

Our reference: P -1169563-P7F1
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3 June 2026

NSW Department of Planning, Housing, and Infrastructure
4 Parramatta Square
12 Darcy Street,
Parramatta, NSW, 2124

Attention: Penny White
Email: penny.white@planning.nsw.gov.au

Dear Penny,

**Council Advice on Modification Report – SSD-23480429-Mod-2 –
Westgate Kemps Creek Warehouse 1 at 253-267 Aldington Road Kemps
Creek**

Thank you for providing Penrith City Council the opportunity to comment on the above-mentioned Modification Report.

Council has reviewed the information referred for comment on 21 May 2026 and provides the following advice for the Department's consideration:

1. Planning Considerations

- a) The proposed modification seeks to amend the layout of Warehouses 1B and 1C to provide a third tenancy known as Warehouse 1D. This includes proposed changes to the car parking and vehicle access arrangements to accommodate the third tenancy.
- b) While smaller format warehouses are supported in principle, as it provides diversity of warehouse activities, the Department should consider if the approved spatial site planning, warehouse layouts, and resulting intensity of use, is able to be accommodated on the site to allow for a third tenancy.

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- c) The proposal includes an additional at-grade car parking area intended to be utilised by Warehouse 1B, thus allowing Warehouses 1C and 1D to use the approved (modified) under-croft parking area. Access to the new at-grade car parking area, for cars both entering and exiting, is proposed to be from the approved truck exit driveway. The proposed at-grade car parking area is located off the approved truck manoeuvring path and will require cars to use the same swept path as trucks (26 metre B-doubles) travelling in a southerly direction seeking to exit the site.
- d) It is noted that the existing SSD Approval provides for a combined under-croft car parking area that Warehouses 1B and 1C were able to share, and which was accessed from a separate driveway dedicated to light vehicles. The current approved design therefore avoids conflicts between cars and trucks, both in relation to access driveways and manoeuvres on lot.
- e) There is no objection to the repositioning of the under-croft car parking area which will be shared by Warehouses 1C and 1D. However, the proposed at-grade car parking area for Warehouse 1B will result in a poorer outcome than the current SSD Approval in relation to safety and amenity for staff / visitors.
- f) The resulting shared access for heavy and light vehicles, as well as bicycles to Warehouse 1B, and the shared manoeuvring arrangement for part of the travel route, does not satisfactorily avoid conflict between heavy vehicles and staff, customer and visitor vehicular and bicycle movements.
- g) It is noted that the MRP DCP, at clause 4.6.2, refers to separate access driveways, with objectives relating to pedestrian safety and safe access. Given the industrial estate is new, the spatial planning and design of the estate should not result in requiring management solutions for the safety conflicts that are created because of the proposed design.
- h) The proposal refers to establishing a new gate and operating system to manage heavy and light vehicle movements at the

southern site entry, as well as an Operational Traffic Management System. However, the proposed design necessitates pedestrian and cyclist movements (for only Warehouse 1B) to interact with areas to be used by all trucks, including trucks related to Warehouses 1C and 1D. Safety management processes, and their reliance on human behaviours, are usually more effective if the end-users are from the same operation/tenancy, as this allows intimate knowledge of the layout of the site, the building, the conflict areas, and the management/safety procedures. Given that the truck access route will also be used by trucks associated with Warehouses 1C and 1D, there is concern that the proposed safety management systems will not be effective in the long term.

- i) In addition, it appears that the proposed at-grade car parking area is positioned within approved deep soil on-lot landscaped area, resulting in further loss of overall landscaped deep soil areas and reduction in site perviousness.
- j) A more appropriate outcome, if an additional tenancy is sought, is to extend the existing approved under-croft parking area, and/or have a combination of both the approved and proposed under-croft parking areas within the warehouse footprint. This will maintain separate access and manoeuvring for cars, cyclists, and pedestrians from truck access and manoeuvring areas. While it is acknowledged that this will result in a loss of warehouse GFA, it would be a better outcome for future staff/visitors than the current proposed modification.
- k) The proposed modifications also result in the office entry for Warehouse 1B being positioned off the truck driveway. The proposed bicycle parking is located at the office entry, meaning that cyclists will access the parking spaces by using the same driveway as the exiting trucks, and using a portion of the same truck manoeuvring path. The position of the car parking area relative the proposed office will also require staff and visitors to traverse the truck route. The proposal shows a pedestrian crossing across the truck manoeuvring route, which is a safety concern.

- l) The proposed communal area with seating is positioned adjacent to the car parking area for Warehouse 1B and the truck manoeuvring area. This also results in a poor amenity and safety outcome. The SSD Approval had balconies designed into the office spaces which is a better solution to provide amenity for staff.
- m) The Proponent should clarify whether any changes to the interim stormwater management solution is proposed as part of this modification. It is understood that there are no changes proposed, however, one of the drawings in the Modification Report (at paragraph 3.4.2) shows a plan titled Figure 3: Interim Water Management Plan, which shows a change to the interim evaporation pond on Lot 2. The accompanying civil drawings also include this plan (21-860-C250 Issue 1). This should be clarified with DPHI and Sydney Water.

2. Traffic Engineering Considerations

- a) The modification proposes design changes to the approved Warehouse 1B and 1C on Lot 1 including a modified tenancy split to allow an additional tenancy, a modified parking provision of 62 spaces and relocation of the driveway location to the undercroft car park to the west end of the lot.
- b) The proposed car parking spaces on Warehouse 1D will be used by staff from Warehouse 1D and Warehouse 1C as separate car parking spaces have been provided for Warehouse 1B.
- c) The proposed car parking provision meets the minimum parking requirements of the MRP DCP.
- d) Traffic generated by the proposed development can be accommodated within the road network without any adverse impact.
- e) It is noted that the proposed access driveway for Warehouse 1B has been designed to accommodate shared access between light and

heavy vehicles, which includes heavy vehicle exit movement and light vehicle entry and exit movements. To ensure safety of the drivers, the Department should consider if this is acceptable as the MRP DCP refers to separate driveways to be provided for heavy vehicles and light vehicles.

3. Environmental Management Considerations

Council's Environmental Management team have reviewed the Modification Report, and associated noise, air quality and preliminary risk screening reports, submitted to DPHI to support the changes proposed to the approved Westgate Industrial Estate.

These documents have each confirmed that the reconfiguration of Warehouse 1 will not have any additional environmental impacts, with noise and air quality findings found to be consistent with the previously prepared reports and all goals still able to be achieved. Further, the risk screening confirmed that the proposed changes do not trigger requirements for additional hazard assessment.

The application also confirmed that the remediation strategies approved will not be impacted by the proposed changes to the development. A review of the approved Remediation Action Plan has confirmed this, and no additional information is required regarding this aspect. In turn, the Environment Team provides no further comment in relation to the proposed modifications.

4. Waste Management Considerations

Waste Storage

- a) Waste storage approved under SSD-23480429 permitted bins to be stored external to the built form. The Department should consider whether storage of waste within the built form could provide benefits (amenity, odour and vermin control, wash down facilities, waterproofing etc) to future tenancies.

- b) While it is acknowledged that most of the warehousing type material may be dry waste (plastic, packaging wrap, cardboard etc), depending on the proportion of organic waste produced by the office and the type of warehouse use there may be implications for the type and volume of material needing to be stored appropriately.

Warehouse Waste Generation Rates

- a) Council's Guideline document for [Industrial, Commercial and Mixed Use developments](#) provides warehouse generation rates for office spaces only (10L per 100m²), however, does not provide waste generation rates for warehousing.
- b) The waste generation rates approved under SSD-23480429 and provided in the amended waste management plan, however, are low and do not accurately reflect potential future uses. The Department should consider whether the waste generation rates accurately reflect the potential requirements of future warehouse tenancies to support appropriate and flexible storage provisions.

Should you wish to discuss this matter further, please contact me directly on (02) 4732 7992.

Yours sincerely,



Sandra Fagan
Principal Planner