T	
JRPP No.	2011SYW102
Applicant	Metronode Pty Ltd C/-Silverton Group Pty Ltd
Owner	Mr C Tolani and Mr J Tolani
Application No.	DA-318/2011
Description of Land	Lot 101 DP 717759, 8-14 Egerton Street, SILVERWATER
Proposed Development	Demolition of existing building s, removal of trees and construction of electro nic data st orage facility (including 24 hours operation) with associate d car parking, landscaping and drainage works
Site Area	16820.00m ²
Zoning	Zone IN1 - General Industrial
Disclosure of political donations and gifts	Nil disclosure
Issues	Residential Amenity

Recommendation

1. That Development Application No. DA-31 8/2011 for demolition of existing buildings, removal of t rees and construction of electro nic data st orage facility (including 24 hours operation) with associated car parking landscaping and drainage works on la nd at 8-14 Egerton Street, SILVERWATER be approved subject to the conditions of development consent.

Consultations/History

18 July 2011

A pre-lodge ment application (PL-3 4/2011) was init ially lodged with Council on the 18 July 2011 proposing the construction of a Data Storage Centre.

A subsequent meeting was held with the app licant and consultant staff on the 12 August 2011 to discuss the proposal. Council staff were of the opinion that the proposal was generally compliant with Council's development ontrols and applicable local statutory requirements; however there were concerns particularly with regard to the amenity of the residents adjoining the subject site to the east.

As part of this meeting and subsequent mee ting notes issued on 26 August 2011, the applicant was advised to investigate the potential of the devel opment to generate unacceptable levels of Electromagnetic Radiation (EMR) and its effect on adjoining premises in reference to releva nt standards associa ted with EMR (i.e. ARPANSA — Australian Radiation Protection and Nuclear Safety Agency). Additionally, the proponent was required to investigate the appropriate consent authority for the application in reference to State Environmental Planning Policy (Maj or Development) 2005 as the Capital Investment Value for the development was yet to be determined.

The proponent was also advised that the development would be considered as a traffic generating development in accordance with Clause 104 and Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007. In this regard, any formal lodgement of an application would be forwarded to the NSW Roads and Traffic Authority.

5 September 2011

The subject development application (DA-318/2011) was formally lodge d with Coun cil on 5 September 2011. The subject development related to the demolition of existing buildings, removal of trees and construction of ele ctronic data storage facility (including 2.4 hours operation) with associated car parking landscaping and drainage works.

9 September 2011

Following the formal lodgement of the applic ation (DA-318/2011), a preliminary assessment of the application was undertaken revealing that the cost of works for the proposal was \$165,231,000. The applicant was ad vised by letter dated 9 September 2011 that due to the nature and costs of works for the proposal, the development would constitute a Part 3A project (i.e. Council would not the consent authority).

Council advised that a copy of a Clause 6C certificate made in accordnace with SEPP (Major Projects) 2005 and issued by the Director-General was required to supprot the application, stating that the development was solution uitable for assessment by Council under Part 4 of the Environmental Plannin grand Assessment Act 1979. A Clause 6C Certificate was subsequently received by Council on 16 September 2011 giving Council authority to assess the application for the determination by the Joint Regional Planning Panel.

27 September 2011

Council officers received a petition of support from a proponent of the application. The petition contains 51 signatures of persons within the locality, supporting the development application.

29 September 2011

Council officers met with applican t regarding progress of application and imp osition of Section 94 contribution s. Applicant was advised that the application w as progressing well JRPP Sydney West Region – Business Paper – (Item 1) (20 October 2011) – JRPP 2011SYW102 2

and that there were a few outstanding matters that were required to be addressed. The matters related to some additional information in regard to several dirafting errors, some supporting information regarding loading bays and the submission of a Remedial Action Plan which had not been received by officers. Council officers advised that this request for further information would be put in writing. This is further detailed below.

<u>30 September 2011</u>

Council officers received correspondence from the applicant, including the submission of the Remedial Action Plan. Additionally, the unkno wn height of the acou stic wall, p ositioned parallel to the eastern boundary, was confirmed to be 3.5 metres.

5 October 2011

Council officers receiv ed corresp ondence fr om the applicant reg arding load ing dock information.

7 October 2011

The applicant was advised via writing that ther e were several items to be addressed for the application to proceed. These are summarised as follows;

Architectural/Submission Requirements

- · Confirmation of the height of the acoustic wall within the landscaped buffer area.
- Submission of the RAP in accord ance with the recommendations of the Phase 2 Contamination Report submitted to Council.
- The position of the disabled acce ss ramp, positioned on the western (Day Stree t) boundary, as nominated on Drawing No. TP05 (Site Plan) does not corr espond with the position of the disa bled access ramp on the elevation drawings (Drawing Nos. TP11 and TP12).
- The Egerton Street fence line be tween the services building and t he Day Stree t frontage (as shown on Drawing No. TP05), should be set back to 4.5 metres to be consistent with the proposed fence line along the entirety of Egerton Street.
- Comparison shall be made to similar developments in order to determine the required amount of loading bays to be provided for the pro posed development. This may be in the form of an addendum to the submitted traffic and parking report.
- Swept path analysis of left turn entry and exit for proposed articulated vehicle shall be submitted. The plan shall show the centre line of the road also in order to verify whether proposal will have any significant impact on the street traffic.

Stormwater Requirements

- A detailed cross section of the OSD tank showing the top water level, high early discharge pit, orifice, dry platform and overflow weir shall be submitted.
- · Within the OSD tank, 900mm x 900mm size grated access ope nings shall be provided at minimum 5.0m intervals.
- On-site det ention ca lculation sheet s and Coun cil's submission ch ecklist are to be submitted which address all required items.
- Details of proposed stormwater treatment device shall be submitted.
- Stormwater discharg e from the OSD area shall also b e disch arged through t he stormwater treatment device.

The applicant responded on the same day, being 7 October 2011, addressing the above mentioned matters. The following is a summary of the response;

 Confirmation of acoustic fence height and submission of the RAP was provided within earlier correspondence (30 September 2011)

- Applicant will endeavour to amend architectural regarding disabled ramp
- Applicant advised that boundary fencing will be set at 4.5 metres as nominated
- Loading bay information provided as per earlier correspondence (5 October 2011)
- Applicant will endeavour to submit swept path analysis as requested.
- · Applicant requested that stormwater detail form part of a condition/s of consent.

11 October 2011

Council officers received correspondence from the appli cant, including revised drawings regarding the disabled ramp.

Site and Locality Description

The subject site is legally described as Lot 101 DP 717759 and is known as 8-14 Egerton Street, Silverwater. It is located on the eastern corner of the intersection of Egerton Street and Day Street. The land is regular in shape and comprises a total are a of 16,822 square metres with the following dimensions:

- Northern boundary 140.97 metres to adjoining industrial building on Day Street;
- Southern boundary 140.97 metres to Egerton Street frontage;
- Eastern boundary 119.33 metres adjoining residential boundaries (Newington);
- Western boundary 119.33 metres to Day Street frontage;

The development site is current ly contains an expansive concrete slab of 7,95 0 square metres on the west ern side of the site, a transport depot, including a 2 storey warehouse/office building, two single storey demountable sheds, a detached single storey amenities shed, a detached single storey wash shed and a detached single storey work shop, all sitting on a expansive paved area with existing landscaping separating the eastern and western sides and along Egerton Street.

The site has three existing vehicular accesse s off Egerton Street and one existing vehicular access off Day Street.

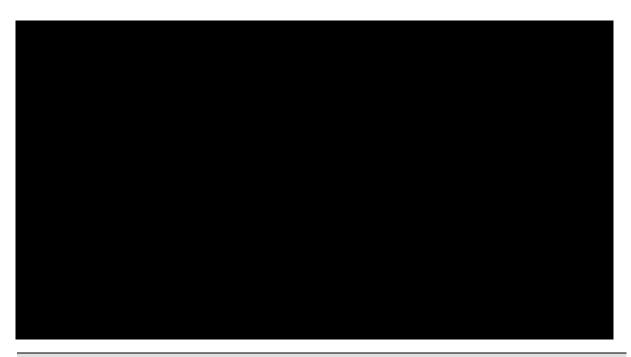
Surrounding developments located in the immediate vicinity consists of a mix of land uses:-

Directly to the north, west and sou th of the sit e are predominately industrial use s. The area has been historically used for this type of development and there is not a foreseeable change to these uses. The p remises adjoining the sites northe rn boundary, contains several individual industrial tenancies used for a mixed variety of uses. The industrial buildings are typically 1 and 2 storey buildings.

Directly to the east of the site is an area of residential properties (forming part of Newington). These residential dwellings are 2 storey and share a common boundary with the subject site. Access to these dwellings is off separate roads, being Louis Avenue and Watt Avenue.

The land slopes from the east to the west, hav ing a stepped fall of approximately 6 metres. The slope is continued from the eastern boundary to the residential properties as nominated above.

The location of the site is shown below:-



Description of Proposed Development

Council has received a developme nt applicat ion for the demolition of existing buildings, removal of trees and construction of ele ctronic data storage facility (including 2.4 hours operation) with associated car parking landscaping and drainage works.

The data centre is a low intensity land use t hat is built to securely and discret ely store electronic information in a stable en vironment. The information is held in and distributed by computers and servers which receive the electronic information and are managed remotely. Optical fibre is used to connect the data centre to other data centres and to customers' offices off site.

The proposed development is reliant on Bladeroom technology, being 2 level data halls accessed from a technical space where sec urity, delive ry and equipment testing and preparation function s take place. The Blad erooms are highly technical pref abricated structures which provide the climate contro lled environment for computers. The services required for the operation of the Bladeroom are power, water and a fibre optic connection. The power is connected to the Bladerooms through the associate diplant rooms which houses equipment that conditions the power to the load and quality required by the computers. The computers are housed in secure cabinets and are accessible on a 24 hour basis to customers who lease the area used by their equipment.

In this regard the development can be defined into three areas, being the Bladerooms (data halls), technical space and plant rooms.

Bladerooms

Twelve Bladerooms are proposed at the data ce ntre. They are to be arranged in groups of four, in a set of three, installed over two levels with a pair of Bladerooms on each level. Each pair of rooms would measure:

Length: 49.90 metres.Width: 31.15 metres.

 Height: 8.23 metres with an additional 2.5 metres for roof louvres around roof mounted mechanical equipment.

Plant Rooms

A total of 15 plant rooms are proposed at the northern end of the site, 8.45 metres from the site's northern boundary. Each group of five plant rooms is associat ed with a group of four Bladerooms.

The plant r ooms are prefabricated two storey structures a nd function as restricted access facilities ho using gene rators, electrical swit chboards and uninterrupt ed power supplies. These would be accessed by asset manage ment staff and service contractors only. The facility would operate on high voltage power from a po wer retailer such as AusGrid. Generators would be provided to ensure no business int erruption in the event of power failure. The generators are to be powered by diesel fuel. This fuel is to be stor ed in 2 x 50,000L in dividual tanks located near the eastern bo undary, suitably separated and screened from the resi dential properties. The equipment would have regular testing an d would be operated periodically to ensure its capacity to respond in a power failure. Each set of five rooms would measure:

Length: 32.24 metres.Width: 17.04 metres.Height: 10.5 metres.

Open bridges and stairs would connect the plant rooms to the adjacent Bladerooms.

Technical Space

The technical space is a permanent work space for asset and security management staff. The area in cludes secure access, delivery assembling and servicing areas for computer equipment as well as staff amenities. There would also be incidental (casual) work space for customers programming their equipment as well as an area for disast er recovery/technical support. The technical space is located in 2 and 3 st orey buildings attached to the Bladerooms for access purposes. The highest point of this structure is 15.575 metres.

Access to the technical space is via steps to the east ern and western side s of the development and disab led access t o the western portion of the site (a ssociated with the provision of disabled parking). The technical space is service via two internal lift shaft s providing adequate access to all levels.

Site access is to be provided via Egerton Street, including the removal of three existing crossovers and the establishment of one new crossover to accommodate all access. The access point will lead to 23 parking spaces for customers (inclusive of 1 disabled parking space), 20 parking spaces for staff, 12 overflow parking spaces and 2 loading docks.

Larger vehicles would use the 8 me tre internal Ring Road to exit onto Day Street. The Ring Road can a ccommodate the largest design vehicle anticipated to access the site, a 19.0 metre articulated vehicle. Access to the Ring Road would be restricted. Once the data centre is fully completed and operational, larger vehicles are only anticipated to access the site four to five times per year for delivery of fuel to stor age tanks, service or replacement of major plant items such as generators. The Ring Road would also be used for construction of later stages of the project.

The largest design vehicle anticipated to access the site on a regular basis is a heavy rigid vehicle (HRV), and the internal road environment has been geared to allow a vehicle of this size to enter and exit via Egerton Street. Delivery of computers to site would be by 12.5 metre rigid body trucks or smaller vans which would be able to enter and exit the site via Egerton Street.

The proposal also in corporates extensive landscaping on the eastern, southern and western boundaries. Due to the location of residential properties to the ea st, the applicant has provided an adequate 19.4 metre landscape buffer on the eastern boundary, including an an

acoustic w all to prot ect the a menity of t he adjoinin g residents. The proposal also incorporates a 2.7 metre corromesh fence an d security gates suit ably setback from the southern and western boundaries.

A small services room is positioned on the western corner of the site frontage, 2.5 metres from the front boundary. This service building contains essential services in cluding a substation and pump room for the fire brigade.

Drainage works are also to form part of the proposal.

Staged Works

The development is primarily made up of a se ries of modules which are craned onto site. The modular design of the Bladeroom technology allows data centres to be de veloped in stages without disruption to the operational sect ions. The proposal is to be built in 6 stages which are nominated as Stages 1A, 1B, 2A, 2B, 3A and 3B.

Stage 1A would involve:

- · Demolition.
- · Site preparation including establishing three benched levels for the Bladerooms.
- · Provision of services and landcaping to the site.
- The first pair of Bladerooms with associated plant rooms and technical space.

The required staging area for construction services and facilities will be established on the tandem carpark area on the south ern boundary, and would be utilise does car pair kexcept during construction of fourther stages. Subsequent stages would be carried out without disruption to the earlier stages as the buildings are manufactured offosite and erect ed with only limited on site works.

Each subsequent stage incorporates the construction of an additional pair of Bladerooms with associated plant rooms and technical space.

The expected timing of on-site works is seven months from commencement on site for Stage 1A, and 4 months for each subsequent stage.

Referrals

Internal Referrals

Development Engineer

The development application was r eferred to Council's Development Engineer for commen t who has advised that although ther e is no in principal objection to the proposal, several points in relation to on site detention require ments, load ing/unloading requirements and access turning paths. This is to be clarified with the applicant during assessment.

Building Surveyor

The development application was referred to C ouncil's Building Surveyor for comment who has raised no objections to the proposed development subject to conditions of consent.

Health and Environment Unit

The development application was referred to Council's H ealth and Environment Unit for comment that has raised no objections to the proposed development subject to conditions of consent.

Landscape Architect

The development application was referred to Council's Landscape Architect for comment who has raised no objections to the proposed development subject to conditions of consent.

The conditions will relate to the replacement of certain species of trees to more reflective of the Auburn area. This includes the replacement of Co rymbia maculata for Eucalyptus moluccana (native to Auburn area) and E.microcorys b e substituted with E.lo ngifolia or E.parramattensis.

External Referrals

NSW Police

In accordance with Section 8.0 of t he Policy on Crime Prevention Through Environmental Design, the development application is to be referred to NSW Police for comment. A referral was sent to NSW Police on 13 September 2011.

NSW Police responded on 23 September 2011 advising the at they had no objection n to the proposal.

NSW Roads and Traffic Authority

In accordan ce with cla use 104 and schedule 3 – traffic generatin g development, the application was required to be referred to the NSW Roads and Traffic Authority. A referral was sent to the RTA on 14 September 2011.

On 7 October 2011, Co uncil officer's received formal comment from the Sydney Regional Development Advisory Committee (SRDAC) on behalf of the RTA. The correspondence nominated the following;

- The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn p aths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2 890.1-2004 and AS 2890.2-2002 for heavy vehicle usage.
- 2. The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvra bility through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- 3. A demolition and Cons truction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arran gements and traffic control should be submitted to Council prior to the issue of the first Construction Certificate.
- 4. The number of car parking spaces should be provided to Council's satisfaction.
- 5. All vehicles are to enter and leave the site in a forward direction.
- 6. All vehicles should be wholly contained on site before being required to stop.
- 7. All works/regulatory signposting associated wit h the proposed development are to be at no cost to the RTA.

Council offi cers will in corporate the SRDAC comments as conditions of development consent.

The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))

State Environmental Planning Policies

(a) State Environmental Planning Policy No. 55 - Remediation of Land

The requirement at clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	∑ Yes □ No
In the devel opment go ing t o be use d for a sensitive land use (eg: reside ntial, educational, recreational, childcare or hospital)?	Yes No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulati on, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, drycleaning establishments, electrical manufacturing (transformers), electrop lating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	⊠ Yes □ No
Is the site listed on Council's Contaminated Land database?	Yes No
Is the site subject to EPA clean-up order or other EPA restrictions?	Yes No
Has the site been the subject of known pollution incidents or illegal dumping?	Yes No
Does the site adjoin any contaminated land/previously contaminated land?	Yes No
Details of contamination investigations carried out at the site:	
The site will be used as a data storage facility, however will require extensive excavati use. The proposal has been supported by a Phase 1 and subsequently Phase 2 site in prepared by Environmental Strategies and dated March 2011 (T068796/2011). The received this report i nclude that a re mediation action plan be prepared to mitigate the contart onsite. Council officers received a Remedial Action Plan prepared by Environmental Str September 2011(T078558/2011). The reports have been forwarded to Council's health unit whereas no objections were raised subject to the imposition of conditions. It is recondition be placed on the consent to ensure compliance with the mitigation measure listed within this plan.	vestigation report, commendations of mination concerns ategies and dated and environment commend ed that a
Accordingly, on receipt of all relevant information, it is considered that the site is suitable the proposed development as Council is required to be satisfied per clause 7 of SEPP 5	
Has the appropriate level of investigation been carried out in respect of contamination matters for C ouncil to be s atisfied t hat t he site is s uitable to accommodate t he proposed d evelopment or can be mad e su itable to ac commodate the prop osed	Yes No

(b) State Environmental Planning Policy (Infrastructure) 2007

In accordan ce with cla use 104 and schedule 3 – traffic generatin g development, the application was required to be referred to the NSW Roads and Traffic Authority.

Council officers rece ived commen tary from the Sydney Regional Development Advisory Committee (SRDAC) on 7 October 2011. Refer to external referral section above for further detail.

(c) State Environmental Planning Policy (Major Development) 2005

In accordance with Clause 13B of the SEPP a development proposal of this nature and with a capital investment value of \$10 million or more is classified as a "regional development". The consent authority for any such development is the Joint Regional Planning Panel (JRPP) – Sydney West (Council remains the assessment authority). Additionally, in accordance with Clause 6(1)(a), development of a kind that is described in Schedule 1 or 2 is declared to be a project to which Part 3A of the Act applies.

Clause 12 within Grou p 4 under Schedule 1 specifies that Development for the p urpose of container storage facilities, or storage or distribution centres, with a capital investment value (CIV) of more than \$30 million is declared to be a project to which Part 3A of the Act applies.

The development is for a data storage facility y (storage facility) with a proposed CIV of \$64,000,000 and an estimated cost of works of \$165,231,000.

Due to recent changes in legislation and CI ause 6C of the above mentioned S EPP, the Director-General may, on the application of the proponent of development to which this clause applies, certify in writing that the particular development is suitable for assessment under the Act (other the an Part 3A of the Act). The applicant has applied to the directorgeneral and has since received said certification. This has been forwarded onto Council officers and as such Council can be the assessing authority for the proposal with the consent authority remaining as the JRPP.

(d) State Environmental Planning Polic y No.33 – Hazardous and Offensive Development

Consideration of the SEPP is required as the propos al requires the installation of two 50,000 Litre tanks to store die sel fuel to f acilitate the operation of the backup generators when required in an emerge ncy situation (i.e. if the mains power is disconnected). Diesel is classified as a C1 (Combustible Liquid). In a ccordance with the Departments Guideline "Applying SEPP 33", if class C1 and/or class C2 are present on site and are stored in a separate bund or within a storage area where they are the only flammable liquid present they are not considered to be potentially hazardous.

The proposal incorporates a separate storage area for the tanks whereas diesel is the only flammable liquid present. Hence, the proposal is not considered to be potentially hazardous and no further investigation is required. It is noted that diesel is classified as a dangerous good and if greater than 100,000 litres of diesel (stored separately) is proposed to be stored on site, WorkCover NSW must be notified, and manifests and emergency plans must be developed. Any consent can be conditioned to ensure appropriate procedure is followed.

Regional Environmental Plans

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the area within the Sydney Harbour Catchment and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues in terms of consistency with the requirements and objectives of this planning instrument or the associated Development Control Plan.

Local Environmental Plans

Auburn Local Environmental Plan (LEP) 2010 (Version 13 July 2011)

The relevant objectives and provisi ons of Aub urn LEP 20 10 have be en considered in the following assessment table:

Cla	use	Yes	No	N/A	Comment
Par					
1.1	Name of Plan				
201	· ·				
1.1	AA Commencement				
	This Plan commences on the day on which it is published on the NSW legislation website.				The plan was gazette d o n 2 9 October 2010.
1.3	Land to which Plan applies				
(1)	This Plan applies to the land identified on the Land Application Map. Note. Part 23 of Schedule 3 to the State Environmental Plan ning Po licy (Maj or				The plan will apply to the site.
(2)	Development) 200 5 applies to certain land id entified on the L and Applic ation Map.	\boxtimes			
(2)	Despite subclause (1), this Plan does not apply to the land identified on the Land Application Map as "Deferred matter".				
1.4	Definitions				
	The Dictionar y at the end of this Plan defines words and e xpressions for the purposes of this Plan.				
1.6					
	The consent authority for the purposes of this Plan is (subject to the Act) the Council.				In accorda nce with C lause 13B of the SEPP (Major Development) 2005 a d evelopment pro posal of this nature a nd with a capital investment val ue of \$1 0 mi llion or more is class ified as a "re gional development". The consent authority for a ny such development is the Joint Regional Planning Panel (JR PP) — Sydney West (Council remains the assessment authority). Note: Refer to SEPP commentary above in regard to Part 3A applications.
(1)	Maps A re ference in th is PI an to a n amed map adopted by t his PIan is a re ference to a map by that name: (a) approved by the Minister when the map is adopted, and (b) as amend ed or repl aced fr om time to time by maps decl ared by environmental planning instruments to amend or replace that map, and approved by the Min ister when the instruments are made.				
(2)	Any 2 or more nam ed maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.				
(3)	Any such maps are to be kept and made available for public access in accordance with arraingements approved by the				

Clause	Yes	No	N/A	Comment
Minister.	. 03		INF	
(4) For the purp oses of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both. Note. The maps adopted by this Plan are to be mad e av ailable on the official NSW legislation website in connection with this Plan. Re quirements relating to the maps are set out in the documents entitled Standard technical requirements for LEP maps and Standard requirements for LEP GIS data which are available on the Department of Planning and infrastructure website.				
1.8A Savings pro vision re lating to				
development applications If a deve lopment a pplication has been m ade before the c ommencement of this PI an in relation to land to which this Plan applies and the application has not been finally determined before that c ommencement, the a pplication must be det ermined as if t his PI an ha d not commenced. Note. However, under Division 4B of Part 3 of the Act, a d evelopment app lication may b e ma de for consent to carry out development that may only be carri ed o ut if the enviro nmental pl anning instrument ap plying to the releva nt land is appropriately a mended or, if a ne w instrument, including an appropriate principal environmental planning instrument, is made, and the c onsent authority m ay consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development a t the same time, or as c losely together as is practicable. 1.9 Application of SEPPs and REPs				The savings provisio ns of the previous loc al enviro nmental pla n do not apply to this application.
1.9 Application of SEPPs and REPs	<u></u>			
(1) This Plan is s ubject to the provisions of an y State environmental planning policy and any regional environmental plan that pre vail over this Plan as provided by section 36 of the Act.				
(3) The follo wing State envir onmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:				The state policies stated be low are not relevant to this application.
State Enviro nmental P lanning Po licy No 1—Development Standards State Environmental Planning Policy				
No 4—Development Without Consent and M iscellaneous Exe mpt an d Complying Devel opment (claus e 6, clause 10 and Parts 3 and 4)				
State Enviro nmental P lanning Po licy No 60—Ex empt an d C omplying Development				
Sydney R egional Envir onmental P lan No 24—Homebush Bay Area				
 1.9A Suspension of covenants, agreements and instruments (1) For the purpose of enabling development 			\boxtimes	

Clau	se		Yes	No	N/A	Comment
(2)	accordevelor Act, a simila carryinot apserve	nd in a ny zone to be carried out in dance with the is Planor with a comment consent granted under the in yagreement, coven ant or other ir instrument that restricts the ingout of that development does by ly to the extent ne cessary to that purpose.				
(2)	(a)	to a coven ant imposed by the Council or that the Co uncil requires to be imposed, or				
	(b)	to an y prescribed instru ment within the m eaning of section 183A of the Crown L ands Act 1989, or				
	(c)	to an y conservation a greement within the meaning of the <i>National</i> <i>Parks and Wildlife Act 1974</i> , or				
	(d)	to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or				
	(e)	to an y property v egetation plan within the mea ning of the <i>Native Vegetation Act 2003</i> , or				
	(f)	to any bio banking agre ement within the meaning of Part 7A of the <i>Threatened S pecies Conservation Act 1995</i> , or				
	(g)	to any planning agreement within the meaning of Division 6 of Part 4 of the Act.				
(3)	intere	clause d oes not affect the rig hts or sts of a ny pu blic a uthority u nder egistered instrument.				
(4)	Gover clause	r sectio n 28 of th e Act, the rnor, bef ore the maki ng of this e, approved of subclauses (1)–(3).				
		mitted or prohibited development				
2.1 The I		use zones se zon es u nder this PI an are a s				
follov	vs: Resid R2 Lc R3 Me	Iential Zones ow Density Residential edium Density Residential gh Density Residential				
	B1 Ne B2 Lo B4 Mi B6 Er	ness Zones eighbourhood Centre ecal Centre exed Use nterprise Corridor usiness Park				
	IN1 G	strial Zones seneral Industrial ight Industrial				The land is zon e IN1 General Industrial which permits the typ e of development that is proposed.
	SP1 S	ial Purpose Zones Special Activities nfrastructure				
		eation Zones Public Recreation				

Clau	se	Yes	No	N/A	Comment
	RE2 Private Recreation				
	Environment Protection Zones E2 Environmental Conservation Waterway Zones W1 Natural Waterways				
2.2	Zoning of land to which Plan applies For the p urposes of this P lan, land is within the zon es sh own on the L and Zoning Map.				
2.3	Zone objectives and land use table				
(1)	The Table at the end of this Part specifies for each zone:				A storage premises is permitted
	(a) the objectives for development, and				with co nsent in the IN 1 Gener al Industrial Zone.
	 (b) development that may be carried out without consent, and (c) development that may be carried out only with consent, and (d) development that is prohibited. 				
(2)	The consent authorit y must have reg ard to the o bjectives for d evelopment in a zone when d etermining a developmen application in respect of la nd within the	t			
(3)	zone. In the Table at the end of this Part:				
	(a) a reference to a type of building o other thin g i s a reference to development for the pur poses of that type of building or other thing and	r : ,			
	(b) a reference to a type of building o other thing does not include (despite any definition in this Plan a reference to a type of building o other thin g referred to sep arately in the T able in rel ation t o the same zone.	e) r			
(4)	This clause is subject to the othe provisions of this Plan.	r 🖂			
1	Notes.	4			
1.	Schedule 1 s et out ad ditional perm itted uses for particular land.	1			
2	Schedule 2 sets o ut e xemp development (which is g enerally exemp from both P arts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approvate requirements of Part 5 of the Act or, if	t s e			
3.	applicable, Part 3A of the Act. Schedule 3 se ts ou t co mplying development (for w hich a complying development certificate m ay be issued as an alt ernative to obtain incomplying the service of the Act.				
4	development consent). Clause 2.6 requ ires consent for				
5	subdivision of land. Part 5 contain s ot her provisi ons which require co nsent for particula	n r			
6.	development. Part 6 co ntains loc al provisions which require co nsent for particula development.	n r			
2.4	Unzoned land			1	

Claus	se	Yes	No	N/A	Comment
(1)	Development may be carr ied o ut on				The land is within the IN1 G eneral
(2)	unzoned land only with consent. Before granting co nsent, th e co nsent				Industrial Zone.
	authority:				
	(a) must consid er whether the development will imp act on				
	adjoining zo ned la nd and, if so,				
	consider the objectives for development in the zones of the				
	adjoining land, and				
	(b) must be satisfied that the development is appropriate and is				
	compatible w ith permissible land				
2.5	uses in any such adjoining land. Additional permitted u ses fo r				
	particular land				
(1)	Development on p articular land t hat is described or referred to in Sched ule 1				
	may be carried out:				
	(a) with consent, or				
	(b) if the Sche dule so provides—				
	without consent, in accordance with the conditions (if any)				
	specified in that Sched ule in				
(2)	relation to that development. This clause h as effect desp ite an ything				
	to the contrar y in the Land U se Table or				
2.6 S	other provision of this Plan. ubdi vision—consent requirements				
(1)	Land to which this Plan applies may be				A subdivision is not proposed.
	subdivided, but only with consent.				
Notes					
	1 If a subdivisi on is spec ified as exempt development in a n				
	applicable env ironmental pla nning				
	instrument, su ch as t his P lan or State Enviro nmental Pla nning				
	Policy (Ex empt and Co mplying				
	Development Codes) 2008, the Act enables it to be carried out without				
	development consent.				
	2 Part 6 of State Environ mental				
	Planning Pol icy (Exempt and Complying D evelopment Codes)				
	2008 pr ovides that the strata				
	subdivision of a building in certain circumstances is complying				
(0)	development.				
(2)	Development conse nt must not b e granted for the su bdivision of land on				
	which a sec ondary dwelling is situated if				
	the su bdivision would res ult in the principal d welling a nd the second ary				
	dwelling being situated on separate lots,				
	unless the resulting lots are not less than the minimum size shown on the Lot Size				
	Map in relation to that land.				
2.7	Demolition requires consent				
	The demolition of a building or work may be carried out only with consent.				
	Note. If the d emolition of a buil ding or	\boxtimes			Demolition work is in cluded in the
	work is id entified in a nap plicable environmental planning instrument, such				works to be carried out.
	as this plan or State				
	State Enviro nmental P lanning Po licy (Exempt an d Co mplying Development				
	Codes) 20 08 as e xempt development,				
	the Act enab les it to be carried out without development consent.				
I	Sydney West Pegion - Rusiness Paper - (Item	l 	I	1	

Claus	Se	Yes	No	N/A	Comment		
Land Use Table Note. A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies: State Environ mental Planning Policy (Afforda ble Rental Housing) 2 009 (including provision for secon dary dwellings) State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 State Environmental Planning Policy (Infrastructure) 2 007 (relating to public facilities such as those for air transport, correction, education, electricity generation, health services, ports, railways, roads, waste management and water supply systems) State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 State Environmental Planning Policy (Rural Lands) 2008 State Environmental Planning Policy No 33—Hazardous and Offensive Development State Environmental Planning Policy No 60—Sustainable Aquaculture State Environmental Planning Policy No 64—Advertising and Signage							
Zone	IN1 General Industrial				The releva nt obj ectives are		
1	Objectives of zone				complied with.		
	To provide a wide rang e of industrial an d warehouse I and uses.						
	T o encourage employment opportunities.						
	To mi nimise any ad verse effect of industry on other land uses.						
	To support and protect in dustrial land for industrial uses.						
	To encourage econ omic gro wth of the locality.						
	To minimise adverse effects on the						
2 Nil	natural environment. Permitted without consent						
3	Permitted with consent				The propos ed activities ar e		
	Building id entification si gns; Busin ess identification signs; De pots; F reight transport fac ilities; Gener al in dustries; Industrial training fac ilities; Ki osks; Li ght industries; Markets; Neighbour hood shops; Resta urants or cafes; Roads; Warehouse or distrib ution c entres; An y other development not specified in item 2 or 4				considered to fall within the definition of "storag e pr emises" which is n ot specified within item 2 or 4 and h ence is permitted with consent within the IN1 – G eneral Industrial zone and the new building is cons idered to b e a ppropriate within the context of the zone. storage p remises means a		
4	Agriculture; A musement cen tres; Animal boarding or training establishments; Boat sheds; Camp ing grou nds; Car parks; Caravan parks; Cemeteries; Charter and tourism b oating fac ilities; Child c are centres; Correctional centres; Crematoria; Eco-touris t facilities; Educational establis hments; Entertainment facilities; E nvironmental facilities; E xhibition hom es; Exh ibition villages; E xtractive in dustries; Farm buildings; F orestry; F uneral h omes; Health servi ces faciliti es; Heav y industries; High way serv ice centres; Home occ upations (sex services); Information and e ducation faciliti es; Marinas; Mooring pens; Moorings; Office premises; Pas senger tra nsport facil ities;				building or p lace used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any business premises or retail premises on the same parcel of land. Data is considered to be classified as a 'good' and as such falls within this definition.		

Clause		Yes	No	N/A	Comment
	worship; Recreati on				
Research stations; F	Register ed clu bs; Reside ntial				
	sp ite da y car e				
centres; Rest_ricted	l prem ises; Retail dustries; Signa ge;				
Tourist and visitor ac					
Veterinary hospitals	s; Wa ter re creation				
structures; Water su or boating facilities	pply systems; Wharf				
Part 4 Principal developm	nent standards				
4.1 Minimum subdivis					
(1) The objective s of th	is cla use are as				A subdivision is not pro posed. The
follows: (a) to ensure that	t lot sizes are able to				allotment will remain the same size
accommodate					
consistent w	ith relevant				
development (b) to ensure tha	t subdivision of lan d				
is capa ble of	supp orting a range				
of developme	nt types. s to a su bdivision of				
	n th e Lot Size Map				
that requires devel	opment consent and				
that is c arried commencement of					
	ot resulting from a				
subdivision of land	to which this clause				
applies is n ot to b	be I ess than the wn on the Lot Size				
Map in relation to the					
(3A) Despite subclause	(3), the minimum I ot				
size for d welling ho metres.	ous es is 450 square				
	3), if a lot is a battle-				
axe I ot or other I	ot with an acc ess				
	and in Zone R2 Lo w I, Zone R 3 Medi um				
	, Zone B6 Enterprise				
	Business Park, Zone				
	strial a nd Zone IN2 e minimu m lot size				
excludes the area of	of the access handle.				
(3C) Despite su bclaus					
land within the	for development on Former Lidc ombe				
	o wn edged blue on				
	, is as foll ows in ment for the p urpose				
of:	nent for the p dipose				
(a) dwelling hous	es:				
()	re metres, or				
	ge will be acc essed rear of the property -				
	real of the property -				
·					
	velling ho use will be olot line - 270 square				
metres,	, lot iiilo - 210 squaie				
	d dw ellings - 2 70				
square metres (c) multi d wellin	s, ıg housi ng - 170				
square metres	s for each dwelling,				
(d) attached d we	ellings - 170 sq uare				
metres. (4) This clause does no	ot apply in relation to				
	individual lots i n a				
strata plan or comm					
4.3 Height of buildings					In accord ance with the He sight of
(1) The objective s of the JRPP Sydney West Region –		1) (00.0			In accord ance with the H eight of P 2011SYW102 17

Clause	Yes	No	N/A	Comment
follows:				Buildings Map HOB_005, there are
(a) to establis h a max imum building height to enable ap propriate development dens ity to b e				no ma ximum heig ht restrictions applicable to the site.
achieved, and (b) to ensur e that the h eight of buildings is c ompatible with the character of the locality				The maximum over all height of the building is pro posed to be 1 5.575 metres measured to the roof line.
(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of				
Buildings Map. (2A) Desp ite subcla use (2), the ma ximum height of office pr emises a nd hotel or motel accommodation is: (a) if it is within the Parr amatta Road Precinct, as sho wn edged orange on the Height of Buildings Map—27 metres,				
(b) if it is on land within Z one B6 Enterprise Corridor within the Silverwater Road Preci nct, as shown edged light purp le on the Height of Buildings Ma p—14 metres.				
4.4 Floor space ratio(1) The objective s of this cla use are as follows:				In accordance with the Floor Space Ratio Map FSR_006, the maximum FSR permitted across the whole site is 1:1.
To establish a maxim um floor space r atio to ena ble ap propriate development dens ity to b e achieved, and				The F SR proposed for the development site is 0.89:1 and complies with this devel opment
To ensure that d evelopment intensity reflects its locality.				standard.
(2) The maxim um floor s pace ratio for a building on any land is not to exceed the floor space ratio sho wn for the la nd on				The overal I floor space ratio is considered to be satisfactory.
the Floor Space Ratio Map. (2A) Despite subcl ause (2), the maxim um floor space ratio for development for the purpose of multi d welling housing on land oth er than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is				
as follows:				
(a) for sites less than 1,3 00 square metres—0.75:1, (b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1, (c) for sites that are 1,800 square metres or greater—0.85:1. (2B) Despite subclause (2), the maximum floor space ratio for the follo wing development on landinZone B6 Enterprise Corridor within the Parramatta Road Precinct, as showned ged or ange on the Floor Space Ratio Map, is as follows: (a) 1.5:1 for bulk y goods premises,				
entertainment facilities, function no centres and registered clubs, and (b) 3:1 for office p remises and hotel or motel accommodation.				
(2C) Despite subclause (2), the maximum floor space ratio for the following development on JRPP Sydney West Region – Business Paper – (Iter	1) (20 0)	ctober 20	11) - IPP	P 20115VW102

Clause	Yes	No	N/A	Comment
land in Zon e B6 Enterp rise Corridor within the Silverwater Road Preci nct, as s hown edged light purple on the Floor Space Ratio Map, is as follows:				
(a) 1.5:1 for bulk y go ods pre mises, entertainment facilities, functio n centres and registered clubs, and				
 (b) 2:1 for office p remises and hotel or motel accommodation. (2D) Despite subcl ause (2), the maxim um floor sp ace r atio for retail p remises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is 1.5:1. 				
4.5 Calculation o f floor s pace ra tio a nd site area				FSR has been ca
(1) Objectives				accordance with this clause.
The objective s of this cla use are as	\boxtimes			
follows: (a) to define floor space ratio, (b) to set out rules for the calculation of the site area of development for the purpose of a pplying permitted floor space ratios, including rules to: (i) prevent the in clusion in the site area of a n area th at has no sig nificant devel opment being carried out on it, and (ii) prevent the in clusion in the site area of a n area th at has already been included as part of a site ar ea to ma ximise floor space area in an other building, and (iii) require comm unity I and and public places to be dealt with separately. (2) Definition of "floor space ratio" The floor space ratio of buildings on a site is the ratio of the gross floor are a of				
all buildings within the site area.				
In determining the site area of proposed development for the purpose of applying a flo or space ratio, the site area is taken to be: (a) if the pro posed development is to be carried out on only one lot, the area of that lot, or (b) if the pro posed development is to be carried out on 2 or m ore lots, the area of an y l ot on which the development i s proposed t o be carried out th at has at least on e common b oundary with an other lot on which the development is being carried out. In addition, subclauses (4)—(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development. (4) Exclusions from site area The follo wing land must be excluded				
from the site area: (a) land on which the pr oposed development is pro hibited, whether un der this Plan or an y other law, JRPP Sydney West Region – Business Paper – (Item				P 2011SYW102 19

Clause	Yes	No	N/A	Comment
(b) community land or a p ublic place (except as provided by subclause (7)).				
 (5) Strata subdivisions The area of a lot that is wholly or partly on top of an other or others in a strat a subdivision is to b e i ncluded in the calculation of the s ite area only to the extent th at it do es not ov erlap with another lot alr eady included in the sit e area calculation. (6) Only si gnificant d evelopment to b e included 				Only the lots affected by the development are included in the
The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes sign ificant development on that additional lot. (7) Certain public land to be separately considered For the pur pose of a pplying a floor space ration to an y proposed development on, above or below community land or a public place, the site area must only include an area that is on, a bove or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out. (8) Existi ng buildings				floor space ratio calculation.
The gross floor area of an y existing or proposed b uildings within the vertica I projection (above or b elow ground) of the b oundaries of a site is to be included in the ecalculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.				
 (9) Covenants to prevent "double dipping" When co nsent is gr anted to development on a site comprised of 2 or more I ots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is sat isfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot. (10) Covenants affect consolidated sites If: 				
(a) a covenant of the kind referred to in subc lause (9) app lies to an y land (affected land), and (b) proposed development rel ates to the affected I and a nd oth er land that togeth er comprise t he sit e of the proposed development, the ma ximum amou nt of floor ar ea allowed on the other I and by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the c ovenant preve nts bein g created on the affected land. (11) Definiti on				D 2011SVW102

Claus	se e	Yes	No	N/A	Comment
	In this clause, public pl ace has the			\boxtimes	
	same m eaning as it h as in the Local				
4.0	Government Act 1993.				
4.6 stanc	Exceptions to development				
(1)	The objectives of this clause are:			\boxtimes	The clause will not be applicable
(-)					to this application.
	(a) to provide an appropriate degree of flexibility i n app lying certain				
	development standar ds to				
	particular development, and (b) to achieve better outcomes for and				
	from dev elopment b y allowing				
	flexibility in particu lar				
(2)	circumstances.				
(2)	Consent may, subject to this clause, be granted for development even though the			\boxtimes	
	development would c ontravene a				
	development standard imposed by this or				
	any other envir onmental planning instrument. Ho wever, this claus e does				
	not apply to a development standard that				
	is expressly excluded from the operation				
(2)	of this clause.				
(3)	Consent mus t not be granted for development that co ntravenes a			\boxtimes	
	development stand ard un less th e				
	consent auth ority h as co nsidered a				
	written req uest from the ap plicant that				
	seeks to j ustify the contravention of the development standard by demonstrating:				
	(a) that compli ance with the				
	development standar d is				
	unreasonable or unnecessary in				
	the circumstances of the case, and (b) that there are s ufficient				
	environmental planning grounds to				
	justify c ontravening the				
(4)	development standard.				
(4)	Consent mus t not be granted for development that co ntravenes a				
	development standard unless:				
	(a) the conse nt author ity is s atisfied			\boxtimes	
	that:				
	(i) the applicant's written request has ad equately ad dressed				
	the matters required to be				
	demonstrated by subclause				
	(3), and				
	(ii) the proposed development will be in the public interest				
	because it is consistent with				
	the objectives of the particular				
	standard and the ob jectives				
	for dev elopment within the zone in which the				
	development i s propos ed to				
	be carried out, and				
	(b) the conc urrence of the Director-				
(5)	General has been obtained. In dec iding whether to gr ant				
(5)	concurrence, the Director-General must				
	consider:				
	(a) whether cont ravention of the			\boxtimes	
	development standard ra ises an y matter of signi ficance for State or				
	regional e nvironmental p lanning,				
	and				
	(b) the public benefit of maintaining the				

Claus	se	Yes	No	N/A	Comment
	development standard, and (c) any oth er mat ters requ ired t o be taken into c onsideration b y the Director-General before granting concurrence.				
(6)	Development conse nt must not b e granted un der this clau se for a subdivision of land in Zone RUI Primary Production, Zone RU2 Rural Landscape, Zone RU 3 F orestry, Zone R U4 Primar y Production S mall Lots, Z one RU 6 Transition, Z one R5 L arge Lot Residential, Zone E 2 E nvironmental Conservation, Z one E3 Environmental Management or Zone E4 Environmental Living if:				
	 (a) The subdivision will result will result in 2 or more lots of less than the minimum ar ea specifie d for such lots by a development standard, or (b) The subdivisi on will resu It in at least one lot that is I ess than 90% of the m inimum area specified for 				
(7)	such a l ot b y a development standard. After determ ining a d evelopment application made pursuant to this clause, the consent authority must keep a record of its assessment of the fact ors required to be addressed in the applicant's written				
(8)	request referred to in subclause (3). This clause does not allow consent to be granted for deve lopment that would contravene any of the following: (a) a dev elopment stan dard for complying development, (b) a dev elopment stand ard that				
	arises, under the regulations under the Act, in connection with a commitment set out in a BASI X certificate for a bu ilding to which State Enviro nmental Pla nning Policy (Bui Iding Sustai nability Index: BASIX) 2004 a pplies or for the land on which such a building is				
	situated,				
Part	(c) clause 5.4. 5 Miscellaneous provisions				
5.3	Development near zone boundaries				
(1)	The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use a llowed on the other side of a zone boundary would enable a more logical and appropriate development of				
	the site and be compatible with the planning objectives and I and uses for				
	the adjoining zone.				
(2)	This clause applies to so m uch of any land that is within the relevant distance of a b oundary bet ween any 2 zo nes. The relevant distance is 20 metres.				
(3)	This clause does not apply to: (a) lan d i n Z one RE 1 Publ ic Recreation, Z one E 1 Nati onal Parks an d Nature R eserves, Zone E 2 Enviro nmental Conservation, Z one E3 Environmental Manag ement or Zone W1 Natural Waterways, or				

Claus	se	Yes	No	N/A	Comment
	(b) land within the coastal zone, or	П	П	X	
	(c) I and proposed to be dev eloped for the purpose of sex services or restricted premises.				
(4)	Despite the provisions of this PI an relating to the purposes for which development may be carried out, development consent may be granted to development of I and to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:				
	(a) the dev elopment is not inconsistent with the o bjectives for deve lopment in b oth zo nes, and				
	(b) the carr ying out of the development is desirable due to compatible land use pl anning, infrastructure c apacity a nd ot her planning principles relating to the efficient and timely development of land.				
(5)	This clause does not prescribe a development standard that ma y be varied under this Plan.				
5.4	Controls re lating t o mis cellaneous permissible uses				The proposal does not incorporate any m iscellaneous permi ssible uses.
(1)	Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of nomore than 3				
	bedrooms. Note. An ys uch d evelopment that provides for a certain number of gu ests or rooms m ay involve a change in the class of building under the Building Code of Australia.				
(2)	Home businesses If developm ent for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.				
(3)	Home industries If developm ent for the purposes of a home i ndustry is permitted under this Plan, the car rying on of the hom e industry m ust not involve the use of more than 30 square metres of floor area.				
(4)	Industrial retail outlets If developm ent for the purpo ses of an industrial retail outlet is permitted under this Plan, the retail floor are a must n ot exceed:				
	(a) 43% of the gr oss floor area of the industry or rural industry located on the same la nd as the retail outlet, or(b) 400 square metres,whichever is the lesser.				
I		l	I	I	

Claus	Se	Yes	No	N/A	Comment
(5)	Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of nomore than 3 bedrooms.				
(6)	Kiosks If developm ent for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 10 square metres.				
(7)	Neighbourhood shops If developm ent for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor are a must n ot exceed 80 square metres.				
(8)	Roadside stalls If developm ent for the purposes of a roadside stal I is permitted und er this Plan, the gross floor area must not exceed 8 square metres.				
(9)	Secondary dwellings If developm ent for the purposes of a secondary d welling is permitted und er this Plan, the total floor ar ea of the dwelling (e xcluding an y are a used for parking) must not e xceed whichever of the following is the greater:- (a) 60 square metres, (b) 25% of the total floor ar ea of the				
5.6	principal dwelling. Architectural roof features				Council Officers raises no objection
(1)	The objectives of this clause are: (a) To ensure that any decorative roof element does not detract from the architectural des ign o f the building, and (b) To ensure that pr ominent				to the pro posed d esign of the architectural ro of form for the ne w data storag e facilit y. T he roof design is considered acceptable. As discussed previously, there is no height limit s pecified in the IN1
(2)	architectural r oof features are contained within the height limit. Development that includ es an architectural r oof f eature that e xceeds, or ca uses a building to e xceed, the height limits set by clause 4.3 may be carried out, but only with consent. Development consent must not be				zone.
	granted to any suc h d evelopment unless the consent authority is satisfied that: (a) the architectural roof feature: (i) comprises a decorative element on the unpermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will caus eminimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor				

Clau	se	Yes	No	N/A	Comment
	rooms, fire stairs a nd the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.				
5.8 (1)	Conversion of fire alarms This clause applies to a fire alarm system th at can b e mon itored b y F ire and Rescue NSW or by a private service provider.			\boxtimes	The clause is not app licable to this application.
(2)	The follo wing devel opment may be carried out, but only with development consent:				
	(a) converting a fire alarm system from conn ection with the alarm monitoring s ystem of F ire and Rescue NSW to conn ection with the alarm mo nitoring s ystem of a private service provider,				
	(b) converting a fire alarm system from conn ection with the alarm monitoring s ystem of a pr ivate service pr ovider to con nection with the alarm monitoring s ystem of another private servic e				
	provider, (c) converting a fire alarm system from conn ection with the alarm monitoring s ystem of a pr ivate service pr ovider to con nection with a different alarm mo nitoring system of the same pr ivate				
(3)	service provider. Development to which su bclause (2) applies is co mplying dev elopment if it consists only of:				
	 (a) internal alterations to a building, or internal alter ations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm 				
(4)	× 100mm × 100mm. A compl ying d evelopment ce rtificate for any suc h co mplying d evelopment is subject to a c ondition that any b uilding work may on ly be carried o ut between 7.00 am an d 6.00 pm on Monda y to Friday a nd between 7.00 a m and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.				
(5)	In this clause: private service provider means a person or bo dy th at has entered int o a n agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.				
5.9	Preservation of trees or vegetation				The proposal has been referred to
(1)	The objective of this cla use is t o preserve the amenit y of the area, including biodiversity values, through the preservation of trees an d ot her vegetation.				Council's Landscape Archit ect for comment. N o ob jection t o the removal of trees has been made. The submitted Landsc ape Plan i s satisfactory.
(2)	This clause applies to species or kinds of trees or other v egetation that are prescribed for the purposes of this clause by a development control plan made by the Council.				

Claus	Se .	Yes	No	N/A	Comment
Note.	A d evelopment c ontrol p lan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.				
(3)	A pers on m ust not rin gbark, cut do wn, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such d evelopment co ntrol plan a pplies without the authority conferred by: (a) development consent, or				
(4)	(b) a permit granted by the Council. The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.				
(5)	This clause d oes not a pply to a tree or other ve getation that the Council i s satisfied is dying or dead and is not				
(6)	required as the habitat of native fauna. This clause d oes not a pply to a tree or other ve getation that the Council i s satisfied is a risk to hum an I ife o r				
(7)	property. A permit un der this cl ause cannot allow any ri ngbarking, cutting down, topping, lopping, remov al, inj uring or destruction				
	of a tree or other vegetation: (a) that is or form s part of a h eritage item, or that is within a h eritage			\boxtimes	
	conservation area, or (b) that is or f orms part of an Aboriginal o bject or that is within an Ab original plac e of h eritage significance, unless the Council is satisfied that the proposed				
	activity: (c) is of a m inor nature or is f or the maintenance of the herita ge item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area,				
	(c) would not ad versely affect the heritage significance of the heritage item, Aborig inal ob ject, Ab original place of heri tage sig nificance or heritage conservation area.				
Note.	As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of claus e 5.1 0 will be applicable to any such consent.				
(8)	This clause does not ap ply to or in respect of: (a) the clearing of native vegetation:				
	(i) that is authorised by a development conse nt or property v egetation pl an under the Native Ve getation Act 2003, or				
	(ii) that is o therwise per mitted under Division 2 or 3 of Part 3 of that Act, or				

Clause		Yes	No	N/A	Comment
(k	the clearing of vegetation on State protected land (within the m eaning of claus e 4 of Sched ule 3 t o the Native Vegetation Act 2003) that is authorised by a deve lopment consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause, or				
(0	trees or other vegetation within a State forest, or land res erved from sale as a tim ber or forest re serve				
(0	under the Forestry Act 1916, or action required or author ised to be done by or u nder the Electricity Supply Act 1 995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002, or				
(€	plants dec lared to be noxious weeds un der the <i>Noxious W eeds</i> Act 1993.				
d	ermiss ibility m ay b e a matter that is etermined by or under a ny of these cts.				
(9) 1	Not adopted				
(*	Trees or vegetation not prescribed by development control plan This clause applies to any tree or other ve getation t hat is not of a species or ki nd prescribed for the purposes of clause 5.9 b y a development control plan made by the Council. The ringb arking, cuttin g d own,				
	topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.				
Note. I	Heritage conservation Heritage items, herita ge c onservation areas a nd arc haeological sites (if an y) are sh own on the Her itage Map. The location and n ature of an y s uch item, area or site is als o d escribed in Schedule 5.				
	The objectives of this clause are: (a) to conserv e the env ironmental				The site is not listed in the Auburn Local Environmental Plan 2010 as containing items of heritage.
ı	heritage of Auburn, and (b) to cons erve the heritage significance of heritage items and heritage co nservation areas including a ssociated fabric, settings and views, and				The heritage provisions stated here will not be ap plicable to this application.
	(c) to conserve a rchaeological sites, and(d) to conserv e p laces of A boriginal				
(2) F	heritage significance. Requirement for consent Development consent is re quired for any of the following: (a) demolishing or moving a heritage item or a building, work, r elic or				

tree within a heritage conservation area, (i) a heritage item. (ii) An Aboriginal object. (iii) A building, work, relic or tree within a heritage conservation area. (b) altering a herit age item that is a building by making structural changes to it is interior or by making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating a new the substitute of the structural changes to an authorized the substitute of	
area, (i) a heritage item. (ii) An Aboriginal object. (iii) A building, work, relic or tree within a heritage conservation area. (b) altering a herit age item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating a n	
(ii) An Aboriginal object. (iii) A building, work, relic or tree within a heritage conservation area. (b) altering a herit age item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating a n	
(iii) A building, work, relic or tree within a heritage conservation area. (b) altering a herit age item that is a building b y makin g structural changes to i ts interior or b y making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
within a heritage conservation area. (b) altering a herit age item that is a building b y makin g structural changes to i ts interior or b y making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
area. (b) altering a herit age item that is a building b y makin g structural changes to i ts interior or b y making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
(b) altering a herit age item that is a building b y makin g structural changes to i ts interior or b y making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
building b y makin g structural changes to i ts interior or b y making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
changes to i ts interior or b y making ch anges to an ything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
Schedule 5 in relation to the item, (c) disturbing or e xcavating a n	
(c) disturbing or e xcavating a n	
archaeological site w hile knowing,	
or hav ing re asonable caus e to	
suspect, that the disturbance or	
excavation will or is likel y to result in a relic being disc overed,	
exposed, m oved, d amaged or	
destroyed,	
(d) disturbing or excavating a heritage	
conservation area that is a place of Aboriginal heritage significance,	
(e) erecting a building on land:	
(i) on which a h eritage item is	
located or that is within a — — —	
heritage conservation area or,	
(ii) on which an Aboriginal object is loc ated or t hat is within an	
Aboriginal p lace of her itage	
significance,	
(f) subdividing I and on which a	
heritage item is located or that is	
within a h eritage c onservation area.	
(i) on which a her itage ite m is	
located or that is within a	
heritage conservation area or,	
(ii) on which an Abor iginal object is loc ated or t hat is within an	
Aboriginal p lace of her itage	
significance,	
(3) When consent not required	
However, cons ent und er this clause is not required if:	
(a) the a pplicant has notified the	
consent authority of the proposed	
development and the consent	
authority has advis ed the applicant in w riting b efore an y	
work is carri ed out th at it is	
satisfied that the proposed	
development:	
(i) is of a mi nor n ature, or is fo r	
heritage item, archae ological	
site, or a b uilding, work, relic,	
tree or place within a heritage	
conservation area, and (ii) would not adversely affect the	
significance of the h eritage	
item, archa eological sit e or	
heritage conservation area, or	
(b) the development is in a cemeter y	
or burial ground and the proposed development:	
(i) is the creation of a new grave	
or mo nument, o r ex cavation	
or disturbance of lan d for th e	

Clause	Yes	No	N/A	Comment
purpose of conserv ing or repairing monum ents o r grave markers, and (ii) would not ca use distur bance to hum an remains, r elics, Aboriginal objects in the form of grave goods, or to a place of Aborig inal her itage	- 33			
significance, or (c) the deve lopment is limited to the removal of a tree or other vegetation that the C ouncil is satisfied is a risk to human I ife or property, or				
 (d) the d evelopment is e xempt development. (4) Effect on heritage significance 				
The consent author ity m ust, before granting co nsent un der this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation areaconcerned.				
This subclaus e app lies reg ardless of whether a heri tage impact statement is prepared un der subc lause (5) or a heritage c onservation ma nagement plan is submitted under subclause (6). (5) Heritage impact assessment The consent auth ority m ay, before				
granting consent to any development on land: (a) on which a heritag e ite m is situated, or (b) within a h eritage c onservation area, or				
(c) within the vicinity of land referred to in paragraph (a) or (b), require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would a ffect the heritage significance of the heritage eitem or heritage conservation area concerned. (6) Heritage conservation management plans The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause. (7) Archae ological sites				
The consent authorit y m ust, before granting consent under this clause to the carrying o ut of dev elopment on an archaeological site (other than land listed on the St ate Herita ge R egister or to which an interim heritage order under the Heritage Act 1977 applies): (a) notify the Her itage Co uncil of its intention to grant consent, and (b) take into consideration an y response received from the Heritage C ouncil within 2 8 da ys after the notice is sent. (8) Aboriginal places of heritage significance The consent authorit y m ust, before				
granting consent under this clause to the carrying out of development in a place of	4) (20 0)	-t-b 20:	14) IDD	P 2011SYW102 20

Clau	se		Yes	No	N/A	Comment
	Abor (a)	iginal heritage significance: consider the effect of the pro posed development on th e heritage			\boxtimes	
		significance of the place a nd an y Aboriginal o bject k nown or reasonably likely to b e loc ated at				
	(b)	the place, and notify the loca I A boriginal				
	(-)	communities (in suc h way as it thinks appropriate) ab out the application and take into consideration an yr esponse received within 28 da ys aft er the				
(9)	Den	notice is sent. notition of item of State significance				
(-)	The	consent authorit y m ust, before				
		ting consent for the demolition of a				
	nom (a)	inated State heritage item: notify th e Heri tage Co uncil a bout				
	(-)	the application, and	Ш			
	(b)	take into consideration an y			\boxtimes	
		response received from the Heritage Cou ncil within 28 days after the notice is sent.				
(10)		ervation incentives				
		consent authority may grant consent				
		eve lopment for an y purpose of a ling that is a herit age item, or of the				
		on which such a building is erected,				
		tho ugh dev elopment for that				
	by th	ose would otherwise not be allowed nis P lan, if t he cons ent authority is fied that:				
	(a)	the co nservation of the heritage			\boxtimes	
		item or Ab original pl ace of				
		heritage si gnificance is facil itated by the granting of consent, and				
	(b)	the proposed deve lopment is in			\boxtimes	
		accordance w ith a heritage				
		conservation mana gement document that has been approved				
		by the consent authority, and				
	(c)	the conse nt to the pro posed			\boxtimes	
		development would require that all necessary conservation work				
		identified in the her itage				
		conservation management plan is				
	(d)	carried out, and the proposed deve lopment would				
	(u)	not adv ersely affect the heri tage	Ш			
		significance of the herita ge i tem,				
		including its setting or the heritage significance of the Abor iginal				
		place of heritage significance, and				
	(e)	the proposed deve lopment would			\boxtimes	
		not hav e an y significant a dverse				
		effect on the amenit y of the surrounding area.				
Part		ditional local provisions		I	l	
6.1	Aci	d sulfate soils				
	(1)	The objective of this cla use is to	\boxtimes			In accordance with the Acid Sulfate
	()	ensure that development does not				Soils Map A SS_005, the subject land is identified as Class 5 and not
		disturb, e xpose or drain acid				located within 500 m etres of a
		sulfate so ils and c ause environmental damage.				Class 1, 2, 3 or 4 areas. Therefore,
	(2)	_	\boxtimes			an acid sulphate soils management plan is not considered to be
	(2)	Development consent is req uired for the carr ying out of works described in the T able to this				necessary.
		subclause on I and s hown on the				

Claus	se	Yes	No	N/A	Comment
	Acid Sulfate Soils Map as being of				
	the class sp ecified for thos e works.				
Class					
1 A					
2	Works belo w the natur al grou nd				
	surface. W orks b y which the watertable is likely to be lowered.				
3	Works more than 1 metre below the				
	natural gro und surface. Works b y				
	which the watertable is likely to be lowered more than 1 metre below the				
	natural ground surface.				
4	Works more than 2 metres below the natural ground surface. Works by				
	which the watertable is like ly to be				
	lowered more than 2 metres below the				
5	natural ground surface. Works within 500 m etres of adj acent				
	Class 1, 2, 3 or 4 land that is below 5				
	metres Austra lian Height D atum b y which the watertable is likely to be				
	lowered bel ow 1 metre Australi an				
	Height Datum on adjacent Class 1, 2, 3 or 4 land.				
(3)	Development conse nt must not b e				
(5)	granted under this clause for the carrying				
	out of works unless an acid sulfate soils management plan has been prepared for				
	the proposed works in accordance with				
	the Aci d Su Ifate Soils Man ual and has				
	been provided to the consent authority.				
(4)	Despite subc lause (2) D evelopment consent is not required under this clause				
	for the carrying out of works if:				
	(a) a pre liminary assessme nt of the				
	proposed works pre pared in accordance with the Ac id S ulfate				
	Soils Manual indicates that an acid				
	sulfate soils mana gement pla n is not required for the works, and				
	•				
	(b) the prel iminary ass essment has been provi ded to the conse nt				
	authority and the co nsent authority				
	has confirm ed the assessm ent b y notice i n writing to the p erson				
	proposing to carry out the works.				
(5)	Despite su bclause (2), d evelopment				
	consent is not required under this clause for the carrying out of any of the following				
	works by a public authority (including				
	ancillary work such as ex cavation,				
	construction of access ways or the supply of power):				
	(a) emergency work, being the repair				
	or replacement of the works of the				
	public authority re quired to be carried out ur gently because the				
	works hav e b een damaged, hav e				
	ceased to function or pose a risk to the environment or to public health				
	and safety,				
	(b) routin e management work, being				
	the p eriodic i nspection, c leaning, repair or repl acement of the w orks				
	of the public authority (other than				
	• •				•

Claus	se		Yes	No	N/A	Comment
		work that invol ves the distur bance of more than 1 tonne of soil),				
	(c)	minor work, being work that costs less than \$ 20,000 (oth er than drainage work).				
(6)	cons	pite su bclause (2), d evelopment sent is not required under this clause arry out any works if:				
	(a)	the works i nvolve the distur bance of more than 1 tonne of soil, such as occurs in carr ying out agriculture, the construction or maintenance of drains, extractive industries, dredg ing, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or				
	(b)	the works are likel y t o lo wer the watertable.				
6.2		thworks				The arrange of the state of the
(1)		e objective s of this clause are as ows:				The proposa I will inc orporate earthworks (excavation).
	(a) (b)	to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, ne ighbouring uses or heritage items and features of the surrounding land, to allow earthworks of a minor nature without separate development consent.				
(2)		elopment consent is requir ed for hworks, unless:				
	(a)	(a) the work does n ot alte r the ground lev el (existing) b y more than 600 millimetres, or				
	(b)	(b) the w ork is exempt development under this PI an or another a pplicable e nvironmental planning instrument, or				
	(c)	the work is ancil lary to other development for which development consent has bee n given.				
(3)	earti cons (a)	ore granting development consent for hworks, the cons ent a uthority mus to sider the following matters: the lik ely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,				
	(b) t	he effect of the propos ed development on the likely future use or redevelopment of the land,				
	(c)	the quality of the fill or of the soil to be excavated, or both,				
	, ,	he effect of the propos ed development on the ex isting and likely ame nity of adj oining properties,				
	(e)	the source of any fill m aterial and the destin ation of an ye xcavated material,				
	(f)	the likelihood of disturbing relics,				

Claus	se		Yes	No	N/A	Comment
	parti distu Abor	the pro ximity to and potential for adverse im pacts on an y watercourse, drinki ng water catchment o r environmentally sensitive area. National Parks and Wildlife Act 1974, cularly s ection 86, dea Is with irbing or exc avating land and riginal objects.				
6.3 (1)		od planning objectives of this clause are:	\boxtimes			In accordanc e with the Flood
,	(a)	to minimise the flood risk to life and property associated with the use of land,				Planning Map FLD_005, the subject site is not identified as being flood prone.
	(b)	to allo w development on I and that is compatible with the I and's flood hazard, taking into a ccount projected changes as a result of climate change,				
	(c)	to avoid significant adverse impacts on flood behaviour and the environment.			\bowtie	
(2)	This o	clause applies to:				
	(a)	land that is shown as "F lood planning ar ea" on the F lood Planning Map, and				
	(b)	other la nd at or belo w the flood planning level.			\boxtimes	
(3)	gran whic cons	elopment conse nt must not b e ted for devel opment on lan d to h this cl ause a pplies unless th e tent autho rity is satisfie d that the elopment:				
	(a)	is compatible with the floo d hazard of the land, and				
	(b)	is not l ikely to si gnificantly adversely affe ct flood b ehaviour resulting in detrimental increases in the potential flood affectati on of other deve lopment or pro perties, and				
	(c) ir	ncor porates appropriate measures to mana ge r isk to life from flood, and				
	(d)	is not I ikely to si gnificantly adversely affect the environment or cause av oidable erosion, s iltation, destruction of riparian vegetation or a re duction in the sta bility of river banks or watercourses, and				
	(e)	is n ot lik ely to res ult in unsustainable social and economic costs to the communit y as a consequence of flooding.	N			
(4)	has NS Dev 200	ord or expression used in this clause the sam e meaning as it has in the W Government's Floodplain velopment Manua I published in 15, un less it is other wise defined in clause.				
(5)	In th	nis clause:				

Clause			Yes	No	N/A	Comment
	1:100 flood Flood Local Plann	planning level means the level of a ARI (a verage recurr ent interva I) event plus 0.5 metre freeboard. I Pl anning Map means the Aubur n Envir onmental Pl an 2010 F lood ling Map.				
6.4		shore building line		l	l	
(1)	that will r proc ame This belo	objective of this clause is to ensure development in the foreshore are an ot impact on natural foreshor elesses or affect the significance and nity of the area. clause applies to I and identified as we the foreshore building line on the line of the state of the st				The site is not situated a djacent to a watercourse or a water body. The clause will not a pply t o this application.
(3)	Deve gran fores	eshore Building Line Map. Elopment conse nt m ust not b e ted for de velopment on land in the shore area except for the follo wing loses:				
	(a) tl					
	(b)	the erecti on o f a buil ding in the foreshore area, if the levels, depth or other e xceptional featur es of the site m ake it appropriate to do so,				
	(c)	boat s heds, s ear etaining walls, wharves, slip ways, jet ties, waterway access stairs, swimming pools, fences, cycleways, walking trails, pic nic facilities or other recreation facilities (outdoor).				
(4)	Deve	elopment conse nt m ust not b e				
` ′	gran	ted under subclause (3) unless the				
	cons (a)	sent authority is satisfied that: the development will contribute to achieving the objectiv es for the zone in which the land is located.				
		and				
	(b)	the app earance of an y proposed structure, from both th e waterway and adjacent foreshore areas, will be c ompatible with th e surrounding area, and				
	(c)	the deve lopment is not like ly to cause environmental harm suc h as:				
		(i) pollution or s iltation of th e			\boxtimes	
		waterway, or (ii) an a dverse effect on surrounding uses, marine habitat, wetland areas, flor a or fauna habitats, or				The site is not situated adjacent to a watercourse or a water body. The clause will not a pply t o this application.
		(iii) an adverse effect on drainage				аррионноги.
	(d)	patterns, and the dev elopment will not c congestion of, or gen conflicts b etween, p eople open sp ace areas or the				
	(e)	waterway, and opportunities to provi de continuous pu blic acc ess a long the foreshore and to the waterway				
	(f)	will not be compromised, and any histor ic, scientific, cult ural, social, archae ological, architectural, natur al or aes thetic significance of the lan don which the development is to be carried				
I		West Pegion - Rusiness Paper - (Item	I	1	I	

				Yes	No	N/A	Comment
	(g)	out and of surround maintained, and in the case of deve extension, alteration of an existing built partly in the forest extension, alteration will not have an account to extension amenity appearance of the	elopment for the on or r ebuilding ding wholly or shore ar ea, the on or r ebuilding dvers e impact or aest hetic				
	(h)	sea lev el ris e or flooding patterns a climate c hange considered.	chan ge of				
6.5	Esser	ntial Services					
, ,	granted conser the foll for the availab have b	opment conse nt m d to de velopmen nt authority is satisf owing services that pr oposed dev ble or that adequate been made to make required:	nt un less the eied that any of at are essential elopment are earrangements				Appropriate c onditions co uld b e imposed for t he arr angement of such services to be mad e available on the site so as to facilitate the use of the development.
	(a) the	e supply of water	,				
	(b)	the supply of electr	icity,				
		the disp osal and n sewage.	-				
		stormwater dr aina conservation,					
	` '	suitable road acces					
	providi mainta	pment for the	purpose of ugmenting, an y ess ential				
	develo providi mainta service	pment for the ng, e xtending, a ining or repair ing	purpose of a ugmenting, an y ess ential clause.				
Sche	develo providi mainta service	pment for the ng, e xtending, a ining or repair ing e referred to in this o	purpose of a ugmenting, an yess ential clause.	'Nil"	al Enviro		Plan 2010
Sche	develo providi mainta service edule 1	pment for the ng, e xtending, a ining or repair ing e referred to in this of Additional pe	purpose of a ugmenting, an yess ential clause.	'Nil"	al Enviro		Plan 2010
Sche	develo providi mainta service edule 1	pment for the ng, e xtending, a sining or repair ing e referred to in this of the Additional performances.	purpose of a ugmenting, an yess ential clause. ermitted uses 'ariations to the Au	'Nil" ıburn Loc		onmental	
Sche umma Clause	develo providi mainta service edule 1 ary of No	pment for the ng, e xtending, a sining or repair ing e referred to in this of the con-Compliances/Varialls of Standard	purpose of a ugmenting, an yess ential clause. ermitted uses 'ariations to the Au Comment There are no is	'Nil" Iburn Loo sues tha	t require	onmental e attentio	
Sche umma Clause	develo providi mainta service edule 1 ary of Note & Det	pment for the ng, e xtending, a sining or repair ing e referred to in this of the con-Compliances/Varialls of Standard	purpose of a ugmenting, an yess ential clause. ermitted uses 'ariations to the Au Comment There are no is	'Nil" uburn Loc sues tha	t require	e attention	Instruments (EP& A Act
Sche umma Clause The p	develo providi mainta service edule 1 ary of Note & Det	pment for the ng, e xtending, a stending, a stending, a sining or repair ing e referred to in this of a con-Compliances/Varials of Standard sions of a ny (ii))	purpose of a ugmenting, an yess ential clause. ermitted uses 'ariations to the Au Comment There are no is Draft Envi	'Nil" uburn Loc sues tha ronmer	t require	e attention	Instruments (EP& A Act
Sche mma Clause The r The r The r	develo providi mainta service edule 1 ary of Note & Det e & Det e are r	pment for the ng, e xtending, a stending, a stending, a sining or repair ing e referred to in this of a con-Compliances/Varials of Standard sions of a ny (ii))	purpose of a ugmenting, an yess ential clause. ermitted uses 'ermitted uses 'ermitted uses' ariations to the Au Comment There are no is Draft Envi	'Nil" sues that ronmer vant to	t require	e attention	Instruments (EP& A Act
Sche mma clause	develo providi mainta service edule 1 ary of Nove & Det provise (1)(a) e are r	pment for the ng, e xtending, a sining or repair ing e referred to in this of the con-Compliances/Varials of Standard sions of a ny (ii)) no draft planning sions of any Descelopment Consed development	purpose of a ugmenting, an yess ential clause. ermitted uses 'ermitted uses 'ermitted uses' ariations to the Autonoment There are no is Draft Envi g controls relevel to the purpose of	'Nil" sues that ronmer vant to the control of th	t require	e attention	Instruments (EP& A Act
Sche Imma Clause The p The p Aubu	develo providi mainta service dule 1 ary of Nove & Det provisi (1)(a) e are r	pment for the ng, e xtending, a stending, a stending, a sining or repair ing e referred to in this of the con-Compliances/Varials of Standard sions of a ny (ii)) no draft planning sions of any Descriptions	purpose of a ugmenting, an yess ential clause. ermitted uses 'ermitted uses 'ermitted uses' ariations to the Autonoment There are no is Draft Envi g controls relevel to the purpose of	'Nil" sues that ronmer vant to the control of th	t require	e attention	Instruments (EP& A Act oposal Act s79C(1)(a)(iii))

2.0 Built Form							
Obje	Objectives						
a.	To ensure that the form, sc ale, design and nature of development maintains and enhances the streetscape and visual quality of industrial areas.				The propose d design of the building is appropriate and compatible with the surrounding developments in the area.		
b.	To ensure that the scale of any new industrial development is compatible with surrounding industrial buildings.	\boxtimes			The building facade is contemporary and is articulated by horizontal and vertical modulations, and variations to height within the building groups.		
C.	To ensure the intens ity of devel opment recognises the environmental constraints of the site and its locality.						
Perf	ormance criteria						
P1	The built form of pr oposed development is consistent with the existing character of the locality.						
Dev	elopment controls						
D1	Buildings shall be designed to:				The proposal is for a prefabricated structure with a high quality finish that will contribute to		
	introduce variations in un it design within building groups.				the loc ality. The d esign is unique, h owever maintains its r elationship with the in dustrial		
	introduce solid surfaces, preferably masonry, incorporate horizontal and vertical modulation including windows in a ppropriate proportions and configurations.				look of the area.		
•	include a n ap propriate vari ety of material s and façade treatments so as to create vis ual interest on a high quality design outcome.						
D2	On corner site s, the build ing reinforces the corner by massing and facade orientation.				The proposed buil ding setbacks and variation in he ights and mate rials re inforces the corner element of the sit e. The proposed landscaping also softens the impact the bu ilt form may have on both Deay and Egerton		
3.0	Streetscape and Urban Character				Streets.		
Obje	ectives						
a.	To ensure that all new development is compatible with the existing and intended future character of the locality in which it is located.				The propose d desi gn is r esponsive to the corner p osition in which it is locate d. The proposal has incorp orated appr opriate setbacks and suitable landscaping to lessen the dominance on the streetscape.		
b.	To promote industria I deve lopment which is both functional and attractive in the context of its local environment through appropriate design.				The proposal uses high quality fi nishes which r eflects its high-tec h function. T he design is reflective of the industrial nature of		
C.	To encourag e innov ative in dustrial desi gn which adds to and e nhances the quality of the existing industrial areas of the Auburn local government area whilst recognising the design attributes of trad itional industrial development.				the ar ea, and the e xtensive landsca barrier on t he e astern side of t development separates the two land uses an appropriate manner.		
3.1	Streetscape						
Perf	Performance criteria						
P1	The app earance of the d evelopment is	\square			As nominated above, the proposal is		

	consistent w ith the street scape of the locality.			reflective of t he industrial nature of th e locality.
P2	Development conserves an d enh ances th e visual char acter of the stre et particul arly i n relation to architectural th emes, I andscape themes and fencing styles.			
Dev	elopment controls			
D1	Fencing a long street b oundaries with a height greater than 1m shall be loc ated at a minimum setb ack app licable to build ings (refer to setba ck controls overleaf) and with landscaping i n th e a rea a vailable be tween the fence and the property boundary.			The proposal introduc es a 2.7m hig h corromesh fe nce with ass ociated sec urity gates al ong the western and southern boundaries. The fencing is suitably s etback in res ponse t o 3.2 below. A la ndscaping buffer is provided between the fence and the site boundary.
D2	Facades of n ew industrial buil dings sha II adopt a contemporary appearance.			The propos ed building façad e i s contemporary in des ign a nd incorporates contemporary colour schemes.
D3	Facades of proposed infi II dev elopment located in est ablished i ndustrial ar eas shall reflect the style and architecture of adjoining buildings.			contemporary colour scrienies.
D4	Architectural features shall be included in the design of new buildings to provide for mor e visually interesting industrial areas, including:			The buil ding is architectur ally designed and of a h igh quality design that utilises various architectural fe atures and finishes providing a visually interesting building. The Egerton
	• elements which punctuate the skyline;		Ш	Street elevation incorporates various heights and finis hes to create visual interest to the
	• distinctive parapets or roof forms;	\boxtimes		main faç ade. T he roof pla nt equ ipment is shielded by the use of lo uvers which a lso
	visually interesting facades;	\boxtimes		adds i nterest to the des ign of the bui lding.
	 architectural e mphasis on the b uilt form; and 	\boxtimes		Additionally, the cont emporary c olour scheme a dds to the overal I app earance of the building.
	• a variety of window patterns.	\boxtimes		
3.2	Front setbacks			
D1	New b uildings within industrial ar eas sh all have a minimum front setback of:			
	● 4.5m from other roads, and	\boxtimes		Primary front setback of approximately 24m is proposed from Egerton Street.
	● 0m from laneways.			No internal lanes or access ways adjoin the site.
				Note: There is a service building located on the western c orner of the site, 2.5 metres from the front boundary. This service building contains essential services including a substation and pump room for the fire brigade. It is essential that these services are located close to the property boundarys of access is available from outside the site. The proposed variation to the front setback control is seen to be appropriate in this instance, as the encroachment is minor and that it relates to essential emer gency services for the site. The building is well designed and will not be a dominant feature in regard to the overall impact on the streetscape. Suitable trees have been planted to reduce any visual dominance the

	e c ase of a c orner allotment, the s etback to secondary road shall be 3m.		Secondary setback of approximately 3m is proposed to Day Street.
D2	Front setback areas shall not be used for car parking, storage or display of goods.		Car parking is proposed on the front setback along Egerto n Street. Trees would be retained and additional trees and associated landscaping in corporated to create a buffer from Egerton Street as well as break up any expanses of hard surfaces. The propos al is situated on a corner allotment whereas the Day Street Elevation, being the more predominant elevation when using the locality, does not incorporate any carparking. The area of carparking is in association with the site access and site function, whereas locating the parking area towards the rear of the site would impact upon the extensive landscape buffer provided between the proposed site and the adjoining residential area. The proposal has been appropriately designed and the positioning of carparking is acceptable in this instance.
3.3	Side and rear setbacks		
Perf	ormance criteria		
P1	Developments are se parated to min imise operational c onstraints im posed b y one industrial use upon an a djacent in dustrial use.		
P2	New development faci litates fores hore access to Duck River.		
Dev	elopment controls		
D1	Buildings may be built on a nil side or rear setback except where a setback is required to screen buildings from:		The propose d buil ding is set back approximately 8 metres from the rear boundary with a driv eway (R ing Road) separating th e propos ed b uilding from the
	• public places;		adjoining property.
	adjoining residential properties;		
	• other sensitive land uses;		
	where rear access is required; orwhere land adjoins the M4 Motorway.		
	uch circum stances a 4.5 m landscape setback quired.		
D2	Where a site a djoins a residential zone, side and rear setbacks of 3m shall be required.		The propose d site shar es an east ern boundary with a resi dential zo ne. The development proposes to incorporate a landscape buffer are a of 18m in width, incorporating an acoustic barrier fence to reduce the impact the development will have on the residential zone. The setback to the building from the shared residential zone boundary is approximately 30m, well in excess of the development control requirement. Council officers believe this is a satisfactory outcome in protecting the amenity of the adjoining residents.

D3	Development adj acent to D uck River sha II provide a 5m easem ent for pub lic acc ess within the for eshore building line are a a long Duck R iver. T his easem ent sh all be established under a Section 88B instrument and shall be registered with the NSW Land and Property Management Authority.		Subject site does not adjoin any watercourse.
4.0	Landscaping		
Obje	ectives		
a.	To improve the visual quality and amenity of industrial development thr ough effective landscape treatment of individual sites and to achieve a pleasant working environment.		Detailed I andscape p lan pro vided pro poses significant landscaping throughout the site to soften the i mpact of the buil ding a nd carparking as well as improve visual quality and amenity of the development.
b.	To ensure a hi gh standard of environmental quality of in dividual sites whilst en hancing the general streetscape and amenity of the area.		and amenity of the development.
C.	To ensure that the I ocation and d esign of driveways, par king and s ervicing areas are efficient, safe, convenient and suitably landscaped.		
Perf	ormance criteria		
P1	Landscaping forms an i ntegral part of the overall design concept.		The proposed landscaped areas are in direct response to the appearance of the buildings and the loca lity. The introduction of the
P2	Landscaped areas soften the imp act of buildings and car parking areas as well as for screening purposes.		extensive I andscape b uffer on the eastern boundary is in direct r esponse to I essoning the imp act on amenit y the prop osal m ay have on the adjoining residential area.
Р3	Landscaped areas prov ide for passive/recreational use of workers of industrial areas.		
P4	Landscape r einforces the archit ectural character of the st reet and pos itively contributes to mainta ining a consistent and memorable character.		
Dev	elopment controls		
D1	All are as not b uilt-upon shall be la ndscaped to soften the impact of b uildings an d car parking areas.		Appropriate landscaping is proposed within setback areas and adjacent to proposed vehicular access driveways
D2	Storage areas and other potentially unsightly areas s hall be scre ened from adjac ent properties.		The propos al introd uces landscaping that softens the overall a ppearance of the buildings. Although there are no 'unsightly'
D3	Landscaping within setback areas shall be of a simil ar sca le to bui Idings. All I andscaped areas s hall be sep arated from vehic ular areas by means of a kerb o r other effective physical barriers.		areas proposed, the proposed extensive landscape barrier on the eastern boundary will screent hed evelopment from the residential properties.
D4	Car park ing a reas, partic ularly large are as shall be landscaped so as to break up large expanses of p aving. L andscaping s hall be required aro und the p erimeter and within large carparks.		Suitable landscaping has been provided to soften the appearance of the development.

D5	In open parking areas, 1 sh ade tree p er 10 spaces sh all be pl anted within the p arking area.		Ш	
D6	A minimum o f 15% of the site shall be provided and mai ntained as soft landscaping, w ith la wns, trees, shrubs, for aesthetic purposes a nd th e enj oyment of workers of the site.			16% of landscaping (2691.5 sqm) is proposed throughout the site.
D7	Fencing shall be integrated as part of the landscaping theme so as to minimis evisual impacts and to provide associated site security.			Security c orromesh fenci ng alon g Egerto n Street and Day Street would be soften ed by extensive I andscaping while still retai ning opportunity for passive surv eillance thro ugh the use of gr asses/groundcover and lar ger type shrubs.
D8	Landscaping shall prom ote safet y and surveillance of the street.			Appropriate landscaping proposed.
	Note: Applic ants shall refer to Councill's Policy on Crime Prevention Through Environmental Design (CPTED).			The proposal was forwarded to NSW Police for comment. No objections were proposed.
D9	Landscaping shall a llow s ufficient li ne of sight for pedestrians, cyclist and vehicles.			Appropriate landscaping proposed.
D10	Paving an do ther hard s urfaces shall be consistent with architectural elements.			The combin ation of the building design, landscaped areas and hard surfaces create a functional and a esthetically pleasing development.
5.0	Access and Car Parking			
Obje	ectives			
a.	To ensure that all car p arking d emands generated b y an y particular i ndustrial development are accommodated on the development site.			The development proposal provides a total of 43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the
а. b.	generated b y an y particular i ndustrial development are accommodated on the			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny
	generated by an y particular i ndustrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking spaces is sufficient to
b.	generated by an y particular industrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape of an industrial area. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking s paces is sufficient to meet the demand. Refer to the Parking and Loading Section
b.c.5.1Appl	generated by an y particular industrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape of an industrial area. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network.			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking s paces is sufficient to meet the demand.
b.c.5.1Appl	generated by an y particular industrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape of an industrial area. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network. Access and car parking requirements icants shall refer to the Parking and Loading for parking and access requirements.			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking s paces is sufficient to meet the demand. Refer to the Parking and Loading Section
b.c.5.1Apple Part5.2 \$	generated by an y particular industrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape of an industrial area. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network. Access and car parking requirements icants shall refer to the Parking and Loading for parking and access requirements.			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking s paces is sufficient to meet the demand. Refer to the Parking and Loading Section
b.c.5.1Apple Part5.2 \$	generated by an y particular industrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape of an industrial area. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network. Access and car parking requirements icants shall refer to the Parking and Loading for parking and access requirements. Ser vice areas			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking s paces is sufficient to meet the demand. Refer to the Parking and Loading Section
5.1 Appl Part 5.2 \$ Perf	generated by an y particular industrial development are accommodated on the development site. To ensure that the provision of off-street car parking facilities do not detract from the visual character, particularly the streetscape of an industrial area. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network. Access and car parking requirements icants shall refer to the Parking and Loading for parking and access requirements. Ser vice areas ormance criteria Garbage collection is carried out wholly within the site. Suitable collection points within the site are provided at convenient			43 parking spaces on site, with an additional potential 1 2 spaces in the case of a ny overflow. Council is of the opinion that the number of p arking s paces is sufficient to meet the demand. Refer to the Parking and Loading Section below. Satisfactory on-site commercial collection will

	garbage stora ge areas, a nd oth er waste provisions h eld i n th e W aste Part of thi s DCP.			
6.0	Stormwater Drainage			
Part	icants shall consult the Stormwater Drainage of this DCP for s tormwater drainage irements.			Council's D evelopment Engineer has raised no in principal objections to the proposed method of stormwater drainage subject to recommended conditions of consent.
7.0	Energy Efficiency and Water Conser	vatio	n	
Obje	ectives			
a.	To encourag e a hi gh standar d of environmental desig n within n ew a nd existing industrial areas.			The orientation of the site is in response to the location of adjoining uses. This is seen as appropriate.
b.	To minimise e nergy use i n buildings while creating a comfortable working environment.			Proposed building materials and insulation measures incorporated within the building
C.	To give greater prot ection to the natural environment by red ucing t he am ount o f greenhouse gas emissions.			design are considered appropriate in terms of minimising energy demands.
d.	To reduce the consumption of non- renewable energy sources for the purposes of heating water, lighting and temperature control.			
e.	To minimise p otable water mains demand of non r esidential development b y implementing water efficiency measures.			
7.1 (Ge neral requirements			
Perf	ormance criteria			
P1	Buildings permit maxi mum solar access in winter and minimise the heating of buildings during summer.			
P2	Natural lighting is r elied up on to re duce the requirement for artificial lighting.	\boxtimes		
P3	Buildings em ploy therm al mass and insulation techni ques to r educe en ergy consumption.	\boxtimes		
P4	Energy use i s minim ised by a ppropriate building d esign, site la yout, interna I des ign and energy efficient appliances, fixtures and fittings.			
P5	Use of s olar hot water heat ers a nd renewable en ergy s ources is considered within non-residential development.			
Dev	elopment controls			
D1	Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.			The proposal is orientated towards the south in response to the positioning of the northern industrial building, having a nil setback.
D2	Building el evation treatment s shall co ntrol solar acc ess i nto the b uilding by the us e of appropriate shading devices and methods.			Control of sol ar access to the bu ilding has been considered in the orientation and design of the building and materials used.
D3	The amount of e xposed glazing to t he eastern and western fac ades of b uildings shall be minimised.			Minimal glazing proposed along the eastern and western facades.

D4	Building d esign sha II m inimise rel iance on existing en ergy su pplies t hrough the use of renewable e nergy sourc es including incorporation of ph otovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.		The proposal has been designed to ensure appropriate drainage and guttering systems are in place. Numerous rainwater tanks are also used on the site to provide irrigation for landscaping and a back up water supply to service the data centre should it be required.
D6 D7 D8 D9	Lighter refl ective co lours sh all be us ed on external walls of the buil ding to reduce h eat gain i n sum mer esp ecially for bu ilding facades facing east, west and north. High therm al mass materials shall be used wherever possible. Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain. Low energy lighting shall be used. Energy efficient appliances, fittings and fixtures shall be used. Any hot water heaters to be installed, as far as practicable, shall be so lar, and to the extent where this is not practicable, shall be greenhouse gas friendly systems that		The develop ment is to use satisfacto ry colours and materials to satisf y the requirements of this control. The proposal does not incorporate dedicated office areas. Low energy I ighting fi xtures would be used where appropriate. Council Officers is satisfied for conditions to be imposed on the consent to ensure that development incorporates low energy lighting, fittings and fixtures are used.
	achieve a minimum 3. 5 Hot W ater Greenhouse Score.		
7.2	Ventilation		
Perf P1	To encourage the design of development to util ise natural breezes f or co oling an d fresh air dur ing summ er and t o av oid unfavourable winter winds.		The design of the proposal has incorporated energy effici ent techni ques to ens ure the building would be adequately ventilated. The rooftop of the data centre building would
Dev	elopment controls		house mech anical plant that compris es condensers and chillers which form part of
D1	Where ap plicable, cross vent ilation shall be ma ximised by us e of high-I evel ventilators. Where practical or appropriate sky lights an d/or wind powered ventilators shall be installed.		the air c onditioning s ystem for the facil ity. The rooftop mechanical p lant would b e screened from public view. The Bladeroo m sy stem would use a highly efficient staged environmental control system, utilising free air to minimis e power demand for cooling of the data storage centre.
7.3	Water conservation		
Perf	ormance criteria		
	Water use and consumption is reduced. Water efficiency is incr eased by a ppropriate building d esign, site la yout, interna I des ign and water conserving appliances.		Appropriate native sp ecies hav e been proposed within the landscape design. Appropriate conditions can also be imposed for the provision of water efficient fixtures to ensure compliance with these requirements.
Dev	elopment controls		A sufficie nt a mount of rai nwater ta nks a re
D1	New bu ildings shall prov ide water effici ent fixtures to re duce th e d emand for (m ains) water and wastewater discharge.		provided to r euse storm water runoff within the site.
D2	New developments shall connect to recycled water if serviced b y a d ual reticulation system for per mitted non potable uses suc h		

D3	fixtures to me et the WELS (Water Efficiency Labelling Scheme) rated industry standards.		
7.4	Rainwater tanks		
	ormance criteria		
P1	Collection an d reus e of storm water is encouraged.		Council's D evelopment E ngineer is satisfied that the prop osed meth od of storm water drainage for the site satisf actory su bject to
P2	Stormwater runoff is reduced.		conditions included in development consent to ensure compliance with these
Dev	elopment controls		requirements.
D1	Rainwater t anks instal led a bove ground or underground shal I m eet the re levant Australian Standards.		
D2	Above ground rai nwater tanks sh all b e constructed, tr eated or finis hed i n a n on-reflective mat erial th at ble nds in with th e overall tones and colours of the su bject site and surrounding developments.		
D3	Above ground rainwater tanks installed shall not be visible from a pr imary road frontage and shall not be visually dominant.		
D4	The overflow from industrial rainwater tanks shall discharge to the sit estorm water disposals ystem. For details refer to the Stormwater Drainage Part of this DCP.		
8.0	Operational restrictions		
Obje	ectives		
a.	To ensure t hat i ndustrial dev elopment operates in a man ner c ompatible with adjoining la nd uses, p articularly res idential areas.		Development proposal is considered to operate generally in accordance with the objectives of this requirement.
b.	To ensure no ise, air an d water disch arges, waste stora ge and rem oval, working ho urs and stor age of da ngerous go ods and hazardous ch emicals will not h ave a detrimental effect on environmental amenity.		
8.1	Hours of operation		
Perf	ormance criteria		The proposal seeks a 2 4 h our op eration to
P1	The hours of operati on ar e mana ged to ensure residential amenity is protected.		facilitate the r equirements of the business. Computers within the proposed data centre would operate 24 ho urs a day, with security
Dev	elopment controls		personnel continually on site.

D1	Where a n i ndustrial site is I ocated adjacent to or within 200m of a residential zoned area or where in the opinion of Co uncil truck movements a ssociated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7:00am to 6:00pm Monday to Saturday.		Customers would have 24 hour access to the site, ho wever it is e xpected that the y would generally visit the site d uring stand ard business h ours. Onl y i n e xceptional circumstances w here they w ould require urgent access to their e quipment would they be on site outside standard hours. Deliveries at the site would be u ndertaken
	Note: Where an extension to these hours is required due to the nature of the activities to be undertaken, a d etailed s ubmission shall be lo dged with Cou ncil demonstrating h ow environmental impacts can be minimised to acceptable I evels if the extended hours of operation are approved.		between 7.0 0 am and 8.0 0pm Mond ay to Sunday. Customer and staff cars and small trucks (up to 12.5 m) would only need to use Egerton Street to enter and exit the site. As this street is a no through road, it does not extend to the adjacent residential area. In this instance vehicles would exit and enter the site via use of the turning bay.
			No veh icles would be re quired to pass the eastern residential boundary within the site. Delivery truck saccessin g the site after 6.00pm would not be permitted to use the ring road. This would minimise any disturbance to neighbouring residences.
			It would be in exceptional circumstances only that large trucks would be required to enter the site out of hours. Should a black out occur and fuel be required for the purpose of servicing the backup generator, large trucks (12.5 m or greater) would use the ring road within the site to access the plant rooms and fuel tanks. There is a pproximately 1% chance of such an event occurring and the impacts on a djoining residential properties minimal.
			The site would be secure and use of internal roads would be controlled.
			The design of the facilit y takes i nto consideration the proximity of reside ntial properties. T he prop osal i ncorporates an extensive la ndscaped buffer to reduce any impacts on amenity the propos al m ay generate.
			The use itself is bel ieved, in the conte xt of the ar ea to be I ess i ntensive th an other potential in dustrial uses. Cou ncil officers do not have any objections to the proposed 24 hour operation.
8.2	Noise		
	ormance criteria		Cubicat dayalan mant site is summy anded by
P1	Development minimises the possibility of noise to the occup ants of adjoining or neighbouring dewellings. The use of premises, any plant, equipment and building services associated with a premise does not create an offensive noise or add significantly to the background noise level of a locality.		Subject development site is surrounded by industrial developments of similar uses and residential properties on the eastern side of the site. Council officers are of the opinion that the development will not generate any offensive noise impacts.
P2	Where practicable, sources of noise such as garbage collection, machinery, parking areas and a ir con ditioning pl ants a re sited a way from adj oining pro perties and, where necessary screened by we alls or oth er acoustical treatment.		

	All d evelopment app lications for potenti al noise gen erating i ndustries adjac ent to residential zoned land shall be accompanied by rel evant do cumentation fr om a qualified acoustic en gineer. The doc umentation shall also c omply with the relevant Acts, Regulations, Australia n Standards and guidelines by the NSW Department of Environment, Climate Change and Water (DECCW) be low, as a pplicable for no ise, vibration and quality assurance. NSW Industrial Noise Policy Interim Construction Noise Guideline Noise from Rail Infrastructure Projects Environmental Criteria for Road Traffic Noise.		Proposed activities are not considered to be noise gen erating in dustry. Ho wever, the proposal has been supported by a noise impact report, due to the east of the site. The proposal will be conditioned to provide the mitig ation measures proposed in this report. Additionally, Metrono de have installed a number of measures which would assist in minimising potential noise impacts associated with the proposal. These include: An acoustic wall within the landscaped buffer. Extensive landscaping along three of the four site boundaries. Use of the Bladeroom technology which minimises use of air conditioning equipment, reducing any potential noise impact associated with its operation. The proposed activities occurring on site are believed to be low in intensity and are not considered to impact on a djoining properties in regard to noise.
8.3	Storage yards		
Perf	ormance criteria		
P1	Unsightly storage yards are not established within i ndustrial are as of the Aubur n loca I government area.		Subject application is for the use of the site for the pur poses of a data storage facility. The proposal does not relate to a storage yard, whereas items are stored externally.
D1	Storage yar ds, junk yar ds or waste depots shall be scre ened by suitable fencing to a height of 2.5m and set back 4.5m from any street alignment and will require: • suitable site sealing; • runoff and silt trap controls; and • dense scree n landsc aping between the street alignment and the fence.		
8.4	Air pollution		
Perf	ormance criteria		
P1	Any machinery or processes used should not result in air pollution emissions that h ave a detrimental impact on the environment.		The Bladero om technol ogy adopt ed b y Metronode enables increased use of n atural ventilation. The proposal has been supported by s uitable d ocumentation to demonstrat e
Dev	elopment controls		the operation of the equipment held onsite
D1	Details of any equipment, processes and air pollution control or monitoring e quipment shall be submitted to Council with a development application.		The use of external amb ient air to c ool computers, whenever outside conditions are satisfactory, means that the use of intern al air con ditioning associ ated with traditi onal data centre design is significantly reduced.
D2	All spr ay painting s hall be c arried o ut in a spray booth c onstructed a nd ve ntilated in accordance with the r elevant Austra lian Standards.		Analysis by Bladeroom in dicates t hat by running the internal temp erature at 2 4 Celsius the system can use a mbient air (free air) 98 % of the year in Sydney. The represents a signific ant reduction in air pollution associated with the operation of air

					conditioning.
8.5	Water pollution				
Perf	ormance criteria				
P1	Development incor porates disch arge systems designed to mi nimise the disc harge of poll utants into the waste water a nd stormwater system.				The developm ent prop osal is not seen to generate any water pollution.
Dev	elopment controls				
D1	For in dustrial dev elopments such as mechanical re pair workshops and g arages, pollution control monit oring equ ipment, e.g. retention pits, traps, or bunding shall be used to the satisfac tion of C ouncil to control the discharge of p ollutants into the storm water system.				
8.6	Dangerous goods & hazardous materials				
Perf	ormance criteria				
P1	Development incorporates measures needed to protect the community from dangerous or hazardous go ods storage and hazar dous processes or uses.				The proposal includes 2 x 50,000 litre tanks on the eastern side of the proposal to store diesel. Diesel is classified as a combustible liquid.
Dev	elopment controls				The tanks are to be stored in an area where there are no flammable materials stored, and
D1	For deve lopment pro posals which c an potentially pose a risk to the local ity or discharge p ollutants, ap plicants shal I demonstrate t hat cons ideration has been given to:				therefore the proposal is not considered to be pot entially hazard ous under SEPP 3. 3. Refer to SEPP 33 assessment a bove for further details.
	 application g uidelines p ublished b y the Department o f Planni ng r elating to hazardous an d offensiv e d evelopment; and 				Conditions will be place d on the consent in order to ensoure that an emergency spill contingency plan is submitted to Council.
	whether an y public a uthority shoul d be consulted concerning any environmental and land use safety requirement.				
D2	Any premises with stora ge tanks for oi I o r dangerous go ods outsi de th e bui lding sh all submit an emergency spill contingency plan to Co uncil. T he DEC CW and W ork C over Authority may need to be consulted.				
9.0	Subdivision				
Obje	ectives				
a.	To ensure t hat deve lopment sites are of a reasonable size to accomm odate buildings and adequate car parking, manoeuvring and landscaping and minimise access points to major roads.				The application does not seek approval for any subdivision.
b.	To encourag e the redevelopment of industrial land through lot consolidation.			\boxtimes	
C.	To provide lots of sufficient size to satisf y user req uirements an d to facilita te development of the land having regard to site opportunities and constraints.				
9.1	Lot sizes and access				
		l	l	l	l .

Perf	ormance criteria		
P1	Proposed lots are of a sufficient area and dimension to allow for the siting of buildings including provision of a dequate car parking, landscaping, access and other potential site activity and where possible reduce driveways to main roads.		The subject lot has a land ar ea of 16,822sqm.
Dev	elopment controls		
D1	The minimum average width shall be 30m. Direct acc ess onto state r oads shall not be granted un less presently provided or if a nalternative v ehicular access point is unavailable.		The subject lot has an overall frontage width of 140.9 7 m etres to Eger ton Ro ad a nd 119.33 metres to Day Street.
D2	New lots shall remove or r educe veh icular driveways and access points to main or arterial ro ads where al ternatives ar e available.		The subject site h as e xisting v ehicular access p oint f rom Egerto n Street and Day Street. The propos ali ncorporates t he removal of three existing crossovers.
9.2	Utility services		
Perf	ormance criteria		
P1	All pro posed allotme nts are abl e to be connected to appro priate public uti lity services incl uding water, sewerage, po wer and te lecommunications in an ord erly, efficient and economic manner.		Existing services are available to the site.
Dev	elopment controls		
D1	Any a pplication for strata subd ivision sha II demonstrate t hat eac h I ot i s service d for parking and loading and shall not exceed the requirements of the Parki ng a nd Lo ading Part of this DCP.		
	Note: The applica nt shall demonstrate that each proposed I of can be connected to appropriate utility services including water, sewerage, power and telecommunications (and where available gas). This may include advice from the relevant service authority or a suitably qualified consultant.		

b) Parking and Loading

Parking and Loading

Requirement	Yes	No	N/A	Comment
2.0 Off-Street Parking Requirements This section applies to all development.				
Objectives				
To ensure t hat an acceptable level of parking is pr ovided on-site to mi nimise a dverse impacts on surrounding streets.				A total of 43 parking s paces are to b e provided on site to accommod ate the proposed development. In addition to these 43 spaces, 12 overflow parking spaces have
b. To provide for the r easonable parking needs of busin ess and i ndustry to support th eir viability, but disco urage unn ecessary or				also been introduced. Council Officers are satisfied that the number of parking spaces provided is sufficient to meet the demand.

excessive parking.				
Perf	Performance criteria			
P1	New d evelopment provi des adeq uate off - street parkin g to serv ice the likel y parking demand of that development.			Number of p arking pro posed on site t o accommodate new development is sufficient.
P2	New dev elopment does not introduce unnecessary or excessive off-street parking.			The proposal introduc es parki ng that is suitable for the likel y demand of parki ng required.
P3	Parking provided for development which is not defined in this Part on sound and detailed parking assessment.			The propos ed deve lopment is un ique in nature and is not categorised within this part. The propos al has been s upported by a Traffic and Parking asse ssment rep ort, prepared by Card no and d ated 10 August 2011. The report concludes that the proposed 43 parking spaces are sufficient to facilitate the demand of the proposal.
Deve	elopment controls			
D1	All new development shall provide off-street parking in ac cordance with the parkin g requirement tables of t he r espective developments in this Part.			The propos ed deve lopment does not fa II within a specified land use classification and hence does not fall within a specific parking requirement table. Refer to D2 below.
D2	That in circum stances where a I and us e is not defined by this plan, the application shall be acc ompanied by a detailed p arking assessment prepared by a suitably qualified professional which includes:			The propos al has been s upported by a Traffic and Parking asse ssment rep ort, prepared by Card no and d ated 10 August 2011. The report concludes that the proposed 43 parking spaces are sufficient to facilitate the demand of the proposal.
•	A deta iled parking s urvey of sim ilar establishments locate d i n areas that demonstrate similar traffic and p arking demand characteristics; Other transport facilities i ncluded in the development;			The report pri marily foc uses on ot her d ata centre dev elopments. T hese deve lopments are loc ated within E astern Creek an d Pyrmont.
•	Anticipated tr affic ge neration d irectional distribution and nature of impacts expected; An assessment as to whether the precinct is experiencing traffic and on-street parking			The Eastern Creek development provided 28 spaces for a data stor age c entre having a total floor area of 14,731sqm (including plant rooms).
•	congestion a nd th e im plications th at development will have on existing situation; An assessme nt of existing p ublic transport networks that service the site, particularly in the off-peak, night and weekend periods and			Additionally, the P yrmont dev elopment provided 13 spaces for a data storage centre having a tot al flo or ar ea of 34, 000sqm (including plant rooms).
•	initiatives to encourage its usage; Possible demand for car parking space from adjoining localities; Occasional ne ed for overflo w car p arking; and			It can therefore be observed that the parking requirements for data storag e centres can vary a nd t he proposed am ount of parking, being 43 spaces, is appropriate to c ater for the total floor space of 14,959sqm.
•	Requirements of pe ople with a lim ited mobility, sensory impairment.			The report also clarifies that the pro posal will be a less intensive use th an oth er us es within the a rea, inclu ding the current transport logistics centre currently occupying the site. The proposal is estimated to have 12 employees, customers and contractors on site at any one time.
				The site ho wever can cater for 30 people at any one time; this is see n to be a rare ev ent and would only occur d uring an emerge ncy situation.

3.0 Design of parking facilities This section applies to all development.				
a. b.	To promote g reater bicycle use, decrease the re liance on private vehicles and encourage alternative, more susta inable modes of transport. To provide convenient and safe access and parking to meet the needs of all residents and visitors. To provide access arran gements which do not impact on the efficient or safe operation of the surrounding road system. To encour age the integrated design of access and parking faci lities to minimise visual and environmental impacts.			The proposal is to incorporate a bicycle rack for 5 bicycles located within the development site. This has bee n designed in accor dance with the relev ant standard a nd is suitable to satisfy this requirement.
3.1	Bicycle parking			
Deve	elopment controls	\boxtimes		
D1	Bicycle racks in safe and conv enient locations are prov ided t hroughout a II developments with a total gross floor are a exceeding 1,000sqm and shall be designed in acc ordance with AS 2890.3 – B icycle Parking Facilities.			
	Access d riveway an d circu lation ro adway design			
Perf	ormance criteria			
P1	Vehicular m ovement to and from the site and within the site reduces potential conflict with other vehicles and pedestrians by creating minimal interference with vehicular			The propos al i ntroduces a ring road d esign whereas larger vehicles are able to exit the site via a se parate exit and not impede the main access gate at Egerton Street.
P2	and pedestrian movements on public roads, as well as within the site being developed. Access driveways, circulation roadways and open parking areas are suitably landscaped to enh ance amenity which provid ing for			Private ve hicles and sm aller trucks will able to enter and exit through the main access point.
P3	security and accessibility to all residents and visitors. Access drive ways and circulation roadways shall not be wider than prescribed for their particular use.	\boxtimes		The proposa I has be en s upported by an extensive landscape plan which improves the amenity of the site. The imp act of the ring road, sp ecifically along the eastern side is softened via a large landscaped area
Deve	elopment controls			separating the residential and industrial use.
D1	Circulation driveways are designed to:			Council's Dev elopment E ngineer is satisfied that the proposed dev elopment will comply with this requirement and appropriate
•	Enable v ehicles to enter the parking space in a single turning movement; Enable v ehicles to le ave the parking space in no more than two turning movements; Comply with AS2890 (all parts); Comply with AS1429.1 – Design for Access and Mobility; and Comply with Council's road design specifications and quality assurance requirements.			conditions have bee n imp osed to e nsure compliance.
D2	nternal circulatio n road ways sh all b e adequate for t he largest vehicle a nticipated to use the site, and in this regard, vehicle manoeuvring shall be designed and justified using 'Auto Turn' or the like.			Suitable pl ans sho wing s wept paths/turnin g circles have been submitted by the applicant and Council's Deve lopment Engin eer is satisfied th at the prop osal demo nstrates compliance with the development controls.

D3	L andscaping a long cir cular r oadways an d parking mo dules sha II b e provid ed as required to a minim um sta ndard. Parki ng areas which provide more than 20 spaces in a single component shall provide one broad canopy tree per 10 spaces.		
D4	Acce ss d riveways sh all be located an d designed to minimis e loss of on-street parking.		
D5	Access drive way shall have a m inimum width of 3.0m unless elsewhere specified.		
D6	Access drive ways shall be located a minimum of 1 .2m clear fro m po wer poles and drainage pits.		
3.3	Sight distance and pedestrian safety		
Perf	ormance criteria		
P1	Clear s ight li nes ar e prov ided to ensure pedestrian safety.		The proposal has bee n for warded to Council's en gineering d epartment for comment. No obj ection in relation to th is requirement has been raised.
Deve	elopment controls		·
D1	Access drive ways and circul ation roadways shall be design to comply with sight distance requirements specified in AS 2890 – Parkin g		
D2	Facilities. Obstruction/fences shal I be elimin ated t o provide adequate sight distances.		The proposed fencing is not seen to obstruct site lines.

3.4 (General parking design			
Performance criteria				
P1	Parking facilities are designed in a manner that en hances the visuual a menity of the development and provides a safe and convenient parking facility for users and pedestrians.			The parking fa cilities are I ocated suffici ently to service the proposed development and to reduce any visual impact on the streetscape. The car pa rking ar eas are suit ably landscaped, softening the overal I appearance of these areas.
P2	The site la yout enab les p eople with a disability to use one continuously accessible path of travel: To the site from the street frontage; To indivi dual or ma in c ar parking ar eas; and To all build ings, site faciliti es an d communal open space.			Pedestrian ac cess ramp is provi ded to an entrance of the building located a djacent a disabled park ing space. Commun al staff areas, disabled toi let facilities and lifts are provided within the building.
Deve	lopment controls			
D1	Visual dominance of car parking areas and access driveways shall be reduced.	\boxtimes		
D2	All basement/underground car parks shall be designed to e nter a nd leave the site in a forward direction.			
D3	Car parking modules and access paths shall be des igned to compl y with AS289 0 – Parking Facilities (all parts).			
AS2 Park for ti Note	1: Dis abled p arking shal I co mply w ith 890 – Parkin g Facilities requirements. ing bay e nvelope width shall be ma intained ne length of the parking bay. 2: Visito r parkin g di mensions sh all be a mum 2.6 metres by 5.4 metres.			
D4	All pedestrian paths and ramps shall:	\boxtimes		
•	Have a minimum width of 1000mm; Have a non-slip finish; Not be stee p (ramp gra des b etween 1:20 and 1:14 are preferred); Comply with AS142 8.1 — Desig n for Access and Mobility; and Comply with AS142 8.2 — Standar ds for blind pe ople or peopl e with visi on impairment.			

6.0 Controls for industrial development				
Section 6.1 provides general controls for industrial development while sections 6.2 and 6.3 contain specific controls for Carter Street Precinct and the Regency Green Industrial Estate.				
	General controls – industrial Access and circulation roadway design			
Perf	ormance criteria			
P1	Vehicular mov ements to and from the site should be de signed to reduce potential conflict with street traffic and pedestrians.			
	elopment controls	\boxtimes		Access to the site for all vehicles is vi a Egerton Street. Private vehicles and smaller
D1 D2	Driveways sh all b e d esigned to allow vehicles to enter and le ave in a for ward direction. Adequate area shall be provided on-site and			trucks/delivery vehic les will utilise the entrance as an exit point also. Suita ble internal turning areas are available for this to occur.
D3	driveways d esigned to e nable al I veh icles including large trucks to enter and leave the site in a forward direction. Driveways shall be located and designed to			The proposal introduces an internal ring road to allow larger vehicles (heavy rigid vehicles) the a bility to utilis e sa id i nternal ro ad to
	avoid the following:			access a separate exit onto Day Street.
•	Being located opposite other existing access ways with significant vehicle usage Restricting sight distances; On-street queuing;	\boxtimes		The proposed driveway would not im pact on any dr iveways which e xperience s ignificant usage.
•	An inters ection contro lled by traffic sig nals within 25 metres on the approach side; A signalled intersection of any major roads within 90 metres;			Due to the na ture of the land use a nd its limited traffic imp acts, as well as the provision of a dequate on-site park ing and movement of vehicles, o n-street queu ing
•	An intersection controlled by a stop or give way sign within 12 metres on the approach side;			would be unlikely to occur. The drive way is not within 12 metres of an intersection as stralled by a stop of give way.
•	The approach side of any intersection within 10 metres; A property boundary on the departure side of any intersection within 10 metres; and The commenc ement of a median is land within 6 metres.	\boxtimes		intersection controlled by a stop of g ive way sign, n or within the a pproach side of any intersection within 10 metres and is n ot within a property boundary on the departure side of any intersection within 10 metres.
D4	The maximum grade of man oeuvring areas and all access drive ways shall comply with AS2890 – Parking Facilities.			Council ra ises no obj ection to the access design being proposed subject to approval of the RTA as detailed earlier in the report.
D5	Where sites front on to main or arteri al roads, dr iveways s hall b e minimis ed o r located on side or rear road frontages where available.			Egerton/Day Streets are not classifie das main or arterial roads.
D6	Driveways servicing car parking shall comply with AS 2 890 — Parking Facilities or similar designs for car turnin g paths un less otherwise a dvised by Council's Engineering Department.			
D7	The maximum gradient for a drive way shall be 2 0% (with appr opriate transiti ons). However, i ne xtreme circumstances, gradients up to 25% (with appr opriate transitions) will be considered.			
6.1.2	General parking design			
Performance criteria				

 Sufficient car parking is pr ovided on-site to satisfy the likely pe ak p arking dem ands of the development. Parking is integrated with site planning and landscaping, and is of adequate dimensions to facilitate convenient and safe usage. 	on site todditionally,
Development controls	
Compliance with the off-street parkin requirements in section 2.0 of this Part. g The proposed development is unature and is not categorised within the proposed laborate parkin and the proposed laborate parkin propose	n this part.
Stacked parking faci lities shall n ot b e accepted for new developments. The propos al has been s upport Traffic and Parking assessment prepared by Card no and d ated 2011. The report concludes the proposed 43 parking spaces are statisfied facilitate the demand of the proposed statisfied in the proposed statisfied	nt rep_ort, 10 August hat th e ufficient to
Off-street parking sha II be provided behind or at the side of buildings and away from street frontages. No more than 20% of the total parking requirement shall be permitted on the front alignment. The proposal has all ocated 100% near the entry to the premises of Street. Due to the location of the corner and the east, landscaping was a priority, the location of the proposal has all ocated 100% near the entry to the premises of Street. Due to the location of the corner and the east, landscaping was a priority, the location of the proposal has all ocated 100% near the entry to the premises of Street. Due to the location of the corner and the east, landscaping was a priority, the location of the proposal has all ocated 100% near the entry to the premises of Street. Due to the location of the corner and the east, landscaping was a priority, the location of the proposal has all ocated 100% near the entry to the premises of Street. Due to the location of the corner and the east, landscaping was a priority, the location of the corner and the east, landscaping was a priority and the location of the corner and the east, landscaping was a priority and the location of the corner and the entry to the premises of Street. Due to the location of the corner and the east, landscaping was a priority and the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of Street. Due to the location of the corner and the entry to the premises of St	n E gerton site on the s idential whereas ation of the te in thi s ill facilitate ped so as
6.1.3 Number of Parking Spaces Refer to 2.0 above. The proposa	
Development controls Car park ing for industri al devel opment shall comply with the requirements in Table 7: Supported b y a T raffic and F assessment report, prepared by C dated 10 August 2011. The report that the proposed 43 parking specific proposed 44 parking specific proposed 44 parking specific proposed 44 parking specific proposed 45 parking specific p	arking ardno and concludes aces are
Land useParking requirementssufficient to f acilitate the demaRoad transportSurveys shallproposal.	nd of the
terminals undertaken of similar Container developments	
depots Surveys shall be	
undertaken of similar developments	
Factories 1.3 sp aces per 10 0m ² GFA	
Warehouses 1 space per 300m ² GFA	
Ancillary office 1 space per 40m ² GFA Sex servic es 1.5 spaces per service	
Sex servic es 1.5 spaces per service premises room	

7.0 Loading requirements				
Obje	ctives			
a. b.	To ensure that all development proposals for industry an d business a re adequately provided with appr opriate loading and unloading facilities. To prevent industri al and b usiness development giving rise to a dverse impacts associated with truck and service vehicles being parked off-site.			The prop osal inc orporates t wo dedicated loading ar eas to servic e the dev elopment. Although the size an development is large, the ongoing operation and business type is not seen to generate the need for additional loading bays.
Perf	ormance criteria			
P1	Separation is provided be tween service areas (i.e. loading and unloading areas) and parking.			Loading /serv ice ar eas are proposed to be located between dedicated parking areas.
P2	Size of servic e vehicl e ba ys are ade quate for the likely vehicles utilising the spaces.			
Р3	Service ar eas are loc ated and designed to facilitate convenient and safe usage.	\boxtimes		
Deve	elopment controls			
D1	Driveway acc ess an d ad equate on-site manoeuvring shall be provided to enable all delivery vehicles to enter and leave the site in a forward direction.			Suitable pl ans sho wing s wept paths/turnin g circles have been submitted by the applicant and Council's Deve lopment Engin eer is satisfied th at the prop osal demo nstrates compliance with the development controls.
D2	Industrial deve lopments having a floor area greater th an 4 00sqm sh all include I oading and u nloading facil ities to a ccommodate a 'heavy ri gid vehicle' as cl assified u nder AS2890 – Parkin gF acilities. Smaller developments shall make a provisi on for a 'medium rigid vehicle' as classified under the Australian St andard. A II dev elopment applications s hall be accompanied with a manoeuvring a nalysis with 'a uto turn or the like' and details of swept paths showing compliance with AS28 90 – Parking Facilities.			The proposal introduc es t wo d edicated loading facilities.
Note: The applicant shall identify the likely s ervice vehicle sizes accessing t he site and shall provide service vehicle spaces in accordance with AS2890 – Parking Facilities.				
D3	Loading/unloading fa cilities sh all be positioned so as to not interfere with visitor/employee or r esident des ignated parking spaces.			Loading /serv ice ar eas are proposed to be located between dedicated parking areas.
D4	The service area shall be a physically defined location which is not used for other purposes, such as the storage of goods and equipment.			Loading Area management plans have been prepared to ensure the operation of the loading facil ities are operated in an or derly and sufficient manner.
D5	The design of loadi ng docks sha II accommodate the type of d elivery ve hicles associated with the de velopment and potential uses of the development.			The operation is expected to accommodate medium rig id vehic les and commercial vehicles. Loading are as are suitably designed in a
D6	Buildings shall be designed to all ow loading and unloading of vehicles within the building and at a ll times. Where achievable, loading docks should be situated to the side or rear			functional manner to service the development.

laneway. D7 That loading bays	e case of commercia I ss can be provided from a for trucks and commercial provided ed in accordance	\boxtimes		On the basis of the proposed gross floor area of14959sqm, the prop osal requires 7.5 loading bays (i.e. 1 space per 20 00sqm in regard to 'other'). Two loading bays have been provided at the technical space for the delivery of computers
Business and office premises	Loading requirements 1 spac e p er 4,000m2 GFA up to 20,000m 2 GFA plus			and associated equipment. The frequency of deliveries once established and occupied will be low. The facility would have a maximum of 3-5 customers ac cessing the site at an yon e
Retail premi ses - department stores	1 spac e p er 8,000m2 thereafter 1 spac e p er 1,500m2 GFA up to 6,000m2 GFA plus 1 spac e p er 3,000m2 thereafter			time, and would not al ways require lo ading arrangements. Additional information has been submitted to support the number of loading docks. T his includes that the dat a cent re is unlike a
Retail premi ses - shops a nd foo d an d drink premises Hotel an d motel accommodation	1 spac e per 400m 2 GFA up to 2,000m2 GFA plus 1 spac e p er 1,000m2 thereafter 1 spac e p er 5 0 bedrooms or bedroom			factory or warehouse, in that there are no regular p hysical in puts and outputs which require a high frequency of service and delivery vehicles. The principal inputs and outputs of a data centre are electronic, via the optic fibre cables connecting the data centre to client's networks.
	suites up to 200 plus 1 sp ace per 1 00 thereafter plus 1 spac e p er 1,000m2 of public area set aside for bar, tavern, lounge			All current data centres operate with a single loading dock, and the frequency of deliveries once operational is 2 deliveries per day. All of these deliveries are in trucks no bigger than 12.5m rigid vehicles.
Other Industrial/warehouse, bulky go ods re tail and w holesale supplies	and restaurant 1 space per 2,000m2 1 spac e per 800m 2 GFA up to 8,000m2 GFA 1 spac e p er 1,000m2 thereafter			Suitable Lo ading m anagement pl ans hav e been pre pared a nd ar e sufficient i n managing the loading are as when in us e. This w ill limit any ons ite que uing when accessing the loading facilities onsite. Therefore the numb er of loading bays
size of trucks like ly to specified ab ove. This w case basis. Larger trucks such as assessed on their indiviusually require a minimu of 25 metres (length) by The he ights of the load service bay and of the with vehicle type and load Loading/unloading ar each	dual requirements, but will um loading area dimension 3.5 metres (width). ding a rea, pl atform in the service bay itself will vary ading/unloading methods. as s hall b e pr ovided in 890.2 – Off-Street			provided is sufficient for the proposal.

c) Storm water Drainage

The relevant requirements and objectives of the Stormwater Drainage chapter of the Auburn DCP 2010 have been considered in the assessment of the development application. Suitable stormwater plans and specificat ions have been submitted to accompany the de velopment application. Council's Engineers have raised no objection to the proposed stormwater design and appropriate conditions have been provided to be imposed on any development consent. Therefore the applicat ion is considered to be consistent with the objectives and relevant requirements of the DCP.

d) Access and Mobility

The relevant requirements and objectives of the Access and Mobility chapter of the Auburn DCP 2010 have been considered in the assessment of the development application. The proposal has been supported by a Mobility and Disability Access Report, dated 15 April 2011 and prepared by Eric Martin and Associates. The report has been prepared in accordance with the disability access requirements of the Building Code of Australia 2011 and Australian Standard 1428.1. Council Officers are satisfied that the proposal meets the requirements of the DCP as pedestrian access ramp is being provided to the main entrance of the building and suitable accessible facilities such as communal staff are eas, disabled toilet facilities and lift are provided within the building. In this regard the application is considered to be consistent with the objectives and relevant requirements of the DCP.

e) Waste

The relevant requirements and objectives of the Waste chapter of the Auburn DCP 2010 have been considered in the assessment of the development application. The proposal has been supported by a Waste Management PI an and drawings nominating area is of waste storage which has been found satisfactory by C ouncil officers subject to the imposition of conditions of consent. Therefore the application is considered to be consistent with the objectives and relevant requirements of the DCP.

Auburn Development Contributions Plan 2007

The proposed development would require the payment of contribut ions in accordance with Part F: Employment Generating Develop ment at cl ause 22.4, of Counc il's Auburn Development Contributions Plan 2007.

The calculation is base don 1% levy for construction works over \$200,000 or more. The proposed estimated cost of development for the subject application is \$165,231,000.00 in accordance with the accompanying Estimated Cost of Development Report, prepared by AltusPageKirkland and dated 25 August 2011. On the basis of this figure and the application of Clause 22.4 of the Auburn Development Contributions Plan 2007, the contributions payable as of 11/10/11 will be \$1,652,310.00. This figure is subject to indexation as per the relevant plan.

If the proposal is recommended for approval, relevant conditions will be imposed on an y consent requiring the playment of these contributions prior to the issue of any construction certificate for the development.

Disclosure of Political Donations and Gifts

The NSW Governme nt introduced The Lo cal Government and Planning L egislation Amendment (Political Donations) Act 2008 (NSW). This disclo sure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or en tities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

ARPANSA - Australian Radiation Protection and Nuclear Safety Agency

Concern was raised as to the potential radiation, particularly Electro magnetic Radiation (EMR) which may occur onsite due to the extensive amount of computers provided on site. The applicant was advised during the pre-lodgement process, to investigate if EMR would be generated from the proposal and if this generation would cause harm to onsite occupants and surrounding persons.

The applicant has sought advice from Norman Disney and Young (NDY), being consultant engineers. They advise the following;

NDY specifications include standard clauses fo r all Contractors to provide products that are compatible with the re quirements of the Aust ralian communications and Media Authority (ACMA) for Electromagnetic Compatibility (EMC) framework to prevent Electromagnetic Interference (EMI) by complying with the standards nominated by ACMA and in particular AS/NZS 61000. We have no expectation at this time, based on the existing Metronode Brief, that high levels of electromagnetic radiation will be present on the standard Bladeroom data centre site design.

We further note that the current Bladeroom design developed by NDY on behalf of Metronode includes no broadcast or transmission devices. No provision has currently been made by NDY for provision of mobile communication to wers, microwave links or other wireless communication systems which Metronode may choose to install to support future clients.

Additionally, the applica nt has provided advice from the manufacturers of the Blad erooms, whereas it has been d etermined that Bladerooms do not provide or include a ny radio transmitting devices that would generate electro magnetic interference within the proximity of the Bladeroom.

It is important to note that these facilities have been developed in other areas, whereas this issue has not been raised or become apparent.

On the basi s of thi s, Council off icers are sati sfied that the development will not g enerate significant levels of EMR and that satisfactory evidence to support this has been submitted.

The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))

The proposed development raises no concerns as to the relevant ma tters arising from the EP& A Regulations 2000.

The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))

It is consi dered that the proposed developm ent will have no significan t adverse environmental, social or economic impacts in the locality.

The suitability of the site for the development (EP&A Act s79C(1)(c)

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adv erse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard it its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s79C(1)(d Advertised (newspaper) Mail Sign Not Required In accordance with Co uncil's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days betwe en 13/09/2011 and

27/09/2011. The notification generated 1 submission in respect of the proposal with nil disclosure of a political donation or gift.

It should also be noted t hat Council officers rece ived a petition of support for the proposed development containing 49 signatures. Council officers accept the petition and acknowledge the support for the proposal from the local area.

The issues raised in the public submissions are summarised and commented on as follows:

Eastern Boundary Fence Height

Comment: Concern is raised as t o the retent ion of the existing eastern boundary fence separating the subject site and the residents within the Newington area. The boundary fence is typical in nature being 1.8m in height. The i ssue lies within the slo pe of the la nd. As the dwelling ho uses are set on hig her ground, to the sub ject site, the e ffect of the existing boundary f ence is lost in terms of sight lin es towards the development. The objector proposes a boundary fence of 4 metres in height or higher which would provide residences more privacy and control of noise/light.

The applica nt has proposed a significant la ndscape bu ffer of approximately 1 8 metres between the eastern boundary and the ring road. Within this buffer area, the applicant proposes a noise retention wall of a sufficient height. These measures are seen to mitigate concerns of privacy, noise and light.

Furthermore, the objection has been received from one property, whe reas the boundary fence would traverse/run parallel with 11 resi dential properties, whereas consent would be required from all owners to facilitate such a change,

In light of t he extensive measures the app licant has put in place t o mitigate amenity concerns, the existing nature of the sites affected (i.e. slope) and the provision of an existing fence, bein g a common boundary fencing t reatment, Council officers believe that the objection is unwarranted. Boundary conflicts are a civil matter and if sig nificant concern is raised as t o the heigh t of an existing fence, it should be pursued separately from this application.

It should be noted that the objector has specified that "Other than this concern, we are happy with the proposed business on this site".

The public interest (EP& A Act s79C(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sen sitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing ana lysis it is considered that the de velopment, if carried o ut subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

Conclusion

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is app ropriately located within the IN1 General Indust rial zone under the r elevant provisions of Auburn Loc al Environmental Plan 2 000. The proposal is consistent with all statutory and non-statutory controls applying to the development. Minor non-compliances with Council's controls have been discussed in the body of this report. The development is considered to perform adequately in terms of its relationship to its

surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considere d that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and the development shall be recommended for approval to the Joint Regional Planning Panel.

ATTACHMENTS

Architectural Plans - Trim Ref T068801/2011 Elevations Rev B - Trim Ref T078882/2011 Elevations Coloured Rev B - Trim Ref T078884/2011 Landscape Plans - Trim Ref T068822/2011 Stormwater and Pavement Plan
Erosion and Sediment Control Plan - Trim Ref T068826/2011 - Trim Ref T068828/2011 Traffic and Parking Assessment - Trim Ref T068828/2011 Schedule of Materials and Finishes - Trim Ref T068778/2011 Waste Management Procedure - Trim Ref T068781/2011 Noise Impact Assessment - Trim Ref T068782/2011 Addendum to Noise Impact Assessment - Trim Ref T068768/2011 Contamination Assessment - Trim Ref T068796/2011 Remedial Action Plan - Trim Ref T078558/2011 Security Design Report Trim Ref T068800/2011 - Trim Ref T068801/2011 Electromagnetic Radiation EMR Report