

The City as a Social Place

7 ADI Site, St Marys - Request by Delfin Lend Lease for Declaration of Remaining Precincts on the ADI Site as Release Areas

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Strategic Program Term Achievement: *Timely delivery of services to new release areas is being secured.*
Critical Action: *Prepare and implement services and infrastructure delivery plans for each new release area that ensures that the early establishment of services and facilities match community needs.*

Purpose:

To inform Councillors of the receipt from the Minister for Planning of a formal request by Delfin Lend Lease (DLL) seeking the declaration of the remaining precincts on the ADI site as release areas. The Department of Planning (DoP) has invited Council to make a submission on the request.

The report recommends that Council support in principle the request by DLL, however seek the Department's support to introduce specific mechanisms to require the developer to demonstrate a staged delivery of infrastructure and other services for the development.

Background

In June 2003 the Minister for Western Sydney, the Hon Diane Beamer MP, declared the Eastern Precinct (Blacktown) and the Dunheved North and Dunheved South Precincts (Penrith and Blacktown) as the first release areas for the former ADI Site. This enabled urban and employment development to proceed in those precincts.

The Eastern Precinct Plan was approved by Blacktown City Council in March 2004. Development has since commenced on that precinct. Blacktown Council approved the Dunheved North Precinct Plan in June 2006. Council considered a report regarding the Dunheved South Precinct Plan at its Policy Review Committee Meeting on 22 May 2006. Discussions are advancing with DLL (DLL) to finalise the draft Planning Agreement for exhibition.

DLL has now formally requested that the Minister for Planning declare the remaining precincts as Release Areas as soon as possible. This includes the Western and Central Precincts within Penrith LGA and the Ropes Creek Precinct within Blacktown LGA. A map of the release area precincts is appended to this report, along with a copy of the letter from DLL to the Minister.

Statutory Planning Framework

The three key documents guiding the development of the site are:

- Sydney Regional Environmental Plan No 30 – St Marys (SREP 30);
- St Marys Environmental Planning Strategy 2000 (EPS); and
- St Marys Development Agreement.

SREP 30

SREP 30 provides the statutory planning framework for the development and planning of the site. The provisions of Clause 7.2(a) of SREP 30 permit the Minister for Planning to declare a precinct as a release area provided the following matters have been considered:

- (a) The views of Council and relevant public authorities;
- (b) The degree to which the requirements of any development agreement that relates to any previous release areas have been met;
- (c) The degree to which development in any previous release has achieved the performance objectives in Part 5 of this plan.

EPS

The EPS identifies performance objectives and corresponding strategies to achieve the performance objectives. The strategies provide details of specific actions to be undertaken by government, the developer and the community.

St Marys Development Agreement

The St Marys Development Agreement provides a description of facilities and services to be provided by the developer and Government to meet the performance objectives, the timing of the development or facilities and services and the responsibilities for service and facility provision.

In general, the principal purpose of the staged release area declaration process is to ensure that there is adequate performance on the part of the developers in achieving the objectives and requirements of the adopted plans. In this regard, the Minister must consider the degree to which previous precincts have achieved the performance objectives contained in SREP 30 and also the requirements of the St Marys Development Agreement.

Formal Request to the Minister

On 10 March 2006 DLL made a formal request to the Minister for Planning seeking the declaration of the remaining Precincts on the ADI Site as Release Areas. The DoP wrote to Council on 18 May 2006 advising Council of the request by DLL. The Minister has the discretion to consult with any public authorities, including Council, in considering whether to declare further Release Areas.

The DoP has therefore written to Council seeking clarification that Council is satisfied with progress of the requirements of any separate agreements which have been established with the Joint Venture under Part 3 of the St Marys Development Agreement. DLL advised that a draft Agreement was lodged with Council on 31 March 2006 and is currently under negotiation.

The DLL letter to the Minister for Planning highlights potential benefits of declaring the remaining precincts as Release Areas as listed below:

- Delivery of 3,000 local jobs;
- Facilitate early handover of the Regional Park;
- Address long lead time to provide development continuity;
- Commitment to recycled water;
- Fast track delivery of key infrastructure; and
- Provide delivery certainty to NSW Government.

In support of their request, DLL has provided a copy of a monitoring report (3 volumes) to the Minister. A copy of the St Marys Monitoring Report Summary Document is included in the attachments.

Assessment of Request for Declaration of Remaining Precincts as Release Areas

The declaration of release areas Precincts is the first step in the delivery of urban development on the ADI site in Penrith. It is understood the fundamental purpose of the precinct declaration process was to enable the staged roll-out of the planning for the site commensurate with the delivery of critical infrastructure, services and job creation. In this regard, the principle was established that the developer's performance needed to be judged against the requirements of the statutory plans and the Development Agreement, prior to new release precincts being declared as release areas.

While there are no general objections to the declaration of the remaining precincts, there remains the need to ensure that Council will have opportunities to pursue required infrastructure and services at the planning stage for each precinct. In this regard, Council needs to be assured that the appropriate level of infrastructure is provided commensurate with each phase of development through the adoption of Precinct Plans and with negotiated planning agreements.

SREP 30 lists performance objectives that are required to be met by precinct development. These are summarised as follows:

- Ecologically sustainable development
- Air quality
- Conservation
- Heritage
- Community services

- Open space and recreation
- Water cycle
- Soils
- Transport
- Urban form
- Employment and business development
- Housing
- Energy efficiency
- Waste Management.

DLL has provided a status report on the achievements to date in these areas which is included in the attachments. This summary demonstrates that substantial progress has been made by DLL on most of the core performance objectives listed under SREP 30 and the Environmental Planning Strategy.

Significant scope exists for these matters to be largely dealt with through the requirements outlined in the St Marys Development Agreement between DLL and the State Government and in subsequent Precinct Plans which will be developed and submitted to Council for adoption, together with the related Planning Agreements outlining key infrastructure delivery.

In our view, the most critical elements that will need to be effectively monitored for delivery are those outlined below:

1. *Demonstrated performance on delivery of employment.*

A key performance objective of SREP 30 requires “*the total number of jobs generated by development on land to which this plan applies (including jobs generated on the surrounding land) is to approximate the number of workers who will be resident on the land to which this plan applies after the development has been carried out.*”

An Economic Development Strategy (EDS) was prepared for DLL and endorsed by the DoP on 22 March 2005. The Strategy identifies actions and initiatives to be implemented to meet the employment and business development performance objectives set out in the statutory plans relating to the site.

In addition to identifying direct employment initiatives which improves the level of employment self-containment within the area, the EDS also proposes a range of capacity building initiatives which will provide opportunities for education and training, serving to build a platform for long-term skill development and knowledge generation within the new and established communities. The Strategy incorporates an action plan based on three broad categories, being direct employment focus, capacity building and integrated planning.

The EDS analyses the various potential uses for the site that would generate employment associated with demand emanating from beyond the resident population, or activities selling to external markets. These target uses include the employment land areas and the service oriented uses which are to be located in the urban areas, Regional Park and Regional Open Space areas.

Employment-generating uses which have been targeted include manufacturing, wholesale trade, environmental and agri-business, construction and fabrication. In the Urban and Open Space areas the employment-generating uses targeted include retailing, health facilities, leisure and recreation, offices, education and hospitality.

The Strategy targets the delivery of 5,300 ongoing jobs both on and off the ADI Site over the life of the development. Of these, 2,473 jobs were projected to be established on the site, and 2,827 established off site in both Penrith and Blacktown LGAs. A total of approximately 3,460 jobs are intended to be located within the Penrith LGA, both on and off the site.

An EDS Committee is required to be established by DoP under the provisions of the Environmental Planning Strategy and the St Marys Development Agreement. The EDS Committee has an advisory role and membership comprises representatives from DoP, Penrith and Blacktown Councils, DLL, Premier’s Department and the Department of State & Regional Development. The Committee is chaired by DoP. The primary function of the EDS Committee is to consider the EDS and subsequent reviews undertaken by the Joint Venture as required by the St Marys Development Agreement and to advise the Joint Venture on what measures might be taken to overcome any shortfall in employment based on targets identified in the EDS not being identified.

The St Marys Development Agreement proposes a 3 year cycle for reviews by the EDS Committee of employment generation. Council has previously argued in its submissions to DoP over time that this meeting schedule was too

infrequent to be able to effectively advise on measures to be undertaken to correct any lag in employment creation if required.

It has been subsequently argued by Council at EDS Meetings that these meetings should be held on at least an annual basis in order to better track progress in the implementation of the strategy. At the last EDS Committee meeting held on 22 March 2005 it was confirmed that the Committee would meet on a 6 monthly basis. Given the importance of ensuring that an effective monitoring program for employment creation is in place, it is recommended Council pursue this matter with DoP and request the EDS Committee meetings to be put back on a regular 6 monthly cycle.

SREP 30 and the EPS do not provide specific, detailed mechanisms for determining a satisfactory level of job creation at various stages of the development, other than at completion. Whilst the EDS provides an annualised job growth summary, the expected job growth in the identified sectors is not clearly aligned with the proposed precincts yet to be planned and released. If all of the precincts are now to be released for further detailed planning, it would be of assistance to have a fuller appreciation of the expected roll-out of jobs relevant to each precinct implementation.

In order to properly demonstrate a satisfactory staged performance regarding provision of jobs to meet future employment targets, it is suggested that the DoP also give consideration to requiring an annual audit process to be instigated which would enable joint monitoring of job creation by the Department, DLL and Council. This approach is incorporated in the recommendation.

2. Critical Infrastructure Delivery

Table 1 and Table 2 of the submitted St Marys Monitoring Report (summary version) demonstrate that the initial obligations have been met by DLL. These include payments, road works design, completion of the Sims Varley Technical Traffic Study in 2004 and submission of the draft St Marys Development Traffic Management Study 2005 (draft TMS 2005) to DoP.

However, significant infrastructure delivery matters still remain to be resolved. The draft TMS 2005 was submitted to the Department in October 2005, however is yet to be finalised as final decisions on apportionment and location of works in various release areas are yet to be made by the RTA. The timely, staged delivery of critical infrastructure, especially transport infrastructure, is critical to ensure that desirable public transport participation levels are achieved and maintained, and private car usage is minimised.

Negotiations have been undertaken with Sydney Water regarding the provision of recycled water for the Eastern Precinct (Ropes Crossing), however this is yet to be completed for the North Dunheved and South Dunheved Precincts. The provision of recycled water and broadband telecommunication infrastructure are critical infrastructure elements that should be accelerated by DLL, particularly if the remaining precincts are declared as release areas.

A more defined process is required to ensure that satisfactory early staged delivery of services can be achieved for public transport and road works, broadband infrastructure, recycled water and for Regional Park and Regional Open Space infrastructure.

3. Draft Planning Agreement

Council has also been asked to comment on whether we are satisfied with the progress against Part 3 of the St Marys Development Agreement (the Deed).

Council received a draft Planning Agreement from DLL in May 2006. We are currently finalising a final draft version of this document with both Council and DLL lawyers. Public exhibition of the draft Planning Agreement will proceed shortly, when this process is completed. We are unable at this stage to provide any substantial commentary to the Department until that assessment is complete.

4. Regional Park

A St Marys Regional Park Community Reference Group was established in July 2004 by the Department of Environment and Conservation (DEC) to assist it with the development of a Plan of Management for the ADI Regional Park. The Committee was comprised of representatives of Blacktown and Penrith Councils, DLL, specialist expertise from Universities of Western Sydney and Wollongong, RSPCA, and community representatives including ADI RAG, the Aboriginal community, wildlife education and Hawkesbury/Nepean Catchment Foundation. The Committee met on a number of occasions up to mid 2005.

Under the terms of the St Marys Development Agreement, DLL has indicated it has now paid \$200K contribution to DEC for the development of the Plan of Management and the operations of the Advisory Group. DEC has advised that the Plan of Management is currently being finalised and will be placed on public exhibition prior to the end of December 2006.

DLL are obligated to pay a contribution to DEC of \$6.9M for capital improvement works for the Regional Park. The St Marys Development Agreement indicates this contribution to be paid over 10 stages, the last payment being provided approximately 4 years after the completion of the first subdivision works in the Central Precinct. This assumes the Central Precinct is the last Precinct to be developed on the site. We have previously raised concern to both DEC and DoP over the lengthy timeframes involved for financial contributions to be made to assist in the development of the Regional Park.

DLL have indicated that the proposal to declare the remaining Precincts as Release Areas provides the opportunity to fast-track the staged implementation of the transfer of the Regional Park, commencing in December 2006. There is however, no detail on the degree of acceleration of the Regional Park transfer or the new timeframe for delivery.

The principle of achieving a quicker hand over of the Regional Park is supported and would be of notable public benefit. It is therefore recommended that Council urge DEC to fast track finalisation of the Plan of Management process for the Regional Park and to make funds available for the establishment and opening of the Regional Park at the earliest possible opportunity.

5. *Regional Open Space*

DLL has made commitments to the Federal Government to deliver a Central Park recreation facility on the ADI Site. In a letter to Council dated 6 May 2004, DLL advised that a potential Central Park solution has been prepared including an expenditure commitment of \$6M primarily for roads, carparking and Regional Open Space commitments to be delivered over a 4½ year period from January 2006.

The site location indicated for the Central Park was the nominated Regional Open Space land adjacent the eastern edge of the Central Precinct in Penrith LGA. The planning phase for this facility is yet to be initiated by DLL.

Council's recently completed PLANS Study and related draft Open Space Strategy and Section 94 Developer Contributions Plan has highlighted the need for several major district level recreation and sporting facilities in the City. The ADI Site represents an opportunity for the development of one of these district level facilities.

We would urge that the DoP be proactive in monitoring the progress of establishment of the Central Park facility on site and we also urge that a timetable be established as soon as possible for its design and delivery.

Conclusion

The declaration of the remaining precincts as release areas commences the detailed planning and delivery process of the proposed urban development on the ADI site.

A comparison of the required performance objectives in SREP 30 with the development achievements listed under the St Marys Monitoring Report indicates that DLL has been able to demonstrate successful implementation of the Development Agreement obligations and achievement of the performance objectives in the SREP 30 to date.

DLL has advanced a number of substantial benefits in pursuing the concurrent declaration of the remaining Precincts as release areas and these are supported in principle. However, a number of aspects, particularly relating to the delivery of critical infrastructure and jobs, require further clarification and advancement by DoP and other Government agencies to underpin a decision by the Minister to release the remaining Precincts. These are included in the recommendations.

RECOMMENDATION

That:

1. The information contained in the report on ADI Site, St Marys - Request by Delfin Lend Lease for Declaration of Remaining Precincts on the ADI Site as Release Areas be received
2. Council advise the Department of Planning that it has no objections in principle to the Minister for Planning declaring the remaining precincts on the ADI site as Release Areas subject to:
 - (a) The establishment of an annual audit process which demonstrates that specific employment

targets for the ADI Site are being met on a staged basis;

- (b) The Department of Planning ensuring that the Employment Development Strategy Committee meet on a six-monthly basis to review progress on the implementation of the Employment Development Strategy;
- (c) The formulation of an employment delivery program on a Precinct specific basis which identifies expected job growth in the nominated sectors over the life of the development;
- (d) The establishment of a clear process for ensuring the staged, early delivery of transport and service infrastructure for all Precincts on the ADI site;
- (e) The urgent completion of the draft Plan of Management for the Regional Park for public exhibition and a fast-tracking of infrastructure works to allow the opening of the Regional Park at the earliest practical opportunity;
- (f) The progression of the planning and implementation of the proposed Central Park facility to be located in the Regional Open Space on the ADI Site.

ATTACHMENTS/APPENDICES

1. View	Letter from Delfin Lend Lease to Minister for Planning	3 Pages	Appendix
2. View	ADI Precinct Plan	1 Page	Appendix
3.	St Marys Monitoring Report Summary Document	18 Pages	Attachment

COPY

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10 March 2006

The Honourable Frank Sartor MP
 The Minister for Planning
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 Governor Macquarie Tower
 1 Farrer Place
 Sydney NSW 2000

Dear Minister,

ST MARYS DEVELOPMENT - REPORTING AND MONITORING PROCESS

We refer to your letter dated 13 September 2005 regarding the declaration of Release Areas under Clause 7 of Sydney Regional Environmental Plan No. 30 - St Marys (SREP 30). As required under SREP 30 and clause 20 of the St Marys Development Agreement, the Joint Venture is to report to you demonstrating successful implementation of the Development Agreement obligations and achievement of the performance objectives in the SREP. The Joint Venture has prepared, in consultation with your Department, a Monitoring Report that clearly demonstrates that we are meeting our obligations in a timely manner.

The Joint Venture is seeking the declaration of the remaining Precincts on the St Marys site as Release Areas. This is required to:

- Facilitate the delivery of 3,000 local jobs
- Facilitate an earlier handover of the Regional Park
- Address the three years planning lead time as required by SREP 30 planning framework (Precinct/Concept Plans, Management Plans, Development Applications) to provide development continuity and ensure the supply of affordable land to the market
- Consolidate our Initiative to provide recycled water to existing release areas and enable the technical planning to occur for the delivery of recycled water to the remainder of the development
- Fast track the delivery of key infrastructure for the region in accordance with St Marys Development Agreement commitments

The NSW Government has an existing \$30m corporate guarantee from Lend Lease Corporation in the St Marys Development Agreement that ensures that the Joint Venture will continue to perform to the highest standards in delivering the St Marys development.

Deliver 3,000 Local Jobs

The release of the remaining precincts will:

- Make a substantial contribution to the Western Sydney sub-regions employment targets as set out in the NSW Government's Metropolitan Strategy with the release of employment and urban lands that will generate over 3,000 local jobs. To date, the St Marys development has already generated approximately 560 jobs.


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- Continue the outstanding initial success through the opening of the Skilling & Employment Centre in assisting 303 local people find work and an additional 69 commence training/ further education.
- Further support the Dunheved employment area that will generate up to 600 on-site jobs. A Precinct Plan has been lodged for approval with local Councils. -

Facilitate early handover of Regional Park

The release of the remaining precincts will:

- Fast track agreed staged implementation of the transfer of Regional Park, commencing in December 2006. This will facilitate resolving key implementation issues sooner, allowing the handover of the Regional Park to be brought forward.
- Trigger additional payments to State Government as they are linked to the Regional Park handover. It should be recognised that the Joint Venture has already made contributions of \$1,050,000 towards the establishment of the Regional Park / Regional Open Space.
- Have no effect on the Joint Venture's obligation and current demonstrated performance to work in accordance with Macrofauna Management Plan and licensing agreements as issued by DEC for onsite kangaroo population management.

Address Long Lead Time to Provide Development Continuity

The release of the remaining precincts will:

- Provide much needed affordable land supply in the western Sydney market with an additional 3,500 lots
- Enable the timely delivery of this land to the market. There are significant lead times to obtain the necessary approvals under the planning framework for SREP 30. Previous experiences indicate that there is a planning lead time of over three (3) years from declaration of Release Area to going to market, which will coincide with the winding down of development activities in the Eastern Precinct (Ropes Crossing).
- Allow commencement of major civil activities in the Central Precinct as part of the development activities that will be undertaken in parallel with the development activities of the Dunheved employment precinct.

Commitment to Recycled Water

The release of the remaining precincts will:

- Enable the implementation of an on-site recycled water scheme. This project initiative is over and above our SREP commitments and negotiations are continuing with Sydney Water to finalise an Agreement. The Joint Venture's commitment has been demonstrated with the installation of the recycled water infrastructure in the Eastern Precinct in advance of an Agreement being reached.
- Provide certainty of development outcome to enable for the design and plant expansion commitments to occur for the upgrade of the St Marys Sewage Treatment Plant which is required to provide services for future release areas

Fast Track Delivery of Key Infrastructure

The release of the remaining precincts will:

- Bring forward the provision of infrastructure as required under the St Marys Development Agreement valued at over \$30 million. This includes capital improvements to the 900-hectare Regional Park, affordable housing, community buildings, public transport initiatives, construction of bus priority works and



transitways. In this regard, significant progress has been achieved via the establishment of the Infrastructure Coordination Group (ICG), a whole of government approach to the delivery of human services and shared facilities that is intended to be used as a benchmark for future release areas in Sydney.

Delivery Certainty to NSW Government

A decision to release all remaining Release Areas would in no way jeopardise our commitment to deliver our obligations under the St Marys Development Agreement. Under Part 4 of the Agreement, Lend Lease Corporation has provided a \$30m corporate guarantee, providing delivery certainty to the New South Wales Government and local stakeholders. To date, total expenditure on the development has exceeded \$36m. Lend Lease will continue to report progress against our performance objectives and obligations to your department.

Please find enclosed Volume 1 of the Monitoring Report that demonstrates the Joint Venture's progress against the requirements of the Development Agreement and the performance objectives of SREP 30. Please note that copies of all supporting documents comprising Volumes 2 and 3 of the Report have been sent directly to Mr Andrew Watson at the Department of Planning.

In accordance with Clause 20.7 of the St Marys Development Agreement, the Joint Venture has consulted with both Blacktown and Penrith City Councils on the proposed form and contents of the Monitoring Report. This took place on the 28 February and 6 March 2006, respectively with both Councils satisfied with the proposed form and contents of the report. The enclosed summary report may be of assistance for the purposes of any consultation you intend to undertake with Blacktown and Penrith City Councils or other agencies.

In summary, the Joint Venture has robustly demonstrated the achievement of a number of performance objectives as outlined in the Development Agreement. Furthermore the significant regional and local benefits that can be derived through the delivery of local jobs, early handover of the Regional Park, delivery of infrastructure and recycled water initiatives provides strong justification for the declaration of the remaining Precincts on the St Marys site as Release Areas (i.e. Western Precinct, Central Precinct and Ropes Creek Precinct).

Should you wish to discuss this issue further please do not hesitate to contact me directly on 9277 2348.

We look forward to confirmation of your intention to release the remaining precincts on the St Marys site as Release Areas and continuing our close working relationship with the NSW Government.

Yours faithfully

Simon Pagett
Regional General Manager NSWACT
Lend Lease Communities (Delfin, Lend Lease Development, Retirement by Design)

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ST MARYS MONITORING REPORT SUMMARY DOCUMENT

MARCH 2006

- 1. ST MARYS DEVELOPMENT AGREEMENT**
- 2. SREP 30 PERFORMANCE OBJECTIVES**
- 3. PROJECT STATUS UPDATE – KEY DOCUMENTS
AND APPROVALS**

Table 1 - St Marys Development Agreement

CLAUSE No.	SUBJECT	ITEM	STATUS
SITE WIDE OBLIGATIONS			
11.21 Table 1 (1)	Regional Park	\$100,000 contribution to the DG of NPWS - Plan of Management	Completed. Contribution paid 11/07/2003.
11.21 Table 1 (2)	Regional Park	\$100,000 contribution to the DG of NPWS - Advisory Group	Completed. Contribution paid 11/07/2003.
12.1/12.4	Regional Open Space & Special Uses Corridor	\$100,000 contribution to the Planning Minister - Plan of Management	Completed. Contribution paid 11/07/2003.
20.5	Reporting and Monitoring	The Joint Venture must deliver to the Minister a draft report (in the form contemplated by clause 20) for consideration by the Minister, relating to the degree to which requirements of any development agreement or performance objectives have been met.	Completed 29/07/2003.
11.1(a)	Regional Park	The Landowner must: (a) erect a stock-proof fence consisting of at least three strands of barbed wire along the northern boundary of the Regional Park immediately west of Palmyra Road shown as the Griffin Boundary on the Map. The existing person proof fence within the Regional Park in that vicinity is to remain.	Completed 14/07/2004.
11.12(a)	Regional Park	The Plan of Management for the Regional Park will be made available (by the NPW Minister) for community consultation.	Completed. Community Reference Group component of POM completed. Plan of Management currently being prepared by DEC.

11.1(b)	Regional Park	The Landowner must: (b) construct along the boundary between the Eastern Precinct and the Eastern Precinct Regional Park as shown on the Map: (i) if the site auditor's written confirmation to the NPW Minister following the remedial works under clause 15.2 certifies that the Eastern Precinct Regional Park is suitable for use as a park, recreational open space and playing field, a fence designed to discourage unfettered vehicular access to the Eastern Precinct Regional Park; or (ii) otherwise a 1.8 metre high mesh fence.	As agreed with DEC, fence to be constructed following outcome of Regional Park Plan of Management and Eastern Sector Remediation works.
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CLAUSE No.	SUBJECT	ITEM	STATUS
EASTERN PRECINCT RELATED OBLIGATIONS (ALSO INCLUDING DUNHEVED PRECINCT OBLIGATIONS)			
20.3(b)	Reporting and Monitoring	The Joint Venture must deliver to the Minister a report as referred to in clause 20, relating to the degree to which requirements of any development agreement or performance objectives have been met.	Completed for Eastern Precinct (29/7/03) and Dunheved Precinct (26/5/2005).
12.5	Regional Open Space & Special Uses Corridor	The Landowner must prepare and register a plan of subdivision to create a separate lot or lots for the Eastern Regional Open Space and then deliver to the Minister: (a) a transfer of the land comprising the Eastern Regional Open Space in favour of the Minister; and (b) the certificate or certificates of title for the Eastern Regional Open Space. Subdivision & transfer of Eastern Regional Open Space	Completed - Regional Open Space POM. Negotiations have commenced with DOP regarding transfer of land. DA to create a separate lot for Future Regional Open Space lodged with Penrith City Council on 7/10/05 (DA 05-1670).
13.1	Roads and Road Widening	The Landowner must prepare and register a plan of subdivision to create a separate lot or lots for the RW Land and then deliver to the RTA: (a) a transfer of the land comprising the RW Land in favour of the RTA; and (b) the certificate or certificates of title for the RW Land. Subdivision & transfer of RW Land	DA lodged. DA to create a separate lot for the Forrester Road widening lodged with BCC on 17/02/2006. Lots to be delivered to the RTA on a staged basis.
1.20	Definitions & Interpretation	The Joint Venture must notify the Minister, the RTA and the Councils of the First Subdivisional Works Date for the Eastern Precinct.	Completed. JV notified Minister, RTA and Councils on 22/12/2004.
11.21	Regional Park	The Joint Venture must pay the Director-General of National Parks and Wildlife \$375,000 for establishment of the Regional Park.	Completed. Contribution paid 4/01/2005 and 1/03/05
16.12(a)	Transport	The Joint Venture must prepare any required design and engineering documentation for the Eastern Precinct Road Works and submit the documentation and proposed tender documents to the RTA for the review and approval of the RTA.	Process commenced. JV has commenced preparation of Concept Design for Eastern Precinct Road Works.
16.11(d)	Transport	The Joint Venture must lodge the application for any required planning approvals for the Eastern Precinct Road Works with the consent or determining authority.	Process commenced. JV has commenced preparation of Concept Design for Eastern Precinct Road Works.
16.18(a)(i)	Transport	The Joint Venture must pay \$250,000 to the RTA as its contribution to the upgrade of the Mamre Road and Great Western Highway intersection.	Completed. \$250,000 paid to the RTA on 7 December 2005.
16.10(a)(ii)	Transport	The Joint Venture must arrange for a contract for the construction of the St Marys and Mt Druitt bus priority works to be entered into.	Process commenced. JV has commenced preparation of Concept Design. Discussions with Blacktown City Council have

CLAUSE No.	SUBJECT	ITEM	STATUS
			commenced.
12.14	Regional Open Space & Special Uses Corridor	<p>The Landowner must prepare and register a plan of subdivision to create a separate lot or lots for the Special Uses Corridor and then deliver to the Minister:</p> <p>(a) a transfer in respect of the land comprising the Special Uses Corridor in favour of the Minister; and</p> <p>(b) the certificate or certificates of title for the Special Uses Corridor.</p>	DA lodged. DA to create a separate lot or lots for the Special Uses Corridor lodged with BCC on 17/02/2006.
WESTERN PRECINCT RELATED OBLIGATIONS			
16.3	Transport	Implement Process for agreement balance road works.	Process commenced. Draft St Marys Development Transport Management Study submitted to Department of Planning in October 2005.
16.4	Balance Road Works	<p>The Department has commissioned a qualified transport consultant to undertake traffic modelling to reflect revised traffic and transport demand and impacts and prepare a report for a transport committee comprising representatives of the Planning NSW, the Joint Venture, Transport NSW, the RTA, Blacktown City Council and Penrith City Council in relation to:</p> <p>(a) the upgrading of the local, regional and State road networks required as a result of the Development</p> <p>(b) recommendations in relation to the Required Works;</p> <p>(c) recommendation as to the estimated timing of the implementation of the Required Works which shall be consistent with the development of the relevant Precincts;</p>	Sims Varley Technical Traffic Study completed in 2004. Findings of study informed Draft St Marys Development Transport Management Strategy submitted to Department of Planning in October 2005
CENTRAL PRECINCT RELATED OBLIGATIONS			
16.3	Transport	Process for agreement Balance Road Works	Process commenced. Draft St Marys Development Transport Management Study submitted to Department of Planning in October 2005
OTHER DATE RELATED OBLIGATIONS			
19.1	Community Environment Program	The Joint Venture must inform and provide on-going advice to all purchasers of Residential Allotments of the measures that can be taken by householders to promote ecologically sustainable residential living.	Completed. Information in relation to ecologically sustainable residential living provided in Building and Siting

CLAUSE No.	SUBJECT	ITEM	STATUS
			Guidelines, Information Sheets to new residents and on an ongoing basis at Sales and Information Centre and in Community newsletter.
11.8(b)	Regional Park	The Landowner must use its best endeavours to procure an indemnity in favour of the NPW Minister from the Commonwealth government in relation to UXO in the Regional Park.	St Marys Land Limited has used its best endeavours to obtain indemnity (ongoing).
12.18(b)	Regional Open Space & Special Uses Corridor	The Landowner must use its best endeavours to procure an indemnity in favour of the Minister from the Commonwealth government in relation to UXO in the Regional Open Spaces.	St Marys Land Limited has used its best endeavours to obtain indemnity (ongoing).
11.4	Regional Park	The Landowner must deliver to the NPW Minister: (a) a transfer in respect of the land comprising Part B of the Regional Park in favour of the NPW Minister; and (b) the certificate or certificates of title for Part B of the Regional Park.	Process commenced.
22	State Parties' Legal Costs	The Joint Venture must make a contribution to the State Parties' legal costs in the agreed amount of \$155,000 (inclusive of GST).	Completed. Final contribution paid 11/12/02.
18.11	Employment Development Strategy	The Minister must establish the EDS Committee.	Completed. EDS Committee established in 28/01/03.
BLACKTOWN CITY COUNCIL RELATED OBLIGATIONS			
17.8 Annexure 2A Item 1	Local Transport Works	Palmyra Ave/Site access intersection works	DA lodged – DA for additional road widening for Palmyra Ave/Site access intersection works lodged with Blacktown City Council on 10/02/2006 (works to be constructed).
17.6 Annexure 2A Item 2	Local Transport Works	Dedication of Forrester Road widening as Public Road	DA lodged – DA to create a separate lot for the Forrester Road widening lodged with Blacktown City Council on 17/02/2006.
17.7 Annexure 2A Item 3	Local Transport Works	\$500,000 transport contribution 1	Completed. Contribution paid 7/12/2004.
17.7 Annexure 2A Item 3	Local Transport Works	\$500,000 transport contribution 2	Completed. Contribution paid 2/03/2005.
17.7 Annexure 2A Item 4	Local Transport Works	\$490,000 contribution towards Forrester Rd/Palmyra Ave intersection works	Completed. Contribution paid 2/03/2005.

CLAUSE No.	SUBJECT	ITEM	STATUS
18.5 Annexure 3A Item 13	Open Space	Joint Venture to develop and submit a Landscape Strategy for the Landscape and Open Space incorporated in the Eastern Precinct	Completed. Landscape Strategy submitted to Blacktown City Council on 18/08/2004.
18.5 Annexure 3A Item 2	Open Space	Joint Venture to construct Level Two Park (1) – North Park valued at \$360,000 (based on 0.94 ha)	DA lodged. DA (DA 05-2329) to create Level Two Park (1) lodged with Blacktown City Council on 22/08/05 (currently being assessed).
18.5 Annexure 3A Item 4	Open Space	Joint Venture to construct Level Two Park (3) – Civic Square valued at \$509,000 (based on 0.36 ha)	DA currently being prepared. DA to create Level Two Park (3) Civic Square programmed to be lodged with Blacktown City Council by April 2006.
18.5 Annexure 3A Item 5	Open Space	Joint Venture to construct Level Two Park (4) – South Park valued at \$502,000 (based on 2.19 ha).	DA approved. DA (DA 05-0803) approved by Blacktown City Council on 31/10/05. CC Design commenced, planned lodgment February 2006.
18.5 Annexure 3A Item 9	Open Space	Joint Venture to construct Level Three (4) – Corridor Park (watercourse) valued at \$380,000 (based on 0.64 ha)	DA lodged. DA (DA 05-2329) to create Level Three Park (4) lodged with Blacktown City Council on 22/08/05.
18.5 Annexure 3A Item 11	Open Space	Joint Venture to construct Level Three (6) – Interface/Corridor Park valued at \$385,000 (based on 0.8 ha).	DA lodged. DA (DA 05-2634) was lodged with Blacktown City Council on 16/09/05 (currently being assessed). CC Design commenced, planned lodgment February 2006.
18.5 Annexure 3A Item 12	Open Space	Joint Venture to construct a 2.5 metre wide concrete bicycle path network on public road reserves, open space and transitways to be dedicated to the Council and linked to Council and the RTA bike path network valued at \$1,648,000 (based on 7,000 metres, 2.5 metres wide).	DA approved. DA approved by Blacktown City Council on 7/11/05 for relevant Stage 1 Section and draft Works-in-Kind Agreement with Council.
Annexure 4A Item 1	Human Services	Joint Venture to construct a Temporary Neighbourhood Centre. The estimated total maximum value of the Temporary Neighbourhood Centre is \$150,000.	Process commenced. Negotiations with Blacktown City Council have commenced.
Annexure 4A Item 4	Human Services	Joint Venture to provide a Community Development Worker for three years. The total maximum cost for the Community Development	Process commenced. Discussions with

CLAUSE No.	SUBJECT	ITEM	STATUS
		Worker is \$150,000, which includes salary and on costs	Blacktown City Council have commenced (expected appointment mid-late 2006).
Annexure 4A Item 5	Human Services	Joint Venture to provide a Community Bus. The total maximum value of the Community Bus is \$85,000	Completed. Community Bus in operation from April 2005.
Annexure 4A Item 6	Human Services	Joint Venture to construct a garage for the Community Bus. The total maximum value of the garage is \$30,000	Completed.
Annexure 4A Item 11	Human Services	Joint Venture to prepare a strategy for a Public Art Levy. The Public Art Levy will be an ongoing item of Human Services Work. The total maximum value of the Public Art Levy is \$75,000	Completed - Draft Cultural Strategy submitted to Blacktown City Council in December 2006.
Annexure 4A Item 13	Human Services	Joint Venture to make available a Resident Information Kit to each dwelling within one month of issue of occupancy certificate. The total maximum value of the Resident Information Kit is \$3 per household (\$5,400 for 1800 households)	Completed. Resident Information Kit to be issued when required.
20.1(a) 20.1(b)	Additional Services and Infrastructure	Joint Venture must construct all stormwater drainage infrastructure within the Eastern Precinct in accordance with the EPS and REP and as indicated in Annexure 5A of the Agreement and maintain the works for 3 years from the date of practical completion	Completed. Stage 1(a) - works complete.
21.10	Additional Services and Infrastructure	Joint Venture must make a contribution to Council's reasonable legal costs of \$33,000 (inclusive of GST)	Completed. Final contribution paid 11/12/02.
22	Additional Services and Infrastructure	Joint Venture must lodge with Council a guarantee for an amount equal to the Total Value of Works.	Completed. Guarantee lodged with Council on 28/10/2004.
23	Key Dates	The Joint Venture will prepare and provide to Blacktown City Council a summary of key dates and the parties	Completed.

Table 2 - SREP 30 Performance Objectives

CLAUSE & OBJECTIVE	STATUS/ACHIEVEMENT
<p>Clause 22 - Ecologically Sustainable Development</p>	<ul style="list-style-type: none"> • Deed requires transfer of Regional Park (900 hectares) to DEC and payment of contributions towards preparation of Regional Park Plan of Management and other capital works identified in the Plan of Management (\$6.9 million in total). Community Reference/Advisory Group component of POM completed. • Deed requires transfer of Eastern and Central Regional Open Space (46 hectares) to DEC and payment of contributions towards Regional Open Space and Special Uses Corridor Plan of Management (completed) and incorporation of Register of the National Estate land (828 hectares) within Regional Park and transferred at no cost to DEC (work in progress). • Payments of \$1.05 million made towards Regional Park and Regional Open Space. • Payment of contributions to the RTA towards provision of public transport promotion/interim bus service subsidy (\$300,000) and payment of contributions towards external cycleways (\$430,000). • St Marys Employment Development Strategy (EDS) was endorsed by the EDS Committee on 22 March 2005. The St Marys EDS identifies the actions and initiatives that will create approximately 5,300 jobs (both on the St Marys site and in the Western Sydney region) and an additional 8,600 jobs during the construction phase/redevelopment of the site. Skilling and Employment Centre (opened April 2005) has assisted 303 people to get jobs and 69 people to commence further training/education. • The Macro-Fauna Management Plan (MFMP) was endorsed by the DEC on 3 March 2004. The MFMP outlines mechanisms to manage (in a humane and ecologically sustainable manner) the displacement of macro-fauna from development of the site (currently being implemented). • Community Education Program established to inform and provide on-going advice to residents of the measures that can be taken by householders to promote ESD living (completed). • Regional Park POM is currently being prepared by the DEC. The Regional Park POM will govern activities within the Regional Park. • Regional Open Space POM (dated May 2005) completed by Department of Infrastructure Planning and Natural Resources (now DOP) in September 2005. Joint Venture paid \$100,000 towards preparation and participated in preparation. • Community Environment Program informing purchasers of residential allotments of the measures that can be taken by householders to promote ecologically sustainable living. • Lend Lease Development is currently concluding negotiations with Sydney Water regarding the provision of recycled water from the St Marys Sewer Treatment Plant. • Adopted Eastern Precinct Plan (EPP), Development Control Strategy and Concept Plan articulate ESD throughout all aspects of development. Adopted EPP incorporates an Efficient Resource Use Strategy. The strategy sets out performance objectives, strategies and development controls to ensure the principles of ESD are achieved on the site. DCS establish urban form designed to promote walking and cycling. Approved DAs conform with adopted EPP, DCS and Concept Plan and articulate ESD principles. • Draft North and South Dunheved Precinct Plan (DPP) and DCS articulate ESD throughout all aspects of development and establish urban form designed to promote walking and cycling. All DAs to comply with draft DPP and DCS. • Building, Siting and Landscape Guidelines prepared by DLL and currently being implemented on the site. Guidelines cover how to address BASIX requirements, site planning, designing for a bushland setting and site management. Landscape guidelines include designing for sun access, bio-diversity and bushfire protection. • Licenses and/or permits have been obtained under the Threatened Species Conservation Act 1995, National Parks and Wildlife Act 1974, Rivers and Foreshore Improvement Act 1948 and Environment Protection & Biodiversity Conservation Act 1999 (on-going).
<p>Clause 23 - Air quality</p>	<ul style="list-style-type: none"> • Deed requires construction of priority bus routes between the Eastern Precinct and St Marys and Mt Druitt railway stations, Public transport promotion/initial interim bus service contribution to the RTA (\$300,000), contribution to RTA for construction of external cycle ways (\$430,000) and other intersection works • Contributions to BCC for local transport improvement works (approximately \$2.4 million) and payment of \$1.49 million towards Local Transport Works made to BCC under Deed (paid \$1 million to date). • St Marys Development Transport Management Study submitted to DOP in October 2005.

CLAUSE & OBJECTIVE	STATUS/ACHIEVEMENT
	<p>The study identifies the initiatives to be implemented on the site that will reduce car dependency on car travel and improve road infrastructure.</p> <ul style="list-style-type: none"> • Community Environment Program informing purchasers of residential allotments of the measures that can be taken by householders to promote ecologically sustainable living prepared in October 2005 for implementation. • Adopted EPP, DCS and Concept Plan establish urban form designed to reduce private vehicle travel and promote public transport use, walking and cycling. • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan and will improve regional air quality. • Draft DPP and DCS establish urban form designed to promote walking and cycling. All DAs to comply with DPP and DCS.
<p>Clause 24 – Conservation</p>	<ul style="list-style-type: none"> • Deed requires transfer of Regional Park (approximately 900 hectares) and Eastern and Central Regional Open Space (approximately 46 hectares) to DEC. Deed also requires the incorporation of Register of the National Estate Land within Regional Park. DAs to create lots for Regional Park and Regional Open Space lodged with BCC and PCC. Transfer of • Macro-fauna Management Plan was endorsed by DEC on 3 March 2004. MFMP outlines mechanisms to manage the displacement of macro-fauna from development of the site. Implementation of MFMP has commenced. • Payment of \$200,000 made to NPWS and towards Regional Park Plan of Management and Advisory Group under State Deed. • Adopted EPP, DCS and Concept Plan incorporate measures such as retention of riparian habitat and significant trees, establishment of riparian corridors, stormwater and erosion management, domestic and feral animal management, fire management and weed management. • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan. Flora and Fauna Assessment have concluded that no “significant” impact is likely to occur upon any threatened species or endangered ecological community. • DA for macrofauna management fencing approved by BCC on 11 November 2005. • Draft DPP and DCS incorporate measures such as retention of riparian habitat and significant trees, establishment of riparian corridors, stormwater and erosion management, domestic and feral animal management, fire management and weed management. All DAs to comply with draft DPP and DCS. • Community Environment Program informing purchasers of residential allotments of the measures that can be taken by householders to promote ecologically sustainable living prepared in October 2005 for implementation (as required) • Environmental assessment and certification under the Commonwealth Environment Protection (Impact of Proposals) Act 1974 and Environmental Reform (Consequential Provisions) Act 1999 for actions related to the remediation, redevelopment and sale of the St Marys site by the Commonwealth granted on 23 July 2002 • Listing under the Australian Heritage Commission Act, 1975. The Australian Heritage Commission is satisfied that Clause 11 of St Marys State Development Agreement provides for an outcome which provides as much protection as is practicable for all land entered into the Register of the National Estate (obtained 20 November 2003). • Licenses and/or permits have been obtained under the Threatened Species Conservation Act 1995, National Parks and Wildlife Act 1974, Rivers and Foreshore Improvement Act 1948 and Environment Protection & Biodiversity Conservation Act 1999 (on-going).
<p>Clause 25 - Heritage</p>	<ul style="list-style-type: none"> • Deed requires transfer of Regional Park (approximately 900 hectares) and Eastern and Central Regional Open Space (approximately 46 hectares) to DEC. Deed also requires the incorporation of Register of the National Estate Land within Regional Park. • Adopted EPP, DCS and Concept Plan: retain Ropes Creek Railway Station (SREP 30); incorporate Archaeological Assessment of Indigenous Heritage Values (carried out in consultation with local Aboriginal groups). • Landscape Strategy submitted to BCC on 18 August 2004. Ropes Creek Railway Station to be accommodated within Cultural Park. • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan. Heritage and Archaeological Statements accompanying DAs (where relevant). Statements have concluded that proposal will not adversely impact upon any area of archaeological sensitivity or heritage item.

CLAUSE & OBJECTIVE	STATUS/ACHIEVEMENT
	<ul style="list-style-type: none"> • Draft DPP and DCS: establish curtilage around Dunheved Homestead site; incorporate Archaeological Assessment of Indigenous Heritage Values (carried out in consultation with local Aboriginal groups). All DAs to comply with draft DPP and DCS. • Licenses and/or permits (where relevant) have been obtained under the National Parks and Wildlife Act 1974 for works in the vicinity of archaeological sensitivity (on-going). • Listing under the Australian Heritage Commission Act, 1975. The Australian Heritage Commission is satisfied that Clause 11 of St Marys State Development Agreement provides for an outcome which provides as much protection as is practicable for all land entered into the Register of the National Estate (obtained 20 November 2003).
<p>Clause 26 - Community Services</p>	<ul style="list-style-type: none"> • Deed requires transfer of Regional Park (approximately 900 hectares) and Eastern and Central Regional Open Space (approximately 46 hectares) to DEC as well as contributions to Plans of Management. Deed also requires construction of 1 x Level 1 Park, 4 x Level 2 Parks, 6 x Level 3 Parks within the Eastern Precinct and dedicated to BCC; • Deed requires construction and dedication of a number of parks and bicycle paths, temporary and permanent neighbourhood centres, payment of youth and library contributions, construction of children's services centre and employment of community developer work (community development worker to commence mid-late 2006). • Adopted EPP, DCS and Concept Plan: establish urban form that locates community facilities within village centre and close to public transport and provides open space areas; incorporates endorsed Human Services/Community Plan. Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan and create lots for Regional Open Space, public reserves and future commercial and retail lots. • Draft DPP and DCS establish urban form that provides for convenience retail and services to meet the daily needs of the local workforce and provides open space areas. All DAs to comply with draft DPP and DCS. • Community bus provided in April 2005. • Cultural Strategy submitted to BCC in December 2005 and ensures development outcomes meet the needs of the community and public domain reflects community aspirations, interests and values.
<p>Clause 27 - Open Space and Recreation</p>	<ul style="list-style-type: none"> • Deed requires transfer of Regional Park (approximately 900 hectares) and Eastern and Central Regional Open Space (approximately 46 hectares) to DEC as well as contributions to Plans of Management (\$200,000). Deed also requires construction of 1 x Level 1 Park, 4 x Level 2 Parks, 6 x Level 3 Parks within the Eastern Precinct and dedicated to BCC. • Adopted EPP, DCS and Concept Plan establish open space hierarchy, including passive and active open spaces and pedestrian/cycle network. Open space areas include retention and enhancement of riparian corridors. Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan and create lots for Regional Open Space and public reserves. • Draft DPP and DCS established open space areas and pedestrian/cycle network. Open space areas include retention and enhancement of riparian corridors. All DAs to comply with draft DPP and DCS.
<p>Clause 28 – Watercycle</p>	<ul style="list-style-type: none"> • Lend Lease is currently concluding negotiations with Sydney Water regarding the provision of recycled water from the St Marys Sewer Treatment Plant. Reticulated infrastructure for the provision of recycled water has been construction in stages for the Eastern Precinct and will continue to for the balance of the precinct. • Adopted EPP, DCS and Concept Plan include Water Cycle Management, Ground Water Management, Soil and Water Management, and Flood Evacuation Strategies. Plans incorporate stormwater controls, water conservation measures and flooding controls. • Deed requires all stormwater drainage within the Eastern Precinct to be constructed in accordance with the EPS and REP; requires trunk infrastructure and head works for water, sewerage and drainage to be available to enable the development of the land zoned for employment, regardless of whether the land is actually developed. • Joint Venture to construct and maintain all stormwater drainage infrastructure within the Eastern Precinct for 3 years from the date of practical completion and dedicate drainage reserves at no cost to BCC. • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan and ensure impacts upon water quality are minimised during and following construction. • Draft DPP and DCS includes Water, Soils and Infrastructure Plan. Includes similar management measures to the adopted EPP, DCS and Concept Plan. All DAs to comply with draft DPP and DCS. Planning Agreements for Penrith and Blacktown Councils are currently

CLAUSE & OBJECTIVE	STATUS/ACHIEVEMENT
	<p>being prepared and address watercycle issues.</p> <ul style="list-style-type: none"> Community Environment Program informing purchasers of residential allotments of the measures that can be taken by householders to promote ecologically sustainable living prepared in October 2005 for implementation (when required)
<p>Clause 29 – Soils</p>	<ul style="list-style-type: none"> Adopted EPP, DCS and Concept Plan includes Soil and Water Management covering sediment and erosion control during construction and management of saline soils and groundwater. It also requires management of saline soils to exceed recommended best practice. Adopted EPP also incorporates an Electro Magnetic Geophysical Study. Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan. Development has been carried out in accordance with procedures set out in the Contamination Management Plan. Draft DPP and DCS includes Water, Soils and Infrastructure Plan and an Electro Magnetic Geophysical Study. Draft DPP incorporates a Contamination Management Plan that sets out strategies to manage potential contamination risk. All DAs to comply with draft DPP and DCS Community Education Program relating to Weed Management Plan, Recycling and Waste Management, Energy Efficiency, Water Quality and Saving Water, Energy Efficiency, Transport Options and Protecting the Environment prepared in October 2005 for implementation (when required). Community Awareness/Education Program updating residents of the adjoining suburbs of Willmot, Tregear and Lethbridge on site contamination works completed in November 2004. Licenses and/or permits (where relevant) have been obtained under the Rivers and Foreshore Improvement Act and Water Management Act 2000 for works within 40 m of a watercourse (on-going). Site audit statements for the St Marys site have been obtained (where required).
<p>Clause 30 - Transport</p>	<ul style="list-style-type: none"> Adopted EPP, DCS and Concept Plan establish urban form designed to reduce private vehicle travel and promote public transport use, walking and cycling. Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan. St Marys Development Transport Management Study submitted to DOP in October 2005. The study identifies the initiatives to be implemented on the site that will reduce car dependency on car travel and improve road infrastructure. Sims Varley Technical Traffic Study completed in 2004. Requirements under the Deed include contributions to BCC for local transport improvement works (approximately \$2.4 million), provision of priority bus routes between the Eastern Precinct and St Marys and Mt Druitt railway stations, internal cycle path network on public road reserves, open space and transitways to be dedicated to BCC, provision of a Community Bus; payment of contributions to the RTA for provision of public transport promotion/interim bus service subsidy and construction/upgrade of cycleways and intersections. DAs for Palmyra Ave road widening and Forrester Road widening lodged with BCC on 10/2/06 and 17/2/06, respectively. Contribution of \$1 million towards local transport works paid to BCC on 7/12/04 and 2/3/05. Draft DPP and DCS establish urban form designed to promote walking and cycling and locates public transport infrastructure within the general vicinity of local shops that serve the daily convenience needs of the workforce. All DAs are to comply with draft DPP and DCS. Planning Agreements for Penrith and Blacktown Councils are currently being prepared and address transport contributions. Establishment of a Community Education Program to inform and provide on-going advice to residents of the measures that can be taken by householders to promote ESD living (prepared in October 2005 for implementation when required). Westbus to commence servicing Ropes Crossing in April 2006 (subject to RTA sign off). The bus service is to be progressively expanded with subsequent stages of development.
<p>Clause 31 - Urban Form</p>	<ul style="list-style-type: none"> Adopted EPP, DCS and Concept Plan establish urban form that: reduces private vehicle travel and promotes public transport use, walking and cycling; locates community facilities within village centre and close to public transport and provides open space areas; and includes development controls aimed at discouraging crime and facilitating safety. Adopted EPP incorporates a Community Plan for the Eastern Precinct which contains measures to promote housing choice and population diversity, a village centre that as a focal point for activity, a public domain which encourages social interaction and active neighbourhood life, safety and a sense of security, accessibility and connectivity, community identity and integration with surrounding communities.

CLAUSE & OBJECTIVE	STATUS/ACHIEVEMENT
	<ul style="list-style-type: none"> • Signed St Marys Development Agreement provides the necessary infrastructure, facilities and open space/recreation spaces and an urban form that satisfies the diverse range of community needs (community bus provided in April 2005). • Development Agreement requires 3% of total dwellings accommodated within the Eastern Precinct to comprise affordable housing. • Village Centre DCS contains specific planning and design principles for different dwelling types proposed within the village centre. • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan. Construction of dwellings within the Eastern Precinct has commenced. • Draft DPP and DCS establish urban form that: promotes walking and cycling; provides for convenience retail and services to meet the daily needs of the local workforce and provides open space areas; and includes development controls aimed at discouraging crime and facilitating safety. All DAs to comply with draft DPP and DCS. Building and siting guidelines for industrial buildings currently being prepared for the Dunheved Precinct. Planning Agreements for Penrith and Blacktown Councils are currently being prepared and address open space and recreation contributions. • Building, Siting and Landscape Guidelines prepared by DLL (January 2006, Version 3) and currently being implemented on the site to ensure a high quality built and landscaped product for all development
<p>Clause 32 - Employment and Business Development</p>	<ul style="list-style-type: none"> • Project to date has created 560 jobs. • Joint Venture spent \$36 million on project to date, 71% in local economy. • Employment Development Strategy Committee established in 28 January 2003. • Employment Development Strategy endorsed. Seeks to facilitate 5,300 ongoing new jobs and 8,600 construction jobs. Skilling and Employment Centre opened in April 2005, has 432 registered members (as at the end of February 2006), assisted 303 people to get jobs; and assisted 69 people to commence further training/education. • Adopted EPP, DCS and Concept Plan provide for approximately 3,000 m² of local retail floor space and identifies phasing of development to ensure local retail services are available to meet the demands of incoming residential population. DCS also contains controls in relation to potential acoustic impacts. • Draft DPP and DCS incorporates a Dunheved Precinct Employment Implementation Strategy that aims to provide a wide range of employment generating land uses and the provision of up to 600 jobs. All DA are to comply with provisions of DPP and DCS. • Partnership with Western Sydney Tafe and AV Jennings to a construct stock home (commencing April 2006) • Housing Industry Australia/DLL Youth Build Initiative. The initiative allows local school children (years 9-12) involved in construction subjects to gain experience in construction with contractors on the site and construction businesses in Dunheved (to commence April 2006) • Preparation of an Aboriginal Employment Strategy in consultation with local aboriginal groups and Department of Employment and Workplace Relations (commenced 2006) • Green Corp Project (to commence July 2006) • Preparation of a strategy to attract small and home based industries, identifying their needs, the services and facilities they require, training, networking and consideration of a business support centre (commenced February 2006) • Partnership with Dunheved Business Park Association and Penrith Valley Chamber of Commerce to identify opportunities for networking and business development within existing business park and identifying the needs of businesses and training (commenced). • Youth Art Strategy. Project involved a employment of a local artist to train students from Chifley College to develop and install artwork on Skilling and Employment Centre (completed December 2005) • Establishment of EH&S training programs for builders (commenced). • Database of local contractors prepared for building work (ongoing).
<p>Clause 33 - Housing</p>	<ul style="list-style-type: none"> • Adopted EPP, DCS and Concept Plan provide for a mix of dwelling types (eg attached, semi-detached, warehousing, apartments) and contains controls in relation to dwelling type, allotment type and size. EPP incorporates a Community Plan for the Eastern Precinct which contains measures to promote housing choice and population diversity. • Development Agreement requires 3% of total dwellings accommodated within the Eastern

CLAUSE & OBJECTIVE	STATUS/ACHIEVEMENT
	<p>Precinct to comprise affordable housing.</p> <ul style="list-style-type: none"> • Village Centre DCS contains specific planning and design principles for different dwelling types proposed within the village centre. • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan and provide for a choice of allotment types and sizes • Building, Siting and Landscape Guidelines prepared and currently being implemented by DLL to ensure a high quality built and landscaped product for all development • Construction of dwellings within the Eastern Precinct has commenced.
<p>Clause 34 - Energy Efficiency</p>	<ul style="list-style-type: none"> • Lend Lease is currently concluding negotiations with Sydney Water regarding the provision of recycled water from the St Marys Sewer Treatment Plant. Reticulated infrastructure for the provision of recycled water has been construction in stages for the Eastern Precinct and will continue to for the balance of the precinct. • Implementation of water use minimisation measures including: the limitation of maximum water pressure through managing system zonings (pressure zonings), the promotion of the use of low water demand fixtures in dwellings and other buildings; investigating and, where reasonably ecologically practicable, constructing best practice and economically sustainable measures for the re-use of stormwater for irrigation of open space areas, and promotion of effluent re-use from the St Marys Sewer Treatment Plant requirement of St Marys Development Agreement (commenced) • Adopted EPP, DCS and Concept Plan incorporates and Efficient Resource Use Strategy. Plans include energy efficient controls in relation to heat loss and absorption, cross ventilation, solar access and controls in relation to lot orientation and lot design. Also includes development controls for future housing and community education initiatives. • Approved DAs conform with adopted EPP, DCS and Concept Plan and ensure development on land incorporates best practice energy management and include energy efficient principles wherever possible • Draft DPP and DCS aim to maximise opportunities for solar access through appropriate subdivision and lot design, development controls for future development on the site and education initiatives for future owners and tenants. All DAs are to conform with provisions of draft DPP and DCS. • Community Education Program to inform and provide on-going advice to residents of the measures that can be taken by householders to promote ESD living completed in October 2005 for implementation (when required) • Building, Siting and Landscape Guidelines prepared by DLL and currently being implemented to ensure a high quality built and landscaped product for all development. Guidelines cover how to address BASIX requirements, site planning, designing for a bushland setting and site management. Landscape guidelines include designing for sun access, bio-diversity and bushfire protection completed in January 2006
<p>Clause 35 - Waste Management</p>	<ul style="list-style-type: none"> • Adopted EPP, DCS and Concept Plan incorporates and Efficient Resource Use Strategy. Plans include community education initiatives addressing waste management. DCS requires designated composting areas in rear gardens and storage areas in dwellings for recyclables • Approved subdivision DAs conform with adopted EPP, DCS and Concept Plan. • Draft DPP and DCS include requirements for recycling and waste management. Draft DPP and DCS require waste separation, recycling and re-use facilities to be provided on site • Preparation of Community Education Program to inform and provide ongoing advice to all purchasers of the measures that can be taken to promote ecologically sustainable residential living.

Table 3 - Project Status Update – Key Documents and Approvals

Description	Status
Whole of Site Documents/Initiatives	
State Development Agreement	Signed 13 December 2002
Blacktown Development Agreement	Signed 15 November 2004
Employment and Development Strategy	Endorsed 22 March 2005
St Marys Employment Development Strategy Progress Report	Completed February 2005
Skilling and Employment Centre	Opened April 2005
Fire Management Strategy	Endorsed 4 February 2004
Macrofauna Management Plan	Endorsed by DEC on 3 March 2004
Ropes and South Creek Regional Open Space Strategic Management Plan	Completed September 2005
St Marys Development Transport Management Strategy	Submitted to DOP in October 2005
Sims Varley Technical Traffic Study	Completed in 2004
St Marys Cultural Strategy	Submitted to BCC in December 2006
Planning Documents	
Eastern Precinct Plan and Development Control Strategy (as amended)	Adopted by Blacktown City Council (BCC) on 4 February 2004
Eastern Precinct Concept Plan (and Amendments)	Adopted by BCC on 18 August 2004
Draft Precinct Plan and Development Control Strategy for North and South Dunheved	Lodged with BCC and Penrith City Council (PCC) on 29 April 2005

Table 4 - Development Applications

Development Applications - Approved	
Fire Mitigation Works (DA 02-2331)	Approved by PCC on 15 September 2003
Eastern Sector Remediation DA (DA 03-3988)	Approved by Minister for Infrastructure and Planning on 6 July 2004
Super Lot Subdivision (DA 04-1669)	Approved by BCC on 24 August 2004
Stage 1 Residential Subdivision (DA 04-2995)	Approved by BCC on 6 December 2004
Temporary Sales and Information Centre (DA 04-3324)	Approved by BCC on 21 January 2005
Advertising Billboard (DA 04-3923)	Approved by PCC on 17 February 2005
Subdivision and use for Builders Display Village (DA 05-0083)	Approved by BCC on 17 June 2005
Demolition (DA 05-1946)	Approved by BCC on 27 October 2005
Subdivision (Stage 1(c)) (DA 04-0803)	Approved by BCC on 31 October 2005
Macro-fauna Management Fencing (DA 05-0125)	Approved by BCC on 11 November 2005
Subdivision and road construction (Link Road) (DA 05-2328)	Approved by BCC on 7 November 2005
Re-subdivision of Lot 4 in DP 1079444 (DA 05-2960)	Approved by BCC on 7 November 2005
School site Super Lot Subdivision (DA 05-3284)	Approved by BCC on 16 December 2005
Subdivision of Part Lot 1 in DP 1079444 (Integral Energy) (DA 05-3476)	Approved by BCC on 22 December 2005
Stage 1(b)	Approved by BCC on 17 January 2006
Stage 1(f) Residential Subdivision (DA 05-2634)	Approved by BCC on 1 March 2006
Ropes Creek Bridge (DA 05-1895)	Approved by BCC on 1 March 2006
Development Applications – Lodged	
Stage 1(d) Residential Subdivision (DA 05-0779)	Lodged with BCC on 23 March 2005
Ropes Creek Bridge (DA 05-1127)	Lodged with PCC on 12 July 2005
Southern Entry Road (DA 05-1670)	Lodged with PCC on 7 October 2005
Stage 1(e) Residential Subdivision (DA 05-2697)	Lodged with BCC on 23 September 2005
Stage 2 (DA 05-2329)	Lodged with BCC on 22 August 2005
Supermarket DA (DA 05-3315)	Lodged with BCC on 17 November 2005
Village Centre Subdivision (DA 05-3438)	Lodged with BCC on 1 December 2005
Information Centre Car Park Subdivision (DA 05-3439)	Lodged with BCC on 1 December 2005
Stage 1 and BDV Signage (DA 05-3679)	Lodged with BCC on 22 December 2005
Land Transfer DA (DA 06-0376)	Lodged with BCC on 17 February 2006
Learning and community uses buildings (DET and CRH site) (DA 06-0389)	Lodged with BCC on 20 February 2006

Table 5 – Licenses and permits

Section 91 Licence under Threatened Species Conservation Act 1995	Fire mitigation works (to slash 4 hectares of land every 3 months to prevent the build up of combustible fuel)	9 December 2003 (expires 9 December 2006)
Section 90 Consent under National Parks and Wildlife Act, 1974	To carry out the destruction of an aboriginal object/place and permit to collect and/or excavate for the purpose of salvage for ADA: EP PAD 1 (#45-5-2994) required as part of the Stage 1 DA	16 March 2005
Part 3A Permit under the Rivers and Foreshores Improvement Act 1948 (DA 04-2995)	Undertake earthworks associated with a residential subdivision development including only construction of water main and construction of sewerage main	30 March 2005 (expires 30 March 2006)
Part 3A Permit under the Rivers and Foreshores Improvement Act 1948 (DA 05-0083)	Undertake works associated with subdivision and use for a Builders Display Village	8 August 2005
Part 3A Permit under the Rivers and Foreshores Improvement Act 1948 (DA 05-0803)	Undertake works associated with subdivision	4 January 2006
Section 91 Licence under the Threatened Species Conservation Act 1995	To construct and maintain 20 km of fencing to be used in the implementation of the St Marys Macro-fauna Management Plan	28 September 2004 (expires 31 December 2009)
Section 120 under the National Parks and Wildlife Act, 1974	To hold, care and manage captive populations of Eastern Grey Kangaroos, Red Kangaroos and Emus	28 October 2004 (expires 31 November 2005)
Section 121/120 & 127 under the National Parks and Wildlife Act, 1974	Translocation of macro-fauna to Big Yango Station within Yango National Park and / or licensed fauna parks, and to translocate animals within the St Marys Property	Submitted to NPWS 21 July 2005
Section 90 Consent under National Parks and Wildlife Act, 1974	To carry out the destruction of aboriginal objects required as part of the proposed remediation of the Eastern Sector.	15 December 2004

Table 6 - Site Audits

Site Audit	Area	Date Issued
CHK001/1	ADI St Marys Property, excluding Eastern Sector, QEL, Site 6, Site 23, buildings and concrete stockpile	7 June 1999
CHK001/2	ADI St Marys Property – Eastern Sector	7 June 1999
CHK001/3	ADI St Marys Property – QEL (site 24M)	7 June 1999
CHK001/4	ADI St Marys Property – Site 6	7 June 1999
CHK001/5	ADI St Marys Property – Site 23	7 June 1999
CHK001/6	ADI St Marys Property – Existing buildings and paved areas	7 June 1999
CHK001/7	ADI St Marys Property – Concrete stockpile	7 June 1999
BE 083	Part Eastern Sector, Zone 6 1(e), St Marys	9 January 2006
BE 072	Sales Centre and Road 101, Eastern Precinct, Stage 1, St Marys	1 June 2005
BE 067A	U Shaped Road, Eastern Precinct, Stage 1, St Marys	7 June 2005
BE 067B	U Shaped Road, Eastern Precinct, Stage 1, St Marys	7 June 2005
BE 073	Part Eastern Sector and QEL areas, Zone 7 1(f), St Marys	14 September 2005
BE 079	Eastern Precinct, Village Centre and Priority Areas (Stage 2)	6 February 2006