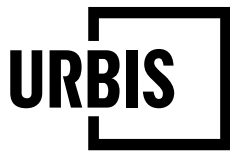


## **Annexure 2 – Requests for Rezoning**

- Sydney Heliport Proposal
- Film Production Proposal
- PLDC Offices Proposal
- Golf Course Proposal
- Landers Inn Proposal



**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

11 May 2020

Deputy Secretary  
Greater Sydney Place and Infrastructure  
NSW Department of Planning, Industry & Environment  
Locked Bag 5022  
Parramatta NSW 2124

Dear Deputy Secretary,

## **SUBMISSION REGARDING THE PROPOSED AMENDMENT TO THE STATE ENVIRONMENTAL PLANNING POLICY (PENRITH LAKES SCHEME) 1989**

This submission has been prepared by Urbis Pty Ltd (Urbis) on behalf of Heliport Developers Pty Ltd (Sydney Helicopters) to the Department of Planning, Industry and Environment (DPIE) in response to the public exhibition of the proposed amendments to the *State Environmental Planning Policy (Penrith Lakes Scheme) 1989* (Penrith Lakes SEPP) on exhibition from 27 April until 11 May 2020.

Sydney Helicopters have an interest in a 11.26ha landholding located at 100-278 Old Castlereagh Road, Castlereagh (the site). The site is currently owned by the Penrith Lakes Development Corporation (PLDC) and zoned Tourism under the Penrith Lakes SEPP.

The site is located immediately south of the Sydney International Regatta Centre and has an approximate 630 metre frontage to Old Castlereagh Road. It is also located adjacent to Lots 308 & 309 DP 752021, two of the lot's subjects to the rezoning under the proposed SEPP amendments.

Sydney Helicopters is considering the site for a relocation of its operation from its current site in Granville which is required for the Sydney West Metro. However, for the relocation to proceed, the Penrith Lakes SEPP must be amended to make *Heliports* a permissible land use within the Tourism zone.

Sydney Helicopters therefore views the proposed amendments as timely and welcomes the opportunity to propose a further SEPP amendment to permit the development of *Heliports* such that it will facilitate the essential relocation of their operation. The land use is not only consistent with the objectives of the Tourism zone but also in line with the intended effect to support employment opportunities in Western Sydney and the Penrith Local Government Area (LGA).

For ease of reference, the submission has been divided into the following key sections:

- **Section 1** – Background
- **Section 2** – Permissibility and Planning Pathway
- **Section 3** – Submission and Recommendation
- **Section 4** – Support for the Proposal
- **Section 5** – Conclusion

## 1. BACKGROUND

Sydney Helicopters are a commercial helicopter operator who have been providing chartered flights, tours and emergency services around the Sydney Metropolitan Area and greater NSW since 1985 operating out of their Parramatta Heliport.

Sydney Helicopters have recently been notified by Sydney Metro that their leased property at 25 Wentworth Street, Granville, will be resumed under the Sydney Metro West project for the new Clyde stabling and maintenance facility.

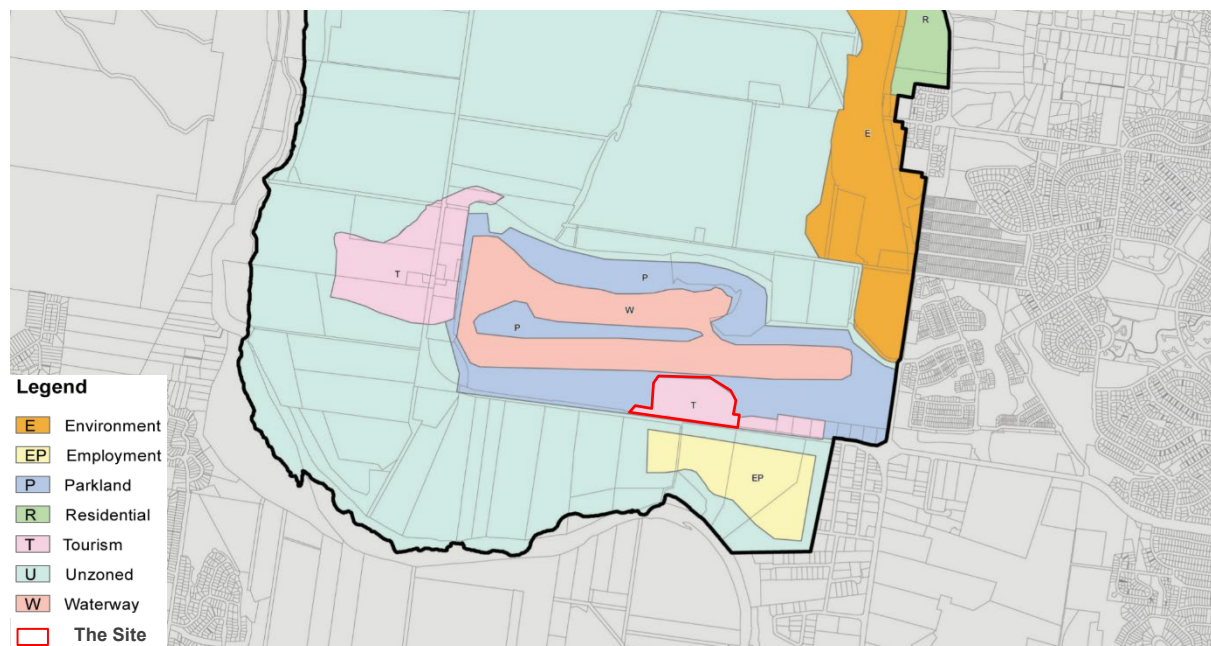
After ongoing discussion with Sydney Metro and consultation with both Transport for NSW (TfNSW) and the Greater Sydney Commission (GSC), who oversee government land assets in the Western Sydney area, the landholding at 100-278 Old Castlereagh Road has been identified as an ideal location for Sydney Helicopters to continue its operation.

As such, Sydney Helicopters and its related entity Aerotech Sydney are now seeking to relocate their site to 100-278 Old Castlereagh Road, Castlereagh, within the Penrith Lakes Scheme Locality (refer Figure 1).

The site, legally identified as Lot 2 DP 1013504, has an approximate 630m frontage to Old Castlereagh Road and is located just south of the Sydney International Regatta Centre.

The site is zoned Tourism under the Penrith Lakes SEPP and is approximately 2.7km north-west of the Penrith CBD.

Figure 1 Penrith Lakes SEPP Zoning Map



Source: NSW DPIE

## 2. PEMISSIONS AND PLANNING PATHWAY

Urbis have been engaged by Sydney Helicopters to undertake preliminary investigation into the relevant planning approval pathway and the permissibility of the proposal.

Critical to the proposal is establishing the permissibility of the proposed land use.

Under the *Standard Instrument – Principal Local Environmental Plan* the following relevant definitions are appropriate to helicopter operations:

- **Helipad** – a place not open to the public used for the taking off and landing of helicopters
- **Helipoint** – a place open to the public used for the taking off and landing of helicopters, whether or not it includes:
  - o a terminal building, or
  - o facilities for the parking, storage or repair of helicopters

Note.

Helipoints are a type of **air transport facility** – an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures

The principle purpose of Sydney Helicopters operation is a commercial facility open to the public for hire and recreational flights, the provision of emergency services and the repair and maintenance of aircraft. Given this, the proposal is more consistent with the definition of a *Helipoint* than a *Helipad*.

The site is located on land zoned Tourism under the Penrith Lakes SEPP. Whilst a *Helipad* is permissible, neither a *Helipoint* or its parent land use 'Air Transport Facility' are identified as permissible land uses within the zone and are therefore prohibited.

Preliminary discussions have been undertaken with the DPIE's Transport Assessments team to establish and facilitate the correct and most efficient approval pathway. However, irrespective of the applicable planning pathway, the proposed development must firstly be permissible under the relevant Environmental Planning Instrument (EPI).

As part of Sydney Helicopters discussions with the DPIE, it was recommended that a submission be made to the proposed SEPP Amendment to request that a *Helipoint* be added as a permissible land use. Such an amendment would resolve the permissibility of Sydney Helicopters operation.

## 3. SUBMISSION

As discussed above, DPIE Transport Assessments team have advised that the most expedient way to resolve the proposal's permissibility would be to request a minor amendment to the Penrith Lakes SEPP. The current proposed amendment to the Penrith Lakes SEPP provides an appropriate opportunity for Sydney Helicopters to make this request via a submission during the exhibition period.

We therefore request that DPIE consider an additional amendment to make *Helipoints* permissible within the Tourism zone of the Penrith Lakes SEPP. This could be achieved by amending the Land Use Table under Part 3 of the Penrith Lakes SEPP as follows (amendments are shown with new text in 'red'):



## **Tourism**

### **3. Permitted with consent**

*Amusement centres; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Health services facilities; Helipads; **Heliports**; Information and education facilities; Jetties; Kiosks; Markets; Neighbourhood shops; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Roads; Service stations; Signage; Tourist and visitor accommodation; Water recreation structures*

This proposal aligns with the overall intent of the amendments currently on exhibition which seek to:

1. *“extend some of the boundaries of the Employment zone to support employment opportunities in Western Sydney;*
2. *zone unzoned land adjoining the employment zone to ‘Environment’ to protect the natural environment;*
3. *rezone land from ‘Employment’ to ‘Environment’ to support its planned use as a wetland area;*
4. *amend the satisfactory arrangements clause for designated State public infrastructure;*
5. *refine the geotechnical assessment requirements to ensure development platforms are adequately protected during flood events;*
6. *amend clauses that refer to a plan of management for the Penrith Lakes Scheme; and*
7. *update outdated references to other legislation.”*

The consultation paper released by the DPIE with the current proposed amendment notes that there is merit in the extension of the Employment zone boundaries to support further employment opportunities in Western Sydney and the Penrith LGA.

The proposed land to be rezoned for Employment (currently unzoned) is located directly adjacent to the site. If the proposed Sydney Helicopters operation were considered permissible within the adjacent Tourism zone it would create local jobs during the construction phase and upwards of 40 permanent full-time operational jobs once complete. This is considered to broadly align with supporting further employment opportunities within Western Sydney and Penrith.

Additionally, it would allow the site to be utilised by Sydney’s longest running commercial helicopter operator which ensures the continued operation of the business and the essential services they provide the community.

Despite its prohibition, the proposed Sydney Helicopters operation is considered consistent with the objectives of the Tourism zoning under the Penrith Lakes SEPP which are outlined below:

- *“To provide for a variety of tourist-oriented development and related uses.*
- *To provide for diverse tourist and visitor accommodation and activities that are compatible with the promotion of tourism in Penrith that utilises the public assets of the Penrith Lakes Scheme.*
- *To create an appropriate scale that maintains important views to and from the Nepean River as well as to the Blue Mountains escarpment, while also improving important connections to the Penrith City Centre and the Nepean River.”*

Sydney Helicopters two main operational activities are private tours; including scenic flights and overnight experiences, and private charters, with a significant amount of air traffic being directly

related to Blue Mountains accommodation, and experiences further afield in the Hunter Valley and Bathurst. The proposed facility and its operations not only adequately address the objectives of the Tourism zone, but also the DPIE's proposed amendments to the SEPP through the creation of additional employment opportunities within the Penrith Lakes Scheme.

## **4. SUPPORT FOR THE PROPOSAL**

There is considerable support from numerous Government agencies regarding the proposed relocation of Sydney Helicopters to the Penrith Lakes site.

Correspondence from the Rural Fire Service (RFS) (Appendix A) on 28 April 2020 notes that Sydney Helicopters have a long-standing history of supporting the RFS as a contractor in critical fire-bombing exercises protecting life and property within the Greater Sydney area. Similarly, the proposed relocation to the Penrith Lakes Scheme at the foothills of the Blue Mountains would provide considerable benefit and a strategic aviation asset for the RFS and other emergency service providers as and when required.

Sydney Metro's correspondence on 27 March 2020 (Appendix B) notes that Sydney Metro is providing Sydney Helicopters ongoing support as a result of the forced acquisition by agreeing to reimburse all reasonable associated costs with the relocation to the new site. Noting that the relocation and approval of a new facility is time sensitive as a result of Sydney Metro's requirements to access the Granville site, Sydney Metro are fully supportive of the proposed process to amend the Penrith Lakes SEPP to have Heliports considered permissible, thereby ensuring all time sensitive commitments are able to be met.

Additionally, all preliminary conversations with government stakeholders has been positive and in support of the proposed site to home Sydney Helicopters into the future. Meetings with both Penrith City Council and DPIE have suggested that the proposed development of the site will result in a positive outcome for not only the future of Sydney Helicopters, but of benefit to the Penrith LGA and Penrith Lakes Scheme. Penrith Council have specifically noted that the proposal is well placed within Penrith Lakes.

The minor amendment to the Penrith Lakes SEPP proposed as part of this submission is therefore consistent with the DPIE's broad vision for the implementation of the Penrith Lakes Scheme and the Western City District Plan.

## 5. CONCLUSION

Sydney Helicopters supports the DPIE's proposed amendments to the Penrith Lakes SEPP and the merit associated with the extension of the Employment zone boundaries. The proposed rezoning will support employment opportunities in Western Sydney and the Penrith LGA in particular.

This submission, and the minor amendment to make *Heliports* permissible development within the Tourism zone under the Penrith Lakes SEPP aligns with the strategic direction DPIE has taken by proposing to further amend the SEPP to create additional employment opportunities within Western Sydney. Further the proposed land use will significantly promote tourism-orientated development on appropriately zoned land.

Sydney Helicopters look forward to the implementation of the proposed SEPP amendments and the benefits associated with increased employment opportunity within the wider Penrith region. It is hoped the content of this submission can contribute to the DPIE's vision for the Penrith Lakes Scheme and will be considered with the proposed SEPP amendments moving forward.

If you have any questions, please do not hesitate to contact me at the below details.

Kind regards,

A handwritten signature in black ink, appearing to read "C. Charkos", with a long horizontal flourish extending to the right.

Christophe Charkos  
Associate Director  
02 8233 7660  
ccharkos@urbis.com.au



## **APPENDIX A**

## **RFS CORRESPONDENCE**

**To whom it may concern**

I am aware of the need for Sydney Helicopters to relocate their Heliport at Rosehill due to the compulsory acquisition of land for the Sydney Metro.

Sydney Helicopters has been a long term contractor of the NSW Rural Fire Service (NSW RFS) and provide critical fire-bombing support to assist with protecting life and property. Between July 2019 to March 2020, the NSW RFS State Air Desk tasked Sydney Helicopters 75 times to respond to major bush fires across NSW.

Sydney Helicopters Parramatta Heliport is strategically position within the Greater Sydney area as they are able to provide a rapid response to bush fires that are located in some of the most populated areas in NSW. Additionally, Sydney Helicopters are engaged by the NSW RFS and National Parks and Wildlife Services to assist with essential hazard reduction burns by performing fire-bombing and aerial ignition work.

Sydney Helicopters proposed Heliport at the foothills of the Blue Mountains (Old Castlereagh Road, Penrith), would be of considerable benefit and a strategic aviation asset for the NSW RFS. The proposed state of the art Heliport will also be able to cater to emergency services aircraft (when necessary), as well as have fuel, maintenance and training facilities.

As such, the NSW RFS is very supportive of Sydney Helicopters proposed development at Penrith.

Yours sincerely



Rob Rogers AFSM  
Deputy Commissioner

28 April 2020

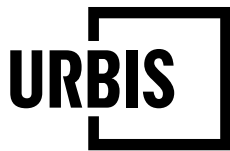
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25 June 2020

Mr Jim Betts  
Secretary  
NSW Department of Planning, Industry and Environment  
Locked Bag 6033  
Parramatta NSW 2124

Dear Sir,

## **PLANNING SUBMISSION TO AMEND STATE ENVIRONMENTAL PLANNING POLICY (PENRITH LAKES SCHEME) 1989**

This Planning Submission has been prepared by Urbis Pty Ltd (Urbis) on behalf of Heliport Developers Pty Ltd (Sydney Helicopters) to the Department of Planning, Industry and Environment (DPIE) and seeks to amend *State Environmental Planning Policy (Penrith Lakes Scheme) 1989* (Penrith Lakes SEPP).

The proposed amendment will facilitate the relocation of Sydney Helicopter's current *Heliport* to a 11.26ha landholding located at 100-278 Old Castlereagh Road, Castlereagh (the site). The relocation is required due to their current site in Granville being resumed for the Sydney West Metro. The site is currently zoned Tourism under the Penrith Lakes SEPP.

The objective of the Planning Submission is to amend the Penrith Lakes SEPP to make *Heliports* a permissible land use within the Tourism zone. *Heliports* are not included as a permissible use under item 3 of the relevant land use table and are therefore prohibited by being "*development not specified in item 2 or 3*" of that table.

The Planning Submission provides justification for the proposed amendments to the Penrith Lakes SEPP. The intended outcome of the Planning Submission is that *Heliports* are added to the table of development that is permissible with consent under the Tourism Zone of the Penrith Lakes SEPP.

The land use is not only consistent with the objectives of the Tourism zone but also in line with the intended effect of the recently proposed amendment to the Penrith Lakes SEPP which is to support employment opportunities in Western Sydney and the Penrith Local Government Area (LGA).

For ease of reference, the submission has been divided into the following key sections:

- **Section 1** – A description of the site.
- **Section 2** – Relevant background.
- **Section 3** – Explanation of intended effect.
- **Section 4** – Strategic consideration.
- **Section 5** – Conclusion.

## 1. THE SITE

The subject site is located at 100-278 Old Castlereagh Road, Castlereagh and is 11.26-ha landholding located within the Penrith Lakes Scheme. The site is currently occupied by the offices of the Penrith Lakes Development Corporation Ltd (PLDC) and is located at the southern extent of the Penrith Lakes SEPP land application map. The site location is illustrated in Figure 1.

The site comprises a single allotment – Lot 2 DP 1013504 and is irregular in shape. Land immediately adjoining the property is zoned Parklands under the Penrith Lakes SEPP. It is noted that two lots adjacent to the site are currently subject to a proposed amendment to the Penrith Lakes SEPP to further expand the Employment zoning over the site and facilitate the delivery of the future Nepean Business Park.

The site is within the Penrith LGA and is approximately 2.7 km north-west of the Penrith Central Business District (CBD), 18km north of the proposed Western Sydney International Airport, 32 km east of the Parramatta CBD (and current operation in Granville) and 50 km from the Sydney CBD.

Figure 1 Locational Context



Source: Urbis, 2020



Surrounding land uses include:

- The Sydney International Regatta Centre and Penrith Whitewater Stadium to the north;
- Land zoned Tourism under the Penrith Lakes SEPP that is currently occupied by rural residential dwellings to the east;
- Land zoned Employment under the Penrith Lakes SEPP which has been approved for development of the future Nepean Business Park to the south; and
- The Penrith Motorcycle Rider Training Centre to the west.

The Penrith Lakes Scheme occupies 1935-ha of floodplain adjoining the Blue Mountains World Heritage Area and runs adjacent to the Hawkesbury/ Nepean river system, north of Penrith. The site is strategically located well away from controlled air space and is in an area which has minimal residential uses and other sensitive land uses in the immediate vicinity.

The PLDC was formed in 1981 by the existing shareholders within the area who entered into an agreement with the purpose of securing access to the extensive supply of sand and gravel resources within the Scheme area. The Scheme was at one point the largest sand and gravel quarry in the Southern Hemisphere and has since established a robust vision for the future rehabilitation of the quarry operation. This rehabilitation is guided by the Penrith Lakes SEPP, developed in 1989 to ultimately provide a development control process to ensure that environmental and technical matters are considered in the development of land to which the SEPP applies.

Figure 2 Aerial photo of the site.



Source: Urbis



## **2. BACKGROUND**

### **2.1. THE PROPONENT**

Sydney Helicopters (the Proponent) was founded in 1985 and are the longest running commercial helicopter operator in Sydney. Since commencing operation Sydney Helicopters have functioned out of their existing Heliport facility in Granville within the Parramatta LGA.

Sydney Helicopters own and operate their entire fleet of aircraft. Additionally, the current site houses Aerotech Sydney their dedicated helicopter maintenance company with licensed helicopter engineers on staff. Sydney Helicopters current operation includes private tourism flights, charter flights, film and photography as well as a crucial role with assisting emergency services such as the Rural Fire Service (RFS) and State Emergency Service (SES). Sydney Helicopters commercial operations service the Sydney Metropolitan Area and greater NSW.

Sydney Helicopters have recently been notified by Sydney Metro that their leased property at 25 Wentworth Street, Granville, will be resumed under the Sydney Metro West project for the new Clyde stabling and maintenance facility.

After ongoing discussion with Sydney Metro and consultation with both Transport for NSW (TfNSW) and the Greater Sydney Commission (GSC), who oversee government land assets in the Western Sydney area, the landholding at 100-278 Old Castlereagh Road was identified as the most appropriate location for Sydney Helicopters to continue its operation.

As such, Sydney Helicopters and its related entity Aerotech Sydney are now seeking to relocate their operations to the subject site 100-278 Old Castlereagh Road, Castlereagh.

### **2.2. SUBMISSION TO PROPOSED AMENDMENT TO PENRITH LAKES SEPP - 2020**

The Proponent has been in discussion with the DPIE Transport Assessments team to determine the most appropriate and expedient development application pathway. However, irrespective of the applicable planning pathway, the proposed development must firstly be permissible under the relevant Environmental Planning Instrument (EPI).

Around the same time as these discussions taking place, the proponent was made aware of the DPIE intention to make amendments to the Penrith Lakes SEPP. The exhibition of these amendments took place between 27 April and 11 May 2020. The proposed amendments were considered timely and, given the broad level of support enjoyed by the proposal by a number of key stakeholders including TfNSW, Penrith Council and the Rural Fire Service, the proponent made submission that the amendment include adding *Heliports* as a permissible land use within the Tourism Zone.

It is understood that this land use change is being considered as part of the drafting notes for the current SEPP amendment. However, given the timeframes required for the relocation, this separate request is made to amended the Penrith Lakes SEPP to ensure that it is underway should the requested land use change not be included as part of the current amendments being considered by the Minister for Planning and Public Spaces.

The proponent has also confirmed with DPIE that a Development Application (DA) can be submitted and assessed concurrently to the proposed request to amend the Penrith Lakes SEPP.

## 2.3. PROPOSED DEVELOPMENT APPLICATION

Under Schedule 3, Part 1 of the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulations), Aircraft Facilities, '*in the case of helicopter facilities that have an intended use of more than 7 helicopter flight movements per week and that are located within 1 kilometre of a dwelling not associated with the facilities*' are considered '*designated development*'.

The proponent has requested Secretary's Environmental Assessment Requirements (SEARs) to inform the assessment of the proposed development concurrent to this Planning Submission to amend the Penrith Lakes SEPP.

The proposed development for which SEARs was sought is outlined below and illustrated in the site master plan at **Appendix A**:

Construction and operation of a Heliport facility with a maximum of 25 aircraft movements per day including:

- 3 helicopter hangers – 2 for the storage of helicopters and one for maintenance;
- 1 FATO – Final Approach and Take Off stand;
- 9 helicopter parking stands;
- 2 Wash bay stands;
- 1 Compass swing stand;
- 2 Emergency Services stands;
- Taxiways; and
- Ancillary office space.

Minor earthworks and tree removal will also be required as part of the development to facilitate the delivery of the heliport.

The proposed Heliport facility intends to operate from First Light to 10.00pm, these hours are consistent with what is currently approved at the Granville site. It is noted however the bulk of flying operations occur between 8:30am and 5:00pm and flights outside these times are rare.

Notwithstanding the above, aircraft owned and operated by Sydney Helicopters that are engaged by emergency services such as the NSW Rural Fire Services, Fire & Rescue NSW and the NSW State Emergency Service would be required to be exempt from these hours of operation to undertake emergency work when required.

The construction works associated with the proposal would generate a number of local construction jobs over an expected nine (9) month construction period. Once fully operational the proposal could employ approximately 50 full time staff with additional part time workers associated with related industries that will benefit from the Heliports relocation to the Penrith Lakes Scheme.

## 2.4. COMMUNITY AND STAKEHOLDER ENGAGEMENT

Given the likely requirements for stakeholder engagement within the SEARs, Sydney Helicopters have been proactive in their approach to stakeholder engagement. Noting that discussions with the DPIE have been ongoing several months, conversations have also been undertaken with the following relevant stakeholders:

- Penrith City Council – previous meetings and concurrence from Warwick Winn, General Manager of Penrith Council dated 15 April 2020 confirming support from Council for the proposal;
- NSW Rural Fire Service (**Appendix B**) – Concurrence from Rob Rogers, Deputy Commissioner of the RFS confirmed support for the application dated 28 April 2020, noting the proposed location of the new facility would be of considerable benefit and a strategic aviation asset for the RFS;
- Sydney Metro - correspondence on 27 March 2020 (**Appendix C**) notes that Sydney Metro is providing Sydney Helicopters ongoing support as a result of the forced acquisition by agreeing to reimburse all reasonable associated costs with the relocation to the new site. Noting that the relocation and approval of a new facility is time sensitive as a result of Sydney Metro's requirements to access the Granville site, Sydney Metro are fully supportive of the proposal; and
- Penrith Lakes Development Corporation – Following an initial Noise Impact Assessment undertaken at the Site on 8 May 2020 accompanied by members of the PLDC to make an evaluation of the proposed facility and provide an assessment of potential noise impacts, Jacqueline Vozzo, CEO of PLDC confirmed the PLDC's board supports the proposal in principle.

As part of the future DA, Sydney Helicopters and their nominated consultant will finalise a community and stakeholder engagement strategy to not only inform the Environmental Impact Statement (EIS), but also provide all stakeholders and the wider community with a platform to obtain information, and inform the assessment process by notifying DPIE of any concerns.

## 3. EXPLANATION OF INTENDED EFFECT

### 3.1. STATE ENVIRONMENTAL PLANNING POLICY (PENRITH LAKES SCHEME) 1989

#### Overview & Permissibility

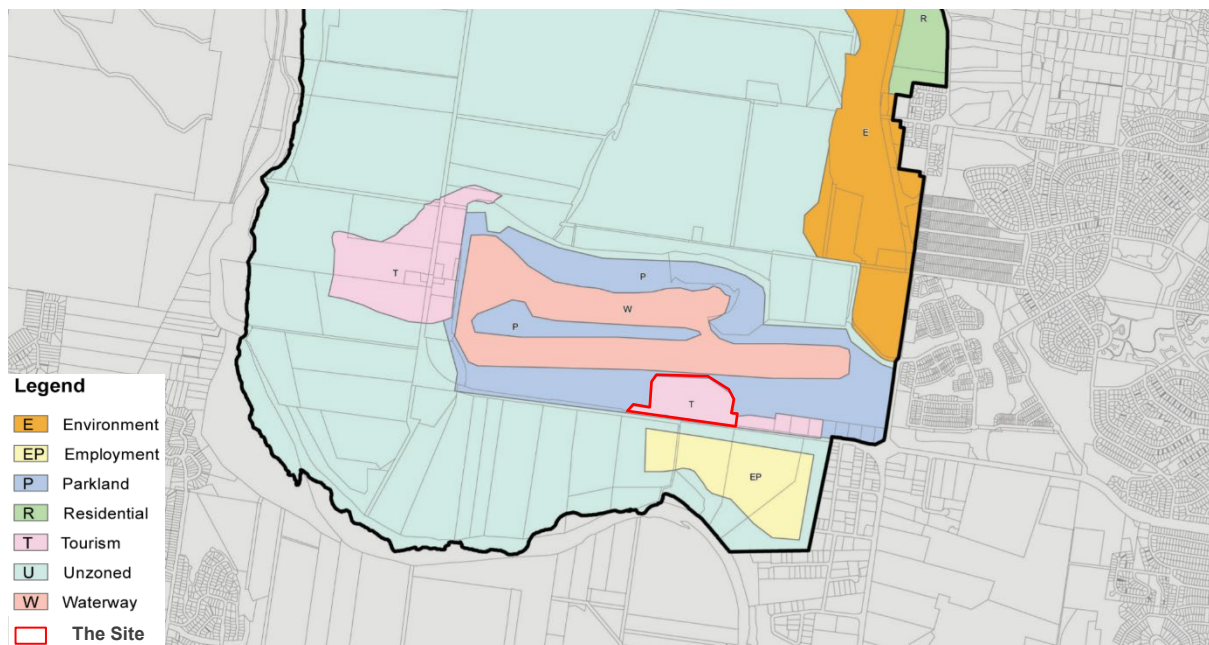
The primary environmental planning instrument which governs development of the site is the *State Environmental Planning Policy (Penrith Lakes Scheme) 1989*. The site is currently zoned Tourism under the SEPP (refer Figure 3). Whilst a significant proportion of the Penrith Lakes Scheme remains unzoned, the land subject to the Penrith Lakes SEPP includes a number of different (and non-standard) land use zones which include:

- Employment
- Environment
- Parkland
- Residential
- Tourism, and
- Waterway.

The recent amendment to the SEPP proposed by DPIE includes *inter alia*:

- Extending some of the boundaries of the Employment zone to support employment opportunities in Western Sydney;
- Rezoning unzoned land adjoining the employment zone to 'Environment' to protect the natural environment; and
- Rezoning land from 'Employment' to 'Environment' to support its planned use as a wetland area.

Figure 3 Penrith Lakes SEPP Zoning Map



Critical to the proposed DA is that the proposed land use (*Heliport*) is permissible with consent.

Under the *Standard Instrument – Principal Local Environmental Plan* the following relevant definitions are appropriate to helicopter operations:

- **Helipad** – a place not open to the public used for the taking off and landing of helicopters
- **Heliport** – a place open to the public used for the taking off and landing of helicopters, whether or not it includes:
  - a terminal building, or
  - facilities for the parking, storage or repair of helicopters

Note. Heliports are a type of **air transport facility** – an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures

The principle purpose of Sydney Helicopter's operation is a commercial facility open to the public for hire and recreational flights, the provision of emergency services and the repair and maintenance of aircraft. Given this, the proposal is more consistent with the definition of a *Heliport* than a *Helipad*.

Whilst a *Helipad* is permissible on land zoned Tourism under the Penrith Lakes SEPP, neither a *Heliport* or its parent land use 'Air Transport Facility' are identified as permissible land uses within the zone and are therefore prohibited.

## Proposed Amendment

As no other EPI's apply to the land the only way to facilitate the proposed development is via an amendment to the Penrith Lake SEPP. This Planning Submission therefore seeks an amendment to the Penrith Lakes SEPP to make the proposed development of a *Heliport* permissible within the Tourism zone. This is best achieved by amending the Land Use Table under Part 3 of the Penrith Lakes SEPP as follows (amendments are shown with new text in 'red'):

### **Tourism**

#### **3. Permitted with consent**

*Amusement centres; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Health services facilities; Helipads; **Heliports**; Information and education facilities; Jetties; Kiosks; Markets; Neighbourhood shops; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Roads; Service stations; Signage; Tourist and visitor accommodation; Water recreation structures*

*Heliports* are considered consistent with the objectives of the Tourism zoning under the Penrith Lakes SEPP as outlined in the following table:

Table 1 Proposed Land Use Consistency with Tourism Zone Objectives

<b>Tourism Objective</b>	<b>Consistency</b>
<i>To provide for a variety of tourist-oriented development and related uses.</i>	The nature of the proposal is an operational <i>Heliport</i> directly associated with tourism uses and thereby is considered consistent with the zoning objectives. It is noted that Sydney Helicopters two main operational activities are private tours; including scenic flights, lunch destination flights, overnight experiences and photography, and private charters; including transfers, flights related to the Blue Mountains, and destinations further afield in the Hunter Region, Mudgee and Bathurst.
<i>To provide for diverse tourist and visitor accommodation and activities that are compatible with the promotion of tourism in Penrith that utilises the public assets of the Penrith Lakes Scheme.</i>	A <i>Heliport</i> facility would allow the existing uses within the Tourism zoning and wider Penrith Lakes Scheme to diversify significantly. The Sydney Helicopters experience differs greatly from the existing facilities including the nearby Penrith Motorcycle Rider Training Facility, Sydney International Regatta Centre and Penrith Whitewater Stadium, thereby addressing the relevant objectives of the SEPP. Sydney Helicopters existing operating <i>Heliport</i> facility at Granville is

Tourism Objective	Consistency
	approved to annually take up to 9,125 flights, or 25 flights a day. The proposed relocation of the <i>Heliport</i> to the Site will directly result in the promotion of the Penrith Lakes Scheme and wider Penrith area through a significant increase in tourism numbers associated with the approved quantity of flights undertaken a year for a variety of reasons including for charter, leisure and film and photography.
<i>To create an appropriate scale that maintains important views to and from the Nepean River as well as to the Blue Mountains escarpment, while also improving important connections to the Penrith City Centre and the Nepean River.</i>	<p>A <i>Heliport</i> will improve connections to the Blue Mountains and surrounding community with increased air traffic to tourism accommodation as well as the wider Tablelands region for major tourist events such as the Bathurst 1000.</p> <p>A <i>Heliport</i> requires minimal built form and can be designed at a low-rise scale which can maintain important views to and from the Nepean River and to the Blue Mountains escarpment.</p>

The proposed change to the permissible land uses does not result in the change to any zone boundary or any other provisions within the SEPP. The proposed amendment is minor in nature and is informed by the concurrent designated development application for which SEARs have been requested from the DPIE. All impacts and stakeholder engagement associated with the proposed land use (*Heliport*) will be assessed in accordance with the SEARs to be issued for the development.

The designated DA will also be publicly exhibited for 28 days as required by the EP&A Regulations and will as such ensure that the public is appropriately consulted.

## 3.2. OBJECTIVES AND INTENDED OUTCOMES

The objective of the Planning Submission is to make *Heliports* a permissible land use within the Tourism zone under the Penrith Lakes SEPP.

The intended outcome of the Planning Submission is that *Heliports* are added to the table of development that is permissible with consent under the Tourism Zone of the Penrith Lakes SEPP.

Amending the land use table will ensure that consent can legally be granted to any future development application for a *Heliport*.

### 3.3. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

#### Division 3.3 Environmental Planning Instruments - SEPPs

Division 3.3, section 3.29 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) permits an Environmental Planning Instrument (EPI) (SEPPs) to be made in respect of any matter that, in the opinion of the Minister, is of State or regional environmental planning significance or of environmental planning significance to a district.

The Penrith Lake Scheme has been governed by the Penrith Lakes SEPP since 1989. Recent proposed amendments to the SEPP highlight the continued importance of the Penrith Lakes Scheme to the State in reinforcing the Western City District Plan and Government Policies to ensure a resilient Hawksbury Nepean Valley.

In addition to the above, the proposed amendment results directly from the need to relocate the Sydney Helicopter's current operation due to the resumption of its site in Granville for a Critical State Significant Infrastructure project – Sydney Metro West.

Given that no other EPI applies to the land, the proposed amendment the SEPP is therefore considered to be of State & Regional planning significance.

Section 3.30 of the EP&A Act outlines the consultation requirements for EPI (SEPPs) and notes that before recommending the making of an EPI the Minister is to take such steps **if any** as the Minister considers appropriate and necessary -

- a) *To publicise an explanation of the intended effect of the proposed instrument, and*
- b) *To seek and consider submissions from the public on the matter.*

Given the significant requirement for stakeholder consultation and the minimum requirements for the exhibition of designated development applications (28 days). It is requested that the Minister either waive the requirement for the public exhibition of the proposed SEPP amendment or consider a concurrent exhibition for the SEPP amendment such that the DA and the SEPP amendment can be exhibited at the same time.

#### Section 9.1 Ministerial Directions.

The proposal is of a minor nature to change to the permissible land use. Given the types of permissible land uses already permitted within the Tourism zone which includes *helipads*, it is considered that the proposed amendment is able to demonstrate consistency with the relevant Ministerial Directions under section 9.1 of the EP&A Act 1979 as outlined within the table below:

Table 2 Relevant 9.1 Ministerial Directions

9.1 Direction	Response
3.4 Integrating Land Use and Transport	This direction may apply as the proposal amendment will alter a provision relating to land zoned for tourist purposes. The proposed additional land use is consistent with this direction as it is consistent with the zone objectives and will improve employment opportunities for people within the locality.

9.1 Direction	Response
3.5 Development Near Regulated Airports and Defence Airfields	The site is located approximately 18km from Western Sydney International and 16km from Richmond Airbase. Notwithstanding this, given the proposed use ( <i>Heliport</i> ), extensive consultation will be undertaken with the Civil Aviation Safety Authority and Air Services Australia as required by the SEARs for the concurrent designated development application.
4.2 Mine Subsidence and Unstable Land	Cl.26 of the Penrith Lakes SEPP requires that DAs include a geotechnical assessment prepared by a suitably qualified person and demonstrates that a stable development platform exists for the development. A Geotechnical Report will be submitted with the concurrent designated development application.
4.3 Flood Prone Land	Cl. 33 of Penrith Lakes SEPP and issued SEARs requires that flooding be addressed as part of
5.10 Implementation of Regional Plans	As outlined in Section 4 the proposed amendment is considered consistent with the relevant objectives and actions of the <i>Greater Sydney Regional Plan</i> .
7. Metropolitan Planning	As noted below and in Section 4 the proposed amendment is considered consistent with the relevant objectives and actions of the <i>Greater Sydney Regional Plan, District Plan and Penrith Local Strategic Planning Statement</i> .
7.8 Implementation of Western Sydney Aerotropolis Plan	The proposed amendment is not within the Aerotropolis nor is it land affected by the Obstacle Limitation Surface and ANEF Contours for Western Sydney Airport.

## 4. STRATEGIC CONSIDERATION

### 4.1. NSW PREMIER AND STATE PRIORITIES

The NSW Premier has identified 12 key areas including economic growth, provision of infrastructure, protection of vulnerable communities, improving education and environmental impact to address key issues currently affecting NSW. The proposed development would align with these priorities particularly given the creation of jobs during construction and operation, infrastructure supportive of emergency services, and increased interest in the tourism sector for the wider Penrith and Western Sydney region.



## **4.2. GREATER SYDNEY REGION PLAN**

The Greater Sydney Region Plan, A Metropolis of Three Cities (Region Plan), is the NSW Government's overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision that seeks to transform Greater Sydney into a metropolis of three cities being the Western Parkland City; the Central River City; and the Eastern Harbour City. It identifies key challenges facing Sydney including increasing the population to eight million by 2056, 817,000 new jobs and a requirement of 725,000 new homes by 2036.

The Region Plan aspires to deliver the following outcomes in the future development of the Sydney metropolitan area:

- Liveability – enhancing cultural and housing diversity and designing places for people;
- Productivity – developing a more accessible and walkable city and creating conditions for a stronger economy;
- Sustainability – valuing green spaces and landscape, improving efficiency of resources and creating a resilient City; and
- Infrastructure – ensuring infrastructure supports new developments and governments, community and businesses collaborate to realise the benefits of growth.

To achieve these goals and address the identified challenges, the plan includes 10 strategic directions that inform its specified potential indicators and objectives. The Sydney Helicopters proposal will provide an opportunity to utilise the available site in a way that is consistent with both the existing zoning of the Penrith Lakes SEPP as well as the objectives and indicators of the Greater Sydney Region Plan. In particular, the project will:

- Contribute to the creation of a city of great places by providing a quality development that is able to maximise the Tourism zoning potential of the site whilst emphasising the unique environmental and historical benefits of the Western Parklands City through the operation of the Heliports chartered flights and tours;
- Provide economic benefits and contribute to job creation; and
- Provide additional transport infrastructure that is beneficial to the Western Parklands City as well as further regions including the Greater Blue Mountains, Central Tablelands and Hunter Region through both increased tourism opportunity and emergency response services.

## 5. CONCLUSION

This Planning Submission has outlined the proposed concept and background to the proposed amendment of the Penrith Lakes SEPP.

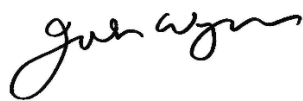
The minor amendment to make *Heliports* permissible development within the Tourism zone under the Penrith Lakes SEPP aligns with the strategic direction DPIE for Penrith Lakes to create additional employment opportunities within Western Sydney. Further the proposed land use will significantly promote tourism-orientated development on appropriately zoned land.

The purpose of this Report has been to:

- Explain the intention and minor nature of the proposed amendment to the Land Use Table for the Tourism Zone, and
- Provide a planning justification for the proposed amendment to the Penrith Lakes SEPP.

Sydney Helicopters look forward to the implementation of the proposed SEPP amendments and the benefits associated with increased employment opportunity within the wider Penrith region.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John Wynne".

John Wynne  
Director  
02 8233 9937  
jwynne@urbis.com.au

CC: Mr Brett Whitworth - Deputy Secretary, Greater Sydney Place and Infrastructure

## **APPENDIX A**

## **PROPOSED SITE PLAN**







## **APPENDIX B**

## **LETTER OF SUPPORT – RFS**



## NSW RURAL FIRE SERVICE

### To whom it may concern

I am aware of the need for Sydney Helicopters to relocate their Heliport at Rosehill due to the compulsory acquisition of land for the Sydney Metro.

Sydney Helicopters has been a long term contractor of the NSW Rural Fire Service (NSW RFS) and provide critical fire-bombing support to assist with protecting life and property. Between July 2019 to March 2020, the NSW RFS State Air Desk tasked Sydney Helicopters 75 times to respond to major bush fires across NSW.

Sydney Helicopters Parramatta Heliport is strategically position within the Greater Sydney area as they are able to provide a rapid response to bush fires that are located in some of the most populated areas in NSW. Additionally, Sydney Helicopters are engaged by the NSW RFS and National Parks and Wildlife Services to assist with essential hazard reduction burns by performing fire-bombing and aerial ignition work.

Sydney Helicopters proposed Heliport at the foothills of the Blue Mountains (Old Castlereagh Road, Penrith), would be of considerable benefit and a strategic aviation asset for the NSW RFS. The proposed state of the art Heliport will also be able to cater to emergency services aircraft (when necessary), as well as have fuel, maintenance and training facilities.

As such, the NSW RFS is very supportive of Sydney Helicopters proposed development at Penrith.

Yours sincerely

  
Rob Rogers AFSM  
Deputy Commissioner

28 April 2020

#### Postal address

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### Street address

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555  
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[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

## Sydney Helicopters Relocation – Site Search

The Below summary table outlines the key Sites reviewed for potential suitability for the Sydney Helicopters. PLDC is the only option that remained that can satisfy the operational requirements and provides a planning pathway. Sydney Helicopters were first notified by TfNSW in October 2019 that a Site needs to be identified for the business to be relocated by 1<sup>st</sup> July 2021.

The attached outlines the areas within the pink highlighted boundary in which the Site is required to relocate Sydney Helicopters.



the below is the review of the Site identified by:

- TfNSW Site options identified in October and November 2019
- Sydney Helicopters in February 2020 following no suitable sites being identified by TfNSW
- TfNSW Site options identified in May 2020

#	Site	Date Identified	Suitability	Issue	Planning Comment	Status	AviPro Comment
1							
2							
3							



#	Site	Date Identified	Suitability	Issue	Planning Comment	Status	AviPro Comment
4							
5							
6							
7							
8							

#	Site	Date Identified	Suitability	Issue	Planning Comment	Status	AviPro Comment
9							
10							
11							
12							
13							
14							
15							

**SUMMARY OF OPERATIONS OVERLAY:**

The proposed Site based Penrith Lakes site (PLDC) is the most suitable from the following perspectives:

- Flight path access
- Noise on nearby (none) residential
- Space to build a compliant facility

From an airspace aspect, the existing gap south of the Richmond Control Zone and any potential Western Sydney Airport Controlled Airspace, will allow continued operations.



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NSW Department of Planning, Industry and Environment (DPIE)  
Locked Bag 5022  
Parramatta NSW 2124

**Attention: Minister for Planning and Public Spaces Strategic Planning and State Significant Development Departments**

**RE: PROPOSED CONSTRUCTION AND OPERATION OF A FILM STUDIO AND ANCILLARY LAND USES – SEPP AMENDMENT REQUEST**

**PROPERTY AT: 100-278 OLD CASTLEREAGH ROAD, PENRITH**

To whom it may concern,

This Submission has been prepared by Willowtree Planning Pty Ltd on behalf of the Proponent – StudioWest Pty Ltd (StudioWest) c/- Archile Projects, in relation to the future development of the Site, for the proposed construction and operational use of a Film Studio at 100-278 Old Castlereagh Road, Penrith. The Site comprises a total site area of approximately 41 hectares (ha) within the Penrith Lakes Precinct, and has been recently (July, 2020) zoned for Tourism purposes pursuant to *State Environmental Planning Policy (Penrith Lakes Scheme) 1989* (Penrith Lakes SEPP).

The StudioWest vision would transform the Site into a 'world class' studio with State-of-the-Art facilities and next generation technologies for the production of motion pictures and television series. Through an estimated AUD\$150 Million Capital Investment Value (CIV) expended over three (3) construction phases, StudioWest would attract large budget international productions ('footloose productions'), as well as cater for Australian-based productions. Accordingly, the future proposal would respond to the worldwide shortage of studio facilities, the Government's recent \$400 million incentive package to attract footloose productions to Australia, and the \$1.2 Billion worth of recent enquires to Ausfilm.

By establishing a Film Studio within the Western Sydney Region, StudioWest would complement the emerging Western Sydney Aerotropolis and major government infrastructure investment in the region, through the attraction of employment-generating opportunities, stimulation of significant economic activity (State, Regional and Local) and revitalisation of Penrith as part of Greater Sydney's 'Metropolis of Three Cities'.

In a 'snapshot', StudioWest would deliver an estimated 300 construction jobs over the three (3) construction stages, and subsequently each major production could employ up to 2,000 extras (over a period of 6-9 months). Additional employment generation would be catalysed as StudioWest would utilise the services of hundreds of local businesses (for example, transport, hospitality, equipment manufacturers, service providers, IT), for which the future development would include ancillary components to facilitate small and local business

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opportunities to be part of this visionary culmination of bringing a world-class Film Studio into Australia. These economic benefits are in addition to the millions of dollars of direct foreign investment into NSW and Australia.

To realise these aims and vision, it is formally requested to amend the Penrith Lakes SEPP in order to provide a permissible planning pathway for future development on the Site to be undertaken for the purposes of a Film Studio. As such, this SEPP Amendment Request establishes a supportable strategic justification, comprising the strategic merit and site-specific merit for the Site to facilitate a Film Studio in the future.

The following sections of this Letter are outlined as follows:

- Introduce the Site;
- Outline the concept vision;
- Establish 'the ask';
- Demonstrate the strategic merit of the proposal;
- Assess the site-specific merit; and
- Set out the potential next steps to achieve the project, including a fast-tracked assessment.

In accordance with responding to the strategic and site-specific merit for the future development, it is requested that the NSW Department of Planning, Industry and Environment (DPIE) formally amend the Penrith Lakes SEPP to allow for permissible development on the Site; thereby, formalising an appropriate planning approvals pathway, which would be facilitated by a future State Significant Development (SSD) Application.

Yours faithfully,



Chris Wilson  
Managing Director  
Willowtree Planning  
ACN 146 035 707

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### 1.0 Site Introduction

The Site is located at 100-278 Castlereagh Road, Penrith, and specifically includes the following allotments (and part allotments):

- Lots 540 and 541 in DP1131982;
- Lot B in DP374807; and
- Lot 4 in DP1013504.

It is noted that the Site forms part of a draft Plan of Subdivision and is identified as Lot 602 within the draft Deposited Plan (DP).

The Site comprises an approximate area of 41 ha. The Site exhibits a primary frontage to Old Castlereagh Road to the east, from which site access is facilitated. In its existing state, the Site consists primarily of cleared, vacant land. Since its historic use for a quarry, the land has been 'rehabilitated' through filling by the current Landowner, and Geotechnical Engineering Certification has been issued.

Being situated within Penrith Lakes, the site context exhibits a transitional character associated with multiple lakes, Nepean River, large areas of cleared land, parkland, Sydney International Regatta Centre, Penrith Whitewater Stadium, and other recreational and educational facilities. Pursuant to Penrith Lakes SEPP, certain land has been designated for 'employment' uses and it is understood that approval has recently been granted for development of a business park.

The Site and existing context are shown in **Figures 1** and **2** below.

The wider context of the site includes the suburbs and established employment areas within Penrith Local Government Area (LGA), and bushland and the Blue Mountains to the west. The Site is located approximately 5 kilometres (km) north-west of Penrith city centre, 20 km north of the future Western Sydney Airport, and 30 km west of the Parramatta City Centre.



**Figure 1. Cadastral Map (Source: SIX Maps 2021)**



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**Figure 2. Aerial Map (Source: Near Maps 2021)**

### 2.0 Concept Vision

The StudioWest vision is for a globally competitive film studio encompassing some of the world's largest and most technologically advanced infrastructure, which would seek to realise a world-class production potential.

The key objectives portrayed by StudioWest in light of the future proposal, would be to:

- *Further build on our strengths to ensure Sydney (and NSW in general) are world leaders in movie and television production;*
- *Ensure that NSW is in a position to capitalise upon the thriving global film and television industry;*
- *Create new, resilient jobs and ongoing employment-generation;*
- *Lease office space that will support the endeavour of high-tech media companies striving to make advancements in technologies within the entertainment space;*
- *Upskill the existing workforce in the latest cutting-edge technology;*
- *Educate new industry personnel (both technical and blue collar) through on-the-job training; and*
- *Increase capacity to service the present and growing demand for quality industry personnel through the establishment of a film academy on the studio site.*

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StudioWest would fuse production, workshop and office space, as well as a future tertiary educational establishment (via means of film academy), to attract, equip and train the world's best talent. This is represented in a three (3) phase masterplan, encompassing the following:

### **Phase 1:**

- Seven (7) sound stages of various sizes, including three (3) large-sized sound stages to rival the best studios in the world designed to attract international productions with budgets exceeding \$100 million, as follows:
  - Sound Stage One, with a massive footprint of approximately 4,750m<sup>2</sup>, making it one of the largest sound stages in the Southern Hemisphere and the world, and cutting-edge LED screen technology;
  - Sound Stage Two, with a footprint of approximately 3,700m<sup>2</sup>, making it the second biggest sound stage in Australia (after Stage One);
  - Sound Stage Three, with a footprint of approximately 2,500m<sup>2</sup>, making it comparable in size to a number of other large sound stages in Australia;
  - Sound Stages Four, Five Six and Seven will have various footprints to cater for local independent motion picture and television series productions;
- Budget style short-and-long-term accommodation – principally for general production personnel, cast, crew and Academy students; and visitors requiring accommodation within the Precinct;
- Screening room for production editorial works;
- Ancillary café(s) (food and drink premises);
- Exterior infinity water tank and interior water tank;
- Over 9,000m<sup>2</sup> of workshop space, including two (2) construction mills, an art department, costume and special effects workshops;
- Office space for production and ancillary businesses;
- Car parking for 1,000 vehicles;
- Studio reception;
- Audience holding area; and
- Guard house and perimeter security fencing.

### **Phase 2:**

- Three (3) additional sound stages of various sizes to meet local production demands;
- Doubling of production office space; and
- One (1) additional construction mill.

### **Phase 3:**

- StudioWest Film Academy, including dedicated studio space, lecture rooms, workshops, screening room, offices, café and campus grounds; and
- Additional production office space.

A Draft Concept Plan for the future proposal has been prepared and is located within **Appendix 1** of this SEPP Amendment Request.

## **3.0 'The Ask'**

### **3.1 Land Use and Permissibility**

An amendment to the Penrith Lakes SEPP is required to facilitate the permissibility of the proposed Film Studio.

The most relevant land use definitions would be 'Light Industry' and 'High Technology Industry' (including ancillary office space), with ancillary 'Food and Drink Premises' and a future 'Educational Establishment'.

The Site is currently zoned 'Tourism' (refer to the map extract at **Figure 3** below), for which Light Industries are currently prohibited in the Tourism zone under the Penrith Lakes SEPP.



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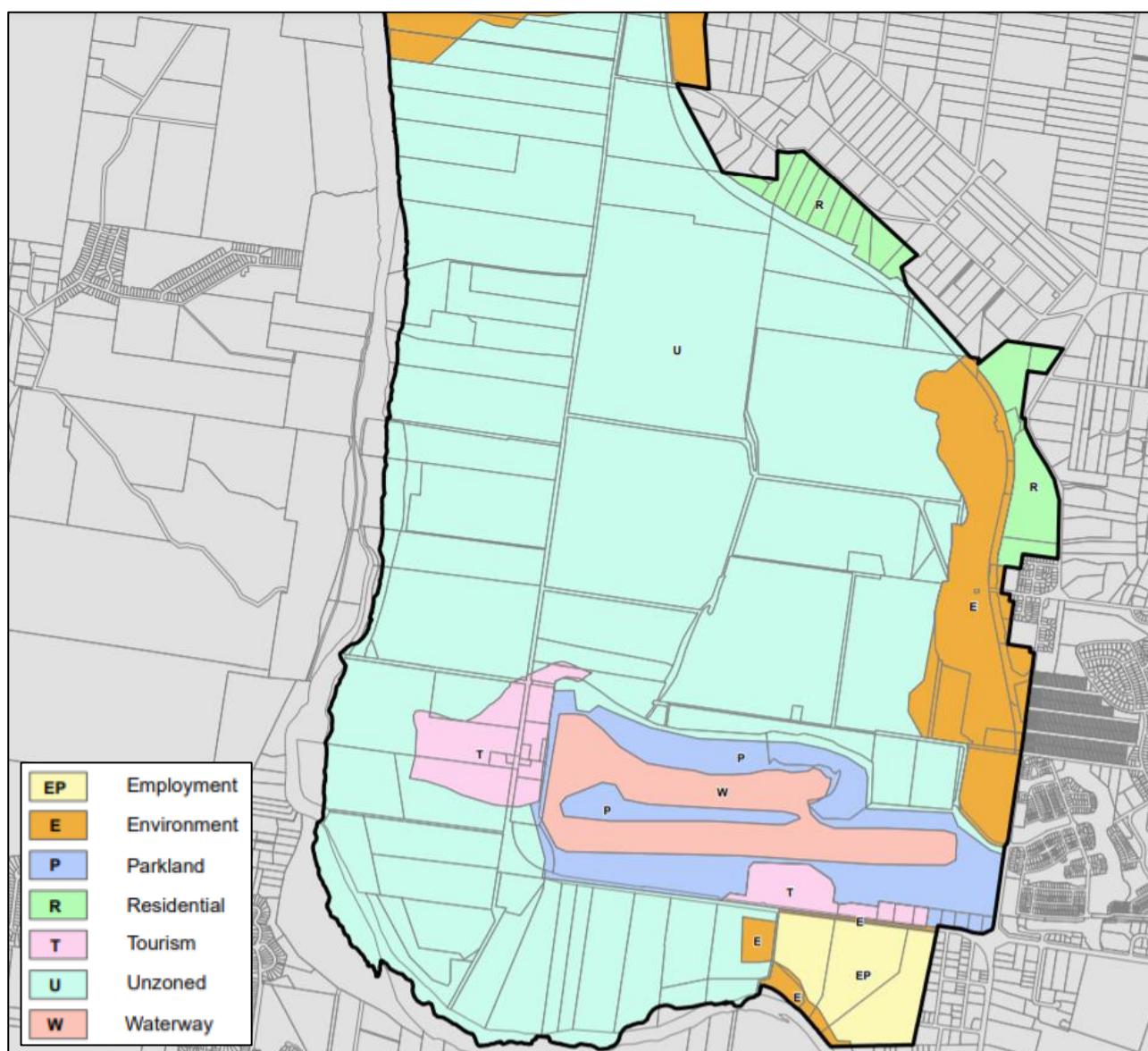
Proposed Film Studio

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Therefore, it is requested to amend the permissible land uses articulated within the Tourism zone, to allow the abovementioned future land uses to be 'permitted with consent'. Alternatively, the NSW DPIE could investigate the planning merit associated with rezoning the Site to Employment, for which all land uses would be able to be achieved as permissible development, as well as aligning more closely in terms of consistency with respect to the objectives of the zone.

Should the NSW DPIE rezone the Site for employment-related purposes, the future proposal would be able to achieve the Employment zone objectives through the provision of custom light industrial and high technology facilities, generating significant employment opportunities in film, high technology, the arts and creative sectors, production, light manufacturing and other associated industries. The proposal would also integrate complementary facilities (e.g. cafes) to meet the day-to-day needs of local workers.

Notwithstanding, should the Site retain its Tourism zoning (incorporating Additional Permitted Uses), it is considered that the objectives of the Tourism zone would be able to be achieved as a result of the future proposal.



**Figure 3. Zoning Map Applicable to the Site and Surrounding Area under *State Environmental Planning Policy (Penrith Lakes Scheme) 1989* (Source: NSW Legislation 2021)**

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### 3.2 Built Form Parameters and Development Controls

Following informal discussions with the NSW DPIE, it has been indicatively noted, that the future Penrith Lakes Development Control Plan being prepared, will include the following (potential for change) Development Controls to provide guidance and facilitate future development of the Site. These include:

- Landscaping – 30% over the Precinct<sup>1</sup>
- Site Coverage<sup>2</sup> – 25% built form
- Floor Space Ratio (FSR) – maximum of 0.75:1
- Height – maximum of 14 m
- Setbacks:
  - Old Castlereagh Road – 5-10 m;
  - Quarantine Lake – 100 m; and
  - Heritage Buildings – 10 m.

**Table 1** outlined below includes a comparative analysis of the requested Development Controls required to facilitate the future proposal against the indicative Development Controls to be incorporated into the Development Control Plan.

<b>Table 1: Development Controls Analysis</b>	
<b>Indicative Penrith Lakes Development Controls</b>	<b>Development Controls Required for the Future Film Studio</b>
Site Area = 41 ha	N/A
Site Area Above 1% AEP = 27 ha	20.55 ha (out of the 41 ha) for built form
Site Coverage = 25%	51% required (ideally 60% would be preferred as this is consistent with other industrial-related developments in the Western Sydney Region)
Maximum Building Height = 14 m	25 m required for Sound Stages (Warehouses)
Maximum FSR = 0.75:1	Noted. Future built form will likely comply with the 0.75:1 FSR
Setbacks: <ul style="list-style-type: none"><li>○ Old Castlereagh Road – 5-10 m;</li><li>○ Quarantine Lake – 100 m; and</li><li>○ Heritage Buildings – 10 m.</li></ul>	Noted. The future proposal (importantly the Proponent) is amenable to the indicative setback controls.

It is noted, that not all buildings forming part of the overall Masterplan would attain heights of up to 25 m, rather would be appropriately designed to represent an orderly and sequential development, for which the overall Masterplan and development outcome would provide a transitional development across the Site.

It is considered that the future proposal would undertake the relevant investigative studies to support an environmentally, ecologically and economically sustainable development, which would have positive impacts on the immediate and wider localities.

The Draft Concept Plan and Draft Phasing (Construction) Plan is provided in **Figures 4 & 5** below, as well as within **Appendix 1** of this Submission.

<sup>1</sup> Precinct being identified as the Tourism Zone, which comprises the full 41 ha.

<sup>2</sup> Site Coverage is the total area of built form apportioned to the total Site Area (41 ha).



**Figure 4 Draft Concept Plan Pertaining to the Subject Site (Source: Hatch-Roberts Day, 2021)**



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**Figure 5 Draft Phasing Plan (Construction Stages) Pertaining to the Subject Site (Source: Hatch-Roberts Day, 2021)**

### 4.0 Merit Assessment

To demonstrate that the proposal satisfies the strategic merit test and has site-specific merit, a preliminary assessment has been carried out in accordance with Step 2 of the NSW DPIE's *A Guide to Preparing Local Environmental Plans* to provide context and a clear justification pertaining to the request to formally amend the Penrith Lakes SEPP in order to support the future proposal for the purposes of a Film Studio.

#### 4.1 Strategic Merit

Strategic Merit is to be assessed on the basis of the following subheadings.

***Whether the proposal has strategic merit as it gives effect to the regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.***

##### ***Greater Sydney Region Plan and Western City District Plan:***

The future proposal – should the Penrith Lakes SEPP be amended – is considered to be consistent with the *Greater Sydney Region Plan- A Metropolis of Three Cities* (Region Plan) and the *Western City District Plan* (District Plan).

The Region Plan and District Plan both establish the vision for Greater Sydney as a 'Metropolis of Three (3) Cities', where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. Almost half of Sydney's projected population of some eight (8) million, will live west of Parramatta

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(Greater Sydney Commission, 2018). Accordingly, jobs, infrastructure and services, need to be rebalanced with a focus on the 'developing' Central River City and the 'emerging' Western Parkland City.

Greater Penrith and the Subject Site form part of the Western Parkland City, which is projected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056. The Western Sydney Aerotropolis and new city-shaping infrastructure will catalyse growth, and the Western Economic Corridor will be a focus for globally-significant industries and knowledge-intensive jobs.

Accordingly, the proposal would respond to the exponential growth and economic development targeted for Greater Penrith and the Western City District; and would complement the major government infrastructure investment by stimulating millions of dollars of direct investment in the region and thousands of jobs across a diversity of industry sectors.

In particular, the future development of the Site, for the purposes of a Film Studio would achieve the Productivity Priorities of the Region Plan and the District Plan. This would be achieved through the injection of significant investment, economic activity and jobs within the Western Sydney Region. Specifically, the future development would:

- Contribute to the creation of the '30-minute city' and deliver a liveable, productive and sustainable Western City, in particular through the provision of jobs close to homes and new infrastructure (Objective 14 of the Region Plan and Priority W7 of the District Plan).
- Promote the competitiveness of the Western Economic Corridor (Objective 16 of the Region Plan and Priority W7 of the District Plan).
- Serve as an economic catalyst within the Western Sydney Region, leveraging the industry opportunities afforded in association with the Aerotropolis (Objective 20 of the Region Plan and Priority W8 of the District Plan).
- Generate major investment and economic activity within the Greater Penrith metropolitan cluster/strategic centre (Objective 22 of the Region Plan and Priorities W9 and W11 of the District Plan).
- Foster the growth of targeted economic sectors (Objective 24 of the Region Plan and Priority W8 of the District Plan).

Further, the District Plan acknowledges the opportunity for new types of development within Penrith Lakes, including employment-related uses. This would be achieved by the proposed StudioWest proposal, for the purposes of a Film Studio, for which the requested SEPP Amendment could assist in facilitating the subject proposal come to fruition. In accordance with Priority W20 of the District Plan, the future development would carefully consider the flood characteristics of the Site and be designed accordingly. This would ensure that there is no built form proposed outside of the 1-in-100-year Flood Extent, as captured within the Draft Concept Plan prepared by Hatch/Roberts Day (refer to **Appendix 1**).

Overall, the proposal would be pivotal, as it would achieve the objectives and priorities of the Region Plan and District Plan, as they promote the growth and economic strength of the Western Parkland City. Accordingly, should the Penrith Lakes SEPP be amended, the future development would remain completely consistent with the Region and District Plans; thereby achieving the objectives of the strategic framework applicable to the Site and the wider Western Sydney Region.

### ***Corridor/Precinct Plans:***

It is understood that planning for Penrith Lakes is ongoing. However, no current or draft plans have yet been publicly exhibited by the NSW DPIE. Notwithstanding, the Proponent is amenable to collaborating with the

## SEPP Amendment Request

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NSW DPIE in order to achieve suitable Development Controls for the Site upon release and adoption of the future Penrith Lakes DCP – yet to be formally exhibited.

***Whether the proposal has strategic merit as it gives effect to a relevant local strategy that has been endorsed by the Department, such as the local strategic planning statement, housing strategy.***

### ***Local Strategic Planning Statement:***

The future development of the Site for the purposes of a Film Studio is consistent with Penrith's *Local Strategic Planning Statement* (LSPS).

The LSPS acknowledges the natural and recreational assets of Penrith Lakes (e.g. through the identification of 'significant green space' in the Structure Plan and under Priorities 16 and 18 of the 'Environment' chapter).

At the same time, the LSPS recognises the transitioning role of Penrith Lakes and the opportunities it poses to contribute to the growth of Greater Penrith. For example, the Structure Plan and map of 'key partners and opportunity areas' include the southern Penrith Lakes (including the Subject Site) as part of the Penrith to Eastern Creek Growth Area. Under Priority 12, future opportunities are identified for connections to Penrith City Centre, which is to provide over 45,000 jobs by 2036, for which the future proposal would seek to realise and contribute to the envisaged employment targets.

Furthermore, as part of Priority 14, Penrith Lakes is recognised as a tourism precinct, requiring protection and buffering from conflicting land uses and sensitive development. Priority 14 also highlights the importance of Penrith's arts and cultural industries, and promotes expansion and opportunities for new facilities.

In accordance with the LSPS' acknowledgement of the transitioning role of Penrith Lakes, the proposal would respond to the identified opportunities for growth, new jobs and connections to Penrith City Centre. In particular, the proposal would provide new facilities to foster the growth of the arts and creative industries via means of creation of a State-of-the-Art Film Studio.

At the same time, the proposal would reconcile with the environmental and tourism Priorities, as future development would be innovatively designed to improve the environmental qualities of the Site and mitigate against any offsite impacts. The proposal would be compatible with the existing and likely-future land uses and natural assets.

***Whether the proposal has strategic merit as it responds to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.***

As outlined above, the Region Plan, District Plan and LSPS emphasise the need to plan for growth and economic development, to enhance the productivity, sustainability and liveability of the Western City District. This is to be catalysed by the Western City Deal and Governments' major investment in city-shaping infrastructure, including Western Sydney Airport, the wider Western Sydney Aerotropolis, Western Sydney Metro, freight rail, motorways and road upgrades. The Western City Deal commits to create 200,000 new jobs across a wide range of industries over the next 20 years.

Accordingly, both the State and Local Government strategic plans establish the case for 'planning for positive change'.

The proposal responds accordingly to this mandate for exponential growth and development in the Western Sydney Region, namely by stimulating millions of dollars of direct investment in the region and thousands of jobs across a diversity of industry sectors.

## SEPP Amendment Request

Proposed Film Studio

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Specifically, the selection of Penrith Lakes as StudioWest's focus, responds to the strategic opportunities identified by the NSW Government for this area, whilst acknowledging that amendments to the planning controls are still in their infancy (yet to be publicly exhibited); however, nonetheless serving the purpose of this SEPP Amendment Request.

### 4.2 Site-Specific Merit

#### ***Whether the proposal has site-specific merit having regard to the natural environment (including known significant environmental values, resources or hazards).***

The Site is highly disturbed in its existing state, having been previously used in association with the quarry and is wholly cleared of vegetation, for which any future proposal on the Site would comprise the relevant ecological investigations (notably a Biodiversity Development Assessment Report (BDAR) given the future proposal would be pursued under the State Significant Development provisions). Accordingly, development of the Site would not cause the loss of any significant environmental values.

Notwithstanding, to determine the suitability of the Site for the proposed land uses with respect to the environmental qualities of the land and any hazards, a comprehensive suite of investigations is currently underway, and would be reported as part of the future Applications to be undertaken on the Site.

The Site Audit Statement (SAS) previously prepared, confirms that the Site is not the subject of a declaration, order, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*, and that the Site has not been notified to the NSW Environment Protection Authority under Section 60 of the *Contaminated Land Management Act 1997*. Furthermore, the SAS finds that, notwithstanding the potential for Asbestos Containing Material (ACM) in the form of fibre cement fragments in the soil at the Site, the incidence is not considered to preclude the suitability of the Site for a variety of land uses including commercial and industrial (as well as more sensitive residential and education uses), which would be completely consistent with the land uses proposed as part of any future development on the Site, for the purposes of a Film Studio. Notwithstanding, an Unexpected Finds Protocol is recommended to be implemented as part of any future proposal.

Additionally, the Site's development would create opportunities for future development to be designed in accordance with the principles of Environmentally / Ecologically Sustainable Development (ESD), influencing a modernised and State-of-the-Art development in line with best-practice and global standards setting a new benchmark for film production across both Australia and the wider globe.

Furthermore, in the *Desktop Flood Assessment* prepared by Costin Roe Consulting (2021), they reviewed the existing flood behaviour of the Site, to inform the existing flood extents applicable to the Subject Site (refer to **Appendix 2**).

The assessment found that approximately 27 ha of land is positioned (and available) above the 1% AEP water level that could be utilised for the future development of the Site in accordance with the Blue Book, current Penrith City Council Engineering Guidelines and Development Controls pertaining to flooding. Accordingly, the Draft Concept Plan (refer to **Appendix 1**) has been prepared in accordance with the potential available land above the 1% AEP to remain completely consistent with the preliminary flood investigations. It is noted, that the future development would include a comprehensive Stormwater Management Strategy, including an assessment

Costin Roe note, that the assessment demonstrates the land becomes isolated from flood waters between the 5% (1-in-20-year ARI) and 2% (1-in-50-year ARI) storm events. Furthermore, the flood modelling demonstrates that a PMF Event would fully inundate the whole of the development site by up to 6.5 m in depth. Consideration towards operational and safety requirements would be undertaken through extensive consultation with the NSW DPIE, Council, SES and any other key stakeholder as part of a future development to ensure the appropriate measures could be implemented to provide a safe development outcome in the instance an emergency evacuation was ever required. Notwithstanding, Costin Roe consider that there would



## SEPP Amendment Request

Proposed Film Studio

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be significant warning time available for occupants to safely egress from the Site during a major storm and prior to a flooding event; however, the potential impacts on operations due to a shut down would require further consideration.

As part of the SEPP Amendment, the Proponent is keen to understand any flooding provisions to be incorporated into the Penrith Lakes SEPP.

***Whether the proposal has site-specific merit having regard to the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal.***

The established land uses within Penrith Lakes are primarily recreational, and it is understood that approval has recently been granted for a new business park on Employment-zoned land to the southeast of the Penrith Lakes. It is understood that likely future uses on surrounding sites would similarly include recreational facilities (including a golf course) and employment uses. The proposed Film Studio would not compromise the ongoing or future operations of any of the surrounding land uses. Rather, the proposed Film Studio would seek to support existing and proposed land uses where possible.

It is noted that the Site is significantly distanced from any sensitive or residential land uses (noting that the buildings to the east provide short-term conference accommodation only), and that substantial buffering is provided by waterbodies, parkland, bushland, and nearer development. Accordingly, the proposed Film Studio (inclusive of 24/7 operations) would not unacceptably impact on residential amenity.

***Whether the proposal has site-specific merit having regard to the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.***

All essential services and infrastructure would be provided in conjunction with the future development of the site, for which a Service Infrastructure Assessment Strategy would be undertaken with relevant infrastructure providers to determine the likely servicing requirements for the Site. Investigations are currently underway and would be reported as part of the future Applications.

### 4.3 Summary of Merit Assessment

The merit assessment demonstrates that the future development of the Site, for the purposes of a Film Studio for the Proponent (StudioWest), exhibits strategic merit and site-specific merit, for which the Penrith Lakes SEPP could be amended as requested throughout this Submission to satisfactorily accommodate the future proposal.

The proposal is considered to be consistent with the key State, Regional and Local strategic plans, as they relate to Penrith Lakes, Greater Penrith and the Western Sydney Region, including the Western City District and Penrith. Importantly, the proposal would respond to major government infrastructure investment in the Aerotropolis and would complement the exponential growth and economic development targeted for the Western Sydney Region, by stimulating millions of dollars of direct investment in the region and thousands of employment opportunities across a diversity of industry sectors.

The proposal would be compatible with the natural environment, surrounding land uses and built form (existing and future), and infrastructure (existing and future).

### 5.0 Next Steps and Conclusion

#### 5.1 Approvals Pathway

To achieve the vision and deliver on the strategic merit of the proposal, the following approvals pathway and amendments have been drafted in order to provide the NSW DPIE a clear understanding of the intended delivery of the subject proposal:



## SEPP Amendment Request

Proposed Film Studio

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1. Penrith Lakes SEPP Amendment – to achieve the outcomes to allow for permissible development for the purposes of a Film Studio (including ancillary uses).
2. Early works Development Application (DA). It is noted that, pursuant to Clause 6(a) of Penrith Lakes SEPP, the consent authority would be the Minister. However, should it be deemed appropriate, as well as not impact the time the Proponent can begin works, this component could be undertaken as one (1) standalone SSD Application.
3. SSD Application (concurrent with the SEPP Amendment – noting the Application cannot be approved until such a date as the DCP has been considered), noting that the proposal would exceed the \$30 million threshold for cultural facilities (film production, the television industry or digital or recorded media) pursuant to Clause 13(1)(a) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The SSD Application would include a masterplan and first phase of built form (but would not be intended as a Concept DA pursuant Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act)).
4. Separate DAs (or SSDAs) for subsequent phases of the development.

It is requested that the NSW DPIE confirm their preference for the above applications to be undertaken, or identify any other preferred options / appropriate pathways to ensure a coordinated and streamlined approach can be achieved in the most efficient manner.

It is also considered that the future proposal would satisfy the criteria for fast-tracked assessments (upon being formally lodged) in accordance with the NSW Government's Planning System Acceleration Program once the future SSD Application has been accepted by the NSW DPIE. The priority project criteria is achieved as follows:

### 1. **Jobs:**

- StudioWest would deliver an estimated 300 construction jobs.
- Subsequently, *each* major production could employ up to 2,000 extras (over a period of 6-9 months).
- Approximate employment details for a large-scale feature utilising all of the studio facilities for 9-12 months, are as follows:
  - Full-time equivalent jobs (FTEs): 1,200-1,500;
  - Casual jobs: 500 crew for 4,000-5,000 days;
  - Extras/crowd: 20,000 days; and
  - Cast: 1,000 days.
- Additional employment generation would be catalysed as StudioWest would utilise the services of hundreds of local businesses (for example, transport, hospitality, equipment manufacturers, service providers, IT).

### 2. **Timing:**

- StudioWest is motivated to commence work on the Site as soon as possible. This ambition has motivated the approvals pathway outlined above, with the intent of the early works DA being to allow for ground works to commence even before the amendment and approval of the concurrent SSD Application.
- All environmental and other relevant assessments would be completed upfront, prior to lodgement of the Applications, thereby supporting a fast-tracked assessment and approval by the NSW DPIE.
- In accordance with the fast-track criteria, the project would be able to commence work within six (6) months of approval. Given the intent of lodging the SSD Application concurrently to the SEPP Amendment, there would be no lag between the amendment and SSD Application.
- Project funding is currently in the process of being secured, with StudioWest presently seeking a \$30 million government grant. The remaining funds would be provided via debt finance and private equity investors.

## SEPP Amendment Request

Proposed Film Studio

100-278 Old Castlereagh Road, Penrith

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### 3. **Public Benefit:**

- The proposal would deliver public benefit, and exhibits strategic merit, on the basis of achieving the envisioned development of Penrith Lakes, complementing the major government infrastructure investment in the Western Sydney Aerotropolis, and revitalising Penrith as part of Greater Sydney's 'Metropolis of Three Cities'.
- The proposal would protect the environmental and scenic qualities of Penrith Lakes, whilst allowing for the redevelopment and productive use of a highly disturbed site.
- The proposal would deliver services infrastructure, which may also assist in catalysing other development within Penrith Lakes.

It is acknowledged that the project would need to be 'in the system' in order to be selected for fast-track assessment. Notwithstanding, it is requested that the NSW DPIE commence preliminary consideration of the fast-track potential for the project.

### 5.2 **Documentation Checklist**

It is requested that the NSW DPIE nominate the items that would be required to support the early works DA, and the subsequent SSD Application (noting SEARs would be requested for the SSD Application).

### 5.3 **Concluding Statement**

In accordance with responding to the strategic and site-specific merit for the proposal as demonstrated in this Letter, it is requested that the NSW DPIE invite the preparation of the SEPP Amendment and subsequent SSD Application.

Yours faithfully,



Chris Wilson  
Managing Director  
Willowtree Planning  
ACN 146 035 707





# StudioWest

Concept Plan  
February 22 2021








**HATCH** | RobertsDay



# StudioWest

Concept Plan

HATCH | RobertsDay

-  Site Boundary
-  1 in 100 year, 1% AEP flood extent
-  Heritage
-  Site entry
-  Evacuation point
-  Sound Stage
-  Construction mill
-  Infinity tank and Deep tank pools
-  Film Academy
-  Accommodation
-  Offices



Scale: 1:4000 @ A3

0 metres 50 100 150 200 250





# StudioWest

Phasing Plan

HATCH | RobertsDay

-  Phase 1
-  Phase 2
-  Phase 3



Scale: 1:4000 @ A3

0 metres 50 100 150 200 250



10 February 2021

Archile Projects

**Attention: Mr Mike Davies**

304/147 King Street

SYDNEY NSW 2000

Dear Sir,

**Re: Proposed Lot 602 & 608, Penrith Lakes, Penrith  
Desktop Flood Assessment**

**Introduction**

Further to your request we have completed a desktop review of flooding relating to two parcels of land. Our assessment is to be considered as part of the due diligence for the potential purchase, rezoning and development of the land.

The purpose of the review is to understand the development potential of the properties and flood behaviour relating to the Nepean River and surrounding Penrith Lakes.

The subject land is included in the draft Deposited Plan (DP) for the Upper Castlereagh Subdivision. The relevant lot being Lot 602 in the draft DP. The existing lots and part lots which make up proposed Lot 602 are Lots 540 & 541 in DP1131982, Lot B in DP374807 and Lot 4 in DP1013504. Lot 608 of the draft DP is also under option and commented on in this letter.

The land is shown outlined Knight Frank Property Brief as shown indicatively in **Figure 1**, noting that proposed Lot 602 is in the foreground and Lot 608 in the rear ground.



**Figure 1. Development Sites**

### **Background**

Our desktop review is based on the following documents:

1. Penrith City Council Nepean River Flood Study (Advisian, 2018);
2. Castlereagh Subdivision Draft Deposited Plan;
3. LIDAR Survey;
4. PLDC Upper Castlereagh Urban Works As Executed Plan (Craig & Rhodes, 28 Nov. 2018);
5. Penrith City Council DCP Part C3;
6. Knight Frank Property Brief; and
7. NSW Floodplain Development Manual.

*The Penrith City Council Nepean River Flood Study (Advisian, 2018), will be referred to as The Nepean River Study from hereon.*

Acronyms used throughout this letter are as follows:

- AEP – Average Exceedance Probability
- AHD – Australian Height Datum
- ARI – Average Recurrence Interval
- PMF – Probable Maximum Flood
- RL – Relative Level.

### **The Property and Flood Behaviour**

The property is located within the Penrith Lakes precinct, on the western side of Regatta Lakes, and east of Quarantine Lake.

The site is relatively flat and levels within site are shown in the work as executed and Lidar surveys to be generally in the order of RL 22.5-22.75m AHD. The ground levels grade away from the main pad area toward the perimeter of the site.

The key features of the Penrith Lakes area are shown in **Figure 2**, as included in the *Nepean River Study*.

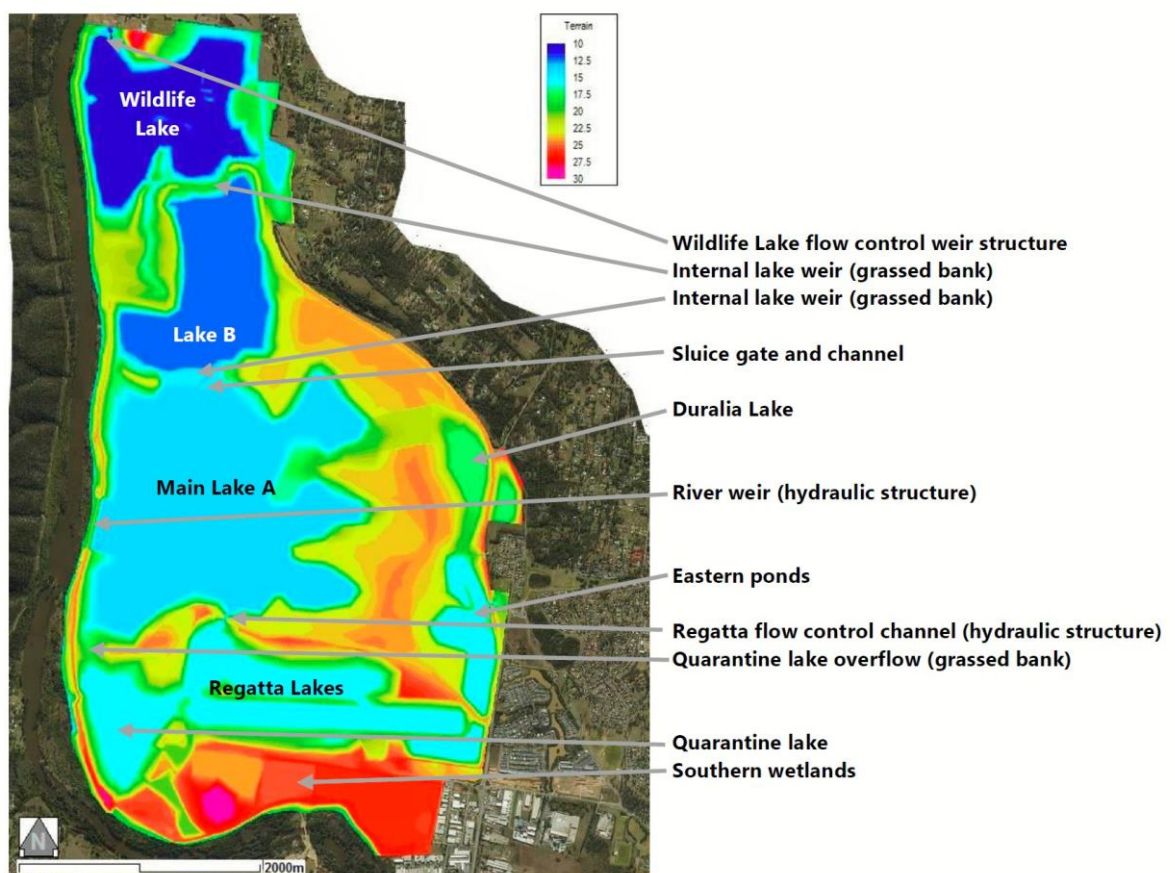


Figure 12 - Penrith Lakes features

### **Figure 2. Penrith Lakes Features (*Nepean River Study* 2018)**

There are several key hydraulic structures which link the lakes and the Nepean River. The main connecting hydraulic control is the river weir on the western side of Main Lake A which links the lake to the river. The whole of the Penrith Lakes precinct provides significant benefit in the



form of flood storage to the river, as such however results in large portions of the precinct being affected by flooding.

With reference to the flood level drawings (sourced from *the Nepean River Study*) included in **Enclosure 2**, flooding within the precinct begins through overtopping of the Main Lake A river weir, before progressively overtopping and breaking out into the surround lakes to the north and south.

The subject land will have large proportions which are not affected by the 1% AEP flood level. Although the site has large proportions above the 1%, it does however become landlocked in events below the 1% AEP. The *Nepean River Study* shows the site will become landlocked between a 5% and 2% AEP event.

The flood levels noted for the Main Lake A and adjacent to the site are included in **Table 1**. Flood extent can be observed in **Enclosure 1** and **2**.

**Table 1. Flood Levels for various AEP/ ARI events.**

Event	Flood Level (m AHD)	Depth of Water Above RL 22.5m AHD (m)
5% AEP (1 in 20yr ARI)	NA	NA
2% AEP (1 in 50yr ARI)	20.3	NA
1% AEP (1 in 100yr ARI)	21.98	NA
0.5% AEP (1 in 200yr ARI)	22.77	0.27
0.2% AEP (1 in 500yr ARI)	23.77	1.27
0.1% AEP (1 in 1000yr ARI)	25.71	3.21
PMF	29.02	6.52

As can be seen from the above and in **Enclosure 1** and **2**, the properties are generally above the flood level until the 0.5% AEP event. The site becomes fully inundated after the 0.2% event, so this is a rare occurrence event. The sites become landlocked between the 5% AEP and 2% AEP events.

### **Assessment of Development Potential and Flood Planning Requirements**

Penrith Councils DCP Part C3 requires development to consider flood planning requirements for habitable and permanent buildings to be constructed at 0.5m above the 1% AEP level. This would enable development of approximately 27Ha of the development site. Further consideration to flow paths for the larger (and rarer) 0.5% AEP event need to be considered in addition to the flood planning requirements noted above.

Filling within areas which are below the 1% AEP event flood level can be permissible to Council and are considered on a merit based approach. The merit based assessment will depend on the location of the development, flood behaviour of the area and ensuring a number of technical criteria are met (as included in DCP Part C3). It is anticipated that development and or filling within areas below the 1% AEP would not be favourable to Council of DPIE in this

precinct and for due diligence purposes would not allow for any development in areas which are flood affected in the 1% AEP event.

We further advise that the *Nepean River Study* notes that “*Flood planning levels within the bounds of the Penrith Lakes Scheme are under consideration by the NSW State Government as a part of SEPP 1989.*” The final flood planning requirements and levels for this site would need to be confirmed through consultation with the department and Council.

### **Flood Safety and Operational Considerations**

As discussed in earlier sections of this letter, the site is noted to become landlocked in flood events greater than the 5% AEP event. A flood safety and evacuation strategy would need to be agreed with DPIE and Council as part of the rezoning package. This would need to consider egress and evacuation routes, flood and evacuation triggers, flood behaviour including rate of rise and timing of flood events.

The rate of rise of floodwater in the Nepean River is quoted at a maximum of 0.4m/hr. Based on the water levels shown in the *Nepean River Study*, it would be anticipated that there would be around 3-4hrs between the Main Lake A weir being breached, and the site being landlocked. It would be expected that significant warning time (BOM and SES Alerts) would be available for egress prior to the Main Lake A weir being breached and as such safe egress of occupants from the site would be expected to be available.

Operational requirements of the site would also need to be considered, noting that flood warnings could necessitate closure of operations when significant rainfall or flood potential rainfall is forecast. Operational closure could be expected to occur in more instances than realised flooding occurrences.

Further, consideration to structural designs would also be required for building structures on the land. This would require resilience to flood velocity and debris in addition to the normal loading requirements of Australian Standard AS1170.

### **Conclusion**

A desktop review of a parcel of land in Penrith Lakes has been made to assist with the due diligence for the potential purchase of the property and potential for rezoning and development of the land. The review shows that approximately 27 Ha of land is available above the 1% AEP water level that could be utilised for development under the current Council DCP.

The assessment also shows however that the land becomes isolated from flood waters between the 5% (1 in 20yr ARI) and 2% (1 in 50yr ARI) storm events. Further, the flood modelling shows that a PMF event would fully inundate the whole of the development land by up to 6.5m depth. Consideration to operational and safety requirements will need to be made by the vendor to ensure that their operational requirements are met within the subject land. We would consider that there would be significant warning time available for occupants to safely egress from the site during a major storm and prior to a flooding event, however impact on operations due to shut down potential needs to be made.

The land is subject to SEPP 1989 and we understand that at the time of writing the flood planning requirements for Penrith Lakes are not fully defined. Clarity on the flood planning requirements will need to be sought from relevant state and Council bodies to fully understand permissible development on the land.

We trust the information contained herein meets your current needs. Please contact the undersigned if further clarification of any points in this letter are required.

Yours faithfully,

**COSTIN ROE CONSULTING PTY LTD**

A handwritten signature in dark ink, appearing to read 'M. Wilson', with a stylized, flowing script.

**MARK WILSON** MIEAust CPEng NER  
Director

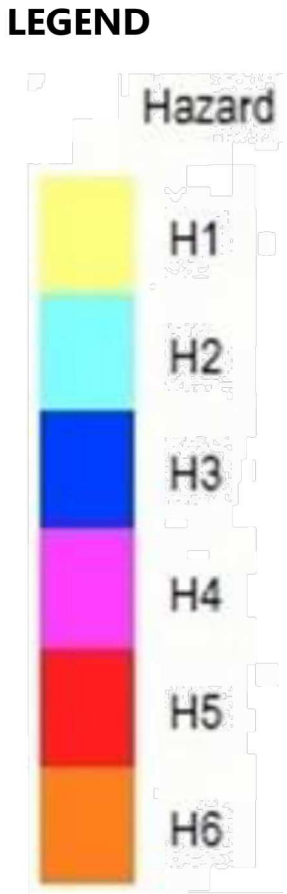
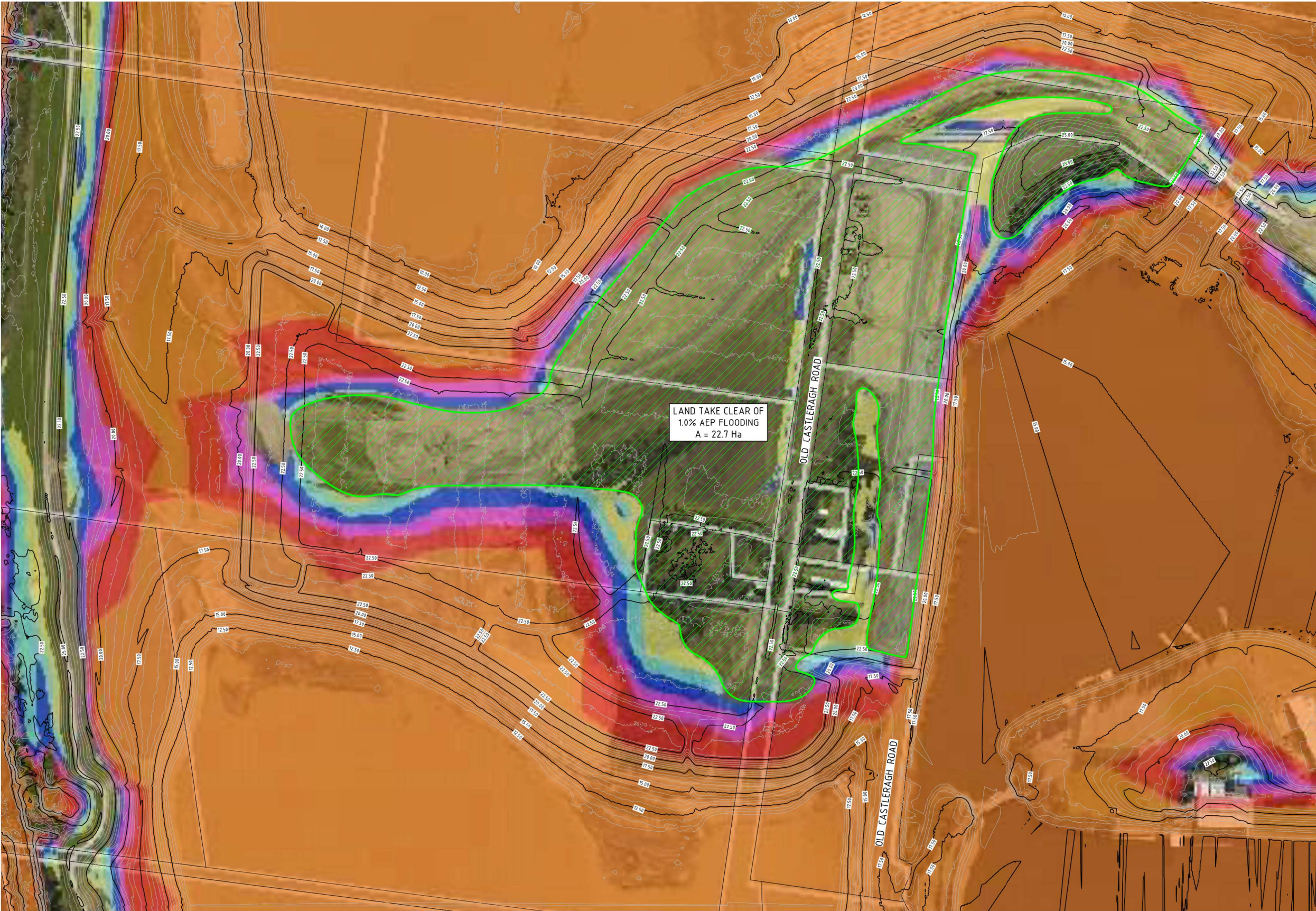
Encl. 1. Costin Roe Sketches  
2. Nepean River Study Flood Depth Maps.


**ENCLOSURE 1**  
**COSTIN ROE CONSULTING SKETCHES**

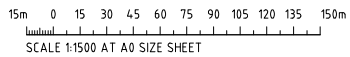






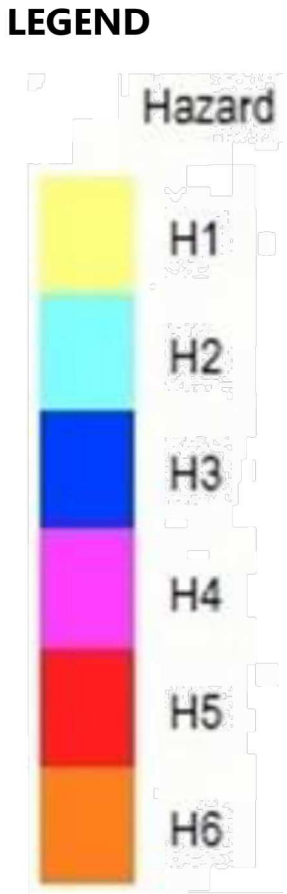
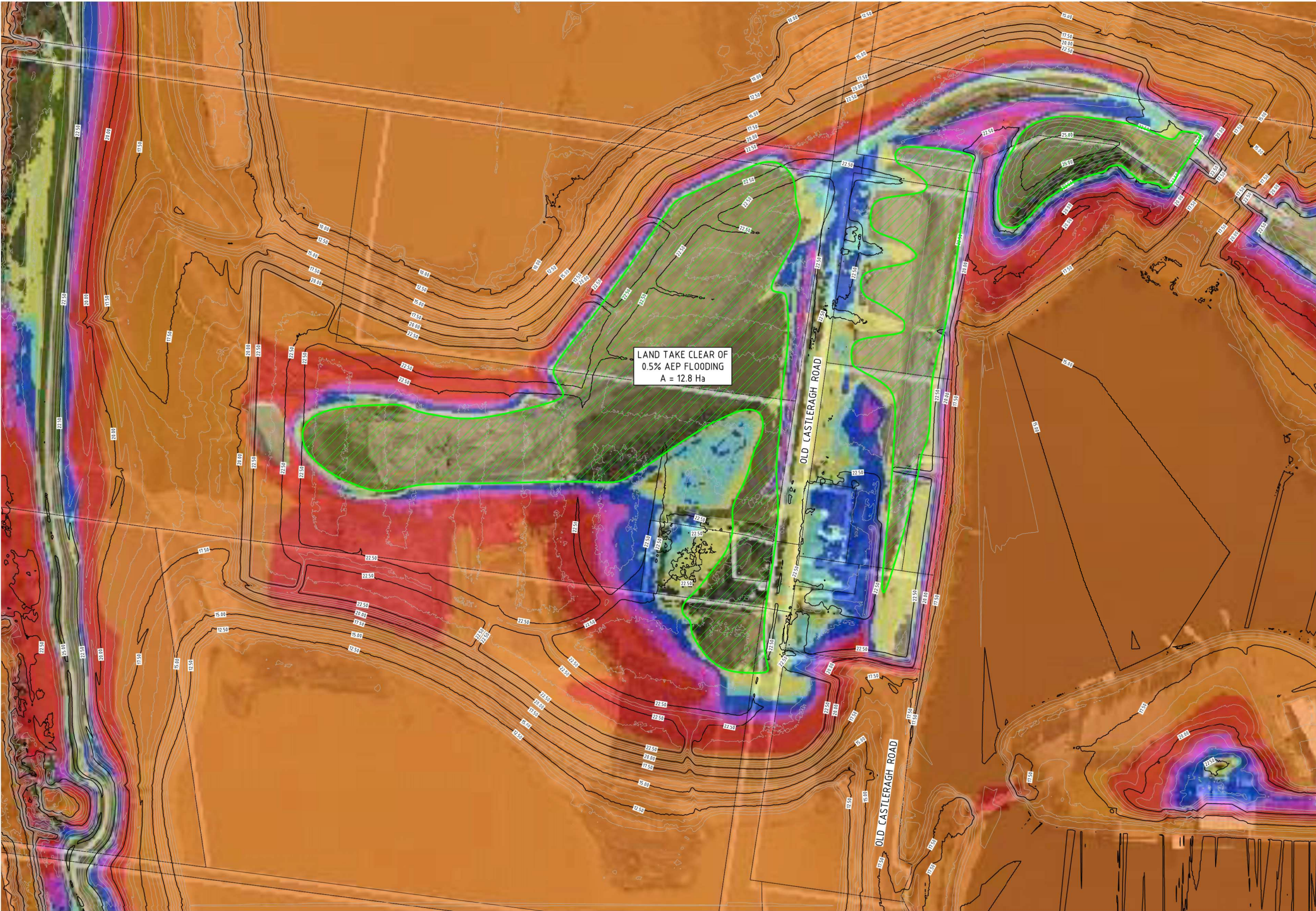


 PLAN SHOWING EXTENT OF 1.0% AEP FLOOD EXTENT  
SCALE 1:1500

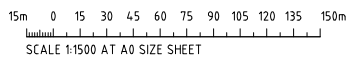


ISSUED FOR INFORMATION			ARCHITECT			CLIENT			PROJECT			Costin Roe Consulting Pty Ltd. Consulting Engineers Level 1, 8 Windmill Street Wahbi Bay, Sydney NSW 2000 Tel: (02) 8651-7000 Fax: (02) 8641-3721 email: mail@costinroe.com.au ©			Costin Roe Consulting			DRAWING TITLE PLAN SHOWING EXTENT OF 1.0% AEP FLOOD EXTENT		
AMENDMENTS	05.02.21	A	AMENDMENTS	DATE	ISSUE	AMENDMENTS	DATE	ISSUE	DESIGNED	DRAWN	DATE	CHECKED	SIZE	SCALE	CAD REF:	PRECISION	COMMUNICATION	ACCOUNTABILITY	DRAWING NO	ISSUE
									MW	JS	FEB '21	XC	A0	AS SHOWN	C014353.00-SK11				C014353.00-SK11	A





PLAN SHOWING EXTENT OF 0.5% AEP FLOOD EXTENT  
SCALE 1:1500



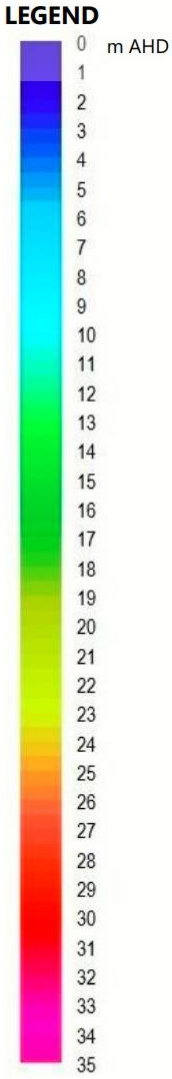
ISSUED FOR INFORMATION			ARCHITECT			CLIENT			PROJECT			Costin Roe Consulting Pty Ltd. Consulting Engineers Level 1, 8 Windmill Street Wahbi Bay, Sydney NSW 2000 Tel: (02) 8651-7000 Fax: (02) 8641-3721 email: mail@costinroe.com.au ©			Costin Roe Consulting			DRAWING TITLE PLAN SHOWING EXTENT OF 0.5% AEP FLOOD EXTENT		
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**ENCLOSURE 2**  
**FLOOD LEVELS AND MAPS PER HAWKESBURY-NEPEAN FLOOD STUDY 2018**



5% AEP (1 IN 20YR ARI)  
FLOOD LEVELS AND EXTENT



**NEPEAN RIVER  
FLOOD STUDY**

**Flood Level  
Surface  
20 year ARI**

MAP 016\_B

Scale 1:20,000 [A3]

5/11/2018  
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Maps-r1.docx



**2% AEP (1 IN 50YR ARI)  
FLOOD LEVELS AND EXTENT**



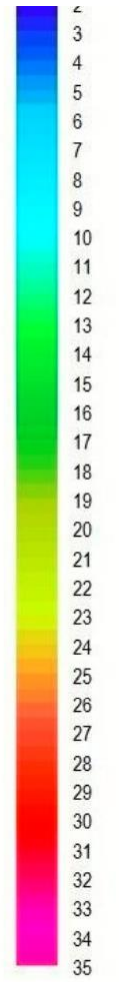
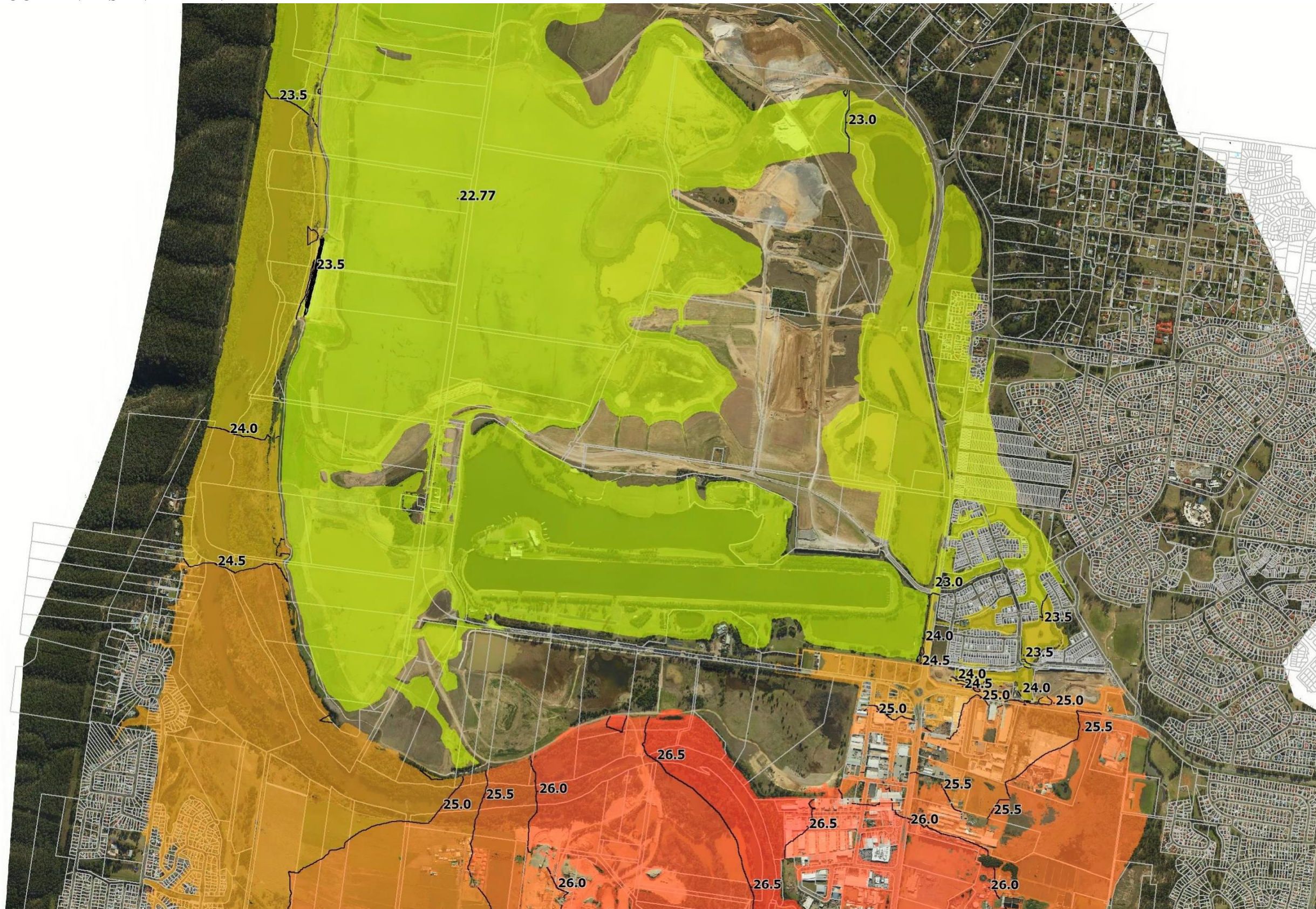


**1% AEP (1 IN 100YR ARI)  
FLOOD LEVELS AND EXTENT**





**0.5% AEP (1 IN 200YR ARI)  
FLOOD LEVELS AND EXTENT**



**NEPEAN RIVER  
FLOOD STUDY**

**Flood Level  
Surface  
200 year ARI**

MAP 019\_B

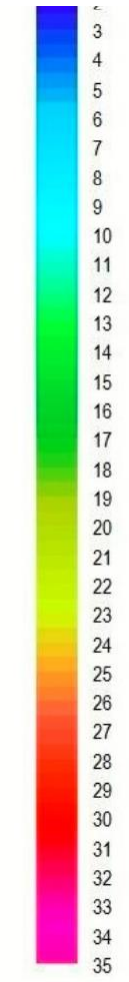
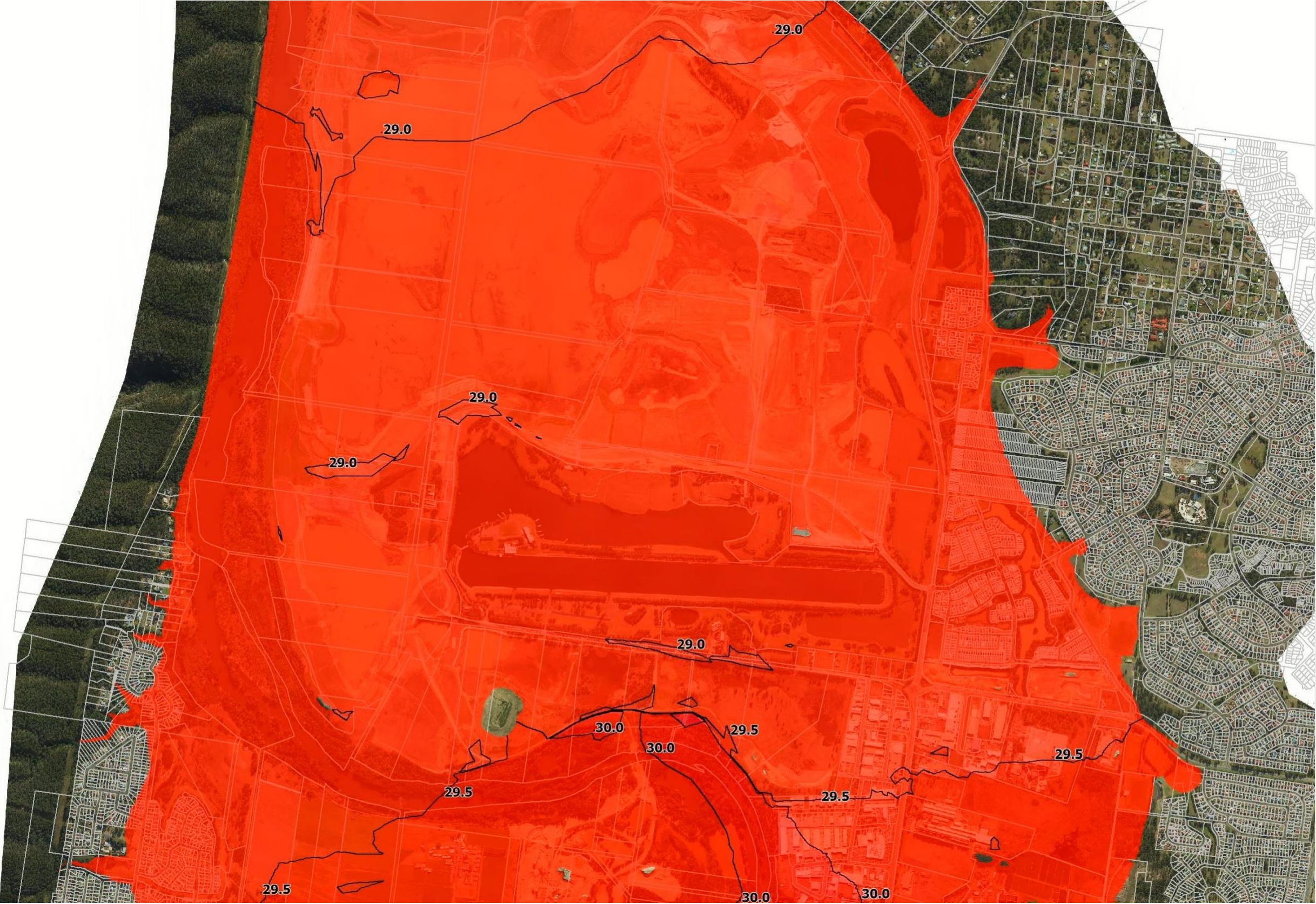
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5/11/2018  
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Maps-r1.docx

**PENRITH**  
CITY COUNCIL



PMF  
FLOOD LEVELS AND EXTENT



NEPEAN RIVER  
FLOOD STUDY

Flood Level  
Surface  
PMF

MAP 023\_B

Scale 1:20,000 [A3]

5/11/2018  
rp301077-14401-dmc-FS-  
Maps-r1.docx

PENRITH  
CITY COUNCIL



19 May 2021



Santina Camroux  
Director Resilient Places  
Department of Planning, Industry and Environment  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

Dear Santina

**Amendments to State Environmental Planning Policy (Penrith Lakes Scheme) 1989 - Proposed Office Site and zone boundary alignment**

**1. Introduction**

- 1.1 We understand that the NSW Department of Planning, Industry and Environment (the **Department**) are currently considering amendments to the Penrith Lakes SEPP which, among other changes, may facilitate:
- (a) an additional permitted use of "office premises" at the new Penrith Lakes Development Corporation office site shown on the plan at **Annexure A** (the **Office Site**); and
  - (b) realign existing zone boundaries with cadastral boundaries in the western Tourism zone shown on the plan at **Annexure B** (together, the **Amendments**).
- 1.2 The purpose of this letter is to highlight the strategic merit of the Amendments and outline how the Amendments may be realised through only minor changes to the existing State Environmental Planning Policy (Penrith Lakes Scheme) 1989 (**Penrith Lakes SEPP**).

**2. Strategic benefit of the Amendments**

Office Site

- 2.1 The primary instrument guiding and realising strategic outcomes at Penrith Lakes is the Penrith Lakes SEPP. The Penrith Lakes SEPP sets out a number of aims directed at the operation and desired outcomes of the instrument. Two of these aims are extracted as follows:
- (a) *to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,*
  - (b) *to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.*
- 2.2 The introductions of "office premises" as an additional permitted use at the Office Site would be directly consistent with these aims:

- (a) identifying land to be used for purposes that compliment and support other land uses permitted in the tourism zone; and
- (b) supporting the ongoing operation and use of Olympic legacy infrastructure by delivering office facilities capable enhancing the ongoing development and administrative efficiency of facilities throughout the region.

2.3 "Office premises" as an additional permitted use at the Office Site would also contribute positively to the realisation of the objectives set out under the "Greater Sydney Region Plan: A Metropolis of Three Cities" (GSRP). In particular, *Objective 22: Investment in business activity in centres*. In describing this objective the GSRP states:

*As Greater Sydney's population grows over the next 20 years, there will be a need for ... additional stand-alone office developments to accommodate a significant increase in office jobs. For Greater Sydney to remain competitive the market needs to be able to deliver this floor space in an efficient and timely manner.*

- 2.4 The need for stand-alone office development is a consistent theme throughout the GSRP.
- 2.5 Similar statements are found in the Western City District Plan, which highlights the growing need for additional office floor space over the next 20 years.
- 2.6 We also believe the provision of office space (on a limited basis) within the Tourism Zone promotes the "orderly and economic use and development of land", a key object set out in section 1.3 of the *Environmental Planning and Assessment Act 1979 (EPA Act)*. The Office Site will provide the administrative infrastructure necessary to facilitate broader development and investment throughout the Tourism zone.
- 2.7 In our view, the introduction of "office premises" as an additional permitted use at the Office Site is consistent with the aims of the Penrith Lakes SEPP, the objects of the EPA Act, the objectives of the GSRP and the planning priorities of the Western City District Plan. We believe the Amendments demonstrate clear strategic merit.

#### Zone Boundaries

- 2.8 Ensuring that zone boundaries are aligned with cadastral boundaries is, in our view, a strategic necessity for promoting development envisaged under the Penrith Lakes SEPP and key strategic plans that apply to Penrith Lakes.
- 2.9 The realignment of zone boundaries for the western Tourism zone (as shown at **Annexure B**) contributes to the following aim of the Penrith Lakes SEPP:

*... identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land*

- 2.10 It is logical that from time to time changes to cadastral boundaries at a Site such as Penrith Lakes would result in amendments to zone boundaries. Such an amendment allows the strategic objectives of previous rezoning to be accurately translated into real life development outcomes.
- 2.11 The realignment of zone boundaries is also consistent with the following objects at section 1.3 of the EPA Act:

...

*(c) to promote the orderly and economic use and development of land,*

...

*(g) to promote good design and amenity of the built environment*

- 2.12 If the zone boundaries were to remain in their current position, it may have the effect of sterilising development on a number of sites to the north and west of the relevant Tourism zone. In turn, this may result in poor amenity and urban design outcomes throughout the region.
- 2.13 In our view, the realignment of zone boundaries for the western Tourism zone is consistent with the aims of the Penrith Lakes SEPP, the objects of the EPA Act and will allow development to respond to broader strategic needs set out in the GSRP and the Western City District Plan. We believe the Amendments demonstrate clear strategic merit.

### 3. Alignment with existing statutory planning regime

#### Office Site

- 3.1 Subject to the proposed zone boundary realignment, the Office Site is located within the Tourism zone under the Penrith Lakes SEPP (as shown at **Annexure A**). Office Premises are prohibited in the Tourism zone.
- 3.2 While it would be possible to rezone the Office Site to the Employment Zone (in which "office premises" are permitted with consent), we consider that it would be strategically preferable for "office premises" to be introduced as an additional permitted use at the Office Site.
- 3.3 In our view, an additional permitted use is strategically preferable in the context of the broader Penrith Lakes SEPP because the objectives of the Tourism zone would still apply to development at the Office Site. As such, development at the Office Site would be required to demonstrate consistency with the following objectives:
- (a) *To provide for a variety of tourist-oriented development and related uses.*
  - (b) *To provide for diverse tourist and visitor accommodation and activities that are compatible with the promotion of tourism in Penrith that utilises the public assets of the Penrith Lakes Scheme.*
  - (c) *To create an appropriate scale that maintains important views to and from the Nepean River as well as to the Blue Mountains escarpment, while also improving important connections to the Penrith City Centre and the Nepean River.*
- 3.4 Although "additional permitted use" clauses are common in other environmental planning instruments, there is no such clause currently found in the Penrith Lakes SEPP. In our view, if such a clause were to be introduced, it could be introduced as a miscellaneous provision in part 6 of the Penrith Lakes SEPP and would likely read along the following lines:
- (1) Development on particular land that is described or referred to in subclause (2) may be carried out with development consent.*
  - (2) Development for the purposes of an office premises is permitted with development consent on the land shown as Site 1 on the Additional Permitted Use Map.*
  - (3) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.*
- 3.5 In the event the proposed additional permitted use for the Office Site is included as part of upcoming SEPP amendments an additional permitted uses map can be provided for inclusion with the exhibition material.

Zone Boundaries

3.6 In order to give effect to the proposed zone boundary alignments it would be necessary to update Land Zoning Map (Sheet LZN 001) as part of the proposed SEPP amendments.

3.7 We would be happy to provide input in preparing the updated Zoning Map if this would be of assistance.

We trust that the above is of assistance to the Department and welcome the opportunity for further consultation on this matter.

Yours faithfully



Jacqueline Vozzo  
Chief Executive Officer  
**Penrith Lakes Development Corporation Limited**



## Annexure A

Location of proposed Office Site



Penrith Lakes Development Corporation Ltd

Old Castlereagh Road,  
Castlereagh NSW 2749

PO Box 457,  
Cranebrook NSW 2749

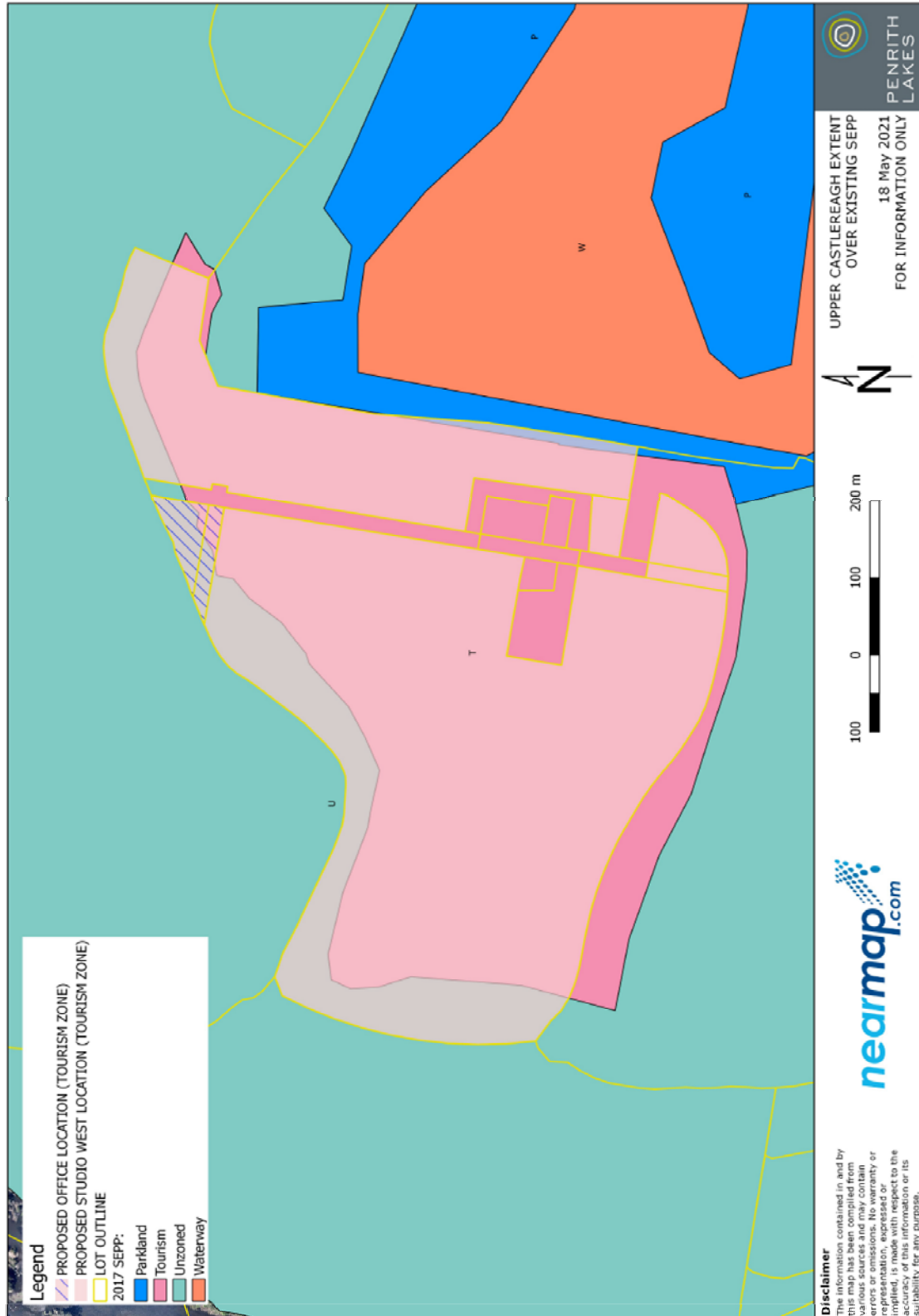
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## Annexure B

### Proposed zone boundary realignment



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22 February 2021



Santina Camroux  
Director Resilient Places  
Department of Planning, Industry and Environment  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

By Email: [Santina.Camroux@planning.nsw.gov.au](mailto:Santina.Camroux@planning.nsw.gov.au)

Dear Santina,

**Amendments to State Environmental Planning Policy (Penrith Lakes Scheme) 1989 - Proposed Golf Course at Penrith Lakes**

**1. Introduction**

- 1.1 We understand that the NSW Department of Planning Industry and Environment (the **Department**) are currently considering amendments to the Penrith Lakes SEPP which, among other changes, may facilitate a rezoning of the proposed golf course site shown on the plan at **Annexure A** (the **Site**). The purpose of this letter is to highlight the strategic merit of such a rezoning and outline how this may be achieved under the existing land use zones of State Environmental Planning Policy (Penrith Lakes Scheme) 1989 (**Penrith Lakes SEPP**).

**2. The Site**

- 2.1 The Site is located toward the southern extent of Penrith Lakes (refer to **Annexure A**).
- 2.2 The Site is bound by Nepean River to the west and south, Sydney International Regatta Centre and the Southern Wetlands to the north, and undeveloped land zoned for employment uses to the east.

**3. Strategic benefit of the proposed golf course**

- 3.1 The primary instrument guiding and realising strategic outcomes at Penrith Lakes is the Penrith Lakes SEPP. The Penrith Lakes SEPP sets out a number of aims directed at the operation and desired outcomes of the instrument. Two of these aims are extracted as follows:
- (a) *to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,*
  - (b) *to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.*
- 3.2 A golf course at the Site would be directly consistent with these aims:
- (a) identifying land to be rezoned for tourism purposes (noting that as set out in section 4 the proposed use is permitted with consent in this zone); and



- (b) supporting the ongoing operation and use of olympic legacy infrastructure by delivering another state of the art sporting and community facility in the general proximity of the Sydney International Regatta Centre and Penrith Whitewater Stadium.
- 3.3 A golf course on the Site would also contribute positively to the realisation of the objectives set out under the "Greater Sydney Region Plan: A Metropolis of Three Cities" (GSRP). In particular, we highlight the following:
- (a) *Objective 7: Communities are healthy, resilient and socially connected;*
  - (b) *Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods; and*
  - (c) *Objective 25: The coast and waterways are protected and healthier.*
- 3.4 In describing these objectives, it is clear that the GSRP emphasises the role of sporting participation as an important social and recreational pursuit capable of building resilience and social connections in diverse communities. A golf course would complement the existing sporting infrastructure that is at the heart of Penrith Lakes' identity, directly aligning with the description of Penrith Lakes as "a world-class sporting and recreational facility" under the GSRP.
- 3.5 Similarly, a golf course at the Site would be consistent with the planning priorities of the Western City District Plan. In particular, we note the following:
- (a) *Planning Priority W3: Providing services and social infrastructure to meet people's changing needs*
  - (b) *Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities*
- 3.6 In describing these planning priorities the Western City District Plan:
- (a) highlights the role of sport and recreational facilities in facilitating integrated and targeted delivery of services and infrastructure; and
  - (b) recognises the ability of sport and an active lifestyle to provide social, cultural and health benefits to the community.
- 3.7 A golf course at Penrith Lakes would enhance the availability of sporting and recreational land uses, providing a recreational community facility capable of promoting healthy lifestyles through provision of open space and connections to the natural environment.
- 3.8 In our view, a golf course at the Site is directly consistent with the aims of the Penrith Lakes SEPP, the objectives of the GSRP and the planning priorities of the Western City District Plan. We believe that the alignment of the proposed use with these instruments and plans illustrates clear strategic merit.

#### **4. Alignment with existing statutory planning regime**

- 4.1 There are multiple options available to the Department in realising the proposed use at the Site. The use of the Site as a golf course (including any ancillary buildings or facilities such as a club house, driving range or car parking) would be categorised as a "recreation facility (outdoor)", defined as:
- a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range ... or any other building or place of a like character used for outdoor recreation (including any ancillary buildings) ...*
- 4.2 A "recreational facility (outdoor)" is permitted with consent in the Tourism zone under the Penrith Lakes SEPP as are other complimentary uses such as "function centres". If the Site were to be rezoned for Tourism purposes, it would be open to the land owner to lodge a development application for a golf course and the Minister would be the relevant consent authority.

4.3 As shown at **Annexure A**, the proposed golf course location would allow:

- (a) land to the south and west of the Site, adjacent to the Nepean River, available to be zoned for Environment or Parkland purposes; and
- (b) the Southern Wetlands area to the north to be zoned for Environment or Waterway purposes.

4.4 The use of adjoining land for such purposes would create an environmental buffer around the Site, improving ecological connectivity and contributing positively to the realisation of outcomes detailed in key strategic instruments.

We trust that the above is of assistance to the Department and welcome the opportunity for further consultation on this matter.

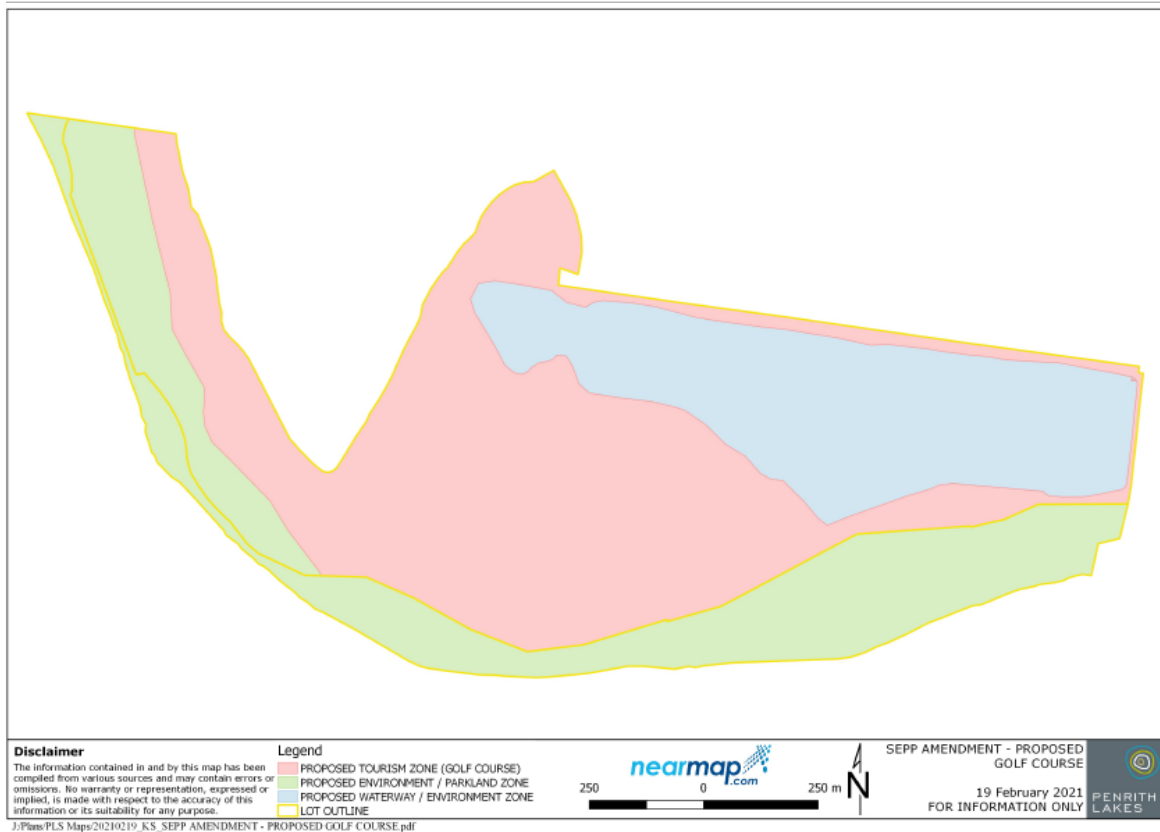
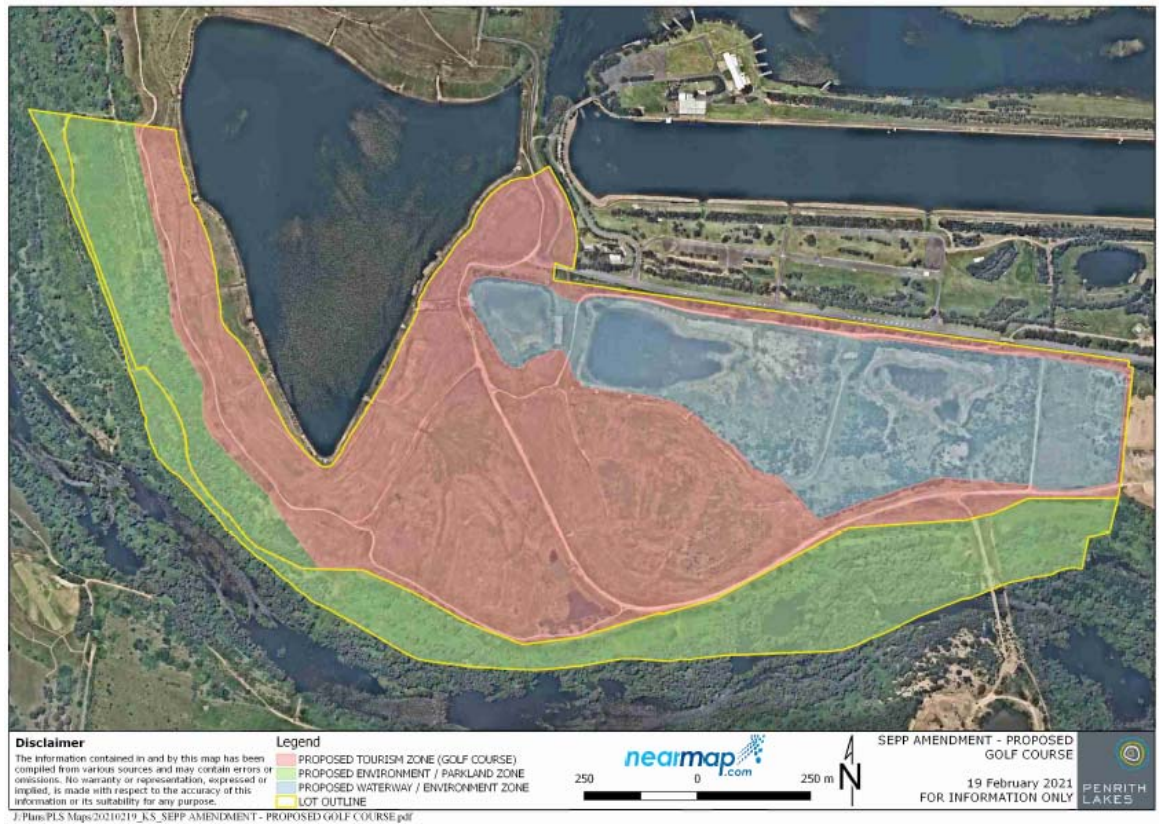
Yours sincerely,



Jacqueline Vozzo  
Chief Executive Officer  
**Penrith Lakes Development Corporation Limited**

## Annexure A

### Location of proposed gold course site



#### Penrith Lakes Development Corporation Ltd

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22 February 2021



Santina Camroux  
Director Resilient Places  
Department of Planning, Industry and Environment  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

By Email: [Santina.Camroux@planning.nsw.gov.au](mailto:Santina.Camroux@planning.nsw.gov.au)

Dear Santina,

## Amendments to State Environmental Planning Policy (Penrith Lakes Scheme) 1989 – Landers Inn

### 1. Introduction

- 1.1 We understand that the NSW Department of Planning Industry and Environment (the **Department**) are currently considering amendments to the Penrith Lakes SEPP which, among other changes, may facilitate a rezoning of Landers Inn at Lot 3 DP 1255572 (the **Site**) for tourism purposes. This letter highlights the strategic merit of such a rezoning and provides guidance on the sort of land uses this may facilitate under the State Environmental Planning Policy (Penrith Lakes Scheme) 1989 (**Penrith Lakes SEPP**).

### 2. Strategic benefit of the proposed rezoning

- 2.1 The Penrith Lakes SEPP is the primary instrument guiding strategic outcomes at Penrith Lakes. The Penrith Lakes SEPP sets out a number of aims directed at the operation and desired outcomes of the instrument. Two of these aims are extracted as follows:
- (a) *to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,*
  - (b) *to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.*
- 2.2 Rezoning the Site for tourism purposes would be directly consistent with these aims:
- (a) identifying land to be rezoned for tourism purposes; and
  - (b) allowing the site to be used for a range of land uses that are capable of complimenting and supporting olympic legacy infrastructure at Penrith Lakes.
- 2.3 Importantly, Landers Inn is regarded locally as a rare 19th century inn with the sandstone stables and it is the only remaining property that addresses the northern remnant of Castlereagh Road with its two Canary Date Palms at the entrance providing a prominent visual landmark. Allowing a historic landmark such as Landers Inn to be used in a manner that observes the Site's legacy whilst contributing the aims and strategic outcomes of Penrith Lakes Scheme represents a positive planning outcome which is likely to have significant community support.
- 2.4 The adaptive reuse of European Heritage items such as Landers Inn is consistent with the "Greater Sydney Region Plan: A Metropolis of Three Cities" (**GSRP**) and the Western City District Plan, which both contain the following direction:

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*Sympathetic built form controls and adaptive reuse of heritage are important ways to manage the conservation of heritage significance. Respectfully combining history and heritage with modern design achieves an urban environment that demonstrates shared values and contributes to a sense of place and identity. This is particularly important for transitional areas and places experiencing significant urban renewal, where it is necessary to take account of the cumulative impacts of development on heritage values.*

- 2.5 Landers Inn (or portions thereof) are identified as a European Heritage item in Schedule 2 of the Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation). Rezoning the Site to facilitate the contemporary use for a historical landmark will contribute positively to the strategic growth of Penrith Lakes.
- 2.6 In our view, the rezoning of Landers Inn for tourism purposes is directly consistent with the aims of the Penrith Lakes SEPP and the strategic goals set out under the GSRP and the Western City District Plan. We believe the alignment of the proposed use with these instruments and plans illustrates clear strategic merit.
- 3. Alignment with existing statutory planning regime**
- 3.1 The Site is currently comprised of part unzoned land and a small extent of environment zoned land under the Penrith Lakes SEPP. We propose that the Site be rezoned for tourism purposes to achieve the strategic benefits outlined above.
- 3.2 Without limiting the potential land uses that may be achieved at the site, we believe its use for one or more of the following would be capable of realising the strategic outcomes described in section 2:
- (a) food and drink premises (such as a pub or restaurant);
  - (b) function centre; and/or
  - (c) tourist and visitor accommodation.
- 3.3 Each of these land uses are permitted with consent in the Tourism zone under the Penrith Lakes SEPP. The use of the Site for any of these uses would be consistent with the objectives of the Tourism zone by:
- (a) contributing to the variety of tourist-oriented development at Penrith Lakes;
  - (b) providing for diverse tourist and visitor accommodation and activities that are compatible with the promotion of tourism in Penrith that utilises the public assets of the Penrith Lakes Scheme; and
  - (c) maintaining important views to and from the Nepean River as well as to the Blue Mountains escarpment, while also improving important connections to the Penrith City Centre and the Nepean River.

We trust that the above is of assistance to the Department and welcome the opportunity for further consultation on this matter.

Yours sincerely,



Jacqueline Vozzo  
Chief Executive Officer  
**Penrith Lakes Development Corporation Limited**