

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

14th July 2006

The Hon. Frank Sartor MP
Minister for Planning
Governor Macquarie Tower
Level 34, 1 Farrer Place,
SYDNEY NSW 2000

RE: ADI Site - Planning NSW Employment Development Strategy Committee allows developer to fudge jobs figures

Dear Minister,

This matter I am about to explain has already been referred to the Premier for his consideration (letter attached below) but I have since found out that the formation of and responsibility for the St Marys Employment Development Strategy Committee, according to the NSW Governments *St Marys Development Agreement* with Delfin Lend Lease, rests with your department. Essentially it is your Committee.

The concern centres around the commitment by the NSW Government, which is enshrined in: Sydney Regional Environmental Plan 30 St Marys (SREP 30), St Marys Environmental Planning Strategy 2000 (EPS 2000) and the St Marys Development Agreement 2002 (SMDA), that 5300 ongoing jobs will be created by Delfin Lend Lease (DLL) on site and on surrounding lands. That the ADI Site development will not result in more dormitory suburban sprawl. That the ADI Site would be a model development.

The NSW Government committed that it would ensure that these 5300 ongoing jobs were created. DLL were required to develop an Employment Development Strategy (EDS) for the whole site. Your department was to form an EDS Committee comprising of; Planning NSW, Penrith and Blacktown Councils, the Department of State and Regional Development, the Premier's Department and any Commonwealth Government organisation considered relevant by the Planning Minister. The Committee had to approve the EDS before Diane Beamer announced the first Release Area in 2003. The Committee was to also regularly monitor the implementation of the the EDS by DLL to ensure that they were achieving the target of 5300 ongoing jobs. Your Committee is the one responsible for ensuring this happens.

The ADI Residents Action Group (ADI RAG) and others in the community remain sceptical, despite the EDS, that 5300 ongoing jobs (this does not mean construction jobs) can be generated by this development. We claim that DLL can only meet or exceed these figures if they somehow rort the process of accounting for the 5300 jobs. And this already appears what they are doing.

You may have heard that DLL were awarded a Western Sydney Industry award for 'Outstanding Community Contribution' by the Premier and Diane Beamer. The award was because they have set up an employment agency called the Ropes Crossing Skilling and Employment Centre in St Marys. They act in the same way as any other employment agency and link their members to jobs - **They don't create jobs they link people to jobs already created by others.** Within 12 months they have linked 333 people to jobs. We questioned why DLL would bother to set up an employment agency fearing they were going to somehow use this to get away with reducing their 5300 ongoing jobs target. Personal communication I have had with Judith Field of DLL, she is in

charge of meeting the 5300 target, confirmed that is exactly what is happening. They intend to claim the jobs found by the Ropes Crossing Skilling and Employment Centre as jobs generated by the development of the ADI Site, and subtract these figures from the 5300 target. **This is an outrageous rort** which appears to have been approved by your Committee. The Premier and Diane Beamer, embarrassingly, are somewhat implicated in this rort by rewarding DLL for an enterprise which was established purely to rort a process enshrined by State Planning Legislation.

Judith Field also states they intend to further reduce the 5300 target by claiming anyone buying land that is self employed as an ongoing job generated by the development. SREP 30 states the ongoing jobs must be onsite and on 'surrounding land'. The definition of 'surrounding land' is unclear and it gives DLL great scope to claim any job created within the Blacktown and Penrith LGA as one generated by the development of the ADI Site.

The issue with claiming self employed people (home based business employees) as a job generated by the development is that these self employed persons are merely relocating their established place of business (ATO definition) to a new address. A person conducting a home based business could change address once a year for example, does that mean in 10 years 10 new jobs have been created. The answer is **NO**. DLL should only be allowed to claim any home based business jobs as being generated by their development if that business was registered with Fair Trading or the ATO after the date they moved onto the ADI Site.

The scope afforded DLL by SREP 30 in that the 5300 jobs must be created onsite and on 'surrounding land' needs to be reassessed. How can they be allowed to claim any job created within the Blacktown and Penrith LGA as one of theirs. This link is to the Employment Planning Discussion Paper on the Penrith Council website http://www.penrithcity.nsw.gov.au/uploadedFiles/Website/Planning_&_Development/On_Exhibition/DISCUSSION%20PAPER%20June2006.pdf A footnote on page 59 of the discussion paper states:

5 The St Marys Development Employment Development Strategy assumes that 'surrounding areas' constitute the remainder of the Penrith and Blacktown Local Government Areas – refer to page 63 of the report.

My endeavours to find out about the EDS Committee and how they are allowing DLL to think they can get away with this jobs rort has not been very rewarding. I have written the Mayors of both Penrith and Blacktown Councils, the Premier, I have spoken to people at Blacktown Council, the Dept and State and Regional Development, staff of Planning NSW at Redfern, the Greater Western Sydney Economic Development Board at Parramatta and thus far no one knows who the individuals are that comprise the EDS Committee, when they last met or if any minutes of meetings are publicly available. If there is a EDS Committee no one seems to know anything about it. Is the Committee DLL?

I would like you to take this matter on board as this appears a case of maladministration by your department. DLL appear to be self regulating and rorting the conditions enshrined in various legal planning documents and agreements. I have referred this matter to ICAC.

I invite someone from your office to contact me on 0431 222602 for further clarification.

Regards,

Geoff Brown
Convenor
ADI Residents Action Group