

## Tables of Compliance

Table 1 – State Environmental Planning Policy (Western Sydney Employment Area) 2009

Section	Requirement	Proposal	Compliance
<b>Part 1 Preliminary</b>			
<b>3 Aims of Policy</b>	(a) to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development including major warehousing, distribution, freight transport, industrial, high technology and research facilities,	<ul style="list-style-type: none"> <li>The proposal will provide 81.3 hectares of developable area for employment uses and is expected to provide between 1,600 and 3,250 new jobs within the Western Sydney Employment Area (WSEA) (assuming a job generation rate between 20 and 40 jobs per hectare).</li> </ul>	Y
	(b) to provide for the co-ordinated planning and development of land in the Western Sydney Employment Area,	<ul style="list-style-type: none"> <li>The proposed Concept Plan will ensure that the redevelopment of the Ropes Creek Employment Precinct occurs in a co-ordinated manner.</li> </ul>	Y
	(c) to rezone land for employment or environmental conservation purposes,	<ul style="list-style-type: none"> <li>The land is zoned for employment and environmental conservation purposes. The proposal is consistent with that zoning.</li> </ul>	Y
	(d) to improve certainty and regulatory efficiency by providing a consistent planning regime for future development and infrastructure provision in the Western Sydney Employment Area,	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
	(e) to ensure that development occurs in a logical, environmentally sensitive and cost-effective manner and only after a development control plan (including specific development controls) has been prepared for the land concerned,	<ul style="list-style-type: none"> <li>The Concept Plan (<b>Section 4</b> of the EAR) and Development Guidelines (<b>Appendix J</b>) constitute a DCP as provided for under Clause 18. This will ensure that development occurs in a logical, environmentally sensitive and cost effective manner.</li> </ul>	Y
	(f) to conserve and rehabilitate areas that have a high biodiversity or heritage or cultural value, in particular areas of remnant vegetation.	<ul style="list-style-type: none"> <li>No development will occur within the E2 zones with the exception of future roads and flood mitigation works. The site does not have a high bio-diversity nor apparent heritage or cultural value.</li> </ul>	Y
<b>6 Consent authority</b>	For the purposes of this Policy, the consent authority for development of land to which this Policy applies is, subject to the Act, the council (referred to in this Policy as <b>the relevant council</b> ) of the local government area in which the land is situated.	<ul style="list-style-type: none"> <li>The project has been declared as a Major Project under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>, in accordance with <i>State Environmental Planning Policy (Major Development) 2005</i>. Accordingly the Minister is the consent authority.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
8 Relationship to other environmental planning instruments	<b>SEPPs that do not apply to this Policy</b> The following environmental planning instruments (or provisions) do not apply to the land to which this Policy applies: <u>State Environmental Planning Policy No 1—Development Standards</u> <u>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</u> (clause 6) <u>State Environmental Planning Policy No 60—Exempt and Complying Development</u>	<ul style="list-style-type: none"> <li>Noted</li> </ul>	N/A
	<b>This Policy to prevail over LEPs</b> In the event of an inconsistency between this Policy and a local environmental plan or deemed environmental planning instrument that applies to the land to which this Policy applies, this Policy prevails to the extent of the inconsistency.	<ul style="list-style-type: none"> <li>Noted</li> </ul>	N/A
<b>Part 2 Permitted or prohibited development</b>			
Zone IN1 General Industrial	<b>1 Objectives of zone</b> (a) To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space. (b) To encourage employment opportunities along motorway corridors, including the M7 and M4. (c) To minimise any adverse effect of industry on other land uses. (d) To facilitate road network links to the M7 and M4 Motorways. (e) To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment. (f) To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.	<ul style="list-style-type: none"> <li>The proposed development is consistent with the objectives of the IN1 Zone in that it:               <ul style="list-style-type: none"> <li>will facilitate the development of employment generating uses on the site;</li> <li>will provide employment opportunities along the M4 and M7 corridors;</li> <li>incorporates mitigation measures that minimise adverse environmental impacts on surrounding land uses;</li> <li>includes key sections of the proposed Regional Road Network which facilitate links to the M4 and M7 motorways;</li> <li>includes development guidelines that will encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment;</li> <li>A small scale service centre is proposed in the centre of the</li> </ul> </li> </ul>	Y

Section	Requirement	Proposal	Compliance
		precinct which will provide day to day services required by employees within the precinct.	
	<b>2 Permitted without consent</b> Nil	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
	<b>3 Permitted with consent</b> Depots; Food and drink premises; Freight transport facilities; Industrial retail outlets; Industries (other than offensive or hazardous industries); Neighbourhood shops; Roads; Service stations; Transport depots; Truck depots; Warehouse or distribution centres.	<ul style="list-style-type: none"> <li>The Stage 1 PA seeks consent for two warehouse and distribution centres which are permissible with consent in the IN1 zone.</li> </ul>	Y
	<b>4 Prohibited</b> Any development not specified in item 2 or 3.	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
<b>Zone E2 Environmental Conservation</b>	<b>1 Objectives of zone</b> (a) To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. (b) To prevent development that could destroy, damage or otherwise have an adverse effect on those values.	<ul style="list-style-type: none"> <li>The proposed development is consistent with the objectives of the E2 zone in that:               <ul style="list-style-type: none"> <li>mitigation measures are proposed to avoid any adverse environmental impacts to the E2 zoned land;</li> <li>buildings and structures will be setback a minimum of 10m from the E2 zoned land; and</li> <li>no development is proposed within the E2 zone, with the exception of roads and flood mitigation works which are permissible within the zone.</li> </ul> </li> </ul>	Y
	<b>2 Permitted without consent</b> Nil.	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
	<b>3 Permitted with consent</b> Artificial waterbodies; Environmental facilities; Environmental protection works; Flood mitigation works; Roads.	<ul style="list-style-type: none"> <li>The only development that is proposed within the E2 zoned land are roads and flood mitigation works which are permissible with development consent.</li> </ul>	Y
	<b>4 Prohibited</b>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A

Section	Requirement	Proposal	Compliance
	Any development not specified in item 2 or 3.		
<b>14 Subdivision-consent requirements</b>	Land to which this Policy applies may be subdivided, but only with consent.	<ul style="list-style-type: none"> <li>Subdivision is proposed as described in <b>Section 5.1</b> of the EAR and shown on the subdivision plans at <b>Appendix L</b>.</li> </ul>	Y
	<p>However, consent is not required for a subdivision for the purpose only of any one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) widening a public road,</li> <li>(b) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,</li> <li>(c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,</li> <li>(d) rectifying an encroachment on a lot,</li> <li>(e) creating a public reserve,</li> <li>(f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A

**Part 4 Development Control Plans**

<b>18 Requirement for development control plans</b>	(1) Except in such cases as the Director-General may determine by notice in writing to the consent authority or as provided by clause 19, the consent authority must not grant consent to development on any land to which this Policy applies unless a development control plan has been prepared for that land.	<ul style="list-style-type: none"> <li>The proposed Concept Plan and Design Guidelines are considered to fulfil the requirement for a Development Control Plan.</li> </ul>	Y
	(2) The requirements specified in Schedule 4 apply in relation to any such development control plan.	<ul style="list-style-type: none"> <li>The Design Guidelines (<b>Appendix J</b>) fulfil the requirements outlined in Schedule 4.</li> </ul>	Y
	(3) For the purposes of section 74D (3) of the Act, a development control plan that is required by this clause may be prepared and submitted by 60% of the owners of the land to which the plan applies.	<ul style="list-style-type: none"> <li>The land is owned by a sole entity who is the Proponent of the Development.</li> </ul>	Y
	(4) The Minister is authorised, for the purposes of section 74D (5) (b) of the Act, to act in the place of the relevant planning authority in accordance with that section.	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A

Section	Requirement	Proposal	Compliance
	<p>(5) Without limiting subclause (2), if a development control plan is required to be prepared for part of a precinct only, the development control plan must:</p> <p>(a) demonstrate the manner in which it integrates with planning for the whole of the precinct, and</p> <p>(b) take into account any other development control plans applying to the precinct.</p>	<ul style="list-style-type: none"> <li>The Concept Plan and Guidelines take into account the redevelopment of the broader WSEA in that they: <ul style="list-style-type: none"> <li>provide suitable regional road connections; and</li> <li>propose mitigation measures in terms of potential off-site impacts such as flooding and noise.</li> </ul> </li> </ul>	Y
	<p>(6) For the purposes of this clause, a development control plan is taken to have been prepared for so much of the land to which this Policy applies as is identified as the "Erskine Park Employment Area" under the <i>Penrith Development Control Plan 2006</i> (approved 21 August 2006 and as in force on 15 December 2006).</p>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
<b>20 Ecologically Sustainable Development</b>	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:</p> <p>(a) the consumption of potable water, and</p> <p>(b) greenhouse gas emissions.</p>	<ul style="list-style-type: none"> <li>Sustainable development details are provided in <b>Section 6.12</b> of the EAR and the design guidelines at <b>Appendix J</b>.</li> <li>Rainwater harvesting for non-potable uses is proposed to reduce potable water use. Water efficient fixtures will be incorporated into the development.</li> <li>A range of measures are proposed to reduce greenhouse gas emissions including, installation of energy efficient fixtures and fittings, providing facilities which encourage use of sustainable forms of transport, design measures which encourage use of natural light and ventilation etc.</li> </ul>	Y
<b>21 Height of Buildings</b>	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:</p> <p>(a) building heights will not adversely impact on the amenity of adjacent residential areas, and</p> <p>(b) site topography has been taken into consideration.</p>	<ul style="list-style-type: none"> <li>The proposed Stage 1 warehouses have a maximum height of 13.7m which is consistent with that of existing warehouses in the surrounding area. They are sufficiently remote from residential areas to not materially impact on residential amenity.</li> <li>A design guideline is proposed which requires future applications to take into account the topography of the site when selecting pad levels.</li> </ul>	Y
<b>22 Rainwater harvesting</b>	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate</p>	<ul style="list-style-type: none"> <li>The Stage 1 warehouses will have rainwater tanks with a storage capacity of 23KI and 16KI for Buildings 1 and 2 respectively.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General.	<ul style="list-style-type: none"> <li>A design guideline is proposed which requires future applications to provide rainwater storage tanks.</li> </ul>	
<b>23 Development adjoining residential land</b>	(1) This clause applies to any land to which this Policy applies that is within 250 metres of land zoned primarily for residential purposes.	<ul style="list-style-type: none"> <li>The closest residential property is approximately 200m to the north-west of the site.</li> </ul>	Y
	(2) The consent authority must not grant consent to development on land to which this clause applies unless it is satisfied that: <ul style="list-style-type: none"> <li>(a) wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and</li> <li>(b) goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and</li> <li>(c) the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance, and</li> <li>(d) noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and</li> <li>(e) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and</li> <li>(f) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated, and</li> <li>(g) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.</li> </ul>	<ul style="list-style-type: none"> <li>The Concept Plan and Statement of Commitments provide mitigation measures for future applications which will minimise any environmental impacts of the proposed development.</li> <li>The Stage 1 Development proposes warehouse buildings which are more than 250m from a residential dwelling, therefore this provision is not applicable to the Stage 1 project application.</li> </ul>	Y
<b>24 Development involving subdivision</b>	The consent authority must not grant consent to the carrying out of development involving the subdivision of land unless it has considered the following: <ul style="list-style-type: none"> <li>(a) the implications of the fragmentation of large lots of land,</li> <li>(b) whether the subdivision will affect the supply of land for employment purposes,</li> </ul>	<ul style="list-style-type: none"> <li>The proposed subdivision will facilitate the use of the site for employment purposes thereby increasing the amount of land available for such purposes. The size of the proposed warehouse lots are large and of a size suitable for the scale of industrial development proposed.</li> <li>The Concept Plan accounts for new regional and local road connections and will enable access to roads and services.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	(c) whether the subdivision will preclude other lots of land to which this Policy applies from having reasonable access to roads and services.	<ul style="list-style-type: none"> <li>The Stage 1 development provides road access to the site up to the completion of the Erskine Park Link Road (EPLR). The EPLR will block the legal access route to the site.</li> </ul>	
25 Public utility Infrastructure	(1) The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	<ul style="list-style-type: none"> <li>The services plans at <b>Appendix K</b> demonstrate that the precinct and Stage 1 development can be suitably serviced.</li> </ul>	Y
	(2) In this clause, <b>public utility infrastructure</b> includes infrastructure for any of the following: <ul style="list-style-type: none"> <li>(a) the supply of water,</li> <li>(b) the supply of electricity,</li> <li>(c) the supply of natural gas,</li> <li>(d) the disposal and management of sewage.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	Y
	(3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
26 Development on or in the vicinity of proposed transport infrastructure routes	(1) This clause applies to any land to which this Policy applies that is situated on or in the vicinity of a proposed transport infrastructure route as shown on the <u>Transport and Arterial Road Infrastructure Plan Map</u> .	<ul style="list-style-type: none"> <li>The site is affected by this clause.</li> </ul>	N/A
	(2) The consent authority must refer to the Director-General of the Department of Planning any application for consent to carry out development on land to which this clause applies.	<ul style="list-style-type: none"> <li>Noted. The Minister for Planning is the consent authority, and the Department of Planning will assess the applications.</li> </ul>	N/A
	(3) The consent authority must, before determining any such development application, consider any comments made by the Director-General as to the compatibility of the development to which the application relates with the proposed transport infrastructure route concerned.	<ul style="list-style-type: none"> <li>The proposed Concept Plan layout is consistent with the Regional Road Network identified on the SEPP Map and the design drawings prepared by the RTA for the Erskine Park Link Road Network. The proponent has agreed with the RTA for a second access from the EPLR adjacent to the eastern boundary of the site.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
<b>27 Exceptions to development standards</b>	(1) The objectives of this clause are: (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.	<ul style="list-style-type: none"> <li>Noted. The application does not seek a variation to any development standard.</li> </ul>	N/A
	(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.	<ul style="list-style-type: none"> <li>The application does not seek a variation to any development standard</li> </ul>	N/A
	(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
	(4) Consent must not be granted for development that contravenes a development standard unless: (a) the consent authority is satisfied that: (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and (b) the concurrence of the Director-General has been obtained.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A



Section	Requirement	Proposal	Compliance
	(5) In deciding whether to grant concurrence, the Director-General must consider: (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and (b) the public benefit of maintaining the development standard, and (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	■ N/A	N/A
	(6) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).	■ N/A	N/A
	(7) This clause does not allow consent to be granted for development that would contravene: (a) a development standard for complying development, or (b) clause 29 or 30.	■ N/A	N/A
<b>Part 6 Miscellaneous Provisions</b>			
<b>29 Industrial Release Area-satisfactory arrangements for the provision of regional transport infrastructure</b>	(1) This clause applies to the land shown edged heavy black on the <u>Industrial Release Area Map</u> , but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).	■ The land is located within the Industrial Release Area.	N/A
	(2) The object of this clause is to require assistance to authorities of the State towards the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) to satisfy needs that arise from development on land to which this clause applies.	■ The Concept Plan is consistent with the preliminary design drawings prepared for the Erskine Park Link Road by the RTA and with the regional road network (in the SEPP map) connecting to it and south to Precinct 8. As noted above, the RTA has agreed to provide a second entry intersection to the site and revise the intersection details.	Y
	(3) Despite any other provision of this Policy, the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to	■ The Concept Plan has provided sufficient allowance for the lot and building setbacks to the proposed regional roads and infrastructure.	Y

Section	Requirement	Proposal	Compliance
	contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which this Policy applies.		
	(4) Subclause (3) only applies if the land that is the subject of the application for development consent was not being used for industrial purposes immediately before the application was made.	<ul style="list-style-type: none"> <li>Noted, the site has not previously been used for industrial uses and as such the clause applies.</li> </ul>	Y
	(5) Subclause (3) does not apply in relation to: <ul style="list-style-type: none"> <li>(a) any land that is reserved exclusively for a public purpose, or</li> <li>(b) any development that is, in the opinion of the consent authority, of a minor nature.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
<b>30 Controls relating to miscellaneous permissible uses</b>	<b>Industrial retail outlets</b> If development for the purposes of an industrial retail outlet is permitted under this Policy, the retail floor area must not exceed: <ul style="list-style-type: none"> <li>(a) 20% of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or</li> <li>(b) 400 square metres,</li> </ul> whichever is the lesser.	<ul style="list-style-type: none"> <li>No industrial retail outlet is currently proposed within the precinct. If in the future industrial retail outlets are proposed to be associated with a warehouse and distribution centre the application for that development will demonstrate compliance with this control.</li> </ul>	N/A
	<b>Neighbourhood shops</b> If development for the purposes of a neighbourhood shop is permitted under this Policy, the retail floor area must not exceed 200 square metres.	<ul style="list-style-type: none"> <li>The Concept Plan contemplates a service centre in the middle of the precinct. A future application will detail the size of any neighbourhood shop proposed as part of that centre.</li> </ul>	Y
<b>31 Design Principles</b>	In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not: <ul style="list-style-type: none"> <li>(a) the development is of a high quality design, and</li> </ul>	<ul style="list-style-type: none"> <li>The proposed warehouses are considered to demonstrate a high quality architectural and environmental design.</li> <li>The design guidelines will ensure future developments exhibit the same level of design quality.</li> </ul>	Y
	<ul style="list-style-type: none"> <li>(b) a variety of materials and external finishes for the external facades are incorporated, and</li> </ul>	<ul style="list-style-type: none"> <li>The photomontages at <b>Appendix M</b> demonstrate that a variety of finishes are proposed for the stage 1 warehouses.</li> <li>The design guidelines will require a variety of materials and finishes for</li> </ul>	Y

Section	Requirement	Proposal	Compliance
		external facades.	
	(c) high quality landscaping is provided, and	<ul style="list-style-type: none"> <li>Clouston Associates has prepared a landscaping scheme for each warehouse and landscaping principles for future applications which will ensure that all landscaping within the precinct is of a high quality.</li> </ul>	Y
	(d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.	<ul style="list-style-type: none"> <li>The proposed warehouses are of a similar scale and design of other developments recently developed or approved within the WSEA.</li> </ul>	Y
<b>32 Preservation of trees or vegetation</b>	(1) The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.	<ul style="list-style-type: none"> <li>A Flora and Fauna Impact assessment has been prepared by Whelans Insites which demonstrated that the proposed development will not have any adverse impacts on the biodiversity values of the site. Rather, the biodiversity values are expected to improve with the natural expansion of the Ropes Creek Corridor and the provision of onsite water detention basins which will provide improved habitat opportunities.</li> </ul>	Y
	(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made under Division 6 of Part 3 of the Act.	<ul style="list-style-type: none"> <li>Noted. There are no significant or protected trees located on the site that are subject to a DCP.</li> </ul>	N/A
	(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by: <ul style="list-style-type: none"> <li>(a) development consent, or</li> <li>(b) a permit granted by the Director-General as the relevant planning authority for the purposes of Division 6 of Part 3 of the Act.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. The site is generally clear of vegetation. A small number of trees will require removal from the north-western corner of the site, however this is not considered to cause a significant adverse impact as discussed by Whelans Insites in their report at <b>Appendix D</b>.</li> <li>No trees are affected by the Stage 1 Project Application.</li> </ul>	Y
	(4) This clause does not apply to a tree or other vegetation that the relevant council or the Director-General (as the relevant planning authority for the purposes of Division 6 of Part 3 of the Act) is satisfied: <ul style="list-style-type: none"> <li>(a) is dying or dead and is not required as the habitat of native fauna, or</li> <li>(b) is a risk to human life or property.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A

Section	Requirement	Proposal	Compliance
	<p>(5) This clause does not apply to or in respect of:</p> <p>(a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the <u>Native Vegetation Act 2003</u> or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or</p> <p>(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <u>Native Vegetation Act 2003</u>) that is authorised by a development consent under the provisions of the <u>Native Vegetation Conservation Act 1997</u> as continued in force by that clause, or</p> <p>(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <u>Forestry Act 1916</u>, or</p> <p>(d) action required or authorised to be done by or under the <u>Electricity Supply Act 1995</u>, the <u>Roads Act 1993</u> or the <u>Surveying Act 2002</u>, or</p> <p>(e) plants declared to be noxious weeds under the <u>Noxious Weeds Act 1993</u>.</p>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A

Table 2 – Relevant Sections of Blacktown Development Control Plan 2006

Section	Requirement	Proposal	Compliance		
2.0 SHOPS AND OFFICES IN THE INDUSTRIAL ZONES					
2.1 Retailing in 4(a), 4(b) and 4(c) Zones	<p>For developments which include retail ancillary to manufacturing for daily convenience shops or bulky goods retailers:</p> <p>(a) it must be demonstrated that the use is clearly ancillary and subservient to the dominant use or specifically intended to satisfy the daily convenience needs of the local workforce;</p> <p>(b) developers will need to satisfy Council that the retailing activity would not detrimentally affect the viability of any business centre, including both established and proposed business centres identified with the Blacktown retail hierarchy. This means that Council will require evidence that the scale ( floor space, turnover etc), location (in relation to business centres) and types of development (goods to be sold) in relation to the proposal will not adversely affect nearby business centres; and</p> <p>(c) in relation to individual small shops in the industrial zones, the gross floor area should not exceed 75sq.m. Such shops shall not be located within 400m by straight line distance of other existing or approved individual small shops within the industrial zone or land zoned for 3(a) General Business purposes.</p>	<ul style="list-style-type: none"><li>The Concept Plan proposes a service centre in a later stage. The detailed design of the service centre will be the subject of a future application. Compliance with the requirements of this section of the DCP will be provided with the relevant application.</li></ul>	N/A		
2.2 Commercial Premises in the 4(a), 4(b) and 4(c) Zones	<p>Commercial uses such as offices are permitted where they are ancillary (and subservient) to permissible uses or where they service the daily convenience needs of the industrial area workforce.</p>	<ul style="list-style-type: none"><li>Commercial office space in the Stage 1 development is ancillary to the proposed warehouses.</li></ul>	Y		
3.0 SUBDIVISION OF INDUSTRIAL LAND					
3.1 Allotment Sizes and Dimensions	Location	Minimum Width (m)	Minimum Area (m <sup>2</sup> )	<ul style="list-style-type: none"><li>All lots proposing warehouse and distribution use will have an area equal to or greater than 1,500m<sup>2</sup>, and comply with the minimum width of 35m. It is likely that the proposed services centre will not require this amount of land and would occupy a lot smaller than 1,500m<sup>2</sup>.</li></ul>	Y
	Huntingwood	50	4,000		
	Arndell Park	35	2,500		
	All other areas	35	1,500		

Section	Requirement	Proposal	Compliance
	Battle-axe shaped allotments shall comply with the minimum land areas stipulated above, exclusive of the area taken up by the battle-axe handle. Battle-axe shaped allotments shall meet the minimum widths at the building line as stated above. Battle-axe handles shall have a minimum width of 8m. However, where 2 battle-axe handles adjoin and provide a shared driveway with reciprocal rights-of-way over the other, the minimum width of the shared driveway may be 10m.	<ul style="list-style-type: none"> <li>All of the proposed lots have a frontage to a local road and will be accessed from a local road.</li> <li>Should a battle axe lot be proposed it will comply with the requirements of this control.</li> </ul>	
<b>3.2 Strata Subdivision</b>	Where there is to be a strata plan of subdivision, any space for parking or other purposes forming a part of a sole occupancy unit required by Council must be included in the same strata lot as the unit. All landscaped and access areas, and directory board signs not forming part of an individual unit, will be required by Council to be included in any strata plan of subdivision as common property.	<ul style="list-style-type: none"> <li>No strata subdivision is proposed or anticipated at this stage. If it is proposed in the future, the subdivision will comply with the requirements of this control.</li> </ul>	N/A

#### 4.0 DESIGN GUIDELINES

<b>4.1 Drainage</b>	All stormwater shall be either reticulated to the street gutter or piped to a suitable location as approved by Council.	<ul style="list-style-type: none"> <li>Details of the proposed stormwater management master plan are provided in the Stormwater Report prepared by Brown Consulting Engineers at <b>Appendix Q</b>.</li> </ul>	Y
	Where a site has a slope which falls away from the fronting street, the Development Application must include information establishing that the written agreement of all relevant downstream property owners has been obtained.	<ul style="list-style-type: none"> <li>The Ropes Creek Precinct is in single ownership. If in the future a lot(s) are sold, they will comply with this clause.</li> </ul>	N/A
	Where any development will result in an increase in stormwater run-off, Council may require the developer to make satisfactory arrangements for the efficient disposal of stormwater from the site. These arrangements may include (but not be limited to) on-site detention of stormwater and/or appropriate augmentation of Council's stormwater disposal system.	<ul style="list-style-type: none"> <li>Stormwater detention and rainwater retention tanks are proposed see <b>Appendix Q</b>.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	In the Upper Parramatta River Catchment area on-site detention must be provided in accordance with the requirements of the Upper Parramatta River Catchment Trust in its publication <i>"Catchment On-Site Stormwater Detention (OSD) Policy"</i> .	<ul style="list-style-type: none"> <li>Detention is proposed in regional basins on the subject site (see <b>Appendix Q</b>). If detention is required onsite in the future, it will comply with Council's guidelines.</li> </ul>	Y
<b>4.2 Setbacks</b>	In all industrial areas within the City of Blacktown no buildings are to be erected on any land within: <ul style="list-style-type: none"> <li>(a) 20m of the street alignment of a road zoned 5(b);</li> <li>(b) 10m of the street alignment of a road zoned 5(c) or an industrial collector road. The industrial collector roads comprise Holbeche Road, Huntingwood Drive, Glendenning Road and Power Street (east of Glendenning Road);</li> </ul>	<ul style="list-style-type: none"> <li>20m building setbacks have been proposed along the Regional Road.</li> <li>The proposed Stage 1 buildings are set back from the local road from which they are accessed by more than 7.5 metres.</li> <li>The Concept Plan proposes industrial development which is setback more than 15m from an adjoining residential area even though it is separated by the proposed EPLR.</li> </ul>	Y
	<ul style="list-style-type: none"> <li>(c) 7.5m of the street alignment of any other road; and</li> <li>(d) 15m of an adjoining residential zones or 5m of an adjoining 6(a) Public Recreation or 5(a) Special Uses (School) zone, where any of these zones is not separated from an industrial zone by a road (with the exception of the Kings Park Industrial Area as detailed below).</li> </ul>		
	In the Kings Park Industrial Area the following additional specific building setbacks apply: (a) 15m from the 6(a) Public Recreation zone adjoining the northern boundary of the Kings Park Industrial Area, except that limited parking and storage facilities may be permitted within 6m of the rear walls of buildings located on the lots on the northern side of Binney Road; and (b) 30m from the residential zone adjoining the western boundary of Kings Park Industrial Area.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
	Council may consider allowing car parking within the setback to a 5(b) road, to within 10m of the street alignment, if the design of the development creates an attractive streetscape.	<ul style="list-style-type: none"> <li>No parking is proposed within any of the building setback to local or regional roads.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	In the case of corner allotments, the minimum setback required for the secondary frontage shall be 5m on roads zoned 5(b) or 5 (c) or on industrial collector roads and 3m on all other roads, provided that the building presents a satisfactory facade to the street with good design and landscaping elements. Blank wall facades will not be satisfactory.	<ul style="list-style-type: none"> <li>Setbacks in excess of these minimum requirements are proposed.</li> </ul>	Y
	Variations to the building line standards outlined above may be granted by Council for infill development in existing industrial areas fronting major roads. Each case will be considered on its merits and applicants are advised to discuss any proposal with Council's Planning and Development Services staff.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
	Setback areas to public roads are to be landscaped and maintained as open areas only, so as to enhance the streetscape appearance of all industrial development. No storage of any kind is to occur within landscaped setback areas.	<ul style="list-style-type: none"> <li>All building setbacks are proposed to be landscaped. Refer to the landscape report at <b>Appendix O</b>.</li> </ul>	Y
	Fencing is acceptable within the minimum setback area but only if it is: (a) open-style fencing (e.g. pool fencing); or (b) fencing which does not obstruct the view of landscaping from the street or a driver's view (from the driveway) of the road.	<ul style="list-style-type: none"> <li>Black palisade fencing will be erected around the property boundaries of each of the proposed Stage 1 lots.</li> <li>The design guidelines will ensure that future fencing is open style and does not obstruct views.</li> </ul>	Y
	Where developments front roads zoned 5(b) or 5(c), fencing shall be provided and shall be a minimum height of 1.2m and constructed so as to prevent vehicular and pedestrian access to or from those roads.	<ul style="list-style-type: none"> <li>The Stage 1 perimeter fencing will be to a height of 1.8m.</li> <li>Future fencing on later stages will comply with these requirements.</li> </ul>	Y
	All fencing materials used shall be to Council's satisfaction. Pre-painted solid metal fencing is not acceptable to Council.	<ul style="list-style-type: none"> <li>The fencing is consistent with other fencing approved by Council in the Eastern Creek Precinct.</li> </ul>	Y



Section	Requirement	Proposal	Compliance
4.3 Landscaping	Landscaping proposals should generally be in accordance with the following requirements:  (a) every effort should be made to preserve existing trees in accordance with the provisions of Clause 25 of Blacktown LEP 1988 (Tree Preservation);	<ul style="list-style-type: none"> <li>The site is generally clear of vegetation.</li> <li>During the preparation of the Concept Plan, significant effort has been made to retain trees, however some trees will require removal, particularly in the north-western corner of the site. Whelans Insites has assessed the impact of removing these trees and subject to the recommended mitigation measures being implemented, believes that the proposed development will not have a significant impact on the bio-diversity values of the site (see <b>Appendix D</b>)</li> </ul>	Y
	(b) all setback areas are to be landscaped and maintained. Car parking areas are to be suitably treated with landscaping to provide shading for parked cars. Undeveloped areas are to be stabilised to prevent soil erosion. Landscaping may be required around the perimeter of undeveloped areas;	<ul style="list-style-type: none"> <li>Building setbacks and car parking areas will be landscaped in accordance with the plans prepared by Clouston Associates Pty Ltd.</li> </ul>	Y
	(c) all landscaped areas are to be separated from vehicular areas by means of a kerb, dwarf wall or other effective physical barrier;	<ul style="list-style-type: none"> <li>All landscaped areas will be separated from vehicular areas by kerbing.</li> </ul>	Y
	(d) earth mounding (where on-site detention of drainage is not required) is encouraged within the setback area. Embankments that are not finished with rockeries or walls should not be steeper than 1:4 gradient in order to enable grass to be grown and maintained;	<ul style="list-style-type: none"> <li>Earth mounding / batters will be provided where possible. It is noted that on some of the site boundaries this is not possible and in these cases retaining walls are proposed.</li> <li>Where batters are proposed these will be landscaped in accordance with the principles established in the Landscape Report prepared by Clouston Associates at <b>Appendix O</b>.</li> </ul>	Y
	(e) trees are to have a minimum height of 1m at the time of planting;	<ul style="list-style-type: none"> <li>Noted, trees will have a mature height at the time of planting.</li> </ul>	Y
	(f) landscaping is to harmonise with buildings and should be in the form of grass, ground cover, trees shrubs and paving; and	<ul style="list-style-type: none"> <li>The proposed landscaping scheme has been designed to reflect the pastoral landscapes of the surrounding area. Trees are also proposed which will relate to the height of the proposed buildings. Shrubs will also be planted to define the property boundary and other various aspects of the site.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	(g) native species should be used due to their low maintenance characteristics, relative fast growth, aesthetic appeal and suitability to the natural habitat.	<ul style="list-style-type: none"> <li>Native grasses and shrubs are proposed in the two landscape schemes.</li> </ul>	Y
<b>4.4 Consideration of Adjoining Land</b>	Where development is proposed on major traffic routes or on land near to or adjoining a residential zone, a 6(a) Public Recreation zone, or sensitive uses such as schools, Council will have particular regard to the following:  (a) the appearance of the development from through roads and adjoining land. For example, building materials and landscaping which require little maintenance are preferred and screen walls and/or landscaping may be effective in screening industrial development;	<ul style="list-style-type: none"> <li>The landscaping scheme has been designed such that it has low maintenance requirements. Trees are also proposed which will break up the massing of the proposed buildings.</li> <li>The proposed buildings will also have varied materials and colours so as to provide visual interest to the precinct.</li> </ul>	Y
	(b) the appearance of the development from elevated residential areas. For example, the use of non-reflective building materials, the use of materials which blend with the landscape of the Blue Mountains (where these provide the background - predominantly a blue-green hue) and attention to the skyline treatment of buildings;	<ul style="list-style-type: none"> <li>The proposed buildings will not be readily visible from an adjoining residential area.</li> <li>For developments in close proximity of residential properties, roof materials will have a reflectivity co-efficient of 20% or less so as to avoid any adverse glare impacts.</li> </ul>	Y
	(c) the likely level of air pollution (both odour and chemical content) to be emitted by the development. Approval may be required from the Environment Protection Authority for some development;	<ul style="list-style-type: none"> <li>The use of the Stage 1 buildings for warehouse and distribution purposes is not likely to generate air pollution.</li> </ul>	N/A

Section	Requirement	Proposal	Compliance
	(d) the likely level of noise to be emitted by the development, particularly its effect on the use of adjoining residential land. In general, noise generated by a development should not exceed the existing background sound pressure level by more than 5dB(A). A statement of compliance with this standard from an experienced acoustical consultant may be required to be submitted with the Development Application; and	<ul style="list-style-type: none"> <li>An acoustic impact assessment has been prepared by Wilkinson Murray (<b>Appendix S</b>) which has concluded that the proposed development will not generate any adverse noise impacts during the operation of the employment precinct.</li> <li>The Stage 1 buildings are a sufficient distance away from residential receivers and as such no acoustic mitigation measures are required.</li> <li>Future applications will be accompanied by an acoustic impact assessment.</li> </ul>	Y
	(e) the potential effect of the development on solar access to adjoining non-industrial land. Council may require the submission of shadow diagrams indicating the effect of shadows between 9am and 3pm on 21 June.	<ul style="list-style-type: none"> <li>The proposed development will not affect solar access to any non-industrial land.</li> </ul>	N/A
<b>4.5 Building Design and Construction</b>	Applicants must submit with their Development Application details of the design of the development with the exception of construction details.	<ul style="list-style-type: none"> <li>The design of the Stage 1 warehouse buildings is discussed in <b>Section 5</b> of the EAR and provided on the architectural plans at <b>Appendix M</b>.</li> </ul>	Y
	Building facades to street frontages, with a minimum 3m return, must be constructed of face brick or decorative masonry blocks (not standard concrete blocks) or other building materials to the requirements of Council's Planning and Development Services staff.	<ul style="list-style-type: none"> <li>The proposed Stage 1 warehouse buildings will be constructed out of painted pre-cast concrete panels with metallic feature cladding and metal louvres.</li> </ul>	Y
	All building construction must comply with the requirements of the <i>Building Code of Australia</i> .	<ul style="list-style-type: none"> <li>The proposed buildings will comply with, and will be certified at the CC stage as meeting, the requirements of the Building Code of Australia (BCA) refer to the commitments at <b>Section 6</b> of the EAR.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	All building construction must comply with the requirements of the <i>Building Code of Australia</i> . The following requirements should also be observed:  (a) Internal walls of factory units must be of masonry construction and must be carried to the underside of the roof and sealed to Council's satisfaction; and	<ul style="list-style-type: none"> <li>The internal walls of buildings will comply with the BCA. It is noted that there are many other recent examples of warehousing development where pre-cast concrete, metal and timber/gyprock panels have been used in lieu of masonry construction.</li> </ul>	N
	(b) Separate male and female toilets must be provided to each factory unit. Disabled toilets may be required.	<ul style="list-style-type: none"> <li>Noted, toilets will be provided in accordance with the requirements of the BCA.</li> </ul>	Y
	All roofing must be provided with adequate gutter and downpipes connected to the roofwater drainage system. Downpipes should discharge to an open-grated surface inlet pit.	<ul style="list-style-type: none"> <li>All roofing will drain to on-site rainwater collection tanks as detailed in the stormwater management plan at <b>Appendix Q</b>.</li> </ul>	Y
<b>4.6 Open Storage Areas</b>	Where any materials are to be stored outside the buildings on the site, full details of the parts of the site to be so used, and of specific materials to be stored, should be provided by the applicant with the Development Application.	<ul style="list-style-type: none"> <li>No outside storage areas are proposed with the Stage 1 Project Application.</li> <li>Should any future developments require this type of facility it will be detailed in the relevant application.</li> </ul>	N/A
	Open storage areas are to be effectively screened and sealed in a dust-free manner. Such areas are to be located preferably behind buildings. No storage should occur above the height of proposed screening.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
<b>4.7 Vehicular Access and Circulation</b>	Adequate vehicular entrance to and exit from the development is to be provided and designed in order to provide safety for pedestrians and vehicles using the site and adjacent roadways. In some cases combined ingress and egress will be permitted.	<ul style="list-style-type: none"> <li>Separate vehicular entrances are proposed for cars and trucks in accordance with the RTA guidelines for industrial development for the Stage 1 Project Application.</li> <li>Future applications will also demonstrate compliance with this control.</li> </ul>	Y
	Vehicular ingress and egress to the site must be in a forward direction at all times.	<ul style="list-style-type: none"> <li>Vehicular egress and access will be in a forward direction at all times.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	All developments must be designed and operated so that a standard truck may complete a 3-point or semi-circular turn on the site without interfering with parked vehicles, buildings, landscaping or outdoor storage and work areas.	<ul style="list-style-type: none"> <li>The trucks will circulate in a one-way movement around the perimeter of the Stage 1 buildings. Sufficient circulation space is provided around the building to enable b-double truck movements throughout the site.</li> <li>Future applications will also demonstrate compliance with this control.</li> </ul>	Y
	Large-scale developments shall be designed to accommodate semi-trailers. In the case of the conversion of an existing development, should it appear that a truck turning circle may prove difficult, a practical demonstration may be required.	<ul style="list-style-type: none"> <li>Noted, see comment above.</li> </ul>	Y
	All internal two-way roadways are to have a minimum width of 7m.	<ul style="list-style-type: none"> <li>No-internal two-way roads are provided as part of the Stage 1 applications.</li> <li>Should this type of road be required in future developments, design details will be provided with the relevant application.</li> </ul>	Y
	All internal roadways, circulation and parking areas are to be sealed with a hard-standing, all-weather material.	<ul style="list-style-type: none"> <li>All roads will be finished with a hard standing, all weather material.</li> </ul>	Y
	Direction arrows are to be shown on all internal roadways in order to facilitate the satisfactory movement of vehicles.	<ul style="list-style-type: none"> <li>Directional signage and road markings will be provided with all developments on the site.</li> </ul>	Y
	Adequate space is to be provided within the site for the loading, unloading and fuelling (if applicable) of vehicles.	<ul style="list-style-type: none"> <li>Specific loading and unloading areas are nominated on the Stage 1 plans and will be provided for all developments on the site.</li> </ul>	Y
	Developments are to comply with the requirements of the Roads and Traffic Authority in relation to the number, location and design of vehicular entry and exit points and/or certain road construction works.	<ul style="list-style-type: none"> <li>Noted. The design of the precinct roads and circulation areas for the Stage 1 applications have been reviewed by Halcrow, refer to the traffic assessment at <b>Appendix I</b>.</li> </ul>	Y
	All parking areas and access roadways must be provided with a drainage system comprising surface inlet pits.	<ul style="list-style-type: none"> <li>The development will comply with this control.</li> </ul>	Y
	Direct vehicular access is denied between individual sites and any	<ul style="list-style-type: none"> <li>N/A. It is noted that no direct access from a regional road is</li> </ul>	N/A

Section	Requirement	Proposal	Compliance
	road zoned 5(b) or 5(c) in Blacktown LEP 1988 except in special circumstances as outlined in Clause 22 of the LEP.	proposed in the Stage 1 development.	
4.8 Car Parking	Factory, Warehouse & Bulk Storage:		Y
	i. Buildings 7,500 sqm or less – 1 space per 75 sqm GFA.	<ul style="list-style-type: none"> <li>The provision of on-site car parking has been assessed by Halcrow and is considered to be in accordance with the RTA Traffic Generating Development Guidelines. The Stage 1 applications have been designed such that overflow parking can be provided if needed which would result in compliance with Council's parking rates.</li> </ul>	
	ii. Buildings greater than 7,500 sqm – GFA 1 space per 200 sqm where there is a specific end user which would not demand a higher rate and where employee parking demand is adequately catered for.		
	Commercial/ Office Component:		Y
	i. 1 space per 40sqm GFA	<ul style="list-style-type: none"> <li>The proposed office parking ratio for the precinct is consistent with this requirement, refer to <b>Appendix I</b>.</li> </ul>	
	Bulky Goods Retailing & Hardware Stores:		N/A
	i. 1 space per 45sqm GFA	<ul style="list-style-type: none"> <li>N/A.</li> </ul>	
	The car parking area, if possible, should be located immediately behind the minimum setback area and in front of any activity on the site.	<ul style="list-style-type: none"> <li>The car parking areas are located between the buildings and the landscaped setback in the Stage 1 Project Application.</li> <li>Future applications will demonstrate compliance with this control.</li> </ul>	Y
	The use of stack parking is not favoured and may only be permitted in special circumstances.	<ul style="list-style-type: none"> <li>Stack parking is not proposed in the Stage 1 Project Application.</li> <li>Future applications will demonstrate compliance with this control.</li> </ul>	Y
	Parking facilities for commercial vehicles should be designed to accommodate the largest type of truck which could reasonably be expected to park on the site.	<ul style="list-style-type: none"> <li>Access and sufficient parking is provided for B-Double trucks.</li> </ul>	Y
	All developments providing 50 parking spaces or more must provide at least 2% or part thereof of those spaces for disabled driver	<ul style="list-style-type: none"> <li>2% of the nominated parking spaces will be designated as disabled parking.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	All parking areas shall be constructed of hard-standing, all-weather material, with parking bays and circulation aisles clearly delineated.	<ul style="list-style-type: none"> <li>Noted. This is proposed, refer to the architectural plans at <b>Appendix M</b>.</li> </ul>	Y
<b>5.0 GENERAL</b>			
<b>5.1 Services</b>	Any development consent granted by Council will impose conditions requiring evidence that arrangements satisfactory to Sydney Water have been made by the applicant for the required water and sewerage services to the development.	<ul style="list-style-type: none"> <li>Noted. Sydney Water will be consulted and confirmation of services availability will be obtained as part of the CC.</li> </ul>	Y
	In unsewered areas and approved on-site sanitary waste disposal system will be required. All waste must be removed by an approved contractor. Applicants are advised to contact Council's Planning and Development Services staff for details.	<ul style="list-style-type: none"> <li>Noted, refer to the services plans at <b>Appendix K</b>.</li> </ul>	Y
	In the Huntingwood, Kings Park and Prospect Industrial Areas applicants are required to make satisfactory arrangements for provision of underground electricity and telephone services to the site.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
	In all other industrial areas applicants are required to make satisfactory arrangements for the provision of electricity and telephone to the site.	<ul style="list-style-type: none"> <li>Noted, refer to the services plans at <b>Appendix K</b>.</li> </ul>	Y
	Applicants are advised that the City of Blacktown is serviced by an extensive natural gas system. Council may require applicants to contact the relevant supplier with a view to connection of gas supply to the development as a condition of development consent.	<ul style="list-style-type: none"> <li>Noted. Connection to the existing gas services in Old Wallgrove Road is proposed.</li> </ul>	Y
<b>5.2 Pollution Control</b>	The emission of air impurities, as defined under the <i>Protection of the Environment Operations Act 1997</i> , is to be controlled to the satisfaction of Council at all times. Approval may be required from the Department of Environment and Conservation for some development.	<ul style="list-style-type: none"> <li>Noted. No adverse air emissions are expected to be generated by the proposed Stage 1 development.</li> </ul>	Y

Section	Requirement	Proposal	Compliance
	If the premises are subject to licensing under the <i>Protection of the Environmental Operations Act 1997</i> , any conditions of such a licence will form part of any building approval. Developments producing large quantities of contaminated waste water may be restricted to sewerage sites.	<ul style="list-style-type: none"> <li>N/A</li> </ul>	N/A
	Any machinery or activity considered to create a noise nuisance must be adequately sound-proofed in accordance with the provisions of the <i>Protection of the Environment Operations Act 1997</i> .	<ul style="list-style-type: none"> <li>N/A. The acoustic assessment has demonstrated that the proposed development is not expected to generate any adverse operational noise impacts.</li> </ul>	N/A
	The use of mechanical plant and equipment may be restricted where sites are located near a residential area. Developments located near residential areas should be designed so that the development does not cause a noise nuisance.	<ul style="list-style-type: none"> <li>Noted, however this is not considered necessary for this precinct. Refer to the acoustic impact assessment at <b>Appendix S</b>.</li> </ul>	
	Incinerators are not permitted for waste disposal.	<ul style="list-style-type: none"> <li>Noted, none are proposed.</li> </ul>	Y
	Adequate storage for waste materials must be provided on-site and any such waste must be removed at regular intervals and not less frequently than once per week.	<ul style="list-style-type: none"> <li>Noted, waste storage and recycling areas will be provided with each warehouse and a commitment has been made at Section 7 the EAR which requires the preparation of a Waste Management Plan prior to the operation of the warehouses.</li> </ul>	Y
	Sydney Water may require applicants to enter into a Trade Waste Agreement for the collection and removal of trade waste in relation to a proposed development.	<ul style="list-style-type: none"> <li>Noted.</li> </ul>	N/A
<b>5.3 Areas Requiring Fill</b>	Particular attention is drawn to the DCP map which identify those areas requiring significant filling before development may proceed. In addition, land which is used or has been used for a dam may need special consideration. For these areas Council will impose conditions of development consent regarding type of fill and compaction of soil.	<ul style="list-style-type: none"> <li>Details of bulk excavation works are provided on the civil drawings at <b>Appendix N</b>. A cut and fill diagram is also included with the Concept Plan drawing set, refer to <b>Appendix B</b>.</li> </ul>	Y