



Subject:
Date:



FW: Webform submission from: [webform_submission:source-title]
Tuesday, 17 March 2020 4:53:22 PM



Sent: Thursday, 12 March 2020 10:43 AM

To: PPO Engagement <engagement@ppo.nsw.gov.au>; [redacted]

Subject: FW: Webform submission from: [webform_submission:source-title]



Sent: Wednesday, 11 March 2020 10:35 AM

To: DPE PS ePlanning Exhibitions Mailbox [redacted]

Subject: Webform submission from: [webform_submission:source-title]

Submitted on Wed, 11/03/2020 - 10:34

Submitted by: Anonymous

Submitted values are:

Submission Type:I am submitting on behalf of my organisation

First Name: Madison

Last Name: Winnel

Name Withheld: No

Email: [redacted]

Suburb/Town & Postcode: North Sydney 2060

Submission file:



Submission: Submission on behalf of a landowner on Elizabeth Drive attached.

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



SUBMISSION TO THE DRAFT WESTERN SYDNEY AEROTROPOLIS PLAN

PREPARED ON BEHALF OF PAUL SIMS (LANDOWNER)

This submission to the NSW Government's Draft Western Sydney Aerotropolis Plan (the Plan) and planning package has been prepared by APP Corporation Pty Limited on behalf of the landowner, Mr Paul Sims.

The landowner firstly would like to commend the Department of Planning, Industry and Environment (DPIE), the Planning Partnership (PP), and Western Sydney Aerotropolis Authority (WCAA) for preparing the Plan for Sydney's newest economic hub. The Aerotropolis will be a nationally significant metropolitan centre providing new employment lands and jobs for the Western Parkland City as well as a diverse range of housing types, recreational spaces in a mixed-use community with landscape-led design at the forefront.

The site being the focus of this submission is [REDACTED] Elizabeth Drive, Badgerys Creek, legally described as [REDACTED]. It has an area of 15.2ha and is immediately north of Elizabeth Drive adjacent to the north-east boundary of the Western Sydney Airport. The site is positioned to the south of the Badgerys Creek Landfill Depot and to the east of McGarvie Smith Farm, an item of local heritage significance. Notably, the site is positioned on the eastern bank of Badgerys Creek, a tributary of the Wianamatta-South Creek corridor. The site is shown in the aerial image below, outlined in red:

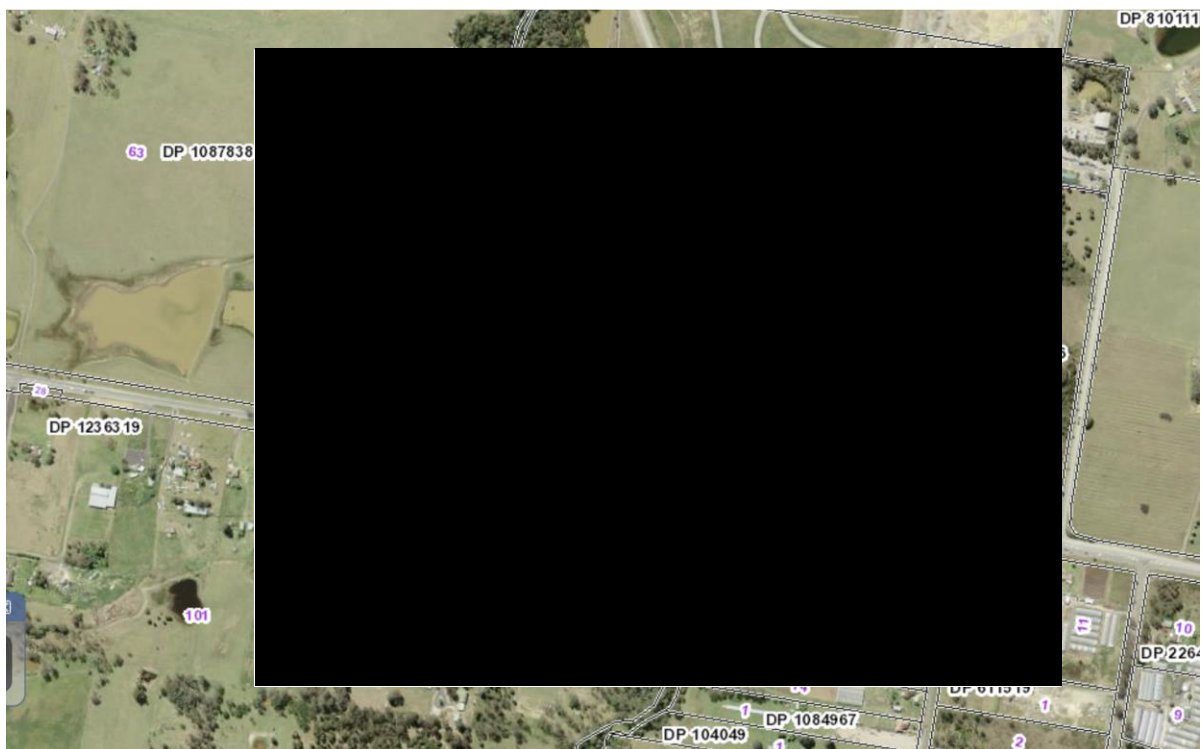


Figure 1 – Site Location

The site is currently zoned E2 Environmental Conservation and RU2 Rural Landscape under Penrith Local Environmental Plan 2010. The site has mapped areas of Terrestrial Biodiversity, Scenic and Landscape Value, and identified as comprising partially flood and bushfire prone land.

Under the Plan and supporting SEPP Discussion Paper the site is located within both the Wianamatta-South Creek and Badgerys Creek Precincts. The landowner understands the implications of the Plan on the future use of the site. The purpose and the key objectives of this submission are to:

1. Advocate for increased certainty regarding development interfaces across precinct and zone boundaries through the relevant environmental planning instruments.
2. Work collaboratively to identify and realise the highest and best use of landholdings that are partially located within the Wianamatta-South Creek Precinct.
3. Examine the economic benefit in retaining portions of the Wianamatta-South Creek Precinct in private ownership with public access.

The Wianamatta-South Creek and Badgerys Creek precincts are both identified as initial precincts for rezoning by mid-2020. The Aerotropolis will be framed around a landscape-led approach, where Wianamatta-South Creek, large regional parks and expansive green networks will frame the city's built form and activity centres. In accordance with this vision, the site is identified as having an "Environmental Protection" zoning across the Wianamatta-South Creek Precinct and "Enterprise" zoning across the Badgerys Creek Precinct.

Wianamatta-South Creek

Wianamatta-South Creek and its adjoining lands form a key piece in achieving the Aerotropolis vision for a "landscape-led planning approach." The natural environmental assets within the Wianamatta-South Creek Corridor will be incorporated into a broader urban, city setting. The need for water infrastructure and protection of this corridor is understood. The reduction in the precinct boundary from the Probable Maximum Flood (Stage 1 Aerotropolis LUIMP) to the 1:100-year flood level (draft Aerotropolis Plan) is also supported. The previous extent of environmentally protected lands was considered onerous, however, the importance of this precinct for delivery of water infrastructure and natural amenity is recognised.

The Environmental Protection zoning applies to approximately half of the site and generally aligns (but is not totally consistent) with the extent of the 1:100-year flood level. The site is located between both flightpaths within the 3km wildlife buffer zone to the Airport which will be a key consideration in planning for any parkland or biodiversity uses to not attract bird life that could interfere with aircraft operations.

Badgerys Creek

The Badgerys Creek Precinct will support the airport operations and meet a demand for a range of employment generating uses that benefit from its proximity to the airport and new urban centre, but do not require proximity to regular public transport. Uses may include defence and aerospace technology-based industry. The precinct will be in a green setting with new linkages and active transport opportunities between Badgerys Creek to the west and Wianamatta-South Creek to the east. Development should take advantages of views to these creek lines surrounding the precinct.

Precinct/Zone Interface

The importance of an integrated, green interface between Wianamatta-South Creek and adjoining precinct is referenced throughout the Plan. Draft DCP Objective C for the Badgery's Creek Precinct is to *Facilitate compact urban development well connected to functional, green, private open space.*

This objective is identified for implementation by the Planning Partnership and includes:

1. Prepare detailed precinct plans (with relevant agencies).
2. Prepare a DCP to guide built form and public domain treatment, servicing strategies and the Wianamatta South Creek interface (with relevant agencies).
3. Establish an appropriate interface to Wianamatta-South Creek and maintain access to promote green open space and recreational uses.

Given flexibility afforded to DCP's, the approach to incorporate interface controls within this document is understood. However, it is recommended that the Planning Partnership explore the inclusion of a "development across zone boundaries" clause or similar, whereby an applicant can suitably demonstrate that a development outcome achieves set criteria for interface development. This would allow flexibility in the placement of buildings and siting of particular uses adjoining the Wianamatta-South Creek Precinct and more flexibility in the finer grain master planning stage.

For example, the Planning Partnership should consider allowing additional permitted uses on land within the Badgerys Creek Precinct that are consistent with the objectives of the Wianamatta-South Creek Precinct. Such uses could include:

- Community facilities
- Recreational facilities (indoor)
- Car Parks
- Retail premises
- Educational establishments
- Entertainment facilities
- Light Industries

These additional uses should only be considered where an Applicant can suitably demonstrate that development will:

- Not adversely impact on flooding conditions across the subject land or downstream properties
- Not adversely impact on any biodiversity, native vegetation of waterways
- Protect and improve hydrology conditions, including water quality
- Be consistent with any important natural features of the environment

The concern with a hard zone boundary is that it may limit a developer's ability to provide a transition to adjoining environmental lands, particularly where the environmental lands are of a degraded form and are largely clear of natural hazard affectation. The proposed approach would better allow developers to integrate recreational areas and landscaped treatments within employment lands to create a landscaped development outcome. The incorporation of a hard zoning edge has the potential to:

- Drastically impact land values of sites comprising Environment and Recreation zoned lands, even where, as is the case with the subject site, other areas of the site are to be zoned for Enterprise.

- Limit a place-based and site-informed design to development outcomes, as Applicants will seek to maximise site coverage across Enterprise zoned lands regardless of any site constraints and opportunities which may exist across zone boundaries.

The draft DCP cites “integration” and importance of “landscaped treatments” as an objective in both precincts. It is suggested that this be further defined in the SEPP and Structure Plan by way of a development across zone boundaries clause. Failure to do so may risk sterilisation of large landholdings which may otherwise be proven to be suitable for certain development / land-use outcomes.

Land Acquisition

The Plan identifies the opportunity for public acquisition of lands within the Wianamatta-South Creek Precinct to support the open space needs of the Aerotropolis. Acquisition of land presents a significant cost to Government, however, the importance of opening up environment and recreation zoned lands for the benefit of the public in the short-medium term as the city develops is recognised.

To achieve this, in the short-medium term, it is recommended that lands be retained in private ownership with easements for public access created by Applicants where they chose to do so as part of development proposals. This would deliver a significant saving to Government in the short term whilst also progressing the access of these vital amenity lands to the public during the gradual transformation of the precinct.

The Planning Partnership should consider incorporating objectives or provisions in the Final DCP document around how easements for public access can be created over privately retained lands in the environment and recreation zoned areas until such time that Government is in a position to acquire. These provisions will also need to consider how these areas are managed by the private land owners in the short term.

Future Transitional Land Uses

The objectives and desirable land-uses within the Wianamatta-South Creek Precinct and Badgery’s Creek Precinct, as per their corresponding future zoning is discussed below.

Wianamatta-South Creek – Environment and Recreation Zone

Objectives:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on ecological or recreational values.*
- *To encourage, where appropriate key regional pedestrian and cycle connections.*
- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To ensure that development is secondary and complementary to the use of land as public open space, and enhances public use, and access to, the open space.*

Permissible land-uses:

- Environmental facility, Information and education facility, Kiosk, Recreation area, Recreation facilities (outdoor), Water recreation structure and Roads.

Badgerys Creek – Enterprise Zone

Objectives (as relevant):

- *To manage the transition of land from non-urban uses to employment uses*
- *To support the development of well-planned and serviced new urban communities in accordance with the Precinct Indicative Layout Plan.*
- *To safeguard land used for non-urban purposes from development that could prejudice the use of the land for future commercial land use purposes.*
- *To encourage a precinct built around professional services, high technology, food production and processing, health and education and creative industries.*
- *To ensure that land which has the potential to impact environmental conservation areas is developed appropriately and enhance biodiversity outcomes for the Precinct.*
- *Prevent potential conflicts between airport operations and land use/development outcomes.*

Permissible land-uses:

Animal boarding or training establishment, Building identification sign, Car park, Centre-based child care facility, Commercial premises, Community facility, Depot, Educational Establishment, Electricity generating works, Emergency Services Facility, Entertainment facility, Environmental protection works, Flood mitigation works, Freight transport facility, Function centre, Funeral home, Garden centre, General industry, Hardware and building supplies, Hazardous industries, Health services facility, Hotel or motel accommodation, Industrial retail outlet, Industrial training facility, Information and education facility, Landscape material supplies, Light industry, Liquid fuel depot, Neighbourhood shop, Passenger transport facility, Places of public worship, Public administration building, Pubs, Recreation area, Recreation facility (indoor), Recreation facility (major), Registered club, Research station, Restricted premises, Road, Service station, Serviced apartment, Sex services premises, Signage, Storage premises, Telecommunications facility, Transport depot, Truck depot, Vehicle body repair station, Vehicle body repair workshop, Vehicle sales or hire premises, Veterinary hospital, Warehouse or distribution centre, Waste or resource management facility, Water supply system, Water treatment facility, Wholesale supplies.

Whilst the Wianamatta South Creek Precinct is a strategically important environmental corridor, not all lands within the zone contain significant biodiversity or native vegetation values. Certain affectations over these lands such as bushfire and flooding can be managed through future proposals, management plans and incorporation of buffer zones (such as Asset Protection Zones (APZs)). In consideration of the land-uses listed above there is opportunity to utilise parts of the Wianamatta-South Creek corridor for interfaces with employment development that may include car parks, commercial premises (retail and cafes), garden centres, recreational areas, pubs, or water treatment facilities for example. Planning for these types of uses adjacent to the Wianamatta-South Creek Corridor should recognise the benefit of reduced setbacks and flexible zone boundaries, as well as the immense social, environmental and economic benefits of activating the corridors with people. This approach delivers immense public benefits, including:

- Greater surveillance and utilisation of the environment and recreation zoned lands, resulting in improved public safety.
- Sustainable economic use of the lands which actually deliver positive fringe economic benefits which support the primary employment industries in the adjoining zones.

- Incorporation of sustainable developments in the form of buildings and infrastructure which work to improve and protect environmental processes including renewable and recyclable systems for energy, water and waste that can be integrated into the landscape.

Recommendations:

1. The Planning Partnership should consider incorporating a 'development across zone boundaries' clause for the environment / recreation zoned lands to ensure the best opportunity for place-based and site informed planning of interfaces to the Wianamatta-South Creek Precinct
2. Additional suitable land uses should be considered for the environment / recreation zoned lands where an Applicant can demonstrate positive environmental impacts, preservation and attainment of the objectives of the zone.
3. Government should consider ways of allowing public access over privately owned lands within the Wianamatta-South Creek Precinct in the short-medium term, including potential for public access easements. Details around such an approach could be considered in the final DCP.
4. Update the wording of provisions in the final Plan, SEPP and DCP to provide for 'soft' development within, and interfacing to the Wianamatta-South Creek Precinct. This is important in helping to shift current thinking and cynicism around the final outcomes of these precincts. Deliver a focus in the final Plan around promoting the importance of economic outcomes in line with social and environmental objectives for these lands.