



Our Ref: 110470 Mamre Road Precinct Rezoning Capitol Hill
DJ:bt

18 December 2019

Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Attn: Gina Metcalfe

Subject: Mamre Road Precinct in the Western Sydney Employment Precinct –
Submission on behalf of Pazit Pty Ltd

Dear Gina,

This submission to the exhibition of the Mamre Road Precinct rezoning within the Western Sydney Employment Area is made on behalf of Pazit Pty Ltd. Pazit Pty Ltd owns two large parcels of land at Capitol Hill Drive, Mt Vernon. These lots are:

- Lot 1672 DP 855001
- Lot 4132 DP 857093

A submission was originally made to the Department of Planning in 2018 raising the issue of whether our site should be included. These sites are currently zoned partly Environmental Living E4 and Environmental conservation under Penrith Local Environmental Plan 2010. As noted in our previous submission the sites have the benefit of a development approval for a rural residential subdivision which is being progressed to completion.

We note that the timing for the exhibition and the availability to meet to discuss the complexities of the proposed zoning has been limited by the Department. Specifically, we note that the Department officers are not available to meet until well after the exhibition closing date. We will take up the meeting scheduled for Monday 13th January and make this submission as an interim position until we have the opportunity to discuss our further concerns.

Accordingly, Pazit make a submission to the following aspects of the proposed zoning:

- Extent of RE2 Zoning – flooding
- RE2 zoning
- Savings provision
- Inclusion of increased residential density provisions into Penrith LEP 2010 for the adjacent site A

RE2 Zoning – Flood Impacts and Mapping

We note that the proposed zoning relies on unspecified “existing data” to exclude large portions of our site from reasonable development opportunities. The base mapping and



flood investigation is not specifically identified; however, we note that there is an inconsistency between the mapping shown and the flood hazard that has been identified by Penrith City Council in their overland flow studies. The 1 in 100 chance flood hazard maps in Council's study clearly show the extent of hazard is limited to Ropes Creek (on the east) and the depression on the western edge of the proposed RE2 zone. We are currently undertaking a further review of this flood impacts but note that investigations indicate that the extent of 1 in 100 chance flooding is not as significant as previously mapped. Specifically, we note that there is substantial parts of the proposed RE2 zone that are not affected by the 1 in 100 chance flooding, but have been included for some undisclosed reason.

Further we submit that the shape and configuration of the proposed RE2 zoning, and the extent of land currently proposed as RE2 zoning can be reduced and this land reincorporated into the IN2 zoned land.

RE2 Zoning – Range of Uses

The limited range of uses that are proposed for the portion of the site are completely inappropriate having regard to the likely patronage of such facilities and the actual physical configuration of the site.

We anticipate that a development proposal that meets the definitions within the zoning would be premised on access to both the residential areas to the south and east and top the employment zones to the north and west. Any connection that provides for these access arrangements would become a through route for the employment zone filtering into the adjacent rural residential area of the site.

We note the complete inconsistency between other lands so affected by flooding and note that the department has sought to zone these to RE1 – Public Recreation.

Savings Provision

We understand that the discussion paper includes a note that the Department is considering its position in regard to the application of the Savings Provision. We strongly submit that the savings provision should be included. As noted previously, our land is currently undergoing development for the rural residential subdivision approved by Council some years ago. Pazit are completing this subdivision. Having already commenced road construction. Any subsequent application for housing on the approved lots within those subdivisions must be also able to be completed to give effect to the approved subdivision.

Increased Residential Density Provisions in Adjacent Site A

As part of the submission made to DPIE last year, we noted that this part of the site also benefits from an approved development application for a rural-residential subdivision. This subdivision has partly been completed and construction for the next stages are planned for 2020. While we note that this site is intended to be retained under Council's planning controls, outside WSEA, we submitted that this site should be subject to an increased density to offset the lost opportunity that the Department is seeking with the IN1 zoning on the west of Ropes Creek (the balance of the site).

The zoning of this land was, we submit, put in place to reflect partly that the site needed on-site sewer management systems. With the development of the adjacent site as IN1 and the required installation of sewer services to the site (noting that it is available to the immediate north and can adequately service this site), we submit that this site can now be subject to a significantly reduced lot size rather than the 1 hectare minimum currently in place. We would like to further discuss how this can occur and what minimum lot size should be imposed, having regard to the rural-residential nature of the precinct.

J. Wyndham Prince
Consulting Civil Infrastructure Engineers & Project Managers

We look forward to meeting you on 13th January 2020 to further discuss this submission, and subject to the outcomes of that meeting, may make a further submission.

Yours faithfully

J. WYNDHAM PRINCE

A handwritten signature in dark ink, appearing to read "David Johnson", with a long horizontal flourish extending to the right.

DAVID JOHNSON

Director