

Our reference: P-1182452-Y5J1
Contact: Sandra Fagan
Telephone: (02) 4732 7992

8 July 2026

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

Attention: Media Hakim
Email: media.hakim@dphi.nsw.gov.au

Dear Media,

Council Advice on the Environmental Impact Statement for SSD-98407710 - Aspect Industrial Estate Stage 6 Warehouse 4 at 788-882 Mamre Road, Kemps Creek

Thank you for providing Penrith City Council the opportunity to comment on the subject Environmental Impact Statement (EIS).

Council has reviewed the information referred for comment on 10 June and provides the following advice for the Department's consideration:

1. Planning Considerations

- a) The proposed development seeks concurrent approval for a Concept Approval Modification to the Aspect Industrial Estate Concept Masterplan SSD-10448 (MOD 12) and separate SSD approval for Warehouse 4 (Stage 6). The proposal seeks to consolidate the warehouse-built form from two buildings, as currently approved, into a single building identified as Warehouse 4. Therefore, the comments in this correspondence can be taken to apply to both applications.
- b) It is understood that Stage 6 (the current proposed stage) represents the final stage of development for the Aspect industrial

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
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Estate. Therefore, the Proponent should demonstrate and identify whether there are any estate wide commitments that remain outstanding and are to be delivered within this final stage of development.

- c) Given that the built form is proposed to combine two approved warehouse forms, the Department is requested to consider whether the elevations include appropriate articulation, massing, and architectural expression. The proposed warehouse form represents a large and uniform expanse of facade which is mostly on a singular plane. The angled modulated portions shown on the elevations should include panels that are in a 3D plane (bas-relief). The proposed wall signage should not be positioned within the areas shown as comprising the angled modulation.
- d) The proposed changes to the warehouse footprint and on-lot configuration should maintain compliant landscaped and building setbacks.
- e) The proposal results in a conflict between heavy vehicle manoeuvring area and pedestrians accessing the office from the car park, which is not desirable. In terms of safety, the security gate positioned to restrict truck movements is located behind the pedestrian path (and therefore could not be used in a potential operational management plan).
- f) In addition, it is unfortunate that the office requires a ramp for equitable access. The Proponent should review this aspect of the design to better understand whether the stairs are required and whether the level change around the office area can be designed to allow for a singular level access.
- g) The proposal includes new retaining walls fronting public roads. Such walls are to be compliant with the MRP DCP in relation to position, height, and potential need for tiering. Consideration must be given to the ability to provide meaningful landscaping within the landscaped setbacks where retaining walls are existing or proposed. Specifically, the proposed retaining wall adjoining the round-about should be screened by appropriate deep soil

landscaping. The civil drawings should include detailed sections through proposed retaining walls to show landscaping detail and feasibility.

- h) Palisade fencing should be positioned behind the front landscaped setbacks. The proposed barbed wire chain fencing, although to be located at property boundaries (not fronting roads), is not a desirable visual outcome.

2. Development Engineering Considerations

- a) The proposed staff carparking and heavy vehicle access driveway arrangement is problematic. The development proposes that staff cross the vehicular access driveway via a pedestrian crossing. In accordance with the Mamre Road Precinct DCP Control 4.6.1 (17), the design of car parks should ensure staff/visitor parking is given safe separation from loading dock circulation areas for heavy vehicles.

3. Traffic Engineering Considerations

- a) The proposed development requires car parking provision of 124 spaces to service Warehouse 4 and proposes 128 parking spaces, which complies with the requirement for parking. Application of the traffic generation rates detailed in the Ason TMAP to the proposed development results in a traffic generation of up to 71 and 74 vehicle trips in the AM and PM peak hours, respectively. This reflects marginally less traffic generation than the permissible threshold set by the approved MOD-10 Masterplan under SSD-10448.
- b) The revised traffic modelling analysis indicates that the Mamre Road / Darrabarra Avenue intersection would operate with satisfactory level of performance in 2026 whilst accommodating the background traffic growth, as well as development traffic of the AIE and other approved developments in the Mamre Road Precinct.

4. Environmental Management Considerations

- a) It is understood that DPHI will undertake a comprehensive review of the EIS, including appended technical reports, assessing environmental health impacts.
- b) No specific concerns are raised by Council's Environment Team in relation to the documentation provided. It is anticipated that DPHI will ensure that all mitigation and monitoring measures contained in the EIS, as put forward in the technical documents (and as refined or modified to satisfy DPHI during the assessment process), will be incorporated into any approval issued.

5. Waterways Considerations

- a) Given that lots 4 and 5 have been required to be left undeveloped for the broader AIE site to comply with the waterway health requirement, the Department should ensure that adequate measures and arrangements are in place for continued compliance with the DCP waterway health requirements.
- b) It appears there has been consultation between the proponent and Sydney Water regarding the use of Basin 7 of the regional Stormwater Scheme. It is recommended that the Department liaise with Sydney Water regarding compliance with the Sydney Water Stormwater scheme design requirements.
- c) Should the development be approved, conditions are requested to ensure that all on-lot GPTs and associated stormwater infrastructure remain the ongoing responsibility of the developer and/or property owners and are not dedicated to Council. It is recommended that a positive covenant be applied, to the satisfaction of the Drainage Manager, nominating Sydney Water as the benefiting authority in its role as drainage manager.

6. Waste Management Considerations

Waste Storage: Operational Phase

- a) The architectural plans indicate that storage of waste and recyclable material is located external to the built form. The Department should consider whether there is opportunity to integrate the waste storage into the built form. This may assist in managing odour and vermin, as well as improving the general amenity and appearance of the area.

Waste Generation Rates and Bin Infrastructure: Operational Phase

- a) It is also noted that a tenancy is unknown at this stage and therefore waste generation can only be estimated based on generic rates. To cater for a range of future tenancies, generation rates should allow flexibility.
- b) Two options are provided within the Waste Management Plan for the storage of waste and recyclable materials; skip bins measuring 4-6m³ or compactor units between 10-38m³. By increasing the volume that can be held, compactor units offer an opportunity to reduce the collection frequency and associated vehicle movements, decrease the impact on local traffic and reduce associated vehicle emissions, can track tenancy use more accurately, and offer greater flexibility in accommodating a range of tenancies in future. For paper and cardboard, a baler may achieve similar outcomes.

Swept Path Modelling

- a) Swept path modelling has not been provided to demonstrate access to the waste storage area responsive to the bin type proposed (e.g. front lift, hook lift, rear lift etc).

FO (Food Organics) Diversion: Operational Phase

- a) It is important to note that, effective July 2026, the FOGO mandate will apply to relevant businesses. It is recommended that

mechanisms for separating, storing, transporting and processing FOGO waste in accordance with this mandate, are provided to ensure food waste produced by staff on site is diverted.

- b) It is noted that the Waste Management Plan indicates that the site management may elect to provide further measures to improve recovery of food waste. The Department may consider whether measures or conditions can be included to ensure that future tenancies can divert food waste from landfill where possible and in doing so reduce greenhouse gas emissions.

Because of the state significant development classification of the development, Council is not empowered as either the assessment authority or the consent authority. It must then also be recognised that Council is not responsible for the assessment or consideration of any post determination matters, unless otherwise expressly required by legislation, such as a Section 138 Roads Act Application or a Section 68 application under the Local Government Act 1993.

If the proposal is given a favourable determination by the consent authority, Council requests that no condition of consent is imposed that requires an Applicant to consult with Council where the need for an assessment of suitability, or a determination of condition compliance, is specifically the responsibility of the consent authority.

The only exception to this request is where consultation relates specifically to the design and location of infrastructure or works that are intended to be dedicated to or transferred into Council's ownership. This also includes the use of public roads for construction vehicles and the need for a CTMP.

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

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
penrith.city

Yours sincerely,



Sandra Fagan
Principal Planner