

COUNCIL ASSESSMENT REPORT SWCPP COVER SHEET

Panel Reference	PPSSWC-487
DA Number	DA24/0703
LGA	Penrith
Proposed Development	Demolition of Existing Structures, Tree Removal, Bulk Earthworks, and Construction, Fit out and Use of 2 Warehouse Buildings (in 2 Stages), with Associated Works including Driveways, Stormwater Management Works, Retaining Walls, Fencing and Signage
Site Address	No. 285 Aldington Road, Kemps Creek (Lot 10 DP 1296455), along with tree removal on immediately adjacent land at 269 Aldington Road, Kemps Creek and 287 Aldington Road, Kemps Creek
Applicant/Owner	Applicant: ESR Developments (Australia) P/L Owner: ESR Kect II (Australia) P/L
Date of DA lodgement	30 September 2024
Number of Submissions	6
Recommendation	Deferral
Regional Development Criteria Schedule 6 of the SEPP (Planning Systems) 2021	'General Development' with an Estimated Development Cost of more than \$30 million.
List of all relevant s4.15(1_(a) matters of the EP&A Act 1979	• State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Industry and Employment) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Precincts—Western Parkland City) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Mamre Road Precinct Development Control Plan 2021 (MRP DCP) • Subject of NSW Land and Environment Court Appeal (Case No. 2025/150269)
List all documents submitted with this report for the Panel's consideration	• Council's Memorandum for Update Briefing dated 3 August 2026 • Letter from Applicant dated 7 August 2026
Report prepared by	Robert Walker, Senior Development Assessment Planner
Report date	10 August 2026

Summary of s4.15 assessment matters Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes – however limited to the extent necessary to inform the recommendation for deferral of determination (as outlined within the assessment report). Note: The report has been provided in response to direction from the Panel Secretariate.
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Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?	Yes – however limited to the extent necessary to inform the recommendation for deferral of determination (as outlined within the assessment report). Note: The report has been provided in response to direction from the Panel Secretariate.
Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S94EF)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Yes
Conditions Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	No with respect to this development application. Draft conditions of consent (as part of Court Appeal) have been provided to the Applicant however they are incomplete and are subject to further refinement upon formal lodgement of draft information by the Applicant either to the Court and / or via the NSW Planning Portal.