

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S)

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 79C(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*;
- *State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)*;
- *State Environmental Planning Policy No. 33 – Hazardous and offensive development (SEPP 33)*;
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)*;
- *State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)*;
- *Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (GMREP No. 2)*; and
- *Liverpool Local Environmental Plan (LLEP) 2008*.

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

Table 17: SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies?
<p>3 Aims of Policy The aims of this Policy are as follows:</p> <p>(a) to identify development that is State significant development,</p>	The proposed development is identified as SSD.	Yes
<p>8 Declaration of State significant development: section 89C</p> <p>(1) Development is declared to be State significant development for the purposes of the Act if:</p> <p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	The proposed development is permissible with development consent. The site is specified in Schedule 1.	Yes
<p>Schedule 1 State significant development — general</p> <p>12 Warehouses or distribution centres</p> <p>(1) Development that has a capital investment value of more than \$50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</p>	The proposed development has a CIV in excess of \$50 million	Yes

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The ISEPP is applicable to the site. The proposal falls under the definition of 'rail freight intermodal facilities' as the warehouses and distribution facilities would be for the purposes of supporting the operation of an intermodal terminal.

The development constitutes traffic generating development in accordance with clause 104 of the ISEPP as freight intermodal facilities and freight terminals of any size or capacity are considered as traffic generating development. The ISEPP requires traffic generating development to be referred to RMS for comment.

The application was referred to RMS and TfNSW in accordance with the ISEPP and their comments are summarised in **Section 4** of this report. This proposal is considered to be consistent with the ISEPP given the consultation and consideration of the comments raised by the Transport Group has been undertaken in the Department's assessment in **Section 5** of this report.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS includes a contamination assessment for the site which concludes that no evidence of widespread residual contamination at the site has been reported., however isolated areas of the MPE site, including within the MPE Stage 2 site, have been reported to be impacted by lead, ACM, UXO and EOW. A Construction Environmental Management Plan (CEMP) has been prepared for the site, containing a contamination management plan that addresses the impacts during the construction works.

To ensure the risks are addressed satisfactorily, the Department has recommended the Applicant undertake to prepare an initial UXO, EO and EOW Site Assessment Survey of the Southern Burial Pits prior to earthworks as extensive excavation is proposed in this area for the construction of an onsite detention basin, and a supplementary UXO, EO and EOW Site Assessment Survey following building demolition. The Department has also recommended the Applicant prepare preparation of an Asbestos Management Plan, and an Unexpected Finds Procedure, prior to construction.

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No 64- Advertising and Signage (SEPP 64) applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve.

The development proposes signage as discussed at **Section 5.14**. Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1.

As discussed at **Section 5.14**, the Department recommends a condition requiring all signage be subject to signage guidelines, which shall be prepared for the Secretary's approval. The guidelines would provide a framework for the provision of signage throughout the whole Moorebank Precinct, including details relating to illumination, dimensions, location, common directory signage within the

Moorebank Avenue setback. In addition, signage on warehouse and freight village buildings would be strictly controlled.

Any future application for signage would be required to include a SEPP 64 assessment to ensure it complies with the relevant Schedule 1 criteria.