

# Modification of Development Consent

Section 96 (1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin  
**Director**  
**Modification Assessments**

Sydney 8 DECEMBER 2016

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## SCHEDULE 1

|                             |   |
|-----------------------------|---|
| <b>Development consent:</b> | <b>DA - 138-6-2004-i</b> granted by the Minister Assisting the Minister for Infrastructure and Planning on 8 October 2004   |
| <b>For the following:</b>   | Construction of a 33,845m <sup>2</sup> distribution facility including warehouses, offices, amenities and vehicular access and parking.   |
| <b>Consent Authority:</b>   | Minister for Planning   |
| <b>The Land:</b>            | 3-11 Shirley Street, Rosehill (Lot 2 DP 864567)   |
| <b>Modification:</b>        | <b>DA – 138-6-2004-I MOD 4:</b> the modification includes: <ul style="list-style-type: none"><li>• increase to the size of the warehouse by extending 31.95 metres to the east along the length of the building, increasing floor area by 2730m<sup>2</sup>;</li><li>• an internal 15m<sup>2</sup> office;</li><li>• 10 additional car spaces; and</li><li>• fire doors, fire stairs, awning and loading docks associated with the extension.</li></ul> |

## SCHEDULE 2

The consent is modified as follows:

- (a) Schedule 2 Part 1 – General Condition 1.1 and 1.2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

### Scope of Development

1.1 The Applicant shall carry out the development generally in accordance with:

- a) Development Application No. 138-6-2004-I lodged with the Department of Infrastructure, Planning and Natural Resources on 4 June 2004 as modified by MOD 101-7-2005-I; MOD 102-7-2005-i; ~~and~~ MOD 96-8-2006; **and DA 138-6-2004i MOD 4**
  - b) Statement of Environmental Effects for Development Application Rosehill Industrial Estate Stage 5 – Building D, 2 Unwin Street Camellia, prepared by planningmatters pty ltd dated May 2004 as modified by Statement of Environmental Effects for Section 96 Modification Application, prepared by Urbis dated September 2016;
  - c) The letter from planningmatters set to the Department dated 2 July regarding the proposed phases works plans and the fax from ING Real Estate to the Department dated 9 September 2004 regarding the finished floor level;
  - d) Plans accompanying the development application, with drawing numbers: ADA – 1000 Rev A (July 2005), ADA – 1001 Rev A (July 2005), ADA – 1002 Rev B (July 2005), ADA – 1003 Rev A (July 2005), ADA – 1004 (July 2005), ADA – 1005 Rev A (July 2005), ADA – 2001 Rev B (July 2005), ADA2002 Rev b (July 2005), ADA 2003 (July 2003), ADA – 3001 Rev A (July 2005), ADA – 4001 (July 2005), 407.00 – Revision 1 (2.8.05), DA, 407.01 – Revision 1 (2.8.05), DA, 407.02 – Revision 1 (2.8.05), DA, 407.03 – Revision 1 (2.8.05), DAC01 – B, DAC02 – B, DAC03 – B, DAC04 – C, DAC05 – B, DAC06 – B, DAC07 – B, DAC08 – B, DAC09 – B, 05P594-DAH01 – C (27.7.05), 05P594-DAH02 – C, 05P594-DAH02 – C (27.07.05), DAC01-B, C04-0 to C04-19 (July 2005) **as modified by plans accompanying the modification application DA 138-6-2004i MOD 4, with drawing numbers: DA000 Rev 1 (21.09.16), DA020 Rev 2 (04.11.16), DA102 Rev 3 (07.11.16), DA103 Rev 2 (04.11.16), DA200 Rev 2 (04.11.16), DA201 Rev 2 (04.11.16), DA300 Rev 2 (04.11.16);**
  - e) the report from Planningmatters Pty Ltd, titled Section 96 Application – Rosehill Industrial Estate Linfox Armaguard Building - Unwin Street, Camellia (with attachments BIS-A-1 and DS-A-1) and dated July 2005; and
  - f) the letter from Planningmatters Pty Ltd, titled Development Application Rosehill Industrial Estate Stage 5 - Building D - Unwin street, camellia – Section 96(1A) Application - Building Identification and Directional Signage (with attachments) and dated 29 June 2005;
  - g) MOD 96-8-2006 prepared by Planning Matters Pty Ltd. Dated 28 July 2006, and accompanying plans S96-1001 and S96-1002; and
  - h) **DA138-6-2004i MOD 4 documentation including ‘Section 69(A) Modification – DA138-6-2004i – 3 – 11 Shirley Street Rosehill’ by Urbis dated 5 October 2016 and attachments and ‘S96(1A) Modification – DA138-6-2004-I (3-11 Shirley Street, Rosehill) – Parramatta Council Referral Comment’ by Goodman dated 18 November 2016; and**
  - i) The conditions of this consent.
- 1.2 In the event of any inconsistency between:
- a) The conditions of this consent and any document listed from condition 1.1a) to 1.1g) **h)** inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and
  - b) Any document listed from condition 1.1a) to 1.1-g) **h)** inclusive, the most recent document shall prevail to the extent of the inconsistency.

**End of modification 4**