

# Penrith Development Control Plan Compliance Assessment

Elizabeth Drive Landfill Expansion  
Environmental Impact Statement

Prepared for:  
**SUEZ Recycling and Recovery Pty Ltd**

July 2019

## Document control

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<b>Project title</b>	Elizabeth Drive Landfill Expansion EIS
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Table 1 Penrith DCP controls

Section	Controls	Provided	Compliance
1.2	<p><b>DCP Principles:</b></p> <ol style="list-style-type: none"> <li>1. Provide a long term vision for cities, based on sustainability intergenerational, social, economic and political equity, and their individuality</li> <li>2. Achieve long term economic and social security</li> <li>3. Recognise the intrinsic value of biodiversity and natural ecosystems, and protect and restore them</li> <li>4. Enable communities to minimise their ecological footprint</li> <li>5. Build on the characteristics of ecosystems in the development and nurturing of healthy and sustainable cities</li> <li>6. Recognise and build on the distinctive characteristics of cities, including their human and cultural values, history and natural systems</li> <li>7. Empower people and foster participation</li> <li>8. Expand and enable cooperative networks to work towards a common, sustainable future</li> <li>9. Promote sustainable production and consumption, through appropriate use of environmentally sound technologies and effective demand management</li> <li>10. Enable continual improvement, based on accountability, transparency and good governance</li> </ol>	The project aims to comply with the council's commitment to sustainability and development controls.	Yes
C1.1	<p><b>Site Planning</b></p> <ol style="list-style-type: none"> <li>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</li> </ol>	The Project is not located on land zoned E1 or E2, not land identified in the LEP Scenic and Landscape Values Map. However a Landscape and Visual Impact Assessment has been prepared to support the DA by qualified and experienced Landscape and Visual Impact Assessment consultants.	Yes

Section	Controls	Provided	Compliance
	<p>of the area.</p> <p>2. Table C1.2 below identifies what type of visual impact assessment must be prepared and who can prepare it. The Submission Requirements Appendix provides details on the requirements for both types of visual impact assessment. In the table below, there are some parameters that require an opinion or determination from Council. In this regard, applicants will need to contact Council's Development Services Department for advice.</p>		
C1.2.5	<p><b>Lighting</b></p> <p>a. All areas intended to be used at night should allow appropriate levels of visibility.</p> <p>b. Pedestrian pathways, lane ways and access routes in outdoor public spaces should be lit to the minimum Australian Standard of AS1158. Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting.</p> <p>c. Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Lighting should clearly illuminate the faces of users of pathways.</p> <p>d. Streetlights should shine on pedestrian pathways and possible entrapment spaces as well as on the road.</p> <p>e. Lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.</p> <p>f. Lighting should take into account all vegetation and landscaping that may act as an entrapment spot.</p> <p>g. Lighting should be designed so that it is “vandal tough” or difficult for vandals to break.</p> <p>h. Where appropriate, use movement sensitive and diffused lights.</p> <p>i. Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.</p> <p>j. Illuminate possible places for intruders to hide.</p> <p>k. As a guide, areas should be lit to enable users to identify a face</p>	The Project does not involve the installation of new lighting or modification of existing lighting	Yes

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	<p>15m away.</p> <p>I. All lighting should be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly.</p> <p>m. Use energy efficient lamps/fittings/switches to save energy.</p>		
C1.2.5	<p><b>Fencing</b></p> <p>a. Fence design should maximise natural surveillance from the street to the building and from the building to the street, and minimise the opportunities for intruders to hide.</p> <p>b. Front fences should preferably be no higher than 1.2m. Where a higher fence is proposed, it will only be considered if it is constructed of open materials e.g. spaced pickets, wrought iron etc. Fences greater than 1.2m will require the consent of Council.</p> <p>c. If noise insulation is required, install double-glazing at the front of the building rather than a high solid fence (greater than 1m).</p>	The Project does not involve the construction of new fences or modification of existing fences surrounding the Site	Yes
C1.2.5	<p><b>Car parking</b></p> <p>a. Car parks, aisles and manoeuvring areas shall be:</p> <ol style="list-style-type: none"> <li>i. designed with safety and function in mind, and</li> <li>ii. have dimensions in conformity with Australian Standards 2890 - Parking Facilities. Relevant parts of this standard are: <ul style="list-style-type: none"> <li>▪ AS2890. 1 - Off-street parking.</li> <li>▪ AS2890.2 - Commercial vehicle facilities.</li> <li>▪ AS2890.3 - Bicycle parking facilities.</li> </ul> </li> </ol> <p>b. Where parking spaces are to be provided for people with disabilities, these spaces are to:</p> <ol style="list-style-type: none"> <li>i. be suitably located near entrances to the building and lifts/ access ramps, if required</li> <li>ii. be provided in accordance with Australian Standards 1428.1 - Design for access and mobility, and</li> <li>iii. iii) have appropriate signage and tactile pavement treatments, where required.</li> </ol> <p>c. The design of car parking areas should incorporate the following elements:</p> <ol style="list-style-type: none"> <li>i. provision of a safe and convenient vehicle entry and exit that avoids traffic/pedestrian conflict and impacts on the</li> </ol>	The Project does not involve the modification of formalised parking arrangements on the Site	Yes

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	<p>surrounding road, and</p> <ul style="list-style-type: none"> <li>ii. the internal (vehicular) circulation network is free of disruption to circulating traffic and ensures pedestrian safety.</li> </ul> <ul style="list-style-type: none"> <li>d. The movement of pedestrians throughout the car park should be clearly delineated by all users of the car park and minimises conflict with vehicles.</li> <li>e. The design of the car park should ensure that passive surveillance is possible and where appropriate, incorporate active measures such as cameras and security patrols. Car parks should be designed to minimise dark areas through the provision of appropriate lighting.</li> <li>f. Large car parks should incorporate communication devices such as: <ul style="list-style-type: none"> <li>i. Intercoms</li> <li>ii. Public address systems</li> <li>iii. Telephones</li> <li>iv. Emergency alarms.</li> </ul> </li> <li>g. To ensure users of large car parks are easily able to determine their location, exit and access points, security intercoms and the like, appropriate signage is to be included.</li> <li>h. All surfaces in the car park should be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible.</li> <li>i. All potential entrapment points should be avoided, e.g. under stairs, blind corners and wide columns. Adequate lighting and mirrors should be used when certain design features are unavoidable.</li> </ul>		
C1.2.5	<p><b>Building Identification – For commercial development</b></p> <ul style="list-style-type: none"> <li>a. Street numbers should be at least 7cm high, and positioned between 1m and 1.5m above ground level on the street frontage.</li> <li>b. Street numbers should be made of durable materials preferably reflective or luminous, and should be unobstructed (e.g. by foliage).</li> <li>c. Location maps and directional signage should be provided for larger developments.</li> </ul>	Existing signage at the Site complies with relevant requirements	Yes
C1.2.5	<b>Security</b>	Security at the Site complies with relevant requirements	Yes

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	<ul style="list-style-type: none"> <li>a. Install intercom, code or card locks or similar for main entries to buildings including car parks.</li> <li>b. Main entry doors for apartment buildings should be displayed requesting residents not to leave doors wedged open.</li> <li>c. Australian Standard 220 - door and window locks should be installed in all dwellings.</li> <li>d. Consider installing user/sensor electronic security gates at car park entrances, garbage areas and laundry areas etc, or provide alternative access controls.</li> <li>e. Entry to basement parking should be through security access via the main building.</li> <li>f. External storage areas should be well secured and well lit.</li> <li>g. Install viewers on entry doors to allow residents to see who is at the door before it is opened.</li> <li>h. If security grilles are used on windows they should be operable from inside in case of emergencies.</li> <li>i. Ensure skylights and/or roof tiles cannot be readily removed or opened from outside.</li> <li>j. Consider monitored alarm systems.</li> <li>k. Provide lockable gates on side and rear access.</li> <li>l. Consider building supervisors or security guards.</li> </ul>		
C2.3	<p><b>Planning for Bushfire Protection</b></p> <ul style="list-style-type: none"> <li>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).</li> <li>b. If the development proposes the subdivision of land for residential and rural-residential purposes or is a development which has been identified as 'special fire protection purposes', then the development will be Integrated Development under the Environmental Planning and Assessment Act 1979. A development identified as 'special fire protection purposes' includes: <ul style="list-style-type: none"> <li>i. a school</li> <li>ii. a child care centre</li> </ul> </li> </ul>	A bush fire assessment report has been undertaken by Australian Bushfire Consulting Services in line with this requirement	Yes

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	<ul style="list-style-type: none"> <li>iii. a hospital</li> <li>iv. a hotel, motel or other tourist accommodation</li> <li>v. seniors housing</li> <li>vi. a group home</li> <li>vii. vii) any other purpose prescribed by section 100B (6) of the Rural Fires Act 1997.</li> </ul>		
C2.3	<p><b>Bushfire Assessment Report</b></p> <ul style="list-style-type: none"> <li>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).</li> <li>b. The Single Dwelling Application Kit (available on the Rural Fire Service website <a href="http://www.rfs.nsw.gov.au">www.rfs.nsw.gov.au</a>) provides applicants with a streamlined approach to meeting the requirements of the PBP for single dwellings. It has been designed to assist applicants to provide information in support of a development application and presents options that can be incorporated into the building to mitigate the impact of bush fire on life and property.</li> </ul>	A bush fire assessment report has been undertaken by Australian Bushfire Consulting Services in line with this requirement	Yes
C3.2	<p><b>Approval to Discharge Contaminants</b></p> <p>Water discharge from any development must not contain contaminants, unless necessary licences and/or approvals are obtained from relevant government authorities.</p> <p>All liquids (including water) produced and/or discharged from the site shall not contain pollutants above acceptable levels. Acceptable levels will be determined at the time of consideration of individual proposals by Council, the Office of Environment and Heritage and, if required, Sydney Water.</p>	Discharges from the Site are managed through an existing EPL administered by the NSW EPA	Yes
C3.2	<p><b>Addressing Potential Catchment Impacts</b></p> <p>All applications to Council, where there is the potential to impact upon a water system, are required to identify in the application the relevant water systems in the catchment area of the site that may be affected and address how any potential impacts will be mitigated/avoided</p>	Mitigation measures to minimise impact on the surrounding catchment are provided in this EIS	Yes
C3.2	<p><b>Water Quality for all Land Uses</b></p> <p>Council's Water Sensitive Urban Design (WSUD) Policy (2013) has</p>	Discharges from the Site are currently managed through an existing EPL administered by the NSW EPA. This EPL	Yes

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	<p>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.</p> <p>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.</p> <p>Water quality entering natural areas shall either maintain or improve on pre-development levels.</p> <p>All monitoring is to be undertaken in accordance with any relevant guidelines of the Office of Environment and Heritage (or any other applicable guidelines).</p>	will remain in place during the ongoing development of the Project	
C3.2	<p><b>Use and Storage of Chemicals/Pesticides/Fertilisers</b></p> <p>a. Any application for a land use/activity that involves significant use of chemicals/fertilisers must demonstrate what measures are proposed to minimise and control nutrients or chemicals entering watercourses, water bodies or groundwater.</p> <p>b. All land uses, particularly rural land uses, should avoid use of chemicals and pesticides in areas or situations where they are likely to enter surface water or ground water sources.</p> <p>c. Chemicals and pesticides must be stored in such a way as to prevent accidental leakage into water systems or the on-site stormwater system. This may include:</p> <ol style="list-style-type: none"> <li>i. Secure storage in a bunded area, and</li> <li>ii. Secure storage in water proof/spill proof containers.</li> </ol>	No fertilisers are proposed to be used as part of the Project. The Project would continue weed control activities at the Site in line with current practice, though the amount of herbicide used would continue to be minimal.	Yes
C3.3	<p><b>Controlled Activity Approval under the Water Management Act 2000</b></p> <p>If any activities/land uses are proposed near a watercourse, the Water Management Act 2000 may apply and you may be required to seek a Controlled Activity Approval from the Office of Water. Please consult with this Office regarding your proposal. Except for certain exemptions, you are likely to need a controlled activity approval for:</p> <p>a. The erection of a building or the carrying out of a work (within the</p>	The Project relates only to land that is more than 40 metres from the nearby Badgerys Creek and is therefore not a Controlled Activity under the <i>Water Management Act 2000</i>	Yes

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	<p>meaning of the Environmental Planning and Assessment Act 1979) on the bank or shore of any river, estuary or lake or within 40m from the top of its bank or shore</p> <p>b. Excavation in a river, estuary or lake, or within 40m from the top of its bank or shore</p> <p>c. Removal of material (including vegetation) from the bank or shore of any river, estuary or lake or from within 40m from the top of the bank or shore</p> <p>d. Deposition of material, whether by way of landfill operations or otherwise on or within the bank or shore of any river, estuary or lake or within 40m from the top of the bank or shore</p> <p>e. Anything which affects the quantity or flow of water in a water source, or is likely to do so.</p> <p>Even if there is an exemption from the requirement for an approval from this Office, you may still require the approval of Council. You may also require approval from Fisheries (NSW).</p>		
C3.3	<p><b>Protection and Enhancement of Riparian Corridors</b></p> <p>a. All riparian corridors should comprise a vegetated riparian zone along each side of the waterway (see Figure C3.1).</p> <p>b. The vegetated riparian zone should retain or be vegetated with, fully structured native vegetation (trees, shrubs and groundwater species).</p> <p>c. In relation to activities within the vegetated riparian zone, such as cycleways and paths, detention basins, stormwater management devices and essential services, compliance is required with the 'riparian corridor matrix' in the NSW Office of Water's Guidelines for riparian corridors on waterfront land (July 2012).</p> <p>d. A managed buffer zone outside the vegetated riparian zone should be provided (where possible), to provide an additional buffer between development and the vegetated riparian zone. Land uses within the managed buffer zone could include roads, paths, playgrounds and stormwater management devices.</p> <p>e. Asset protection zones should be located outside the vegetated riparian zones.</p> <p>f. Appropriate widths for vegetated riparian zones will depend on the</p>	Badgerys Creek is a 3 <sup>rd</sup> order stream and therefore requires a 30 metre buffer zone. The Project would not infringe upon, or reduce the width of, the buffer zone for this waterway	Yes

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	<p>specific ecosystems being managed. Council's approach to determining the Order of Stream is based on the Strahler methodology, which is consistent with the NSW Office of Water. Council reserves the right to assess each riparian corridor and each development on its merits. In general, however, the width will depend on the order of the stream/watercourse (see Figure C3.2) which provides an indication. The width should be measured from the top of the highest bank on both sides of the stream/watercourse, excluding any managed buffer zone, and shall comply with the requirements outlined in Table C3.3.</p>		
C3.4	<p><b>Protecting Groundwater</b></p> <p>a. Applicants are required to consider the impact of the proposed development on underlying and surrounding groundwater resources and adopt appropriate measures to void these impacts.</p> <p>b. The following matters should be considered:</p> <ol style="list-style-type: none"> <li>i. The design of the development and the potential for its below-ground extent to impede, dam or otherwise obstruct the passage of groundwater flow</li> <li>ii. The management of stormwater or roof runoff within and around the development and any potential degradation or deterioration of local groundwater quality that may occur as a result</li> <li>iii. The management of greywater or wastewater generated from the development and any potential degradation or deterioration of local groundwater quality that may occur as a result</li> <li>iv. The existence of groundwater users in the vicinity of the development and the potential for them to be adversely impacted by the proposed development</li> <li>v. The vulnerability of groundwater locally and the pollution potential of the development, and</li> <li>vi. The presence and distribution of groundwater dependent systems (environmental attributes having a dependence on groundwater) in the vicinity and the potential for adverse impacts to occur as a result of the development.</li> </ol>	<p>Potential impacts on groundwater have been assessed in this EIS. The Project would not alter the existing lining of landfill cells which act to prevent leachate from interacting with groundwater. As such no groundwater impacts are anticipated</p>	Yes

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	<p>c. Groundwater shall not generally be pumped or extracted without specific licensed approval for any purpose other than temporary construction dewatering at the site identified in the development application.</p> <p>d. Where construction is proposed below the water table:</p> <ul style="list-style-type: none"> <li>i. The volume of any groundwater abstracted for the purposes of temporary dewatering should be minimised, e.g. by minimising the length of time that any basement excavations below the water table are left open. In general, the Office of Water will not authorise temporary construction dewatering for periods of more than 12 months.</li> <li>ii. The design and construction of the building should prevent any long-term take of groundwater by making any below-water table levels watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.</li> <li>iii. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the calculation method shall be included in the report.</li> </ul>		
C3.5	<p><b>Submission Requirements</b></p> <p>a. Where relevant, a comprehensive flood study, incorporating:</p> <ul style="list-style-type: none"> <li>i. a survey of the main watercourse</li> <li>ii. a survey of the site, and</li> <li>iii. a detailed flood and drainage investigation which establishes the estimated 1% AEP (100 year ARI) flood level</li> </ul> <p>is to be submitted with any development application on land identified as fully or partially flood affected. The levels on the survey are required to be verified during construction by a survey certificate.</p> <p>b. The applicant shall be required to demonstrate to the satisfaction of Council (on the basis of a qualified consultant report) that:</p> <ul style="list-style-type: none"> <li>i. The development will not increase the flood hazard or risk to</li> </ul>	<p>Potential flooding impacts have been assessed in this EIS. The Project would be located wholly outside of both the 1% and PMF flood zones, as noted in the <i>Updated South Creek Flood Study</i> (Worley Parsons, 2015). As such no impacts on flooding are anticipated, nor would the development be impacted by flooding.</p>	Yes

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	<p>other properties</p> <ul style="list-style-type: none"> <li>ii. The structure of the proposed building works shall be adequate to deal with flooding situations</li> <li>iii. The proposed building materials are suitable</li> <li>iv. The buildings are sited in the optimum position to avoid flood waters and allow safe flood access for evacuation</li> <li>v. The proposed redevelopment will not expose any resident to unacceptable levels of risk or any property to unreasonable damage, and</li> <li>vi. Compliance of any existing buildings with the Standard - Construction of Buildings in Flood Hazard Area and the accompanying handbook developed by the Australian Building Codes Board (2012).</li> </ul>		
C3.5	<p><b>Flood Hazard Classifications</b></p> <ul style="list-style-type: none"> <li>a. Council will consider development on land subject to the flood planning provisions of the LEP but will not grant consent to new development in floodways or in high hazard areas. Flood hazard (high) or high flood hazard occurs when there is possible danger to life and limb; evacuation by trucks is difficult; there is potential for structural damage, and social disruption and financial losses could be high.</li> <li>b. Consideration will be given to such matters as depth and nature of flood waters, whether the area forms flood storage, the nature and risk posed to the development by flood waters, the velocity of floodwaters and the speed of inundation, and whether the development lies in an area classed as a 'floodway', 'flood fringe area' or 'flood storage area'.</li> </ul>	Noted	Yes
C3.5	<p><b>Storage of Potential Pollutants above 1% AEP (100 year ARI) Flood</b></p> <ul style="list-style-type: none"> <li>a. All potential pollutants that are stored or detained on-site (such as on-site effluent treatment plants, pollutant stores or on-site water treatment facilities) should be stored above the 1% AEP (100 year ARI) flood. Details must be provided as part of any application to Council.</li> </ul>	The Project (both existing and proposed) does not store any pollutants below the 1% AEP level. Leachate tanks for general solid waste cells are located outside of the 1% AEP area.	Yes
C3.6	<b>Drainage</b>	Changes to drainage infrastructure at the Site are	Yes

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	<p>a. Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements including on-site detention, new drainage systems and the like.</p> <p>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:</p> <ul style="list-style-type: none"> <li>i. Access to the site</li> <li>ii. Drainage on adjoining properties</li> <li>iii. Localised nuisance flooding on adjoining properties, and</li> <li>iv. Natural overland flow or drainage paths.</li> </ul> <p>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.</p> <p>d. Depending on the scale of the proposed development, the applicant may be required to address the following matters in their application:</p> <ul style="list-style-type: none"> <li>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)</li> <li>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)</li> <li>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 overload trunk drains during peak storm events or cause localised flooding</li> <li>iv. If the proposed development will result in additional pollutant loading (and the appropriate licences have been obtained from the relevant government authorities), details demonstrating</li> </ul>	<p>outlined in this EIS and meet the relevant requirements. The approved location and function of existing stormwater detention basins would not be affected by the Proposal</p>	

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	<p>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</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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).</p>		
C3.6	<p><b>On-Site Stormwater Detention</b></p> <p>a. Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements for on-site detention.</p> <p>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.</p> <p>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.</p> <p>d. Detention storage is to be located at a level that is above the 1:5 ARI flood level.</p> <p>e. On-site detention systems are to be designed using a catchment</p>	<p>Changes to drainage infrastructure at the Site are outlined in this EIS and meet the relevant requirements. The approved location and function of existing stormwater detention basins would not be affected by the Proposal</p>	Yes

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	<p>wide approach. Advice should be sought from Council's Development Engineering Unit in this regard.</p> <p>f. On-site stormwater detention mechanisms should have a maintenance program in place.</p> <p>g. Onsite stormwater detention mechanisms should be placed on the title of the relevant allotment/property to ensure their retention and maintenance.</p>		
C3.6	<p><b>New Drainage Design</b></p> <p>a. Any new piped drainage system shall be designed to control minor stormwater flows under normal operating conditions for an ARI of 5 years.</p> <p>b. Any new drainage system shall be designed to control major stormwater flows under normal operating conditions for an ARI of 100 years.</p> <p>c. Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements for on-site detention.</p>	<p>Changes to drainage infrastructure at the Site are outlined in this EIS and meet the relevant requirements. The approved location and function of existing stormwater detention basins would not be affected by the Proposal</p>	Yes
C3.7	<p><b>Water Retention Basin/Dams</b></p> <p>1. Council's consent is required to construct or form a dam, pond, lake or water retention basin where it will collect more than 10% of surface run-off (as determined by a hydraulic engineer and/or by Council).</p> <p>2. The design and location of any water retention basin/dam should be carefully considered within the catchment area of the site to protect natural flows to natural waterways and river systems.</p> <p>3. Dams need to be appropriately constructed to ensure they will not have an adverse impact on surrounding properties either by ponding water back up onto upstream properties or by concentrating water to any downstream properties.</p> <p>4. Where possible, water retention basins/dams should seek to minimise disturbance to existing vegetation. Where possible, they should also be landscaped to minimise visual impact and provide shade to minimise evaporation losses and reduce algae growth.</p> <p>5. If a dam is to be breached intentionally, an analysis of the sediment</p>	<p>The Project does not propose the construction of any new water retention basins or dams. The approved location and function of existing stormwater detention basins would not be affected by the Proposal</p>	Yes

Section	Controls	Provided	Compliance
	in the dam must be carried out prior to breaching to identify potential pollutants. If necessary, a remediation action plan or plan for disposal of contaminated sediment must be developed. Dam breaching must be carried out in a manner which does not impact on downstream properties.		
C4.2	<p><b>Landfill Development Application Requirements</b></p> <p>a. Applicants seeking Council's consent for landfill must provide a Landfill Validation Report (written by an appropriately qualified person).</p> <p>b. Council may require a further detailed investigation to occur if contamination is, or may be, present in the fill material to prove that the fill material is suitable for the proposed use. (Refer to the Contaminated Land Section of this Plan for further requirements).</p>	<p>The term 'landfill' in the DCP appears to refer to the filling of land (such as behind a retaining wall), rather than the act of developing and operating a landfill site such as the subject Site. Despite this the DCP has been interested generously with view to complying with these requirements.</p> <p>The existing Site has historically been used to dispose of contaminated and non-contaminated non-putrescible waste. As such contamination is expected in certain areas of the Site.</p> <p>The Project would not result in a change in the type of material imported to this Site. The Project would not affect the future availability of the land for alternative land use(s).</p> <p>The impact of potential contamination is discussed in Section 15.4 of this EIS. On the basis of this assessment, a Landfill Validation Report is not considered required.</p>	Partial
C4.2	<p><b>Landfill Requirements</b></p> <p>a. Imported fill shall not include putrescible waste (i.e. waste that breaks down) or building material. Clean fill including soil, sand or virgin excavated natural material (VENM) is generally acceptable.</p> <p>b. The filled area shall be drained to Council's satisfaction and not impact upon the drainage characteristics of other properties in the catchment area.</p> <p>c. The material shall be suitably compacted and treated to prevent runoff and siltation of watercourses.</p>	<p>The term 'landfill' in the DCP appears to refer to the filling of land (such as behind a retaining wall), rather than the act of developing and operating a landfill site such as the subject Site. Despite this the DCP has been interested generously with view to complying with these requirements.</p> <p>Existing operational requirements and practices would continue to be implemented throughout the project</p>	Yes

Section	Controls	Provided	Compliance
	<p>d. Compaction of filled areas is to be 98% standard compaction and in accordance with relevant Australian Standards, including AS1289 Method of testing soils for engineering purposes and AS3798 Guidelines on earthworks for commercial and residential development, and Council's engineering standards. Compaction certificates are to be submitted to the private certifier or Council.</p> <p>e. The finished area shall be revegetated and stabilised to blend the filled area and natural surfaces.</p> <p>f. Earth moved from areas containing noxious weed material must be disposed of at an approved waste disposal facility and transported in compliance with the Noxious Weed Act 1993.</p> <p>g. Fill within 10m of adjoining bushland must not be carried out. Any fill in the vicinity of bushland must only use material from the local area (in order to minimise spread of weeds) and must be carried out in a manner that does not cause adverse impacts to surrounding properties, local drainage systems and existing vegetation. Material which is likely to have an adverse environmental effect due to it being combustible, toxic, hazardous or dangerous must not be used.</p> <p>h. Fill must not be carried out within the drip line of existing trees.</p>		
C4.3	<p><b>Erosion and Sediment Control Plans (ECSP)</b></p> <p>a. All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP), except in the following circumstances:</p> <ol style="list-style-type: none"> <li>i. The construction of minor structures including carports, pergolas, verandas, garden sheds and the like, and</li> <li>ii. Dwelling additions and alterations which are deemed by Council as not likely to cause erosion and sediment loss from the site.</li> </ol> <p>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</p>	<p>The Site is subject to existing erosion and sediment controls, as outlined in the Landfill Environmental Management Plan (LEMP). The Project would not comprise any change to the size of the stormwater catchment given there would be no increase in the footprint of the Project Area. The concept design for the Project includes an updated stormwater design with view to managing stormwater direction, volume and velocity arising from the increased cap height.</p> <p>The controls outlined in both the LEMP and the concept design would maintain suitable erosion and sediment management within the Site.</p>	Yes

Section	Controls	Provided	Compliance
	<p>will, when implemented, minimise erosion of soil from the site and, accordingly, sedimentation of drainage systems and waterways.</p> <p>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.</p> <p>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.</p>		
C4.3	<p><b>Requirements for Erosion and Sediment Control</b></p> <p>a. Soil erosion and sediment control measures are to be provided on-site before the commencement of any earthworks or development activity, in accordance with the approved ESCP. These must be maintained throughout the course of construction until disturbed areas have been revegetated and the soil stabilised. The applicant will be required to provide certification to this effect, which is to be lodged with Council prior to construction.</p> <p>b. All erosion and sediment control measures are to be installed to the satisfaction of Council or the proposed Certifier, in accordance with best management practices recommended by recognised authorities (including Managing Urban Stormwater – Soils and Construction).</p> <p>c. The work supervisor is responsible for ensuring that all erosion and sediment control measures are implemented in accordance with conditions of approval and are maintained until a final inspection has indicated that the site is sufficiently rehabilitated and stabilised.</p> <p>d. The decision to install a particular mechanism to prevent erosion and/or sedimentation depends on the location and type of activity proposed and may vary from site to site.</p> <p>e. Council may require erosion and sediment control works to be carried out in addition to, or in variation from, the approved ESCP, should circumstances necessitate it. Any variations are to be approved by Council and implemented in accordance with this section and current best practice guidelines (including Managing Urban Stormwater – Soils and Construction), where relevant.</p>	<p>The Site is subject to existing erosion and sediment controls, as outlined in the Landfill Environmental Management Plan (LEMP). The Project would not comprise any change to the size of the stormwater catchment given there would be no increase in the footprint of the Project Area. The concept design for the Project includes an updated stormwater design with view to managing stormwater direction, volume and velocity arising from the increased cap height.</p> <p>The controls outlined in both the LEMP and the concept design would maintain suitable erosion and sediment management within the Site.</p>	Yes

Section	Controls	Provided	Compliance
	<p>f. All erosion and sediment control measures should be maintained for the duration of the specified maintenance period. An established, stabilised ground cover must be in place and approval should be obtained from the Certifying Authority before removing erosion and sediment control measures.</p>		
C4.3	<p><b>Additional Measures for Large Sites</b></p> <p>a. Identify all areas likely to cause pollution of waterways from the transport of stormwater run-off containing sediment and silt and implement appropriate devices to stop the risk of pollution</p> <p>b. Divert clean water around the construction site to prevent contamination</p> <p>c. Retain as much natural vegetation as possible and limit site disturbance</p> <p>d. Control stormwater that enters the construction site from upstream</p> <p>e. Divert stormwater from undisturbed upper slopes onto stable areas</p> <p>f. Retain and stockpile all excavated topsoil on site for future landscaping and to minimise risk of erosion</p> <p>g. Prevent sediment/silt from entering adjoining public or private property (especially rains) by installing sediment control devices at the low side of sites and wash down areas</p> <p>h. Provide a single, stabilised entry/exit point to the site</p> <p>i. Prevent sediment, including building materials, from reaching the road or Council's stormwater system. Sediment is to be removed by sweeping, shovelling or sponging. Under no circumstances shall sediment be hosed</p> <p>j. Where a work zone permit over public property is applicable, ensure that appropriate debris control devices are implemented to prevent spillage of building materials into stormwater drains</p> <p>k. Compact all drainage lines when backfilling</p> <p>l. Connect downpipes to the stormwater system as early as possible</p> <p>m. Revegetate all disturbed areas, after on-site works are completed, in order to stabilise the surface, and</p> <p>n. Maintain all sediment control devices during earthworks and construction to standards acceptable to Council.</p>	<p>The Site is subject to existing erosion and sediment controls, as outlined in the Landfill Environmental Management Plan (LEMP). The Project would not comprise any change to the size of the stormwater catchment given there would be no increase in the footprint of the Project Area. The concept design for the Project includes an updated stormwater design with view to managing stormwater direction, volume and velocity arising from the increased cap height.</p> <p>The controls outlined in both the LEMP and the concept design would maintain suitable erosion and sediment management within the Site. This would continue to meet the requirements for large sites, including measures to minimise impacts to Badgerys Creek.</p>	Yes

Section	Controls	Provided	Compliance
C10.2	<p><b>Traffic Studies</b></p> <p>a. Development applications for major development proposals should be accompanied by an appropriate Traffic Report (see Appendix F3 – Submission Requirements for further details). The Traffic Report should detail the assessed impact of projected pedestrian and vehicular traffic associated with the proposal, with recommendations on the extent and nature of the traffic facilities necessary to preserve or improve the safety and efficiency of the adjacent road system.</p> <p>b. A Traffic Report must be provided for applications required to be referred to the Roads and Maritime Services (RMS) under Column 2 and a Traffic Impact Statement for Column 3 of SEPP (Infrastructure) 2007.</p> <p>c. Depending on the scale, type and nature of the use proposed, Council may determine that a Traffic Report or Traffic Impact Statement is required for certain development which is not listed under Column 2 or 3 of SEPP (Infrastructure) 2007.</p> <p>d. Any Traffic Report or Traffic Impact Statement is required to address the following issues:</p> <ul style="list-style-type: none"> <li>i. The objectives of this section relating to transport and land use</li> <li>ii. The objectives of this section relating to traffic management and safety</li> <li>iii. The objectives and controls of this section relating to traffic generating developments, and</li> <li>iv. The issues set out in Appendix F3 – Submission Requirements of this DCP</li> </ul> <p>e. Any development identified in Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 is either referred to RMS (Column 2 developments) or Council's Local Traffic Development Committee (Column 3 developments) for assessment and conditions as required.</p>	A detailed traffic and transport impact assessment has been prepared as part of this EIS.	Yes
C10.2	<p><b>Road Safety</b></p> <p>a. Each development should demonstrate how it will:</p> <ul style="list-style-type: none"> <li>i. Provide safe entry and exit for vehicles and pedestrians which reflect the proposed land use, and the operating speed and</li> </ul>	The Site currently accepts heavy and light vehicle traffic for the transport of waste and management of the site. The proposal would not alter any traffic management within the Site or interfacing at the boundary of the Site.	Yes

Section	Controls	Provided	Compliance
	<p>character of the road</p> <ul style="list-style-type: none"> <li>ii. Minimise the potential for vehicular/pedestrian conflicts, providing protection for pedestrians where necessary</li> <li>iii. Not restrict traffic flow or create a hazard to traffic on roads in the vicinity of the development</li> <li>iv. Provide suitable off-street parking facilities to accommodate vehicles generated by the development, and</li> <li>v. Identify the need, where apparent, for any additional on-street traffic facilities or road works which may be required to maintain the safe and efficient movement of vehicles and pedestrians.</li> </ul> <ul style="list-style-type: none"> <li>b. Where feasible, vehicle access for developments should be from service roads/lanes.</li> <li>c. The design of direct vehicular access to developments should consider the traffic impacts on the surrounding road network. This may require the provision of deceleration, acceleration, right turn lanes and road widening, as necessary.</li> <li>d. Provision must be made for all vehicles to enter and leave properties in a forward direction other than for single dwellings.</li> <li>e. The layout and design of parking areas must minimise vehicle to pedestrian impacts, especially where heavy vehicle access to loading docks is proposed.</li> </ul>	<p>An assessment of the impact upon traffic on roads within the vicinity of the development has been prepared as part of this EIS. This assessment proposes a variety of measures to maintain the safety of road users within the site and on other nearby roads.</p>	
C10.3	<p><b>Character of Key Transport Corridors</b></p> <ul style="list-style-type: none"> <li>a. Applicants need to ensure that the proposed development is in character with each of the key transport corridors.</li> <li>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.</li> </ul>	<p>Elizabeth Drive is an identified key transport corridor. The Project would not alter the nature of the access road to Elizabeth Drive and as such would not affect the existing nature of this key transport corridor.</p>	Yes
C10.3	<p><b>Development Setbacks from Transport Corridors</b></p> <ul style="list-style-type: none"> <li>a. A minimum setback of 100m is required from Mulgoa Road where development is proposed in rural or environmental zones.</li> <li>b. A minimum setback of 30m is required from all other key transport corridors where development is proposed in rural or environmental zones.</li> </ul>	<p>The project is located more than 30 metres from Elizabeth Drive</p>	Yes

Section	Controls	Provided	Compliance
D1.1	<p>To preserve the rural character of the City of Penrith, all major development should seek to retain and protect the scenic, landscape and rural character of the City (where the relevant land uses are permissible within the zone and in accordance with the controls in Penrith LEP 2010 and this DCP).</p> <p>Major development applications may be required to provide more detailed studies including, but not limited to, a Visual Impact Assessment (See section on 'Site Planning and Design Principles' and Appendix F3 'Submission Requirements').</p>	<p>A Landscape and Visual Impact Assessment has been undertaken in this EIS. This outlines that the development would be generally consistent with the existing landscape character of the area.</p>	Yes
D1.5.2	<p><b>Rural Amenity</b></p> <p>a. Non-agricultural developments must demonstrate the following:</p> <p>i. There will not be significant visual impacts from either the main activity or associated activities on the rural area or adjacent properties, and</p> <p>ii. The development will achieve the noise control standards established by the NSW Office of Environment and Heritage or relevant authority.</p>	<p>The project would not result in a significant change in rural amenity above that already experienced (and approved).</p> <p>Noise impacts associated with the development have been modelled and would be generally compliant.</p>	Yes