

06357
18 December 2006

The Director General
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

ATTENTION: Mr Michael File – Team Leader, Strategic Assessments

Dear Mr Haddad,

DEVELOPMENT OF PENRITH LAKES

We are writing on behalf of Penrith Lakes Development Corporation Ltd (PLDC), the proponent for the redevelopment of the Penrith Lakes site. This correspondence supplements our previous correspondence to the Minister for Planning dated 20 November 2006, and accompanies the submission of a Preliminary Environmental Assessment (PEA) for the Project.

The purpose of this correspondence is to seek:

1. That consideration be given by the Minister to the inclusion of the Penrith Lakes as a State Significant Site (SSS) under Schedule 3 of the State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP); and
2. That the Minister authorise the proponent to submit a Concept Plan application for the proposed redevelopment of Penrith Lakes, with the Director General issuing requirements for the preparation of a single comprehensive Environmental Assessment to accompany both the proposal for listing of the Penrith Lakes as a State Significant Site and the establishment of appropriate development controls for the site and for the lodgement of a Concept Plan application.

1.0 STATE SIGNIFICANT SITE (SSS) LISTING

In accordance with the relevant matters for consideration within the Department of Planning's Draft Guidelines for State Significant Sites (July 2005), when considering whether a site can be categorised as being of State significance, the Minister will consider whether the site meets *one or more* of a specified list of criteria. It is considered that development at Penrith Lakes directly meets criteria (a),(b) and (d) with particular importance attached to criteria (a), with the site being of state and regional importance within an identified strategic location.

Compliance with the specified SSS listing criteria is outlined below:

(a) be of regional or state importance because it is in an identified strategic location (in a State or regional strategy), its importance to a particular industry sector, or its employment, infrastructure, service delivery or redevelopment significance in achieving government policy objectives; or

The Penrith Lakes Scheme site is of State and Regional importance, being identified in the Metropolitan Strategy (City of Cities, A Plan for Sydney's Future, 2005) and the subject of state and regional environmental planning policies. Penrith is located in the North West subregion in the Sydney Metropolitan Strategy. Within the North West subregion, the Strategy is planning for an additional:

- 140,000 new dwellings (with over 300,000 people) to 2031;
- 99,000 new jobs to 2031.

The Metropolitan Strategy identified a network of six key regional cities to drive the State's economic growth and Penrith is designated as one of the regional cities. Penrith was identified as a regional city due to:

- its status as the largest centre in outer and north western Sydney;
- its large and growing regional catchment area;
- its location in relation to natural assets including the Nepean River and Blue Mountains;
- high forecast employment growth;
- its potential to attract further additional economic, cultural and social activity because of existing and new assets in and around the centre; and
- its focus for rail and other transport links.

The recently released Penrith City Centre Plan (by the Department of Planning as part of the Metropolitan Strategy's Implementation project) identifies Penrith Lakes as one of the several large urban development areas and sites which will further contribute to Penrith's role as a regional centre.

Therefore, the development of the Penrith Lakes Scheme has the potential to:

- contribute to the long term supply of employment land and employment opportunities;
- contribute to the long term supply of residential dwellings;
- provide new and enhanced opportunities for access to a major new area of public open space and lakes that are of both State and regional significance providing both passive and active recreation opportunities on a major scale;
- provide the opportunity for new residents, workers and visitors to have access to recreation facilities as well as jobs, services and public transport;
- provide major new flood mitigation and flood evacuation infrastructure;
- improve transport links and reduce the existing isolation of Penrith Lakes from Penrith CBD and surrounding locality;
- achieve a comprehensive rehabilitation of that part of the site currently used as a quarry and integrate the site with the surrounding area; and
- create a significant new recreation and tourist destination and augment the existing recreation facilities.

There are a limited number of sites in single ownership and readily available in the Sydney Region that are capable of, and suitable for, delivering large scale open space and recreation facilities, along with almost 5,000 dwellings and significant infrastructure improvements. The development of Penrith Lakes has the potential to be a major driver in the targeted growth of

Western Sydney, consistent with the Metropolitan Strategy for the region, and is to provide a very large recreational resource for the existing and future regional population.

(b) be of regional or state environmental conservation or natural resource importance in achieving State or regional objectives. For example protecting sensitive wetlands or coastal areas; or

The proposed development at Penrith Lakes provides the opportunity to conserve and indeed create important natural resource areas by:

- providing major new and enhanced areas of public open space and lakes that are of both State and regional significance which will provide both passive and active recreation opportunities as well as wildlife areas and habitat;
- Providing major new flood mitigation and evacuation infrastructure integrated with the overall catchment management and lakes scheme.

(d) need alternative planning or consent arrangements where:

- (i) added transparency is required because of potential conflicting interests*
- (ii) more than one local council is likely to be affected."*

It is considered that an alternative planning and consent arrangement is appropriate for the scale of development envisaged on the Penrith Lakes site, which may be effectively facilitated through Part 3A and the Major Project SEPP.

The current planning instruments affecting the Penrith Lakes relate primarily to the quarrying activities operating on the site, but which are nearing exhaustion and may contain two consent authorities for different types of development. Whilst a new draft SREP (Penrith Lakes Scheme) 2006 has been prepared by the Department of Planning (but not exhibited), with the subsequent adoption of Part 3A of the EP&A Act 1979, and in light of the proposed application, amendments to the regional planning instrument are no longer necessary to effect the approvals sought.

A new planning regime in the form of a SSS listing is appropriate to facilitate the co-ordinated development of the open space and urban land components of this strategic site as a future residential, commercial and recreational precinct. In addition, at the Concept Plan stage the various components of the project that include parklands, waterways and a variety of urban uses with associated infrastructure cannot and should not be designed and assessed as separate or isolated components. Each component has implications and effects on the other. It is highly desirable that the project be designed and developed in a holistic and integrated manner and be approved by the one consent authority.

2.0 AUTHORISATION TO SUBMIT A CONCEPT PLAN

It is also requested that the Minister authorise the proponent to submit a Concept Plan application for the proposed redevelopment of Penrith Lakes, and that the Director General issue comprehensive Environmental Assessment Requirements for both the SSS listing and Concept Plan application, based on the **Preliminary Environmental Assessment** provided with this correspondence and lodgement of the Major Project Application.

3.0 CONCLUSION

The redevelopment of Penrith Lakes will create a new residential, employment and recreational precinct which will significantly contribute to the growth and success of Metropolitan Sydney. A new planning process and single consent authority is required to facilitate the large scale redevelopment of the site and achieve a better integrated planning outcome, facilitated through a

State Significant Site (SSS) listing and authorisation for the lodgement of a Concept Plan application to allow the holistic, integrated planning of the site.

Having regard to the above, we request that the Minister:

- progress the previous request for a declaration under 75B (1) of the Act that all the future urban land and open space development proposed within the Penrith Lakes site over \$5 million is a 'project' to which Part 3A of the Act applies;
- request that consideration be given by the Minister for inclusion of the Penrith Lakes Scheme as a State Significant Site (SSS) under Schedule 3 of SEPP (Major Projects) 2005; and
- request that the Minister authorise lodgement of a Concept Plan under Section 75M of the EP&A Act; and

Should you have any queries about this matter, please do not hesitate to contact the undersigned.

Yours faithfully,



Julie Bindon
Partner

cc: Dr Patrice Derrington – Penrith Lakes Development Corporation