

Assessment against planning controls: Section 4.15, summary assessment and variations to standards

1 Environmental Planning and Assessment Act 1979

Section 4.15 'Heads of Consideration'

Heads of Consideration	Comment	Complies
a. The provisions of: (i) Any environmental planning instrument (EPI)	The proposal is considered to be consistent with the relevant EPIs. The proposed development is a permissible land use under the B5 Business Development zone and satisfies the zone objectives outlined under Blacktown Local Environmental Plan 2015.	Yes
(ii) Any proposed instrument that is or has been the subject of public consultation under this Act	N/A	N/A
(iii) Any development control plan (DCP)	Blacktown DCP 2015 applies to the site. The proposed development is compliant with the numerical controls established under the DCP.	Yes
(iii a) Any Planning Agreement	N/A	N/A
(iv) The regulations	The DA is compliant.	Yes
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	It is considered the likely impacts of the development have been satisfactorily addressed. It is believed that the proposed development will not involve any unfavourable social, economic or environmental impacts.	Yes
c. The suitability of the site for the development	The subject site is zoned B5 Business Development and warehouses are permissible with consent. The site is surrounded by warehouses and industrial buildings apart, from residential properties to the east. The development would not result in any significant adverse impacts on the amenity of the locality. Accordingly, the site is considered to be suitable for the development.	Yes
d. Any submissions made in accordance with this Act, or the regulations	No submissions were made.	Yes
e. The public interest	Due to the minor impacts of the development, and its socio-economic benefits, the proposal is considered to be compatible with the public interest.	Yes

2 State Environmental Planning Policy (State and Regional Development) 2011

Summary comment	Complies
<p>The Sydney Planning Panel (SPP) is the consent authority for all development with a capital investment value (CIV) of over \$20 million (being the CIV applicable for applications lodged but not determined prior to 1 March 2018 under Clause 23 transitional provisions of this SEPP).</p> <p>As the DA has a CIV of \$42,930,442, Council is responsible for the assessment of the DA and determination of the application is to be made by the SPP.</p>	Yes

3 State Environmental Planning Policy No. 55 – Remediation of Land

Summary comment	Complies
<p>SEPP 55 aims to 'provide a State wide planning approach to the remediation of contaminated land'. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.</p> <p>No change in light industrial use is proposed. Due to the historic use of the site and its prior approval as a warehouse and distribution centre with associated office space, the alterations and additions are considered suitable for the proposed development and no further investigation is required. However, in the event of any unexpected find, a condition will be imposed that ensures that work stops immediately and compliance with Council's Contaminated Lands Policy will be required. Should any remediation works be required, a Remediation Action Plan (RAP) will be required. Final validation of the site for every aspect of these works will be submitted to Council for approval.</p>	Yes

4 Blacktown Local Environmental Plan (BLEP) 2015

Summary comment	Complies
<p>BLEP 2015 applies to the site. We have assessed the DA against the relevant provisions and found that it is compliant with all matters under Blacktown Local Environmental Plan 2015.</p>	Yes

5 Blacktown Development Control Plan (BDCP) 2015

Summary comment	Complies
<p>BDCP 2015 applies to the site. We have assessed the DA against the relevant provisions and found that it is compliant with all matters under Blacktown Development Control Plan 2015.</p>	Yes