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Submission: Please see attached.

URL: <u>https://pp.planningportal.nsw.gov.au/draftplans/exhibition/western-sydney-aerotropolis-planning-package</u>



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SUBMISSION TO THE DRAFT WESTERN SYDNEY AEROTROPOLIS PLAN PREPARED ON BEHALF OF THE SOUTHERN GATEWAY PRECINCT COMMUNITY ACTION GROUP

This submission to the NSW Government's *Draft Western Sydney Aerotropolis Plan* (the Plan) has been prepared by APP Corporation Pty Limited on behalf of the Southern Gateway Precinct Community Action Group (otherwise known as the Dwyer Road Precinct land owners).

The Community Action Group (CAG) want to firstly thank the Planning Partnership (PP), the Western City Aerotropolis Authority (WCCA), the Department of Planning, Industry and Environment (DPIE) and Liverpool City Council (Council) for their continued engagement following release of the Plan in December 2019. Planning for the Aerotropolis is a very extensive and complex exercise which needs to balance the early success, investment in business and infrastructure and environmental objectives established in the Plan. The PP in particular are to be commended for the development of the 10 objectives which will help shape decision making across the Aerotropolis in the many years to come.

This submission presents the collective opinions of the CAG which have been consulting with different authorities since early planning for the Aerotropolis in 2015/16. It is supported by a letter from Angus Taylor, the Federal Member for Hume who advocates for greater certainty around the future planning and infrastructure outcomes for the Dwyer Road Precinct.

The purpose of this submission is to present the CAG's key issues with the Plan, including:

- The need to communicate a greater level of detail and certainty around the timing for rezoning of the Dwyer Road Precinct and when infrastructure will be available;
- More clarity around the out of sequence rezoning and precinct planning process identified in the Draft SEPP Discussion Paper;
- A greater acknowledgement and realisation for the opportunities which can and will exist for the Southern Gateway Precinct;
- Greater recognition around the adverse impacts of the Airport and Aerotropolis in the short-medium term on existing residential properties and the need for protective measures to be outlined in the Plan.

The Southern Gateway Precinct

The Southern Gateway Precinct CAG is one of the largest land owner groups assembled in Greater Sydney. It incorporates the majority of lands within the Dwyer Road Precinct to the south of the Western Sydney (Nancy Bird-Walton) Airport (WSA), including over 200 properties and over 800 residents and land owners (refer to Figure 1). Collectively, the Precinct represents approximately 700+ hectares of lands currently zoned R5 Large Lot Residential



and RU4 Rural Small Holdings under the Liverpool Local Environmental Plan (LLEP 2008).

Whilst the Plan describes the lands as comprising mainly 'rural holdings' and "observed agricultural industries", the reality is that the majority are residential properties occupied by families and residents, many of whom have lived in the area for decades. Some small-scale rural and agricultural activities occur in parts of the Precinct; however, these are mainly secondary to the predominant residential use.

The Precinct is bounded by The Northern Road to the north and east; lands in the newly refined Agribusiness Precinct to the north, Greendale Road and the South Creek West Precinct to the south and the M9 Orbital Link corridor to the west. The Precinct is the only non-Initial Precinct in the Plan which has a direct interface to the Western Sydney Airport.

The Precinct has excellent access to existing and proposed future transport infrastructure including:

- The M9 Orbital
- Upgraded Northern Road
- Bringelly and Greendale Roads
- Future North-South Rail and Stations at the Airport and Bringelly
- The Nancy Bird-Walton Airport

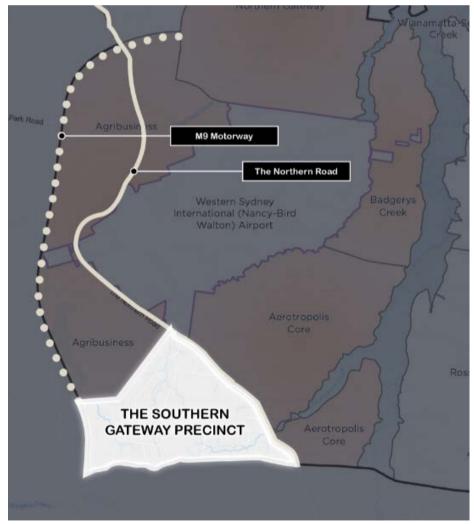


Figure 1 – Southern Gateway Precinct within the Aerotropolis

The Precinct also has excellent access to existing social infrastructure with numerous community assets in and around the Bringelly township including the community hall and sporting grounds (Bringelly Reserve), the Bringelly Public School, childcare centres and local shops. Utility infrastructure services are limited to electricity and broadband communications networks; however, recent upgrading of The Northern Road is introducing a supply of mains water to parts of the Precinct. The properties are currently reliant on pump-out sewer systems and rainwater tanks for water.

The Precinct includes over 200 individually titled properties with areas between 2 and 10 hectares. A number of farm dams currently exist which collect and manage the natural flows of water and the topographical conditions are varied due to the historic agricultural / rural uses and construction of dwellings and shed structures.

About the CAG

The Southern Gateway Precinct CAG has existed in some form for many years. The land owners within the Precinct have long been a close-knit community who share collective ideals and aspirations for their area. They are highly organised and understand the value of participating in the public discussion around the WSA and Aerotropolis.

Currently, the CAG is in the process of formalising their organisational structure under a self-developed Memorandum of Understanding (MOU) which is underpinned by a series of objectives, including:

- 1. Progressing the orderly and expeditious planning of the lands
- 2. Resolving impediments to the planning process and the delivery of infrastructure
- 3. Collectively determining appropriate exit strategies over time
- 4. Working collectively and having an organised structure to work with Government into the future

The CAG appreciates their current situation and key impediments to the early rezoning of their lands, namely the immediate availability of utility infrastructure. The fragmented nature of the lands in the Precinct has been historically identified as a significant challenge for planning and investment attraction and this is identified in the Plan. Accordingly, the CAG in recognition of these issues is strengthening the formality of their organisation to better work with Government and the private sector to unlock the Precinct for future development. It is understood this process will take a number of years to fully resolve and that collaboration is crucial.

The Objectives of the Plan

The Plan is underpinned by 10 objectives to shape decision making across the four themes presented in the *Greater Sydney Region Plan*; productivity, sustainability, infrastructure and collaboration, and liveability. These objectives are supported by more detailed planning principles.

The CAG supports the objectives of:

- Providing an accessible and well-connected Aerotropolis that enables employment in emerging industries and supports job growth in Western Sydney.
- Sustainability-led outcomes for the built and natural environments is also fundamentally supported and the aims to lower emissions, protect wildlife and water re-use are critical in the delivery of a 21st century city, particularly an industrious one.



• Collaborative planning to ensure challenges to delivery and opportunities for the Precinct are fully reconciled and realised.

Greater Certainty Around Timing to Rezoning and Infrastructure

The Precinct is identified as a non-Initial Precinct or a 'Remaining Precinct' under the Plan. The Plan currently provides little certainty around when the Precinct will be rezoned, or when utility infrastructure services will be available to allow for future development. By contrast, all of the other six precincts bordering the WSA are identified as Initial Precincts which will be rezoned to Agribusiness, Enterprise, or Mixed Use by mid-2020, with precinct plans to be released later this year. Whilst the challenges of fragmentation and the sequencing of infrastructure delivery is understood, the lack of information around the timing of the Precinct's rezoning is not. The CAG considers that the Plan unfairly omits the Precinct from immediate rezoning where adjacent precincts to the east (Aerotropolis Core) and west (Agribusiness Precinct) are to be rezoned this year.

Clarification is also sought around the following terminology "sequence precinct planning and rezoning to match infrastructure provision and the rate and nature of development in the initial precincts and adjoining areas." This statement seems to be in direct contradiction of the main purpose of the plan to "share the benefits of population and economic growth and create employment, develop skills and boost productivity", particularly where alternative strategies to the delivery of infrastructure could enable equivalent market interest in the Dwyer Road Precinct. The CAG is genuinely concerned that they are being unfairly left behind in order to benefit other land owners to the north, east and west.



The current sequencing approach is considered an issue for a number of reasons:

The lack of information around 1. the timing of rezoning and infrastructure delivery leaves over 200 individual land owners with no clarity around their exit strategy. It is fully acknowledged that the residential properties in the Precinct will over time transition to Flexible Employment uses, however, this transition should occur ahead of the operations of the Airport, not after.

- 2. Delays in the rezoning and development of the Precinct will unnecessarily halt the sale and transition of these residential properties, leaving residents susceptible to significant adverse impacts from industrial developments and operations of the airport.
- 3. Delays will also create issues with interfaces to the emerging residential and mixed use precincts to the south of Greendale Road in South Creek West. If this development proceeds ahead of Dwyer Road, it could unnecessarily restrict certain development outcomes (i.e. larger or heavier industrial operations or more intensive land uses).
- 4. It unfairly promotes the immediate take up and development of lands in the Initial Precincts to the north, east and west; lands that are under the ownership of government, large land-owners, developers and major institutions. Planning and development in the Aerotropolis should be founded on equal opportunity of outcome which the Plan does currently not promote.
- 5. It does not account for the ability of alternative infrastructure servicing providers to enter into agreement with land owners to bring forward the serviceability of the Remaining Precincts to aid in the orderly and efficient development of the Aerotropolis.
- 6. Under the Plan, the current rural and large-lot residential zonings and development controls will continue to apply until such time that the lands are rezoned. This is considered problematic in that it continues to allow for land uses and developments that are and will be inconsistent with the surrounding land uses and operations of the WSA to the north, east and west.

Recommendations

- The Plan should identify the Dwyer Road Precinct as an Initial Precinct to provide greater certainty to the land owners which will enable the orderly sale and transition of the lands.
- To provide greater certainty for all, the Initial Precincts should be staged (i.e. the first two stages (2020), the following two stages (2021) and so on).
- Government's plans for the timing and delivery of utility infrastructure services should be included in the final Plan. As an example, Sydney Water's delivery plans for mains water and sewer should be captured as a new chapter or section in the Plan.
- The Plan should include some recognition or detail of alternative infrastructure servicing providers. For example, where an alternative energy, water and wastewater entity can properly plan and coordinate delivery of infrastructure in any precinct, options to accelerate rezoning and

development outcomes 'could' be considered. Such detail would need to form part of a Voluntary Planning Agreement or other arrangements with Government.

• Government also need to provide some timing and certainty around the Biodiversity Certification process. It is understood that the lands within the Dwyer Road Precinct are currently the subject of assessment under the *Biodiversity Conservation Act 2016*. To enable future zoning and development of the Precinct, a commitment to whole-of-Aerotropolis certification needs to be confirmed in the final Plan and details around when this can be expected to occur.

The Out of Sequence Process

The Draft SEPP Discussion Paper provides a framework to establish an optional master planning process. It stipulates *"under limited circumstances, landowners will be able to provide granular details of land use allocation and arrangements across a site, which if approved may lead to the use of other planning pathways."* This alternative master planning process is available only to lands that are zoned and comprise at least 100 hectares.

The master plans must address any specific requirements issued by the Secretary of DPIE for a site or proposal. Importantly, the master plans can be undertaken concurrently with Precinct Plans.

This alternative pathway is supported by the CAG as it provides opportunities for landowners and developers to work collectively to deliver their visions for the future of their lands in consultation with the PP and other government departments. The alternative pathway could also be expanded to trigger the early rezoning of precincts not identified as Initial Precincts where:

- The proponent could demonstrate the availability of infrastructure under an Infrastructure Servicing Strategy and Plan
- The proponent could demonstrate commitment to development outcomes under a Development Delivery Plan
- Commitments from end-users of a character which align with the collective vision and desirable uses for a specific Precinct are affirmed through MOUs or similar
- The master plan is supported by an economic impact assessment which confirms that no adverse economic impacts will be borne by the Initial Precincts

More detail around this alternative process should be provided in the final Plan, particularly around how proponents can engage with the PP and DPIE in expediting planning processes.

Recommendations

- Provide more detail around the alternative framework for master planning 100ha+ precincts in the Aerotropolis
- Consider expanding this alternative pathway to trigger early rezoning / release of precincts where infrastructure, development outcomes, pre-commitments from industry to end use and economic analysis is provided to the satisfaction of Government.

The Opportunity for the Southern Gateway Precinct

The Plan currently has limited information around the intended future outcomes and opportunities for the Dwyer Road Precinct. The CAG has long recognised the opportunity for the Southern Gateway to match the significance and attention of other precincts including the Northern Gateway, the Aerotropolis

- Excellent access to existing and planned future transport and social infrastructure;
- A significant geographical position as the southern anchor to the WSA as well as a transition area between the mixed use precinct in the Aerotropolis Core to the east, the predominantly future residential lands of South Creek West to the south and the newly planned Agribusiness Precinct to the north west.
- Opportunities for direct access and links onto the planned M9 Orbital.
- Over 700ha of largely unencumbered lands which can serve connections and support the future expansion of the WSA and development of the Aerotropolis.

To complete the vision for the Aerotropolis, it's southern anchor in the Southern Gateway Precinct needs to be more properly considered for its opportunities and benefits. The Precinct can unlock multiple additional opportunities over the longer-term. The Plan currently identifies the Precinct as future Flexible Employment with the following strategic outcomes:

 Provide employment opportunities close to Aerotropolis Core Precinct



- Encourage Opportunities linking to Agribusiness Precinct
- *Acknowledge the existing rural village character of Bringelly* (not considered an important element by the CAG)
- Utilise and expand the existing social and cultural infrastructure
- Manage the interface and relationship with South West Growth Area

Whilst the above strategic outcomes are noted, the Precinct can also offer the following strategic opportunities:

- Contribute to the establishment of contemporary and sustainable mixed business parks underpinned by research industries, medical and education institutions, urban services and recreation facilities;
- Deliver strategic north-south links connecting the M9 Orbital to the WSA and east-west links connecting the Agribusiness Precinct to the Aerotropolis Core (in the form of road and rail links); and
- Major tourism attraction and a high-quality temporary accommodation sub-precinct for international and domestic visitors and workers.

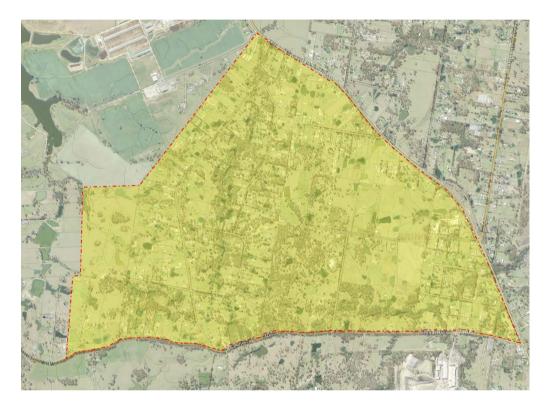
Recommendations

- Reconsider and build upon the vision and strategic outcomes for the Dwyer Road Precinct. Identify specific strategic opportunities based on the Precinct's position within the Aerotropolis to more clearly define its function and desired uses.
- As part of refining the vision, consider renaming the Dwyer Road Precinct to the Southern Gateway Precinct to better represent and embody the future outcomes.
- Consider and acknowledge opportunities for future links and connections within and around the

Precinct.

Overcoming Land Fragmentation

The Plan identifies land fragmentation in the Precinct as a major challenge to rezoning and orderly development. The driving force behind the organisation of the CAG is to enable the ease of transition of ownership from residential land owners to industry in the most orderly manner. It also establishes a greater convenience for representation and collaboration with Government and the private sector which cannot be underestimated.



Fragmented land ownership has proven to be repeated impediment to orderly development in rezoned precincts including most notably Leppington. Rezoning alone is not necessarily enough to overcome the challenges associated with existing land owner fragmentation, although certainty around uplift to planning controls can assist. Liverpool City Council and others have long understood these challenges and have developed innovative LEP provisions and are continuing to investigate strategies to overcome these challenges as part of planning frameworks.

The establishment of the CAG is a significant step to enabling rezoning and future development in the Precinct. They are committed to working closely with Government over the next few years to develop strategies to tackle the challenges of planning for and overseeing the orderly development of lands.

Recommendations

• Establish groups of planning experts to develop precinct plans with the organised land owner groups, whilst still allowing a level of self-determination and involvement in the delivery of visions and plans for precincts.

Impacts to Residential Properties

The most fundamental issue of the Plan and the sequencing approach for the Aerotropolis is the reality that over 200 residential properties will be located underneath an operational airspace in 2026. The PP has been clear that it anticipates rezoning and development of the Dwyer Road Precinct beyond the opening of the airport. This is probably the greatest flaw of the Plan, but it can be rectified with greater certainty and planning for these lands between now and 2024.



The Plan identifies approximately one third of the Precinct as being located underneath the flight path and within the ANEC 20-25. Almost the entirety of the Precinct is also identified within the 3km wildlife buffer and is near to the southern ends of the runways within the Public Safety Areas. Multiple adverse impacts are likely to be borne by the residents in the Precinct including, but not limited to:

- Health impacts associated with aircraft noise as existing dwellings are not appropriately acoustically attenuated;
- Health and safety linked with any potential failures to operations including aircraft strike, unplanned dumping of fuels or waste from overhead aircraft;
- Increased impacts to health, safety and property from wind turbines, lighting, reflectivity and vibration; and
- The collective reduction to residential amenity, which should be guaranteed for existing residential areas.

The Plan cites the importance of safeguarding the future operations of the WSA from development and land use activities in the Aerotropolis, however, it fails to pay due consideration to protection of residential amenity from the multiple adverse impacts from the airport. It is of no argument that residents who are likely to remain in their homes in 2026 deserve a level of consideration for their health, safety and general wellbeing. This sentiment is echoed in the supporting letters from the Hon. Angus Taylor, the Federal Member for Hume and Peter Sidgreaves, the Local Member for Camden.

Recommendations

- The final Plan should identify the full extent of possible adverse impacts to residents who are earmarked to be remaining in the Precinct in 2026.
- The final Plan should include measures or ideas to protect residents from impacts from the operations of the WSA and surrounding developments in the Aerotropolis Core and the Agribusiness Precincts.
- Consider bringing forward the rezoning and precinct planning for the Dwyer Road Precinct and focus on strategies to overcome challenges of land fragmentation, infrastructure delivery and market

challenges to transition lands from residential. Allow for consideration of alternative mechanisms to forward track planning with the objective of moving residents on prior to the opening of the airport.

• Clarify the statement "a precautionary approach to residential development and other noise sensitive development within the ANEF 20 and above will be taken". What does the precautionary approach involve, and does it apply to existing residential properties in the Precinct?

Summary

The CAG thanks the Planning Partnership and others for the opportunity to provide this submission to the second Draft Aerotropolis Plan. The urgency in finalising the Plan to enable rezoning of the Initial Precincts is understood and the extent of work undertaken to date is fully appreciated.

The Dwyer Road Precinct presents significant opportunities. The CAG considers that the full extent of the opportunities and future potential of the Southern Gateway Precinct have not been recognised in the Plan. Additional details and clarifications are also required as identified throughout this submission.

The main concern for the CAG is the current lack of certainty of outcomes around rezoning and the delivery of infrastructure to the Precinct. This uncertainty has significant detrimental impacts to the 200+ residents and land owners as it inhibits the orderly transition of residential lands to employment lands in time for the opening of the WSA. The result is that residents are exposed to unnecessary duress and recognised future aircraft noise and other health and safety impacts.

All of these issues are able to be mitigated as part of the final Plan by recognising:

- The Dwyer Road Precinct as a focus Precinct for accelerated rezoning as an Initial Precinct where alternative infrastructure solutions can be demonstrated.
- The greater opportunities in terms of future land use and development outcomes to better frame the Precinct's position in the market place.
- The need to develop mitigation strategies to manage future impacts of airspace operations to existing residents.
- The promotion of a coordinated approach and strategies to overcoming land fragmentation challenges.

The CAG looks forward to working closely with all levels of Government into the future to resolve future impacts, issues and deliver the powerhouse which will be the Western Sydney Aerotropolis.

Please feel free to contact the undersigned should you wish to discuss any of the matters raised in this submission.

Yours sincerely

Josh Owen SENIOR ASSOCIATE PLANNER APP CORPORATION PTY LIMITED



STRATEGY > DEFINITION > DELIVERY > TRANSITION

SOUTHERN GATEWAY PRECINCT (DWYER ROAD PRECINCT) BRINGELLY

VISION & LAND USE FRAMEWORK

March 2020

app.com.au

Position: Advantages and Challenges

POSITION:

- Strategically located 700ha+ lands to the south of the Western Sydney Aerotropolis
- Direct Access to The Northern Road, Greendale Road, Future M9 Orbital
- Eastern portion positioned within 1-2km of future rail in Aerotropolis Core
- To the east of the Agribusiness Precinct, west of the Aerotropolis Core and north of South Creek West (future residential release area in northern part of Camden LGA – home to 30,000 new homes by 2036.
- 240+ large lot residential properties with over 500 dwellings, home to 1,000 local residents
- Central Green Spine (Badgerys Creek)
- Varied topography
- Existing access to mains water currently being installed within the upgraded Northern Road frontage
- Solutions required around electricity / energy, sewerage and telecommunications
- Existing local road network will need to be upgraded or replaced to support future development
- Pockets of biodiversity lands to investigate and manage further

Aerotropolis Planning Package: What is says about the Precinct?

Dwyer Road Precinct Information

- Not identified as an Initial Precinct for Rezoning. Linked to challenges with infrastructure and market uptake of industrial lands
- Identified as future 'Flexible Employment' = Enterprise Zone
- Partly affected by ANEC 20-25
- Precinct Planning to acknowledge the existing 'rural village character' of Bringelly and support 'current agricultural operations' with a plan for a sustainable transition to employment uses over time.
- Pedestrian / cycle network and improved road network will link the Precinct to the Aerotropolis Core and Airport
- Encourage opportunities linking to Agribusiness Precinct
- Utilise and expand existing social and cultural infrastructure
- Need to 'manage' interface to South Creek West release area and M9 Orbital
- Restricting land uses that are incompatible with the Airport operations

Employment Lands and Use in Liverpool

| Liverpool LSPS | Employment and Industrial Land Strategies |
|---|---|
| Vision and Priorities Grow, attract and transition industries Agribusiness, aerospace and tourism Knowledge-intensive industries | Identified shortage of modern Urban Services lands Ageing nature of small-unit industrial stock in numerous industrial precincts and ageing infrastructure (roads, open space, supportive facilities) |
| Challenges 70% of residents work outside of the LGA Long-distance to work, a problem for growing knowledge- intensive industries Projected shortage of land zoned for local service related industrial uses after 2026 | Aerotropolis lands identified as being suitable in providing for larger industrial uses such as distribution, logistics, aerospace and defense – won't necessary solve the problem for Urban Services (small-scale industrial, essential services, storage, warehousing, trade-services, etc) |
| Actions Support small business and start-ups Industrial and Employment Lands Strategy to support needs of future businesses including knowledge based and advanced manufacturing | The emergence of Innovation Precincts are an exciting prospect for Liverpool. Can take the shape of many forms – Liverpool Innovation Precinct centred around Health and Education Sectors |

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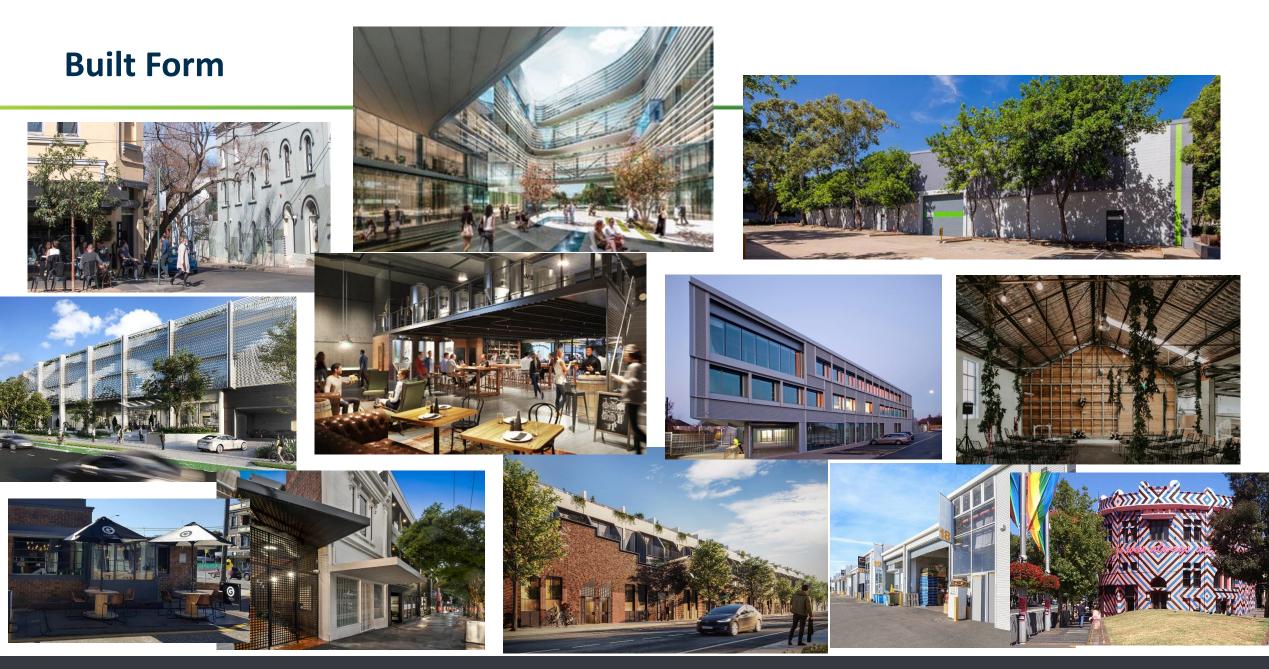
The Southern Gateway Precinct

Thoughts on Vision

- Inner-city vibrance
- Mixture of smaller-scale industries
- Urban services sub-precincts
- Social and cultural facilities
- Incubators and collaborative working spaces
- Specialised manufacturing and production
- Fine-grain urban design and built form
- Entertainment hubs
- Focus on Innovation and Specialisation of land uses
- Allocated areas for Urban Services

Types of Industries and Activities

| Trades / Urban Services | Vehicular repair, mechanics, white goods and machine repairs, electricians and plumbers, storage facilities, building supplies, sheet metal suppliers and recycling, chemical and medical supplies, goods assemblage and packaging, stripping and recycling |
|----------------------------|--|
| Creative and Entertainment | Design, Marketing, Consulting, Property and Leasing, Management, Finance, Small-scale technologies, Print, Digital Media, Advanced robotics and AI, Legal, Specialised engineering, Medical imaging, Film production and education, Entertainment facilities, Art Galleries and Studios, Recording Studios, Rehearsal Spaces, Photography, Recreation (both indoor, outdoor) |
| Food / Agribusiness | Food science and technologies, storage, production, packaging and management, artisan and alternate dining and on-premise tours, vineyards, alcohol and beverage production, supply, management and on-site premises |
| Specialised Manufacturing | Designers, Research and Development Prototyping, Destructive and Non-Destructive Testing, Casting and Forging, Recycling, Robotics, Aeronautical and Aerospace, Mechatronic Engineering and Production, Textiles, Leather and Apparel, Wood, Paper and Metal, Nonmetallic minerals, Machinery, Computers and Electronics, Appliances |
| Retailers | Specialty stores, department stores, supermarkets, convenience stores, discount and used / recycled goods, outlets, news agencies, gaming, liquor and chemists |
| Incubators | All uses combined into a purpose-built facility centred around one-two primary shared spaces with adaptable areas for exhibitions, showcasing, learning and creating |
| Bulky Goods / Wholesalers | Furniture, food and beverage, clothing and bedding, medical, electrical, trades and hardware, building materials, metals and precious jewels, paper and plastics, office supplies, musical instruments and creative arts, vehicle sales, storage, small-scale logistics and local distributors |



Zoning

Urban Services Zone

The Urban Services Zone encompasses all of those smaller, local, essential industries and services that are required to support the broader Aerotropolis. It's inner city location lends itself to playing a supportive role to the new Aerotropolis Core to the east and Airport to the north. It's essential daily services, access to local jobs and production of smaller goods and products that can be purchased and distributed locally will also sustain the ongoing growth of residential areas to the south of Greendale Road.

The zone provides for traditional small-scale industrial activities as well as specialised, innovative, collaborative and emerging industries and services. As expansions of the Agribusiness Precinct to the west and Aerotropolis Core to the north it provides opportunities for food and beverage production, storage, research and tourism experiences as well a mixed retail, specialised manufacturing and creative trades.

Unlike other precincts within the Aerotropolis that will provide larger allotments for distribution, logistics and warehousing, the Urban Services Zone in the Southern Gateway Precinct will embrace a unique, fine grain, inner-city urban environment with incubators, shared work spaces and compact built forms. A new network of streets will provide shared access for workers, pedestrians, cyclists and vehicles, with separate access for larger heavy-rigid vehicles to promote walkability.

Charter