyclist facilities to service the relevant stage of the development.

The Traffic Statement prepared by Ason Group (**Appendix J**) in support of the proposal.

- An assessment of road safety during construction activity was prepared as part of the Preliminary CTMP (prepared for the approved SSD-10448).
- The cumulative impacts of the proposal and the approved warehouse developments have been assessed in support of this proposal.
- The proposed internal roads and car parking has been prepared in accordance with the relevant Australian Standards. Refer to the Architectural Plans (lodged with original EIS for SSD-10448). The proposal has been prepared to provide parking in accordance with Condition B2.
- The Traffic Statement provides an assessment of the proposal's anticipated traffic impacts and concludes the Mamre Road / Road 01 intersection will operate at satisfactory levels.

Condition	Proposal
	<ul style="list-style-type: none"> ▪ No further road upgrades are required to accommodate the proposed development. ▪ A Site-Specific Green Travel Plan has been prepared and won't be changed by the proposed modification. Bicycle parking and EOT facilities will be provided in support of the proposal.
<p>Condition B2 - Car Parking: Car parking must be provided in accordance with the RMS Guide to Traffic Generating Developments and at the following rates:</p> <ul style="list-style-type: none"> ▪ warehouse and distribution centre: 1 space per 300 m2 ▪ office: 1 space per 40 m2 ▪ café: 1 space per 10 m2. 	<p>The proposal has been prepared in accordance with the car parking rates established in Condition B2.</p>
<p>Condition B3 - Access: Future developments on the site must meet the following requirements:</p> <p>(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of Australian Standards AS 1428.1 Design for Access and Mobility - General Requirements for Access - New Building Work, AS 2890.1, AS 2890.2 and AS 2890.6;</p> <p>(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant Austroads guidelines;</p> <p>(c) vehicles must not queue on the public road network;</p> <p>(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;</p> <p>(e) all vehicles are wholly contained on site before being required to stop;</p> <p>(f) all loading and unloading of materials is carried out on-site;</p> <p>(g) all vehicles enter and exit the site in a forward direction;</p> <p>(h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and</p> <p>(i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.</p>	<p>The proposal has been prepared to meet the access requirements:</p> <ul style="list-style-type: none"> ▪ Refer to The Traffic Statement, which concludes that the proposal complies with the latest version of Australian Standards AS 1428.1 Design for Access and Mobility - General Requirements for Access - New Building Work, AS 2890.1, AS 2890.2 and AS 2890.6. ▪ Refer to the swept path diagrams attached at Attachment 3 of the Traffic Statement, which demonstrates the relevant vehicles will be able to manoeuvre through the site in accordance with the Austroads guidelines. ▪ The Traffic Statement identifies operational traffic flows anticipated to be generated by the

Condition	Proposal
	<p>proposal. This assessment concludes that there is no chance of queueing to occur.</p> <ul style="list-style-type: none"> ▪ The proposal seeks to deliver a dedicated, heavy vehicle parking area which will also be used for bin storage. The proposal will not result in any heavy vehicle parking or bin parking on local roads or footpaths. ▪ The proposed driveway and internal road design has been prepared so that vehicles will not be required to stop until they are wholly on site. ▪ The proposal seeks to deliver a dedicated, heavy vehicle parking area on-site for loading and unloading of materials. ▪ Refer to the swept path diagrams attached at Attachment 3 of the Traffic Statement, which demonstrates vehicles will be able to enter and exit the site in a forward direction. ▪ The approved development will be constructed in accordance with the Preliminary CTMP. The proposal will not change this. In accordance with the Preliminary CTMP, all vehicles transporting loose materials would have the entire load covered and/or secured to prevent any large items, excess dust or dirt particles depositing onto the roadway during travel to and from the Site. Further to covering/securing the load to prevent deposits onto the roadway, a Shaker Grid is proposed and installed at the point of vehicle egress to minimise the risk of dirt tracking out onto Mamre Road.

Condition	Proposal
	<ul style="list-style-type: none"> No obstacles will be kept across the turning areas at the proposed car parks.
<p>Condition B4 - Bicycle Parking and End-of-Trip Facilities:</p> <p>Bicycle parking and end-of-trip facilities is to be provided with suitable pedestrian connections linking these facilities with the offices/ warehouses in accordance with relevant guidelines and standards.</p>	<p>With consideration to the MRP DCP rates, a minimum of 44 bicycle spaces and one shower cubicle with ancillary change rooms will be provided. The detailed design of these facilities will be undertaken in accordance with the relevant guidelines and standards.</p>
<p>Condition B5 – Future Freight Network</p> <p>Future DAs must make appropriate provision for the freight network identified in the MRP DCP, including the alignment and width of the corridor and access to the network within the site, to the satisfaction of TfNSW.</p>	<p>Lot 8 is not impacted by the Future Freight Network.</p>
<p>Condition B6 – Stormwater Management</p> <p>Future development on the site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the Draft Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets (NSW Government, 2022). The Applicant must ensure sufficient land is reserved for stormwater management purposes, unless the Applicant provides evidence that an agreement is in place to demonstrate that the development is integrated into the regional stormwater system.</p>	<p>A Stormwater Letter of Support has been prepared at (Appendix M) which demonstrates the proposal will continue to comply with the relevant DCP requirements, the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> and will not result in any adverse water quantity and quality impacts.</p>
<p>Condition B7 – Stormwater Management</p> <p>Development application for each future stage must include a Stormwater Management Strategy (SMS) incorporating the relevant stage and all preceding stages of the AIE. The Strategy must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems in consultation with the relevant stormwater management authority; (b) consider the approved or as modified stormwater management system for preceding stages of the development, including compliance of this system with the IWCM controls of the MRP DCP (refer to Condition D30); (c) outline any stormwater infrastructure required to be upgraded, installed, or removed consistent with the site-wide stormwater management strategy for the AIE as required by Condition A4B; (d) demonstrate the relevant stage can comply with the IWCM controls of the MRP DCP; (e) include an assessment of any impacts on salinity and sodic soils from the future development including any proposed WSUD infrastructure; and 	<p>A Stormwater Letter of Support has been prepared by AT&L (Appendix M), concluding the proposal will meet the water quality, quantity and flow requirements under the MRP DCP, with no changes to the outcomes modelled and assessed as part of the previously prepared Civil Report which is entitled “REP021-02-18-596-Lot 8 Civil Infrastructure Report MOD2”, dated 16/01/25.</p> <ul style="list-style-type: none"> The Civil Report and Water and Stormwater Management Strategy has been prepared by a

Condition	Proposal
<p>(f) detail what infrastructure may be required to connect to a precinct-wide stormwater management system for the relevant stage.</p>	<p>suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems in consultation with the relevant stormwater management authority.</p> <ul style="list-style-type: none"> ▪ The Water Management Strategy documented in AT&L's MOD4 WSMP report (December 2023), reproduced within the Civil Report, demonstrates that the Stage 5 requirements, that include Lot 8, satisfy the stormwater quality, quantity and flow controls for the AIE Site. ▪ Subject to the Erosion and Sediment Control Plan, prepared in support of the approved development, the proposal will have close to no impacts on the site salinity and sodicity. ▪ The Civil Report details how the proposed stormwater management will integrate with the broader estate management system detailed in AT&L's MOD4 WSMP report (December 2023).
<p>Condition B8 – Development Contributions</p> <p>Prior to the issue of a Construction Certificate (or at a time otherwise permitted by the contributions plan or agreed by Council) for any future stage of the Development, the Applicant must pay contributions to Council as required in accordance with the Penrith City Mamre Road Precinct Development Contributions Plan 2022, or any other contributions plan as in force when the later consent takes effect.</p> <p><i>Note: Subject to agreement between Council and the Applicant, local contributions may be satisfied by a planning agreement or works-in-kind agreement between Council and the Applicant.</i></p>	<p>Not required at this stage</p> <p>Noting a Voluntary Planning Agreement has been agreed with Penrith City Council for 788-882 Mamre Road, Kemps Creek (the Site).</p>
<p>Condition B9 – Development Contributions</p> <p><i>The Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022</i> requires special infrastructure contributions to be made for development on rezoned land within the Western Sydney Aerotropolis Special Infrastructure Contributions Area (within the meaning of that</p>	<p>Not required at this stage</p>

Condition	Proposal
<p>Determination). Accordingly, any special infrastructure contribution imposed by a condition of consent to a subsequent development application in relation to the site to which this consent applies is to be determined in accordance with that Determination, or any subsequent determination of the Minister under section 7.23 of the <i>Environmental Planning and Assessment Act 1979</i> (NSW), as in force when the later consent takes effect.</p>	<p>Noting a State Voluntary Planning Agreement has been negotiated, agreed and executed by the Applicant, applicable to the AIE, with public exhibition concluding in December 2021 to enable a satisfactory arrangement certificate (SAC) to be issued</p>
<p>Condition B10 – Noise and Vibration</p> <p>Future DAs must be accompanied by a Noise and Vibration Impact Assessment. The assessment must:</p> <ul style="list-style-type: none"> (a) identify the noise and vibration impacts during construction and operation; (b) demonstrate compliance with the noise limits in Condition A16; (c) provide an analysis of all external plant and equipment, including but not limited to, forklifts, air conditioners and refrigeration systems and on-site vehicle movements; (d) incorporate noise mitigation measures, such as increased building setbacks, building insulation, noise barriers, layout of truck loading areas or source controls, to demonstrate the noise limits in Condition A16 can be achieved; (e) recommend mitigation and management measures (excluding measures at receivers) to be implemented to minimise noise during construction and operation. 	<p>Refer to the Noise Impact Assessment (NIA). This updated assessment report includes an assessment of the items raised in Condition B10 of the SSD-10448.</p> <ul style="list-style-type: none"> ▪ The NIA identifies of the noise and vibration sources and impacts anticipated to be generated by the proposed construction and operation. ▪ In support of the proposal, Condition A16(a) is proposed to be modified to reflect the updated acoustic requirements for Warehouse 8. The NIA demonstrates that the proposal will comply with the noise limits in Condition A16 with regard to the operational noise limits across the surrounding receivers and thus, aligns with the objective of the condition. ▪ The NIA provides an assessment of the external noise sources, including plant and equipment. ▪ The NIA identifies the relevant noise mitigation measures that will be prescribed to ensure compliance with the noise limits in Condition A16(b). As above, Condition A16(a) is

Condition	Proposal
	<p>proposed to be modified to reflect the updated acoustic requirements for Warehouse 8.</p> <ul style="list-style-type: none"> The NIA identifies the relevant noise mitigation measures during the operation stage. Section 6 of the NIA identifies the recommended mitigation and management measures during construction.
<p>Condition B11 – Landscaping</p> <p>Landscaping design for future developments must comply with the relevant requirements under the MRP DCP.</p>	<p>In accordance with the MRP DCP requirements, the proposed landscaping design will contribute to a compliant percentage of tree canopy coverage at the lot (16%) and across the estate (13%).</p>
<p>Condition B12 - Landscaping</p> <p>Future development must be accompanied by a Landscape Plan consistent with the key principles and plant species described in the Landscape Plans titled Aspect Industrial Estate, Mamre Road, Kemps Creek Landscape Masterplan, Dated October 2020.</p>	<p>Landscape Plans (Appendix G) have been prepared in support of this DA. The Landscape Plans have been prepared in accordance with the key principles and plant species described in the Landscape Plans titled Aspect Industrial Estate, Mamre Road, Kemps Creek Landscape Masterplan, Dated October 2020.</p>
<p>Condition B13 - Outdoor Lighting</p> <p>Future development must ensure compliance with Australian Standards <i>AS/NZS 1158.3.1:2005 Pedestrian Area (Category P) Lighting</i> and <i>AS/NZS 4282:2019 Control of Obtrusive Effects of Outdoor Lighting</i>.</p>	<p>All the proposed lighting will be designed with a minimum average lux level in the warehouse, office, awning and carpark. All street lighting will be designed in accordance with <i>AS/NZS 1158.3.1:2005 Pedestrian Area (Category P) Lighting</i> and <i>AS/NZS 4282:2019 Control of Obtrusive Effects of Outdoor Lighting</i>.</p>
<p>Condition B14 - Signage</p> <p>Future development must include details of any external advertising signage and demonstrate compliance with the requirements of Condition D40 and Chapter 3 of the State Environmental Planning Policy (Industry and Employment) 2021 (or any substituted SEPP).</p>	<p>Details of the proposed signage are provided within the Architectural Plans pre by SBA Architects. These will be consistent with the provisions of</p>

Condition	Proposal
	<p>Chapter 3 and Schedule 5 of the Industry and Employment SEPP 2021. This is as:</p> <ul style="list-style-type: none"> ▪ Signage will be located flush against the warehouse building and will not intrude or visually affect any environmentally sensitive areas, heritage areas, conservation areas or rural landscapes. It will not intrude into any important views, skylines or viewing rights of other advertisers. ▪ The proposed location and scale of the signage is typical for a warehouse site and is generally consistent with the signage approved at the Stage 1 warehouse developments in the AIE. ▪ The signage will provide visual interest onto the warehouse façade, but it will not screen any unsightly features on the building. ▪ The flush signage will not affect any existing or proposed landscaping. ▪ The proposed signage illumination will be facing towards the AIE and will not affect the safety of the surrounding roads. The signage will not distract drivers or pedestrians as it is a typical for a warehouse estate.
<p>Condition B15 - Glazing</p> <p>The visible light reflectivity from building materials used in façades along Mamre Road and the internal road frontages must meet the minimum requirements of the MRP DCP.</p>	<p>The development includes a mixture of consistent finishes and colours as well as the glazed articulation at the main office space. The bulk of the building facades will not be comprised of reflective materials and is highly unlikely result in any adverse reflectivity impacts.</p>

Condition	Proposal
<p>Condition B16</p> <p>The Applicant shall ensure future DAs comply with:</p> <p>(a) the relevant provisions of <i>Planning for Bushfire Protection</i> (NSW RFS, 2019);</p> <p>(b) the construction standards and asset protection zone requirements recommended in the Bushfire Assessment for the Proposed Aspect Industrial Estate, prepared by Australian Bushfire Protection Planners Pty Limited, dated 6 October 2020; and</p> <p>(c) Australian Standard AS2419.1-2005 <i>Fire hydrant installations System design, installation, and commissioning</i>.</p>	<p>Lot 8 are not identified within the bushfire prone part of the wider estate as there are no bushfire hazards adjoining the relevant lots.</p>
<p>Condition B17</p> <p>The Applicant must obtain relevant approvals from Endeavour Energy, or relevant service provider, prior to the construction of any electricity utility works to service each stage of the development.</p>	<p>Not required at this stage.</p>
<p>Condition B18</p> <p>Before the commencement of operation of any future developments, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> (NSW).</p>	<p>Not required at this stage</p>
<p>Condition B19 - External Walls and Cladding:</p> <p>The external walls of all future buildings must comply with the relevant requirements of the BCA.</p>	<p>A BCA assessment (Appendix P) of the proposal has been prepared by Blackett Maguire+ Goldsmith assessing and providing recommendations. Subject to these recommendations, the proposal will be compliant with the BCA requirements.</p>
<p>Condition B20 - External Walls and Cladding:</p> <p>Future development involving the construction of external walls must ensure that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.</p> <p><i>Note: Documentary evidence that these comply with the BCA will need to be provided to the Certifier prior to the issue of any construction certificate for these works and prior to the Occupation Certificate. A copy of the documentation given to the Certifier will also be required to be provided to the Planning Secretary within seven days after the Certifier accepts it.</i></p>	<p>A BCA assessment (Appendix P) of the proposal has been prepared by Blackett Maguire+ Goldsmith assessing and providing recommendations. Subject to these recommendations, the proposal will be compliant with the BCA requirements.</p>
<p>PART D STAGE 1 DEVELOPMENT SPECIFIC ENVIRONMENTAL CONDITIONS</p>	
<p>Condition D43 – Construction Noise Limits</p> <p>The development must be constructed to achieve the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction</p>	<p>No change to the approved development of Warehouse 8 as a result of this proposal.</p>

Condition	Proposal
noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 4.	
<p>Condition D44 – Construction Noise Management Plan</p> <p>The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition E2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary; (b) be approved by the Planning Secretary prior to the commencement of construction of each phase of the development; (c) describe procedures for achieving the noise management levels in EPA's <i>Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time); (d) describe the measures to be implemented to manage high noise generating works, in close proximity to sensitive receivers, particularly for noise mitigation eligible receivers shown in Figure 7: in Appendix 5, including but not limited to the following: <ul style="list-style-type: none"> (i) details of a real-time noise monitoring system to identify occurrence of highly noise affected levels as defined in the <i>Interim Construction Noise Guideline</i>; and (ii) describe procedures for implementing respite periods and temporary relocation following identification of highly noise affected levels. (e) include a complaints management system that would be implemented for the duration of the development. 	<p>No change to the approved development of Warehouse 8 as a result of this proposal. A CNMP will be prepared prior to commencement of construction.</p>
<p>Condition D49 – Vibration Criteria</p> <p>Vibration caused by construction at any residence or structure outside the site must be limited to:</p> <ul style="list-style-type: none"> (a) for structural damage, the criteria set in the latest version of <i>DIN 4150-3:2016-12 Vibration in Buildings – Part 3: Effects on Structures</i> (German Institute for Standardisation, 2016); and (b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC 2006) (as may be updated or replaced from time to time). 	<p>No change to the approved development of Warehouse 8 as a result of this proposal.</p>