**Attachment B – Tables of Compliance**

# Environmental Planning Policies & Development Control Plans

**ENVIRONMENTAL ASSESSMENT**

**Statutory Framework**

**Environmental Planning and Assessment Act 1979**

This Statement has been prepared in accordance with the provisions of the Environmental Planning and Assessment Act 1979. The proposed development has been considered having regard to the requirements of Part 4 of the Act.

## State Environmental Planning Policy (Biodiversity and Conservation) 2021

i. Chapter 2 – Vegetation in non-rural Areas

The site is Biodiversity Certified. The subject modification would not conflict with the objectives of Chapter 2.

ii. Chapter 6: Water Catchments

The subject land is located within the Georges River catchment and as such State Environmental Part 6.2 – Development in regulated catchments applies to the application as the development is within the Hawkesbury-Nepean Conservation area Sub-Catchment. The relevant clauses are as follows:

| Clause | Comment |
|---|---|
| 6.6 Water quality and quantity | **Complies**<br>The development would not result in any unreasonable impacts to water quality or quantity. |
| 6.7 Aquatic ecology | **Complies**<br>The development would not result in any adverse impacts on aquatic ecology. |
| 6.8 Flooding | **Not Applicable**<br>The site is not affected by flooding. |
| 6.9 Recreation and public access | **Not Applicable**<br>The site is not in proximity to any waterbody |
| 6.10 Total catchment management | **Complies**<br>The proposed modification would not detrimentally impact the existing stormwater management system, and as such it is considered that it would not have an adverse impact on the total catchment. |

Based on the above assessment, the proposed development as modified satisfies the requirements of Chapter 6 and is considered to comply with the SEPP (Biodiversity and Conservation) 2021.

## State Environmental Planning Policy (Resilience and Hazards) 2021

i. Chapter 3: Hazardous and offensive development

Chapter 3 of SEPP (Resilience and Hazards) has as its general aims to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account and to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient

information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

The 'Environmental Impact Statement Resource Recovery Facility 55 Martin Road, Badgerys Creek', Report No. 171127_EIS-Rev2 prepared by Benbow Environmental Released 22nd March 2018 confirmed that a preliminary risk screening of the proposed development was performed in accordance with SEPP No. 33 at the time and a preliminary hazard analysis (PHA) was not required as the quantity of dangerous goods to be stored at the site did not exceed SEPP 33 thresholds. Based upon this information and the nature of the proposed modifications, it is believed that further consideration is not required of Chapter 3, *State Environmental Planning Policy (Resilience and Hazards) 2021.* Furthermore, it is noted that the fit-out and use of the laboratory will be subject to separate development consent.

**ii.** Chapter 4: Remediation of Land

The proposal has been assessed under the relevant provisions of SEPP (Resilience and Hazards) 2021, specifically Chapter 4 – Remediation of Land.

The objectives of SEPP (Resilience and Hazards) 2021 are:

- *to provide for a statewide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

During assessment of DA-263/2018, Council's Senior Environmental Health Officer reviewed the Preliminary Site Investigation prepared by STS GeoEnvironmental Pty Ltd (report no: 18/0089) dated January 2018 (trim ref: 090495.2018) and was satisfied that the land was suitable for the proposed development without the need for remediation. The modifications approved to the office building do not affect the consultant's previous conclusions regarding the suitability of the land for the proposed development.

Clause 4.6(1) prescribes the contamination, and remediation matters that must be considered by Council before determining the development application. Specifically, Council must consider:

- whether the land is contaminated; and
- if the land is contaminated, the Council must be satisfied that the land is suitable in its contaminated state (or will be suitable after remediation); and
- if the land requires remediation to be made suitable, Council is satisfied that the land will be remediated before it is used.

Pursuant to Clause 4.6(1) the following shall be addressed:

| Clause | Comment |
|---|---|
| (1) A consent authority must not consent to the carrying out of any development on land unless— | |
| (a) It has considered whether the land is contaminated, and | The Preliminary Site Investigation found the site was suitable for the proposed development. |
| (b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and | The PSI indicates that the site is suitable for the proposed use in its current state, and Council's Environmental Health section are supportive of the application subject to conditions of consent. |
| (c) If the land requires remediation to be made suitable for the purpose for which the | The site does not require remediation. |

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| development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. | |

## State Environmental Planning Policy (Transport and Infrastructure) 2021

i. Chapter 2 - Infrastructure

a. Division 23 – Waste or resource management facilities

The proposed development is best described as a resource recovery facility under SEPP (Infrastructure) 2007, which has the same meaning as in the Standard Instrument:

> ***resource recovery facility*** *means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.*
> ***Note—****Resource recovery facilities are a type of* ***waste or resource management facility***

Pursuant to Clause 2.153 development for the purposes of a waste or resource management facility may be carried out with consent on land in a prescribed zone. Although the ENT – Enterprise zone is not a prescribed zone pursuant to SEPP (Transport and Infrastructure), however, it is a permissible form of development under the SEPP(Precincts – Western Parkland City) 2021 which prevails to the extent of any inconsistency between itself and the SEPP (Transport and Infrastructure).

b. Schedule 3 – Traffic-generating development to be referred to TfNSW
Clause 2.122 refers to Traffic Generating Development:

> ***2.122 Traffic-generating development***
> *(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—*
> *(a) new premises of the relevant size or capacity, or*
> *(**b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity**.*

The original application was classified as a traffic generating development under Schedule 3, taking into consideration a response provided by RMS. The subject modification involves a minor enlargement in premises and capacity. The application has been referred to TfNSW in accordance with Clause 2.122 and no objection was raised to the modification application.

## Western Sydney Aerotropolis Plan (WSAP) 2020

i. Aerotropolis-shaping objectives and principles

| Objective | Requirement | Comment |
|---|---|---|

| | | |
|---|---|---|
| **Productivity** | 1. An accessible and well-connected Aerotropolis | **N/A**<br>The proposed modifications to the processing shed and layout of the approved Resource Recovery Facility is unlikely to have any impact on future plans for walking, cycling, public and active transport. |
| | 2. High-value jobs growth is enabled, and existing employment enhanced | **Complies**<br>The approved facility may assist in the development of vibrant centres that attract workers and investment through the provision of jobs. The proposed modification is designed to facilitate the efficient operations of the facility. |
| | 3. Safeguard airport operations | **N/A**<br>The proposed modifications to the processing shed and layout of the approved Resource Recovery Facility would not impact airport operations. The application was referred to WAS who raised no objection subject to conditions of consent. |
| **Sustainability** | 4. A landscape-led approach to urban design and planning | **N/A**<br>The proposed modification would not result in any further impact on natural vegetation. |
| | 5. A sustainable, low carbon Aerotropolis that embeds the circular economy | **N/A**<br>The proposed modification is unlikely to significantly add to carbon emission. |
| | 6. A resilient and adaptable Aerotropolis | **N/A**<br>The proposed modification would not impact existing water quality, nor would it alter existing flood extents. |
| **Infrastructure and Collaboration** | 7. Infrastructure that connects and services the Western Parkland City as it grows | **N/A**<br>The proposed modification would not prevent the development of the Aerotropolis as a Smart City supported by fast and reliable adaptable digital connectivity. |
| | 8. A collaborative approach to planning and delivery | **Complies**<br>A collaborative approach with all three levels of governments, the community, industry, utilities and landowners is sought. Relevant community notification has been undertaken and referrals to relevant state government bodies have been made. |
| **Liveability** | 9. Diverse, affordable, healthy, resilient and well-located housing | **N/A**<br>The proposed modification would not restrict future potential for diverse, affordable housing. |
| | 10. Social and cultural infrastructure that strengthens communities | **N/A**<br>The proposed modification would not restrict future potential for community and cultural facilities and services. |
| | 11. Great places that celebrate local character and bring people together | **N/A**<br>The proposed modification would not restrict future potential to celebrate public and private spaces. |

## State Environmental Planning Policy (Precincts—Western Parkland City) 2021

i. Chapter 4 Western Sydney Aerotropolis provisions

| Development Provision | Requirement | Proposed | Comment |
|---|---|---|---|
| **PART 4.3 DEVELOPMENT CONTROLS – AIRPORT SAFEGUARDS** | | | |
| **4.17 Aircraft Noise** | (a) to prevent certain noise sensitive development on land near the Airport, and<br>(b) to minimise the impact of aircraft noise for other noise sensitive development, and<br>(c) to ensure that land use and development near the Airport do not hinder or have other adverse impacts on the ongoing, safe and efficient 24 hours a day operation of the Airport. | The location of the proposed modification works is within the Australian Noise Exposure Concept (ANEC) zone 30 – 35 and partially within zone 35+, however, the processing shed is not considered to be noise sensitive development.<br><br>The modification works would not hinder or have any impacts on the safe operations of the future airport. | **N/A** |
| **4.18 Building Wind shear and turbulence.** | The objective of this section is to safeguard Airport operations from wind shear and turbulence generated by buildings. | The subject site is not located within the Windshear Assessment Trigger Area. | **N/A** |
| **4.19 Wildlife Hazards** | The objective of this section is to regulate development on land surrounding the Airport where wildlife may present a risk to the operation of the Airport. | The subject site is within the 3km buffer zone.<br><br>The approved resource management facility falls under the category of 'relevant development', however, the proposed modification work does not increase the approved level of processing, storage or handling of organic or putrescible waste.<br><br>Ecology impacts have been previously assessed as part of DA-263/2018. The modifications to the processing shed do not materially increase any impacts upon wildlife within the development site. | **N/A** |
| **4.20 Wind Turbines** | The objective of this section is to regulate the construction of wind turbines and wind monitoring towers on land within 30 kilometres of the Airport. | The proposal is not for electricity generating works such as turbines or wind monitoring towers. | **N/A** |
| **4.21 Lighting** | The objective of this section is to safeguard Airport operations from the risk of lighting and reflectivity distractions for pilots. | The subject site falls within the 6km Lighting Intensity radius, however, the approved use does not fall under development within purposes specified under clause (2)(a). | **N/A** |
| **4.22 Airspace Operations** | (1) The objectives of this section are—<br>(a) to provide for the effective and ongoing operation of the Airport by ensuring that its operation is not compromised by development that penetrates the prescribed airspace for the Airport, and | The site is located within the obstacle limitation surface (110-120m), however, the proposal is not for a controlled activity within the meaning of Part 12, Division 4 of the Airports Act 1996 of the Commonwealth. | **N/A** |

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| | (b) the relevant Commonwealth body does not object to the development.<br>(2) This section applies to development on land shown on the Obstacle Limitation Surface Map that is a controlled activity within the meaning of Part 12, Division 4 of the Airports Act 1996 of the Commonwealth. | The application was referred to WSA who raised no objection subject to conditions of consent. | |
| **4.23 Public Safety** | The objective of this section is to regulate development on land on which there is an appreciable risk to public safety from the operation of the Airport. | The land is not within the Public Safety Area. | **N/A** |
| **4.23A Operation of certain air transport facilities** | The objective of this section is to regulate development that may impact the operation of certain air transport facilities. | The land is not within the Building Restricted Area | **NA** |
| **PART 4.4 DEVELOPMENT CONTROLS - GENERAL** | | | |
| **4.24 Flood planning** | (1) The objectives of this section are—<br>(a) to minimise the flood risk to life and property associated with the use of land, and<br>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, and<br>(c) to avoid significant adverse impacts on flood behaviour and the environment. | The land is not mapped within the flood planning areas in the Aerotropolis. | **N/A** |
| **4.25 Preservation of trees and vegetation in Environment and Recreation Zone and Cumberland Plain** | 1) The objectives of this section are—<br>(a) to preserve the amenity of the Western Sydney Aerotropolis through the preservation of trees and vegetation, and<br>(b) to promote the conservation of, and minimise the impact of development on, native vegetation. | The land is not within the Environment and Recreation zone and the proposed modification would not result in any impact on existing native vegetation on the High Biodiversity Areas Map. | **N/A** |
| **4.25A Clearing of Native vegetation** | This section applies to land shown as "existing native vegetation" on the High Biodiversity Value Areas Map. | As above | **N/A** |
| **4.26 Heritage Conservation** | 1) The objectives of this section are—<br>(a) to conserve the environmental heritage of the land to which this Chapter applies, and<br>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, and | The land is not mapped as a heritage area. | **N/A** |

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| | (c) to conserve archaeological sites, and<br>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance | | |
| **4.27 Transport Corridors** | (1) Development consent must not be granted to the following development unless the consent authority has obtained the concurrence of Transport for NSW—<br>(a) development on transport corridor land with a capital investment value of more than $200,000,<br>(b) development that involves the penetration of ground to a depth of at least 2 metres below ground level (existing) on land within 25 metres (measured horizontally) of transport corridor land. | The front of the subject site falls within land mapped for a future transport corridor (Primary Arterial Road).<br><br>Although the subject modification works do not fall within this area a referral was made to TfNSW in accordance with Cl 2.122 of the SEPP (Transport & Infrastructure) 2021. TfNSW raised no objection. | **Complies** |
| |  <br>**Figure 11:** Extract of Aerotropolis Transport Corridor Map | | |
| **4.28 Warragamba Pipelines** | Development consent must not be granted to development on land shown as "Warragamba Pipeline" on the Warragamba Pipelines Map unless the consent authority—<br>(a) has obtained the concurrence of Water NSW, and<br>(b) is satisfied that the development will not adversely affect—<br>(i) the quantity or quality of water in the Warragamba Pipelines controlled area (declared under the Water NSW Act 2014), or<br>(ii) the operation and security of water supply pipelines from Warragamba Dam to Prospect Reservoir and associated infrastructure. | The land is not within pipeline areas as per the State Environmental Planning Policy (Precincts— Western Parkland City) 2021 Warragamba Pipelines Map. | **N/A** |

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| **4.28A Sydney Science Park** | This section applies to land identified as "Sydney Science Park" on the Sydney Science Park Map. | Land not mapped within the Sydney Science Park | **N/A** |
| **4.28B Aboriginal cultural guidelines** | Development consent must not be granted to development on land to which this Policy applies unless the consent authority has considered ***Recognise Country: Guidelines for development in the Aerotropolis*** published in November 2022 on the Department's website. | As previously noted, pursuant to *Section 1.2.1 Where these Guidelines apply*, the guidelines do not apply to the subject application. | **N/A** |
| **PART 4.7 PRECINCT PLANS AND MASTER PLAN** | | | |
| **4.49 Public Utility Infrastructure** | (1) Development consent must not be granted to development to which this Division applies unless the consent authority is satisfied that—<br>(a) public utility infrastructure that is essential for the development is available, or<br>(b) the public utility infrastructure will be available when required | In this section *public utility infrastructure* includes the supply of water, electricity and the management of sewage.<br><br>Utility infrastructure is available as demonstrated under the approved DA-263/2018. | **N/A** |

The proposed modification is consistent with the relevant controls outlines in the State Environmental Planning Policy (Precincts—Western Parkland City) 2021 - Chapter 4 Western Sydney Aerotropolis.

## Western Sydney Aerotropolis Precinct Plan 2024

The Western Sydney Aerotropolis Precinct Plan, September 2024, has been developed under the Western Parkland City SEPP and provides more detailed outcomes for each initial precinct

| **Western Sydney Aerotropolis Precinct Plan 2024** | |
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| Note on Precinct Plan Variations:<br>*The provisions of this Precinct Plan include objectives and requirements which must be considered in the assessment of a development application. The consent authority will determine if a development application is consistent with the Precinct Plan based on an assessment of compliance with the requirements, and with reference to the relevant objectives.* ***The Aerotropolis SEPP [Cl 4.39] outlines how this Precinct Plan is to be considered in the assessment of Development applications.*** *Some requirements in this Precinct Plan provide flexibility for development applications to demonstrate that objectives and requirements can be achieved through alternative design solutions (for example, in the placement and layout of local streets). In such cases, development applications can propose alternative solutions that comply with the assessment criteria set out in the relevant requirements in the Precinct Plan.* ***This Precinct Plan is explicit on the controls that can be flexibly applied where an alternative design solution can be demonstrated*** *by the proponent that achieves the same intent.* | |
| **2.1 Precinct Plan Objectives**<br>The following objectives apply to all land to which this Precinct Plan applies. | |
| **Plan Objectives** | **Response** |

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| 01 'Start with Country' by promoting access to Country and designing the Aerotropolis through a process that includes Aboriginal people.<br>02 Celebrate culture by reflecting the cultural landscape and continuous connection of Aboriginal people and Country through:<br>a. the design of the public domain;<br>b. preservation and rehabilitation of the natural environment and systems;<br>c. the alignment of movement networks with culturally significant spaces;<br>d. the design of buildings; and<br>e. keeping language alive in the naming of places. | **Considered Acceptable**<br>'Start with Country' has not been addressed. It is, however, considered that the proposed modification is limited in its capacity to promote and include aboriginal people.<br><br>It would be difficult for the subject modification application to comply with the 'Start with Country' principle when the original development was approved prior to this introduction of the Precinct Plan and its associated cultural requirements, as the initial design, layout, and underlying planning rationale was not informed by Country-led design thinking. Integrating 'Start with Country' retrospectively can present significant challenges, particularly if the built form, landscaping, or site orientation already limits opportunities to respond meaningfully to Country.<br><br>Key elements such as water flow, vegetation patterns, cultural narratives, and Aboriginal connection to the site were not considered in the original approval, making it difficult for the modification to fully address or incorporate these principles without fundamentally altering the approved development. Accordingly, full compliance with the Recognised Country provisions is not deemed to be necessary in the assessment of this modification application. |
| 03 Integrate development and the delivery of infrastructure to maintain a supply of developable land that maximises the efficiency of infrastructure investment | **N/A**<br>The proposed modification would bear minimal impact on the supply of developable land. |
| 04 Protect Airport operations, including 24-hour operations, and protect future communities from aircraft noise. | **Complies**<br>The proposal would not impact airport operations.<br><br>The application was referred to WSA who raised no objection subject to conditions of consent. |
| 05 Facilitate quality and innovative development to provide for a variety of employment uses that grow and diversify the economy of the Western Parkland City. | **Complies**<br>The proposed modification is designed to help improve the operational efficiencies of the approved business. |
| 06 Enable land use to evolve in line with changing economic drivers, and facilitate development that will contribute to building the Western Parkland City | **Complies**<br>The proposed modification assists in the operations of the Resource Recovery Facility that will contribute to the growth of the Western Parkland City. |
| 07 Implement a landscape-led approach to designing the Aerotropolis, utilising the blue-green grid and natural topography of the Aerotropolis as the defining elements | **Complies**<br>The proposed modification would not impact the blue green grid and natural topography. |
| 08 Provide for social infrastructure in strategic locations that support the residents, workers and visitors to the Aerotropolis. | **N/A**<br>The proposed modification would not impact social infrastructure. |
| 09 Plan for a transport network that facilitates movement of freight and people, and prioritises active and sustainable transport modes to improve community health and minimise the | **N/A**<br>The proposed modification would not impact the envisioned transport network. |

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| impacts of development and economic activity on climate change. | |
| 10 Provide landscaped, safe, activated, interesting and healthy streets that prioritise pedestrian, cycle and public transport movements. | **N/A**<br>The proposed modification would not impact the envisioned street network. |
| 011 Design an urban environment that responds to the climate extremes of Western Sydney and mitigates and adapts to urban heat. | **N/A**<br>The proposed modification would not impact climate extremes. |
| 012 Manage water in the landscape to facilitate urban cooling, improve waterway health and biodiversity and promote sustainable water use. | **N/A**<br>The proposed modification would not impact waterway health and biodiversity. |
| 013 Plan for a resilient city through implementation of a risk-based approach to management of natural hazards including flooding, bushfire, drought and heat. | **N/A**<br>The subject site is bushfire prone. The proposed modification would not impact existing risk-management measures. |
| 014 Reinstate and rehabilitate natural landscape connections and systems to sustain biodiversity and allow natural systems to function sustainably. | **N/A**<br>The proposed modification would not impact landscape connections. |
| 015 Facilitate the establishment of circular economy industries to reduce waste, leverage synergies between industries and circulate resources within and beyond the industrial supply and materials chains of the Aerotropolis. | **N/A**<br>The approved Resource Recovery Facility encourages the recycling of waste and circulation of resources. The proposed modification would assist in improving the circular economy. |
| **2.3 Badgerys Creek**<br>**Vision**<br>Badgerys Creek will support the Western Sydney Airport operations and be well connected to the Aerotropolis Core metropolitan centre to the south and the Northern Gateway to the north-west.<br>The Precinct will transform from lower density and less intensive land uses, buildings and structures to higher order employment-focused technology, advanced manufacturing and industry uses with the opportunity for between 9,000 – 11,000 jobs (estimated by the WSAP). The Precinct will be linked to the east across Wianamatta-South Creek to areas such as Rossmore.<br><br>The Precinct adjoins the Western Sydney Airport with good access to Elizabeth Drive and the M12 Motorway. New developments will be designed to benefit from nearby major infrastructure and to appropriately integrate with existing resource recovery industries and new circular economy hubs.<br><br>Affected by aircraft noise, this Precinct is not suitable for noise sensitive land uses such as residential development. It will provide land for a range of employment generating uses that will benefit from proximity to the Western Sydney Airport. | |
| **Precinct Objectives** | **Response** |
| 01 Develop industries that leverage access to freight transport networks including the M12 and Elizabeth Drive | **N/A**<br>The approved development utilises access to major freight transport networks including Elizabeth Drive. The proposed modification would not impact this. |
| 02 Take advantage of proximity and direct access to the Western Sydney Airport for the production of goods for export | **N/A**<br>The approved development takes advantage of proximity to the Western Sydney Airport by providing resource recovery facilities to support local industry. The proposed modification would not impact this. |
| 03 Ensure that development is responsive to the Western Sydney Airport's operational constraints including noise, Obstacle Limitation Surfaces and runway approaches. | **Complies**<br>The proposal would not impact airport operations.<br><br>The application was referred to WSA who raised no objection subject to conditions of consent. |
| 04 Ensure that development in the Precinct is integrated with and takes advantage of | **N/A** |

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| proximity to the blue-green networks of Badgerys Creek and Wianamatta-South Creek. | The site is not located in close proximity to the blue-green networks of Badgerys Creek. |
| **3.1 Infrastructure Delivery**<br>**Objectives**<br>I01 Ensure the staging of development and infrastructure delivery are aligned spatially and temporally.<br>I02 Ensure utilities and services are planned and delivered to meet demand from development.<br>I03 Protect existing utility infrastructure, including the Warragamba pipeline corridor and TransGrid transmission lines.<br>I04 Deliver utilities, roads infrastructure and services in a manner that is safe, efficient and cost effective.<br>I05 Ensure design and location of utilities infrastructure allow space for planting, water sensitive urban design and footpaths.<br>I06 Ensure utilities design and locations consider space for alternative future services and allow for multi-utility corridors in the future.<br>I07 Use technology and data driven solutions to maximise quality of life across the Aerotropolis, in line with the NSW Smart Places Strategy and Smart Western City Program.<br>I08 Ensure that the design and location of infrastructure provision considers the impacts of climate change | |
| **Requirements** | **Response** |
| I1 Prior to granting development consent, the consent authority must be satisfied that essential services and infrastructure are available or will be available when required for the development. Essential services and infrastructure is road access, water supply, sewer, electricity and stormwater infrastructure. | **Complies**<br>As demonstrated under the approved DA-263/2018 essential services and infrastructure will be available when required for the development. |
| I2 Development near utility infrastructure should be in accordance with the relevant service authority's guidelines and requirements. | **Complies**<br>The proposed modification is capable of complying with relevant service authority guidelines and requirements. |
| I3 Development will need to investigate and consider future planned utility infrastructure including the aviation fuel pipeline. | **N/A**<br>The proposed modification would not impact aviation fuel pipeline. |
| I4 Where the alignment of an aviation fuel pipeline is specified, applicants for development that adjoins the pipeline (including the planned pipeline alignment if not yet constructed) are to undertake a land use safety assessment to determine appropriate buffers and mitigation measures to reduce public risk in consultation with the relevant authority. | **N/A**<br>The proposed modification would not impact aviation fuel pipeline. |
| I5 Shared utility trenches are to be used and located generally in accordance with the utilities allocations in the Western Sydney Street Design Guideline and relevant cross-sections in the DCP to minimise the impacts of utilities allocations on landscaping and street tree planting. | **N/A**<br>No shared utility trenches are proposed as part of the modification. |
| I6 Fast, reliable and high-speed internet connectivity infrastructure is to be provided as part of all subdivision development and all buildings are to have direct connection to high speed broadband that complies with the standards listed in the Australian and New Zealand Smart Cities Council Code for Smart Communities. | **N/A**<br>No impact on any existing internet connection or telecommunications infrastructure provided under the approved DA-263/2018. |
| **3.2 Development Sequencing**<br>Within each Precinct, areas are categorised or sequenced into first, second and third Priority areas. First Priority areas align with the first stages of transport and utilities infrastructure delivery and are intended to be the initial stages of development, working towards achieving the employment and population targets of the WSAP. | |

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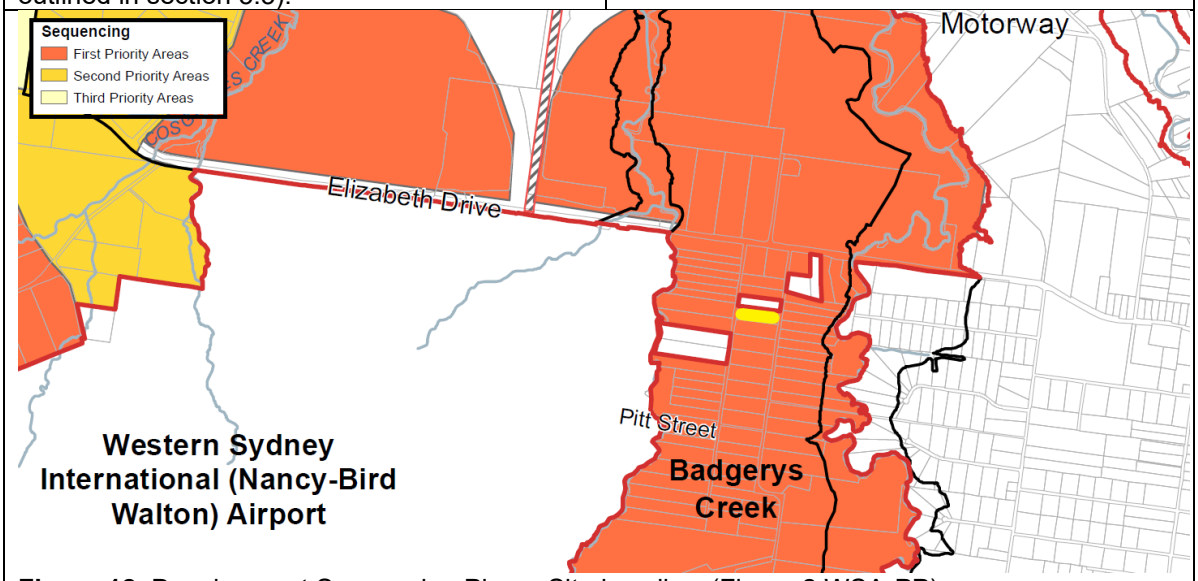
| **Objectives**<br>DSO1 To ensure that development proceeds in an orderly and efficient sequence, aligned with the efficient delivery of infrastructure.<br>DSO2 To enable the rate of development to keep pace with demand for jobs, housing and services within the Aerotropolis.<br>DSO3 To align the sequencing of development within the Aerotropolis with the following criteria:<br>a. Efficient infrastructure utility investment extending from existing infrastructure;<br>b. focus on and around Metro stations to support investment in public transport;<br>Western Sydney Aerotropolis Precinct Plan \| 19<br>c. Proximity to, and the timing of delivery of the M12, The Northern Road and Elizabeth Drive upgrades;<br>d. Access to the Western Sydney Airport for freight and passengers;<br>e. Implementation of Western Sydney City Deal commitments;<br>f. Job creation potential and demand for land for new development; and<br>g. Government priority areas within the Aerotropolis Core (refer below). | |
| **Requirements** | **Response** |
| DS1 The sequencing of development is to be generally in accordance with the Sequencing Plan at Figure 2 (Out of Sequence provisions are outlined in section 3.3). | **Complies**<br>The subject site is located within the First Priority Area. |
|  <br>**Figure 12**: Development Sequencing Plan – Site in yellow (Figure 2 WSA-PP) | |
| DS2 Development is not to compromise the efficient and orderly provision and staging of the transport network, utilities and servicing | **N/A**<br>In sequence development is proposed. |
| DS3 Early development must prioritise locations well supported by high levels of public and active transport accessibility. | **Complies**<br>The site is supported by active transport accessibility. |
| DS4 Development does not result in isolated areas requiring out of sequence servicing by transport networks, utilities and services, or at additional cost to government or utility agencies. | **N/A**<br>The proposed modification does not result in isolated areas. |

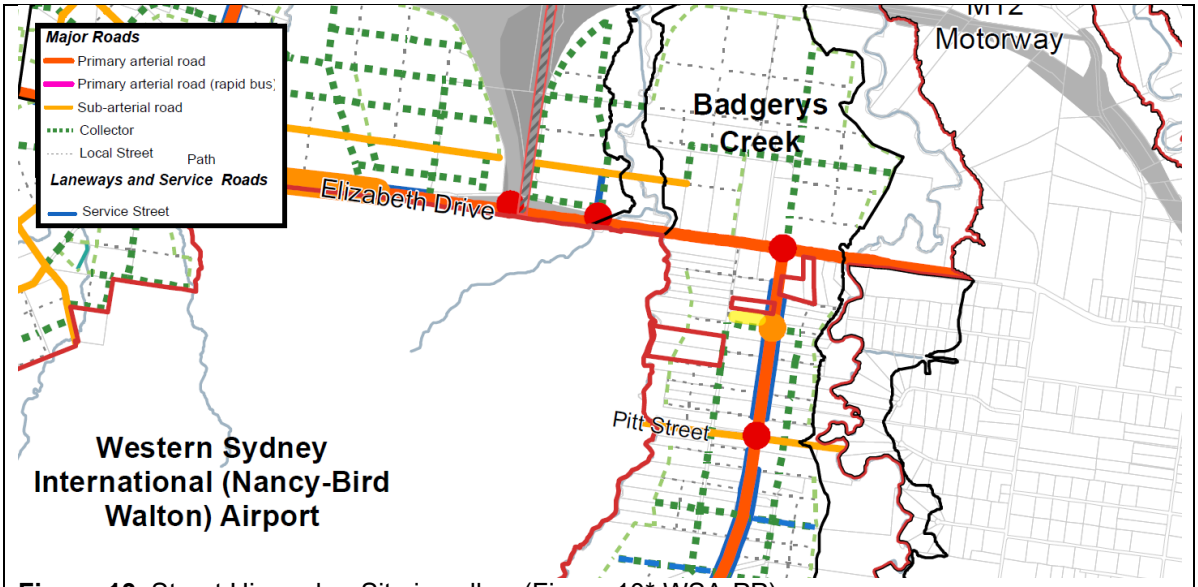



**Figure 13**: Street Hierarchy- Site in yellow (Figure 10* WSA-PP)

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| DS5 The road network proposed as part of development applications is to be consistent with the Street Hierarchy Map at Figure 9, or temporary arrangements must be made with agreement of the relevant Roads Authority | **Complies**<br>The proposed modification would not impact on the envisioned Street Hierarchy. The approved DA-263/2018 incorporates a 10m road widening allowance within the front setback. The subject processing shed is setback over 70m from the street frontage. The application was referred to TfNSW who raised no objection. |
| DS6 Locations with good access to the Western Sydney Airport for freight and passengers are to be prioritised. | **Complies**<br>The site is located along a Primary-arterial road envisioned to accommodate freight transport. |

**4.1 Proposed Land Use and Structure Plan**

The map showing proposed land uses, as required by the Aerotropolis SEPP, is at Figure 3. The Proposed Land Use Plan provides the overall layout of development, areas of open space and environmental value, transport and stormwater infrastructure for the land to which this Plan applies.

**Objectives**

LUO1 A mix of land uses are proposed that:

a. Deliver employment diversity

b. Leverage off the locational advantages of proximity to the Western Sydney Airport

c. Grow and diversify the Greater Sydney and Western Parkland City economies

d. Support workers and residents through diverse housing, community, social and recreational uses

e. Support the needs of visitors reflective of the Aerotropolis' role as an international gateway

f. Respect and safeguard operations of the Western Sydney Airport

LUO2 A blue-green framework is delivered as development occurs that:

a. Provides access to open space that meets the needs of workers and residents, students and visitors

b. Preserves significant natural features including watercourses and remnant vegetation

c. Accommodates infrastructure required to manage the flooding and water quality impacts of development

d. Respects and enhances Aboriginal cultural heritage and archaeology and maximises opportunities to connect with Country

LUO3 Subdivision and civil works design creates the urban structure and:

a. Reflects the Land Use Plan (Figure 3), Transport Network Plan (Figure 7) and BlueGreen Infrastructure Framework (Figure 5)

b. Creates a network of accessible, connected, efficient and sustainable neighbourhoods

c. Optimises active transport and public transport connectivity, and the efficient movement of goods and delivery of services

d. Responds to topography and natural systems including movement of water through the landscape

e. Includes space for greening the urban environment, including canopy cover and green,

pervious landscape to manage water flows, water quality and local climate conditions
LUO4 Buildings are situated and designed to:
a. Contribute positively to the planned character of the place
b. Concentrate worker and resident population density in locations that have good access to transport, services and amenity
c. Reflect airport safeguarding requirements, accessibility for workers, and the functional requirements of businesses
d. Respond to topography
e. Integrate with and enhance the public domain
f. Respond to natural features including retained vegetation and waterways
g. Respect heritage items and culturally significant places
h. Are energy efficient, comfortable and minimise consumption of resources and materials
i. Contribute to appropriately managing water in the landscape

| **Requirements** | **Response** |
|---|---|
| LU1 The types and densities of land uses are to be consistent with the Land Use Plan at Figure 3. Key land use terms used in the Land Use Plan are described in the Glossary | **Noted**<br>The subject site is zoned as Enterprise and light industry as per Figure 15 below. |

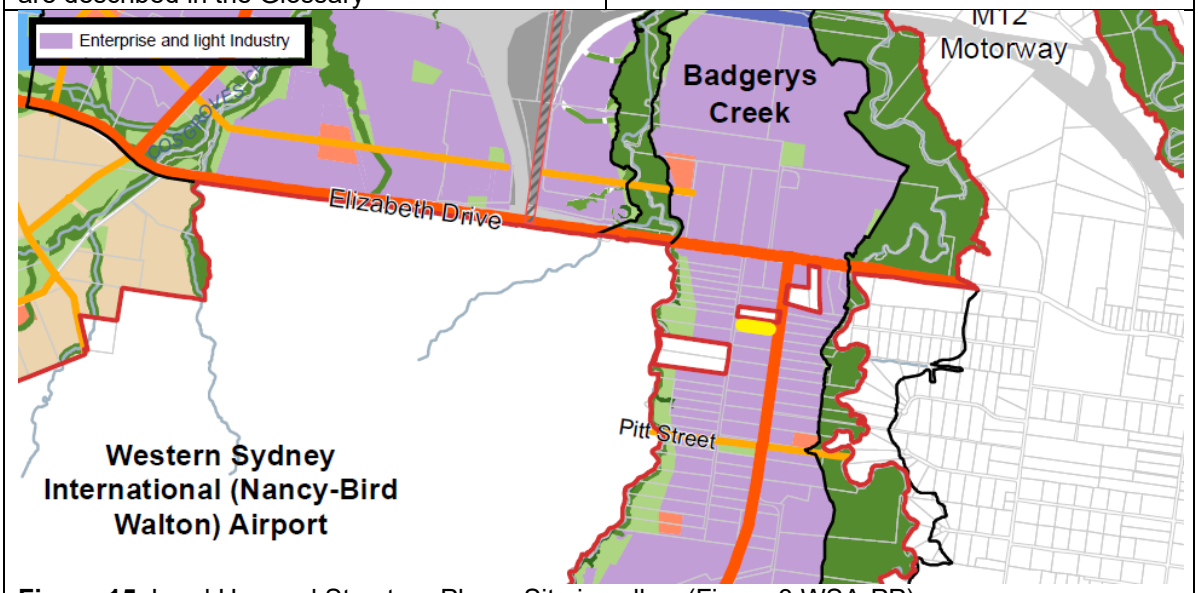


**Figure 15**: Land Use and Structure Plan – Site in yellow (Figure 3 WSA-PP)

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| LU2 Subdivision and civil works are to be consistent with the road network shown on the Transport Network Plan (Figure 7). Local streets, laneways and active transport routes are designed to integrate with the Transport Network Plan and to:<br>a. Ensure connectivity<br>b. Encourage sustainable transport choices by providing direct routes that prioritise active transport and public transport for workers<br>Western Sydney Aerotropolis Precinct Plan \| 24<br>c. Appropriately cater for heavy vehicles including freight movements and public transport vehicles<br>d. Facilitate coordinated development of parcels in different ownerships or at different times<br>e. Assist with managing water in the landscape<br>f. Minimise the extent and depth of earthworks and the need for retaining walls. | **N/A**<br>Subdivision and civil works not proposed. |
| LU3 Local or Neighbourhood Centres in the Enterprise Zone or Agribusiness Zone are to be located within 400m of the indicative location on the Land Use Plan (Figure 3), and on public | **N/A**<br>Local or Neighbourhood centres not proposed. |

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| transport routes (collector roads or Sub-arterial Roads) | |
| LU4 Connect ridgelines to watercourses through linear streets that maintain and enhance visual connections, integrate canopy cover, deep soil, landscaping and water management. | **N/A**<br>Not applicable. |
| LU5 Ensure built form is appropriate for its use and ensure natural cross ventilation, improved internal thermal comfort and reduced reliance on air conditioning. | **Complies**<br>The modified processing shed remains suitable for its designated use. |
| LU6 Provide for high quality architectural and design outcomes which respond to topography and site characteristics. | **Complies**<br>The rural/eucalypt colour palette of the modified processing shed effectively responds to the site characteristics. |
| LU7 Residential development in the Mixed Use Zone is to be located:<br>a. Within 1 kilometre walking distance of Metro stations; or<br>b. Within 400 metres of a bus stop or a Collector Street; and<br>c. Within 200 metres of open space. | **N/A**<br>Residential development not proposed. |
| **4.2 Subdivision and Block Structure**<br>Subdivision not proposed. | |
| **4.3 Aboriginal Culture and Heritage – Recognising Country**<br>The site is not mapped within an aboriginal cultural sensitivity area. | |
| **4.4 Non-Aboriginal and European Heritage**<br>The site is not a State or Locally listed heritage item | |
| **4.5 Blue-Green Infrastructure Framework**<br>The site is not located within the Blue-Green Infrastructure area.<br>An area identified for Stormwater Infrastructure acquisition is located 250m west of the site.<br>The proposed modification would not impact on the approved stormwater strategy. | |
| **4.6 Movement Framework**<br>Planning for land uses needs to be balanced against different customer requirements to develop a cohesive transport framework, across all modes, that caters for all users. This balance of strategic and local travel demands will facilitate sustainable patterns of movement and mobility. | |
| **4.6.1 Transport strategy**<br>**Objectives**<br>MFO1 Use the Transport Network to move people and goods safely and efficiently and create connections between places.<br>MFO2 Integrate land and prioritise public transport to support the 30-minute city and meet current and future demand.<br>MFO3 Create a road network for private vehicles and freight which can provide efficient links and integration to the broader regional network while also supporting local accessibility in centres and between places.<br>MFO4 Provide safe, direct and interconnected pedestrian and cycling links to a variety of destinations and transport nodes.<br>MFO5 Encourage active transport through cycle and pedestrian network integrated with the road network and the Blue-Green Infrastructure Framework.<br>M06 The transport network contributes to achievement of the modal split targets on pp44-45 of the precinct plan. | |
| **Requirements** | **Response** |
| MF1 The Transport Network is to be designed generally in accordance with Figure 7. | **Complies**<br>The envisioned transport network illustrated in Figure 8* of the WSA-PP would not be impacted by the proposed modification. See Figures 20 below. |

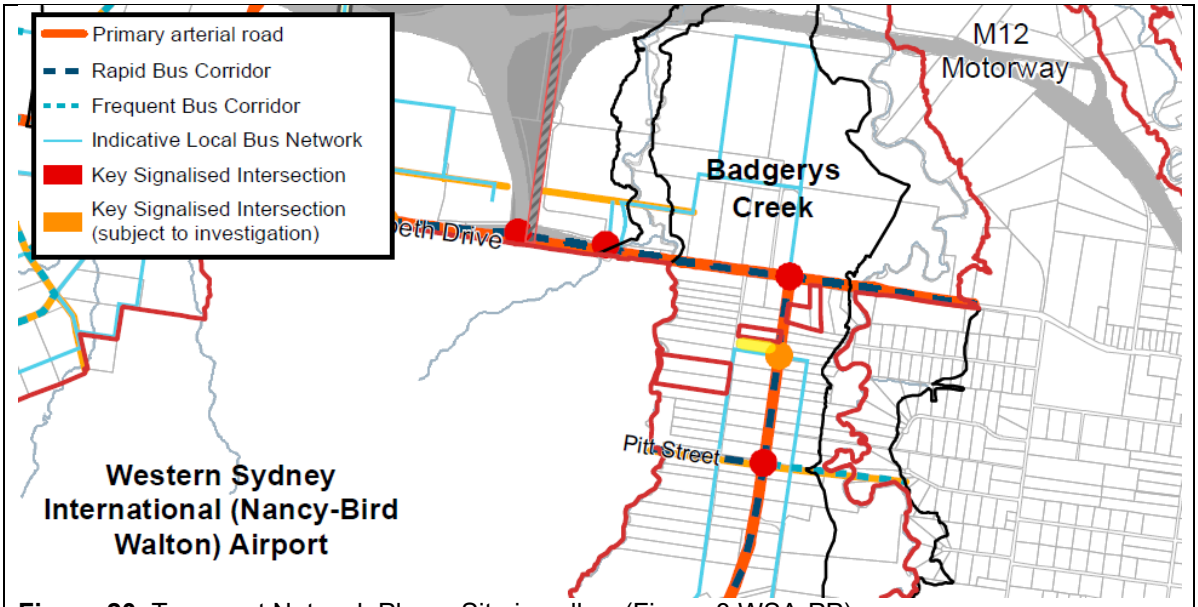


**Figure 20**: Transport Network Plan – Site in yellow (Figure 8 WSA-PP)

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| MF2 The Transport Network is designed to accommodate bus corridors and the Indicative Local Bus Network generally as shown on Figure 7, so that:<br>a. 90% of businesses are within a 400 metre walk of a street that is capable of carrying public transport in the Enterprise Zone and Agribusiness Zone.<br>b. All businesses and residents in the Mixed Use Zone are within a 400 metre walk of a street that is capable of carrying public transport or a Metro station. | **Noted**<br>A local bus network is envisioned along the southern boundary of the site. This does not appear to have been considered under the approved DA-263/2018, however, the proposed modification would not prevent this occurring in the future. |
| MF3 Active transport is integrated with the Blue Green Infrastructure Framework in Figure 5 and provided generally in accordance with the Active Transport Network in Figure 8. | **N/A**<br>The site is not mapped as part of the Blue-Green Infrastructure Framework in Figure 5 of the WSA Precinct Plan. Refer to Figure 17 above.<br><br>Active transport is not impacted and would remain in accordance with Figure 9* of the WSA Precinct Plan. Refer to Figure 20 above. |

**4.6.2 Street hierarchy and typology**

The classification of main roads, main streets and local streets considers the Access and Movement Framework of the WSAP and the Western Sydney Councils Street Guidelines.

High order roads, such as priority public transport corridors, motorways, and primary arterial roads are to be located as shown on the Transport Network (Figure 8), and will be designed in more detail taking into account intersections and utility needs. The alignments of lower order streets are shown indicatively, and the alignment of these roads will be subject to more detailed design as part of development applications.

**Objectives**

SHO1 Establish a hierarchy of streets that supports the development of the Aerotropolis and provides streets for safe and efficient movement of freight and people, and that is connected to other parts of Greater Sydney and NSW.

SHO2 Create streets that are attractive, green, sustainable, safe, functional, adaptable and integrated with topography and the natural environment.

SHO3 Minimise lot severance and maximise the efficiency of the road network to facilitate development across multiple properties.

SHO4 Reflect the varied role of streets in urban environments such as public spaces, places for social interaction, service provision, movement connections, water and stormwater management, biodiversity and environmental functions.

SHO5 Design the public transport network to achieve operational integrity and permeability for buses, both local and rapid, so that as the needs of the network change, bus routes and bus

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| priority can easily adapt. | |
| **Requirements** | **Response** |
| SH1 The Road Network within the Transport Network is to be generally consistent with the alignment and connections of roads shown in Figures 8-10.<br>Major roads (Sub-arterial and Arterial and Rapid Bus Routes) are to be designed to:<br>a. Respond to topography;<br>b. Enable the efficient movement of water, replicating natural flow patterns as closely as possible;<br>c. Intersect with arterial or classified roads at locations and using intersection treatments nominated or agreed by the road authority;<br>d. Accommodate buses generally consistent with the alignments and connections shown in Figure 8;<br>e. Accommodate separated cycleways generally consistent with the alignment and connections of cycleways shown in Figure 9; and<br>f. Connect with centres and metro stations | **Noted**<br>This road network does not appear to have been considered against the precinct plan under the approved DA-263/2018, however, the proposed modification would not prevent future connections and alignments in the future.<br><br>The approved DA-263/2018 incorporates a 10m road widening allowance within the front setback. The modification application was referred to TfNSW who raised no objection. |
| SH2 Local and Collector streets are to be designed to:<br>a. Connect to other streets in the hierarchy in a logical sequence, so that Local Streets connect to other Local Streets or to Collector Streets;<br>b. Incorporate priority-controlled intersection treatments;<br>c. Minimise 4-way intersections and avoid intersections with more than 4 streets;<br>d. Provide interfaces between urban land and land identified for open space, conservation, or stormwater management;<br>e. Enable land in different ownerships to be developed independently and ensure that legal and physical access to properties is maintained at all stages in the development process;<br>f. Convey stormwater within the Total Water Cycle Management network as shown on Figure 6;<br>g. Contribute to tree canopy and the Blue Green Infrastructure Framework shown on Figure 5; and<br>h. Maximise opportunities for the energy efficient design of buildings | **Noted**<br>A collector road is envisioned along the southern boundary of the site (refer to figure 13). This does not appear to have been considered under the approved DA-263/2018, however, the proposed modification would not prevent this occurring in the future. |
| SH3 The layout and location of Local Streets and Collector Streets on Figure 10 is indicative.<br>Where a development application proposes a variation to the Local Street or Collector Street , the applicant must demonstrate that in addition to the requirements in SH2, that the variation:<br>a. Achieves a permeable street network;<br>b. Encourages walking and cycling and minimises travel distances;<br>c. Maximises connectivity to community facilities, open space and centres;<br>d. Takes into account topography and the flow of water in the landscape; | **N/A**<br>A variation is not proposed. |

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| e. Will not detrimentally impact on access to adjoining properties or result in isolation of properties; and<br>f. Will not impede the orderly development of adjoining properties | |
| SH4 Roads and streets are to be designed in accordance with the Western Sydney Street Design<br>Guidelines, except where specific street cross sections are provided in the DCP for streets<br>as shown on the street hierarchy map at Figure 10. | **N/A**<br>No roads are proposed under the modification application. |
| SH5 Roads and streets are aligned to follow property boundaries where possible to reduce lot severance. | **N/A**<br>No roads are proposed under the modification application |
| **4.6.3 Development adjacent to protected transport corridors**<br>State Environment Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP), protects land for future infrastructure corridors that will be critical in supporting the passenger and freight network for a growing Western Sydney. The Aerotropolis SEPP identifies and expands on the protected Major Infrastructure Corridors by requiring consideration of key components of the transport network in the Aerotropolis.<br>**Objectives**<br>PCO1 Ensure development adjacent to protected transport corridors considers the future operational impacts of the infrastructure | |
| **Requirements** | **Response** |
| PC1 Development adjacent to corridors identified on the Transport and Infrastructure SEPP and the Aerotropolis SEPP is to be designed to orient noise sensitive elements (for example habitable rooms) away from the noise source. | **Complies**<br>The site is adjacent to a protected transport corridor.<br><br>As previously noted above in Chapter 4 of SEPP (Precincts - Western Parkland City) 2021 (Western Parkland City SEPP) Clause 4.27 (Figure 11) a future Primary Arterial Road (Martin Road) runs north-south along the front of the site.<br><br>Notwithstanding, a 10m road widening allowance has been accommodated for under the approved DA-263/2018 and TfNSW raised no objection. The proposed modification is not considered a noise sensitive development. |
| **4.7 Sustainability and Resilience**<br>**Objectives**<br>SRO1 Development is to support the transitioning to a net zero or net positive outcome over the medium to long term. This will be measured around performance regarding waste management, water management and carbon consumption benchmarks that are provided in the DCP or other relevant legislation.<br>SRO2 Development should seek to exceed the water and energy requirements of BASIX.<br>SRO3 Green infrastructure is effectively used through the provision of water treatment and retention, urban cooling, ecosystem services and amenity and integrated into built, landscaped and natural environments.<br>SRO4 Buildings, infrastructure and public domain elements maximise the recycling and reuse of materials.<br>SRO5 Facilitate the design, construction and operation of environmentally sustainable buildings and precincts, including energy efficiency, renewable energy, efficient resource and energy use and reduced emissions and waste.<br>SRO6 Effectively uses waste as a resource through its collection, transport and recycling in a manner that is safe, efficient, cost effective and does provide a positive impact on liveability and the environment.<br>SRO7 Measures to mitigate urban heat island effects are integrated in the design of the built form and public domain, for example the use of light-coloured roofs.<br>SR08 Planning is to provide sustainable and resilient approaches to development and is to | |

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| incorporate circular economic principles found in the NSW Circular Economy Policy Statement | |
| **Requirements** | **Response** |
| SR1 Energy, water and waste systems are to use a circular economy approach to improve efficiency and result in low-carbon developments | **N/A**<br>The approved Resource Recovery Facility assists in waste reduction and recycling. It supports sustainable urban development assisting developers meet sustainability targets such as net-zero emissions, waste reduction goals and regenerative targets.<br><br>By integrating waste management, energy recovery, and water efficiency, a Resource Recovery Facility closes the loop on material use, minimizes waste, and contributes to the creation of low-carbon, sustainable developments—a fundamental principle of the circular economy.<br><br>The proposed modification supports this by improving operational functions of the site. |
| SR2 Effectively use renewable energy supply including solar, wind, green hydrogen, and bioenergy | |
| SR3 Plan for, and achieve, leading industry targets by 2025 and from 2026 beyond to achieve sustainable regenerative targets on p53 of the precinct plan. | |
| SR4 Circular economy activities must be located with consideration of:<br>a. nearby land uses, considering the likely construction and operational impacts of the proposed development<br>b. proximity of the proposed development in relation to the Western Sydney Airport, and associated risks to airport and aircraft operations (in reference to the proposed development's risk assessment)<br>c. proximity to land in the Environment and Recreation Zone and impacts on the environmental values of that land<br>d. potential impacts on the amenity and use of open space<br>e. proximity to major transportation routes, considering safe transportation of extractive and waste materials | |
| SR5 Incorporate accessible Circular Economy Infrastructure into mixed use developments to ensure adequate opportunity for people to participate in reuse and recycling schemes. | |
| SR6 In deciding whether to grant development consent for the purposes of commercial premises, industrial premises or residential accommodation, the consent authority must consider whether:<br>a. the façade and roof of the proposed buildings and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including open space and the public domain, including a requirement for light-coloured roofs, and<br>b. the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and<br>c. building plant and equipment is designed to minimise the release of heat in the direction of open space and the public domain, and<br>d. the development accommodates tree canopy, pervious surfaces and landscaped areas to minimise solar heat absorption and reflection by hard surfaces. | |
| **5 Land Use and Built Form** | |
| **5.1 Hierarchy of Centres**<br>The site is located outside of the metropolitan, specialised, local and neighbourhood centres. | |
| **5.2 Height**<br>**Objectives** | |

HO1 To allow building heights that align with the role of each centre, its typology and residential/employment density needs.
HO2 Facilitate height and urban density in the Aerotropolis Core and Northern Gateway around the Metro stations

Note: Notwithstanding maximum building height controls, all buildings and structures, including equipment used during construction (such as cranes) are required to be contained within Obstacle Limitation Surface (OLS) limits established under the Aerotropolis SEPP.

| **Requirements** | **Response** |
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| H1 The height of buildings is not to exceed the maximum for the land shown on Figure 12 | **Complies**<br>The maximum height prescribed for the site is 24m. The proposed modification has a maximum height of 16.045m. |

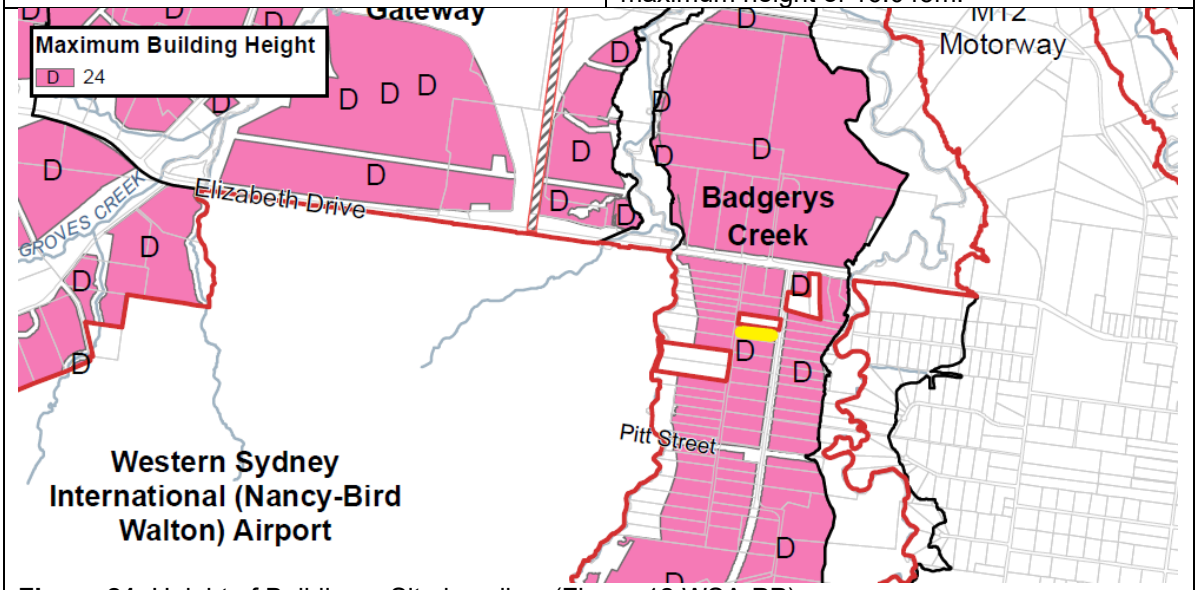


**Figure 21**: Height of Building – Site in yellow (Figure 12 WSA-PP)

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| H2 In the Mixed Use Zone, ensure development does not adversely impact on the amenity of the public domain and adjacent residential areas and that site topography, views and landscape character have been considered. | **N/A**<br>The site is not located within the Mixed Use Zone. |

**5.3 Floor Space Ratio**
Floor space ratio (FSR) controls apply to development across the Mixed Use Zone and to Centres within the Northern Gateway, Enterprise and Agribusiness zone. They are based on the desired built
form outcome, employment and population targets, and the need to ensure appropriate bulk, massing, articulation and separation of development within the Aerotropolis.

**Objectives**
FSO1 FSR controls are to create an appropriate mix of employment, business, social and residential development in the Mixed Use zone, and Local and Neighbourhood Centres (refer to Figure 13)
FSO2 Achieve a density of employment in mixed use areas to ensure residential uses are not the predominant use (refer to the Yield and Density Targets established in section 5.4).
FSO3 Locate higher intensity mixed use employment and residential densities within 800m of the Metro station.

| **Requirements** | **Response** |
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| FS1 Buildings are not to exceed the maximum FSR shown on the Floor Space Ratio Map in Figure 13. | **N/A**<br>A Floor Space Ratio is not prescribed to the site in Figure 13. |

**5.4 Yield and Density**
Residential development in the Mixed Use Zone is not proposed.

**5.5 Temporary land uses**
Temporary land use not proposed.

**5.6 Design Excellence**
Design excellence is not required in accordance with the Aerotropolis SEPP.

The proposal is considered to be consistent with the relevant controls outlined in the Western Sydney Aerotropolis Precinct Plan 2024.

## Western Sydney Aerotropolis Development Control Plan (Phase 2) 2022

i. Chapter 2 – General Controls

This chapter contains objectives and controls which need to be considered for all development on land where this DCP applies. The objectives and controls are designed to manage the natural and built environment across the Aerotropolis. The relevant controls are as follows:

| **Chapter 2- General Controls** | | |
|---|---|---|
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| ***Connecting to culture and Country through the Built Form*** | | |
| **PO4** Aboriginal culture is celebrated and embedded within building design. | 1. For development where the Guidelines apply or that is located within or intersects areas identified as having moderate to high Aboriginal heritage sensitivity in the Aerotropolis Precinct Plan, culturally sensitive design must be incorporated. | **N/A**<br>As previously noted under SEPP (Precincts—Western Parkland City) 2021, Clause 4.28B the Recognise Country Guidelines do not apply. Pursuant to *Section 1.2.1 Where these Guidelines apply*, the guidelines apply to applications meeting certain criteria, in which the subject modification is not applicable.<br>It is considered that the proposed modification to the office building and associated parking amendments is limited in its capacity to promote and include aboriginal people. Furthermore, it would be difficult for the subject modification application to comply with the 'Recognise Country' principle when the original development was approved prior to this introduction of the Guidelines, as the initial design, layout, and underlying planning rationale was not informed by Country-led design thinking. Integrating 'Recognise Country' retrospectively can present significant challenges, particularly if the built form, landscaping, or site orientation already limits opportunities to respond meaningfully to Country. |
| | 2. Development proposals must outline how cultural values research and engagement with Traditional Custodians (and Knowledge Holders where appropriate) have informed the design outcomes. Where previous cultural values research (including overarching master plans and neighbouring sites) has been undertaken, the development proposal is to respond to the findings. | |
| **PO5** Development enables appropriate provision of built cultural infrastructure including dedicated spaces for cultural practice, places for sharing culture and specialised infrastructure to meet the needs of the local Aboriginal community | 1. Master Plans and sites of 20 hectares or more, within metropolitan, specialised and local centres (see Centres Hierarchy map in the Precinct Plan), should identify appropriate sites (location and size) for the provision of cultural infrastructure based on identified need (see Section 4.3 Aboriginal Culture and Heritage – Recognising Country in the Aerotropolis Precinct Plan). This includes specialised stand-alone infrastructure such as education, health and community facilities and | |

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| | services, as well as integrated spaces for gathering (see Section 14.4, 15.5 and 15.6 of the Guideline). | |
| | 2. When planning for and designing cultural infrastructure the proponent is to engage with relevant Traditional Custodians and other Aboriginal stakeholder types (i.e. Knowledge Holders, LALCs, Service providers and the local Aboriginal and Torres Strait Islander community) where appropriate (Section 2.1.2 of the Guideline). | |
| **2.2 Heritage**<br>The site is not mapped within an aboriginal cultural sensitivity area.<br>The site is not a State or Locally listed heritage item. | | |
| **2.3 Stormwater, Water Sensitive Urban Design and Integrated Water Management** | | |
| **2.3.1 Waterway Health and Riparian Corridors**<br>No impact on existing native and riparian vegetation anticipated as a result of the modification. | | |
| **2.3.2 Stormwater Management and Water Sensitive Urban Design**<br>No impact on waterways anticipated as a result of the modification. | | |
| **2.3.3 Management and access to Regional Stormwater Infrastructure and Waterways**<br>The subject site is not mapped for acquisition. | | |
| **2.4 Vegetation and Biodiversity** | | |
| **2.4.1 Deep Soil and Tree Canopy**<br>No deep soil or tree canopy requirements for Resource Recovery Facilities. | | |
| **2.4.2 Protection of Biodiversity**<br>No impact on biodiversity anticipated as a result of the modification. | | |
| **2.4.3 Protection of Trees and Vegetation**<br>No impact on existing vegetation anticipated as a result of the modification. | | |
| **2.4.4 On Lot and Streetscape Landscaping and Preferred Plant Species**<br>No change to the approved landscape design is proposed. | | |
| **2.4.5 Street Tree Planting Requirements**<br>Existing street trees to be retained. | | |
| **2.5 Flooding and Environmental Resilience Management**<br>**2.5.1 Flood Management Objectives**<br>The subject site is not mapped as being flood prone and the subject development is not a critical land use. | | |
| **2.5.2 Mitigating Urban Heat Island Effect**<br>The proposed development would not result in any additional hardstand. | | |
| **2.5.3 Salinity**<br>Salinity measures have been conditioned under the parent DA-263/2018. | | |
| **2.5.4 Acid Sulfate Soils**<br>The subject site is not mapped as containing acid sulfate soils. | | |
| **2.5.5 Erosion and Sediment Control**<br>Erosion and Sediment control measures have been conditioned under the parent DA-263/2018. | | |
| **2.6 Road design for Arterial and Sub-Arterial Roads**<br>No change to the existing road design is proposed. | | |
| **2.7 Parking design and access**<br>No change to the parking design proposed.<br>This is the subject of another application DA-263/2018/C.<br>Heavy vehicle access remains fully separated from staff and visitor parking and entry/exit points. | | |
| **2.8 Travel Demand Management**<br>A Travel Plan is not required as the modification development accommodates fewer than 50 employees and does not propose temporary access. | | |
| **2.9 Service and loading design**<br>**Objectives**<br>**O1.** To Provide functional, safe, and efficient loading and servicing areas. | | |

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| **O2.** Minimise visual and amenity impacts of loading and servicing on the public domain.<br>**O3.** Ensure that adequate off-street loading, delivery, and servicing facilities are provided.<br>**O4.** Minimise the impacts of loading, deliveries and servicing operations on the safety and efficiency of the surrounding road system and resident/visitor movement. | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| **PO1** Provide on-site loading and servicing that meets the demand generated by the development. | 1. Where a waste collection point is provided within a basement, head height clearances and aisle widths on Level 1 of the basement are to be sufficient for the largest loading vehicle (minimum 5m high) to enter the site, unload and exit the site in only one (1) reverse vehicle movement. | **N/A**<br>Waste collection is not provided within a basement. |
| | 2. All servicing, including waste and recycling collection, to be carried out wholly within the site with collection points at convenient locations. | **Complies**<br>All servicing, including private waste collection continues to be capable of being carried out wholly within the site.<br><br>Consistent with the DA 263/2018/A consent, the largest truck to access the site is a 20-metre-long articulated vehicle (AV). The processing shed will have three separate truck access points along its northern side that will allow for AV's to manoeuvre within the hardstand area and reverse into the shed.<br><br>Swept path analysis has been provided of the abovementioned truck movements using an AV, as defined under AS 2890.1, demonstrating satisfactory truck movement is capable. |
| | 3. Where waste and recycling bin rooms and collection points are located within the basement, a floor to ceiling clearance of 6.5m is required to allow for the overhead mechanical loading of bins within the basement by garbage trucks. | **N/A**<br>Waste collection is not provided within a basement. |
| **PO2** Loading and unloading facilities are adaptable to future technologies. | 1. Loading and unloading facilities are adaptable to technology or other services (e.g., food donation operations, or reverse logistics to return items for reuse or repair). | **N/A**<br>The proposed modification would not prevent loading and unloading facilities incorporating future technology or other services. |
| **PO3** Service vehicle types are appropriate to the scale and requirements of the proposed development. | 1. Residential developments containing more than 30 dwellings, but less than 60 must provide at least 1 service delivery space, capable of accommodating at least 1 Medium Rigid Vehicle. | **N/A**<br>Residential development not proposed. |

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| | 2. Residential developments containing more than 60 dwellings provide at least 1 service delivery space, capable of accommodating at least a:<br>a. Medium Rigid Vehicle (MRV); and<br>b. Heavy Rigid Vehicle (HRV). | |
| | 3. Swept turning paths provided for HRV and single articulated vehicles (20m). | **Complies**<br>Swept path analysis has been undertaken of the entry and exit movements to the processing shed using the largest serviced vehicle, being an AV (20m) as defined under AS 2890.1, demonstrating satisfactory truck movement is capable. |
| | 4. MRVs and HRVs are deemed to be the same as that described in Section 2 of AS 2890.2 – Parking facilities – Part 2: Off-street commercial vehicle facilities. | |
| | 5. Off-street loading and unloading facilities are provided for all commercial and industrial premises. The number and size of loading bays will be determined by the consent authority having regard to the:<br>a. Intended use of the premises;<br>b. Frequency of deliveries/collections;<br>c. Size and bulk of goods to be delivered/collected;<br>d. Size of vehicles to be used; and<br>e. Likely impacts on traffic safety and efficiency on adjoining roads. | **Complies**<br>All loading and unloading facilities are contained within the site. The proposed modification does not result in an increase in the frequency or size of deliveries and as such no change to the number of loading bays is proposed. |
| **2.10 Airport Safeguarding**<br>As identified in the assessment of Part 4.3 of the Parkland City SEPP the proposed modification is not likely to impact airport safeguards. The application was referred to WSA who raised no objection subject to conditions of consent. | | |
| **2.10.2 Noise**<br>**Objectives**<br>**O1.** Safeguard the future 24-hour operations of the Airport and provide appropriate protections for the surrounding community.<br>**O2.** Development does not introduce or intensify noise sensitive uses. | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| **PO1** Development within the ANEC 20 and above contours (including extensions to existing development) is constructed to achieve indoor design sound levels as per the Indoor Design Sound Levels for Determination of Aircraft Noise Reduction in AS 2021 – Acoustics Noise Intrusion – Building Siting and Construction. | 1. Residential development is constructed in accordance with Table 3 (p48). | **N/A**<br>Residential development not proposed. |
| | 2. An acoustic report is provided which specifies the construction standards | **Complies**<br>A noise impact assessment (NIA) has been provided. Apart |

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| | required to achieve the specified indoor design sound levels.<br><br>*Note: Residential development within the ANEC 20 and above contours will only be permitted where provided under clause 4.17(4) of the Parkland City SEPP or existing use rights apply. Development of residential accommodation will have the option of either incorporating the specified construction standards or provide an acoustic report. All other noise sensitive development specified within Table 4 of AS2021 will be required to be accompanied by a report prepared by a suitably qualified and experienced acoustic engineer.* | from amendments to the shed design and location, the acoustic consultant confirmed that all remaining operating parameters as approved remain the same. The NIA has been amended to correctly reflect the approved 2.1m colorbond fence to the boundary, in lieu of a 4m high fence.<br><br>The acoustic report outlines recommendations to be incorporated in the design, construction and operation of the facility to achieve compliance with the nominated assessment criteria and would form a condition of consent.<br><br>An existing condition of consent under DA-263/2018 requires the recommendations provided in the Construction Noise and Vibration Management Plan be implemented throughout the construction phase. |

**2.10.3 Wildlife Hazards**

As identified in the assessment of Part 4.3 of the Parkland City SEPP the proposed modification is not likely to impact airport safeguards. Ecology impacts have been previously assessed as part of DA-263/2018. The modifications to the processing shed do not materially increase any impacts upon wildlife within the development site.

The application was referred to WSA who raised no objection subject to conditions of consent.

**2.11 Services and Utilities**

Utility infrastructure is available as demonstrated under the approved DA-263/2018.

**2.12 Sustainability**

**Objectives**

**O1.** Minimise energy consumption and achieve net zero energy emissions by 2030.

| Performance Outcome | Benchmark Solution | Comment |
|---|---|---|
| **PO1** Incorporate renewable energy systems to ensure all buildings can achieve a 100% renewable energy supply by 2030. | 1. All developments demonstrate how 100% renewable energy supply can be achieved by 2030, whether on or off site. | **Considered Acceptable**<br>The approved Resource Recovery Facility assists in waste reduction and recycling. It supports sustainable urban development assisting developers meet sustainability targets such as net-zero emissions, waste reduction goals and regenerative targets.<br><br>By integrating waste management, energy recovery, and water efficiency, a Resource Recovery Facility closes the loop on material use, minimizes waste, and contributes to the creation of low-carbon, sustainable developments—a fundamental |

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| | | principle of the circular economy.<br><br>The proposed modification would assist in improving the circular economy by improving operational functions of the site. |
| | 2. Where the net zero energy target cannot be accommodated on site, the proponent must provide an offset e.g. with a Power Purchase Agreement. | **Considered Acceptable**<br>As noted above. |
| **2.13 Smart Places**<br>The proposed modification would not impact broader aerotropolis initiatives to support digital inclusion. | | |
| **2.14 Design for Safe Places**<br>The proposed modification is not anticipated to cause any safety concerns. | | |
| **2.15 Universal Design and Access**<br>Existing conditions of consent ensure access is provided to people with a disability in accordance with the relevant NCC, Disability and Australian Standards. | | |
| **2.16 Waste Management and Circular Economy**<br>No change to the approved waste management plan proposed. As previously noted the approved development assists in waste reduction and recycling. It supports sustainable urban development assisting developers meet sustainability targets such as net-zero emissions, waste reduction goals and regenerative targets. | | |
| **2.17 Subdivision design**<br>Subdivision not proposed. | | |
| **2.18 Earthworks and retaining walls**<br>Earthworks not proposed. | | |
| **2.19 Public Art**<br>Public Art not proposed. | | |

The proposal is considered to be generally consistent with the relevant controls outlined in Chapter 2.0 General Control of the Western Sydney Aerotropolis Development Control Plan 2022.

ii. Chapter **3** – Development for Enterprise and Industry, and Agribusiness

This chapter of the DCP applies specifically to development for the purpose of Enterprise and Light Industry, and Agribusiness only. The object of this Chapter is to meet the relevant performance outcomes established for each benchmark solution.

| **3.0 Development for Enterprise and Industry, and Agribusiness** | | |
|---|---|---|
| **3.1 Local road network and design** | | |
| **3.1.1 Street design**<br>As previously noted, a future collector road runs along the southern side of the site, and the site fronts a future Primary Arterial Road. The proposed modification would not prevent the future provision of the street networks envisioned within the Precinct Plan. | | |
| **3.2 Parking and travel management** | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |

<table>
<tr>
<td>PO1 To facilitate an appropriate number of vehicular spaces having regard to the industrial and agribusiness nature of the locality.</td>
<td>1. On-site car parking is to be provided in accordance with Table 4 (pp64-65).<br><br>2. For activities not identified in Table 4, the TfNSW' (formerly RTA) Guide to Traffic Generating Developments (ISBN 0 7305 9080 1) should be referred to as a guide.</td>
<td>Considered Acceptable<br>The approved DA provided for 13 at-grade car parking spaces including 2 accessible spaces. This was based on consideration of the operational characteristics of the proposal and the future workforce number.<br><br>The approved DA did not accommodate bicycle parking.<br><br>It is noted that a separate modification application (DA-263/2018/C) is currently under assessment in which on-site car parking is to be increased to 18 spaces to accommodate a future geotechnical laboratory.<br><br>The current modification involves increasing the floor area of the warehouse from approximately 2,375m$^2$ to 6,277m$^2$, an increase of 3,902m$^2$. Based on DCP Table 4 below this increase equates to an additional 13 car parking spaces required.<br><br>Given that as part of the modification the operational characteristics of the approved development has not changed, there is no increased processing capacity and no increased in the required employees the existing car parking is considered acceptable.<br><br>The application was reviewed by Councils Traffic & Transport officer who raised no objection.</td>
</tr>
</table>

Table 4 Car and bicycle parking rates

| Activity | Rate | | |
|---|---|---|---|
| | Within 800m walking distance of a metro station | Greater than 800m walking distance of a metro station | |
| | Maximum parking rate | Minimum parking rate | Maximum parking rate |
| Industry | 1 space / 200 sqm | 1 space / 200 sqm | 1 space / 100 sqm |
| Warehouses or distribution centres | 1 space / 250 sqm | 1 space / 300 sqm | 1 space / 100 sqm |
| Freight Transport Facilities | 1 per transport vehicle present at peak vehicle accumulation plus 1 per 2 employees, or to be determined by a car parking survey of a comparable facility. | | |
| Vehicle Body Repair Workshops/ Vehicle Repair Stations | 3 spaces per 100m2 of gross floor area or 6 per work bay, whichever is greater | | |
| Ancillary office space | 1 space per 40 sqm of gross floor area | | |
| Neighbourhood shops | 1 space per 40 sqm of gross leasable area | | |
| Other Uses | In accordance with TfNSW Guidelines or if there are no parking guidelines for a specific use, then a site specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitably qualified traffic consultant. | | |
| Accessible Parking | Accessible car spaces should be in accordance with the *Access to Premises Standards*, *Building Code of Australia* and AS2890. | | |
| Bicycle Parking | 1 space per 600 sqm of gross floor area of office and retail space (over 1200m$^2$ gross floor area)<br>1 space per 1,000 sqm of gross floor area of industrial activities (over 2000m$^2$ gross floor area) | | |

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| **PO2** To promote efficient and safe vehicle circulation, manoeuvring and parking (including service vehicles and bicycles) | 1. Vehicular access and driveways widths must be sweep path tested for the largest vehicle that will access a particular site e.g. 30m PBS Level 2 Type B or 36.5m PBS Level 3 Type A vehicles. | **Complies**<br>As previously noted swept path diagrams have been provided demonstrating vehicles up to 20m can service the site. |
| | 2. The required threshold should be set within the property to prevent cross fall greater than 4% within the footway area. | **N/A**<br>No change to the cross fall within the existing manoeuvring space proposed. |
| | 3. Turning circles shall accommodate the largest type of truck reasonably expected to service the site. A standard truck must be able to complete a 3-point or semi-circular turn on-site without interfering with parked vehicles, buildings, landscaping, storage and work areas | **Complies**<br>The provided swept paths demonstrate that a standard truck is capable of completing a 3-point turn. |
| | 4. Vehicular ramps less than 20m long must have a maximum grade of 1 in 5 (20%). | **N/A**<br>The maximum grade does not exceed 1 in 5. |
| | 5. Development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site. | **Complies**<br>On-site loading facilities are provided for. |
| | 6. All loading and unloading areas are to be:<br>a) Integrated into the design of developments;<br>b) Separated from car parking and waste storage and collection areas;<br>c) Located away from the circulation path of other vehicles; and<br>d) d. Located behind the building alignment of any street boundary and where visible from a public place, be provided with appropriate screening. | **Complies**<br>The loading and unloading areas are:<br>-Setback over 70m from the site frontage and is integrated into the design of the facility.<br>-Separated from the employee/visitor car park.<br>-Located away from the circulation path of other vehicles.<br>-Located behind the building setback and is not visible from the street frontage. |
| | 7. Car park surfaces should use finishes that minimise heat retention e.g. painted in light coloured paint. | **N/A**<br>No change to the approved car park surfaces proposed. |

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| | 8. Access, parking, manoeuvring and loading facilities shall be in accordance with Performance Based Standards An introduction for road managers (National Heavy Vehicle Register, May 2019) to accommodate vehicle types outlined in Table 5. The design shall have regard to the Standard Vehicle Turning Templates of the former RMS publication Policies Guidelines and Procedures for Traffic Generating Development | **N/A**<br>Existing conditions of consent apply requiring vehicular circulation to be in accordance with the relevant Australian Standards. |
| **PO3** To minimise the impact of vehicle access points on the quality of the public domain and streetscape. | 1. Driveways should be:<br>a) Located considering any services within the road reserve, such as power poles, drainage inlet pits and existing street trees;<br>b) Designed to avoid conflict between heavy vehicle and staff, customer and visitor vehicular and cycle movements, preferably by providing separate access driveways; and<br>c) For driveways with high traffic volumes, located away from major roads, intersections, opposite other intense developments, high pedestrian zones, and where right turn movements would obstruct traffic | **Complies**<br>No change to the approved truck driveway proposed. The driveway is:<br>-Located away from services within the road reserve.<br>-Separate from the staff and customer entry to avoid conflict.<br>-Located along Martin Road in accordance with TfNSW (RMS at the time) recommendations. |
| **PO4** To support the complementary use and benefit of public and active transport. | 1. The following bicycle destination facilities for staff are to be provided:<br>a) For ancillary office and retail space with a gross floor area over 2,500 sqm, at least 1 shower cubicle with ancillary change rooms;<br>b) For industrial activities with a gross floor area over 4,000 sqm, at least 1 shower cubicle with ancillary change rooms;<br>c) Change and shower facilities are to be located close to the bicycle storage areas; and<br>d) Where the building is strata-titled, the facilities are to be available to all occupants. | **N/A**<br>The development does not meet the criteria specified in (a) or (b).<br><br>As previously noted, the approved DA did not accommodate bicycle parking, and the proposed modifications to the processing shed is not deemed to necessitate the introduction of bicycle parking. |

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| | 2. Bicycle parking, facilities and storage must be in convenient locations, visible, secure, and provide weather protection for the bicycle. Bicycle parking and storage should be near to the entrances and facilities closer to work spaces or other amenities. | |
| **3.3 Built Form** | | |
| **3.3.1 Building Siting and Design** | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| **PO1** To encourage building form that responds to the topography of the site and the relative position of the allotment to other allotments and the street. To minimise the impact of buildings upon the surrounding public realm, including areas of environmental significance, landscape value and residential uses | 1. Building height should respond to the natural landscape and scale of adjoining development, with lower elements towards the street, pedestrian paths, adjoining rural-residential areas, environmental and open space areas, riparian corridors and ridgelines. | **Complies**<br>The height of the office building has increased from 13.5m to 16.045m to accommodate 'truck & dog' trucks to top within the building.<br><br>The shed is sufficiently setback from the street frontage so as to not impact on the existing rural streetscape.<br><br>Notwithstanding, this remains well below the maximum 24m prescribed under the Precinct Plan. |
| **3.3.1 Building Setbacks**<br>No change to approved building setbacks proposed.<br>It is noted that a 10m front setback allowance has been accommodated for future road widening. | | |
| **3.3.3 Landscape setbacks**<br>No change to approved landscape setback proposed.<br>It is noted that a 10m front setback allowance has been accommodated for future road widening. | | |
| **3.3.4 Building and architectural design** | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| **PO1** To ensure buildings achieve a high level of sustainability and environmental performance. | 1. Buildings should take advantage of a north or north-easterly aspect to maximise passive solar illumination, heating and natural cross-ventilation for cooling. | **Complies**<br>The processing shed continues to maximise northerly solar access. As part of the modification fresh air acoustic louvres have been incorporated to aid in cross-ventilation. |
| | 2. Development proposals shall demonstrate Ecological Sustainable Design (ESD) measures have been incorporated into the design, including a consideration of:<br>a) Building and window orientation;<br>b) Window size and glass type;<br>c) Insulation; | **N/A**<br>Ecology Sustainable Design (ESD) have been previously considered as part of DA-263/2018. The modifications to the processing shed do not materially impact on existing sustainable measures. |

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| | d) Natural ventilation and light with generous, all weather openings;<br>e) Utilise extensive roof areas for energy and water collection;<br>f) Air flow, ventilation and building morphology to support cooling; and<br>g) Circular economy in the design, construction and operation of buildings, public domain, infrastructure, and energy, water and waste systems. | |
| **PO2** To ensure new development contributes to a visually cohesive urban environment and responds to the adjacent scale and character of the area | 1. Buildings shall be oriented so building frontage is parallel with the primary street frontage. | **Complies**<br>The processing shed frontage is parallel with the street frontage. |
| | 2. Building design should minimise overshadowing within the site and on adjoining buildings. | **Complies**<br>The proposed processing shed does not overshadow any structures. |
| **PO3** To encourage innovation and a high standard of architectural design, utilising quality materials and finishes. | 1. External finishes should contain a mix of materials and colours and low reflectivity to minimise glare and reflection. | **N/A**<br>No changes to the approved external finishes are proposed. Notwithstanding, it is considered that the pale eucalypt cladding provides for a suitably attractive exterior that responds to the rural context of the site. |
| | 2. Elevations visible from the public domain must be finished with materials and colours and articulation that enhance the appearance of that façade and provide an attractive and varied streetscape. | |
| | 3. Large expanses of wall or building mass should be relieved using articulation, variation in construction materials, fenestration or alternative architectural enhancements. | **Complies**<br>The proposed modification improves on the approved design which included large unarticulated expanses of metal cladding.<br><br>The modification incorporates articulation in the form louvres to break up the horizontal expanse while the incorporation of an awning roof element at the mezzanine level assists in breaking up the vertical plane. |
| | 4. Entrances to buildings must be highlighted by architectural features consistent with the overall design of the building. | **Complies**<br>Pedestrian entry points are identified by bollards and colorbond steel doors consistent with the overall design of the shed. |

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| | 5. The design and location of roof elements and plant and mechanical equipment, including exhausts, is to minimise visual impact from the street or from elevated locations, such as screening with an integrated built element such as parapets. | **Complies**<br>No change to the colorbond steel pitched roof is proposed. Services are contained within the shed and are not visible from the street. |
| | 6. The design of the main office and administration components shall:<br>a) Be located at the main frontage of the building and be designed as an integral part of the overall building, rather than a 'tack on' addition;<br>b) Have a designated entry point that is highly visible and directly accessible from visitor parking and the main street frontage; and<br>c) Incorporate the principles of Universal Design. | **Complies**<br>No change to the main office located towards the site frontage proposed (this is subject to a separate DA-263/2018/C).<br><br>Access to the modified office space located on the first floor of the processing shed is via pedestrian access door identified by the placement of bollards. |
| | 7. Roof forms should help to visually articulate the use within the building. This may include transitions between foyer, office and larger warehouse uses. | **Complies**<br>No change to the colorbond steel pitched roof is proposed. |
| | 8. Roof design must provide natural illumination to the interior of the building. | **Considered Acceptable**<br>Consistent with the approved design the proposed processing shed does not incorporate natural illumination to the interior. |
| **3.3.5 Communal outdoor areas**<br>No change to the communal outdoor area proposed.<br>This is subject to a separate DA-263/2018/C currently under assessment. | | |
| **3.4 Signage**<br>No signage proposed as part of the modification application. | | |
| **3.5 Lighting**<br>Illumination of the site has been conditioned to Australian Standards under the approved DA-263/2018. No changes to the lighting plans proposed as part of the modification application. | | |
| **3.6 Fencing** | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| **PO1** To ensure that the design and location of fencing is integrated within the development and is suitable for its purpose and setting | 1. Fencing along street frontages should provide open style fencing, which does not obstruct views of landscaping from the street or reduce visibility. | **N/A**<br>No change to proposed to the approved front fence. |
| | 2. Palisade fencing is encouraged. | **N/A**<br>No change to proposed to the approved front fence. |
| | 3. Solid fences above 1 metre in height are not permitted along street frontages. | **N/A**<br>No change to proposed to the approved front fence. |

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| **PO2** To ensure that the security needs of the development are satisfied in a manner which complements the surrounding landscape design and streetscape quality. | 1. No fencing other than a low ornamental type may be erected at the front or secondary street site boundary. | **N/A**<br>No change to proposed to the approved front fence. |
| | 2. High security fencing should be located either behind the landscape setback or alternatively within the landscaped area midway between the site front or secondary boundary and the building line. The design of the landscape setback should consider site security management. | **N/A**<br>No change to proposed to the approved front fence. A sliding security gate to both driveways is approved between the site front and the building line.<br><br>The approved development incorporates 2.1m high open fencing along both side boundaries. |
| **3.7 Noise and amenity** | | |
| **Performance Outcome** | **Benchmark Solution** | **Comment** |
| **PO1** To ensure noise and vibration do not adversely impact human health and amenity. To ensure building design adequately protects workers and surrounding receivers from noise and vibration. | 1. Any machinery or activity considered to produce noise emissions from a premise shall be adequately sound-proofed so that noise emissions are in accordance with the provisions of the Protection of the Environment Operations Act 1997. | **Complies**<br>A noise impact assessment (NIA) has been provided. Apart from amendments to the shed design and location, the acoustic consultant confirmed that all remaining operating parameters as approved remain the same. The NIA has been amended to correctly reflect the approved 2.1m colorbond fence to the boundary, in lieu of a 4m high fence.<br><br>The acoustic report outlines recommendations to be incorporated in the design, construction and operation of the facility to achieve compliance with the nominated assessment criteria and would form a condition of consent.<br><br>An existing condition of consent under DA-263/2018 requires the recommendations provided in the Construction Noise and Vibration Management Plan be implemented throughout the construction phase. |
| | 2. Noise should be assessed in accordance with Noise Policy for Industry (EPA, 2017) and NSW Road Noise Policy (Department of Environment, Climate Change and Water, 2011). | |
| | 3. An Acoustic Report by a qualified acoustical engineer must be submitted where proposed development, including traffic generated by that development, will create noise and/or vibration impacts, either during construction or operation, that impacts on adjoining developments or nearby rural-residential areas. The Acoustic Report should outline the proposed noise amelioration strategies and management methods. | |
| | 4. Acoustic Reports for individual developments must assess cumulative noise impacts, including likely future noise emissions from the development and operation of the Precinct. The consultant should liaise with the relevant consent authority to determine acceptable amenity goals for individual industrial | |

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| | developments and background noise levels. | |
| | 5. The use of mechanical plant and equipment may be restricted in areas close to sensitive receivers, such as adjoining rural-residential development and educational establishments. | |
| | 6. Building design is to incorporate noise amelioration features. Roof elements are to control potential breakout noise, having regard to surrounding topography. | |
| | 7. Boundary fences are to incorporate noise amelioration features and control breakout noise having regard to developments adjoining rural-residential areas. | |

The proposal is considered to be generally consistent with the relevant controls outlined in Chapter 3.0 of the Western Sydney Aerotropolis Development Control Plan 2022.