

# Modification of Development Consent

*Section 4.55 (2) of the Environmental Planning and Assessment Act 1979*

The Independent Planning Commission (the Commission), as the declared consent authority under clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the modification application referred to in Schedule 1, subject to the modified conditions in Schedule 2.

Member of the Commission

Member of the Commission

Sydney

2018

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## SCHEDULE 1

<b>Development consent:</b>	<b>SSD 5175</b> granted by the Minister for Planning on 7 January 2015
<b>For the following:</b>	Eastern Creek Business Hub Staged Development Application: <ul style="list-style-type: none"><li>• A concept proposal for a new retail centre to accommodate 'retail premises', 'bulk goods premises' and 'business premises' uses and a development structure including land uses; site layout; building envelopes and design parameters.</li><li>• Stage 1 subdivision and early works including super lot subdivision to create three developable allotments and one residual allotment; construction of an access road; bulk and detailed earthworks; stormwater management; civil engineering works; landscaping; and rehabilitation of the existing woodland areas identified for open space/conservation.</li></ul>
<b>Applicant:</b>	Western Sydney Parklands Trust
<b>Consent Authority:</b>	Independent Planning Commission
<b>The Land:</b>	Eastern Park Business Hub, Rooty Hill Road South Rooty Hill (Western Sydney Parklands)
<b>Modification:</b>	<b>SSD 5175 MOD 3:</b> the modification seeks to increase the maximum approved gross floor area (GFA) by 2,338 sqm from 53,500 sqm to 55,838 sqm.

## SCHEDULE 2

The consent is modified as follows:

- (a) Schedule 2 Part A –Condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

### Development Description

A1 Future Consent is granted to the 'concept proposal' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions, associated documents submitted with Modification 1 and Modification 2 **and Modification 3**, and the conditions contained in this development consent.

- (b) Schedule 2 Part A –Condition A4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

### Development in Accordance with Plans and Documents

A4 The applicant shall carry out the development generally in accordance with the:

- a) *Eastern Creek Business Hub State Significant Development SSD 5175 Environmental Impact Statement* prepared by Architectus dated September 2012, as amended by the
- b) *Eastern Creek Business Hub State Significant Development SSD 5175 Response to Submissions* prepared by Architectus dated April 2014; and
- c) *Updated Eastern Creek Business Hub Design Guidelines* dated 4 July 2107; and
- d) *S.96(2) SSD Modification 5175 Eastern Creek Business Hub* prepared by JBA Urban Planning Consultants Pty Ltd dated August 2015; and
- e) *State Significant Development (SSD 5175) MOD 1 Rooty Hill Road South, Eastern Creek Response to Submissions* prepared by JBA Urban Planning Consultants Pty Ltd dated January 2016; and
- f) *SSD 5175 Eastern Creek Business Hub Section 96(2) Modification Application* prepared by JBA Urban Planning Consultants, dated March 2017 as amended by the Response to Submissions prepared by JBA Urban Planning Consultants, dated 4 July 2017 and additional information submitted on 26 September 2017 and 5 and 14 December 2017; and
- g) **SSD 5175 Eastern Creek Business Hub Section 96(2) Modification Application prepared by Ethos Urban Pty Ltd, dated 2 September 2017; and**
- h) following drawings, except for:
  - i) any modifications which are 'Exempt' or 'Complying Development'; and
  - ii) otherwise provided by the conditions of this consent.

Concept Proposal			
Concept Plans			
Drawing No.	Revision	Name of Plan	Date
	A	Structure Plan	30 June 2017
	D	Stage 1 Early Works – Phasing Plan	30 June 2017
Sk-20.4		Masterplan	3 July 2017
	B	Enabling Infrastructure Works	30 June 2017
Landscape Plans prepared by Group GSA			
GLA01		Illustrative Landscape Masterplan	28 February 2017

- (c) Schedule 2 Part A – Condition A7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

**Maximum Gross Floor Area (GFA)**

A7 The maximum GFA for the total development shall not exceed ~~53,500~~ **55,838** sqm and the individual land use components shall have a maximum GFA as follows:

Land Use	Maximum GFA (sqm)	
bulky goods	29,300	Any residual large format retail GFA may be transferrable to bulky goods GFA provided the combined maximum GFA for bulky goods and large format retail does not exceed 43,300m <sup>2</sup> .
large format retail	14,000	
convenience retail - supermarket - specialty shops/small business	<del>9,500</del> <b><u>10,154</u></b> ( <del>4,000</del> <b><u>3,794</u></b> ) ( <del>5,500</del> <b><u>6,360</u></b> )	A maximum of 500m <sup>2</sup> of residual supermarket GFA may be transferrable to specialty shops/small business/ medical centre, indoor recreation facility GFA provided the maximum GFA for convenience retail does not exceed 9,500m <sup>2</sup> .
<del>Child care centre</del> <b><u>Future development site</u></b>	700	
<b><u>Circulation</u></b>	<b><u>1,684</u></b>	
<b><u>TOTAL</u></b>	<del>53,500</del> <b><u>55,838</u></b>	

The above GFA is a maximum control and it may not be possible to achieve the maximum GFA within the approved building envelopes. Future applications must demonstrate compliance with both the maximum GFA and the approved building envelopes.

**End of modification SSD 5175 MOD 3**