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29 July 2022

Mr Chris Ritchie
Director, Industry Assessments
Department of Planning & Environment
Locked Bag 5022
Parramatta NSW 2124

CC: Rebecka Groth
Senior Environmental Assessment Officer

Dear Chris,

SSD-10436: HORSLEY LOGISTICS PARK | SECTION 4.55(1A) MODIFICATION APPLICATION

1. INTRODUCTION

This modification report has been prepared by Urbis Pty Ltd on behalf of the Applicant, ESR Australia (**ESR**), and is submitted to the NSW Department of Planning Environment (**DPE**) in support of a modification application under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* to a State Significant Development (**SSD**) approval, SSD-10436, which was granted development consent on 31 March 2021 and subsequently modified on six occasions.

This Section 4.55(1A) modification application to SSD-10436 (as modified by Mods 1 to 6) seeks approval for revisions to the approved development of the Horsley Logistics Park (**HLP**) and is herein referenced as Mod 7.

This modification letter includes a description of the site; a description of the approved development; details of the proposed modifications; and consideration of the proposed modifications against Section 4.55(1A) of the EP&A Act.

An addendum letter accompanying the most recent acoustic assessment for the HLP prepared by SLR and dated 29 July 2022 is provided in support of the proposed modification and has informed the assessment of potential environmental impacts of the proposal (**Appendix A**).

The proposed modification to the HLP seeks to remove Condition B15 which requires the construction of an acoustic barrier on Lot 201. It is noted that following the approved design amendments to Lot 201 within Mod 1 the acoustic wall was made superfluous.

In addition to the removal of Condition B15, there are also several minor corrections in the consolidated consent's text to be updated to reflect accurate lot numbering, these are detailed in **Section 4.2** of this letter.

2. SITE DETAILS

The HLP is a 20.8-hectare (**ha**) landholding located at 6-10 Johnston Crescent, Horsley Park (**the Site**) within the former CSR quarry site and is legally described as Lots 201, 202 & Part 203 in Deposited Plan 1244593.

The Site is accessed via Johnston Crescent, an access road off Reserve Road and Burley Road which is currently being constructed as a part of DA 893.1/2013 and is to eventually be extended into an internal loop road.

The Site comprises land south of the Sydney Water Pipeline, at the western extent of the strategically significant Western Sydney Employment Area (**WSEA**). It is located within the Fairfield local government area (**LGA**) and is approximately 15km from the Penrith Central Business District (**CBD**), 17km from the Parramatta CBD, and 35km from Sydney CBD. The site is currently used for / subject to earthworks to support future industrial development. Landscape and bund work approved by way of DA893/2013 have been constructed along the southern boundary.

The Site is immediately bordered to the north by the remainder of the original CSR quarry site which now operates as a brickworks which was excised from the site and subdivided as part of DA 893.1/2013. Beyond the quarry site the surrounding land uses include:

- North: The Oakdale Central Business Hub (SSD 6078)
- East: Land zoned RU4 – Primary Production including a number of rural residential lots
- South: Land zoned RU4 – Primary Production and the residential subdivision Greenway Place

West: The Horsley Park Warehousing Hub (MP 10_0129 & MP 10_0130).

3. SSD-10436 APPROVAL HISTORY

Following the appropriate lot subdivision and site preparation works, the relevant HLP development was approved in accordance with SSD-10436 and subsequent modifications.

Table 1 HLP Approval History

DA Number	Date of Approval	Consenting Authority	Description of Development
SSD-10436	31/03/2021	Minister for Planning and Public Spaces	Horsley Logistics Park - Construction, fit-out and operation of eight warehousing and supporting infrastructure, parking and signage, including warehouse 201.
SSD-10436 MOD 1	04/08/2021	Minister for Planning and Public Spaces	Modification to the approved layout and design of Warehouse 201 including the dividing of the single warehouse into three separate tenancies, and associated changes to parking and amenity.

DA Number	Date of Approval	Consenting Authority	Description of Development
			Change to GFA allocation on (then) Lot 202 and 204.
SSD-10436 MOD 2	16/12/2021	Minister for Planning and Public Spaces	Amendments to Lot 204; renumbering of lots within ESR Horsley Logistics Park; amendments to development consent condition relating to development contributions.
SSD-10436 MOD 4	10/05/2022	Minister for Planning and Public Spaces	<p>Design modifications to the approved layout and design of (renumbered) Lot 204, including:</p> <ul style="list-style-type: none"> ▪ Minor reconfiguration of warehouse footprint and building form ▪ Division of the single warehouse space into two separate tenancies ▪ Creation of an additional lot access/exit point to provided dedicated access to proposed Warehouse B, as well as reconfiguration of car parking to facilitate two tenancies ▪ Installation of two additional recess docks for proposed Warehouse B ▪ Changes to landscaping <p>The building pads for Lot 204 are proposed to be lowered</p>
SSD-10436 MOD 5	21/02/2022	Minister for Planning and Public Spaces	<p>Modification to Lot 201 including:</p> <ul style="list-style-type: none"> ▪ 11 new temperature control units on roof of tenancies 2A & 2B ▪ deletion of roller door on western elevation ▪ amalgamation of tenancies 2B & 3 ▪ internal works within warehouse 1
SSD-10436 MOD 6	09/06/2022	Minister for Planning and Public Spaces	ESR SSD-10436 Mod 6 Amendment to Condition B40

3.1. APPROVAL PROCESS

The HLP was granted development consent on the 31 March 2021 under delegation of the Minister for Planning and Public Spaces. Pursuant to Section 4.36(2) of the EP&A Act:

(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development

The HLP was triggered as SSD under Section 4.36 of the EP&A Act as the development had a capital investment value (**CIV**) in excess of \$50 million for the purpose of ‘warehouses or distribution centres (including container storage facilities) at one location and related to the same operation’ under Schedule 1, Clause 12 of the *State Environmental Planning Policy (State and Regional Development) 2011* (now *State Environmental Planning Policy (Planning Systems) 2021*).

Section 4.55 of the EP&A Act provides a mechanism for the modification of development consents. This section of the Act sets out the statutory requirements and heads of consideration for the assessment of such a modification application, depending on whether the application is made under section 4.55(1A), 4.55(1) or 4.55(2).

This Section 4.55(1A) modification application is formally lodged with the Minister for Planning and Public Spaces for the proposed modification to the development consent for SSD-10436 issued under delegation on the 31 March 2021.

3.2. COMPLIANCE WITH EXISTING CONDITIONS OF CONSENT

The proposed modification will see amendments to Appendix 1 – Development Layout Plans of Development Consent SSD-10436 to facilitate the revisions to the architectural plans to remove reference to the acoustic barrier. These modifications are detailed in **Section 4.2** of this report.

The only other identified condition of relevance is Condition B15 in relation to the required acoustic barrier. A detailed assessment demonstrating compliance with the relevant acoustic limits without the barrier is provided in **Section 6.1**. Otherwise, it is identified that the proposed modifications will not result in any significant built, environmental, or construction management impacts and consequently, will not affect compliance with the existing conditions of consent. The modification will not affect any approved operations/facilities, existing licences or other environmental management and monitoring regimes.

4. PROPOSED MODIFICATION

4.1. DEVELOPMENT OBJECTIVES

The proposed modification will facilitate the removal of the referenced acoustic barrier in Condition B15 to be consistent with what has been constructed on site. As noted above, SLR had previously undertaken an assessment to demonstrate that following the warehouse design amendments in Mod 1 being approved, the noise barrier would no longer be required and was able to be removed from the development. This is a requirement to ensure consistency with the plans and what has been constructed, and in the process allow an Occupational Certificate (**OC**) to be issued for the warehouse on Lot 201.

The removal of the acoustic barrier and issuing of an OC is consistent with the overarching aim for the broader HLP which aims to maximise the employment generating potential of the land to create an efficient, attractive, and high-quality employment zone for Western Sydney. The proposal responds to

the market demand for the industrial and warehouse tenancy and will allow the planned tenants being UPS to operate from the site.

The proposed modification maintains the following core objectives:

- Allows for the overall development of the site in line with infrastructure delivery and market demand, specifically by refining the infrastructure, storage, and access provisions to cater for current tenant demand;
- Makes use of an underutilised industrial zoned site for suitable industrial purposes for operators ready to occupy the space that suits their tenancy requirements;
- Generates employment growth within the WSEA that can be released in the short term;
- Continues to meet the objectives for the IN1 General Industrial zone under the WSEA SEPP; and
- Responds to the site context and key interfaces with surrounding lands, including sensitive receivers to ensure an appropriate and sustainable development outcome.

4.2. PROPOSED MODIFICATIONS TO THE CONDITIONS OF CONSENT

This Section 4.55(1A) seeks to modify SSD-10436 to correct an error in several conditions of the development consent. The proposed modification to the relevant conditions is shown by a ~~strike through~~ for the deleted text and **red text** for new text. Rationale for each proposed modification is provided in the following subsection.

- Deletion of the following condition:

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

Acoustic Barrier and Awning

~~B15. Prior to the commencement of operation of the Lot 201 warehouse, the Applicant must construct the acoustic barrier shown on Lot 201 Site Facility Plan (Drawing Number 200226-DA-201-A100, Issue C).~~

- Delete and replace the figures in Appendix 1 with the following:

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Figure 1: Site Plan – Replace with Drawing No. 200226-DA-MS-A010, Issue P15, 27.07.2022

Figure 6: 4 m Wide Area of Southern Landscape Buffer within Lot 201 – Replace with Drawing No. 200225, Rev H, 28.07.2022

- Text corrections:

A9. The Applicant must ensure that heavy vehicles entering and exiting Lot 204**202** are limited to two inbound and two outbound movements during any 15-minute period during the night.

B13. A Noise Verification Report must be prepared by a suitably qualified and experienced acoustic consultant and submitted to the satisfaction of the Planning Secretary at the following stages of the development:

- (a) prior to issue of a Construction Certificate for the Lot 201 warehouse and Occupation Certificate for the Lot 204**202** warehouse to confirm the required noise mitigation measures;

B19. The Applicant must:

- (a) not commence occupation of Lot 204~~202~~ until the LAMP required by B18 is approved by the Planning Secretary; and

C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:

- (a) Landscape ~~Management~~ Plan (see condition B1);

C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:

- (c) Include the following environmental management plans:
 - i. Landscape Management Plan (see condition B4~~B1~~**B2**);

5. STATUTORY PLANNING FRAMEWORK

5.1. SECTION 4.55 OF THE EP&A ACT 1979

Section 4.55 of the EP&A Act provides a mechanism for the modification of development consents. This section of the Act sets out the statutory requirements and heads of consideration for the assessment of such a modification application, depending on whether the application is made under section 4.55(1A), 4.55(1) or 4.55(2).

As is relevant to this application, pursuant to section 4.55(1A), a consent authority may, subject to and in accordance with the Regulations, modify a development consent if:

- (a) *it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) *it has notified the application in accordance with:*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1), (2) and (5) do not apply to such a modification.

Further, subsection (3) requires that the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application, and the reasons given by the consent authority for the grant of the consent that is sought to be modified.

These heads of consideration are addressed below.

5.2. MINIMAL ENVIRONMENTAL IMPACT

The proposed modification is for minor changes to the consent which do not significantly alter the context, scale, built form, amenity or impacts arising from the originally approved development. As demonstrated by the accompanying updated consultant information provided within **Appendix A**, SSD-10436 as modified by Mods 1 to 6 will have no additional environmental impacts over and above that which has already been assessed as acceptable in the original development application.

The proposed modifications will have minimal environmental impact for the reasons below:

- **Approved uses of the development remain unchanged:** warehouse and distribution land uses are to be facilitated within the development. As the proposal will maintain the approved land uses, the modification will not result in any adverse air quality, soil and water, biodiversity, hazard, and risk impacts.
- **Minor additions to approved Lot 201:** The proposed changes to Lot 201 with the removal of the acoustic barrier is minor and assessment of the change has found that it will not create any additional adverse amenity impacts, including:
 - No adverse acoustic impacts to surrounding land as it is located in the same position as the approved building extent.
 - No adverse traffic and parking impacts.
 - No additional visual impacts.
 - No adverse waste impacts.
 - Minimal Environmental Impacts.

Based on the above, the proposed modifications can be assessed in accordance with Section 4.55(1A) of the EP&A Act.

5.3. SUBSTANTIALLY THE SAME DEVELOPMENT

Section 4.55(1A) (b) requires the consent authority to be *“satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”*.

The NSW Land and Environment Court has established several precedents as to what may be considered as being ‘substantially the same development’, and what should be factored into the consideration of this threshold test.

Principles drawn from the judgments include that:

- The term ‘substantially’ means ‘essentially or materially having the same essence’;
- When a consent authority makes a determination as to whether a development is substantially the same it is a question of fact and degree and is not a question of law;
- The term to ‘modify’ means to ‘alter without radical transformation’;
- In comparing the approved development and the development as proposed to be modified it is necessary to undertake a qualitative and quantitative assessment of the developments in their proper context; and

- To undertake a numeric or quantitative assessment of the modification only in the absence of a qualitative assessment would be flawed.

These considerations apply to the modification of a development through design modifications as well as amendments to conditions that impact the nature of the proposal.

The consideration of the substantially the same development test should not only include the physical characteristics of the approved and modified schemes, but also the nature and magnitude of the impacts of the developments. In these respects, the modified scheme should be 'essentially or materially' the same as that originally approved.

An assessment of the qualitative and quantitative elements of the development approved and as proposed to be modified are provided below:

- The proposal is substantially the same development, in a qualitative sense, as the originally approved because it:
 - Does not propose any change of land use;
 - Does not diminish the architectural or landscape quality of the building; and
 - Does not propose any changes which would have a detrimental impact on surrounding land uses.
- The proposal is substantially the same development, in a quantitative sense, as the originally approved because it:
 - Does not propose to substantially change the maximum building height;
 - Does not propose any changes to the approved parking numbers;
 - Does not change the approved GFA; and
 - Does not modify compliance with the Chapter 2 of the *State Environmental Planning Policy (Industry and Employment) 2021* (formally WSEA SEPP).

The modification will not result in any significant additional social and environmental impacts as previously assessed for the approved development.

6. ASSESSMENT OF KEY ISSUES

Following a scoping meeting with the NSW DPE on the 27 July 2022 to discuss the modification application, it was determined an adequate environmental assessment would have to be undertaken with specific consideration to the acoustic impact of removing the barrier as referenced in Condition B15. This is addressed below.

6.1. ACOUSTIC IMPACT

SLR previously undertook a noise impact assessment as part of Mod 1 to determine that the proposed building footprint changes and relocation of access and parking arrangements on Lot 201 would result in the 3m noise barrier to the western hardstand of Lot 201, as approved in the original SSD-10426, no longer being required to comply with the operational noise limits as set out in Condition B12 of the consolidated consent for SSD-10436, and as highlighted below.

Table 2 Noise Limits dB(A)

Location	Day - L _{Aeq} (15 mins)	Evening - L _{Aeq} (15 mins)	Night - L _{Aeq} (15 mins)	Night - L _{AFmax}
NCA01	44	43	38	52
NCA02	40	40	38	52
NCA03	44	43	38	52

Source: SSD-10436 Conditions of Consent, NSW DPE 2022

As part of the Operational Noise Impact Assessment (**ONIA**) prepared by SLR for Mod 1 (April 2021), it was noted that the extension of the warehouse on Lot 201 towards the western boundary would result in additional acoustic screening to the nearest sensitive receivers, and thereby the 3m acoustic barrier was no longer required.

To confirm this, a predicted operational noise level assessment was undertaken to quantify the impact at the three sensitive receivers noted above in **Table 2**. The results are provided below in **Table 3**.

Table 3 MOD1 Revised Operational Scenario with Indicative 10 m Building/Barrier to Boundary

NCA	Period (weather)	L _{Aeq} (15 mins) Noise Level (dBA)			L _{Amax} Noise Level (dBA)		
		Noise Limit	Predicted	Compliance	Sleep Disturbance	Predicted	Compliance
NCA01	Day (neutral)	44	36	Yes	n/a ²	n/a ²	n/a ²
	Evening (neutral)	43	36	Yes	n/a ²	n/a ²	n/a ²
	Night (noise-enhancing)	38	36	Yes	52	45	Yes
NCA02	Day (neutral)	40	38	Yes	n/a ²	n/a ²	n/a ²
	Evening (neutral)	40	38	Yes	n/a ²	n/a ²	n/a ²
	Night (noise-enhancing)	38	38	Yes	52	48	Yes
NCA03	Day (neutral)	44	33	Yes	n/a ²	n/a ²	n/a ²
	Evening (neutral)	43	33	Yes	n/a ²	n/a ²	n/a ²
	Night (noise-enhancing)	38	36	Yes	52	49	Yes

Source: SLR, 2021

The results in **Table 3** indicate that the proposed removal of the noise barrier to account for the approved design changes to Lot 201 will result in the site retaining compliance with the operational noise limits as outlined within Condition B12 under both neutral and adverse weather conditions. Similarly, the L_{Amax} noise emissions are predicted to comply with the nominated noise criteria at all identified receivers under both neutral and adverse weather conditions during the applicable periods.

It is noted that additional design changes to Lot 201 have been undertaken within subsequent modification applications. Despite this, the modelling undertaken and utilised by SLR in corresponding reports has been based on the above data that was ultimately presented and approved as part of Mod 1 (ie those subsequent assessments did not account for location of the acoustic barrier).

Within the most recently submitted Noise Verification Report for the HSP submitted as part of the Occupational Certificate (**OC**) package for Lot 202 in March 2022, SLR continued to utilise the data modelled from Mod 1 to demonstrate that the revised warehouse layout on Lot 201 can appropriately mitigate any acoustic impact without the need for a noise barrier.

Table 4 below is an extract from the Noise Verification Report submitted with Lot 202 OC package which demonstrates a continuous operational noise compliance for Lot 201 and the HLP without the acoustic barrier, and accounting for the approved changes within subsequent modification applications.

Table 4 MOD 5 Predicted Operational Noise Levels

NCA	Period (weather)	$L_{Aeq(15 mins)}$ Noise Level (dBA)			L_{Amax} Noise Level (dBA)		
		Noise Limit	Predicted	Compliance	Sleep Disturbance	Predicted	Compliance
NCA01	Day (neutral)	44	38	Yes	n/a ²	n/a ²	n/a ²
	Evening (neutral)	43	38	Yes	n/a ²	n/a ²	n/a ²
	Night (noise-enhancing)	38	38	Yes	52	46	Yes
NCA02	Day (neutral)	40	40	Yes	n/a ²	n/a ²	n/a ²
	Evening (neutral)	40	40	Yes	n/a ²	n/a ²	n/a ²
	Night (noise-enhancing)	38	38	Yes	52	48	Yes
NCA03	Day (neutral)	44	39	Yes	n/a ²	n/a ²	n/a ²
	Evening (neutral)	43	39	Yes	n/a ²	n/a ²	n/a ²

NCA	Period (weather)	LA _{eq} (15 mins) Noise Level (dBA)			LA _{max} Noise Level (dBA)		
		Noise Limit	Predicted	Compliance	Sleep Disturbance	Predicted	Compliance
	Night (noise-enhancing)	38	38	Yes	52	52	Yes

Source: SLR, 2022

To confirm the above, please find affixed to this letter as **Appendix A** an addendum letter prepared by SLR which accompanies the Noise Verification Report as described above. The addendum letter confirms that noise modelling of the extension of the Lot 201 building footprint and alterations to the western hardstand conducted for Mod 1 confirmed that the 3m noise barrier was no longer required to achieve compliance at the nearest receivers. The noise wall was removed from the Mod 1 report, as well as all subsequent modelling and reports issued for the project to date.

7. SECTION 4.15 ASSESSMENT

This section assesses the development as proposed to be modified by Mod 7 against the heads of consideration within Section 4.15(1) of the EP&A Act.

7.1. ENVIRONMENTAL PLANNING INSTRUMENTS

- *State Environmental Planning Policy (Planning Systems) 2021* – The original approval of SSD-10436 was declared as SSD. As the project has been declared, its assessment for the purpose of modifications remains under the SSD pathway.
- *State Environmental Planning Policy (Industry and Employment) 2021* – Chapter 2 of the SEPP administers the objectives and controls of the former WSEA SEPP. The proposed modifications under Mod 7 continues to support employment uses on the site, consistent with the overarching aim and objectives of Chapter 2 of the SEPP.
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* – Schedule 3 of the SEPP identified ‘traffic generating development’ which must be referred to RMS for concurrence. The modification does not include any changes to GFA or intensity of traffic generating uses. Therefore, a referral to RMS is not required.
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
 - Chapter 3 – Hazardous and offensive development – the proposed modification does not seek to introduce the storage of dangerous goods on the site.
 - Chapter 4 Remediation of land – the original findings and assessment in relation to contamination apply consistently to any future modifications. There are no proposed changes which affect the recommendations in relation to remediation.

7.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no relevant draft environmental planning instruments.

7.3. DEVELOPMENT CONTROL PLAN

Development Control Plan 327-335 Burley Road, Horsley Park, March 2016 applies to the site. Clause 2.17 of the WSEA SEPP recognises the provisions of this DCP for the purpose of the clause. It is noted that DCPs do not apply in the assessment of SSDAs. The requirement for, and provision of, the DCP is therefore satisfied.

7.4. PLANNING AGREEMENT

Planning agreements in place between CSR Building Products Limits and the Minister for Planning will not be affected by the proposed modification.

7.5. THE EP&A REGULATION 2021

All relevant regulations have been considered in the preparation of this modification application.

7.6. LIKELY IMPACTS OF THE PROPOSAL

The likely impacts of the proposed modification have been assessed in detail within the supporting specialist consultant reports and plans, as described in **Section 6**. Overall it is considered that the impacts are minimal and acceptable.

7.7. SUITABILITY OF THE SITE

The site remains suitable for the proposed development, as assessed, and approved in SSD-10436, as it will:

- Supports the strategic role and objectives of the WSEA and Broader WSEA;
- Contributes toward the future context and role of the WSEA and Broader WSEA as an economic hub for Greater Sydney;
- Delivers critical infrastructure and services to the WSEA for the benefit of the broader area;
- Delivers on significant private sector investment and indirect benefits for productivity of the local economy; and
- Contributes toward employment generation in the Western Parkland City.

7.8. SUBMISSIONS

Any submissions received as part of the public notification period must be considered in accordance with Section 4.15(1)(d) of the EP&A Act. If submissions are made, ESR Australia will respond to them as required by DPE.

7.9. PUBLIC INTEREST

The proposal has been assessed against the current planning framework for the site and is consistent with the objectives of the WSEA. The assessment has demonstrated that the modification will result in no environmental impact.

8. CONCLUSION

This section 4.55(1A) application seeks consent to modify Condition B15 of SSD-10436. The modification seeks to remove the required construction of a noise barrier prior to the operation of Lot 201.

The key issues relevant to the proposed modifications have been assessed within the modification letter and specialist consultant report submitted with this application. A review of all other relevant impacts identified within the original SSDA approval was also undertaken to ensure that no increased impacts would result from the proposed modifications.

The proposed modification to the approved development of the HLP has been considered and assessed in accordance with the requirements of the EP&A Act. The modification letter has assessed the relevant matters prescribed under this Act and its Regulation, and those matters identified in the original SEARs for the proposal.

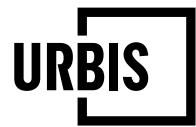
The modification aligns with the strategic direction and objectives established for the site and surrounding lands within the WSEA. The modification has been assessed as being of minimal environmental impact and substantially the same as the original approved SSDA as required under section 4.55(1A) of the EP&A Act 1979.

Based upon a balanced review of key issues and in consideration of the benefits and residual impacts of the proposal, development of the HLP as proposed under the approved SSDA and this modification is considered justified and warrants approval.

Kind regards,

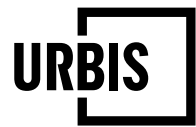
A handwritten signature in black ink, reading "JBooth". The signature is written in a cursive, flowing style.

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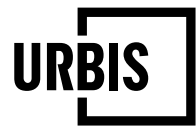
APPENDIX A

SSD-10436 MOD 7 – ACOUSTIC STATEMENT



APPENDIX B

REVISED ESTATE MASTER PLAN



APPENDIX C

REVISED SOUTHERN LANDSCAPE BUFFER WITHIN LOT 201