

# WILLOWTREE PLANNING



2 March 2022

REF: WTJ21-285

Pamela Morales  
Department of Planning & Environment (DPE)  
Locked Bag 5022  
Parramatta NSW 2142

**Attention: Pamela Morales**

**RE: SECTION 4.55(1A) MODIFICATION APPLICATION - SSD 9522 (MOD2)**

**PROPERTY AT 657-769 MAMRE ROAD, KEMPS CREEK (LOT 34 DP 1118173, LOTS X & Y DP 421633, LOT 1 DP 1018318 & LOT 22 DP 258414)**

Dear Pamela,

Reference is made to the Modification Application 2 (MOD2) to amend Development Consent SSD 9522 submitted to DPE on 19 October 2021 which sought the following modifications:

- Amendment to Condition B6 with respect to the internal Estate road widths;
  - Bakers Lane and north-south Road to be amended to 26.4 m
  - Southern east-west Road to be amended to 24 m
  - Cul-de-sac south of Lot 5 to be amended to 25.2 m
- Amendment to the lot sizes due to a shift in boundaries (7,961m<sup>2</sup> increase due to road width reductions);
- Increase in building areas pertaining to Lots 6 and 8 (945m<sup>2</sup> and 390m<sup>2</sup> additional GFA to warehouses on Lots 6 and 8);
- Amendment to condition A6 to reflect the proposed GFA increase from 186,123m<sup>2</sup> to 187,378m<sup>2</sup>;
- Deletion of condition B4 regarding the requirement to submit design plans to the Secretary; and
- Deletion of condition B11 given modified sequence 1A approved under Mod 1 to SSD 9522.

In the interest of obtaining approval and ensuring there is no further hold to the under-construction warehouses/infrastructure approved by SSD 9522, the proposed deletion of Condition B11 regarding Sequence 1B is requested to be withdrawn from consideration under MOD2. This decision has been made by Altis/Frasers (the Applicant).

The components dealing with sequence 1B will be considered under a new Modification Application (MOD5) which will be submitted following further consultation with Transport for New South Wales.

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In addition, this letter seeks to amend Condition A26 of SSD 9522 pursuant to Clause 121B of the *Environmental Planning and Assessment Regulation 2000* to modify the boundary alignment of the lot to a line of best fit given the irregularity of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP) zoning boundaries. Updated plans have been provided in **Appendix 1** which include the proposed lot boundary. Specifically, Condition A26 is proposed to be amended to read as follows:

*Prior to the issue of the subdivision certificate required under condition A25, the applicant must demonstrate the lot boundaries ~~align with the current zoning under the State Environmental Planning Policy (Western Sydney Employment Area) 2009~~ to the satisfaction of the Planning Secretary.*

It is noted that there is no change in area between the RE1 and RE2 zoned land as a result of the proposed modification. Despite the relocation of approximately 2,141m<sup>2</sup> of land, the balance of the land remains unchanged as reflected on the plans provided in **Appendix 1**.

Your sincerely,



Andrew Cowan  
Director  
Willowtree Planning Pty Ltd

