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SYDNEY NSW 2000

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19 July 2022

Chris Ritchie  
Director, Industry Assessments  
NSW Department of Planning & Environment  
4 Parramatta Square, 12 Darcy Street  
Parramatta NSW 2150

Dear Chris,

## SECTION 4.55 (1) APPLICATION TO AMEND SSD-10448 | ASPECT INDUSTRIAL ESTATE

This letter has been prepared by Urbis in support of a s4.55(1) application on behalf of Mirvac Projects (**the Applicant**) seeking a minor amendment to Condition D13 to the development consent issued in respect of SSD\_10448. No change is sought to the form of the development approved.

SSD-10448 approved the Concept and Stage 1 works for delivery of an industrial and logistics estate at Lots 54-58 DP 259135, 788-882 Mamre Road Kemps Creek (**the site**).

Section 4.55(1) of the Environmental Planning & Assessment Act 1979 provides that:

- (1) ***Modifications involving minor error, misdescription or miscalculation*** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify a development consent granted by it to correct a minor error, misdescription or miscalculation. Subsections (1A), (2), (3), (5) and (6) and Part 8 do not apply to such a modification.

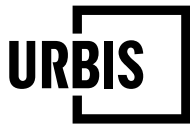
### Condition subject to the Amendment Request

Condition D13 of SSD-10448 states the following:

*D13. The Applicant must enter into a Works Authorisation Deed for the intersection works with TfNSW. The WAD must be executed prior to the submission of the detailed design required by condition D12 to TfNSW for approval.*

### Reason for the Condition Amendment

TfNSW has advised that in its referral correspondence to DPE, it identified the need for a Works Authorisation Deed for any temporary access road as well as the approved intersection works to Mamre Road. This requirement has not, however, been reflected in the condition. The wording of the condition is therefore required to be updated to reflect this minor error.



### Proposed Condition Wording

It is requested that Condition D13 be amended to read as follows. Proposed additional wording is shown in red.

*D13: The Applicant must enter into a **separate** Works Authority Deed for **each of the temporary construction access and the permanent signalised** intersection works, with TfNSW. ~~The~~ **Each** WAD must be executed prior to the submission of the detailed design required by condition D12 to TfNSW for approval.*

I trust that the information contained in this letter is sufficient to address this matter.

If you have any further questions, please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read "JParker", written in a cursive style.

Jacqueline Parker  
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