

## **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

### **Part 3A of the Environmental Planning and Assessment Act 1979 (the Act)**

On 1 August 2005, Part 3A was introduced to the Environmental Planning and Assessment Act 1979 (EP&A Act). Part 3A and its accompanying Regulations and Guidelines (the latter yet to be gazetted), contains a new assessment and determination framework for major projects.

The Director General as delegate of the Minister has formed the opinion that the development to which this application relates is a project for the purposes of Part 3A of the Act. The project application to which this Environmental Assessment report relates has therefore been lodged pursuant to Section 75E of the Act, for approval to carry out a project as defined in Part 3A of the Act.

## **STATE ENVIRONMENTAL PLANNING POLICIES**

### **State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP)**

The Major Projects SEPP outlines the types of development declared a project for the purposes of Part 3A of the Act.

For the purposes of the Major Projects SEPP certain forms of development may be considered a Major Project if the Minister (or his delegate) forms the opinion that the development meets criteria within it.

On 8 May 2006, the Minister for Planning formed the opinion that the project is a development which meets the criteria of Schedule 3, Part 3, Clause 5(1) as the project is on the RRCS site and has a capital investment value of \$5 million.

The proposed development complies with the development controls in Clause 11, Part 3, Schedule 3 of the Major Projects SEPP.

### **State Environmental Planning Policy (Infrastructure) 2007**

SEPP 11 applied to the Project Application at the time of its lodgement. The SEPP was repealed by SEPP (Infrastructure) 2007 when it became operational on 1<sup>st</sup> January 2008. The SEPP (Infrastructure) does not, however, apply to the application as it is subject to its Savings provision (Cl.11 (1)(b)).

Notwithstanding this, the development proposal was referred to the RTA on 15 May 2008 for comment. The RTA made a submission and made a number of recommendations including design of works to relevant standards, safety issues and provision of minibus and bicycle parking. These were addressed by the proponent in the PPR, as well as the assessment report. The issues are considered to be satisfactorily addressed, subject to conditions of approval.

### **State Environmental Planning Policy No. 55 (Remediation of Land) (SEPP 55)**

SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying that certain considerations be made by the consent authority when determining development applications in general, and where relevant, land has been appropriately remediated.

Contamination was addressed in the Concept Plan approval, condition B7 requiring a contamination investigation report to be prepared. The report, by Jeffery and Katauskas Pty Ltd, was submitted to the Department, with the condition deemed to be satisfied on 5 March 2007. The Statement of Commitments states that the site subject to this application will be remediated in accordance with the findings in that report.