

## APPENDIX 2 – STATUTORY COMPLIANCE TABLE

| Mandatory Considerations                                          |                 |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |
|-------------------------------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Legislation                                                       | Section/ Clause | Mandatory Consideration                                                                                                                                                                                                                                                                                                                                                                                                      | Section in EIS                          |
| <b>Considerations under the EP&amp;A Act 1979 and Regulations</b> |                 |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |
| <i>Environmental Planning and Assessment Act 1979</i>             | Section 1.3     | Objects of the Act                                                                                                                                                                                                                                                                                                                                                                                                           | Section 4.2.1                           |
|                                                                   | Section 4.15    | Relevant environmental planning instruments: <ul style="list-style-type: none"> <li>SEPP (Precincts – Central River City) 2021</li> <li>SEPP (Planning Systems) 2021</li> <li>SEPP (Transport and Infrastructure) 2021</li> <li>SEPP (Resilience and Hazards) 2021</li> <li>SEPP (Biodiversity and Conservation) 2021</li> <li>SEPP (Sustainable Buildings) 2022</li> <li>Blacktown Local Environmental Plan 2015</li> </ul> | Section 4.8                             |
|                                                                   |                 | Relevant proposed environmental planning instruments.                                                                                                                                                                                                                                                                                                                                                                        | Not Applicable.                         |
|                                                                   |                 | Relevant development control plans: <ul style="list-style-type: none"> <li>Blacktown City Council Growth Centre Precincts Development Control Plan 2010</li> </ul>                                                                                                                                                                                                                                                           | Section 4.8.8                           |
|                                                                   |                 | Relevant planning agreements or draft planning agreements.                                                                                                                                                                                                                                                                                                                                                                   | Not Applicable. None apply to the site. |
|                                                                   |                 | The Regulations (to the extent that they prescribe matters for the purposes of this paragraph)                                                                                                                                                                                                                                                                                                                               | Section 4.3                             |

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| Legislation                                | Section/ Clause      | Mandatory Consideration                                                                                                                                                                                                                                                                                                                                                               | Section in 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.                                                                                                                                                                                                                  | Chapter 6                 |
|                                            |                      | The suitability of the site for the development.                                                                                                                                                                                                                                                                                                                                      | Section 7.5               |
|                                            |                      | Any submissions made in accordance with this Act or the regulations.                                                                                                                                                                                                                                                                                                                  | Section 7.6               |
|                                            |                      | The public interest.                                                                                                                                                                                                                                                                                                                                                                  | Section 7.6               |
| Considerations under EPIs                  |                      |                                                                                                                                                                                                                                                                                                                                                                                       |                           |
| SEPP (Precincts – Central River City) 2021 | Land Use Table       | Objectives and land uses for IN2 Light Industrial Zone                                                                                                                                                                                                                                                                                                                                | Section 4.8.1             |
|                                            | Part 4               | Principal Development Standards                                                                                                                                                                                                                                                                                                                                                       | Table 14<br>Section 4.8.1 |
|                                            | Part 5               | Miscellaneous Provisions                                                                                                                                                                                                                                                                                                                                                              | Table 15<br>Section 4.8.1 |
|                                            | Part 5               | Additional Local Provisions                                                                                                                                                                                                                                                                                                                                                           | Table 16<br>Section 4.8.1 |
| SEPP (Planning Systems) 2021               | Schedule 1 Clause 25 | Is the proposal State Significant Development.                                                                                                                                                                                                                                                                                                                                        | Section 4.8.2             |
| SEPP (Transport and Infrastructure) 2021   | 2.122                | A public authority, or person acting on behalf of a public authority, must not approve traffic-generating development without written notice of the intention to carry out the development to Transport for NSW (TfNSW) in relation to the development, and taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given. | Section 4.8.3             |

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| Legislation                                                          | Section/ Clause          | Mandatory Consideration                                                                                                                                                                                                                                                  | Section in EIS            |
| <i>SEPP (Resilience and Hazards) 2021</i>                            | Clause 3.11 and 3.12     | Whether a preliminary hazard analysis in accordance with the current circulars or guidelines published by the Department of Planning has been prepared.                                                                                                                  | Section 4.8.4             |
|                                                                      | Clause 4.6               | Whether the land is contaminated and, if contaminated, be satisfied that the land is suitable for the purpose for which it is proposed or can be made suitable.                                                                                                          | Section 4.8.4             |
| <i>SEPP (Biodiversity and Conservation) 2021</i>                     | Chapter 2                | Whether any proposed clearing is not ancillary to development requiring consent.                                                                                                                                                                                         | 4.8.5                     |
| <i>SEPP (Sustainable Buildings) 2022</i>                             | Chapter 3 Section 3.2(1) | Whether the proposal has considered sustainable performance through energy and water efficiency, waste reduction and energy storage and generation.                                                                                                                      | Table 17<br>Section 4.8.6 |
|                                                                      | Chapter 3 Section 3.2(2) | Whether the embodied emissions attributable to the development have been quantified.                                                                                                                                                                                     | Section 4.8.6             |
|                                                                      | Chapter 3 Section 3.3    | In deciding whether to grant development consent to large commercial development, the consent authority must consider whether the development minimises the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050. | Table 18<br>Section 4.8.6 |
| <i>Blacktown Local Environmental Plan 2015</i>                       | N/A                      | Not applicable to subject site.                                                                                                                                                                                                                                          | Section 4.8.7             |
| <b>Considerations under other legislation</b>                        |                          |                                                                                                                                                                                                                                                                          |                           |
| <i>Environment Protection and Biodiversity Conservation Act 1999</i> | Part 7 Division 1        | Whether the action is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) and is therefore a 'controlled action.'                                                                                                    | Section 4.1               |
| <i>Protection of the</i>                                             | Schedule 1               | Whether an environmental protection license is required for general chemical                                                                                                                                                                                             | Section 4.4.1             |

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| <i>Environment Operations Act 1997</i>                                                          | Section 9                 | storage or petroleum products storage.                                                                                                                 |                |
|                                                                                                 | Schedule 1<br>Section 17  | Whether an environmental protection license is required for general electricity works associated with the testing and potential running of generators. | Section 4.4.2  |
| <i>Protection of the Environment Operations (Clean Air) Regulation 2022</i>                     | Part 5 Division 6<br>s.73 | Whether the proposal is exempt from the air impurities standards for nitrogen dioxide (NO <sub>2</sub> ) and nitric oxide (NO).                        | Section 4.5    |
| <i>Biodiversity Conservation Act 2016</i>                                                       | Section 7.16              | The likely impact of the proposed development on biodiversity values as assessed in the biodiversity development assessment report.                    | Section 4.6    |
| <i>National Parks and Wildlife Act 1974</i>                                                     | Division 2                | Whether an Aboriginal Heritage Impact Permit (AHIP) application will be required.                                                                      | Section 4.7    |
| Development Contributions Plan                                                                  |                           |                                                                                                                                                        |                |
| <i>Section 7.11 Contributions Plan No.21 – Marsden Park (IPART Reviewed Contributions Plan)</i> |                           | The proposed development will be subject to the <i>Section 7.11 Contributions Plan No.21 – Marsden Park (IPART Reviewed Contributions Plan)</i> .      | Section 7.4    |
| <i>Housing and Productivity Contribution</i>                                                    |                           | The proposed development will be subject to the <i>Housing and Productivity Contribution</i> .                                                         | Section 7.4    |