

# Project Refusal

## Section 75J of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, we the Planning Assessment Commission of New South Wales (the Commission), determine the project application referred to in Schedule 1, by refusing to approve the proposal pursuant to Section 75J(1) of the *Environmental Planning and Assessment Act 1979* (the Act) for the reasons outlined in Schedule 2, having considered all relevant matters prescribed under Section 75J(2) of the Act, including those relevant matters prescribed by Section 75I(2) as contained in the Director-General's Assessment Report.



Member of the Commission



Member of the Commission

Sydney 5 June 2012

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### SCHEDULE 1

Application No.:	10_0062
Proponent:	Mamre Road Developments Pty Limited
Land:	Lot 1 DP 104958 (No 708) Mamre Road Kemp's Creek
Project:	Construction and operation of a campus style warehouse and distribution facility and associated infrastructure, car parking and external road works.

## **SCHEDULE 2**

### **REASONS FOR REFUSAL**

#### **MAJOR PROJECT NO 10\_0062**

1. The proposal is not consistent with the objects of the Act as it does not represent the orderly and economic development of land within the meaning of section 5(a)(ii) of the Act. It seeks an ad-hoc expansion to the WSEA, is out of order with respect to strategic planning for the area and fails to sufficiently justify acceleration of the site's use as employment land. The proposal also limits adaptive reuse of the subject site, and does not allow for the proper and optimal use of existing and future services and transport infrastructure.
2. The proponent has failed to demonstrate that the site is suitable for the proposed development with regards to land use, infrastructure to support the proposal and the extent of cut and fill required to establish the proposal.
3. The Proponent has failed to demonstrate that the proposal represents no cost to government in regard to infrastructure requirements or meets all relevant environmental tests, required for sites being rezoned ahead of schedule under the Guide to the Western Sydney Employment Area (August 2009).
4. The Proponent has failed to demonstrate that the water management strategy would accommodate future demand for the development of the site, and that the water management strategy for the site could be appropriately integrated into future servicing for the area.
5. The proposal is not in the public interest.