MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2. PRECINCT PLANNING OUTCOMES		
2.1 Mamre Road Precinct Structure Plan		
1) All development applications are to be generally in accordance with the Precinct Structure Plan (Figure 2), the water cycle management and local road network strategy for the Precinct. *2) The consent authority will consider the extent to which the proposed development is consistent with the Structure Plan, including cumulative and precedent implications for the planned infrastructure, and services and amenities provision.* *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.*	**YES**	The site is mapped as industrial pursuant to the Structure Plan. The proposal is for the Mamre Road Data Centre Campus, which involves the construction of six (6) data centre buildings within the area mapped as industrial. The proposed development is therefore consistent with the Structure Plan.
2.2 Biodiversity		
2.2.2 General Principles for Biodiversity Conservation		
1) Development is to be sited, designed and managed to avoid or mitigate potential adverse impacts on natural areas and habitat.	**YES**	The location of the proposal within the site has been selected in consideration of the existing native vegetation noting that the site is mostly cleared with some scattered vegetation located across the site.
2) Development applications for land that has the potential to impact biodiversity prior to the approval of the CPCP are to be accompanied by a Biodiversity Development Assessment Report.	**N/A**	A small portion of the land is identified as containing biodiversity value and therefore, a BDAR has been prepared.
3) Where development is proposed to impact on an area of native vegetation, it shall be demonstrated that no reasonable alternative is available. Suitable ameliorative measures will also be proposed (e.g. weed management, rehabilitation, nest boxes).	**YES**	The proposal requires the removal of native vegetation to facilitate the proposal. All design options explored result in the same amount of tree removal.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4) *A Weed Eradication and Management Plan outlining weed control measures during and after construction is to be submitted with the development application.*	**YES**	The development application is accompanied by a Weed Eradication and Management Plan.
2.2.3 Biodiversity Conservation and Management		
Environmental Conservation and Recreation Zones – Blue-Green Network		
1) *Minimise clearing of native vegetation within the blue-green network, which comprises land zoned E2 Environmental Conservation, RE1 Public Recreation, RE2 Private Recreation and riparian corridors. Note: Clause 33K of WSEA SEPP also applies.*	**YES**	Clearing of vegetation within land zoned E2 Environmental Conservation, RE1 Public Recreation, RE2 Private Recreation and riparian corridors does not form part of the proposal.
2) *No clearing of native vegetation shall occur within the Precinct on land zoned Environmental Conservation (E2), Public Recreation (RE1), and Private Recreation (RE2) without having regard to the Biodiversity Conservation Act 2016.*	**NOTED**	As above.
3) *A Vegetation Management Plan (VMP) for the rehabilitation and conservation of native vegetation is to be prepared by a suitably qualified expert for land within the blue-green network.*	**YES**	The site does not include any land within the blue-green network (E2, RE1, RE2 and riparian corridors).
4) *A Threatened Species Assessment is to be undertaken for development applications on land within 500m of an E2 Environmental Conservation zone to determine the presence of threatened species or their habitat. Building setbacks for grey-headed flying fox and raptors are required, if present on or adjacent to the development site, are outlined in Table 3.*	**YES**	Refer to Section 4 of the BDAR (**Appendix 15**) which identifies the threatened flora and fauna present on the site.
5) *Bushfire Asset Protection Zones (APZs), stormwater detention basins, and roads are to be located wholly within land zoned IN1 General Industrial and avoid the blue-green network.*	**YES**	The site does not include any land within the blue-green network (E2, RE1, RE2 and riparian corridors).
General Biodiversity Management		

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
6) Avoid impacts on habitat features which provide essential habitat for threatened species and other fauna including large trees including dead trees at (>50cm trunk diameter at breast height) and avoid impacts to soil within the dripline of the retained trees.	**YES**	Refer to Section 4 of BDAR (**Appendix 15**) which undertakes an assessment of the threatened flora and fauna present on the site.
7) Any mature native tree removed is to be replaced by at least 2 trees selected from the Plant List (Appendix C) which would develop to a similar size at maturity.	**YES**	An appropriate number of trees will be planted in accordance with this requirement.
8) Mitigation for threatened ecological communities is to be undertaken in accordance with: o *Best Practice Guidelines: Cooks River/Castlereagh Ironbark Forest (NSW DECC, 2008) within and adjacent to the TEC; and,* o *Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (NSW DECC, 2005).*	**YES**	Refer to Section 4 of BDAR (**Appendix 15**) which undertakes an assessment of the threatened flora and fauna present on the site.
9) Where practical, prior to development commencing, applicants are to: o *Provide for the appropriate re-use of native plants (including but not limited to seed collection) on site and re-use of topsoil that contains known or potential native seed bank;* o *Undertake a pre-clearance assessment for native fauna immediately prior to native vegetation clearing to ensure arboreal mammals, roosting and hollow-using birds, bats and reptiles found to be present are prevented from accessing vegetation to be cleared, and appropriately removed prior to clearing; and* o *Native animals are to be relocated from development sites in accordance with the former Office of Environment and Heritage's Policy on the Translocation of Threatened Fauna in NSW.*	**YES**	Understood and noted.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
10) WONS and weeds on the National Environmental Alert List under the National Weeds Strategy are to be managed and eradicated (refer to NSW Weed Wise for current weed identification and management approaches).	**YES**	Refer to the Weed Eradication and Management Plan (**Appendix 44**)
11) Subdivision design and bulk earthworks are to consider the need to minimise weed dispersion during and after construction and promote weed eradication. A Weed Eradication and Management Plan is to be submitted with subdivision development applications.	**YES**	Refer to the Weed Eradication and Management Plan (**Appendix 44**)
12) Pest control techniques implemented during and post construction are to be in accordance with regulatory requirements for chemical use and address the relevant pest control strategy and are to reduce the risk of secondary poisoning (e.g. from Pindone or second generation rodenticides).	**YES**	Refer to the Weed Eradication and Management Plan (**Appendix 44**)
13) Vegetation to which Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies is the same vegetation that must not be ringbarked, cut down, lopped, topped, removed, injured, wilfully destroyed or cleared without a development consent or permit granted by Council.	**NOTED**	Understood and noted.
14) Where high intensity lighting is necessary for site operation, safety and security, it is to be designed to avoid light spill into adjoining natural areas. Australian Standard AS 4282 or updates to that standard are to be considered as a minimum.	**YES**	All lighting will be designed to comply and can be conditioned accordingly.
15) Where a development footprint contains or is within 100m of known microbat colonies or habitat likely to support microbat colonies, street lighting must be of the type that will not attract insects.[3]	**N/A**	Section 4 of BDAR (**Appendix 15**) does not identify microbat colonies or habitat likely to support microbat colonies either on or proximate to the site.
16) Where noise adjacent to natural areas is likely to impact wildlife, the proponent must manage the timing of noise producing activities, including installing appropriate noise treatment barriers along major roads and other attenuation measures.	**YES**	As set out in the BDAR (**Appendix 15**), it is predicted that the adjacent habitat to the north and east of the site will be impacted by noise during construction and operation of the future development of the site.

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		However, this will be managed via best practices outlined in a Construction Environmental Management Plan. The site also already occurs in an industrial and special use area, and light and noise pollution is most likely moderate currently. This will likely not substantially increase due to the proposal.
17) *Ensure appropriate mitigation strategies (including fauna-sensitive road design elements) are employed to minimise vehicle strike during and after road construction and upgrading.*	**YES**	The project is not expected to result in any substantial or significant impacts to threatened species associated with vehicle strikes.
18) *Traffic calming measures shall be considered in all development areas adjacent to Environmental Conservation and Recreation zoned lands not subject to wildlife (including koala) exclusion fencing, such as speed humps, audible surfacing and faunal bridges.*	**N/A**	Not applicable to the proposal.
19) *Ensure movement of fauna is facilitated within and through wildlife corridors by:* o *Ensuring that activities do not create barriers to the movement of fauna along and within wildlife corridors;* o *Separating fauna from potential construction hazards through the pre-construction and construction process.*	**YES**	The removal of vegetation along the north and east may fragment movement corridors, however extensive remnant vegetation exists to the north of Bakers Lane (possible movement corridors) which will not be impacted by the proposal.
20) *Adopt and implement open structure design for roads adjacent to known populations of Cumberland Plain Land Snail in accordance with actions under the Save our Species Program (EES, 2020).*	**N/A**	Cumberland Plain Land Snail was not detected during the survey conducted and therefore, it was excluded from the assessment.
2.3 Riparian Land		
1) *Within a mapped riparian corridor (field-validated), as identified in Figure 2, existing native vegetation is to be retained, rehabilitated and managed in accordance with the controls below, except where clearing is required for essential infrastructure e.g. roads.*	**N/A**	A riparian corridor is not located on the site.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2) *Modifications to a natural (or historic) waterbody and waterfront land requires the approval of Natural Resources and Assessment Regulator (NRAR), including the enhancement of the ecological outcomes of the watercourse, hydrological benefits and ensure the long-term geomorphic stability of the watercourse.*	**YES**	Understood and noted. The proposal has been designed in accordance with the *Guidelines for Controlled Activities on Waterfront Land* (NRAR 2018).
3) *Waterways of Strahler Order 2 and higher will be maintained in a natural state, including the maintenance and restoration of riparian area and habitat, such as fallen debris.*	**N/A**	The site does not include any Strahler Order 2 or higher streams.
4) *Where a development is associated with or will affect a waterway of Strahler Order 2 or higher, rehabilitation shall return that waterway to a natural state.*	**N/A**	The site does not include any Strahler Order 2 or higher streams.
5) *Waterway crossings such as bridges are to be maintained to retain ecological connectivity and water quality.*	**N/A**	The site does not include any Strahler Order 2 or higher streams.
6) *Road crossings across a waterway of Strahler Order 2 or higher are to be designed to minimise impacts to vegetated riparian area and species movements in accordance with NSW Department of Primary Industries - Fisheries requirements to maintain fish passage.*	**N/A**	The site does not include any Strahler Order 2 or higher streams.
7) *Where development is unavoidable within riparian areas or waterfront lands, the development application shall demonstrate that potential impacts on water quality, aquatic habitat, and riparian vegetation will be negligible or offset in accordance with the vegetated riparian zone and offsetting requirements as specified NRAR Guidelines for Controlled activities on waterfront land - riparian corridors (May 2018).*	**N/A**	A riparian corridor is not located on the site.
8) All riparian corridors shall comprise a vegetated riparian zone along each side of the watercourse/channel.	**N/A**	A riparian corridor is not located on the site.
9) *The vegetated riparian zone shall be vegetated with fully structured native vegetation (trees, shrubs and groundcover species).*	**N/A**	A riparian corridor is not located on the site.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
10) Riparian areas along Kemps Creek and Ropes Creek shall retain proteaceae shrubs providing habitat and connectivity for the Eastern Pygmy Possum Cercartetus nanus.	**N/A**	A riparian corridor is not located on the site.
11) Activities within the vegetated riparian zone, such as cycleways and paths, detention basins, stormwater management devices and essential services, must comply with the 'riparian corridor matrix' in the NRAR Guidelines.	**N/A**	A riparian corridor is not located on the site.
12) The number of vehicular and pedestrian watercourse crossings should be minimised and designed in accordance with the NRAR Guidelines.	**N/A**	A watercourse crossing is not located on the site.
13) Private and public fencing should avoid intersecting across riparian corridors.	**N/A**	A riparian corridor is not located on the site.
14) Bushfire asset protection zones should be located outside the vegetated riparian zones.	**N/A**	A riparian corridor is not located on the site.
15) Appropriate widths for vegetated riparian zones are dependent on the stream order in accordance with the Strahler methodology. Stream width shall be measured either in accordance with the 'Waterfront Land Tool' as developed by the NRAR, or from the top of the highest bank on both sides of the channel/watercourse. Enhancement of riparian corridors should: o *Respond to the hydrological regime of the drainage area for watercourse treatments;* o *Replicate the natural watercourse through creation of a meandering channel;* o *Simulate natural stream bank and bed substrate having regard to riparian requirements and flow velocities to sustain vegetation groupings;* o *Minimise ongoing maintenance through channel and stream bed design;* o *Establish functional riparian zones and natural stream channels;* o *Maintain or create a full assemblage of local indigenous vegetation with natural instream obstructions;*	**N/A**	A water course or riparian corridor is not located on the site.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Minimise damage to channel banks and vegetation from storm flow events; and* ○ *Ensure that the channel has the capacity to support flood flows having regard to the steepness of the catchment and stream channel morphology.*		
16) *Where a development proposal would significantly affect Key Fish Habitat and/or threatened fish, applicants must include an Aquatic Ecological Environmental Assessment in accordance with the Fisheries Management Act 1994.*	**N/A**	As there is no mapped key fish habitat within the site or within the assessment area, the proposal is unlikely to result in impacts to fish passage.
17) *Water holding structures (e.g. farm dams) more than 0.1ha in area or 3ML in volume within 3km of the approach boundary to Western Sydney Airport, are to be avoided unless appropriate wildlife strike assessment and design/maintenance controls are implemented, to ensure there is no attraction for water-favouring fowl.*	**N/A**	Not applicable to the proposal.
18) *Dams proposed for retention must be subject to a geotechnical investigation to determine the safety of the structure with respect to surrounding land uses.*	**N/A**	The retention of dams does not form part of the proposal.
19) *Where development immediately abuts a riparian corridor, development shall be located and designed to minimise environmental impact to the riparian corridor. Consideration must be given to issues such as surveillance, built form and design, landscaping, opportunity for public interfaces, where appropriate, and protection from bushfire threat.* *Note: A Controlled Activity Approval under the Water Management Act 2000 is required for all works located within waterfront land as defined in the Act.*	**YES**	The environmental impacts of the proposal have been considered in the EIS and supporting technical reports.
2.4 Integrated Water Cycle Management		
Waterway health and Water Sensitive Urban Design		

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
1) *Development applications must demonstrate compliance with the stormwater quality targets in Table 4 and the stormwater flow targets during construction and operation phases in Table 5 and Table 6 at the lot or estate scale to ensure the NSW Government's waterway objectives (flow and water quality) for the Wianamatta-South Creek catchment are achieved (see Appendix D). Where the strategy for waterway management is assessed at an estate level, the approval should include for individual buildings within the estate, which may be the subject of future applications.*	**YES**	The stormwater quality targets are met. Refer to the Civil Infrastructure Report (**Appendix 37**).
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.*	**YES**	The Water and Stormwater Management Plan (**Appendix 37**) demonstrates compliance with stormwater flow targets through MUSIC modelling. For Option 1 (MARV approach), the western catchment achieves 1.98 ML/ha/yr and eastern catchment achieves 1.18 ML/ha/yr, both meeting the ≤2.0 ML/ha/yr target. For Option 2 (flow duration curve approach), the modelling shows compliance with most flow percentile targets at both discharge points. The results confirm the proposed interim stormwater management measures satisfy both DCP target options for stormwater runoff volume control.
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.*	**YES**	A Water and Stormwater Management Plan (**Appendix 37**) has been prepared and provided as part of the proposal.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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.*	**YES**	The proposed WSUD measures for phases 1-4 include gross pollutant traps (GPTs) at both discharge points to capture litter, debris, and coarse sediment; on-site detention (OSD) tanks (OSD East with 14,600 m^3 capacity and OSD West with 7,150 m^3 capacity) to attenuate peak flows to pre-development levels; and an interim stormwater retention system within the OSD West tank with 6,000 m^3 permanent pool volume for harvesting and irrigating approximately 10 hectares of undeveloped land at 600 mm/year. These interim measures will be decommissioned once Sydney Water's regional stormwater infrastructure (naturalised channels, wetlands, storage ponds, and recycled water distribution network) is delivered, with the site ultimately connecting to Wetland/Bio-Retention Basin 04 and Storage Pond 3.
5) *WSUD infrastructure may be adopted at a range of scales (i.e. allotment, street, estate, or sub-precinct scale) to treat stormwater, integrate with the landscape and maximise evaporative losses to reduce development flow runoff. Vegetated WSUD measures, naturalised trunk drainage and rainwater/stormwater reuse are preferred. Acceptable WSUD measures to retain stormwater within the development footprint and subdivision are shown in Table 7.*	**YES**	As above.
6) *Development must not adversely impact soil salinity or sodic soils and shall balance the needs of groundwater dependent ecosystems.*	**YES**	Refer to Geotechnical Investigation Report (**Appendix 18**) and Salinity Management Plan (**Appendix 40**). The Geotechnical Investigation Report addresses soil salinity and sodicity through laboratory testing, finding soils classified as "Non-saline" to "Slightly saline" and "Non-sodic" to "Highly sodic".

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		Regarding groundwater impacts, the Geotechnical Investigation Report concludes that while groundwater may be intersected during development, intercepted volumes are expected to be low and temporary with minimal impacts to the local hydrogeological regime.
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).*	**YES**	The Water and Stormwater Management Plan (**Appendix 37**) does not propose infiltration of collected stormwater.
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.*	**MERIT ASSESSMENT**	Rainwater tanks are not proposed given connection to Sydney Water's regional recycled water scheme will provide non-potable water to the site.
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 approved by Sydney Water; and* o *Design recycled water reticulation to standards required by the operator of the recycled water scheme.*	**N/A**	Not applicable to the proposal.
Trunk Drainage Infrastructure		
10) *Indicative naturalised trunk drainage paths are shown in Figure 4.*	**YES**	The Water and Stormwater Management Plan (**Appendix 37**) details that a naturalised drainage

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		channel is proposed along the northern boundary of the site (within Parcels E and F) with a variable width of 15.5-19.5 meters, designed to convey flows from east to west towards Bakers Lane. The channel will contain 50% AEP flows in a low flow channel and 1% AEP flows in a high flow channel with minimum 0.5m freeboard. This trunk drainage forms part of Sydney Water's Mamre Road Precinct Stormwater Scheme Plan (May 2025) and will be developed in coordination with Sydney Water, the adjacent Gibb Group development, and the future Southern Link Road, with further design required for channel parameters including ecological and social values.
11) Naturalised trunk drainage paths are to be provided when the: o *Contributing catchment exceeds 15ha; or* o *1% AEP overland flows cannot be safely conveyed overland as described in Australian Rainfall and Runoff – 2019;* o *unless otherwise agreed by the consent authority.*	**YES**	As above.
12) The design and rehabilitation of naturalised trunk drainage paths is to be generally in accordance with NRAR requirements (refer to Section 2.3) that replicates natural Western Sydney streams. An example of a naturalised trunk drainage path is shown in Figure 3.	**YES**	Refer to the below for further details: ▪ Water and Stormwater Management Plan (**Appendix 37**). ▪ Landscape Plans (**Appendix 11**).
13) Naturalised trunk drainage paths shall be designed to: o *Contain the 50% AEP flows from the critical duration event in a low flow natural invert;* o *Convey 1% AEP flows from the critical duration event with a minimum 0.5m freeboard to applicable finished floor levels and road/driveway crossings; and*	**YES**	As above.

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○ *Provide safe conveyance of flows up to the 1% AEP flood event.*		
14) *Where naturalised trunk drainage paths traverse development sites, they may be realigned to suit the development footprint, provided that they:* ○ *Comply with the performance requirements for flow conveyance and freeboard;* ○ *Are designed to integrate with the formed landscape and permit safe and effective access for maintenance;* ○ *Do not have adverse flood impacts on neighbouring properties; and* ○ *Enter and leave the development site at the existing points of flow entry and exit.*	**N/A**	There are no existing naturalised trunk drainage paths to be realigned.
15) *Trunk drainage paths shall remain in private ownership with maintenance covenants placed over them to the satisfaction of Council (standard wording for positive covenants is available from Council). Easements will also be required to benefit upstream land.*	**YES**	Noted.
16) *Where pipes/ culverts are implemented in lieu of naturalised trunk drainage paths, they must remain on private land and not burden public roads, unless otherwise accepted by Council.*	**YES**	Ownership of the portion of trunk drainage systems which are piped are noted to remain with the proponent.
17) *High vertical walls and steep batters shall be avoided. Batters shall be vegetated with a maximum batter slope 1V:4H. Where unavoidable, retaining walls shall not exceed 2.0m in cumulative height.*	**MERIT ASSESSMENT**	The proposal does not fully comply due to the use of 1V:3H batters instead of the maximum 1V:4H required. This is considered appropriate given the existing site constraints including the steep topography. Complying with the 1V:4H would significantly increase land consumption and the volume of cut and fill material required. The retaining wall provisions do comply with the 2.0m height limit through the use of tiered walls.

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18) Raingardens and other temporary water storage facilities may be installed online in naturalised trunk drainage paths to promote runoff volume reductions.	**YES**	Temporary water storage facilities are proposed in the form of an interim stormwater retention system within the OSD West tank featuring a 6,000m³ permanent pool volume that will store stormwater for irrigating 10 hectares of undeveloped land east of Road 1. The system includes a pump, filtration, UV disinfection, and multi-channel irrigation controller to satisfy stormwater runoff volume controls.
19) Subdivision and development are to consider the coordinated staging and delivery of naturalised trunk drainage infrastructure. Development consent will only be granted to land serviced by trunk drainage infrastructure where suitable arrangements are in place for the delivery of trunk infrastructure (to the satisfaction of the relevant Water Management Authority).	**YES**	Staging of infrastructure will be completed such that development and construction of other adjoining areas are not impacted by the proposed development.
20) Stormwater drainage infrastructure, upstream of the trunk drainage, is to be constructed by the developer of the land considered for approval.	**YES**	The Water and Stormwater Management Plan (**Appendix 37**) details that stormwater drainage infrastructure to be constructed by the developer upstream of the trunk drainage, including estate road pit and pipe networks designed for 1% AEP (major) and 5% AEP (minor) flows, Data Centre Campus drainage, two (2) OSD tanks, and GPTs at discharge points.
21) All land identified by the Water Management Authority as performing a significant drainage function and where not specifically identified in the Contributions Plan, is to be covered by an appropriate "restriction to user" and created free of cost to the Water Management Authority.	**YES**	Appropriate restrictions will be agreed during and/or post approval between the proponent and relevant authority as required.
22) All proposed development submissions must clearly demonstrate via 2-dimensional flood modelling that: *1) Overland flow paths are preserved and accommodated through the site;*	**YES**	As set out in the Flood Impact and Risk Assessment (**Appendix 20**), flood mapping demonstrates overland

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2) *Runoff from upstream properties (post development flows) are accommodated in the trunk drainage system design;* 3) *Any proposed change in site levels or drainage works are not to adversely impact and upstream or downstream, or cause a restriction to flows from upstream properties;* 4) *There is no concentration of flows onto an adjoining property; and* 5) *No flows have been diverted from their natural catchment to another.*		flow conveyance will be maintained for storm events up to and including the 1% AEP. The trunk drainage system has been designed to accommodate upstream flows. The 1% AEP flood level difference map shows that peak flood extents will be generally less than existing conditions outside the site. Therefore, there are negligible adverse impacts on flood levels downstream of the Mamre Road Data Centre Campus.
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 FIRA should utilise Council's existing data and data arising from the Wianamatta (South) Creek Catchment Flood Study5 to provide an understanding of existing flooding condition and developed conditions consistent with the requirements of the NSW Flood Prone Land Policy and Floodplain Development Manual. The FIRA shall determine:* o *Flood behaviour for existing and developed scenarios for the full range of flooding including the 5% Annual Exceedance Probability (AEP), 1% AEP, 0.5% AEP, 0.2% AEP and Probable Maximum Flood (PMF);* o *Flood Function (floodways, flood fringe and flood storage areas);* o *Flood Hazard; and* o *Flood constraints, including evacuation constraints (if applicable).*	**YES**	A comprehensive Flood Impact and Risk Assessment (**Appendix 20**) has been prepared by AT&L (being qualified hydrologist and hydraulic engineers) and has been submitted with the application. The completed flood impact assessment confirms acceptable outcomes in accordance with the DCP.

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2) The FIRA shall adequately demonstrate to the satisfaction of the consent authority that: o *Development will not increase flood hazard, flood levels or risk to other properties;* o *Development has incorporated measures to manage risk to life from flooding;* o *For development located within the PMF, an Emergency Response Plan is in place;* o *Structures, building materials and stormwater controls are structurally adequate to deal with PMF flow rates and velocities (including potential flood debris);* o *Development siting and layout maintains personal safety during the full range of floods and is compatible with the flood constraints and potential risk;* o *The impacts of sea level rise and climate change on flood behaviour has been considered;* o *Development considers Construction of Buildings in Flood Hazard Areas and accompanying handbook developed by the Australian Building Codes Board (2012); and* o *Fencing does not impede the flow of flood waters/overland flow paths.*	**YES**	The flood impact assessment (**Appendix 20**) confirms acceptable outcomes in accordance with the DCP.
Flood Constraints		
3) New development in floodways, flood fringe and/or flood storages or in high hazard areas in the 1% AEP flood event considering climate change is not permitted.	**YES**	The proposal complies with this requirement as the site is located outside the extent of mainstream PMF flooding and therefore not within designated floodways, flood fringe, or flood storage areas. Additionally, underdeveloped conditions all flows up to the 0.2% AEP will be conveyed through the site without

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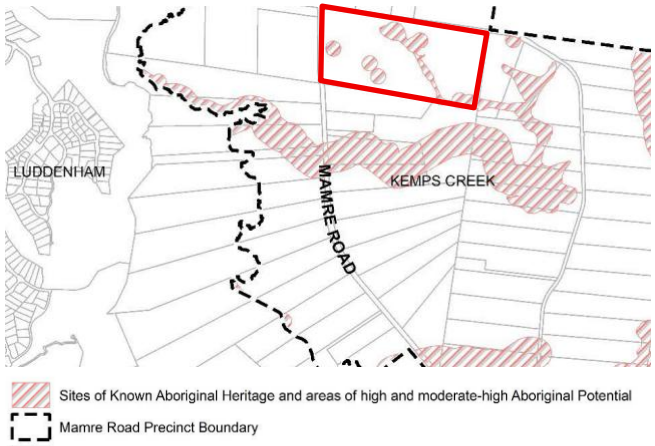
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
		interacting with any built form, and existing shallow sheet flow flooding is generally within the H1 (low hazard) category, meaning no development is proposed in high hazard areas.
4) *Development applications are to consider the depth and nature of flood waters, whether the area forms flood storage, the nature and risk posed to the development by flood waters, the velocity of floodwaters and the speed of inundation, and whether the development lies in an area classed as a 'floodway', 'flood fringe area' or 'flood storage area'.*	**YES**	The flood depth and hazard mapping demonstrates H1 (low hazard) conditions, confirming the site is outside mainstream floodway/flood fringe/flood storage areas noting that rapid inundation response times with all flows up to the 0.2% AEP conveyed without interacting with built form.
Subdivision		
5) *Subdivision of land below the flood planning level will generally not be supported.*	**COMPLIES**	There is no subdivision proposed.
6) *Subdivision must comply with Designing safer subdivisions guidance on subdivision design in flood prone areas 2007 (Hawkesbury-Nepean Floodplain Management Steering Committee).*	**N/A**	
New Development		
7) *Finished floor levels shall be at 0.5m above the 1% AEP flood.*	**YES**	All buildings are sited 500mm above the 1% AEP design flood level.
8) *Flood safe access and emergency egress shall be provided to all new and modified developments consistent with the local flood evacuation plan, in consultation with Council and the State Emergency Services (SES).*	**YES**	The proposal site is located outside the extent of the mainstream (Kemps Creek) PMF.
Storage of Potential Pollutants		
9) *Potential pollutants stored or detained on-site (such as on-site effluent treatment plants, pollutant stores or on-site water treatment facilities) shall be stored above*	**YES**	Storage of diesel for emergency power generation in the event of a mains power outage will be stored in

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
the 1% AEP flood. Details must be provided as part of any development application.		above-ground tanks within bunded areas. No other potential pollutants will be stored on the site.
Overland Flow Flooding		
10) Development should not obstruct overland flow paths. Development is required to demonstrate that any overland flow is maintained for the 1% AEP overland flow with consideration for failsafe of flows up to the PMF.	**YES**	Flood mapping has been prepared that demonstrates overland flow conveyance will be maintained for storm events up to and including the 1% AEP.
11) Where existing natural streams do not exist, naturalised drainage channels are encouraged to ensure overland flows are safely conveyed via vegetated trunk drainage channels with 1% AEP capacity plus 0.5m freeboard. Any increase in peak flow must be offset using on-site stormwater detention (OSD) basins.	**YES**	Naturalised trunk drainage channels are proposed adjacent to the future Southern Link Road and proposed Parcels E and F (east of Road 1). Details of the proposed trunk drainage channels are outlined in the Water and Stormwater Management Plan (**Appendix 37**) that supports the SSDA for the Mamre Road Data Centre Campus.
12) OSD is to be accommodated on-lot, within the development site, or at the subdivision or estate level, unless otherwise provided at the catchment level to the satisfaction of the relevant consent authority.	**YES**	On-site stormwater detention basins and tanks have been incorporated into both development sites. Refer to the Water and Stormwater Management Plan and Civil Drawing packages (**Appendix 21**) for both sites for details.
13) Stormwater basins are to be located above the 1% AEP.	**YES**	All proposed OSD basins and tanks will be located outside the extent of mainstream flooding of Kemps Creek.
14) Post-development flow rates from development sites are to be the same or less than pre-development flow rates for the 50% to 1% AEP events	**YES**	OSD has been sized to demonstrate compliance with this objective. Refer to the Water and Stormwater Management Plan and Civil Drawing packages (**Appendix 21**) for both sites for details.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
15) *OSD must be sized to ensure no increase in 50% and 1% AEP peak storm flows at the Precinct boundary or at Mamre Road culverts. OSD design shall compensate for any local roads and/or areas within the development site that does not drain to OSD.*	**YES**	Refer to the Water and Stormwater Management Plans and Civil Drawing packages (**Appendix 21**) that demonstrates no increase in peak flows for all storm events between and including the 50% AEP and 1% AEP.
Filling of Land at or Below the Flood Planning Level		
16) *Earthworks up to the PMF must meet the requirements of Clauses 33H and 33J of the WSEA SEPP as well as Sections 2.5 and 4.4 of this DCP.*	**YES**	The development site is located above the level of the mainstream (Kemps Creek) PMF and therefore there will be no filling within the extent of the mainstream PMF.
17) *Filling of floodways and/or critical flood storage areas in the 1% AEP flood will not be permitted. Filling of other land at or below the 1% AEP is also discouraged, but will be considered in exceptional circumstances where:* o *The below criteria have been addressed in detail in the supporting FIRA;* o *The purpose for which the filling is to be undertaken is adequately justified;* o *Flood levels are not increased by more than 10mm on surrounding properties;* o *Downstream velocities are not increased by more than 10%;* o *Flows are not redistributed by more than 15%;* o *The cumulative effects of filling proposals is fully assessed over the floodplain;* o *There are alternative opportunities for flood storage;* o *The development potential of surrounding properties is not adversely affected;* o *The flood liability of buildings on surrounding properties is not increased;* o *No local drainage flow/runoff problems are created; and* o *The filling does not occur within the drip line of existing trees.*	**YES**	The development site is located outside the extent of mainstream floodways and critical flood storage areas.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2.6 Aboriginal Heritage		
1) *Sites of known Aboriginal Heritage and areas of high and moderate-high Aboriginal archaeological potential, as identified in the Mamre Road Aboriginal Heritage Study (EMM Consulting 2020), are shown in Figure 5.*	**YES**	
2) *Any development application within land that contains a known Aboriginal cultural heritage site and/or areas of moderate and moderate-high archaeological potential (refer Figure 5) must consider and comply with the requirements of the NPW Act and related guidelines. An Aboriginal Cultural Heritage Assessment in accordance with Heritage NSW guidelines (e.g. Code of Practice for Archaeological Investigation of Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010) shall be completed to inform future assessment and approval requirements for the activity (if any).*	**YES**	An Aboriginal Cultural Heritage Assessment has been prepared (**Appendix 27**).
3) *In order to ensure that a person undertaking any development or activities on land does not harm Aboriginal objects, development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that are to be retained and protected (and identify the management protocols for these).*	**YES**	An Aboriginal Cultural Heritage Assessment has been prepared (**Appendix 27**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4) *Ground disturbance proposed in areas where cultural material has not been identified and/or is considered of low potential to occur is to be subject to a due diligence investigation consistent with best practice guidelines (e.g. Due Diligence Code of Practise for the Protection of Aboriginal Objects in NSW). The findings of the due diligence should guide future assessment and approval requirements for the activity (if any).*	**YES**	Understood and noted.
5) *Developments or other activities that will impact on Aboriginal heritage may require consent under the NPW Act, such as an Aboriginal Heritage Impact Permit, from Heritage NSW and consultation with the relevant Aboriginal communities.*	**YES**	An AHIP is not required as part of the proposal.
6) *Where the necessary consents have already been obtained from Heritage NSW, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.*	**N/A**	Not applicable to the proposal.
2.7 Non-Aboriginal Heritage		
1) *A Heritage Impact Statement shall be lodged with a development application for subdivision, buildings or works in the vicinity of heritage items listed under the WSEA SEPP and identified in Figure 6, including development that: o May have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing; or o May undermine or otherwise cause physical damage to a heritage item; or o Will otherwise have any adverse impact on the heritage significance of a heritage item within which it is situated.*	**YES**	Refer to the Statement of Heritage Impact (**Appendix 28**) prepared and provided as part of the application.
2) *Subdivision applications shall define an appropriate setting or curtilage for the heritage building as part of the Heritage Impact Statement or Conservation Management Plan.*	**N/A**	There is no subdivision proposed.
3) *In determining the curtilage of a heritage building, consideration is to be given to*	**YES**	

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *The original form and function of the heritage building: The heritage building's former use and architecture should be reflected in the design of the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building;* ○ *Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and* ○ *Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage.*		The Statement of Heritage Impact (**Appendix 28**) concludes that there are no items of heritage significance within or adjacent to the study area that will be impacted by the proposal. Furthermore, the assessment found no known historical associations or current visual connections between the study area and any heritage items. The substantial separation distance combined with intervening residential and industrial development means that heritage impacts, including any considerations related to curtilage, building settings, outbuildings, gardens, or archaeological features associated with heritage items, are not applicable to this proposal.
4) *Development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item, and consider the following:* ○ *The height of new development near heritage items shall be less than the subject item. New development or large additions or alterations must provide a transition in height from the heritage item. Increases in height shall be proportional to increased distance from the items;* ○ *Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;* ○ *If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and* ○ *Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.*	**YES**	
5) *The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item.*	**YES**	

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
New development within the curtilage must not adversely impact upon the significant fabric of a heritage item.		
6) *Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired.*	**YES**	
7) *New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and height.*	**YES**	
8) *New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item.*	**YES**	
9) *Vegetation around a heritage item shall be assessed for its value to the item and retained where required.*	**YES**	
2.8 Bushfire Prone Land		
1) *Land identified as 'bushfire prone land' on the Penrith City Council Bushfire Prone Land Map is to address the bush fire protection measures in the Rural Fire Service publication Planning for Bushfire Protection 2019 (PBP) (as amended).* 2) *A Bushfire Assessment Report, prepared in accordance with PBP, must accompany all development applications on land identified as bush fire prone land.*	**YES**	A Bushfire Assessment Report has been prepared (**Appendix 31**) in accordance with the requirements.
3) *Development on land within 250m of land zoned RU2, E2, and E4 that is not identified as bushfire prone land must consider ways to minimise the risk of ember attack, particularly with regard to roof design, building materials and landscape design*	**N/A**	Not applicable to the site.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4) Bushfire hazard reduction work must be authorised by the Rural Fires Act 1997	**YES**	Understood and noted.
2.9 Salinity		
1) Development applications shall include a detailed salinity analysis and Salinity Management Plan, noting the relatively low permeability and saline clay soils dominant in the area. The analysis is to consider the stormwater management measures proposed in accordance with Section 2.4 to limit the mobilisation of salts in the catchment. *2) Salinity investigations are to be conducted in accordance with the Local Government Salinity Initiative series by the former Department of Natural Resources (2002).* *3) The author of the salinity analysis must sign off on the project on completion of works and submit this to Council prior to an occupation certificate being issued, if required.* *4) Disturbance to the natural hydrological system shall be minimised by maintaining good surface drainage and reducing water logging on the site.* *5) Groundwater recharge is to be minimised to the extent it does not adversely impact groundwater dependent ecosystems downstream.* *6) Construction techniques shall be employed that prevent structural damage to the development as a result of salinity (see Building in a Saline Environment).* *7) All works are to conform with the Western Sydney Salinity Code of Practice June 2003.*	**YES**	Refer to the Salinity Management Plan prepared and provided as **Appendix 40**.
2.10 Contaminated Land		

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
1) *Prior to granting development consent, the consent authority must be satisfied that the site is suitable, or can be made suitable, for the proposed use having regard to land contamination.* 2) *All development applications shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with State Environmental Planning Policy No 55 – Remediation of Land and the Contaminated Land Management Act 1995* 3) *Where a site has known contamination, or a Stage 1 Preliminary Site Investigation identifies potential or actual site contamination, a Stage 2 Detailed Site Investigation must be prepared in accordance with State Environmental Planning Policy No 55 – Remediation of Land and the Contaminated Land Management Act 1995. A Remediation Action Plan (RAP) will be required for contaminated land identified in the Stage 2 Detailed Site Investigation. Remediation works identified in the RAP will require development consent.* 4) *A Section A1 Site Audit Statement (SAS) or Section A2 SAS accompanied by an Environmental Management Plan (EMP) (issued by a NSW EPA Accredited Site Auditor) will be required where remediation works have been undertaken to confirm a site is suitable for the proposed use.*	**YES**	The proposal involves remediation works in accordance with a site-specific RAP (**Appendix 24**).
2.11 Aviation Safeguarding		
1) *An Aviation Safeguarding Assessment is to be submitted with development applications detailing compliance with aviation safeguarding measures and the controls outlined below.* ○ *The aviation safeguarding assessment must evaluate the wildlife likely to be present on the subject land and the risk of the wildlife to the operation of the Airport provided by the applicant which includes;* *i. the species, size, quantity, flock behaviour (where applicable) and the particular times of day or year when the wildlife is likely to be present,*	**YES**	Refer to Airport Safeguarding Assessment (**Appendix 34**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
ii. whether any of the wildlife is a threatened species, *iii. a description of how the assessment was carried out, and* *iv. is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport.* ***Heights*** *2) The height of buildings, structures, landscaping and cranes do not impact on the operations of the airport or create a hazard to the safe navigation of aircraft. Buildings and any ancillary structures must not encroach into protected airspace.* ***Noise*** *3) Development is constructed in accordance with Australian Standards AS2021 – Acoustics Noise Intrusion – Building Siting and Construction.* ***Lighting*** *4) Development does not impact on the operational aspects of the Airport with regard to light emission and reflective surfaces* ***Emissions*** *5) Development must not generate emissions into the protected airspace.* *6) Any plumes do not:* *o Have peak vertical velocities of more than 4.3m/sec.* *o Incorporate flares.* ***Wildlife Hazards*** *7) Development must not attract wildlife which would create a safety hazard in the operations of the Airport.* *8) All waste bins are to be designed and installed with fixed lid* *9) Any bulk waste receptacle or communal waste storage area must be contained within enclosures that cannot be accessed by birds or flying foxes.*		

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
10) Any stormwater detention within the 8km wildlife buffer is to be designed to fully drain within 48 hours after a rainfall event. ***Communications, Navigation and Surveillance Systems*** *11) Development must not impact upon communication, navigation and surveillance system* *12) Development within the building restricted area does not create electromagnetic field radiations that will interfere with signals transmitted by the communication, navigation or surveillance facility*		
2.14 Utilities Services		
1) Applicants shall liaise with relevant service providers to ensure satisfactory arrangements have been made to service the development, in accordance with the relevant service providers requirements. This includes water, recycled water, sewer, drainage, electricity, gas (where required) and telecommunications. Indicative trunk infrastructure is identified in Figure 8 *2) A Utilities Plan is to be submitted with subdivision development applications demonstrating satisfactory arrangements for the delivery of utilities and services connections.* *3) The Utilities Plan should allow for the installation of emerging utilities technologies, such as hydrogen district cooling/heating systems and micro-grids for energy sharing* *4) Where a recycled water network is available, development shall connect to this network (refer Section 2.4). Development must be plumbed to enable connection to and use of recycled water via the third pipe network and designed in consultation with Sydney Water* *5) Utilities are to be accommodated in the road reserve, unless otherwise required by the relevant utility authority. The design of roads will need to take this into consideration.*	**YES**	Refer to the Infrastructure Delivery Strategy Report which has been prepared and provided as **Appendix 21**.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
6) Electricity and telecommunication mains are to be placed underground. *7) Where technically feasible, compatible public utility services shall be coordinated in common trenching to maximise cost-effectiveness.* *8) Premises are to be provided with high speed, high reliability telecommunications infrastructure (e.g. optic fibre or DSL technology)* *9) Applicants will be required to deliver water and sewer services upgrades (in accordance with current Sydney Water procurement guidelines) to meet the anticipated demand*		
2.15 Transport Investigation Areas		
Classified Roads – Mamre Road and Proposed Southern Link Road		
This section applies to the Mamre Road corridor and land identified as Transport Investigation Area marked "B" under Clause 33B of the WSEA SEPP. *6) Proposed development on land subject to Mamre Road and the proposed Southern Link Road (refer Figure 9) must make provision for the upgrade and construction of these roads and future access to the corridors.* *7) Applicants must consult with TfNSW in preparing development applications for this land to ensure an appropriate area of land is available and future access is not adversely impacted by development*	**YES**	The proposal makes provision for the future widening of Mamre Road.
3. PRECINCT AND SUBDIVISION DESIGN		
3.1 Subdivision		
1) Subdivision is to be in accordance with the controls in Table 7.	**N/A**	There is no subdivision proposed.
2) Subdivision design is to enable the conservation of natural and landscape features, including important fauna habitats, rare or threatened plant habitats, and designated biodiversity areas.	**N/A**	

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
3) Subdivision design shall balance cut and fill as far as practicable. Development applications must include an Earthworks Plan, detailing the proposed cut and fill strategy, how the design minimises cut and/or fill, and justification for the proposed changes to the landform.	**N/A**	
4) Lots adjoining or containing watercourses are to maintain or establish native vegetation riparian corridors in accordance with Section 2.3.	**N/A**	
5) Land zoned E2 Environmental Conservation must not be subdivided unless the consent authority is satisfied appropriate arrangements have been made for revegetation and rehabilitation in accordance with a Vegetation Management Plan, including ongoing monitoring and management.	**N/A**	
6) Subdivision design is to facilitate the precinct road network and hierarchy.	**N/A**	
7) Access to lots should be from local or collector industrial roads.	**N/A**	
8) Lots adjoining the potential intermodal terminal and dedicated freight corridor shown in Figure 17 should be larger lots (i.e. 10,000m^2 or greater) to support freight and logistics development.	**N/A**	
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. *2) Site design shall retain visual connection with the blue-green network, ridge lines and vistas.* *3) The design of lots adjoining Mamre Road, Southern Link Road, and Aldington/Abbotts Road shall promote a high-quality landscape character.*	**YES**	Refer to the Visual Impact Assessment Report which has been prepared and provided as **Appendix 9**.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4) *Subdivision development applications for land on ridgelines and highpoints shall give careful consideration to the potential siting and scale of buildings.* 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.*		
3.3 Interface with Mount Vernon Rural-Residential Area		
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.	**N/A**	The subject site is not within 250m of the southern and south-eastern Precinct boundary in accordance with Figure 10. Notwithstanding, a Landscape Plan (**Appendix 11**) and Visual Impact Assessment (**Appendix 9**) have been prepared and provided as part of the application.
3.4 Transport Network		
3.4.1 Road Network, Hierarchy and Design		
Traffic and Transport Assessments		
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.* *Note: Development identified in Schedule 3 of SEPP (Infrastructure) 2007 is referred to TfNSW (Column 2) or Council's Local Traffic Development Committee (Column 3), as required.*	**YES**	Refer to Transport Management Accessibility Plan that has been prepared (**Appendix 10**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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).*	**YES**	The proposal has considered all infrastructure delivery relevant to the site.
Road Network		
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.*	**YES**	The proposal complies with the required road network structure and hierarchy for the MRP. The proposal includes delivery and dedication of planned MRP roads, specifically the extension of Berriwerri Drive (a collector road) and a new east-west local road, along with a roundabout intersection, all of which align with the MRP DCP 2021 Road Hierarchy. The roads will be constructed to the appropriate standards for Local Industrial Roads and Collector Industrial Roads. The proposal appropriately connects to Mamre Road (the arterial road) via the internal MRP network and is designed for future integration with the future Southern Link Road, with Berriwerri Drive terminating prior to Bakers Lane for this purpose. SIDRA modelling confirms the proposed access arrangements can accommodate traffic without requiring additional upgrades beyond the already planned Mamre Road Stage 2 upgrade project.
4) *Until the delivery of the connection of Aldington Road to the future Southern Link Road, all development accessed from Aldington Road and Abbotts Road is to be accessed via the southern end of Aldington Road/ Abbotts Road and Mamre Road. Access to the north via Bakers Lane is not permitted.*	**N/A**	Not applicable to the proposal.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
5) *The centre line for all Local Industrial Roads and Collector Industrial Roads shall be on the common cadastre boundary between adjoining lot plans unless otherwise agreed by adjoining owners.*	**YES**	Understood and noted.
6) *Internal local roads are to be designed to:* o *Create a permeable network based on a modified grid system;* o *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;* o *Maximise connectivity to and from open space and employment service hubs* o *Take account of topography, view corridors, site drainage, and vegetation;* o *Provide frontage to and maximise surveillance of open space and riparian corridors;* o *Provide views to landscape features and visual connections to activity nodes; and* o *Maximise the effectiveness of water sensitive urban design measures.*	**YES**	The proposed construction of the east to west local road between Berriwerri Drive to the east and terminating prior to planned MRP freight corridor has been designed with consideration of these requirements.
7) *Variations to the desired road network and hierarchy (refer Figure 12) must demonstrate to the consent authority's satisfaction that the proposal:* o *Will not detrimentally impact on access to adjoining properties;* o *Provides for the management of stormwater to drain to the trunk drainage network without negative impacts on other properties;* o *Will not impede the orderly development of adjoining properties in accordance with the Structure Plan (Figure 2) and this DCP;* o *Does not restrict the ability to provide water, sewer, electricity and other essential services to adjoining properties; and*	**N/A**	Not applicable to the proposal.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Includes written evidence of consultation with affected adjoining owners and agreement with these affected owners.*		
8) A public road is to adjoin land zoned RE1 Public Recreation along Wianamatta-South Creek precinct in accordance with Figure 12.	**N/A**	Not applicable to the proposal.
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 off-road locations.	**YES**	Access points have been located to optimise safety, traffic flow and landscape opportunity, as well as end user operations.
10) Direct vehicle access to Mamre Road, Southern Link Road and distributor roads (Aldington Road/ Abbotts Road) is not permitted.	**YES**	The proposal does not propose direct vehicle access to Mamre Road, future Southern Link Road and distributor roads (Aldington Road/ Abbotts Road).
11) All intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient pedestrian, cyclist and traffic movement.	**YES**	The proposed intersections promote safe and efficient pedestrian, cyclist and traffic movement.
12) The internal road pattern is to facilitate 'through-roads' with cul-de-sacs to be avoided unless dictated by topography or other constraints.	**YES**	The proposed roads either connect through the site or designed to connect to future infrastructure, following a connected grid pattern consistent with the MRP DCP 2021 intent.
13) Heavy vehicles are to avoid Bakers Lane, especially in the vicinity of existing schools.	**YES**	The proposal will not result in heavy vehicles relying upon Bakers Lane for access or egress.
14) Internal road network intersections are to be provided at the following minimum intervals: ○ *Local to local industrial road – 40m-60m;* ○ *Local to collector/distributor road – 100-200m; and* ○ *Collector/distributor to sub-arterial – 400m-500m.*	**YES**	The proposed road network will comply with this control.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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.*	**YES**	Refer to Architectural Plans (**Appendix 5**) prepared in support of the proposal which demonstrate compliance with this control.
16) Development applications shall detail the volume, frequency and type of vehicle movements.	**YES**	Refer to Transport Management and Accessibility Plan (**Appendix 10**).
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).	**YES**	Refer to Transport Management and Accessibility Plan (**Appendix 10**).
Road Design		
18) Road design is to address the Guide for Traffic Generating Development (former RTA 2002).	**YES**	Refer to Transport Management and Accessibility Plan (**Appendix 10**).
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).	**YES**	The proposed road design complies with this control.
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.	**YES**	Refer to Civil Infrastructure Report (**Appendix 21**).
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.	**YES**	
22) Road design shall consider arrangements for broken down vehicles and incident response.	**YES**	Noted.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
23) For roads adjoining open space, finished road design levels shall match with existing levels of open space and negate the need for retaining walls or battering. Design is to address: o *Public access to open space;* o *Function of the road;* o *Impact on existing vegetation;* o *Public amenity;* o *Public safety; and* o *Impact on ability to provide street tree planting.*	**N/A**	The site does not adjoin areas identified as 'open space' on the structure plan.
24) Alternate road configurations may be considered in special circumstances where it can be demonstrated the following key principles can be achieved: o *Road and lane widths must allow for two-way movement and turning movements of design vehicles, including consideration for buses, heavy vehicles, garbage trucks and emergency vehicles;* o *Verge widths must consider requirements for utilities, street tree planting, footpaths, shared paths and urban design outcomes;* o *Adequate on-street parking must be provided;* o *Adequate swept turning paths must be provided for all design vehicles at intersections and for property access to meet the required design vehicle;* o *Road widths must be set to minimise kerbside restrictions and regulatory signage;* o *Sufficient width must be provided for specialist drainage functions; and* o *Life cycle costs for construction and maintenance must be minimised.*	**N/A**	Not applicable to the proposal.
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, as identified in Figure 17.	**YES**	As set out in the Transport Management and Accessibility Plan (**Appendix 10**), the proposal will

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2) Land identified for the intermodal facility is to be integrated with a dedicated freight network to the south, via a road crossing of future Southern Link Road. *3) Development applications for lots including or adjacent to the dedicated freight corridor shall make provision for the dedicated freight corridor.* *4) The dedicated freight corridor shall be a minimum of 10.0m wide and meet the design requirements specified by Transport for NSW.* *5) Development applications for lots with an identified access point (refer Figure 17) shall demonstrate how access to and from the dedicated freight corridor will be achieved.* *6) All fire compliant internal access roads are to be a minimum of 8.0m wide to safeguard for a precinct-wide AGV freight network unless development applications can demonstrate how an AGV freight network can be safeguarded within their development.*		enable the delivery of the dedicated freight corridor via land dedication/ allocation in addition to the termination of the new east to west local road prior to planned freight corridor.
3.4.3 Public Transport, Pedestrian and Cycle Network		
Desired Public Transport, Pedestrian and Cycle Network		
1) Bus stops should be provided, if identified by bus operators and TfNSW in consultation with Council as part of the development application process.	**YES**	Further consultation on planned bus stops to be carried out with TfNSW
2) Development is to respond to the provision of a future bus link to the M4 Motorway.	**YES**	Capable of compliance.
3) Pathways for cyclists and pedestrians are to be provided that integrate with regional active transport connections, and links to key catchments and employment hubs across WSEA.	**YES**	Refer to the Landscape Plans (**Appendix 11**).
Public Transport		

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4) The road network is to be designed in accordance with this DCP, to ensure public transport (i.e. buses) can be accommodated along key roads to support early adoption of good travel practices by future workers.	**YES**	The proposed road is designed in accordance with the MRP DCP 2021.
5) Indented bus bays should be provided along Aldington Road and Abbotts Road, as required by TfNSW as part of the public exhibition process for a development application.	**N/A**	Not applicable to the proposal.
Pedestrian Connections		
6) All footpaths are to be consistent with the relevant requirements of Walking Space Guide - Towards Pedestrian Comfort and Safety (NSW Government).	**YES**	Capable of compliance.
7) Footpaths should have ramps at all kerb corners for wheelchairs and pram access and cater for all people with diverse abilities in line with current Australian Standards.	**YES**	Capable of compliance.
8) Street lighting in accordance with the provisions of AS1158 should be provided in all streets.	**YES**	Capable of compliance.
9) Pedestrian crossing distances in local streets should be shortened through kerb extensions and tight turning radii, which can cause vehicular traffic to slow to negotiate the tighter corners.	**YES**	Capable of compliance.
10) To enable comfortable passage for all people with diverse abilities, footpaths must be: o *Provided on both sides of the road;* o *A minimum of 1.5m wide on one side;* o *A minimum of 2.5m shared path on the opposing side (with the exception of distributer roads, refer to Table 9);* o *A minimum of 3.0m on approach routes to predictable destinations such as employment hubs and parks; and*	**YES**	Footpaths are in accordance with this requirement and can be conditioned accordingly.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *A minimum width of 3.5m for shared paths for recreational use within open space and environmental corridors.*		
11) *A durable, non-slip surface and even paving is to be designed and constructed for minimum maintenance. Continuous pathways, uninterrupted by variations in surface material must be provided.*	**YES**	Capable of compliance.
12) *Gradients from pathways to streets are to be minimal, safe and comfortable for people with limited mobility and those using wheelchairs, prams and trolleys in line with current Australian Standards.*	**YES**	Capable of compliance.
13) *Gradients and ramps must be aligned with desired paths of travel for pedestrians and cyclists.*	**YES**	Capable of compliance.
14) *A smooth transition from ramps to roads is to be provided for people using wheelchairs or prams. Ramps should be designed in accordance with appropriate design guidelines and be as wide as the pathway or marked crossing point to eliminate squeeze points at transition areas.*	**YES**	Capable of compliance.
15) *Reconstructed driveways/pathways are to achieve a useable cross slope for a width of 915mm. Cars must slow to negotiate the two steeper ramps on either side of the pathway crossing, but will not 'bottom out' at these angles (Preiser. W and Ostroff E (2001) Universal Design Handbook McGraw-Hill).*	**YES**	Capable of compliance.
Cycleways		
16) *All cycle routes and facilities are to be consistent with the relevant requirements of Austroads Cycling Aspects of Austroads Guides and former RMS Bicycle Guidelines including line-marking, signage and logos and Council policies regarding bicycle access.*	**YES**	Capable of compliance.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
17) Pedestrian and cycle routes and facilities in public spaces are to encourage way finding and be convenient, safe, well lit, clearly defined, functional and accessible to all.	**YES**	Capable of compliance.
18) Shared paths and pedestrian refuge islands are to be designed to be fully accessible by all in terms of access points and gradients, in accordance with Australian Standard 1428:1-4.	**YES**	Capable of compliance.
3.5 Council Engineering Works and Construction Standards		
1) Engineering works shall be consistent with Council's standards, as amended: o *Stormwater Drainage Specifications for Building Developments;* o *Council's Water Sensitive Urban Design (WSUD) Technical Guidelines;* o *Engineering Design Specifications for Civil Works; and* o *Engineering Construction Specifications for Civil Works.*	**YES**	Refer to Civil Infrastructure Report has been prepared (**Appendix 21**).
4. GENERAL REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT		
4.1 Site Analysis		
1) All development applications are to be accompanied by a Site Analysis Plan.	**YES**	A Site Analysis Plan is included as part of the Architectural Plans (**Appendix 4**).
4.2 Built Form Design Controls		
4.2.1 Building Height		
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.	**MERIT ASSESSMENT**	The proposed building height will not comply with the maximum building height prescribed by the MRP DCP of 20m. A maximum building height of 40m from proposed pad level is proposed (53.5m from existing

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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.*	**MERIT ASSESSMENT**	ground level) which is considered appropriate given the proposed height allows for advanced cooling, redundancy, and automation, improving performance and uptime while reducing power waste. This exceedance responds directly to the site's natural landform, with buildings benched progressively from east to west. The maximum finished roof level (RL) of Building E in the eastern portion of the site is RL 107.5 metres, whilst Sub-parcel A in the western portion achieves a maximum level of RL 93.5 metres. This 14 metre variation reflects the site's existing gradient and allows the built form to respond sympathetically to topography, minimising unnecessary earthworks and retaining a stepped profile when viewed externally, thereby reducing the visual impact of the development through integration with the landscape. To address potential impacts arising from the proposed building height, the lower elements have been located proximate to the existing Bakers Lane and Mamre Road. Refer to the Visual Impact Assessment (**Appendix 9**).
3) *Should the nature of the business require that part of the building exceeds the 20m building height control (e.g. high bay warehouses), the proponent must demonstrate that the taller element will not create unacceptable solar, wind and visual impacts to surrounding sensitive uses or impact on the environmental and open space lands or the public domain.*	**YES**	Refer to the Visual Impact Assessment and Architectural Plans which demonstrates that the taller elements will not create unacceptable solar, wind and visual impacts to surrounding sensitive uses or impact on the environmental and open space lands or the public domain.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4) Taller building elements over 15m should be set back from the street frontage.	**YES**	The proposed data centre buildings have been sited away from the existing Bakers Lane and Mamre Road to ensure visual impacts are minimised in accordance with this control.
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.	**YES**	Refer to shadow diagrams, which form part of the Architectural Plans (**Appendix 4**).
6) Building services located on the roof (such as HVAC, lift motor room, exhaust fans, etc) must be accommodated within the maximum permissible height of the building and away from the street frontage or sensitive interfaces where possible.	**MERIT ASSESSMENT**	Given the proposal will exceed the maximum height, building services will not be accommodated within the 20m height limit. Building services will be appropriately sited to ensure they are not visible from the public domain, 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;* o *Wianamatta-South Creek; and* o *Adjoining rural-residential areas.*	**YES**	Refer to the Visual Impact Assessment Report (**Appendix 9**).
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.	**YES**	Alterations to the existing topography are required to accommodate the proposal. This approach is consistent with **SSD-30628110** which is currently under assessment on the site.
4.2.2 Building Setbacks		

<table>
<tr><th colspan="3">MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT</th></tr>
<tr><th>DEVELOPMENT CONTROLS</th><th>COMPLIANCE</th><th>PLANNING ASSESSMENT</th></tr>
<tr><td>1) Building setbacks are to be in accordance with the standards outlined in Table 10.
<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></td><td>YES</td><td>Setbacks to all main data centre buildings comply. Of particular note, to Bakers Lane the setbacks exceed 100m.</td></tr>
<tr><td>2) Notwithstanding Control (1) above, no development other than the following development is permitted within the defined setback for any road, other than Mamre Road and potential Southern Link Road:
Landscaping;
Maintenance/rehabilitation of biodiversity corridors or areas;
Utility services installation;</td><td>YES</td><td>No development outside of what is listed is provided within the defined setbacks.</td></tr>
</table>

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Accessways and driveways (not permitted in setbacks to designated roads);* ○ *Fire access roads;* ○ *Approved signage;* ○ *Street furniture; or* ○ *Drainage works.*		
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*	**YES**	Understood and noted.
4) *Setbacks may incorporate an off-street parking area if it can be demonstrated that the location of the car parking area:* ○ *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.*	**YES**	There is no off-street parking areas within the defined setbacks.
5) *The design of setbacks and hardstand areas should seek to minimise the visual impacts of the development (see also 4.2.3 Landscaping).*	**YES**	It is considered that the setback areas further enrich the public domain, adding to the visual appeal of the urban space.
6) *Additional setbacks may be applicable to avoid construction over easements.*	**YES**	Understood and noted.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
7) For corner sites, setbacks must ensure clear vehicular sight lines for perpendicular traffic (Figure 18).	**YES**	The proposed setbacks allow for clear vehicular sight lines for perpendicular traffic.
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.	**YES**	Trees are proposed throughout landscaped areas. Generous tree canopy along streetscapes, data centre frontages and amenity areas will provide amenity cooling and shade. The proposed tree canopy cover complies.
2) A Landscape Plan prepared by a Landscape Architect is to be submitted with all development applications.	**YES**	Refer to Landscape Plan (**Appendix 11**).
3) Landscaped area is to be provided in accordance with Table 11.	**YES**	The below landscaped setbacks are proposed as part of the proposal: ▪ A setback of 20m to Mamre Road and the future Southern Link Road is proposed. ▪ A minimum 12m setback to the collector road is proposed. ▪ A minimum 7.5m setback to local estate roads is proposed.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
<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>		
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:* o *Deep soil (one metre or more in depth, connected subsoil) – 100%* o *Shallow soil (less than one metre in depth, not connected to subsoil) – 75%* o *Permeable pavement – 50%* o *Hardstand – 0%*	**YES**	The proposal accommodates a total permeability area compliant with the 15%.
5) *Existing remnant vegetation within front, rear and side setback areas shall be retained and enhanced as an integral part of the landscaping proposals for each development.*	**N/A**	Not applicable to the proposal given the removal of all trees on site is required to facilitate the proposal.
6) *Landscaped front setbacks should include canopy trees whose mature height is in scale with the proposed development.*	**YES**	Refer to Landscape Plan (**Appendix 11**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
7) *Setbacks shall include suitable tree planting along the northern and western elevations of buildings to provide shadow and cool the building.*	**YES**	Ample tree planting is proposed for the northern and western elevations, refer to the Landscape Plans (**Appendix 11**).
8) *Developments adjoining existing sensitive receivers (e.g. educational establishments) shall be designed to mitigate impacts on sensitive receivers such as through generous buffer zones and landscaping, and locating noise generating activities away from the sensitive interface, as well as traffic management measures to improve safety and minimise conflicts.*	**YES**	The proposal has been carefully designed to comply with this requirement by incorporating measures to protect existing sensitive receivers. Generous buffer zones and dense landscaping will be provided along the shared boundaries to reduce visual and noise impacts. All noise-generating activities will be located away from these sensitive interfaces, with building orientation and acoustic treatments further minimising potential disturbance.
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.*	**YES**	Tree planting is proposed every 10 car parking spaces.
10) *Evergreen shrubs and trees shall screen car parks, vehicular manoeuvring areas, garbage areas, storage areas from the street frontage.*	**YES**	Refer to Landscape Plan (**Appendix 11**).
11) *Paving, structures and wall materials should complement the architectural style of buildings.*	**YES**	Refer to the Landscape Design Report (**Appendix 9**).
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;*	**YES**	Refer to the Landscape Design Report (**Appendix 9**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *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;* ○ *Incorporate a diverse range of flora species for to increase species resilience; and* ○ *Consider service authority requirements in easement locations*		
13) Street tree planting is to: ○ *Target a minimum container pot of 75L;* ○ *Provide continuous canopy along road corridors, including appropriate spacing;* ○ *Be setback a minimum 600mm from the back of kerb to tree centreline; and* ○ *Take account of sight line requirements near intersections*	**YES**	Refer to Landscape Plan (**Appendix 11**).
14) Sufficient area/space is to be made available to allow trees to grow to maturity and not damage local infrastructure.	**YES**	Refer to Landscape Plan (**Appendix 11**).
15) No plant species that are considered a Weed of National Significance and/or a Noxious Weed in New South Wales shall be used.	**YES**	Refer to Landscape Plan (**Appendix 11**).
16) Local Indigenous groundcovers should be considered as a turf alternative in areas not specifically designed for pedestrian use.	**YES**	Refer to Landscape Plan (**Appendix 11**).
4.2.4 Communal Areas		
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	**YES**	Communal areas provided for staff as required for data centre operations.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2) *In locating communal areas, consideration should be given to the outlook, natural features of the site, and neighbouring buildings.*	**YES**	Refer to the Landscape Design Report (**Appendix 9**).
3) *Communal areas shall be embellished with appropriate soft landscaping, shade, paving, tables, chairs, bins, and access to drinking water etc. commensurate with the scale of the development, activities, and anticipated number of workers. Consider opportunities for small scale active recreation uses, such as a basketball half court or table tennis*	**YES**	Embellishments will be provided at detailed design phase.
4) *Communal areas shall be relatively flat and not contain impediments which divide the area or create physical barriers which may impede use*	**YES**	Refer to the Landscape Design Report (**Appendix 9**).
5) *Communal areas must receive a minimum of 2 hours direct sunlight between 11am and 3pm on the 21st of June*	**YES**	Refer to shadow diagrams that form part of the Architectural Plans (**Appendix 4**).
4.2.5 Building Design		
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)), where appropriate.*	**YES**	Refer to the Ecologically Sustainable Development Report (**Appendix 13**).
2) *An access report is required where disabled access is a requirement of the Disabilities Discrimination Act 1992.*	**YES**	Refer to the Accessibility Report (**Appendix 8**).
Siting/Building Orientation		
1) *Buildings shall be oriented so building frontage is parallel with the primary street frontage*	**YES**	The buildings are generally parallel with Mamre Road and proposed industrial collector road.
2) *Buildings should take advantage of a north or north-easterly aspect to maximise passive solar illumination, heating and natural cross-ventilation for cooling.*	**YES**	The buildings' orientation has taken into consideration opportunities to passive solar illumination, heating and

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
		natural cross-ventilation for cooling, in the context of the footprint available for development (i.e. infrastructure requirements and natural elements).
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.*	**YES**	The siting and orientation of the proposed built form has been carefully planned to comply with this control. The layout considers existing and proposed landscaping to ensure optimal locations for tree planting that provide natural shading, reduce heat gain, and effectively screen the development from surrounding areas. Building positioning maximises the benefits of mature vegetation and proposed green buffers, enhancing visual amenity while supporting environmental sustainability and comfort for occupants.
4) *Building design should minimise overshadowing within the site and on adjoining buildings.*	**YES**	Refer to shadow diagrams that form part of the Architectural Plans (**Appendix 4**).
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.*	**YES**	The proposal has been designed to comply with this control by orienting buildings, servicing areas, and large car parking zones to the rear or side of the site. These functional areas are screened from the public domain through strategic building placement, landscaping, and boundary treatments, ensuring that the streetscape presents an attractive and active frontage while maintaining efficient site operations and accessibility.
Architectural Design		

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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.*	**YES**	The proposed data centre buildings are oriented such that they are setback substantially from Bakers Lane and Mamre Road. It is noted the Data Centre Campus is a highly secure site with restricted access.
7) *External finishes should contain a mix of materials and colours and low reflectivity to minimise glare and reflection.*	**YES**	Colour tones have been chosen to help sit the building more comfortably into the surrounding context. A palette colours is proposed. This helps to make the buildings more recessive into the skyline and is consistent with adjacent proposed developments within the Mamre Road Precinct.
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.*	**YES**	Visible elevations are treated with earthy colours and tones, coupled with substantial building setbacks, that are angled to promote visual interest to the facades.
9) *In visually sensitive locations, such as adjoining the Mount Vernon rural-residential area, the colour and material palette should utilise muted tones of the natural landscape and avoid bright bold colours and textures.*	**N/A**	Not applicable to the proposal.
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).*	**YES**	Long facades have been broken up through the use of colours and articulation in the data centres facade.
11) *Energy efficient design principles shall be employed in all building designs (Figure 21).*	**YES**	Refer to Ecologically Sustainable Development Report (**Appendix 13**).
12) *Entrances to buildings must be highlighted by architectural features consistent with the overall design of the building.*	**YES**	Building entrances are easily identifiable.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
13) Courtyard and screen walls shall be in the same material as the building facades.	**YES**	The screening on the northern and western elevations will be compatible and complementary to the main data centre buildings.
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.	**YES**	The proposal has been designed to comply by carefully considering the placement and treatment of all roof elements, plant, and mechanical equipment. These components are positioned to minimise visibility from the public domain and nearby elevated viewpoints.
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.*	**YES**	Refer to the Architectural Plans (**Appendix 4**).
16) Roof forms should help to visually articulate the use within the building. This may include transitions between foyer, office and larger warehouse uses.	**YES**	Varying design elements are proposed to create visual interest within the site including the contrast between the Campus Operations and Support Hub (COSH) and data centre buildings.
17) Roof design must provide natural illumination to the interior of the building.	**N/A**	Not applicable to data centre buildings.
Environmentally Sustainable Design		
18) Development applications shall demonstrate Ecological Sustainable Design (ESD) measures have been incorporated into the design, including a consideration of: o *Building and window orientation;* o *Window size and glass type;*	**YES**	Refer to the Ecologically Sustainable Development Report (**Appendix 13**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Material, colour and surface treatments (note control 19 in relation to roof colour);* ○ *Insulation;* ○ *Landscaping and trees to provide shade ad moderate the building microclimate;* ○ *Natural ventilation and light with generous, all weather openings;* ○ *Utilise extensive roof areas for energy and water collection;* ○ *Air flow, ventilation and building morphology to support cooling; and* ○ *Circular economy in the design, construction and operation of buildings, public domain, infrastructure, and energy, water and waste systems*		
19) Light coloured materials should be used in roof construction to reduce the urban heat effect.	**YES**	The Ecologically Sustainable Development Report (**Appendix 13**) recommends the use of light-coloured roof materials and high solar reflectance hardscaping to minimise heat absorption, along with landscaping featuring predominantly native planting and trees to provide shade and cooling through transpiration.
20) Building services, excluding manufacturing plant and operations, should promote: ○ *Separate metering of water and electricity for multiple uses or tenants;* ○ *Shut-off valves at stormwater outlets to trap toxic spills;* ○ *Waterless urinals;* ○ *Energy efficient lighting;* ○ *Gas boosted solar hot water for staff amenities (kitchen, toilets, showers);* ○ *Rainwater and recycled water for toilet flushing, irrigation or other non-potable uses;* ○ *Waste heat recovery systems;*	**YES**	Refer to the Ecologically Sustainable Development Report (**Appendix 13**).

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Integrated systems for energy generation – waste and water;* ○ *Air-cooled systems, ground source heat rejection or pond heat rejection; and* ○ *Energy storage systems combined with the use of photo voltaic cells for roof areas.*		
21) Measures to improve air quality and visual and thermal comfort to be considered include: ○ *Low VOC paints and low-formaldehyde floor covering, adhesives and furniture;* ○ *Glazed facades to be shaded and/or use performance glass to control radiant heat;* ○ *Occupant control of comfort parameters (e.g. operable windows, control of air flow);* ○ *Protection from noise (e.g. open windows or between production and office areas);* ○ *Provision of quality landscaped outdoor amenity areas for staff;* ○ *Hydronic heating and ceiling fans; and* ○ *Materials with low reflectance values.*	**YES**	Refer to the Ecologically Sustainable Development Report (**Appendix 13**).
4.2.6 Design of Storage Areas		
1) Storage areas are to be located within the building, where practical.	**YES**	All storage areas are proposed internally.
2) External storage areas must be located behind the front building setback, not be visible from a public place, and be consistent with the design of the primary development. The following matters must be addressed in designing external storage areas: ○ *The proposed height and on-site arrangement of stored goods;* ○ *The visual and amenity impact of the storage area and how this is proposed to be minimised (orientation, screening with landscaping and/or solid*	**N/A**	The proposal does not include outdoor storage areas with the exception of that for bulk diesel.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
fencing, etc.), particularly where the development interfaces with Mount Vernon; o *Access arrangements; and o Noise, odour and safety issues.*		
3) For sites with multiple frontages, either to roads or other public spaces, the location and orientation of external storage areas shall minimise visual impact from all potential viewpoints.	**N/A**	The proposal does not include outdoor storage areas.
4.2.7 Storage, Transportation 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.	**YES**	Refer to the Preliminary Risk and Hazard Analysis (**Appendix 22**) which addresses the SEPP 33 requirements through comprehensive risk assessment and implementation of suitable controls.
2) A Chemical Use and Storage Report is to accompany development applications involving the storage, transportation and/or processing of chemical substances, except where: o *The chemicals are of household or hospital grade and used for routine cleaning;* o *The total quantity of chemicals used or stored does not exceed 100 litres; or* o *The chemicals are not of sufficient acidity, alkalinity or strength to cause significant harm on skin contact, or to the environment.*	**YES**	Refer to the Preliminary Risk and Hazard Analysis (**Appendix 22**).
3) Development applications shall outline methods for the storage and handling of chemical substances and measures to manage potential spills, such as bunding developed in accordance with the EPA's Bunding and Spill Management Guidelines.	**YES**	The Preliminary Risk and Hazard Analysis (**Appendix 22**) outlines detailed storage and handling methods for diesel and lithium-ion batteries in accordance with AS1940:2017 and AS/NZS 4681, including comprehensive spill management measures such as bunded tank rooms with 110% containment capacity for diesel storage, spillage containment systems at fill

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		points, and contaminated water retention tanks across the site for managing potential spills and firefighting water runoff.
4.2.8 Signage and Estate Entrance Walls		
1) *All advertising is required to be:* o *Constructed of high quality, durable materials;* o *Considered in conjunction with the design and construction of buildings;* o *Restricted generally to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and* o *Contained wholly within the site.*	**YES**	External wayfinding plays a vital role in guiding visitors and staff across large campuses efficiently and safely. For this project, signage will remain neutral, focusing on clarity and functionality. Each campus will be identified with simple markers such as "Campus A" and "Campus B" at main entry points. Key areas like visitor parking, delivery zones, and security checkpoints will feature clear directional signs with universal icons, ensuring visibility for both vehicles and pedestrians.
2) *Free standing pylon signage must not exceed 10m in height from finished ground level and 2m width. No signage is permitted in the bottom 2m of the structure.*	**YES**	As above
3) *Building identification signage should have a maximum advertising area of up to 0.5 square metres for every metre of lineal street frontage.*	**YES**	As above
4) *Sky signs and roof signs that project vertically above the roof of a building are not permitted.*	**N/A**	Not proposed.
5) *Flat mounted wall signs for business identification signage are to be no higher than 15 metres above finished ground level.*	**N/A**	Not proposed.
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.*	**YES**	Signage will be confined to ground level for way finding.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
7) *Signs are to be contained fully within the confines of the wall or awning to which it is mounted.*	**YES**	Signage will be confined to ground level for way finding.
8) *In the case of multiple occupancy of a building or site:* o *Each development should have a single directory board listing each occupant of the building or site;* o *Only one sign is to be placed on the face of each premises either located on or over the door; and* o *Multiple tenancies in the same building should use consistent sign size, location and design to avoid visual clutter and promote business identification.*	**N/A**	The Data Centre Campus will be under a single operation.
Illuminated Signage		
9) *Illuminated signs are not to detract from the architecture of the building during daylight.*	**YES**	Signage will be confined to ground level for way finding.
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*	**YES**	Signage will be confined to ground level for way finding.
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.*	**YES**	Signage will be confined to ground level for way finding.
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.*	**N/A**	Signage will be confined to ground level for way finding.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
13) A maximum of one illuminated sign is permitted on each elevation of each building.	**N/A**	Signage will be confined to ground level for way finding.
14) Illuminated signage shall be oriented away from residential receivers.	**YES**	Signage will be confined to ground level for way finding.
4.2.9 Safety and Surveillance		
1) A Crime Risk Assessment Report must be prepared for the development of new buildings.	**MERIT ASSESSMENT**	A Crime Risk Assessment Report has not been prepared owing to the proposed data centre use of the site whereby unauthorised access to the site is not allowed.
2) Buildings should be designed to overlook public domain areas and provide casual surveillance.	**YES**	The proposed COSH buildings are sited with an outlook to public roads to ensure casual surveillance.
3) Building entrances should be orientated towards the street to ensure visibility between entrances, foyers, car parking areas and the street.	**N/A**	The Data Centre Campus will be subject to restricted access.
4) Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings.	**YES**	Capable of compliance.
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	**YES**	Dedicated, secure off-street parking reduces vehicle theft. Direct access for workers and visitors to the hardstand carparking reduces opportunities for theft from vehicles, motor vehicle theft and entrapment. A separated and visible loading area for trucks will assist in reducing vehicle conflict, vehicle theft and opportunistic crime. The main vehicular entrances are clearly defined and visible from the proposed road network and sight lines

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		are maintained between theses entrances and to the street.
6) *Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety.*	**YES**	The proposal includes landscape elements with consideration given to future maintenance. To maximise sightlines, ensure the lowest tree limbs are above average head height and lower shrubs do not provide obstruction, opportunity for concealment or entrapment.
4.2.10 Lighting		
1) *Lighting details shall be provided as part of any relevant development application.*	**YES**	Capable of compliance.
2) *Lighting design should address the principles of CPTED, where there is significant pedestrian activity, late night work-shifts or safety and security issues.*	**YES**	Capable of compliance.
3) *Adequate lighting should be provided to meet security requirements without excessive energy consumption. Lighting powered by solar batteries or other renewable energy sources is encouraged. The use of sensor lighting, both internally and externally, should be considered.*	**YES**	Capable of compliance.
4) *Lighting is to be designed or directed so as to not cause light spill onto adjoining sites where there could be an impact on the adjoining site's operations, safety or amenity.*	**YES**	Capable of compliance.
4.2.11 Fencing		
1) *Fencing along street frontages should provide open style fencing, which does not obstruct views of landscaping from the street or reduce visibility.*	**YES**	The fencing along all street frontages is an open-style timber fence.Refer to drawing SSDA-A-0100 Campus Plan.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2) Palisade fencing is encouraged.	**YES**	The proposal does not include palisade fencing. Instead, an anti-climb security fence is provided. Refer to drawing SSDA-A-0100 Campus Plan.
3) Solid fences above 1 metre in height are not permitted along street frontages	**YES**	No solid fencing above 1 m is proposed along any street frontage.
4) No fencing other than a low ornamental type may be erected at the front or secondary street site boundary.	**YES**	An open timber fence is proposed along the site boundary, consistent with the surrounding urban context and maintaining visual permeability.
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.	**YES**	High-security fencing is located behind the landscape setback, with the exception of the eastern site entry and the underpass area. In both locations, the fencing remains positioned behind street landscaping, ensuring appropriate visual and urban design outcomes.
4.3 Amenity		
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.	**YES**	The proposal complies with 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).	**YES**	Refer to the Noise and Vibration Impact Assessment (**Appendix 17**).
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,	**YES**	

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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.	**YES**	
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	**YES**	
6) The use of mechanical plant and equipment may be restricted in areas close to sensitive receivers, such as adjoining rural-residential development and educational establishments.	**YES**	
7) Building design is to incorporate noise amelioration features. Roof elements are to control potential breakout noise, having regard to surrounding topography.	**YES**	
8) Boundary fences are to incorporate noise amelioration features and control breakout noise having regard to developments adjoining rural-residential areas	**YES**	
9) Development shall comply with the relevant Australian Standards for noise and vibration.	**YES**	
10) A qualified acoustical consultant is to certify any acoustic design measures have been satisfactorily incorporated into the development at construction certificate stage and validate the criteria at occupation certificate stage.	**YES**	
4.3.2 Trading and Operating Hours of Premises		

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
1) *The consent authority shall have regard to the likely impact of the trading hours of a particular activity on the amenity of adjoining sensitive receivers including rural-residential areas and educational establishments.*	**YES**	The proposal seeks to operate 24/7, which has been considered and assessed as part of this application.
4.3.3 Air Quality		
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.*	**YES**	The proposal complies with the *Protection of the Environment Operations Act 1997.*
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.*	**YES**	Refer to Air Quality Management Assessment (**Appendix 16**).
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.*	**YES**	
4) *Developments that involve back up power generation of electricity with diesel equipment that has the capacity to burn more than 3 megajoules of fuel per second must include a best practice review of reasonable and feasible diesel emission reduction technology.*	**YES**	Refer to the Plant and Equipment Systems Report (**Appendix 35**) which provides a comprehensive assessment of alternative and commits to investigate ongoing improvements and future technology adoption as it becomes commercially available.
4.4 Earthworks and Retaining Walls		

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
4.4.1 Development on Sloping Sites		
1) Site planning is to respond to the natural topography of the site and protect vegetation, particularly where it is important to site stability.	**MERIT ASSESSMENT**	Alterations to the existing topography are required to accommodate the proposal. This approach is consistent with **SSD-30628110** which is currently under assessment on the site.
2) Where practicable, site design shall balance cut and fill and minimise the extent of earthworks and need for retaining walls (refer Section 3.1).	**YES**	The proposal has been designed to balance cut and fill, where possible. Excess fill will be managed to be disposed of at other sites or as otherwise agreed.
3) A Geotechnical Report is to be submitted with applications proposing to change site levels.	**YES**	Refer to Geotechnical Investigation Report (**Appendix 18**).
4) Excavation and fill shall be adequately retained and drained in accordance with Council's Engineering Works and Construction Standards.	**YES**	Refer to Civil Infrastructure Report (**Appendix 21**).
5) Level transitions must be managed between lots and not at the interface to the public domain.	**YES**	Level transitions have been managed between lots and not at the interface to the public domain.
6) Finished ground levels adjacent to the public domain or public road shall be no greater than 1.0m above the finished road level (or public domain level).	**MERIT ASSESSMENT**	Due to the topography of the site, this is not achievable at all interfaces, however a suitable retaining solution with landscaping is proposed.
7) Where a level difference must exceed 1.0m and adjoins the public domain or public road, the retaining wall must be tiered. Each retaining wall tier element shall be no more than 2.0m. A 1.5m wide deep soil zone with suitable landscaping is to be provided between each tier. An indicative tiered retaining wall is shown in Figure 23. The maximum cumulative height of any retaining walls adjoining the public domain is 6.0m.	**YES**	Where retaining wall heights exceed 2 metres, a tiered retaining wall will be adopted. Refer to the Civil Infrastructure Report (**Appendix 21**).

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
8) The toe (fill retaining wall) or top (cut retaining wall) of all retaining walls are to be setback 2.0m into the property boundary and the setback is to be suitably landscaped.	**YES**	Compliance achieved where practical.
9) The highest retaining wall element is to be suitably fenced for safety.	**YES**	Capable of compliance.
10) Imported fill it is to be Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) and validated by a suitably qualified person.	**NOTED**	Understood and noted.
11) Where possible, fill material should be sourced from within the Precinct.	**NOTED**	Understood and noted.
12) On sloping sites, site disturbance is to be minimised by using split level or pier foundation building designs.	**MERIT ASSESSMENT**	Alterations to the existing topography are required to accommodate the proposal. This approach is consistent with **SSD-30628110** which is currently under assessment on the site.
13) All retaining walls proposed for the site are to be identified in the development application for the proposed development.	**YES**	Refer to Civil Infrastructure Report and design drawings (**Appendix 21**).
14) Retaining wall design and materials shall complement architectural and landscape design.	**YES**	Refer to Civil Infrastructure Report and design drawings (**Appendix 21**).
15) Topsoil shall be preserved on site and suitably stockpiled and covered for re-use.	**YES**	Capable of compliance.
16) Earthworks in the floodplain must address Section 2.5 and Clause 33H of the WSEA SEPP.	**YES**	Earthworks are not proposed in the floodplain.
4.4.2 Erosion and Sediment Control		
1) Development applications must include an Erosion and Sediment Control Plan (ESCP) prepared by a Certified Professional in Erosion and Sediment Control (CPESC).	**YES**	Refer to ESCP, which forms part of the Civil Engineering Drawings (**Appendix 21**).

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2) *The ESCP is to be implemented under the supervision of a CPESC. The relevant consent authority will require the CPESC to regularly audit and certify that the works are suitable to protect Wianamatta-South Creek and its tributaries, including audit reports.*	**YES**	The ESCP is conceptual only, providing sufficient detail to clearly show that the works can proceed without undue pollution to receiving waters. A detailed plan will be prepared once consent is given and before works start.
3) *Soil erosion and sediment control measures are to be provided on-site before the commencement of any earthworks or development activity, in accordance with the approved ESCP. These must be maintained throughout the course of construction until disturbed areas have been revegetated and the soil stabilised to the satisfaction of the relevant consent authority.*	**YES**	Understood and noted.
4) *Development is to comply with the construction phase targets in Table 5.*	**YES**	Capable of compliance.
5) *Erosion and sediment control measures are to be installed in accordance with best practice (including Managing Urban Stormwater – Soils and Construction and Best Practice Erosion and Sediment Control, IECA).*	**YES**	Capable of compliance.
6) *The ESCP is to consider the following measures:* o *Identify all areas likely to cause pollution of waterways from stormwater run-off and implement appropriate devices to stop the risk of pollution;* o *Divert clean water around the construction site to prevent contamination;* o *Retain as much natural vegetation as possible and limit site disturbance;* o *Control stormwater that enters the construction site from upstream;* o *Divert stormwater from undisturbed upper slopes onto stable areas;* o *Retain and stockpile all excavated topsoil for future landscaping;* o *Prevent sediment/silt from entering adjoining property by installing sediment control devices at the low side of sites and wash down areas;* o *Install high efficiency sediment basins to ensure compliance with the water quality target throughout the construction and building phases;*	**YES**	Refer to conceptual ESCP, which forms part of the Civil Engineering Drawings (**Appendix 21**).

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Provide a single, stabilised entry/exit point to the site;* ○ *Prevent sediment, including building materials, from reaching the road or stormwater system. Sediment is to be removed by sweeping, shovelling or sponging. Under no circumstances shall sediment be hosed;* ○ *Where a work zone permit over public property is applicable, debris control devices are to prevent spillage of building materials into stormwater drains;* ○ *Compact all drainage lines when backfilling;* ○ *Connect downpipes to the stormwater system as early as possible;* ○ *Revegetate all disturbed areas, after on-site works are completed; and* ○ *Maintain all sediment control devices during earthworks and construction.*		
4.5 Waste Minimisation and Management		
1) Development applications shall include a Waste and Resource Recovery Management Plan (WRRMP) developed by an appropriate specialist. The WRRMP is to outline the waste likely to be generated by the development and methods of managing the generation, storage and disposal of wastes in an integrated way during construction and operation.	**YES**	Refer to the Waste Management Plan (**Appendix 25**).
2) The WRRMP should address the following matters: ○ *The types and volumes of waste and recyclables generated;* ○ *Details of on-site storage and/or treatment of waste;* ○ *Disposal of waste generated which cannot be re-used or recycled; and* ○ *Ongoing management of waste during the operational phase of the development.*	**YES**	Refer to the Waste Management Plan (**Appendix 25**).
3) Waste storage and collection areas should be: ○ *Flexible in their design to allow for future changes in the activities and tenancies;*	**YES**	Refer to the Waste Management Plan (**Appendix 25**).

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Located away from primary street frontages, where applicable;* ○ *Suitably screened from public areas to minimise noise, odour and visual impacts;* ○ *Designed and located to consider possible traffic hazards (pedestrian/vehicular);* ○ *Accessible to collection vehicles;* ○ *Compatible with the collection service(s) to be used; and* ○ *Designed to encourage the separation of materials.*		
4) The design of waste storage and collection areas must consider: ○ *Separating dry recyclables for recycling on-site, including containers, paper, cardboard and toners for printers and photocopiers;* ○ *Placing food scraps in specialised containment bins, with regular collection;* ○ *Providing refrigerated garbage rooms where there are large quantities of perishable wastes and infrequent collections; and* ○ *Placing clinical or hazardous and liquid waste in specialised containment bins for collection by specialised services.*	**YES**	Refer to the Waste Management Plan (**Appendix 25**).
5) Grease traps must be provided where there is a likelihood of liquid waste entering the drainage system (contact Sydney Water to obtain trade waste requirements).	**N/A**	Not applicable to this proposal.
6) For communal storage/collection facilities, each tenant should have a designated area.	**N/A**	Not applicable to this proposal.
4.6 Access and Parking		
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.	**MERIT ASSESSMENT**	Refer to Transport Accessibility Management Plan.

MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN (MRP DCP 2021) ASSESSMENT		
DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
2) *For activities not identified in Table 11, the TfNSW's (formerly RTA) Guide to Traffic Generating Developments (ISBN 0 7305 9080 1) and AS 2890 should be referred to as a guide.*	**MERIT ASSESSMENT**	
3) *Car parking and associated internal manoeuvring areas provided over and beyond the requirements of this DCP shall be calculated as part of the development's gross floor area.*	**MERIT ASSESSMENT**	
Design of Parking and Manoeuvring Areas		
4) *The design of car parks and spaces must comply with the relevant Australian Standards.*	**YES**	All parking areas, including access aisles have been designed with reference to AS 2890.1 and AS 2890.6. It is anticipated that full parking area design compliance with AS 2890.1 and AS 2890.6 would form a standard Condition of Consent further to approval.
5) *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.*	**YES**	The proposal complies with this requirement.
6) *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.*	**YES**	The proposal complies with this requirement.
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.*	**YES**	Refer to responses in Section 2.4 of this table.
8) *Parking areas should incorporate dedicated parking bays for electric vehicle charging.*	**YES**	Capable of compliance.
9) *Vehicle access is to be integrated into the building design as to be visually recessive.*	**YES**	The proposal complies with this requirement.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
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.	**YES**	As required by the DCP for Lots over 20,000m^2, the design vehicle adopted for the development is a 30.0m PBS Level 2 Type B, which has been used to assess the proposed access arrangements.
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.	**YES**	As above.
12) Internal directional signs are to be provided to assist site visitors in locating parking areas.	**YES**	Refer to Part 4 of the EIS.
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.	**YES**	The proposal complies with this requirement.
14) Access to security parking shall be designed to ensure the access mechanism is accessible to the vehicle driver on the entry side of the driveway.	**N/A**	Not applicable to this proposal.
15) Provision should be made for all vehicles to enter and exit a secure (i.e. boom-gated) area in a forward direction.	**YES**	The proposal complies with this requirement.
16) Visitor parking should be provided outside the secured parking areas	**YES**	The proposal complies with this requirement.
17) The design of car parks should ensure staff/visitor parking is given safe separation from loading dock circulation areas for heavy vehicles.	**YES**	The proposal complies with this requirement.
18) Vehicular ramps less than 20m long must have a maximum grade of 1 in 5 (20%).	**N/A**	Not applicable to this proposal.
19) Development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site.	**YES**	The quantum of on-site loading facilities proposed is one (1) loading dock for each data centre building

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
		which will 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.*	**YES**	Refer to Architectural Plans (**Appendix 4**).
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).	**N/A**	Not applicable to the proposal.
22) Car park surfaces should use finishes that minimise heat retention e.g. painted in light coloured paint.	**YES**	Capable of compliance.
23) Potential entrapment points shall be avoided (e.g. blind corners, wide columns) and lighting and mirrors used when unavoidable.	**YES**	Capable of compliance.
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 publication Policies Guidelines and Procedures for Traffic Generating Developments.	**YES**	The Transport Management and Accessibility Plan (**Appendix 10**) details that the site access, car park, and loading will be designed to comply with the AS2890 series of standards. Swept path analysis has been undertaken to demonstrate that the accesses can accommodate the required vehicle types including 20.0m Articulated Vehicles and 12.5m Heavy Rigid Vehicles.
Bicycle Parking, Facilities and Storage		
25) The following bicycle destination facilities for staff are to be provided:	**YES**	The proposal will include a consolidated bicycle end-of-trip facility within the COSH building that provides

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *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.*		bicycle spaces with locker spaces and shower/change rooms, meeting the DCP requirements.
26) Bicycle parking, facilities and storage must be in convenient locations, visible, secure, and provide weather protection for the bicycle.	**YES**	The proposal complies with this requirement.
4.6.2 Driveways		
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.	**YES**	All access is proposed via the industrial collector road and local road. Refer to the Transport Management and Accessibility Plan (**Appendix 10**) for further details.
2) Driveways and access roads shall be designed in accordance with AS2890.1 and 2 - 2004.	**YES**	The proposal complies with this requirement.
3) The design of driveways shall consider traffic volumes on the surrounding road network and to and from the development.	**YES**	Refer to the Transport Management and Accessibility Plan which has been prepared and provided as **Appendix 10**.
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;*	**YES**	All access driveways are proposed via an industrial collector road and local road which have been designed to avoid conflict by ensuring suitable signage is proposed to ensure the safe movement of heavy and light vehicles.

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DEVELOPMENT CONTROLS	**COMPLIANCE**	**PLANNING ASSESSMENT**
○ *Designed to avoid conflict between heavy vehicle and staff, customer 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.*		
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.*	**YES**	The swept path analysis included in the Transport Management and Accessibility Plan (**Appendix 10**) demonstrates that the site accesses can accommodate 20.0m Articulated Vehicles and 12.5m Heavy Rigid Vehicles for regular movements, and a 30m A-Double movement has been tested at the Berriwerri Drive roundabout to confirm safe turning manoeuvres within the publicly accessible area.
6) *The required threshold should be set within the property to prevent cross fall greater than 4% within the footway area.*	**YES**	The proposal complies with this requirement.
7) *Driveways are to be sealed from the public road up to the parking areas.*	**YES**	The proposal complies with this requirement.
8) *New allotments must have direct access to dedicated public roads.*	**YES**	The proposal complies with this requirement.