

Modification of Development Consent

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

As delegate of the Minister for Planning under delegation executed on 9 March 2022, 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

22 December 2022

File: 5248-MOD-2

SCHEDULE 1

Development Consent

Development Consent: SSD-5248 granted by the Independent Planning Commission as delegate of the Minister for Planning on 11 November 2019

For the following: The Staged Development Application for the Gazcorp Industrial Estate comprised of:

A Concept Proposal with:

- 218,735 square metres (m²) of gross floor area (GFA) comprised of 207,785 m² of warehouse / industrial uses and 10,950 m² of ancillary office space;
- 14 warehouse buildings; and
- conceptual lot layout, site levels, road layout, urban design controls, conceptual landscape designs and infrastructure arrangements.

A Stage 1 Development Application including:

- clearing of vegetation and undertaking of bulk earthworks across the entire site;
- construction of internal estate roads, water, sewer, telecommunications and gas infrastructure;
- construction of stormwater management devices;
- installation of estate landscaping;
- construction and operation of a 45,225 m² warehouse and distribution building, including 3,006 m² of ancillary office space; and
- intersection works in Wallgrove Road.

Modification 2

Modification Application: SSD-5248 Mod-2

Modification to the Concept Plan as follows:

- a revised building layout;
- decrease in GFA from 218,735 m² to 218,628 m²;
- decrease in building tenancies from 20 to 16;
- increase the building height control for Lot 11 from 14 m to 15 m;
- increase overall car parking spaces from 1203 to 1231; and
- amended subdivision plan.

Applicant: Gazcorp Pty Ltd

Consent Authority: Minister for Planning

Land: Lot 100 DP 1268340
813 – 913 Wallgrove Road, Horsley Park NSW 2175
SCHEDULE 2

The consent is modified as follows:

In Schedule 1

1. Delete the Development description and replace it with the following:

Development

The Staged Development Application for the Gazcorp Industrial Estate comprised of:

A Concept Proposal with:

- 218,628 square metres (m²) of gross floor area (GFA) comprised of 207,924 m² of warehouse/industrial uses and 10,704 m² of ancillary office space;
- 14 warehouse buildings; and
- Conceptual lot layout, site levels, road layout, urban design controls, conceptual landscape designs and infrastructure arrangements.

A Stage 1 Development Application including:

- Clearing of vegetation and undertaking of bulk earthworks across the entire site;
- Construction of internal estate roads, water, sewer, telecommunications, and gas infrastructure;
- Construction of stormwater management devices;
- Installation of estate landscaping;
- Construction and operation of a 45,225 m² warehouse and distribution building, including 3,066 m² of ancillary office space; and
- Intersection works in Wallgrove Road.

In Definitions

2. In the Definition for Modification Application, insert b) immediately after a) as follows:
b) the Section 4.55(1A) modification application SSD-5248-MOD-2 prepared by Ethos Urban, dated 31 March 2022

In Schedule 2: Part A Conditions of Consent for the Concept Proposal

3. Replace Table 1 in Condition A8 with a new Table 1 as follows:

Table 1: Maximum GFA for Development

Land Use	Maximum GFA (m ²)
Total Industrial/Warehouse space	207,288
Total Office space	11,340
Total GFA	218,628

4. Replace Table 2 in Condition A9 with a new Table 2 as follows:

Table 2: Development Controls

Development Aspect	Control
Southern Link Road alignment setback	10 m
Wallgrove Road setback	20 m
Internal estate roads setback	7.5 m
Height	14 m
Height – Building on Lot 11/12	15 m

Development Aspect	Control
Site coverage	Maximum of 50 per cent

Note: The site coverage control excludes building awnings.

In Schedule 2: Part B Conditions to be met in Future Development Applications

5. Insert new Conditions B4(e) and B4(f) after Condition B4(d) as follows:
 - (e) demonstrate the layout, spacing and position of all access points to the estate road network would:
 - i. minimise road safety risks, including consideration of cumulative impacts associated with the approved Concept Plan road and access layouts and minimise potential conflicts with other driveways within the Concept Plan;
 - ii. include adequate sight distances for all turning movements;
 - iii. accommodate the turning path of the largest vehicles accessing the site to minimise the risk of conflict with other vehicles on the estate road network; and
 - iv. minimise congestion and queuing on the estate road network.
 - (f) detail measures to minimise road safety risks and congestion including but not limited to:
 - i. consolidation of access points to reduce the number of driveways in close proximity to each other;
 - ii. line marking, warning signage and parking restrictions;
 - iii. restricted turning movements, such as left-in left-out restrictions; and
 - iv. installation of traffic controls.
6. Insert new Condition B22A after Condition B22 as follows:

B22A. Future development applications must ensure landscaping meets the minimum setback requirements of the *Urban Design Guidelines – Momentum M7, 813 – 913 Wallgrove Road, Eastern Creek, version 4* prepared by MBMO dated 18 October 2013, including but not limited to, 5 metres of landscaped setback to internal estate roads.

In Schedule 2: Part C Conditions of Consent for the Stage 1 DA

7. Insert new Condition C36A and a new heading immediately after Condition C36 as follows:

Road Safety

C36A. Within 3 months of the date of the MOD 2 consent, the Applicant must provide to the Planning Secretary, a list of recommendations to minimise the safety risks identified in the Road Safety Audit titled *Momentum Industrial Estate, Eastern Creek Concept design road safety audit* prepared by DC Traffic Engineering dated 19 December 2022. The Applicant must include a timetable for implementing the recommendations, to the satisfaction of the Planning Secretary.
8. Insert new Conditions C37A, C37B and C37C immediately after Condition C37 as follows:

C37A The Applicant must ensure all estate roads are line marked and include signage in accordance with relevant Australian Standards and Austroads guidelines.

C37B Prior to the commencement of operation of the estate roads, the Applicant must install No Stopping signs for the full length of the estate roads within the development.

C37C The Applicant must enforce the No Stopping restrictions to ensure vehicles do not park along the estate roads within the development.
9. Insert new Condition C50A immediately after Condition C50 as follows:

C50A. Prior to the issue of a Subdivision Works Certificate, the Applicant must construct the swale drain along the northern site boundary connecting Lot 11/12 to Reedy Creek.

In Appendix 1: Concept Proposal Plans

10. Replace Table 7: Schedule of Approved Plans – Concept Proposal with a new Table 7 as follows:

Table 7: Schedule of Approved Plans – Concept Proposal

Architectural Plans prepared by SBA Architects		
Drawing	Title	Date
MM7 – DA-001(L)	Momentum M7 – Modification 02 Estate Master Plan	6 September 2022
MM7 – DA-002(D)	Momentum M7 – Modification 01 Subdivision Plan	6 September 2022
MM7 – DA-003(A)	Momentum M7 – Modification 01 Site Section 01	10 December 2020
MM7 – DA-004(B)	Momentum M7 – Modification 01 Site Section 02	15 December 2020
MM7 – DA-005(A)	Momentum M7 – Modification 01 Site Section 03	10 December 2020
MM7 – DA-009(A)	Momentum M7 – Modification 01 Site Areas	10 December 2020

Landscape Plans prepared by SBA Architects		
Drawing	Title	Date
MPA02, Issue B	813-913 Wallgrove Road, Eastern Creek Masterplan Amendments – Existing Vegetation	25 March 2021
MPA03, Issue B	813-913 Wallgrove Road, Eastern Creek Masterplan Amendments – Planting Zone Types	25 March 2021
MPA04, Issue B	813-913 Wallgrove Road, Eastern Creek Masterplan Amendments – Concept Masterplan with Local Access Road	25 March 2021
MPA05, Issue B	813-913 Wallgrove Road, Eastern Creek Masterplan Amendments – Concept Masterplan with Southlink Road	25 March 2021

Civil Plans prepared by Orion Consulting		
Drawing	Title	Date
19-0108, Set 07, Plan 001, Revision B	General Layout Plan, Notes and Legend	13 November 2020
19-0108, Set 07, Plan 003, Revision B	Site Regrading Plan	13 November 2020
19-0108, Set 07, Plan 100, Revision B	Sediment & Erosion Control Plan	13 November 2020
19-0108, Set 07, Plan 101, Revision B	Sediment & Erosion Control Notes & Details	13 November 2020
19-0108, Set 07, Plan 200, Revision B	Engineering Plan	13 November 2020

11. Replace Figure 1 and Figure 2 in Appendix 1 with the following figures.

Legend	
	Site Boundary
	Road Reserve Boundary
	Lot Boundary
	20m Building Setback (Wallgrove Road)
	10m Building Setback
	3m Landscape Setback

GAZCORP



Development Area Schedule	
Site Area	521,304sqm
Developable Area	442,432 sqm
Estate Roads	26,932 sqm
Riparian Zone	9,791 sqm
Transmission Easement	21,821 sqm
Potential Future Southern Link Road Corridor	19,933 sqm
Future Freight Corridor	62 sqm
Lot 201 (Essene Road Entrance)	333 sqm
Total Site Area	521,304sqm
Warehouse	207,924 sqm
Office (includes dock offices & outbuildings)	10,704 sqm
Total Building Area	218,628sqm
Site Cover (exc. awning)	42%
Floor Space Ratio	0.42 : 1
Carparking	1,193 cars

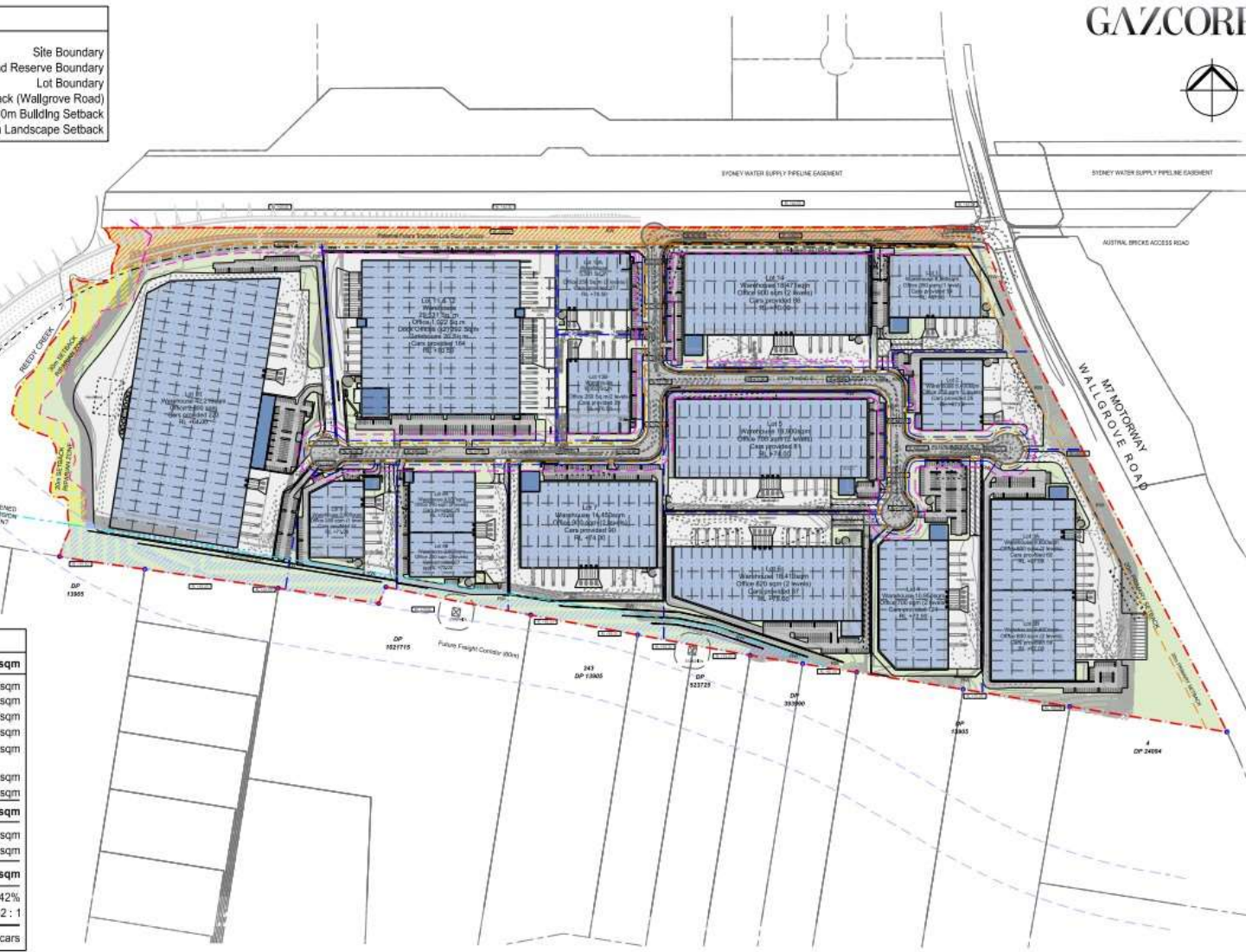
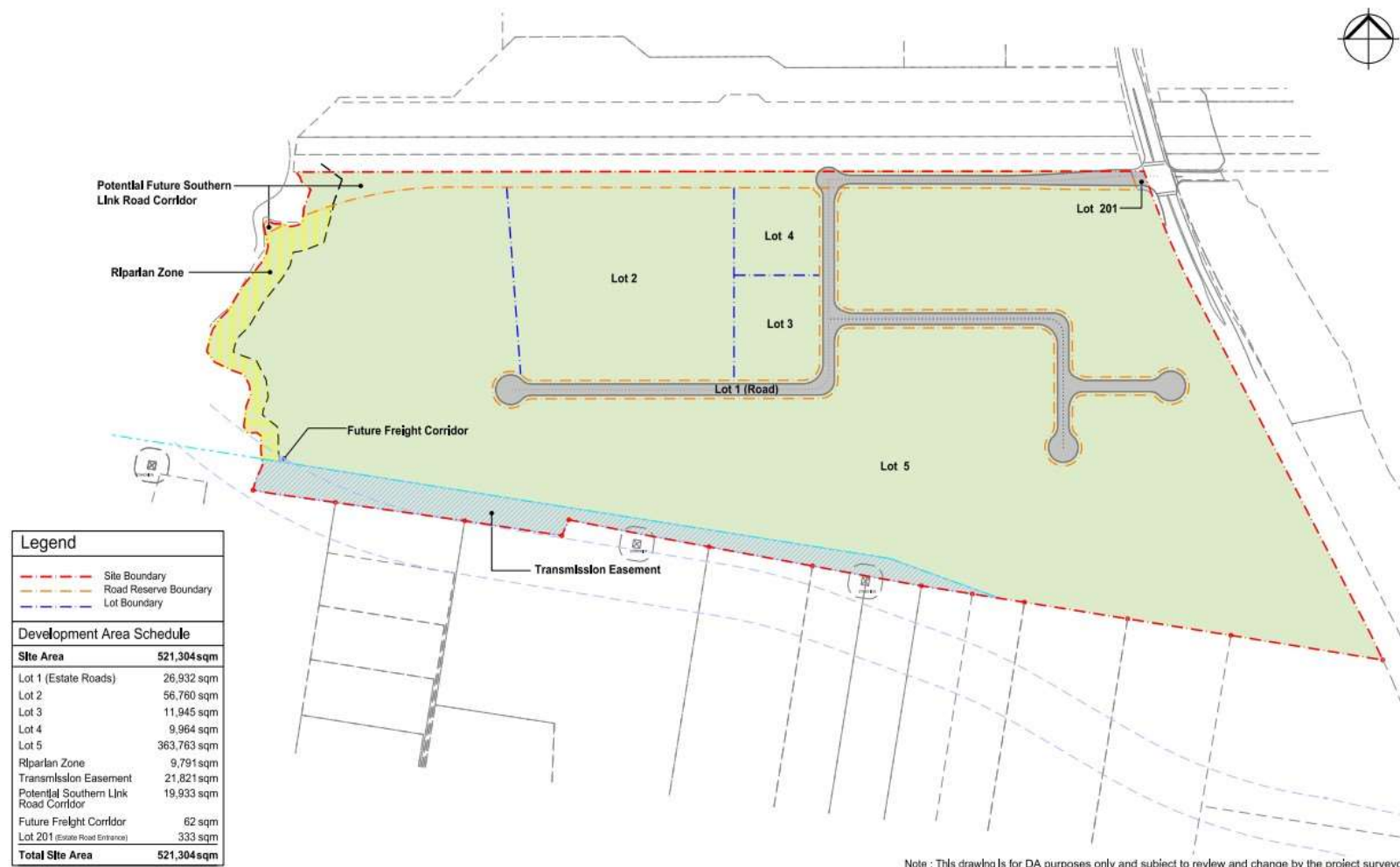


Figure 1: Concept Layout – MOD 2



Momentum Industrial Estate
813-913 Wallgrove Road, Eastern Creek

Proposed Development
Development Application - Modification 02

Subdivision Plan

1:2000 @ A1
1:4000 @ A3
6 September 2022
Job No. 20109/DAMOD 2

Figure 2: Subdivision Plan – MOD 2