

APPENDIX B – STATUTORY COMPLIANCE TABLE

Table 1 Environmental Planning and Assessment Act

Clause	Provision	Proposed	Complies
Section 1.3	<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 delivery of employment opportunities on site will facilitate social and economic benefits. As approved under SSD-7500 MOD1, potential environmental impacts will be mitigated, managed and minimised to avoid unacceptable impacts on the local community and environment.	Yes
	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	As approved under SSD-7500 MOD1, the development addresses the principles of ESD including the precautionary principle, intergenerational equity, conservation of biological and ecological integrity and improved valuation, pricing and incentive mechanisms in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> .	Yes
	<i>To promote the orderly and economic use and development of land</i>	The proposed development provides for the highest and best use of the site through the development of brownfield industrial land in accordance with its industrial zoning.	Yes
	<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 existing environmental value of the site is of nominal significance and is not known to contain any native animals, plants or ecological communities.	Yes
Section 4.15	<i>The likely impacts of that development, including environmental impacts on both the natural and built environments, and</i>	The likely impacts of the development including the environmental impacts on the natural and built environments, and social and economic impact on the	Yes

Clause	Provision	Proposed	Complies
	<i>social and economic impacts in the locality.</i>	locality are assessed within the Modification Report.	
	<i>The suitability of the site for the development</i>	The suitability of the site for the proposed development is demonstrated in the Modification Report.	Yes
	<i>Any submissions made</i>	Submissions will be considered following exhibition of the application.	Yes
	<i>The public interest</i>	<p>The proposed development satisfactorily responds to the relevant planning instruments and controls applying to the site. The proposal will not create any adverse social, economic or environmental impacts that cannot be mitigated via the proposed mitigation measures in this application.</p> <p>On balance, the benefits of the development outweigh any adverse impacts and the development is deemed to be in the public interest.</p>	Yes

Table 2 LEP Compliance Table

Clause	Provision	Proposed	Complies
Land Use Zoning – IN1 General Industrial	<p>Permitted with consent:</p> <ul style="list-style-type: none"> Warehouse or distribution centres <p>Objectives of zone:</p> <ul style="list-style-type: none"> To provide a wide range of industrial and warehouse land uses. To encourage employment opportunities. To minimise any adverse effect of industry on other land uses. To support and protect industrial land for industrial uses. 	<p>Warehouse and distribution uses are permitted with consent.</p> <p>The proposed modifications do not have any effect on the ongoing compliance of the approved development with the relevant objectives for the IN1 zone.</p> <p>The approved industrial and ancillary office GFA will remain the same. The minor plan changes will meet the incoming tenant needs to encourage local employment and investment, while avoiding impacts on surrounding industrial land uses.</p>	Yes – no change

Clause	Provision	Proposed	Complies
	<ul style="list-style-type: none"> ▪ To provide for a range of facilities and services to meet the day-to-day needs of workers in the area. ▪ To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres. ▪ To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities. ▪ To facilitate diverse and sustainable means of access and movement. 		
Clause 4.3 – Height of Building	A Clause 4.6 variation for a maximum building height of 13.7 metres was approved under SSD 7500	Maximum building height of 13.7 metres	Yes – no change
Clause 5.21 Flood planning	<p>Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development —</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p>	The approved flood planning measures under SSD-7500 MOD1 will be maintained.	Yes – no change

Clause	Provision	Proposed	Complies
	<p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p>		
Clause 7.1 Earthworks	<p>In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	The approved bulk earthworks under SSD-7500 MOD1 will be maintained.	Yes – no change

Table 3 DCP Compliance Table

Clause	Provision	Proposed	Complies
Part 7 Industrial Development			
7.2 Building Form and Character	<p>Objectives:</p> <ul style="list-style-type: none"> ▪ Ensure that industrial development is both functional and attractive in the context of its local environment through appropriate design. ▪ Reduce the visual impact of industrial development on the streetscape and surrounding areas. ▪ Ensure that sufficient areas are available for landscaping, access, and car parking and manoeuvring of heavy vehicles on site. ▪ Ensure that building materials are high quality and durable. ▪ Ensure that fencing and walls for security purposes have positive impacts on the streetscape and other public domain areas. ▪ Ensure that industrial development does not significantly impact on adjoining residential zones. ▪ Ensure that industrial units are designed to be able to accommodate a wide variety of businesses. ▪ Ensure that industrial units are able to facilitate the safe and efficient transportation of goods between floors/levels in a building. 	The proposed modification to Stage 1 has been carefully designed to be both functional and attractive in the local context. The approved setbacks and landscaping will be maintained and the modifications have been designed to minimise any visual impact on the surrounding area. The approved design incorporates high quality materials and has been carefully designed to have an acceptable impact on the streetscape. The proposed modifications will not have any material impact on the closest residential properties.	Yes
7.2.2 Building Setbacks	Industrial development shall be setback by 15 metres to Airs Road, 30 metres to the main southern railway corridor, and 10 metres from any other public road.	The approved setbacks will be maintained.	Yes – no change
7.2.3 Fences	All fencing in industrial developments shall be of recessive colours, palisade design, or plastic coated and framed chain wire with a maximum height of	The approved site perimeter fencing proposed is not proposed to change.	Yes

Clause	Provision	Proposed	Complies
	<p>2.4 metres, unless required as part of an acoustic solution.</p> <p>All fencing in industrial developments shall be setback a minimum of 3 metres from property boundaries addressing a primary and/or secondary street.</p>	The modification proposes framed chain wire fencing for the Stage 1 inter-tenancy site boundaries.	
7.3 Car Parking and Access	<p>For that part of the gross floor area occupied by office areas, lunch rooms and any associated office storage areas, car parking shall be provided at a rate of one space per 35sqm.</p> <p>For remaining gross floor area, car parking rates shall be provided in accordance with the following:</p> <ul style="list-style-type: none"> ▪ a minimum of two (2) spaces (per unit), plus ▪ one space for every 100sqm of gross floor area for buildings up to 2000sqm; plus ▪ one space per 250sqm for that part of the building exceeding 2000sqm in gross floor area. <p>One car parking space shall be provided for every 300sqm of outdoor storage space.</p>	There is no change to the approved GFA and car parking under SSD-7500 MOD1	Yes – no change
7.4 Landscaping	<p>Landscaping shall be provided to a minimum depth of 50% of the setback area located along the full width of each street frontage.</p>	The minor modification to the positioning of the landscaping along the Stage 1 boundary to Culverston Road does not have any impact on the quantum of landscaping or planting specification approved.	Yes