

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-10477 Sydney Business Park - Stage 3
Applicant	Marsden Park Developments Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director, Energy, Industry and Compliance, under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent is available [here](#).

A copy of the Department of Planning, Industry and Environment's (the Department) Assessment Report is available [here](#).

Date of decision

28 January 2021

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the *Biodiversity Conservation Act 2016* (NSW);
- applicable NSW Government policies and guidelines;
- all information submitted to the Department during the assessment of the development application;
- advice from relevant NSW Government authorities and Blacktown City Council; and
- the views of the community about the development (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the development will provide a range of benefits for the region and State as a whole, including a capital investment of approximately \$157.4 million and the generation of 670 construction jobs and 610 operational jobs in the Blacktown Local Government Area
- the development is permissible with development consent under State Environmental Planning Policy (Sydney Region Growth Centres) 2006;
- the development is consistent with NSW Government policies, including the Greater Sydney Region Plan and the Central City District Plan which encourage planned industrial development and the provision of jobs in Western Sydney;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through recommended conditions of consent; and
- weighing all relevant considerations, the development is in the public interest, subject to strict conditions of consent.

Attachment 1 – Consideration of Community Views

The Department of Planning, Industry and Environment (the Department) exhibited the development application and Environmental Impact Statement for the development from 21 August 2020 until 17 September 2020 and received two community submissions, both providing comment on the development.

The only matter raised by the community in submissions and considered in the Department's Assessment Report related to the opportunity for 'biobanking' as result of the removal of native vegetation on site.

<i>Issue</i>	<i>Consideration</i>
<p>Biobanking due to the removal of native vegetation</p>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The EIS included a request for a waiver for a Biodiversity Development Assessment Report (BDAR) and an associated assessment of the potential impact from the development on biodiversity values. • Biodiversity offsets have been determined as part of the strategic planning for the North West Growth Centre, identifying 2,000 ha of 'existing native vegetation area' (ENVA) to be retained across the area. The proposal does not contain any ENVA. • The Applicant has committed to the preparation of a Biodiversity Management Plan to manage any potential biodiversity impacts during construction. • The Department waived the requirement for a BDAR and as such, no biobanking or purchase of ecosystem credits required. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Require the Applicant to carry out the development in accordance with the Applicant's management and mitigation measures which include the preparation and implementation of a Biodiversity Management Plan.