

Modification of Development Consent

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

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



David Gainsford
Deputy Secretary
Assessment and Systems Performance

Sydney

24 December 2020

SCHEDULE 1

Development consent: **SSD 5066** granted by the Planning Assessment Commission on 3 June 2016

For the following:

Concept Proposal

The Concept involves:

- the use of the site as an intermodal facility for intrastate, interstate and port shuttle freight, including a rail terminal, rail link to the Southern Sydney Freight Line, and warehouse estate (including a freight village) servicing the intermodal terminal facility.
- importation of up to 1.6 million cubic metres of uncompacted fill to raise the site by up to 3.6 metres

Early Works (Stage 1): involves: the demolition of buildings, including services termination and diversion; rehabilitation of the excavation/ earthmoving training area; remediation of contamination land; removal of underground storage tanks; heritage impact remediation works; and the establishment of construction facilities and access, including site security.

Applicant: SIMTA as Qube Holdings Limited

Consent Authority: Minister for Planning

The Land: Moorebank Precinct West Intermodal Site (MPW):
Land generally described as being located on the western side of Moorebank Avenue, between the M5 Motorway and the East Hills Passenger Line, Moorebank, comprising:

- Lot 1 DP 1197707
- Lot 100 DP 1049508
- Part Lot 3 DP 1197707
- Part Anzac Road and Moorebank Avenue public road reserves
- Lot 101 DP 1049508
- Lot 2 DP 1197707

Rail Corridor: Land generally described as being located between the intermodal site and the East Hills Passenger Line to the south, and the northern portion of the Glenfield Waste Disposal Facility to the west, comprising:

- Lot 5 DP 833516
- Lot 51 DP 515696
- Lot 104 DP 1143827
- Lot 103 DP 1143827
- Lot 102 DP 1143827
- Lot 4 DP 1186349

Modification:

Adjust the southern operational boundary of the MPW Stage 2 warehouse area, and amend the maximum building height established across warehouse areas 5 and 6 from approximately 21 m up to and including 45 m

SCHEDULE 2

The consent (SSD 5066) is modified as follows by the deletion of the words/ numbers marked in ~~strike through~~ and insertion of the **bold and underlined** words/ numbers.

(a) Schedule 2 — Terms of Approval – Limits of approval, insert new condition 15A:

15A. Warehousing associated with Stage 2 of the development is to be limited to the area identified in the plan titled 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).

(b) Schedule 2 — Terms of Approval – Limits of approval, amend condition 16 and insert new condition 16A:

16. Building heights are to be a maximum of 21 metres above finished surface levels which must be in accordance with Condition 19B and other structures are to be generally consistent with Appendix D Landscape and Visual Impact of the Response to Submissions dated May 2015, **except where otherwise permitted under condition 16A.**

16A. Notwithstanding condition 16, the following maximum building heights are permitted for warehouse buildings in the following areas:

- (a) **maximum 39 metres above finished surface levels in the shaded area marked warehouse 5 in the plan titled 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).**
- (b) **maximum 43.25 metres above finished surface levels in the shaded area marked warehouse 6 in the plan titled 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).**

End of modification
(SSD-5066-Mod-2)