

Copy of email sent to Robyn Parker the NSW Environment Minister - ADI Site - Lend Lease Species Impact Statement
20th July, 2011

Dear Minister,

I have written to you now on several occasions seeking a meeting with your office to discuss a range of issues affecting Western Sydney's environment. One such issue is Lend Leases ADI Site development which proposes to clear hundreds of hectares of the critically endangered ecological community Cumberland Plain Woodland.

Lend Lease have DA's before Penrith Council which propose to clear 59 hectares of CPW. For the very first time they have provided a Species Impact Statement. A SIS must be made in accordance with requirements set out by the OEH Director General in accordance with the TSC Act. As the SIS has been made based on the DG requirements issued by your dept you are now involved in this DA process. Your dept now appears required to assess the SIS for concurrence with the issued DG requirements. If this is not the case or Penrith Council argues OEH concurrence is not required then we urge that you call in the SIS from Penrith Council for concurrence.

Attached is our submission which details, scientifically and legally, why concurrence should not be given by the DG and why the NSW Government needs to intervene in this DA.

The main reason why your office needs to carefully consider this matter is because Brad Hazzard promised an additional 100 hectares of CPW within the Western Precinct area of the ADI Site would be conserved. He made this commitment prior the Penrith by-election and also at the NSW Lib/Nat campaign launch stating the Liberal Nationals were committed to honouring its 2007 election policy to conserve the additional 100 hectares of Cumberland Forest. Also at the NCC NSW environment forum, hosted by Quentin Dempster, Catherine Cusack stated to the audience that "if Brad Hazzard made that commitment then you have it". So we expect the NSW Government to now honour its public statements and commitments.

The DA's lodged by Lend Lease propose to clear the very 100 hectare area promised by Brad Hazzard. So it is not a good look if your dept allows concurrence or fails to assess the SIS attached to the DA's that propose to clear this CPW remnant the NSW government promised to protect.

Other reasons why your department needs to intervene and protect CPW at the ADI Site is because your department, those administering the growth centres offset acquisitions, are currently struggling to find CPW to buy and conserve as part of its requirements to offset the loss of CPW within the Sydney Growth Centres. So here in Penrith we have a unique local occurrence of CPW that your government promised to save yet your own staff, for some reason, shows no concern about or need to conserve. This despite the fact that this massive CPW remnant, which adjoins a Regional Park, can be saved with the stroke of pen by the Planning Minister therefore saving your dept and the NSW government/taxpayers \$millions.

Last week myself, a WSCA colleague and a rep from the EDO met with staff from Brad Hazzards office. We discussed this matter and detailed legally how it can be conserved by the NSW Government. What was missing was the input of your dept. Many of the issues raised needed a response from your office. I therefore request once again a meeting with you and your staff to discuss the conservation of CPW at the ADI Site and the assessment of the SIS attached to the DA's currently before Penrith Council.

I must state that I have had a conversation with an OEH officer who states he will be assessing the SIS. We have grave concerns about this officers ability to assess the SIS transparently and in an unbiased manner. This person has a long history of failing to investigate breaches of the TSC Act by Lend Lease at the ADI Site. They have already argued that Lend Lease can use the Regional Park as an offset. This is in contrast to the expert opinions detailed in our attached submission and contrary to the DG requirements and OEH principles for offsetting. We demand that the SIS concurrence assessment be rigorous and fully transparent with your oversight. We will be questioning this entire process should there be doubts about the rigour of the SIS assessment.

Please contact me ASAP with any response and details of meeting dates and times.

Regards
Geoff Brown
President
WSCA