



NSW GOVERNMENT
Department of Planning

Office of the Director General

DGC06/1532

Mr Geoff Brown
Convenor
ADI Resident Action Group
PO Box 4134
Werrington NSW 2747

Dear Mr Brown

I refer to your letter of 15 August 2006 on behalf of the ADI Residents Action Group concerning progress in the creation of jobs at the ADI site and the Department's role in this matter as convenor of the Employment Development Strategy Committee.

As you know the St Marys Employment Development Strategy (EDS) estimates that there will be approximately 5300 workers resident on the fully developed ADI site, and that that would require the generation of approximately the same number of jobs to meet the objective outlined in clause 32(1) of Sydney Regional Environmental Plan 30.

I can confirm that the target of 5300 jobs was endorsed in March 2005 by the EDS Committee. I can also assure you that the Department is concerned to continue to work with the site developers and local councils to ensure that this target is achieved.

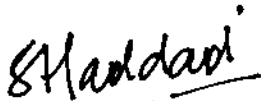
However, I feel it necessary to point out that the development of the whole of the ADI site is estimated to take at least fifteen years to complete and it is therefore reasonable to expect that the generation of jobs will also occur over that time span.

At this stage of development, with construction of the first houses in the first precinct just getting under way, and with no residents on site, Delfin Lend Lease has demonstrated reasonable progress in meeting the objectives of Clause 32(1) of Sydney Regional Environmental Plan 30.

Sydney Regional Environmental Plan 30 makes provision for seventy three hectares of industrial employment land. It will be important that this land is properly planned, released and brought onto the market to ensure the employment opportunities can grow alongside residential opportunities.

Finally, I can assure you that the Department will continue to work with its partners on the EDS Committee to discuss and monitor progress towards the achievement of employment targets for the ADI site.

Yours sincerely

A handwritten signature in black ink, appearing to read "S Haddad". The signature is written in a cursive style with a horizontal line underneath the name.

Sam Haddad
Director General

31/8/2006.

Geoff Brown
Convenor
ADI Residents Action Group
PO Box 4134
WERRINGTON NSW 2747

Tuesday, 15 August 2006

Mr Sam Haddad
Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

RE: Complaint to ICAC and NSW Ombudsman – ADI Site Employment Development Strategy Committee

Dear Mr Haddad,

The NSW Ombudsman's Office has encouraged me to write to you about what the ADI Residents Action Group (ADI RAG) perceives to be a clear case of maladministration by Planning NSW in ensuring 5300 permanent jobs are created at the ADI Site by Delfin Lend Lease (DLL) and that the method of accounting for these jobs figures is fully transparent and above all honest.

Planning NSW is meant to be responsible for chairing an Employment Development Strategy (EDS) Committee to oversee DLL's EDS. The Committee was to comprise members of Planning NSW, Premiers Dept, Dept of State and Regional Development, Penrith and Blacktown Councils.

Correspondence about this matter was sent to the Premier and the Planning Minister (attached) last month. The Premier apparently referred this matter to the Planning Minister, who then referred it to the Premiers Dept who then referred it to the Ombudsman. This snapshot of the confusion surrounding who's responsible for this Committee is at the core of the matter as it appears DLL is once again self regulating and being able to get away with abusing the requirements of various State Planning Instruments and Deeds.

This complaint was also lodged with ICAC last month.

I do not wish to go into too much detail in this letter about the complaint. Please refer to the attached letters and by visiting our website to find out the nature of our complaint.
<http://www.adisite.org/Delfinsdodgyemploymentfigures.html>

The EDS Committee must be serious about ensuring these 5300 jobs are legitimately created. It must not allow DLL to claim jobs figures it had no part in creating. The Ropes Crossing Skilling and Employment Centre DLL created – which one assumes was endorsed by the Planning NSW EDS Committee - is clearly a case of DLL setting out to rot this process. The issues raised about Home Based Business jobs and the definition of 'Surrounding Land' also needs addressing.

I can be contacted on 0431 222602 for further clarification.

Regards,



Geoff Brown

Our reference: C/2006/5395
Contact: Maya Borthwick
Telephone ☎: 02 9286 0969

Level 24 580 George Street
Sydney NSW 2000
Phone 02 9286 1000
Fax 02 9283 2911
Tollfree 1800 451 524
TTY 02 9264 8050
Web www.ombo.nsw.gov.au
ABN 76 325 886 267

11 August 2006

Mr Geoff Brown
Convenor
ADI Residents Action Group
PO BOX 4134
WELLINGTON NSW 2747

Dear Mr Brown

Your complaint about the Department of Planning

I refer to your complaint received in this office on 3 August 2006. Your complaint relates to the development of the ADI site in St Mary's. As part of the St Mary's Development Agreement 2002, Sydney Regional Environmental Plan 30 St Mary's, and the St Mary's Environmental Planning Strategy, Delfin Lend Lease committed themselves to providing a certain number of jobs. You are concerned that the company is now attempting to shirk that responsibility by distorting employment figures in the area.

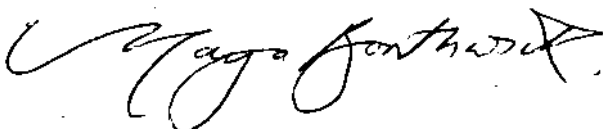
You originally sent your complaint to the Premier who forwarded it to the Minister of Planning for his attention. The Minister for Planning then forwarded the complaint to the Premiers Department, who forwarded the complaint to this office. It seems that there has been some degree of confusion about in whose area of responsibility your complaint lies.

This office is not empowered to investigate allegations of wrongdoing by Ministers of Parliament or by their staff. We can however investigate the administrative conduct of New South Wales government departments, agencies and local councils where there is evidence of wrong conduct.

If you wish to pursue the matter, I recommend you refer your complaint, in writing, to the Director General of the Department of Planning Mr Sam Haddad. I have attached a letter of referral from this office to help you in lodging your complaint. This office is generally recognised as one of last resort. As a matter of policy we expect the agency concerned to be given a chance to review the matter and consider what action to take in response to it before we will become involved.

We generally allow an agency four to six weeks to respond to our inquiries. If Mr Haddad does not respond within this timeframe or if the response does not adequately deal with your concerns and there is good evidence of wrong conduct, you can contact this office again. We would then consider that evidence and the need to make inquiries about your complaint.

Yours sincerely



Maya Borthwick
Complaints Officer
For the Ombudsman

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11 August 2006

Mr Sam Haddad
Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Haddad

Complaint by Mr Geoff Brown about the Department of Planning

Mr Geoff Brown has complained to the Ombudsman about the development of the ADI site in St Mary's. As part of the St Mary's Development Agreement 2002, Sydney Regional Environmental Plan 30 St Mary's, and the St Mary's Environmental Planning Strategy, Delfin Lend Lease committed to provide a certain number of jobs. Mr Brown is concerned that the company is now attempting to shirk that responsibility by distorting employment figures in the area.

I have told Mr Brown that we require an agency to first be given a chance to review the matter and consider whether any action is necessary. I have advised Mr Brown to send a written complaint directly to you and have provided this letter to be forwarded with it.

Could you please review this matter and advise Mr Brown directly of the result. There is no need to inform us of the outcome of your review at this time.

I have invited the complainant to write to us again if he is not satisfied with your review. The matter would then be assessed on its merits.

Yours sincerely



Maya Borthwick
Complaints Officer
For the Ombudsman