

SSD-33701741 – WYONG REGIONAL DISTRIBUTION CENTRE EXPANSION

APPENDIX B - STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Environmental Planning and Assessment Act			
Section 1.3	(a) <i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i>	The development will contribute towards the social and economic welfare of the community by generating 30 operational jobs and approximately 100 construction jobs. The proposal also responds to current social and economic circumstances by facilitating faster and more reliable delivery service to its supermarkets. This is increasingly important given the COVID-19 pandemic has precipitated a growing demand for goods and produce in suburban supermarkets.	Refer to Section 3.2.3 and Section 6.1.12 of the EIS.
	(b) <i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal includes measures to deliver ecologically sustainable development (ESD) including a comprehensive landscaping scheme and water sensitive urban design (WSUD) measures. Detailed ESD commitments are discussed in the ESD Strategy included at Appendix CC. Proposed WSUD measures are addressed in the Civil Engineering Report at Appendix E. The development will also provide 30 operational jobs and will continue to promote the use of active and public transport by maintaining the existing on-site	Refer to Section 6.2.2 of the EIS.

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		bicycle storage and end-of-trip facilities, including six existing bicycle parking spaces.	
	(c) <i>To promote the orderly and economic use and development of land</i>	The proposal promotes the orderly and economic development of the land by intensifying the existing industrial use of the Site to maximise economic output and positively contribute to the Central Coast region's productivity.	Refer to Section 6.1, Section 6.2, Section 7.5 and Section 7.6 of the EIS.
	(d) <i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	The development is located within an established urban environment. The BDAR demonstrates the proposal will have no impact on the ecological values of the Site. The development proposes to remove trees that conflict with the building footprint. Notwithstanding, a comprehensive landscaping scheme has been prepared by Site Image to compensate for the loss of trees. Enhancements to the existing wetlands are also proposed, including the planting of species that will improve the biodiversity values of the Site.	Refer to Section 6.1.5 of the EIS and Appendix N .
	(e) <i>To promote sustainable management of built and cultural heritage (including Aboriginal cultural heritage).</i>	The Site is not a heritage item nor is it located in a heritage conservation area. The closest heritage item is located a significant distance from the Site. Due to the geographical separation, a heritage impact assessment is not considered warranted. Artefact have prepared an ACHAR which addresses	Refer to Section 6.1.11 of the EIS and Appendix U .

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		the Aboriginal heritage and cultural values of the Site. It identifies that the Site does not contain objects of Aboriginal Significance as defined in the statutory sense. It does however accommodate a tree considered to be of significance to the Aboriginal community, as determined through consultation with key interest groups. Artefact recommend the retention or alternatively the relocation of this tree. The proponent is committed to adopting this recommendation.	
	(f) <i>To promote good design and amenity of the built environment.</i>	The proposed bulk and scale of the development is consistent with what would be expected of a large warehouse and distribution facility on a Site zoned industrial. The visual impacts of the warehouse are considered negligible given the Site location in an IN1 General Industrial Zone and the proposed tree planting, which will largely conceal the proposed additions.	Refer to Section 6.1.1 and Section 6.1.2 of the EIS.
	(g) <i>To promote proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.</i>	A Preliminary Construction Management Plan has been prepared which includes strategies to manage construction impacts.	Refer to Section 6.1.3.2 of the EIS and Appendix L .
	(h) <i>To promote the sharing of responsibility for environmental planning and assessment between different levels of government in the State.</i>	Relevant Government agencies have been consulted with throughout the concept and detailed design processes. It is noted that the Minister for Planning is	Refer to Section 5.0 of the EIS.

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		the consent authority for SSDAs.	
	(i) <i>To provide increased opportunity for community participation in environmental planning and assessment.</i>	Consultation with relevant community groups and government agencies has occurred in parallel with the preparation of the SSDA. The consultation outcomes are detailed in the Consultation Outcomes Report.	<i>Refer to Section 3.5 and Section 6.20 of the EIS and Appendix C and Appendix O</i>
Section 4.15	Relevant environmental planning instruments: ▪ <i>NSW Biodiversity Act 2016</i> ▪ <i>Environmental Planning and Assessment Act 1979</i> ▪ <i>Environmental Planning Assessment Regulation 2021</i> ▪ <i>State Environmental Planning Policy (Planning Systems) 2021</i> ▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> ▪ <i>State Environmental Planning Policy (Resilience and Hazards 2021)</i> ▪ <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> ▪ <i>Wyang Local Environmental Plan 2013</i>	State and Local Environmental Planning Instruments have been assessed. See detail below under State Environmental Planning Policies (SEPPs) and Wyong LEP 2013.	<i>Refer to Section 4.0, Section 6.1 and Section 6.2 of the EIS.</i>
	Draft environmental planning instruments:	Draft Local Environmental Planning Instruments have	<i>Refer to Section</i>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	Draft Central Coast Local Environmental Plan 2018	been assessed.	<i>4.0 of the EIS</i>
	Development control plans: - Draft Central Coast Development Control Plan 2018 - Wyong Development Control Plan 2013	The Draft Central Coast Development Control Plan 2018 and current Wyong DCP 2013 have been assessed.	Refer to Section 4.0 and Section 6.1.1 of the EIS.
	<i>Environmental Planning and Assessment Regulation 2021 – Part 8, Division 2</i>	This EIS has been prepared in accordance with Part 8, Division 2 of the <i>Environmental Planning and Assessment Regulation 2021</i>	Refer to Section 6.0 and Section 4.0 of the EIS.
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development including the environmental impacts on the natural and built environments, and social an economic impact on the locality are assessed in detail within the EIS. A summary is provided below: Built Environment: The proposal has been designed to have regard for the site's constraints and physical attributes, including its biodiversity values. The built form is consistent with the existing industrial development within the Warnervale industrial area. The alterations and additions integrate with the existing built form and will be complemented by comprehensive landscaping. The proposal rationalises the access arrangements to enable the safe manoeuvring of heavy vehicles. The Site's biodiversity values are protected and the proposal will not give rise to unacceptable traffic generation, view loss, or	

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		acoustic impacts. ▪ Social: The proposal will provide a range of positive social benefits, including job creation for the Central Coast Region, the provision of new industrial/warehouse facilities and improve access arrangements. ▪ Economic: Positive economic impacts and contributions to the economic health of the Central Coast Region and broader NSW can be anticipated through the retention of jobs and the creation of new jobs within a locality earmarked to support industrial growth.	
	The suitability of the site for the development	The site is considered suitable for the proposed development for the reasons outlined in this EIS and summarised below: ▪ The proposal protects existing industrial land by retaining the existing zoning and proposing alterations and additions that will intensify the industrial uses contained within the Site. ▪ The alterations and additions do not protrude beyond the height plane established by the existing building contained within the Site, and therefore will not result in an excess bulk or detract from the visual amenity of the area. ▪ The Site provides opportunities for the provision of	Refer to Section 7.6 of the EIS.

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		increased jobs and employment throughout the construction and operational stages of development across the Site. Specifically, the proposal will retain the approximate 710 existing jobs associated with the current operations and will facilitate the creation of 30 additional jobs. Approximately 100 jobs will be created during the construction phase. ▪ Previous planning approvals have deemed the Site suitable for accommodating a warehouse and distribution centre. ▪ The alterations and additions can be accommodated on the Site without causing environmental impacts to the nearby C2 Environmental Conservation area or the biodiversity values. ▪ The Site is in a highly accessible location, mid-way between Warnervale Airport and the Pacific Motorway, providing connectivity to the broader Central Coast Region to which the distribution centre services. ▪ The development will provide warehouse and distribution facilities and jobs close to where people live.	
	Any submissions made	Submissions will be considered following exhibition of	

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		the application.	
	The public interest	The proposed development is in the public interest for the following reasons: ▪ The proposed alterations and additions will increase the employment opportunities generated by the development. Specifically, the proposal will result in 30 operational jobs and approximately 100 construction jobs. ▪ The proposal will deliver a high-quality development that integrates with the existing built form and modernises its existing facilities. ▪ The proposal incorporates comprehensive landscaping which will improve the visual amenity of the Site when viewed from within the Site and externally. ▪ The proposed additions can be delivered on the Site without resulting in environmental impacts. ▪ The proposal will improve Woolworths ability to cater to its customer base by expediting deliveries and addressing the unprecedented demand for its services due to the recent COVID-19 pandemic. ▪ The proposed development respects the industrial	<i>Refer to Section 7.7 of the EIS.</i>

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		history and character of the place and will not obstruct or impact heritage items, objects of Aboriginal significance or archaeological importance. The proposal will improve the existing warehouse and distribution facilities on the Site, which will benefit employees.	
Environmental Planning and Assessment Regulation 2021			
Part 8, Division 2	Division 2 of the EP&A Reg provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS	This EIS has been prepared to address the requirements of the EP&A Regulations and SEARs.	<i>Refer to Section 4.0 and Section 6.0 of the EIS.</i>
Biodiversity Conservation Act 2016			
Clause 7.9	A State Significant Development Application is to be accompanied by a BDAR unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity value	A BDAR has been prepared and concludes the proposed works will have no impact on the biodiversity values of the Site.	<i>Refer to Section 6.1.5 of the EIS and Appendix N.</i>
State Environmental Planning Policy (Planning Systems) 2021			
Schedule 1, Clause 12	In accordance with clause 12 of Schedule 1 of the Planning Systems SEPP, development that has a capital investment value of more than \$30 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation are classified as SSD. The relevant clause is as	The proposed works have an estimated CIV of \$67,570,648 and accordingly the proposal is classified as SSD for the purposes of the SEPP.	<i>Refer to Section 4.1 of the EIS</i>

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	follows: Warehouses or distribution centres <i>Development that has a capital investment value of more than the relevant amount for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</i> (1) <i>This section does not apply to development for the purposes of warehouses or distribution centres to which section 18 or 19 applies.</i> (2) <i>This section does not apply to development for the purposes of warehouses or distribution centres to which section 18 or 19 applies.</i> (3) <i>This this section relevant amount means –</i> <i>(a) for development in relation to which the relevant environmental assessment requirements are notified under the ACT on or before 31 May 2023 - \$30 million, or</i> <i>(b) for any other development - \$50 million.</i>		
State Environmental Planning Policy (Resilience and Hazards) 2021			
Clause 3.7	Consideration is required to be given to the guidelines published by the DPE in relation to hazardous or offensive development. Where a proposal exceeds the applicable thresholds for the storage of dangerous goods, a Preliminary	A Preliminary Hazards Analysis has been prepared to determine whether the facility is potentially hazardous and whether an additional risk assessment is required. The assessment concludes that a further risk	Refer to Section 6.1.15 of the EIS and Appendix Y

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	Hazards Analysis is required.	assessment is not required and that the proposal is appropriate for the Site and its current zoning.	
Clause 4.6	Consent must not be granted to the carrying out of development on land under consideration has been given to whether the land is contaminated, If the land is contaminated, the consent authority must be satisfied that the land is suitable in its contaminated state for the proposal.	A Preliminary Site Investigation Report accompanies the application and confirms that the site does not contain contaminants in excess of the applicable assessment criteria. Based on the results, further contamination testing is not required and the site is suitable for the proposed use.	<i>Refer to Section 6.2.4 of the EIS and Appendix DD</i>
State Environmental Planning Policy (Transport and Infrastructure) 2021			
Schedule 3, Clause 2.121	Warehouse or distribution centres with a site area of 8,000m ² or more with access to any road are classified as 'traffic generating development'.	The site has a total area over 8,000m ² and accordingly, is considered 'Traffic Generating Development'. The SSDA will be referred to the NSW Roads and Maritime Services (now a part of TfNSW) for their review and comment.	<i>Refer to Section 6.1.3 of the EIS and Appendix P</i>
State Environmental Planning Policy (Biodiversity and Conservation) 2021			
	The SEPP provides a framework for the regulation of the clearing of native vegetation in NSW.	A BDAR accompanies the application and confirms that the proposed alterations and additions will not impact significant biodiversity values.	<i>Refer to Section 6.1.5 of the EIS and Appendix N</i>
Draft State Environmental Planning Policy (Environment)			
	The SEPP consolidates, repeals and replace seven existing SEPPs. Public exhibition of the Draft Environment SEPP was completed in January 2018. It will deliver a policy instrument that contains a single set of planning provisions	The Site is not subject to any of the changes proposed within the draft SEPPs, nor it is identified as being attributed to any catchments, waterways, bushland or protected areas.	N/A

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	for catchments, waterways, bushland and protected areas.		
Wyong Local Environmental Plan 2013			
2.1 Zoning and Land Use	The proposed development involves the delivery of alterations and additions to the Site's existing warehouse and distribution centre. The proposed works are permissible with consent in the IN1 General Industrial zone. The objectives of the zone are to: ▪ <i>To provide a wide range of industrial and warehouse land uses.</i> ▪ <i>To encourage employment opportunities.</i> ▪ <i>To minimise any adverse effect of industry on other land uses.</i> ▪ <i>To support and protect industrial land for industrial uses.</i>	The proposed development is consistent with the provisions of the IN1 zone as it will facilitate employment generating development and support a range of industrial and warehouse land uses. More specifically the proposed development will: ▪ Continue the historical use of the Site as a warehouse and distribution centre, thereby facilitating a range of industrial and warehouse land uses to the area. ▪ Expand the existing development's general industrial operations to promote employment opportunities. ▪ Retain and protect the Site and its existing industrial uses.	<i>Refer to Section 5.0 and Section 6.1 to Section 6.2 of the EIS</i>
2.7 Demolition Requires Development Consent	The demolition of a building or work may be carried out only with development consent.	Consent is not sought for the demolition of existing buildings. However, minor demolition works will be required. Specifically, the existing water tanks, amenities rooms, and ripening rooms are required to be demolished to facilitate the construction of the development.	<i>Refer to Section 3.2.3.3 of the EIS</i>
4.3 Height of Buildings	A maximum height is not nominated by the LEP for the site.	The proposed alterations and additions do not extend beyond the height of the existing envelope.	<i>Refer to Section 6.1.1 of the EIS</i>

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		The maximum height of the building is 18.7 metres, as measured in accordance with the building height definition in the LEP.	
4.4 Floor Space Ratio	A maximum FSR is not nominated by the LEP for the site.	The proposal will result in a total gross floor area of 78,777m ² and an FSR of 0.34:1 (including the existing building and proposed alterations/additions), based on the total site area of 23.1ha / 231,000m ² .	<i>Refer to Section 3.2.2.1 of the EIS</i>
5.10 Heritage Conservation	The consent authority may, before granting consent to a development: - On land on which a heritage item is located, - On land that is within a heritage conservation area, or - On land that is within the vicinity of land referred to in paragraph (a) or (b). require a heritage management document to assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	The Site is not a heritage item nor is it located within a heritage conservation area. The nearest heritage item is located approximately 2.7km from the Site and is therefore a significant distance so as to not be impacted by the proposal. An ACHAR accompanies the application and concludes that the Site does not contain Aboriginal objects nor is it identified as an Aboriginal place of heritage significance.	<i>Refer to Section 2.2 of the EIS</i>
5.21 Flood Planning	The clause aims to minimise the flood risk to life and property associated with the use of the land. Development consent must not be granted to development within a flood planning area unless the consent authority is satisfied that the development will not adversely affect flood behaviour and is compatible with the flood function and behaviour of	The Site is not located within a flood planning area as defined by Council's LEP Flood Planning Mapping. However, the Site is located adjacent to an area affected by flooding.	<i>Refer to Section 6.2.3 of the EIS</i>

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	the land.		
7.1 Acid Sulfate Soils	Development consent is required for works below the natural ground surface and works by which the water table is likely to be lowered	The Site is not located on land identified as containing acid sulphate soils.	<i>Refer to Section 6.1.8 of the EIS</i>
7.9 Essential Services	Development consent must not be granted unless the consent authority is satisfied that essential services support the future development.	Existing infrastructure servicing the Site are to be augmented as part of the proposed development.	<i>Refer to Section 6.2.5 of the EIS</i>
7.11 Development requiring the preparation of a development control plan (key sites)	Development identified as a 'key site' is subject to the height provisions requires the preparation of a development control plan	The Site is not identified as being a 'Key Site'.	Not applicable
7.19 Development Near Zone Boundaries	The purpose for the clause is to provide flexibility to allow uses on the other side of a zone boundary that would enable a more logical and appropriate development of the Site.	The Site adjoins a C2 Environmental Conservation zone. The proposal does not seek to amend the existing land uses on the Site and therefore does not rely on the clause.	Not applicable
Wyong Development Control Plan 2013			
2.1 Parking and Access	To ensure that development that is proposed to be expanded or undergo a change of use will provide adequate access and parking. The parking requirements set out in the WDCP 2013 are to apply to extensions. It applies a rate of 1 space per 300m ² of GFA. It does not	The Transport and Accessibility Impact Assessment concludes that the proposed 5 truck spaces (including a truck wash bay) and 49 formalised chevron trailer parking spaces are sufficient to support the development. It notes that the existing Site provides an	<i>Refer to Section 3.2.3.6 and Section 6.1.3 of the EIS and</i>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	nominate a rate for distribution centres. It notes that for uses not listed, the parking requirements should be assessed on their merits.	excess surplus of parking of 100 spaces. With the proposed quantity of parking combined with the surplus of existing spaces, the report concludes that the proposed parking arrangements are adequate to support the proposal.	Appendix J.
<i>Section 2.12 Industrial Development</i>			
2.1 Floor Space Ratio	The objectives of this section are to: • Enable industrial development of an acceptable bulk and scale. The relevant controls are as follows: (a) All activities and processes associated with the industrial use of the site are accommodated on the site in buildings of acceptable bulk and scale.	The alterations and additions are wholly contained within the Site. The alterations do not exceed the existing height limit and therefore result in a suitably scaled development.	Refer to Section 6.1.1 of the EIS
2.2 Site Coverage	The objectives of this section are to: • Ensure that all necessary uses and activities associated with industrial development can be satisfactorily accommodated on site. • To limit the extent of built and hardstand areas on the site, to assist water infiltration and the implementation of water sensitive design techniques. The relevant controls are as follows: • Maximum site coverage of 50 percent for the	Developments are required to occupy a maximum of 50% of the site area. The proposed development (inclusive of the additions and existing built form) occupies 33.8% of the Site.	Refer to Appendix G

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	building(s) on site.		
<i>2.4 Design and Appearance of Buildings</i>	The objectives of this section are to: ▪ To encourage industrial buildings with architectural merit. ▪ To encourage innovative designs for industrial buildings. The relevant controls are as follows: ▪ To encourage industrial buildings with architectural merit.	The proposal has been designed by a suitably qualified architect and has been designed to integrate with and complement the existing warehouse and distribution centre. The alterations and additions sit within the height of the height plane established by the existing building. The proposal therefore provides an acceptable bulk and scale.	
<i>2.7 Flooding and Stormwater Management</i>	The objectives of this section are to: ▪ To protect the proposed development from flooding and manage stormwater so as to not impact adjacent sites. ▪ To encourage the use of water efficient construction techniques. ▪ To manage stormwater discharge from the site so as not to pollute receiving systems and waterways. ▪ To encourage development which can operate in an environmentally sustainable way with regard to water use. The relevant controls are as follows: ▪ All developments shall comply with requirements detailed within Council's Civil Works – Design Guideline	The proposal complies with the requirements of the guideline as outlined in the Civil Engineering Report.	<i>Refer to Section 6.1.9 of the EIS and Appendix E.</i>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	and Construction Specification and Chapter 3.3 – Floodplain Management.		
<i>2.8 Earthworks and Retaining Walls</i>	The objectives of this section are to: ▪ To avoid the need for excessive cutting and filling on industrial sites while recognising the need in some cases for large areas.	Minor earthworks are proposed as part of the application. Excavation will be carried out in accordance with the recommendations nominated by the Geotechnical Report.	<i>Refer to Section 6.1.8 of the EIS and Appendix T</i>
<i>2.9 Buildings over and adjacent to Sewer Mains</i>	The objectives of this section are to: ▪ To protect and prevent damage to buildings, structures and existing sewer mains.	The proposal does not seek consent for built form over a sewer main.	N/A
<i>2.10 Thematic Links</i>	The objectives of this section are to: ▪ To ensure that new development matches or complements the established theme of an industrial estate.	The alterations and additions are of high quality design and complement the existing warehouse and distribution centre as well as the surrounding industrial area. Specifically, the proposal incorporates metal clad and louvres that remain consistent with the materiality of the existing built form.	<i>Refer to Section 6.1.1 of the EIS and Appendix G</i>
<i>2.11 Site Landscape Works</i>	The objectives of this section are to: ▪ To incorporate existing significant, threatened and endangered vegetation on site into landscape areas. ▪ To provide or retain native fauna and bushland corridors where possible. ▪ To screen car parking, loading and other external activity areas.	The proposal does not seek to remove any significant vegetation or buffer planting adjacent to wetlands. Where tree removal is proposed, it relates to non-significant trees. Replacement planting is proposed to offset the loss of trees. It consists of perimeter buffer planting around the north-western boundary and in the eastern portion of the Site adjacent around the truck maintenance facility. The selected plant species are sympathetic to	<i>Refer to Section 6.1.2 of the EIS and Appendix I</i>

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	▪ To provide functional areas of planting that enhance the presentation of a building. ▪ To assist in the promotion of water sensitive design elements throughout the design.	the industrial character of the locality.	
<i>2.13 Design for Safety</i>	The objectives of this section are to: ▪ To minimise opportunities for crime by the design and operation of industrial development: - Providing for natural surveillance - The use of access controls - Territorial reinforcement, and - Space management.	The proposal adopts the principles of Crime Prevention Through Environmental Design (CPTED). Clear sightlines are provided in and around the development, including the proposed car and truck parking areas. Where landscaping is proposed internal to the Site, it consists of low lying planting that will not obstruct sightlines or provide opportunities for concealment.	<i>Refer to Section 6.1.1 and Section 6.1.2 of the EIS</i>
<i>2.16 Site Signs</i>	The objectives of this section are to: ▪ To enable clear site identification without adversely affecting the character and streetscape of the locality.	Signage is not proposed.	N/A
<i>2.18 Air Quality and Odour Control</i>	The objectives of this section are to: ▪ To protect local air quality and minimise the impact of odour generated by industrial activity.	The alterations and additions will not support activities likely to produce odour emissions or give rise to air quality impacts. An Air Quality Assessment Report has been prepared and confirms that proposal will not exceed the applicable air criteria.	<i>Refer to Section 6.1.6 of the EIS and Appendix R</i>
<i>2.19 Noise</i>	The objectives of this section are to:	A Noise Impact Assessment has been prepared and	<i>Refer to Section</i>

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<i>Generation</i>	- To minimise the impact of noise generated by industrial activity. The relevant controls are as follows: - Industrial development shall comply with the requirements of the 'NSW Industrial Noise Policy' produced by the EPA in December 1999. - An Acoustic Report shall be submitted with the DA for any industrial development proposal located within 50m of a residential property boundary.	confirms that the proposal will provide acceptable acoustic impacts and will not impact nearby residential receivers.	6.1.7 of the EIS and Appendix S
<i>2.21 Waste Minimisation and Disposal</i>	The objectives of this section are to: To require an environmentally sound approach to the storage and disposal of waste and recyclable materials, which supports the principles of waste minimisation.	A Waste Management Plan has been prepared to address the storage and disposal of waste during the construction and operation of the development.	<i>Refer to Section 6.1.10 of the EIS and Appendix J</i>
<i>2.22 Contaminated Sites</i>	The objectives of this section are to: - To ensure that potentially contaminated land and contaminated land is identified and treated in the appropriate manner. The relevant controls are as follows: - The level of risk from potentially contaminated land or contaminated land is to be accurately determined and an appropriate treatment is determined and implemented in conjunction with development of the site.	A Preliminary Site Investigation Report has been prepared which confirms the Site can be made suitable for redevelopment prior to the construction phase and that no further investigations are required.	<i>Refer to Section 6.2.4 of the EIS and Appendix DD.</i>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
3.3 Floodplain Management	The relevant objectives of this section are to: - To promote flood compatible building design that considers requirements for the development of flood prone land and does not adversely impact on adjoining properties. - To ensure that all land uses and essential services are appropriately sited and designed in recognition of all potential floods.	The Site is not located within a flood plan management area as defined by the WLEP 2013 Flood Planning Mapping. It is however located in proximity to land affected by flooding. The Civil Engineering Report confirms that the floor level has been set to allow for freeboard to the regional floodplain of greater than 0.5m during the 1% AEP flood event. In turn, the requirements of Council and the NSW Floodplain Development Manual are met.	<i>Refer to Section 6.2.3 of the EIS and Appendix E</i>
3.6 Tree and Vegetation Management	The relevant objectives of this section are to: To protect trees on privately owned land that contribute positively to the amenity, scenic landscape characteristics and ecological values of the Central Coast LGA.	The proposed building footprint necessitates the removal of 233 trees. The loss of these trees will be compensated for by replacement tree planting as shown in the landscape plans.	<i>Refer to Section 6.1.2 and Section 6.1.4 of the EIS and Appendix Q.</i>
3.7 Heritage Conservation Management	The relevant objectives of this section are to: - To conserve the heritage significance of the built and natural environments. - To ensure that new development is sympathetic to the identified heritage significance.	The Site is not a heritage item nor it is located within a heritage conservation area. The closest heritage item is a significant distance from the Site, being Wyong Railway Station. Due to the geographic separation between the item and the Site, the proposal will have no heritage related impacts.	N/A
Warnervale Business Park			
2.1 Setbacks	The relevant objectives of this section are to: To provide for development that is not visually intrusive	The proposal complies with the minimum setback requirements. A maximum setback of 24m is provided	<i>Refer to Section 6.1.1.2 of the</i>

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	on the streetscape and to provide an area where landscaping can reduce the scale of a development when viewed from the street. ▪ To provide adequate sight distances for safe traffic movement associated with the use of land. ▪ To provide adequate setbacks for land adjoining the Warnervale airport and the environmental corridor adjoining Sparks Road. The development controls are as follows: ▪ All buildings shall be setback 10m from the boundary to the street frontage inclusive of all car parking. ▪ The setback area shall only be used for landscaping. ▪ Buildings on lots adjacent to the E2 Zone are to be setback a minimum of 10m. ▪ Any firebreaks and any fire control access track required will be built in the setback area, not in the environmental corridor, and will increase the width of the setback by the width of the track.	between the proposed refuelling facility and the Site boundary which interfaces with the C2 Environmental Conservation zone. This setback reduces to 17m in the location of the hardstand area for the refuelling facility. The proposal therefore complies and well exceeds the minimum requirement.	<i>EIS</i>
2.2 Building Heights	The relevant objectives are as follows: ▪ To allow building heights which visually integrate with the streetscape. ▪ To allow buildings heights that are proportional to the	The proposal complies with the height requirements in that it does not exceed the Obstacle Limitation Surface (OLS) height limits. Further discussion is provided in the Aviation Impact Assessment Report submitted with the EIS. The alterations and additions are concealed by	<i>Refer to Section 6.1.1.2 of the EIS, Appendix G and Appendix X</i>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	shape and size of the land and the bulk of the building. The development controls are as follows: ▪ Heights of buildings and all structures are not to exceed the maximum building height standards provided on the OLS map for Warnervale Airport. ▪ All buildings and structures on land adjoining the environmental corridor adjacent to Sparks Road and the M1 Pacific Highway are not to exceed 12m. ▪ The height of buildings and structures on the remaining land in the business area is not to be visible above the tree line along the M1 Pacific Motorway and Sparks Road.	landscaping and are no greater than the height of the existing development. They therefore will not be visible from the M1 Pacific Motorway and Sparks Road. Further discussion is provided in the Visual Impact Assessment.	
2.3 Design and Construction	The relevant objectives are as follows: ▪ To ensure development is designed so it makes a positive contribution to the streetscape. ▪ To ensure development is sympathetic with the surrounding natural environment. ▪ To ensure development presents a co-ordinated and aesthetic appearance.	The design of the building reflects the architectural expression of the existing warehouse and distribution facility buildings. In turn, the proposal will complement the existing built form. Landscaping around the perimeters of the Site and within the car park will soften the appearance of the built form, ensuring that it is sympathetic to the surrounding environment.	<i>Refer to Section 6.1.1 and Section 6.1.2 of the EIS</i>
2.4 Materials and Colours	The relevant objectives are as follows: ▪ To ensure a high standard of visual quality.	The proposal adopts a neutral colour palette which ensures the proposed structures are consistent with the materiality and colour scheme associated with the	<i>Refer to Section 6.1.1 and Section 3.2.2.1</i>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	To ensure all structures on a site are consistent in building materials and colours.	existing built form.	<i>of the EIS</i>
2.6 Signage	The relevant objectives are as follows: To ensure that signs do not proliferate to an extent that detracts from the aesthetic quality of the business area and surrounding natural streetscape.	Signage is not proposed as part of the application.	<i>N/A</i>
2.7 Airport Hazard Minimisation	The relevant objectives are as follows: - To ensure developments do not increase the potential for birdstrike. - To ensure heights of buildings and structures are not hazardous to aircraft.	The proposal will have no impact on the operations of the airport as confirmed by the Aviation Impact Assessment Report.	<i>Refer to Section 6.1.14 of the EIS and Appendix X</i>
2.8 Total Water Management Strategy	The relevant objectives are as follows: - To promote and encourage the conservation and re-use of stormwater run-off. The relevant controls are as follows: - Proposed development is to comply with Council's Civil Works Design Guideline and Construction Specification.	The proposed stormwater system will be augmented with the existing stormwater system and satisfies the requirements of Council's Civil Works Design Guideline and Construction. Further discussion is provided in the Civil Engineering Report	<i>Refer to Section 3.2.3.5 and Section 6.1.9 of the EIS and Appendix E</i>