

Modification of Development Consent

Section 4.55(1) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Independent Planning Commission, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Cameron Sargent
Team Leader
Key Sites Assessments

Sydney

25 August 2023

SCHEDULE 1

Development consent:	SSD 10457 granted by the Director, Key Sites Assessments on 24 April 2023.
For the following:	A Concept Proposal with 39,500 m ² of gross floor area in two stages with: <ul style="list-style-type: none">• a retail outlet premises use and ancillary uses• site layout and building height plane• site specific design guidelines• concept landscape design• concept road upgrades. Stage 1 early works consisting of: <ul style="list-style-type: none">• site subdivision• tree and vegetation clearing• bulk earthworks extension of Goldsbro Glade to Lot 3.
Applicant:	Frasers Property Retail Holdings Pty Ltd
Consent Authority:	Independent Planning Commission
The Land:	Lot 3 of the Eastern Creek Business Hub 141 Rooty Hill Road South, Eastern Creek, Blacktown Lot 12 DP 1245264, Lot 1 DP 1260111 and Lot 101 DP 581882
Modification:	SSD 10457 MOD 1: Correct minimum setbacks specified in Condition A29 and B2.

SCHEDULE 2

1. Schedule 2, Part A, Administration Conditions – Conditions A3 and A29 are amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined words** as follows:

Terms of Consent

A3. The Applicant, acting on this consent, must carry out the development:

- (a) in compliance with the conditions of this consent
- (b) in accordance with all written directions of the Planning Secretary
- (c) in accordance with the EIS and as amended by the RtS and additional information
- (d) in accordance with the management and mitigation measures
- (e) in accordance with the following approved SSD-10457 concept drawings listed in the table below, except as amended by the conditions of this consent
- (f) in accordance with SSD-5175 (as modified) and the list of approved drawings in this consent, as amended at the date of this consent, except as amended by **Conditions A16 to A18** of this part, modifying conditions in **Schedule 3** of this consent and the conditions of this consent.
- (g) **in accordance with the modification application SSD 10457 MOD 1 titled 'SECTION 4.55(1) MODIFICATION APPLICATION – SETBACK FROM ROOTY HILL ROAD SOUTH' (14 June 2023)**

(Note: no change to approved plans)

Setbacks

A29. The development must provide the following minimum setbacks for future works, excluding the setback when measured from the proposed Church Street turning head:

Location	Setback required (m)
Rooty Hill Road South (Landscape)	20
Rooty Hill Road South (Building)	42 <u>39</u>
Church Street (Landscape)	10
Church Street (Building)	48 (Phase A) 44 <u>30</u> (Phase B)
Eastern site boundary (Building)	Varies 7 to 12m Refer to Condition A30
Southern site boundary abutting Lot 2 (Building)	0

2. Schedule 2, Part B, Conditions to be met prior to the lodgement of future development applications – Conditions B2 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined words** as follows:

Amendments to Design Guidelines

B2. The following items in the Design Guidelines dated July 2022 must be amended and submitted to the satisfaction of the Secretary:

- (a) Section 3.5.6, amend control C9 to achieve a mature tree canopy coverage of hardstand areas to 15% to address comments from RFS
- (b) Section 3.5.12, amend control C2 to require roof plant to be no higher than 3 m above the highest adjacent roofline and/or no more than 15 m in height in height measured from the approved ground level
- (c) Section 3.5.15, insert new setback control C3 to require a minimum building setback from Rooty Hill Road South of 42 **39** m for consistency with Figure 36 of the Design Guidelines.

End of modification

SSD 10457 MOD 1