

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	Development Application
Application number and project name	DA 25/5786 Nepean Business Park Amending DA
Applicant	Great River NSW Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Transport and Water Assessments, under delegation from the Minister of Planning and Public Spaces has, under s.4.16 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's Assessment Report is available [here](#).

Date of decision

14 October 2025

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2021*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report; and
- the findings and recommendations in the Department's Assessment Report.

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project is permissible with development consent under the *State Environmental Planning Policy (Precincts-Western Parkland City) 2021*;
- it complies with relevant statutory provisions and remains consistent with the EP&A Act, including the principles of ecologically sustainable development;
- it provides for a greater variety of community title subdivision lots in Nepean Business Park;
- it would not significantly change the environmental impacts of the Nepean Business Park project;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has imposed conditions relating to construction standards, environmental considerations and construction certification;
- the issues raised by Penrith City Council and the community during consultation have been considered and adequately addressed through the Applicant's response to submissions report and the recommended conditions of consent (where applicable); and
- weighing all relevant considerations, the development is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Development Application for the proposal, including the Statement of Environmental Effects, from 30 May 2025 until 13 June 2025 (14 days) on the NSW Planning Portal. The Department notified surrounding landowners and occupiers in the vicinity of the site about the public exhibition, and notified and invited comment from Penrith City Council.

Penrith City Council commented on the proposal, and raised concerns with the rationale for the amending DA and proposed road and lot configurations. Council also requested the Flood Impact Statement accompanying the SEE to be updated to reference the current proposed subdivision plan and finalised. The Department has addressed Council's concerns in the Assessment Report.

One public submission was received during the exhibition, objecting to the proposal. The submission raised concerns with the flooding impact of earthworks approved by DA 9876, which is outside the scope of this application.