



Our reference: P-593329-J0N9  
Contact: Jake Bentley  
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3030 November 2023

Attn: David Schwebel  
Email: [david.schwebel@planning.nsw.gov.au](mailto:david.schwebel@planning.nsw.gov.au)

Dear David Schwebel,

**Council Response to Modification Report - SSD-9138102-Mod-3 - Westlink Industrial Estate Warehouse 1 at 290-308 Aldington Road, Kemps Creek, NSW, 2178.**

Thank you for providing Penrith City Council with the opportunity to comment on the abovementioned modification report.

Council staff have reviewed the information referred for comment and provides the following advice for the Department's consideration in relation to this matter.

**1. Planning Considerations**

- a) The battery charging station is now proposed to be treated with a painted pre-cast panel for its entire extent whereas the approved plans include a breakup in materials.

The battery charging station fronts a local road therefore, consideration should be given to providing differing materials as shown on the approved plans for articulation purposes.

- b) The modification plans package includes a location plan for retaining walls and fencing. This plan shows colourbond fencing 2.5m in height along the northern boundary adjacent to Warehouse 1 for the purposes of screening trucks until the retaining wall is of a height for this purpose.

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The 2.5m high colourbond fence is located at the boundary beyond landscape screening, forward of the Aldington Road building setback, and directly abuts local heritage item 14 "brick farmhouse" at 282 Aldington Road.

Clause 2.42 of State Environmental Planning Policy (Industry and Employment) 2021 requires the consent authority to consider impacts on heritage significance and Section 2.7 of the Mamre Road Precinct DCP includes provisions for fencing nearby heritage items. As such, these provisions shall be considered noting the fencing treatment in this location has changed from chainwire fencing to a solid colourbond fence and could result in adverse visual impacts considering its elevated nature and location next to a heritage item.

It is noted that the proponent's modification report does not list the above proposed amendment within the list of proposed modifications.

- c) A review of the Departments Major Projects Website identified that a further modification (MOD 4) to the project is being pursued with the modification defined as MOD 4 – Northern Boundary Retaining Wall. Plans for MOD 4 are not available for viewing on the Major Projects website therefore, details of the proposed changes cannot be observed. In this regard, it is considered necessary that the above item relating to fencing be considered with any proposed changes to the northern boundary retaining wall as this may exacerbate the fencing impact.

It is noted that the location of the retaining wall to the west of Warehouse 1 has been amended on the modification plans with no description of this change reported in the modification report.

- d) Considering this retaining wall is visually prominent noting its substantial height and frontage to Aldington Road any proposed changes should be carefully considered.

## 2. Waterways Considerations

Council's Waterways Department have reviewed the proposal and have raised the following considerations:

- a) It is noted that the proposal includes the addition of 2 water tanks and the relocation of one rainwater tank. It is recommended that once the Sydney Water regional scheme is available, the development must connect to the scheme.



- b) The interim measures of the development (i.e., rainwater tanks etc.) will need to be decommissioned and connected to the recycled water network once available.
- c) Council raises no concerns with respect to the management of stormwater, provided all conditions of consent relating to stormwater management are complied with.

Should you wish to discuss this matter further, please contact Jake Bentley on (02) 4732 8087

Yours sincerely,

Sandra Fagan,  
Principal Planner

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