

Ms Grace Macdonald
Senior Planner

ESR DEVELOPMENTS (AUSTRALIA) PTY LTD
LEVEL 29 20 BOND STREET
SYDNEY NSW 2000

7 February 2022

Dear Ms Macdonald

**ESR Horsley Logistics (SSD-10436-Mod-4)
Modification Report**

I refer to the Modification Application for the ESR Horsley Logistics Park-Mod-4 (SSD-10436-Mod-4).

The Department refers to emails to the Applicant dated 11 January 2022 and 18 January 2022 requesting further information and a response to Fairfield City Council's comments. This information requested has not been provided in full. The Department also refers to the letter to the Applicant dated 23 December 2021.

The Department has undertaken a preliminary review of the Applicant's response provided on 3 February 2022. The Department requires you to provide additional information addressing the matters set out below.

1. Contamination not addressed

The Department notes the broader CSR Estate is required to be remediated under Remediation Action Plans (RAPs) associated with DA893.2013 and DA21.2020. Remediation works have been completed under DA 893.1/2013 and a Site Audit Statement (SAS) has been issued by an EPA Accredited Site Auditor for Lot 201 and former Lot 204 (now Lot 202) verifying these portions of the site are suitable for industrial use.

Remediation of former Lot 202 (now Lot 206) and former Lot 203 (now Lot 204) was being undertaken during assessment of SSD-10436 and was expected to be completed with SAS's issued by November 2021. Condition B55 of SSD-10436 requires a SAS and Environmental Management Plan (EMP) be submitted to the Planning Secretary for each lot within the site prior to commencement of construction of each warehouse building.

The Department notes that the Applicant has not clarified which RAP was relied upon for remediation of Lot 204 and provided a SAS.

The Department notes the current modification seeks consent to excavate Lot 204, which has potential to expose any residual contaminants on the site.

The Department requests the Applicant demonstrate how SEPP No. 55 has been satisfied for Lot 204. The Applicant must:

- clarify and provide evidence which RAP has been relied upon,
- submit the SAS for Lot 204,

- have a suitably qualified person assess the potential risks of exposing residual contaminants, how this will be managed and any implications for the approved the RAP and SAS; and
- provide details of any necessary mitigation measures.

2. Documentation compares proposal to Modification 3

The Department notes the subject Modification Report refers to Mod 3:

- Section 6.2 Visual Impact provides a comparison between the current Mod 4 scheme and the Mod 3 scheme.
- The Department notes the Visual Impact Assessment (VIA) also compares the current Mod 4 scheme and the Mod 3 scheme.

As SSD-10436 Mod 3 was withdrawn, the Department requires that the Applicant revise all relevant sections of the Modification Report (including Section 6.2) and VIA and any other supporting report submitted with SSD-10436-Mod 4 to refer to the relevant modification application. Comparisons to the Mod 3 scheme must be updated.

You will need to incorporate this information into a revised Modification Application.

Please provide the information or notify us that the information will not be provided, by Monday 21 February 2022. If you cannot meet this deadline, please provide and commit to an alternative timeframe for providing this information.

If you have any questions, please contact Rebecka Groth on 02 82751723 or at rebecka.groth@dpie.nsw.gov.au.

Yours sincerely,



William Hodgkinson
Team Leader
Industry Assessments