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22 October 2024

Melanie Mitchell  
Principal Analyst – Pricing and Policy  
Independent Pricing and Regulatory Tribunal

Sent online via [ipart.nsw.gov.au](http://ipart.nsw.gov.au)

Dear Ms Mitchell

**Mamre Road Stormwater Scheme Review – Draft Report regarding the Cost of Stormwater Drainage in the Mamre Road Precinct**

Thank you for the opportunity to provide feedback on IPART's Draft Report on the cost of stormwater drainage in the Mamre Road Precinct.

I also refer to Council's submission dated 20 May 2024 which provided feedback on the Issues Paper and outlined key matters to be resolved.

Whilst no significant concerns are raised to the findings and recommendations in the Draft Report, council officers have identified some high-level issues regarding the integration of open space and stormwater assets, impacts on smaller landholdings and impacts on local infrastructure contributions.

Open Space and Stormwater Infrastructure

As you know, Council officers have been working closely with Sydney Water and the NSW Department of Planning, Housing and Infrastructure (DPHI) to determine implications for the acquisition and treatment of open space and stormwater land in the Mamre Road Precinct.

Specifically, amendments to *State Environmental Planning Policy (Industry and Employment) 2021* (I&E SEPP) and the *Mamre Road Precinct Contributions Plan* (CP) will be required to update acquisition responsibilities where Sydney Water requires land for stormwater and drainage infrastructure.

It is understood that IPART modelled an alternative option for stormwater treatment and storage which would be more cost-effective than Sydney

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Water's proposal. In this scenario, changes to Sydney Water's infrastructure design will be required, which is likely to impact their asset footprints on RE1 Public Recreation zoned land. This will impact the timing of the finalisation of the Integrated Stormwater Scheme Plan and the associated development servicing plan (DSP) costs.

Council is aware of the need to amend the I&E SEPP and CP in a timely manner to prevent a 'doubling up' of costs in the CP and the DSP for land acquisition and embellishments. However, these amendments cannot be made until Sydney Water's basin designs are finalised.

Council also notes that the alternative design recommended by IPART may result in a smaller land area overall, but the basins would be deeper. Whilst this may be suitable from a technical perspective, IPART must ensure any redesign could be seamlessly integrated into the open space network. Otherwise, there is a risk that Sydney Water's infrastructure could erode the quality and function of the open space corridor.

It is noted that Council is currently working with Sydney Water to prepare an open space masterplan for the co-location of open space and stormwater infrastructure in the Mamre Road Precinct. If the recommended redesign necessitates securing/fencing off the basins for safety reasons, this will impact the ability of stormwater and open space assets to be effectively integrated and would not achieve an appealing public domain. This would also have flow on effects to the Aerotropolis where the clear intent has always been to create an integrated network of public open space and stormwater management.

#### Impact of Infrastructure Delivery on Private Landholdings

Another concern is the impact of infrastructure delivery on smaller landholdings in the south-west corner of the precinct. These landholdings have less IN1 land available than other properties in the precinct. However, Sydney Water's stormwater footprints on IN1 land are substantial in this location, which is likely to create undevelopable parcels of land. Some of these properties also have a partial RE1 and/or SP2 zoning, which means they may be subject to further land acquisition by other authorities.

Until the Scheme Plan is finalised, there is no certainty for affected landowners about how much of their land will be acquired for stormwater infrastructure or the timeframes for acquisition. Council officers request

that these matters be resolved as a priority, given the financial implications for affected landowners.

#### Impact on Council's Contributions Plan

The need to amend Council's contributions plan has been acknowledged with regard to reducing Council's acquisition role once the Sydney Water stormwater scheme is in place.

Given the extent of development that has already occurred in the Mamre precinct, Council is unable to take on any new additional roles or responsibilities in meeting the stormwater targets if IPART makes further recommendations that reduces the role of Sydney Water as there is no additional funding source for Council.

Council officers will continue working with Sydney Water and DPHI to clarify funding, delivery and maintenance responsibilities for the management of the open space and drainage land and to progress the required amendments to the I&E SEPP and CP.

Should you have any questions about this matter, please contact me on

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