



Our reference: 9130847
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Department of Planning, Infrastructure and Environment (DPIE)
C/o - online submission

Submission - proposed amendments to State Environmental Planning Policy (Penrith Lakes) 1989

Thank you for the opportunity to provide feedback in response to the proposed amendments to State Environmental Planning Policy (Penrith Lakes) 1989 (Penrith Lakes SEPP). Penrith Lakes plays a fundamental role in Council's important strategic corridor that extends from Penrith Lakes in the west to St Marys in the east. Council would like to maximise the opportunities at Penrith Lakes for our community.

Strategic Importance of Penrith Lakes

Penrith Lakes is a blank canvas for opportunities to flourish and is emerging as a unique destination for iconic recreational facilities, innovative industry and clean technology. The Lakes provides an opportunity to focus on regeneration of landscape, cultural and economic values, and importantly could reinstate the site's connection as part of the significant corridor between Penrith and St Marys. This is acknowledged in Council's Local Strategic Planning Statement (LSPS) and recently endorsed East - West Corridor Interim Centres Strategy. The strategic importance of Penrith Lakes is further acknowledged through its identification in the Greater Penrith Collaboration Area in the Greater Sydney Commission's (GSC) Western City District Plan.

Strong connections between our City Centre, the Nepean River and Penrith Lakes will provide tourism, recreation, employment and other opportunities for our City and the Western City District. We seek to continue to work closely with stakeholders to maximise opportunities at Penrith Lakes.

Proposed SEPP Amendments

Please find below discussion on the proposed amendment to the SEPP.

Rezoning of Unzoned land to Employment

The amendment seeks to rezone land currently classified as 'unzoned' land that surrounds the existing employment zone. The proposed rezoning affects land subject to a State Significant Development (SSD) application (SSD10403). It is our understanding that this application is contingent on this proposed rezoning. The land is also subject to other SSD's seeking to rehabilitate (fill) the land.

The proposed extension of the employment zone will provide a net increase in employment lands which will assist the Council in providing the community with

'jobs closer to home', aligning with Council's Community Strategic Plan. The proposed amendment would also align with Council's Economic Development Strategy ambition of 55,000 additional jobs in Penrith by 2031.

As part of the land proposed to be rezoned is located adjacent to existing industrial development, we request that the Department include provisions in the SEPP amendment that ensures potential level differences are limited between new and existing development, whether by site rehabilitation or any other development. More broadly, in considering fill works on this land and within the Lakes area, it is critical that Council understands the development outcomes and be informed by a DCP to guide the assessment of development applications. To this end, we would welcome the opportunity to be involved in the development of any DCP on the site.

Rezoning of Unzoned and Employment Land to Environment

The proposed zoning enables the protection of certain lands for environmental purposes, such as facilitating the landscape setback to Old Castlereagh Road, maintaining a landscape interface with the Nepean River whilst enabling the Great River Walk and recognising the future wetland location.

In principle, we support the rezoning of this land, however, little detail has been provided regarding the determination of zone boundaries. We request that the Department ensure that the zoning is survey responsive and is considered in conjunction with a tree and vegetation survey, that has been prepared in accordance with the biodiversity assessment method.

The Department should ensure that the provisions of Sydney Regional Environmental Planning Policy No. 20 - Hawkesbury Nepean River can be achieved as a result of any rezoning and land is suitable in respect to its contamination status, for the proposed environmental use.

Flooding

We note that the land subject to the rezoning is flood affected and flood evacuation is a major issue. The proposed amendment to extend the Employment Zone must respond to the adopted SES Flood Evacuation Management Plan. There needs to be an appropriate evacuation strategy adopted for the land that Council would welcome the opportunity to be involved in.

Consideration in the assessment and determination of the Flood Planning Level for the site must be undertaken. This should be based on risk and exposure and be in accordance with the Flood Plain Development Manual.

Great River Walk

We understand the rezoning will facilitate the Great River Walk through the subject site. The Great River Walk is an important recreation facility to the people of Penrith and Greater Western Sydney, and the continuation of the walk into Penrith Lakes is essential in achieving our strategic objectives.

Under the Metropolitan Greenspace Program, Council is currently preparing a spatial framework for the extension of the Great River Walk through to Penrith Lakes. This is due to be delivered by June 2021. We will seek to clarify issues around the implementation and ownership through this framework.

In order to deliver the walk on the subject land, we seek the Department to facilitate this through a voluntary planning agreement, with Council as a party. Further discussion on this matter is welcomed.

In addition, we would also request the Department to require future development adjacent to the walk to have regard to the context of the river precinct and walk in its design, orientation and materials.

Infrastructure Contributions

The delivery of infrastructure to support new development across our City is critical to Council. We support provisions that will require satisfactory arrangements to be met for contributions for state infrastructure for development throughout Penrith Lakes.

Council currently has a draft City wide 7.12 Development Contributions plan for non-residential development on exhibition for public consultation. This plan will apply a levy to non-residential development across our City, including Penrith Lakes, for the provision of local infrastructure.

Council would also welcome discussion on a site-specific development contributions plan to deliver critical local infrastructure required as part of any future land use changes.

Geotechnical Assessment

In principle, we support provisions that provide clarity and certainty around the assessment of the flood impacts on development platforms, however there is not enough detail in the consultation paper on these provisions to provide a detailed response.

We note that Council has previously raised concerns regarding geotechnical assessments submitted with previous development applications within the Lakes precinct. We welcome the opportunity to work with the Department to review the intended provisions and provide feedback.

Traffic

We seek future opportunities to discuss broader precinct traffic and access matters, such as options for the existing internal road network, precinct accessibility and the current poor state of several publicly accessible internal roads within the precinct (i.e. road leading to/from Whitewater Stadium).

Plan of Management and interim arrangements

The need for flexible arrangements for the assessment of development applications against a plan of management, which is still to be prepared, is understood. We recommend that such an interim arrangement is only available

for small scale applications (i.e. CIV of under \$500,000) and considers cumulative impacts of multiple small-scale developments.

Other Plans and Strategies

Council is aware that several plans and strategies are under preparation for the Penrith Lakes precinct, investigating matters such as stormwater, water quality, flood evacuation, traffic and the preparation of a Development Control Plan (DCP). We reiterate our request to work closely with the Department on these matters and request the Department to engage and consult with Council in relation to these and future plans and strategies.

Given the timeframe to provide the submission, we have not had the opportunity to report to Council, which is our standard practice, therefore these comments are provided in good faith. The submission will be reported to the next available Council meeting which will be the 25 May 2020 Ordinary Meeting, and should Council offer additional feedback we will then need to forward a supplementary submission.

We appreciate the opportunity to provide feedback in relation to this matter. If you have any further questions on Council's submission, please contact Natalie Stanowski, Principal Planner on 47327403 or natalie.stanowski@penrith.city

Yours sincerely,



Natasha Borgia
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