

Notice of Modification

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate, under the delegation executed on 16 February 2015, I approve the section 96(1A) modification of the development consent referred to in Schedule 1, subject to the modified conditions of consent outlined in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney 16 SEPTEMBER 2015

SCHEDULE 1

Application No.: SSD 5169 MOD 1

Applicant: Australand Property Group and Western Sydney Parklands Trust

Consent Authority: Minister for Planning

Land: Corner of The Horsley Drive and Cowpasture Road, Wetherill Park, and includes 19 separate allotments identified in the table below:

Lot	DP	Lot	DP
23 (Part)	13961	32	13961
24 (Part)	13961	32A	13961
25	13961	1	1098128
1	1036933	2	1098128
10	879209	3	1098128
28B	13961	4	1098128
30	13961	5	1098128
30A	13961	100	879680
39B	13961	C	103755
22 (Part)	13961		

Development: Horsley Drive Business Park subdivision and infrastructure works, comprising:

- 5 lot subdivision and access road;
- demolition;
- remediation;
- bulk and detailed earthworks;
- estate infrastructure; and
- estate landscaping.

SCHEDULE 2

1. In Schedule 2, Part A, delete Condition A2, and replace it with the following:
- A2 The Applicant shall carry out the project generally in accordance with the Environmental Impact Statement titled *Environmental Impact Statement, SSD 5169, The Horsley Drive Business Park, Cnr The Horsley Drive and Cowpasture Road, Wetherill Park*, prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd, dated June 2012, as amended by:
- a) Response to Submissions report titled *Response To Submissions Report, SSD 5169, The Horsley Drive Business Park, Cnr The Horsley Drive and Cowpasture Road, Wetherill Park*, prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd, dated October 2012;
 - b) Section 96(1A) Modification Application report titled *Section 96(1A) Modification Application Horsley Drive Business Park (SSD 5169)*, prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd, dated February 2015;
 - c) Section 96(1A) Modification Application report titled *Section 96(1A) Modification Application (MOD 2) to State Significant Development 5169 Horsley Drive Business Park - Subdivision and Infrastructure Works Corner of the Horsley Drive and Cowpasture Road, Wetherill Park*, prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd, dated 5 March 2015;
 - d) Response to Submissions report titled *Response To Submissions Section 96(1A) Modification Application (MOD 2)*, prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd, dated May 2015;
 - e) letter titled *Horsley Drive Business Park, Wetherill Park, NSW, SSD 5169 MO1, Response to Council Request for Information*, prepared by Costin Roe Consulting Pty Ltd, dated 4 May 2015;
 - f) Section 96(1A) Modification Application report titled *Section 96(1A) Modification Application (MOD 3) to State Significant Development 5169 Horsley Drive Business Park - Subdivision and Infrastructure Works Corner of the Horsley Drive and Cowpasture Road, Wetherill Park*, prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd, dated 7 August 2015; and
 - g) following drawings, except for:
 - i) any modifications which are 'Exempt' or 'Complying Development';
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Concept Architecture Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
HY-HW-MP-002	A	Concept Local Aerial	23.05.2012
HY-HW-MP-003	A	Concept Regional Aerial	23.05.2012
MP-WSPT-FS-011	G	Master Plan	17.07.2015
HY-HW-MP-005	A	Concept Topography Plan	23.05.2012
Landscape Drawings prepared by Habitation Landscape Architecture + Urban Design			
Drawing No.	Revision	Name of Plan	Date
L000	I	Title Page	26.06.2015
L001	I	Landscape Concept Masterplan and Precinct Imagery	26.06.2015
L002	I	Landscape Sections	26.06.2015
L003	I	Planting Schedule	26.06.2015

Civil Engineering Drawings prepared by Costin Roe Consulting Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
Co11492.05-DA10	B	Drawing List & General Notes	02.12.2014
Co11492.05-DA20	B	Erosion & Sediment Control Plan & Details	02.12.2014
Co11492.05-DA25	B	Erosion & Sediment Control Details Sheet 2	02.12.2014
Co11492.05-DA31	B	Bulk Earthworks Plan – Sheet 1	02.12.2014
Co11492.05-DA32	B	Bulk Earthworks Plan - Sheet 2	02.12.2014
Co11492.05-DA33	A	Bulk Earthworks Sections – Sheet 1	02.12.2014
Co11492.05-DA34	A	Bulk Earthworks Sections – Sheet 2	02.12.2014
Co11492.05-DA40	B	Stormwater Catchment Plan	02.12.2014
Co11492.05-DA41	C	Concept Civil Works Plan – Sheet 1	02.12.2014
Co11492.05-DA42	C	Concept Civil Works Plan – Sheet 2	09.02.2015
Co11492.05-DA43	B	Bio Retention Basin Plan	02.12.2014
Co11492.05-DA45	B	Concept Stormwater Details – Sheet 1	02.12.2014
Co11492.05-DA46	B	Concept Stormwater Details – Sheet 2	02.12.2014
Co11492.05-DA50	B	Access Road Details	02.12.2014
Co11492.05-DA61	B	Retaining Wall Plan – Sheet 1	02.12.2014
Co11492.05-DA62	B	Retaining Wall Plan – Sheet 2	02.12.2014
Co11492.05-DA65	D	Retaining Wall Details	09.02.2015
Co11492.05-DA66	A	Retaining Wall Plan & Elevation – Sheet 1	02.12.2014
Co11492.05-DA67	C	Retaining Wall Plan & Elevation – Sheet 2	09.02.2015
Co11492.05-DA68	C	Retaining Wall Plan & Elevation – Sheet 3	09.02.2015
Co11492.05-DA69	A	Retaining Wall Comparison Plan and Sections	20.03.2015
Co11492.05-SK01	A	Roundabout Layout and General Alignment	02.12.2014
Co11492.05-SK02	A	Roundabout Turning Path Plan	02.12.2014
Draft Subdivision Plan prepared by Shawn Maurice Leclerc			
Surveyors Ref No.	Revision	Name of Plan	Date
10067-006-(C)	N/A	Draft - Stage 1	7-2015
10067-007-(C)	N/A	Draft - Stage 2	7-2015
10067-008-(C)	N/A	Draft - Stage 3	7-2015
10067-009-(C)	N/A	Draft - Stage 4	7-2015

2. In Schedule 2, Part D, delete Condition D10(a) and replace it with the following:

a) Amount of Contribution

The total amount of the contribution is \$135,302.72. This contribution may be paid in stages as per the table below:

Subdivision Stage	Proposed Residual Lots	Area per (ha)	Split Stage	% Split per Stage	Section Payment Stage	94 Per
1	1	2.583		12	\$16,236.33	
2	31	5.756		28	\$37,884.76	
3	332, 333 & 334	12.238		60	\$81,181.63	
TOTAL	5	20.577		100	\$135,302.72	

END OF SSD 5169 MOD 3
