

11 November 2010

Sam Haddad
Director General
Department of Planning
23-33 Bridge Street
SYDNEY NSW 2000

Dear Sam

MP 10_0061 & MP 10_0062
LOGOS Kemps creek Logistics Project

We are writing in respect of the major Projects Concept Plan Application MP 10_0061 and the Major Projects Application MP 10_0062 lodged by LOGOS in respect of land at Kemps Creek.

We note that the Director General's requirements issued in respect of the concept plan and project applications specifically asked the applicant to explain the need for locating the proposed development on the LOGOS land, particularly given that:

1. the land the subject of the application is **not zoned** to permit industrial development; and
2. there is land in the immediate vicinity of the subject site which is zoned and immediately available for development.

In attempting to respond to this issue, LOGOS has asserted that the economic imperative requiring the use of the land for the proposed development (a development that is otherwise **currently prohibited** on the land) is that both DHL and Metcash wish to develop various logistic and warehouse facilities on the land.

As you are no doubt aware, at the date that the above referred to applications were placed on public exhibition, a development application had already been lodged by Goodman to develop land at Huntingwood West for 2 facilities required by Metcash. An Agreement for Lease with Metcash in respect of these facilities has been executed, which contractually commits Metcash to the Goodman development.

Similarly, there are existing approvals for facilities for DHL at land owned jointly by Goodman and Austral/Brickworks at Oakdale. These approved buildings form part of a concept plan approval for a 'campus style' development for DHL. Of this proposal, 2 of these facilities are the subject of executed Agreements for Lease and construction has commenced in respect of these facilities.

We are able to make the Agreements for Lease we have with DHL and Metcash available to you to review if that is necessary.

It seems to us that LOGOS has put its development application forward on the premise that there is an immediate demand for the use of the LOGOS land for Metcash and DHL. Furthermore, this claimed economic imperative is then relied on to colour the application in such a way as to give the Minister for Planning comfort that approving the development is necessary to satisfy the Metcash and DHL requirement.

However, if the LOGOS development were only speculative, then that would be a fact that we consider would be very important in the Minister's consideration of the merits of the development, given that the land is presently not zoned to permit the use for which consent is sought.

In the circumstances we respectfully request that the applicant be asked by the Department to explain the apparent inconsistency that exists between the statements made in the applications and the express contractual undertakings of Metcash and DHL to carry out their developments on other land.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jason Little".

Jason Little
General Manager – Australia

A handwritten signature in black ink, appearing to read "Lindsay Partridge".

Lindsay Partridge
Managing Director