



Our reference: InfoStore
Contact: Kathryn Sprang
Telephone: 4732 7834

11 July 2025

Ms Grace Macdonald
Planning Manager – NSW
ESR Australia and New Zealand

Sent by email: Grace.Macdonald@esr.com

Dear Ms Macdonald

Conditional Acceptance – Letter of Offer to enter into a Voluntary Planning Agreement for Westlink Industry Park (Stage 2) at 1030–1064 Mamre Road & 59–63 Abbotts Road & 290–308 Aldington Road Kemps Creek (SSD-46983729)

I refer to your letter dated 13 June 2025 (received by Council on 7 July 2025) regarding an offer to enter into a Voluntary Planning Agreement (VPA) to deliver part of the CR7 Collector Road and part of the land for Roundabout RA6 as identified in the Mamre Road Development Contributions Plan 2022.

The proposed VPA was considered by Council's Local Infrastructure Contributions Working Group (LICWG) at its meeting of 24 June 2025, and in-principal support was provided, pending inclusion that ESR would propose a right of access easement benefitting Council in order to access CR7 until formal public road connections are realised and a plan to reconcile works/land dedication with credits. These matters have now been resolved.

It is agreed that the preparation of a VPA may proceed based on the offer and associated attachments, subject to the following matters being resolved prior to execution of the VPA:

- A revised Letter of Offer is to be provided that details whether the proposed agreement excludes the application of section 7.11, 7.12 or 7.24 of the Environmental Planning and Assessment Act to the development.

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- ESR is to acknowledge that the balance of contributions to be paid to Council is to be indexed in accordance with cl.2.2.2 of the Mamre Road Precinct Development Contributions Plan 2022.
- All contract and tendering details being provided and accepted by Council.

All VPAs will be negotiated consistent with *Councils Penrith Developer Infrastructure Agreements Policy*. A copy of this policy can be found on Council's website. We refer ESR to Part 4.1.2 in respect to proponents' responsibilities for the negotiation and implementation of agreements.

Council has a VPA template, which will be provided to you in word format. It is requested that ESR and its legal representatives fill in the template using track changes and comments so that Council may easily identify all amendments. It is further requested that the template clause numbering is not renumbered or deleted.

Council's case manager for the VPA will be Kathryn Sprang, Senior Planner. If you have any questions about this matter, please contact me at kathryn.sprang@penrith.city or 4732 7834.

Yours sincerely



Christine Gough
Head of City Planning