

Modification of Development Consent

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

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



Chris Ritchie
Director
Industry Assessments

Sydney

8 April 2022

File: EF21/15626

SCHEDULE 1

Development Consent

Development Consent:

SSD-9522 granted by the then Executive Director, Energy, Industry and Compliance on 21 December 2020

For the following:

Kemps Creek Warehouse, Logistics and Industrial Facilities Hub comprising:

- demolition of existing structures, site-wide earthworks, landscaping, stormwater and other infrastructure and an internal road network;
- construction and operation of eight warehouses comprising 162,355 m² of floor space;
- intersection upgrade works in Mamre Road;
- 744 parking spaces; and
- 21-lot Torrens title subdivision over two stages, being Stage 1 residual lot subdivision (5 lots) and Stage 2 residual and development lot subdivision (17 lots).

Modification 2

Modification Application:

SSD-9522-Mod-2

The modification involves:

- a decrease in the widths of the internal roads;
- an increase in GFA from 186,123 m² to 187,378 m²;
- an increase in car parking from 772 spaces to 774 spaces;
- an amendment to Condition B4; and
- an amendment to the subdivision boundary alignment of the RE1 and RE2 zoned land to a line of best fit (Condition A26).

Applicant:

Frasers Property Australia Pty Ltd and Altis Bulky Retail Pty Ltd

Consent Authority:

Minister for Planning

Land:

657-769 Mamre Road, Kemps Creek

Lot 34 DP 1118173, Lot X DP 421633, Lot 1 DP 1018318, Lot Y DP 421633 and Lot 22 DP 258414

SCHEDULE 2

This consent is modified as follows:

1. In the definitions, add the following text to the end of the definition for 'Modification Assessments':
 - (b) SSD-9522-Mod-2, prepared by Willowtree Planning Pty Ltd and dated 19 October 2021, as amended by the Response to Submissions prepared by Willowtree Planning Pty Ltd and dated 10 December 2021, an application for an amendment to the modification application prepared by Willowtree Planning Pty Ltd and dated 2 March 2022 and additional information provided in a letter prepared by Costin Roe Consulting Pty Ltd and dated 21 January 2021, a letter prepared by Willowtree Planning Pty Ltd and dated 2 March 2022 and an email from Frasers Property Industrial dated 24 February 2021.
2. Replace all instances of the word 'shall' with 'must'.

In Schedule 2, Part A: Administrative Conditions

3. In Condition A6, replace the values in Table 1 with the following:

Table 1 Maximum GFA for Development

Land Use	Maximum GFA square metres (m ²)
Total Warehousing	179,477
Total Office	7,901
Total GFA	187,378

4. Delete Condition A10.
5. In Condition A25, replace the text '*Subdivision Plan – Stage 2 (Drawing No. SP-MRM-DA-013, Issue H)*, prepared by Frasers Property Australia Pty Ltd, dated 20 October 2020' with '*Subdivision Plan – Stage 2 (Drawing No. SP-MRM-MOD2-002, Issue E)*, prepared by Frasers Property Australia Pty Ltd, dated 9 December 2021'.
6. In Condition A26, replace the text 'current zoning under the State Environmental Planning Policy (Western Sydney Employment Area) 2009' with the text 'cadastral boundary shown in the plan titled *Plan Showing Planning Zones (Drawing No. 10129-101, Rev. B)*, prepared by Boxall Surveyors Pty Ltd, dated 27 September 2021'.
7. In Condition A27, replace the text '*Subdivision Plan – Stage 1 (Drawing No. SP-MRM-DA-012, Issue F)*, prepared by Frasers Property Australia Pty Ltd, dated 21 September 2020' with '*Subdivision Plan – Stage 1 (Drawing No. SP-MRM-MOD2-001, Issue E)*, prepared by Frasers Property Australia Pty Ltd, dated 9 December 2021'.

In Schedule 2, Part B: Specific Environmental Conditions

8. In Condition B4, replace 'commencement of road construction' with 'the issue of a Subdivisions Works Certificate for the estate roads' and replace 'Planning Secretary and the relevant roads authority' with 'Certifying Authority'.
9. In Condition B4, replace subclause (a) with the following:
 - (a) designed for 30 m Performance Based Standards (PBS) Level 2 Type B vehicles and tested for 36.5 m PBS Level 3 Type A vehicles; and
10. Immediately after Condition B9B, insert new Condition B9C as follows:

B9C. The Applicant must ensure the slip lane adjacent to Lot 5 is restricted for left-in access only.

In the Appendices

11. Replace Appendix 1 with new Appendix 1.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

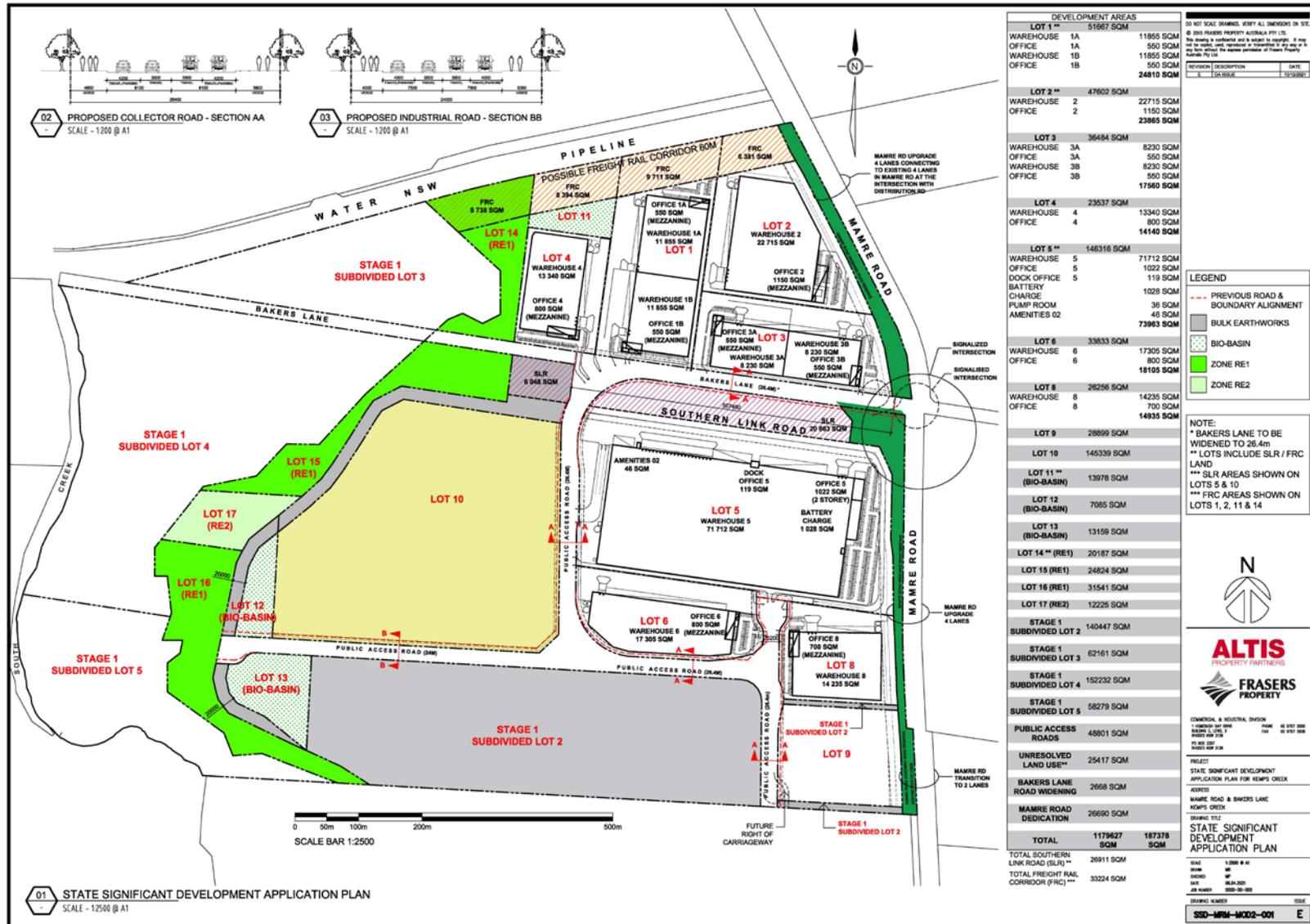


Figure 1: Site Plan

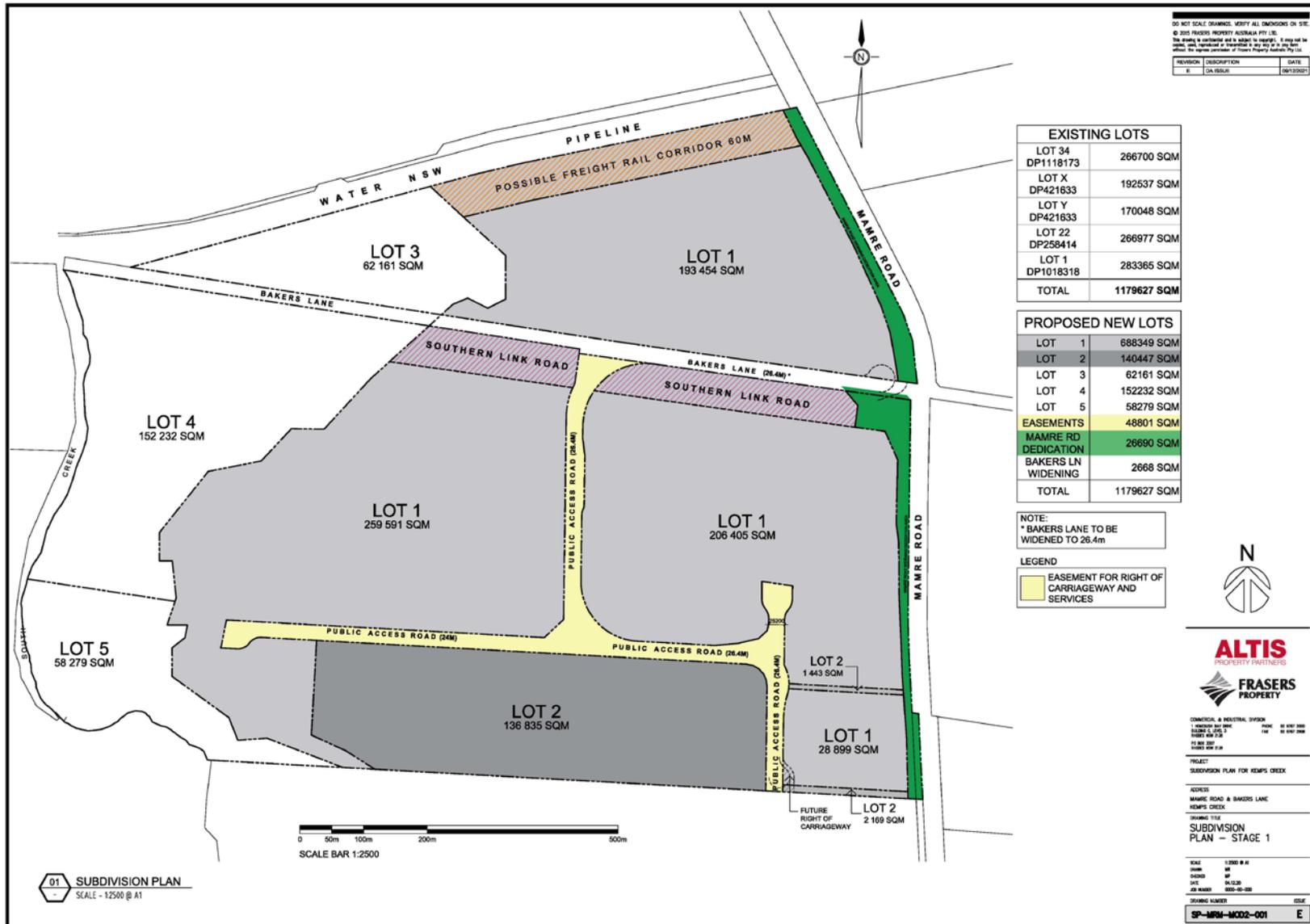


Figure 2: Subdivision Plan – Stage 1

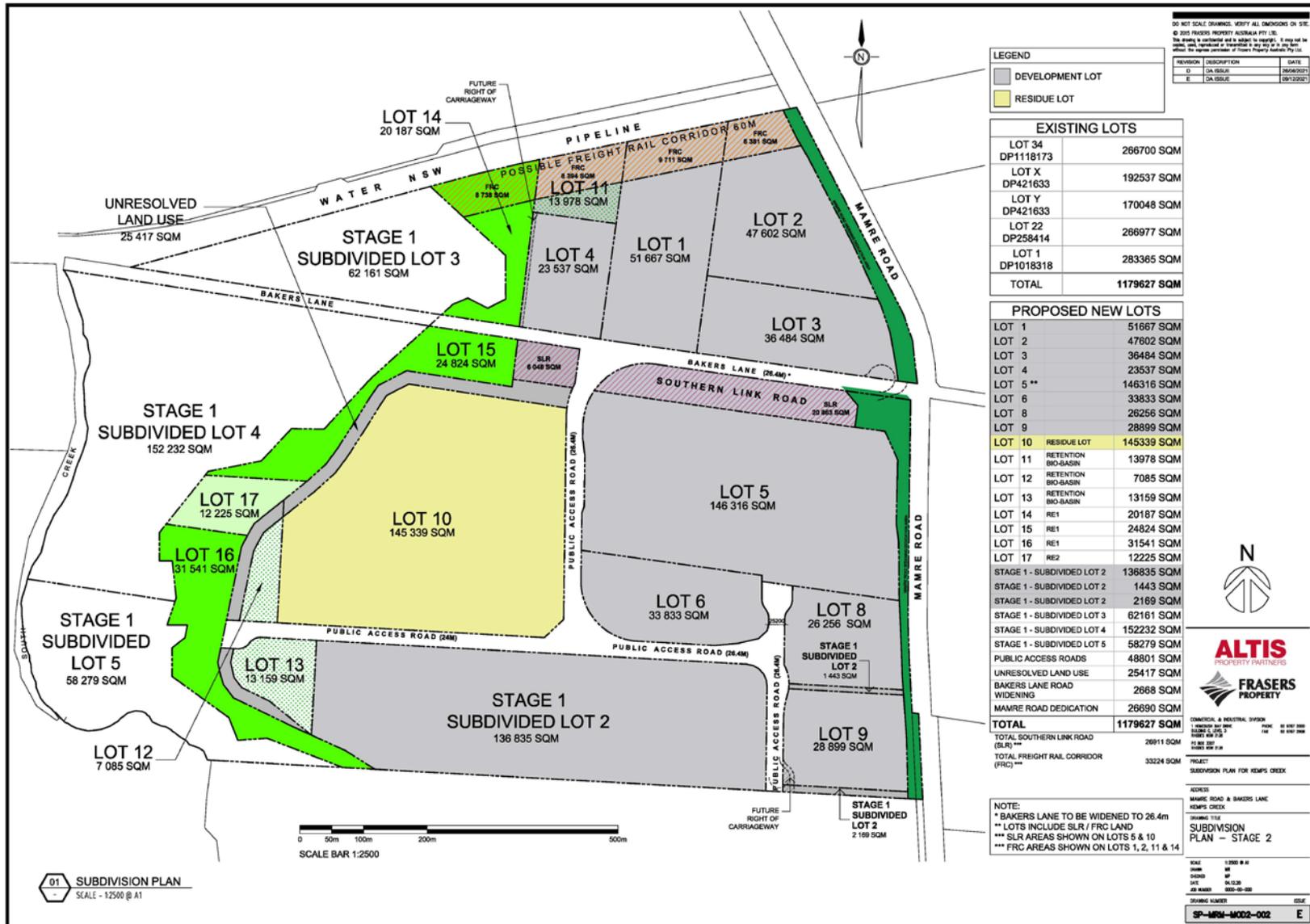


Figure 3: Subdivision Plan – Stage 2