

DATE OF DETERMINATION	18 August 2025
DATE OF PANEL DECISION	18 August 2025
PANEL MEMBERS	Justin Doyle (Chair), Brian Kirk, David Kitto, Ross Fowler, Carlie Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	Louise Camenzuli declared a conflict of interest as the firm she works for acts for the owner Stockland Developments.

Papers circulated electronically on 15 August 2025.

MATTER DETERMINED

PPSSWC-416 – Penrith - DA24/0268 - 244-256, 258–270 and 272-280 Aldington Road, Kemps Creek – Subdivision of land and early works, including tree removal, bulk earthworks, retaining walls (to create building pads), stormwater management and drainage works, and road construction (including a portion of a Collector Industrial Road and a Local Industrial Road).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and matters listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application (DA) pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the DA for the reasons outlined in Council's assessment report.

In particular, the Panel concluded that:

- The development is consistent with the provisions of the relevant environmental planning instruments, including *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *State Environmental Planning Policy (Industry and Employment) 2021*, *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*, and *State Environmental Planning Policy (Resilience and Hazards) 2021*
- The integrated approval bodies have granted their general terms of approval for the development under the *Water Management Act 2000* and *National Parks and Wildlife Act 1974*, which have been incorporated into the recommended conditions
- Transport NSW has granted its concurrence to the development subject to conditions under Section 2.35 of *State Environmental Planning Policy (Industry and Employment) 2021*
- The development is generally consistent with the requirements in the *Mamre Road Precinct Development Control Plan 2021*, and the proposed variations to the local road network are adequately justified under Part 3.4.1 (C7 & C12) of the plan
- The site is on biodiversity certified land and the potential biodiversity impacts of the development will be suitably mitigated over time through the implementation of weed and vegetation management plans

- The development will not have any adverse impacts on the development of Western Sydney Airport, consistent with the requirements in Sections 4.17, 4.19 and 4.22 of *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*
- The site has already been remediated and is suitable for the development
- The development will not have any adverse impacts on the Hawkesbury-Nepean catchment, consistent with the requirements in *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- The impacts of the development are acceptable and can be suitably controlled with the recommended conditions
- Developer contributions will be paid in accordance with the requirements in the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022* and the *Mamre Road Precinct Development Contributions Plan 2022*
- The development will create the building blocks for a large new industrial estate in the Western Sydney Employment Area, consistent with the strategic planning objectives for the area
- The development is in the public interest.

CONDITIONS

The DA was approved subject to the conditions in Council's assessment report.

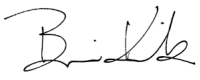
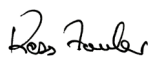
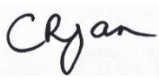
CONSIDERATION OF COMMUNITY VIEWS

Council exhibited the DA from 13 May to 11 June 2024 and an amended DA from 21 March to 27 April 2025 and received 4 submissions.

These submissions raised concerns about the:

- Configuration of the proposed subdivision
- Potential amenity impacts of the development during construction on 272-280 Aldington Road
- Potential noise impacts of the development on the nearby public place of worship
- Potential impacts of the proposed retaining wall close to the eastern boundary on the adjoining property
- Delivery and funding of the East-West Collector Road
- The road levels to be provided for the future extension of the East-West Collector Road.

In coming to its decision, the Panel considered these concerns carefully and is satisfied that they have been adequately addressed through amendments to the DA, the recommended conditions and in Council's assessment report (see pages 20-21, in particular).

PANEL MEMBERS	
Justin Doyle (Chair) 	Brian Kirk 
David Kitto 	Ross Fowler 
Carlie Ryan 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-416 – Penrith - DA24/0268
2	PROPOSED DEVELOPMENT	Subdivision of land and early works, including tree removal, bulk earthworks, retaining walls (to create building pads), stormwater management and drainage works and road construction (including a portion of a Collector Industrial Road and a Local Industrial Road).
3	STREET ADDRESS	244-256, 258–270 and 272-280 Aldington Road, Kemps Creek
4	APPLICANT/OWNER	Applicant: Allan Young – EMM Consulting Owner: Stockland Developments P/L
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Industry and Employment) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Precincts—Western Parkland City) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - Penrith Local Environmental Plan 2010 - Draft environmental planning instruments: Nil - Development control plans: - Penrith Development Control Plan 2014 - Mamre Road Precinct Development Control Plan 2021 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 11 August 2025 - Written submissions during public exhibition: 4 - Total number of unique submissions received by way of objection: 4
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 29 July 2024 <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Brian Kirk, Ross Fowler <u>Council assessment staff</u>: Robert Walker, Sandra Fagan <u>Applicant representatives</u>: Brendon Lucas, Debbie Fransen, Allan Young
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report