

Modification of Development Consent

Section 4.55(1A) 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.



Annie Leung
Team Leader
Key Sites Assessments

Sydney

16 December 2022

SCHEDULE 1

Development consent:	SSD 8858 granted by the Independent Planning Commission on 15 June 2020
For the following:	Construction of a specialised retail centre on approved Lot 1 (GFA 11,465 m ²), including: <ul style="list-style-type: none">• three specialised retail buildings• ancillary uses comprising a recreation facility (indoor), vehicle repair station and café• two future development sites• signage zones and content• 333 car parking spaces• landscaping.
Applicant:	Frasers Property Retail Holdings Pty Ltd
Consent Authority:	Independent Planning Commission
The Land:	Lot 1, Rooty Hill Precinct, Western Sydney Parklands, Rooty Hill Road South, Eastern Creek Lot 2 DP 1069269, Lot 14 DP 882325, Lot 1 DP 1069269, Lot 12 DP 882325, Lot 11 DP 882325, Lot 9 DP 830836, Lot 10 DP 830836
Modification:	SSD 8858 MOD 3: to include a vehicle sales and hire premises as an ancillary use to the approved specialised retail use

SCHEDULE 2

The above approval is modified as follows:

1. Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struckout~~ words/numbers as follows:

TERMS OF CONSENT

A2. The development may only be carried out:

- (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, Response to Submissions and Additional Information;
- (d) generally, in accordance with the:
 - (i) Modification Report SSD 8858 MOD 1, dated 19 October 2020 and Response to Submissions, dated 25 November 2020, prepared by Ethos Urban
 - (ii) Modification Report SSD 8858 MOD 2, dated 2 August 2021, and Responses to Submissions and Additional Information dated 8 October, 22 October, 8 November 2021, prepared by Ethos Urban
 - (iii) **Modification Report SSD 8858 MOD 3, dated 14 November 2022, prepared by Ethos Urban**
- (e) in accordance with the approved plans in the table below:

Architectural drawings prepared by i2C			
Drawing Number	Rev	Name of Plan	Date
DA02	D	SITE ANALYSIS & DESIGN RESPONSE	17.12.2019
DA04	M <u>N</u>	PROPOSED SITE PLAN – STAGE 2	05.11.2021 <u>04.11.2022</u>
DA05	K	PROPOSED ROOF PLAN – STAGE 2	05.11.2021
DA06	H	ELEVATIONS 1 – STAGE 2	29.10.2021
DA07	G	ELEVATIONS 2 – STAGE 2	29.10.2021
DA08	G	ELEVATIONS 3 – STAGE 2	29.10.2021
DA09	F	ELEVATIONS 4 – STAGE 2	29.10.2021
DA11	H	SECTIONS – STAGE 2	29.10.2021
Landscape drawings prepared by Arcardia Landscape Architecture			
Drawing Number	Rev	Name of Plan	Date
100	O	LANDSCAPE MASTERPLAN	12.11.20
501	N	SOFTWORKS PLAN	14.09.20
502	N	SOFTWORKS PLAN	14.09.20

503	N	SOFTWARES PLAN	14.09.20
504	N	SOFTWARES PLAN	14.09.20
505	N	SOFTWARES PLAN	14.09.20
506	N	SOFTWARES PLAN	14.09.20
507	N	SOFTWARES PLAN	14.09.20
508	N	SOFTWARES PLAN	14.09.20
509	N	SOFTWARES PLAN	14.09.20
510	N	SOFTWARES PLAN	14.09.20
640	O	LANDSCAPE DETAILS - STRUCTURES	12.11.20
650	O	SOFTWARES	12.11.20
660	O	LANDSCAPE SPECIFICATION	12.11.20
Signage Plans prepared by i2C			
Drawing Number	Rev	Name of Plan	Date
DA20A	I	SIGNAGE – STAGE 2	05.11.2021
DA21	H	SIGNAGE – STAGE 2	05.11.2021
DA21B	A	SIGNAGE – STAGE 2	28.09.2020
DA22	E	SIGNAGE – STAGE 2	28.09.2020
DA23	F	SIGNAGE – STAGE 2	29.10.2021
DA24	E	SIGNAGE – STAGE 2	28.09.2020
DA25	D	SIGNAGE – STAGE 2	28.09.2020

2. Condition A2(a) is inserted as follows:

Vehicle sales or hire premises

A2(a). The vehicle sales or hire premises is limited strictly to Tenancy 5 in the footprint identified on Proposed Site Plan- Stage 2 Dwg No. DA04 Issue N and must be ancillary to the approved specialised retail use. No additional floor area is permitted to be used for this use. No encroachment of vehicle sales and hire is to occur into parking areas or landscaped areas at any time. All vehicles purchased are to be collected off site and not on the subject site.

Should the current tenant leave the existing premises, the site plan is to be amended by DPE to remove the vehicles sales and hire premises component.

**End of modification
(SSD 8858 MOD 3)**