

Mr Michael Rosenberg
Associate Principal
ARUP Pty Ltd
Level 5, 151 Clarence St
Sydney, New South Wales 2000

11 October 2022

Dear Mr Rosenberg

**Kemps Creek Data Centre (SSD-10101987)
Request for additional information**

I refer to your development application for the Kemps Creek Data Centre (SSD-10101987) and Request for Additional Information letter dated 25 February 2022.

In accordance with clause 29 of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP) and section 270 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), development consent cannot be granted for the proposed development unless satisfactory arrangements such as the entering into of a planning agreement have been made to contribute to the provision of regional transport infrastructure and services.

The Department notes Penrith City Council's Mamre Road Precinct Contributions Plan is not applicable to the development site and therefore a planning agreement is required to be entered into with Council for this development application. Prior to determining the application, the Department requires written evidence, by way of a Satisfactory Arrangements Certificate, confirming satisfactory arrangements have been made in accordance with clause 29 of the WSEA SEPP and section 270 of the EP&A Regulation.

Please provide the above information, or notify us that the information will not be provided, by 25 November 2022. If you cannot meet this deadline, please provide and commit to an alternative timeframe for providing this information.

If you have any questions, please contact Shaun Williams on (02) 8275 1345 or via email at shaun.williams@planning.nsw.gov.au.

Yours sincerely,



Chris Ritchie
Director
Industry Assessments