

2 March 2022

Mr David Gainsford
Deputy Secretary
Development Assessment
NSW Planning | Department of Planning and Environment

Via email david.gainsford@planning.nsw.gov.au

cc. Tom Kearney PDU - Tom.Kearney@planning.nsw.gov.au

Dear David,

I refer to recent correspondence from the Department regarding the proposed conditions for MPE Stage 2 MOD 1. I attach what we understand to be the latest draft for ease of reference.

I understand that the original applicant for this modification, Qube Holdings Limited, has written to you to confirm that it is no longer the applicant for the modification, and The Trust Company (Australia) Limited in its capacity as trustee of the Moorebank Industrial Warehouse Trust (Warehouse Development Co), is now the applicant, and that this has been acknowledged by the Department by reply letter dated 25 February 2022.

As you would be aware, the LOGOS consortium (comprising AustralianSuper, AXA, NSW Treasury Corporation, Ivanhoe Cambridge and LOGOS) completed their acquisition of the warehousing and property components of Qube's Moorebank Logistics Park (MLP) in December 2021.

We are aware of the long history of MPE Stage 2 MOD 1 dating back to January 2019. This history and the need for further modifications to the MPE Stage 2 approval was discussed in detail at the Planning Delivery Unit meeting on Thursday 20 January 2022.

We understand from those discussions that in approving the MPE Stage 2 MOD 1 application, the Department is only prepared to modify the consent as set out in the modified form of conditions attached to this correspondence. As the Department is aware, and as discussed and reflected in the minutes of the Planning Delivery Unit Meeting on Thursday 20 January 2022 there are a number of further modifications required to the MPE Stage 2 consent (SSD 7628) that will need to be resolved over the next 6 months to avoid significant issues arising with the implementation of the approved development. These items include (under condition B13) for the MA/M5, HNMA and MAUW related works:

- allowing the Applicant or other party (as agreed by the Secretary) to undertake the upgrade works as nominated in CoC B13;
- in the alternative, remove MA/M5 from the upgrade requirements in B13;

- align the timing for 100% design approval and timing for completion of road upgrades to TEU thresholds instead of GFA for the MA/M5 works;
- align the timing for 100% design approval and timing for completion of road upgrades to TEU thresholds instead of GFA for the MA/Newbridge Road works;
- align the timing for 100% design approval and timing for completion of road upgrades to TEU thresholds instead of GFA for the MA/Heathcote works;
- align the timing for 100% design approval and timing for completion of road upgrades to TEU instead of GFA for the MAU works; and
- adjust the requirements for the MAU layout and required works to take into account and align with the recently approved Moorebank Avenue Realignment (SSI 10053).

We note the Department's position that these matters are more appropriately addressed via a further modification application, rather than as part of the existing MOD 1 application. We do not object to the finalisation of the MOD 1 conditions in the form attached, on the basis that the Department has indicated it is prepared to work with us to resolve the remaining matters through a further modification over the next 6 months.

LOGOS are in the process of preparing the required further modification application (MPE Stage 2 Mod 5) to address the items above in line with the Department's requirements and are seeking to work collaboratively with the Department and other agencies, particularly Transport for NSW, to finalise and resolve by Q3 this year.

I have asked our Richard Johnson to meet with the Department at your earliest convenience to ensure the planning pathway for Mod 5 is fully understood and to lock in an agreed timeframe for resolution.

Should you have any queries please contact the undersigned on 0477 153 382.

Yours Sincerely



Robert Stendrup, Head of Moorebank, LOGOS

For and on behalf of LOGOS MLP Development Management Pty Limited, as development manager for The Trust Company (Australia) Limited as trustee of the Moorebank Industrial Warehouse Trust