Penrith Development Control Plan 2014 **(PDCP 2014)**

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
C1 Site Planning and Design Principles			
1.1.2 Key Areas with Scenic and Landscape Values	*(1) New proposals on land identified in the LEP Scenic and Landscape Values Map (including gateway sites) or on land zoned E1 National Parks and Nature Reserves or E2 Environmental Conservation, are to submit a visual impact assessment with their development application. This assessment involves describing, analysing and evaluating the visual impacts of the proposed development, and identifying measures to minimise the impacts and ensure the development is sympathetic to the scenic and landscape character of the area.*	**YES**	The Site, specifically the minor modifications proposed as part of this development application will not affect or cause any impacts to the scenic character and landscape of the area. The modification does not propose any changes to the bulk and scale of the existing approval and therefore, does not require any further consideration.
C2 Vegetation Management			
2.1 Preservation of Trees and Vegetation	*Controls:* *(1) Development Consent* *(a) In accordance with Clause 5.9 of Penrith LEP 2010, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation which is prescribed by this Plan without development consent, or a permit granted by Council. The terms 'ringbark, 'top' and 'lop' are defined in Appendix F1 - Definitions.*	**YES**	A Flora and Fauna Assessment was undertaken by Eco Logical Australia (2018) and submitted as part of the parent application (**DA-18/1114**).
2.3 Bushfire Management	*(1) Planning for Bushfire Protection* *(a) If land is identified as 'bushfire prone land' on the Bushfire Prone Land Map, then any development application on that land must address the bush fire protection measures set out in the document 'Planning for Bushfire Protection 2006 (PBP).*	**YES**	The proposed modification will continue to satisfy the bush fire protection measures set out in *Planning for Bushfire Protection 2006* (PBP 2006) document. No changes to built form or the location of buildings is proposed as part of the modification application and therefore, the principles set out in the Bushfire

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(2) Bushfire Assessment Report *(a) A Bushfire Assessment Report, prepared in accordance with the PBP, must accompany all development applications on land identified as bush fire prone land. (For report requirements, see Appendix F3 – DA Submission Requirements).*		assessment report submitted as part of the original approval will not be amended or inhibited as a result.
C3 Water Management			
3.1 The Water Cycle / Water Conservation	*(3) Proposed Industrial Land Uses* *Any new industrial development or significant alteration and/or addition to an industrial building needs to reduce water consumption by a combination of careful site planning, design and water efficient appliances.* *The following controls apply to new industrial buildings and significant alterations/additions to industrial buildings:* *(a) All proposed industrial buildings with a roof area greater than 200m2 are required to install a rainwater tank of minimum capacity of 100,000 litres on the site for re-use of water in irrigation, industrial processes, toilet flushing or for other non-drinking purposes through a separate reticulated water supply system.* *(b) All proposed industrial sites with a hard surface area (including roof area, driveways, parking areas, loading bays, covered storage areas, etc.) greater than 1,000m2 shall submit a water management plan which estimates required water needs, and includes an investigation into the feasibility of the measures listed below, outlines those to be adopted*	**YES**	The proposal will not inhibit the architectural design that accounts for a satisfactory water management system, *via* the integration of rainwater tanks and re-use applications for potable water supply where deemed necessary. Amended Civil Engineering Drawings accompany this application and are located at **Appendix 6.** Regardless, the water management and reduction of water consumption are not proposed to be amended as a result of the proposed modification.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	on the site and explains why any measures not adopted were unable to be implemented: *i. Rainwater tanks connected to roof and gutter systems and installed to enable reuse of rainwater for irrigation, industrial processes, toilet flushing or other non-drinking purposes;* *ii. Stormwater detention systems installed and maintained to enable the reuse of stored water for irrigation, industrial processes, toilet flushing or other non-drinking purposes, and to minimise the impact of runoff from the site;* *iii. Roof gardens, either for recreational purposes or as a means to reduce hard stand area.* *(c) Any proposed industrial development with a roof area greater than 600m2 must submit a documented investigation into the feasibility of a roof garden to reduce hard surface area and associated run off.*		
3.2 Catchment Management and Water Quality	*(3) Water Quality for all Land Uses* *Council's Water Sensitive Urban Design (WSUD) Policy (2013) has been prepared to improve water conservation, quality and quantity in both new development and some redevelopments. The policy seeks to clarify which developments need to achieve the targets for water conservation, quality and quantity.* *Where any development could result in water quality impacts in nearby surface water systems, the water quality at that system is to be monitored for pollutants prior to the commencement of works, and at regular intervals during construction and/or operation.*	**YES**	As confirmed in the accompanying civil drawings, the proposed relocation of the driveway to be positioned in a more northern position to that approved within the Site will not have any adverse impacts upon the adjoining flood lot located to north-east of the Site. The proposed development will continue to encourage and promote a WSUD Strategy and thus adhering to Section 3.2 of PDCP 2014.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	Water quality entering natural areas shall either maintain or improve on pre-development levels. *All monitoring is to be undertaken in accordance with any relevant guidelines of the Office of Environment and Heritage (or any other applicable guidelines).* *(4) Council Approval Requirements for WSUD Systems* *Development types required to meet water conservation and stormwater quality and quantity targets are defined in Table C3.1. The performance criteria required to be met are listed below under subsection '5) WSUD Development Controls'. Affected developments must submit a WSUD Strategy (report dealing with measures to be implemented as part of the development) with a Development Application.*		
3.6 Stormwater Management and Drainage	*(1) Natural Environment* *(a) Runoff must not be discharged into bushland areas, including threatened ecological communities.* *(b) Pipe outlets shall be treated with measures to dissipate stormwater velocity, except where waters enter a formed channel or similar structure that is unlikely to be damaged by water flowing in at high velocity.* *(c) Permeable ground surfaces are to be maintained as far as possible, and where suitable conditions exist, stormwater is to be infiltrated on-site.* *(2) Drainage* *(a) Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements including on-site detention, new drainage systems and the like.*	**YES**	The proposed modification will not change or modify the Site's stormwater management and drainage requirements. This detail is further elaborated upon within the Civil Engineering documents located at **Appendix 6**.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(b) The development of any lot should take into account the existing drainage patterns of the area, including any localised ponding, and whether the proposed development is likely to affect: *i. Access to the site;* *ii. Drainage on adjoining properties;* *iii. Localised nuisance flooding on adjoining properties; and,* *iv. Natural overland flow or drainage paths.* *(c) In areas where there are no defined drainage patterns, Council may require the applicant to liaise with the adjoining owners regarding the construction of a drain or channel to an existing watercourse. This may include the provision of drainage easements.* *(d) Depending on the scale of the proposed development, the applicant may be required to address the following matters in their application:* *i. The drainage capacity available for the site (e.g. if the site is connected to a centralised stormwater system, the existing drainage network capacity);* *ii. Where capacity may be limited, appropriate drainage measures, including possible on-site detention (determined by liaising with Council's Development Engineering Unit and receiving detailed advice from a qualified engineering consultant);* *iii. If the site is affected by drainage constraints, the current stormwater discharge and likely future discharge. In this regard, a report prepared by a qualified engineer will be required and should demonstrate that the development will not*		

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	overload trunk drains during peak storm events or cause localised flooding; *iiii. If the proposed development will result in additional pollutant loading (and the appropriate licences have been obtained from the relevant government authorities), details demonstrating that the drainage systems have adequate capacity for those pollutants and runoff will comply with the water quality requirements referred to in this Plan; and* *v. Any required easements across neighbouring properties. Where easements are required, Council requires the submission of the adjoining owner's consent with the development application.* *(e) If the site does not have access to Council's stormwater drainage system, all drainage should be designed to ensure that the intensity, quantity and quality of surface runoff is not detrimental to downstream properties and watercourses. A legal point of discharge will be required.* *(f) If the site has access to Council's stormwater drainage system, all roof and surface water that is not recycled for use on the site must be discharged into Council's stormwater drainage system. No surface drainage will be permitted to discharge across Council's footways or reserves or enter adjoining land.* *(g) The applicant should demonstrate how existing soil type and associated constraints (e.g. salinity and poor percolation) have been considered in the drainage design).* ***On-Site Stormwater Detention (OSD)***		

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(a) Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements for on-site detention. *(b) Adequate stormwater systems shall be designed and constructed to ensure that, for all rainwater events up to and including the 1:100 Average Recurrence Interval (ARI) event, new developments and redevelopments do not increase stormwater peak flows in any downstream areas.* *(c) On-site stormwater detention systems must release water after any rainfall event to maximise future capacity and, therefore, cannot include rainwater tanks, water retention basins or dams.* *(d) Detention storage is to be located at a level that is above the 1:5 ARI flood level.* *(e) On-site detention systems are to be designed using a catchment wide approach. Advice should be sought from Council's Development Engineering Unit in this regard.* *(f) On-site stormwater detention mechanisms should have a maintenance program in place.* *(g) Onsite stormwater detention mechanisms should be placed on the title of the relevant allotment/property to ensure their retention and maintenance.*		
C4 Land Management			
4.1 Site Stability and Earthworks	*(1) Development Consent* *(a) In accordance with the earthworks provisions of the LEP, development consent is required for any earthworks unless:* *i. The work is exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; or*	**YES**	No changes are proposed as part of this which would affect the existing stability of the Site. No works are proposed which result in earthworks or change the existing approved levels of the Site. This is also confirmed with in the addendum letter prepared by Costin Roe (dated 27 November 2019).

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	ii. The work is ancillary to other development for which development consent has been given. *(b) Consent is required when material is imported or removed from a property or is relocated on the same property.* *(2) Matters to be Considered* *(a) The LEP contains clauses that list the matters that must be considered before granting development consent for earthworks.* *(b) These matters must be addressed in the supporting documentation submitted with the development application.* *(3) Development Application Requirements* *(a) Any development application that proposes earthworks and therefore changes to the levels of a site, is required to clearly address the following in the Statement of Environmental Effects or a Geotechnical Report (if required, see 3 b)):* *i. The location and extent of the earthworks on the site;* *ii. Justification for the need to change the land levels in terms of the overall development;* *iii. Any other impacts from the changed land levels as a consequence of the earthworks.* *(b) Where a building is proposed on land where the existing slope gradient is higher than 15% (or the land is likely to be subject to any land stability issues), the development application may be required to include a Geotechnical Report (prepared by a suitably qualified consultant).* *(c) Council will not permit a building to be placed on land where the existing slope gradient before development is greater than 20%.*		

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(d) Applicants should refer to the following sections of this DCP: *i. Vegetation Management, to ensure vegetation is protected on the site, particularly where the vegetation is important to site stability;* *ii. Site Planning and Design Principles, to ensure any proposed development responds to the natural topography of the site; and* *iii. The other sections of this section relating to landfill, erosion and sedimentation, contaminated lands and salinity to determine if any additional information is required to address these issues.* *(4) Limitations on Earthworks* *(a) Earthworks to create a building platform shall not be undertaken where excavation and/or filling would exceed 1m from the existing natural ground level of the site.* *(b) On sloping sites, site disturbance is to be minimised by using split level or pier foundation building designs (see Figure C4.1).* *(c) All retaining walls proposed for the site are to be identified in the development application for the proposed development. Retaining walls are to be kept to a minimum to reduce earthworks. Use of materials that complement the natural environment is encouraged.* *(d) During any earthworks, any topsoil should be preserved on site for re-use and should be stockpiled and covered to avoid dust or loss of topsoil. Refer to the Landscape Design Section of this Plan for controls on stockpiling topsoil on site.*		
4.3 Erosion and Sedimentation	*(1) Erosion and Sediment Control Plans (ESCP)* *(a) All applications for subdivision and development which involve site disturbance must be accompanied by*	**YES**	The civil engineering drawings integrated as part of the Civil Engineering Report successfully implement controls, by way of an Erosion and Sediment Control

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	an Erosion and Sediment Control Plan (ESCP), except in the following circumstances: *i. The construction of minor structures including carports, pergolas, verandahs, garden sheds and the like; and* *ii. Dwelling additions and alterations which are deemed by Council as not likely to cause erosion and sediment loss from the site.* *(b) An ESCP is necessary to ensure that a strategy to manage erosion and sedimentation is considered at an early stage in the planning process. The ESCP must consider the potential for soil erosion and sedimentation during all stages of the development – demolition, construction and operation of the development. The ESCP must demonstrate that appropriate controls have been planned which will, when implemented, minimise erosion of soil from the site and, accordingly, sedimentation of drainage systems and waterways.* *(c) The ESCP must be submitted in accordance with best practice guidelines for erosion and sediment control, including Landcom's, Managing Urban Stormwater – Soils and Construction, 2004.* *(d) Where the applicant is uncertain of the most suitable method of control for a particular situation, the applicant is requested to consult with Council officers to discuss the proposal prior to the submission of an ESCP.*		Plan. Recommendations concerning erosion and sedimentation would be adhered to accordingly throughout the relevant construction stages.
4.4 Contaminated Lands	*Objectives:* *(a) To prevent or minimise the risk of contamination of land and any associated impacts or harm from any such contamination;* *(b) To enable Council to more adequately identify, record and manage known and potentially contaminated land;* *(c) To provide direction for Council in the gathering and assessment of information in relation to previous*	**YES**	Contamination has been adequately addressed as part of the parent consent, **DA-18/1114**. Therefore, the proposed remediation works which are required to be provided in accordance with Condition 15 of the consent (**DA-18/1114**) will be carried out in accordance with the approved 'Remediation Action Plan' prepared by EIS dated 4 February 2019 and addition to the relevant PDCP

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	land use activities that may have resulted in contamination; *(d) To assist Council in the discharge of its functions and responsibilities in relation to existing and potential contaminated land with reasonable care and due diligence to minimise potential risk to both public health and the environment;* *(e) To inform the community, particularly those interested or involved in the planning and development process, of Council's procedures relating to existing or potential contaminated land; and* *(f) To ensure that all stakeholders are aware of their responsibilities for the ongoing management of contaminated land.*		2014 and the NSW EPA guidelines. Therefore, the proposal will be adequately address and respond to *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55).
4.5 Salinity	*(1) Salinity Analysis* *(a) A detailed salinity analysis will be necessary if:* *i. The site of the proposed development has been identified as being subject to a potential risk of salinity (refer to the map Salinity Potential in Western Sydney 2002), or* *ii. An initial investigation shows the site is saline or affected by salinity.* *(b) Investigations and sampling for salinity are to be conducted in accordance with the requirements of Site Investigations for Urban Salinity.* *(c) The author of the salinity analysis must sign off on the project on completion of works and submit this to Council prior to an occupation certificate being issued, if required.* *(2) Salinity Controls* *(a) Disturbance to the natural hydrological system shall be minimised by maintaining good drainage and reducing water logging on the site.*	**YES**	The Site's salinity has been satisfactorily analysed with regard to the proposed development as part of the original application and based on the minor nature of the proposal, further consideration in this regard is not considered necessary.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(b) Groundwater recharge shall be minimised by such measures as: *i. Directing runoff from paved areas (roads, car parks, domestic paving, etc) into lined stormwater drains rather than along grassed channels as necessary;* *ii. Lining or locating any water storages/ponds/drainage basins higher in the landscape to avoid recharge where proximity to the water table is likely to create groundwater mounding; and,* *iii. Encouraging on site detention of roof water runoff.* *(c) Soil erosion and sediment control measures, in accordance with erosion and sedimentation controls in this section, shall be incorporated into the development during its construction and following its completion.* *(d) Construction techniques shall be employed that prevent structural damage to the development as a result of salinity (see "Building in a Saline Environment"). For example, building footings shall be constructed so as not to impede groundwater movement and building materials that are resistant to salt effects shall be used.* *(e) The removal of vegetation, particularly native vegetation, on the site shall be minimised.* *(f) All landscape design should undertake the following practices:* *i. Select salt tolerant plant species (generally native trees and shrubs);* *ii. Use mulch in all garden beds;* *iii. Minimise the area of lawn as this requires large quantities of water;* *iv. Use 'water wise' garden and landscape design (including timers, selection of plants with low water needs, grouping plants of similar water usage together, etc); and,*		

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	v. Use non-corrosive materials when constructing pipes and channels. *(g) All works are to conform with the Western Sydney Salinity Code of Practice, June 2003.*		
C5 Waste Management			
5.1 Waste Management Plans	*Controls:* *(1) Applicants are to submit a Waste Management Plan when lodging a development application for:* *(a) Demolition or construction of buildings;* *(b) Change of use of buildings for rural, residential, commercial and industrial developments;* *(c) Subdivision of land and / or buildings; or,* *(d) Alterations to 50% or more of the existing gross floor area of buildings, or additions to buildings resulting in a 50% increase (or more) to the existing gross floor area.* *(2) The Waste Management Plan must be supported by scaled waste management drawings that are to assist in demonstrating compliance with the provisions of this Plan.* *(3) A Waste Management Plan will also be required for applications for a Complying Development Certificate.* *(4) The Waste Management Plan enables Council (or the Certifying Authority) to assess the waste likely to be generated by the development and ensure that appropriate actions are taken so as to properly manage the generation, storage and disposal of wastes.* *(5) The Waste Management Plan must include details of:*	**NA**	The Waste Management Plan (WMP) submitted as part of the original approval is not required to be amended as part of this proposal. As the proposal relates to minor works which includes the installation of vents, roller shutter doors, removal of a canopy and relocation of an approved internal accessway, an updated waste management plan is not considered necessary as it is anticipated that the operation and waste generation, will remain as per the existing approval. Any minor waste which will be generated as a result of the introduction of the vents and removal of the canopy can be adequately catered for within the existing anticipate waste generation provided under **DA-18/1114.**

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(a) The types and volumes of wastes and recyclables likely to be generated as a result of the development; *(b) How waste and recyclables will be stored and treated on site;* *(c) How the residual non-reusable or non-recyclable wastes and recyclables are to be disposed of; and,* *(d) How ongoing waste management will operate once the development is complete (for the life of the development).*		
5.2.4 Non-Residential Development Controls	*(1) These controls will apply to commercial, industrial and any other non-residential development.* *(2) For any building comprising three or more storeys and not containing dwellings, a suitable system for the interim storage and transportation of waste and recyclables from each storey to the waste storage/collection area is to be integrated within the building's design.* *(3) Waste storage and collection areas should be:* *(a) Flexible in their design so as to allow for future changes in the operation, tenancies and uses;* *(b) Located away from primary street frontages, where applicable;* *(c) Suitably screened from public areas so as to reduce the impacts of noise, odour and visual amenity; and* *(d) Designed and located to consider possible traffic hazards (pedestrian/vehicular) likely to be caused by the storage and collection of waste.* *(4) The following features will need to be considered in the design of waste storage and collection areas:*	**NA**	Not applicable. No changes are proposed which would affect the intentions of this control.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(a) Dry recyclables including containers, paper, cardboard and toners for printers and photocopiers should be separated from other waste, for recycling; *(b) Food scraps should be placed in specialised containment bins and collected on a regular basis (particularly where large volumes of perishable wastes are generated);* *(c) Refrigerated garbage rooms should be provided where there are large quantities of perishable wastes and infrequent collections; and* *(d) Clinical or hazardous and liquid waste should be placed in specialised containment bins and collected by specialised services.* *(5) Grease traps must be provided where there is a likelihood of liquid waste entering the drainage systems (contact Sydney Water to obtain trade waste requirements).* *(6) Communal storage/collection facilities are recommended where:* *(a) The design makes it difficult for all tenants to have ready access to a collection point; or* *(b) The site characteristics restrict vehicle entry.* *(7) Where a communal facility exists, each tenant should have a designated area which is clearly signposted.* *(8) Should a collection vehicle be required to enter the property, the driveway and manoeuvring area must be suitable for a collection vehicle in terms of both its strength and design.* *(9) The system for waste management must be compatible with the collection service(s) to be used whether Council or private contractor.*		

<table>
<tr><th>PDCP2014 Controls</th><th>Clause/Control description</th><th>Compliance</th><th>Planning Assessment</th></tr>
<tr><td></td><td>(10) Swept paths demonstrating adequate manoeuvring area are to be provided with the application.</td><td></td><td></td></tr>
<tr><td colspan="4">C6 Landscape Design</td></tr>
<tr><td>6.1 Controls</td><td>(1) Development Categories
This section classifies all development in the Penrith local government area into 3 categories (see Table C6.2 below). Each of these categories has different requirements in relation to the landscape design component of the development (i.e. different parts of this section apply to different types of developments).

(2) Submission Requirements
Depending on the type of development proposed, different types of vegetation and landscaping information will be required as part of the development application. Table C6.3 below lists the type of information to be submitted for the various categories of development.</td><td>YES</td><td>The proposed development would be classed as ‘Category 1’ (see below).

Category 1
• New single dwelling houses
• Alterations and additions to single dwelling houses
• Minor alterations and additions to commercial and industrial development as determined by Council
• Complying development
• Other minor development that in the opinion of Council would not have a significant impact on the amenity of the locality.

The proposed development relates to ‘Category 1’ only (see below).

<table>
<tr><th>Required Information</th><th>Category 1</th><th>Category 2</th><th>Category 3</th></tr>
<tr><td>Site Analysis</td><td>✓</td><td>✓</td><td>✓</td></tr>
<tr><td>Tree Survey and Assessment Report/Arboricultural Survey Report</td><td>❖</td><td>❖</td><td>✓</td></tr>
<tr><td>Tree Management Plan</td><td>❖</td><td>❖</td><td>❖</td></tr>
<tr><td>Landscape Concept Plan</td><td>❖</td><td>✓</td><td>✓</td></tr>
<tr><td>Landscape Detail Plan and additional details</td><td></td><td>❖</td><td>✓</td></tr>
</table>

Therefore, as only minor alterations to existing industrial development are proposed, a Site analysis plan (Site Plan) is required which accompanies the</td></tr>
</table>

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
			application and is located at **Appendix 3** which address the controls of Section 6.1 of PDCP 2014.
6.1.2 Protection of the Environment	*(1) Environmentally Sustainable Design* *(2) Soil Landscapes* *(3) Minimising Soil Erosion* *(4) Avoidance of Excavation and Filling* *(5) Conserving Site Soil* *(6) Species Selection* *(7) Bushfire Resistant Species* *(8) Protection of Trees and Vegetation on Construction Sites and Adjoining Public and Privately Owned Land* *(9) Vegetation Communities* *(10) Irrigation / Water Consumption* *(11) Minimisation of Impervious Surfaces* *(12) Salinity* *(13) Materials Selection*	**YES**	With regard to the proposed development, the controls listed have been assessed and described in detail (where applicable) within the Statement of Environmental Effects (SEE).
6.1.3 Neighbourhood Amenity and Character	*(1) Landscape Character* *(2) Integration of Design* *(3) Streetscape* *(4) Community Safety* *(5) Fencing and Retaining Walls* *(6) Planting on Structures* *(7) Buffer Zones*	**YES**	No changes in regard to landscaping is proposed as part of the proposal. The Flora and Fauna assessment which was approved as part of **DA-18/1114**, addressed the possibility of locating the vehicular access point in the position where it is proposed. The dimension of the driveway will result in a like for like design. The other modifications relate to the façade and existing canopy awning and therefore will not result in any impacts which may affect the neighbourhood amenity and character.
6.1.4 Site Amenity	*(1) Contextual Design* *(2) Open Space Requirements* *(3) Deep Soil Zones* *(4) Equal Access* *(5) Heritage* *(6) Noise, Vibration and Dust Reduction* *(7) Location of Utility Services* *(8) Utility Areas*	**YES**	The proposed development has considered the site amenity adhering to the adjacent column where relevant. Generally, no changes form that provided and approved as part of **DA-18/1114** will result.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(9) Landscaping and Above Ground On-Site Stormwater Detention *(10) On-Site Effluent Disposal and Landscaping* *(11) Car Wash Bays*		
C8 Public Domain			
8.1 Pedestrian Amenity	*(1) Permeability* *(2) Active Street Frontage and Address* *(3) Awnings* *(4) Landscape in the Public Domain and Street Tree Planting*	**YES**	No changes to pedestrian amenity will occur as a result of the proposal. Pedestrian amenity as proposed under **DA-18/1114** will remain. The approved canopy on the western elevation was not proposed to cater for pedestrian amenity and therefore, the subsequent removal will not affect pedestrian amenity.
8.3 Lighting	*Controls:* *(1) Council's adopted Public Lighting Policy and the implementation of an energy efficient lighting system should be incorporated into any design. Other factors for consideration of the design and location of lighting are:* *(a) The location of all entrances into the building and its relationship to the street and* public domain; *(b) The future uses of the public domain, particularly those sections that will be used at night, to ensure appropriate levels of visibility;* *(c) The location and type of vegetation within the public domain;* *(d) The likelihood for vandalism of the lighting and its maintenance requirements;* *(e) The appropriateness of movement sensitive and diffused lights at specific locations; and,* *(f) Potential for lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance (refer to AS*	**NA**	No additional lighting is proposed from that originally approved under **DA-18/1114**.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	4282 Control of the obstructive effects of outdoor lighting). *(2) As a minimum, the requirements of AS 1158 Lighting for roads and public spaces should be used for street lighting. AS 1158 may also be used for the lighting of pathways, laneways and access routes provided the lighting design allows:* *(a) A wide beam of illumination to reach the beam of the next light, or the perimeter of the site or area being traversed; and,* *(b) The faces of users travelling along the path/laneway/arcade up to a distance of 15m are clearly illuminated.*		
C9 Advertising and Signage			
9.4 Commercial, Mixed Use and Industrial Zones	*Controls:* *(1) Applicants intending to erect a sign (advertisement) should first consult the relevant environmental planning instrument applying to the subject property to determine whether or not an advertisement requires development consent.* *(2) All advertising is to be –* *(a) constructed of high quality, durable materials;* *(b) considered in conjunction with design and construction of buildings;* *(c) restricted to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and,* *(d) contained wholly within the site.* *(3) Signs should generally be confined to the ground level of the building, awning or fascia, unless it can be demonstrated that the building is of a scale, architectural style and in a location that would be*	**NA**	No signage is proposed as part of the modification.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	enhanced by signage at different elevations (see Figure C9.3 below). *(4) The sign is to be contained fully within the confines of the wall or awning to which it is mounted.* *(5) In the case of multiple occupancy of a building or site:* *(a) Each development should have a single directory board listing each occupant of the building or site (see Figure C9.4 below). Multiple freestanding signs will not be supported;* *(b) Only one sign is to be placed on the face of each premises either located on or over the door of the shop, unit, office, suite, etc.;* *(c) One under awning sign shall be permitted for each shop, unit, office, suite, etc. (see Figure C9.5). In the case where the shop, office, suite etc. has more than one street frontage, one under awning sign may be permitted to each street frontage;* *(d) The minimum distance between under awning signs shall be 3m (see Figure C9.6); and,* *(e) Where possible, multiple tenancies in the same building should use consistent sign size, location and design to avoid visual clutter and promote business identification.* *(6) Projecting wall signs, generally, will not be supported unless it can be demonstrated to be of an architectural style which is particularly suited to that building in relation to its design.*		
C10 Transport, Access and Parking			
10.3 Key Transport Corridors	*Controls:* *(1) Character of Key Transport Corridors*	**NA**	No changes are proposed which may affect Andrews Road. The relocation of the approved internal access will be contained within the Site and no changes to Andrews Road shall occur as a result.

<table>
<tr><th>PDCP2014 Controls</th><th>Clause/Control description</th><th>Compliance</th><th>Planning Assessment</th></tr>
<tr><td></td><td>(a) Applicants need to ensure that the proposed development is in character with each of the key transport corridors.
(b) Access driveways and development in proximity to the key transport corridors need to protect the landscape character and any heritage values, and ensure traffic safety.
(2) Development Setbacks from Transport Corridors
(a) A minimum setback of 100m is required from Mulgoa Road where development is proposed in rural or environmental zones.
(b) A minimum setback of 30m is required from all other key transport corridors where development is proposed in rural or environmental zones.</td><td></td><td></td></tr>
<tr><td>10.4 Roads</td><td>Controls:
(1) Controls for all roads:
(a) Proposed roads must comply with the road configurations set out in Table C10.1. These configurations apply to private and community title roads as well as all public roads.
(b) In special circumstances where it can be clearly demonstrated that the road configurations in Table C10.1 are not appropriate, then the following key principles must be applied to any alternative proposal:
i. Road and lane widths must allow for two-way movement and turning movements of design vehicles, including consideration for buses, heavy vehicles, garbage trucks and emergency vehicles;
ii. Verge widths must consider requirements for utilities, street tree planting, footpaths, shared paths and urban design outcomes;
iii. Adequate on-street parking must be provided;</td><td></td><td>The proposed development proposes to relocate an approved access road. The recommended setbacks and provisions (see below) will continue to be adhered to accordingly.
<table>
<tr><th>Street/Road Type</th><th>Parking Lane Provision (m)</th><th>Width of Dedicated Travel Lanes – Both directions (m)</th><th>Verge widths (m)</th><th>Road Reserve (m)</th><th>Concrete Pathway 1.5m wide</th></tr>
<tr><td>Local</td><td>2 x 2.5</td><td>3</td><td>2 x 3.8</td><td>15.6</td><td>Both sides[9]</td></tr>
<tr><td>Collector</td><td>2 x 2.5[4]</td><td>7[4]</td><td>2 x 4.8</td><td>21.6[4]</td><td>Both sides[4]</td></tr>
<tr><td>Distributor</td><td>2 x 3.95[6]</td><td>7[6]</td><td>2 x 4.8</td><td>24.5</td><td>Both sides</td></tr>
<tr><td>Industrial</td><td>2 x 3.0[4]</td><td>7[4]</td><td>2 x 3.8</td><td>20.6[4]</td><td>Both sides[4]</td></tr>
<tr><td>Rural</td><td>n/a</td><td>7</td><td>2 x 6.0[7]</td><td>19</td><td>n/a</td></tr>
</table></td></tr>
</table>

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	iv. Adequate turning paths must be provided for all design vehicles at intersections and for property access; *v. Road widths must be set to minimise kerbside restrictions and regulatory signage;* *vi. Sufficient width must be provided for specialist drainage functions; and,* *vii. Life cycle costs for construction and maintenance must be minimised.*		
10.5 Parking, Access and Driveways **10.5.1 Parking**	*Objectives:* *(a) To ensure the provision of an appropriate number of vehicular spaces having regard to the activities present and proposed on the land, the nature of the locality and the intensity of the use;* *(b) To require parking areas to be designed and constructed in accordance with the Australian Standards for efficient and safe vehicle circulation and parking;* *(c) To reduce pedestrian and vehicle conflicts on development sites.* *(d) To facilitate an appropriate level of on-site parking provision to cater for a mix of development types;* *(e) To minimise the visual impact of on-site parking;* *(f) To provide adequate space for parking and manoeuvring of vehicles (including service vehicles and bicycles);* *(g) To enable the conversion of above ground parking to other future uses; and,* *(h) To support the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking.*	**YES**	No changes to existing parking rates are proposed as part of the modification. The intention of the amended vehicular access point is to provide a safer, with better visibility for turning trucks in the revised location.
C12 Noise and Vibration			

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
12.4 Industrial and Commercial Development	*Controls:* *(1) General* *(a) Council will not grant consent to any noise generating industrial development, commercial development or licensed premises unless it can be demonstrated that:* *i. The development complies with the relevant State Government authority or agency standards and guidelines for noise, as well as any relevant Australian Standards;* *ii. The development is not intrusive (as defined in the EPA's Industrial Noise Policy);* *iii. Road traffic noise generated by the development complies with the provisions of Section 12.1 Road Traffic Noise of this Section;* *iv. The development complies with rail noise and vibration criteria (refer Section 12.2 Rail Traffic Noise and Vibration of this Section); and,* *v. The development does not adversely impact on the amenity of the area or cause sleep disturbance.* *Noise Impact Statements – specific requirements* *(a) All development applications where the above controls are relevant are required to provide a Noise Impact Statement prepared by a qualified acoustic consultant in accordance with the requirements set out in the DA Submission Requirements Appendix of this DCP.*	**YES**	No acoustic impacts in terms of noise will result as a result of the proposed modification.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(b) The Noise Impact Statement should demonstrate acoustic protection measures necessary to achieve an indoor environment meeting residential standards, in accordance with relevant noise criteria, as well as relevant Australian Standards.		
D4 Industrial Development			
4.3 Building Setbacks and Landscape	Controls: *(1) Setbacks* *(a) Setbacks for industrial development are to be in accordance with the standards specified in Table D4.1. These setback areas are to be landscaped, but may incorporate an off-street parking area if it can be demonstrated that the location of the car parking area:* *i. Is within a setback which is at least 13m wide and set behind a landscaped area which is at least 4m wide;* *ii. Promotes the function and operation of the development;* *iii. Enhances the overall design of the development by implementing design elements, including landscaping, that will screen the parking area and is complementary to the development; and,* *iv. Does not detract from the streetscape values of the locality.* *(2) Visual Impact of Buildings and Hardstand Areas* *(a) The landscape design within setbacks should consider the scale of the building and where*	**YES**	No changes to building setbacks will result. As previously outlined in the proposal, the potential removal of two (2) trees had previously been considered as part of the Flora and Fauna assessment approved under **DA-18/1114** and therefore, the proposed relocation of the driveway and subsequent removal of trees were considered appropriate as detailed in the accompanying SEE.

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	appropriate, select and locate plants to help reduce the bulk and scale of the building. *(b) The visual impact of large expanses of wall should be reduced in scale by architectural treatment as well as by dense grove planting or other landscape design solutions.* *(c) Where an industrial development contains large expanses of hardstand or paved areas, the applicant must demonstrate how the development application reduces the 'heat effect' and visual impact of these large expanses.* *(3) Vegetation and Landscape* *(a) The siting and layout of a development should preserve all on-site trees, significant strands of vegetation, and remnant or native bushland in accordance with the requirements of the Vegetation Management and Landscape Design sections of this DCP. Where this is not practical, the development application must justify the loss of vegetation and outline what measures are to be taken to replace it.* *(b) Development of land on the site of a heritage item or within the vicinity of a heritage item should occur in a manner that will not result in damage or destruction of vegetation associated with that item.* *(c) Applicants should refer to the Landscape Design section of this DCP regarding the implementation and maintenance of landscaping for the site.*		

PDCP2014 Controls	Clause/Control description	Compliance	Planning Assessment
	(d) Smaller scale and less visually prominent planting should be provided to add variety and interest in the appearance of the site. *(e) Landscape materials should cause minimal detrimental visual impact, and the use of subtle coloured materials and block or brick paving is encouraged.* *(f) Paving and structures shall complement the architectural style of existing buildings.* *(g) Outdoor staff break areas should be provided and integrated into landscape areas. These areas should be provided with shade and reasonable amenity.* *(h) Shade trees should be provided in outdoor staff break areas and along pedestrian paths and walkways.* *(i) Plant species should be carefully selected to meet service authority requirements in easement locations.*		