

Table 1 - Pre-Conditions to Approval

Legislation	Pre-Condition / Mandatory Consideration	Relevance	Section in EIS
Blacktown LEP 2015	<p><u>Clause 5.21 Flood Planning</u></p> <p>A consent authority must be satisfied that development within the flood planning area is:</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> <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>	The site is identified as flood prone land.	Section 4.4.4 and Section 6.5
	<p><u>Clause 7.3 Riparian land and watercourses</u></p> <p>A consent authority must be satisfied that development within 40m of a water course meets the following:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	The site adjoins a watercourse.	Section 4.4.4

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Legislation	Pre-Condition / Mandatory Consideration	Relevance	Section in EIS
	<p><u>Clause 7.5 Essential Services</u></p> <p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. 	<p>The development will require the supply of a number of services to function.</p>	<p>Section 6.10</p>
<p>SEPP (Resilience and Hazards) 2021</p>	<p>A consent authority must be satisfied that the land is suitable in its contaminated state -or will be suitable, after remediation - for the purpose for which the development is proposed to be carried out.</p>	<p>As an industrial site, there is the potential for previous uses to have resulted in contamination.</p>	<p>Section 6.7</p>

Table 2 - Mandatory Considerations

Legislation	Section / Clause	Mandatory Consideration	Section in EIS
Considerations under the EP&A Act 1979 and Regulations			
Environmental Planning and Assessment Act	Section 1.3	Objects of the Act	Section 4.1
	Section 4.15	Relevant environmental planning instruments: <ul style="list-style-type: none"> • SEPP (Planning Systems) 2021 • SEPP (Transport and Infrastructure) 2021 • SEPP (Resilience and Hazards) 2021 • SEPP (Biodiversity and Conservation) 2021 • Blacktown LEP 2015. 	Section 4.3
		Relevant proposed environmental planning instruments.	Not Applicable.
		Relevant development control plans: <ul style="list-style-type: none"> • Blacktown Development Control Plan 2015 	Section 4.5
		Relevant planning agreements or draft planning agreements.	Not Applicable. None apply to the site.
		The public interest.	Section 7

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Legislation	Section / Clause	Mandatory Consideration	Section in EIS
Considerations under EPIs			
SEPP (Transport and Infrastructure) 2021	Clause 2.48	The response to notice served to the relevant electricity supply authority within 21 days after notice is given.	Section 4.4.2
	Clause 3.12	Current circulars or guidelines relating to hazardous or offensive development.	Section 4.4.3
	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 4.4.3
Blacktown Local Environmental Plan 2015	Land Use Table	Objectives and land uses for IN1 Zone	Section 4.4.4
	Part 4	Principal Development Standards	Section 4.4.4
	Section 5.21	Development on flood-prone land	Section 4.4.4 and Section 6.9
	Section 7.3	The impacts of development on nearby riparian land and watercourses.	Section 4.4.4 and Section 6.8
	Section 7.8	A variety of specific impacts related to the development of land zoned IN1 – General Residential which is within 250m of a residential zone.	Section 4.4.4
	Section 7.9	The design of vehicular access to, and the safe operations of, roads adjacent to the development zoned SP2 – Infrastructure. Also, whether the development requires	Section 4.4.4 and

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Legislation	Section / Clause	Mandatory Consideration	Section in EIS
		noise-amelioration measures.	Section 6.6
Considerations under other legislation			
Biodiversity Conservation Act 2016	Section 7.16	The likely impact of the proposed development on biodiversity values as assessed in the biodiversity development assessment report.	Section 4.2