



Subject:
Date:

FW: Webform submission from: [webform_submission:source-title]
Tuesday, 17 March 2020 4:55:34 PM

[Redacted]
[Redacted]

Sent: Thursday, 12 March 2020 10:45 AM

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

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

[Redacted]
[Redacted]

Sent: Wednesday, 11 March 2020 3:32 PM

To: DPE PS ePlanning Exhibitions Mailbox [Redacted]

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

Submitted on Wed, 11/03/2020 - 15:31

Submitted by: Anonymous

Submitted values are:

Submission Type: I am submitting on behalf of my organisation

First Name: Timothy

Last Name: Smith

Name Withheld: No

Email: [Redacted]

Suburb/Town & Postcode: 2150

Submission file:

[Redacted]
[Redacted]

Submission: Endorsed submission from Penrith City Council in relation to the WSAP, SEPP
Discussion Paper and Phase 1 DCP

[Redacted]
[Redacted]



Our reference: 9020002
Contact: Tim Smith
Telephone: 4732 8079

4 March 2020

David McNamara
Director, Aerotropolis
Western Sydney Planning Partnership
PO Box 257
Parramatta NSW 2124

Dear Mr McNamara

**Western Sydney Aerotropolis Plan, Aerotropolis SEPP and DCP
Comments**

Thank you for the opportunity to comment on the Western Sydney Aerotropolis Planning Package. Council commends the approach undertaking for the drafting of these documents, including the creation of the Western Sydney Planning Partnership which has enabled an unprecedented level of collaboration during the formation of the strategic planning framework for the Aerotropolis Priority Growth Area. This partnership has been particularly important given the critical role that the Aerotropolis will play for Penrith and Western Sydney over the coming years.

Please find enclosed our comments on the proposed documentation, which includes commentary on the Western Sydney Aerotropolis Plan (WSAP), the Aerotropolis State Environmental Planning Policy (SEPP), and the Phase 1 Aerotropolis Development Control Plan (DCP). These views have been subject to endorsement by Council.

Council welcomes the economic position of the Aerotropolis, which is consistent with Council's strategic objective in the *Penrith Local Strategic Planning Statement* of providing more jobs closer to the homes of our residents.

Fundamental to the successful development of the Aerotropolis is the detail around key transport infrastructure in the precinct. In this way, station locations and final corridors for Sydney Metro Greater West are particularly important to the delivery of a successful Aerotropolis.

Staging continues to also be an important consideration to Council, given the substantial amount of land to be released within the nominated Initial Precincts. This includes the logical staging of land within and between precincts to allow for the orderly development of land. We also need to understand servicing timeframes, particularly in relation to water

ENGLISH	If you do not understand this, please contact the Telephone Interpreting Service on 131 450 and ask them to contact Penrith City Council on your behalf on (02) 4732 7777. Or come to the Council offices and ask for an interpreter.
ARABIC	إذا لم يكن بإمكانك قراءة النص أعلاه، الرجاء الاتصال بخدمات الترجمة الفورية الهاتفية (TIS) على الرقم 131 450 والطلب منهم الاتصال بدورهم بمجلس مدينة بنريث نيابة عنك على الرقم 4732 7777 (02). أو يمكنك الحضور إلى المجلس وطلب ترتيب مترجم فوري لك.
CHINESE	如果您无法阅读这些文字，请致电 131 450 联系电话传译服务中心，请他们代您拨打 (02) 4732 7777 联系 Penrith 市议会。您也可以亲自到市议会来并要求获得口译服务。
GREEK	Αν δεν μπορείτε να το διαβάσετε αυτό, τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων στο 131 450 και ζητήστε τους να επικοινωνήσουν με το Δήμο Penrith (Penrith City Council) για λογαριασμό σας στον αριθμό (02) 4732 7777, ή ελάτε στη Δημαρχία και ζητήστε διερμηνέα.
HINDI	यदि आप इसे नहीं पढ़ पाते हैं, तो कृपया 131 450 पर टेलीफोन दुभाषिया सेवा से संपर्क करें और उनसे कहें कि वे आपकी ओर से पेनरथि सिटी काउंसिल से (02) 4732 7777 पर संपर्क करें. या आप काउंसिल आएँ और एक दुभाषिया की माँग करें.
ITALIAN	Se non riuscite a leggere questo, contattate il servizio telefonico di interpretariato al numero 131 450 e chiedetegli di contattare da parte vostra il comune di Penrith City al numero (02) 4732 7777 oppure venite in comune e richiedete un interprete.
MALTESE	Jekk ma tistax taqra dan, jekk jogħġbok, ikkuntattja lit-Telephone Interpreting Service fuq 131 450 u itlobhom biex jikkuntattjaw Penrith City Council f'ismek fuq (02) 4732 7777. Jew ejja l-Kunsill u itlob għal interpretu.
PERSIAN	اگر نمی توانید این مطلب را بخوانید، لطفاً به خدمات ترجمه تلفنی به شماره 131 450 زنگ بزنید و از آنان بخواهید با شورای شهر پنریت Penrith City Council به شمار ه 4732 7777 (02) از جانب شما تماس بگیرند. یا اینکه به شهرداری Council آمده و مترجم بخواهید.
SINGHALESE	ඔබට මෙය කියවීමට නොහැකි නම්, කරුණාකර දුරකථන අංක 131 450 ඔස්සේ දුරකථන පරිවර්තන සේවාව (Telephone Interpreting Service) අමතා ඔබ වෙනුවෙන් දුරකථන අංක (02) 4732 7777 අමතා පෙන්රිත් නගර සභාව (Penrith City Council) හා සම්බන්ධ කර දෙන ලෙස ඉල්ලා සිටින්න. නැතිනම් නගර සභාව වෙත පැමිණ හානි පරිවර්තකයකු ලබා දෙන ලෙස ඉල්ලා සිටින්න.
TAMIL	இதை உங்களால் வாசிக்க இயலவில்லை என்றால், 'தொலைபேசி உரைபெயர்ப்பு சேவை'யை 131 450 எனும் இலக்கத்தில் அழைத்து 'பென்ரித் நகரவையுடன்' (02) 4732 7777 எனும் இலக்கத்தில் உங்கள் சார்பாக தொடர்பு கொள்ளுமாறு கேளுங்கள். அல்லது நகரவைக்கு விஜயம் செய்து உரைபெயர்ப்பாளர் ஒருவர் வேண்டுமெனக் கேளுங்கள்.
VIETNAMESE	Nếu quý vị không thể đọc được thông tin này, xin liên lạc Dịch Vụ Thông Dịch Qua Điện Thoại ở số 131 450 và yêu cầu họ thay mặt quý vị liên lạc với Hội Đồng Thành Phố Penrith ở số (02) 4732 7777. Hoặc hãy tới Hội Đồng và yêu cầu có thông dịch viên.

and sewer infrastructure, and the impacts that these would have on staging. In the interim, initial stage activation projects should also be considered as the region establishes an identity and sense of place.

Further development of planning in the area over the coming months, including the finalisation of transport corridors, the preparation of the Phase 2 DCP, and detail regarding the contributions framework will be important to Council, and we look forward to contributing on these matters. Precinct planning will also be important, particularly in regards to the initial precincts (including the Northern Gateway) which will play a strategic role in the development of the Aerotropolis and Western City.

Council also welcomes an opportunity to review the planning instrument ahead of the SEPP being made to ensure that the intent of our comments has been interpreted in the legal framework. We also look forward to continuing to work with the Partnership to develop the governance framework for the ongoing planning of the Aerotropolis.

If you have any questions or wish to discuss the matters raised in this letter further, please contact 4732 8079 or tim.smith@penrith.city.

Yours sincerely



Natasha Borgia
City Planning Manager

Attachment A: Submission Comments

Please find comments below, divided into different focus areas. Where necessary, each comment identifies the specific document(s) it refers to. Detailed comments in relation to specific documents, such as specific DCP performance outcomes, have been provided under separate cover.

Employment / Jobs Delivery:

1. The economic position of the Aerotropolis is consistent with Council's strategic objective of providing more jobs, closer to home. This is supported.
2. Economic integration with other surrounding areas, including GPEC and the Penrith Economic Triangle, is important to amplifying economic benefits on a regional scale. The Aerotropolis should be assessed in this larger Western City economic context as part of any future economic study, and should not only be viewed as an isolated economic precinct.
3. The proposed rezoning will enable new investment opportunities to arise across various higher order employment sectors. A planning framework is supported where additional permitted uses could be introduced during Precinct Planning, enabling flexibility as the Aerotropolis framework is progressed such that economic opportunities are not missed.
4. Noting the various constraints throughout the Aerotropolis area, the retention of economically workable development sites is important, particularly in the context of early stage interim industrial and logistics uses which rely on larger floorplates and significant hardstand areas without constraints. Planning for this type of outcome will be required during Precinct Planning to avoid a situation where land provided is not suitable for development envisaged.

Governance:

1. We look forward to clarity regarding the consent authorities within the Aerotropolis including for major development, local infrastructure development, and master planning.
2. It is a priority that Council maintains a stake in the delivery of any proposed development approved by the Department of Planning, Industry and Environment under a State Significant Development Application. Under current legislation for State Significant Development, a Subdivision Works Certificate and related inspections are undertaken through a private certifier and a Subdivision Certificate can be issued by private certification,

consequently dedicating public assets to Council with no Council involvement in the assessment and delivery process. This results in development that is inconsistent with Council's specifications or vision. Infrastructure assets are also dedicated to Council, which have ongoing maintenance costs but with no funding source.

3. We look forward to further detail as to how the future DCP Review Working Group would work, and encourage that a framework be in place prior to implementation. This will assist in mitigating any delays in amendment to the future DCP, which will be an evolving document.
4. We would encourage that any review of the exempt and complying development provisions be such that additional exempt / complying development is only enabled where upfront strategic planning work has already been undertaken.

Funding Mechanisms:

1. The use of an Environment and Recreation zone is an important step in delineating the key environmental space which will be required in future. However, the lack of detail known on this creates uncertainty for landowners. Details regarding the future intended ownership, ongoing management, and any acquisitions are important to clarify at this stage. If Council is to be the owner of land within this zone, there will need to be appropriate acquisition and ongoing management funding arrangements for this regional open space.

Noting that the Infrastructure NSW South Creek Sector Review is still underway, it may be that rezoning of this area may need to be deferred until such a time that greater certainty is known.

2. Further clarity regarding the delineation between acquisition at Thompsons Creek and elsewhere in the precinct is requested, as the currently exhibited maps imply that Thompsons Creek is the only section which would require acquisition. If this is the case, there should be further justification as to why there is no equivalent acquisition in the northern portion of the growth area in the Penrith LGA. Regional level open space will be required across the precinct, for the use of future residents, employees and visitors, and we would direct you to Council's draft Sport and Recreation Strategy to consider Council's strategic vision.
3. In regards to contributions timing, it is important that the full framework for infrastructure funding (PIC, SIC, LIC) is in place prior to the making of Aerotropolis SEPP. As soon as possible, there also needs to be clear communication to the market and authorities how the various contributions systems will interrelate,

including ownership and maintenance arrangements of infrastructure (open space, roads, water management, etc.).

4. It needs be clarified whether payment of Place Infrastructure Compact contributions is required prior to determination of Development Applications. Typically, evidence of payment is required prior to determination through specific SEPP provisions limiting this ability to grant consent, which risks delaying assessment. Rather, this should be a requirement prior to lodgement (refunded if application not supported) or conditioned prior to construction certificate / subdivision certificate. The clause provisions of the SEPP should be explicit on this or addressed through an implementation plan or similar.
5. The use of value capture is supported as an innovative means of providing much needed infrastructure in the Priority Growth Area. It is suggested that value capture mechanisms be explored as a matter of priority, so that the opportunity is not lost.

Planning:

1. The Phase 1 DCP provides for objectives and Performance Outcomes in the Aerotropolis area, but is presently relatively high level and lacks detail. We look forward to further involvement in and ability to comment on the second phase DCP.
2. As documentation is finalised, the relationship between the WSAP and the various SEPPs should be clarified and simplified. This includes:
 - a. Ensuring that the structure plan is consistent with future SEPPs, and does not envisage uses which are not permissible under the zone. If inconsistent terminology is used between the WSAP and the SEPPs, this could create ambiguity for future landowners and consent authorities in implementation, and / or result in unnecessary site specific planning proposals. If there is a need for further diversity through the structure plan, then Precinct Planning will need to separate and manage land use delivery between parts of the growth area where different intentions are sought.
 - b. Ensuring that differentiation is provided in the Structure Plan between 'Flexible Employment' under the Aerotropolis SEPP (Enterprise) and under the WSEA SEPP 'Flexible Employment' (IN1).
 - c. Ensuring that differentiation is provided in the Structure Plan between 'Environment and Recreation' under the Aerotropolis SEPP (Environment and Recreation) and

under the WSEA SEPP (RE1 Public Recreation and E2 Environmental Conservation).

Given the change in approach between the two SEPPs, the WSAP should be updated to reflect differences such as these.

3. We look forward to reviewing how Precinct Planning and objectives will be used to further direct land uses to specific contexts. Currently, the draft SEPP maps would enable permissibility across all precincts in all locations zoned 'Enterprise' or 'Mixed Use'. We encourage the Partnership to consider this when notifying any future SEPP instrument. We also look forward to further clarity regarding future Precinct Indicative Layout Plans, as described under Section 3.8 of the SEPP Discussion Paper.
4. The Aerotropolis SEPP boundary to the Mamre Road Precinct is designated as a red line that splits properties on the western side of Mamre Road under two instruments. Consideration should be given to including these properties in any one instrument.
5. We look forward to seeing zoning and acquisition level commitment to the proposed regional parkland in the north of the Aerotropolis, which is currently reflected only in the WSAP. Noting that investigations into this regional open space are ongoing, we note that regional level open space is required in the northern portion of the Aerotropolis, and that this should be considered in any future vision, purpose or facilities discussions for the Northern Gateway parklands. Council's Draft Sport and Recreation Strategy may assist in detailing Council's open space objectives.
6. We look forward to seeing further delineation between the Precinct Planning process and the Master Planning pathway. The objectives and requirements of each process, as well as detail on the relationship between the processes will inform the level of detail in the final plans. This is also relevant to the conditions within which Development Applications could be lodged prior to the completion of Precinct Planning. The finalisation of master planning prior to the completion of precinct planning should only be able to occur if a development led proposal would not affect the delivery of positive planning outcomes.

The SEPP should identify requirements for precinct planning and master planning, such that these can be clearly communicated and known.

7. It is expected that the Precinct Plans would be reflected in the Phase 2 DCP, and would include assessment of issues such as topographic biodiversity value, development feasibility, land use intentions, transport infrastructure and servicing of precincts. In turn, these may affect SEPP zonings and Master Plans.

8. Further consideration should also be given to the circumstances in which master plans would be considered, with a specific focus on ensuring that individual land interests do not govern development outcomes at the cost of positive planning. We look forward to seeing this detail in the future drafting of the Aerotropolis SEPP.
9. Section 8.3 of the SEPP Discussion Paper appears to be intended to allow minor development which would not inhibit development of the Aerotropolis to proceed in the interim. However, until such time as Precinct Planning is undertaken to inform the preparation and establishment of necessary development controls and objectives through the Stage 2 DCP, it cannot be adequately determined if the proposal is suitable in relation to the desired future land use context. If development is to be able to proceed in this manner ahead of Precinct Planning, then inappropriate development must not be enabled through this pathway. The wording of Section 8.3 should be strengthened to ensure this.
10. We suggest that implementation of the Penrith Economic Triangle identified under the Penrith Local Strategic Planning Statement would be a relevant implementation strategy for the Northern Gateway.
11. Timeframes of north-south rail and the airport (i.e. for specific stages of construction) could be considered in precinct planning to maximise economic output of the region and minimise the need for future SEPP amendments.
12. Expansive areas of land clearing, lengths of retaining walls or battered edge treatments presenting to Wianamatta-South Creek will impact flooding characteristics, view corridors to the green spine, accessibility and permeability, safety and security and usability of the green spine and should be avoided. Fencing and other private boundary reinforcement measures should also be considered along creek interfaces.
13. Particular objectives and controls and/or a character statement is required for the Elizabeth Drive precinct surrounding and adjacent to the Airport. This would allow for strategic issues related to Elizabeth Drive including potential signage, active supporting uses, commercial access, flooding, evacuation and the like.
14. Consideration should be given to the circumstances where filling could occur. Although it can potentially be undertaken in an acceptable manner, substantial filling increases the potential for adverse biodiversity outcomes, disrupting local environments.

15. In order to provide additional clarity to landowners, indicative timeframes for non-initial precincts should be outlined in the final plan.
16. We have the following comments regarding the adequacy of the proposed zones:
 - a. Enterprise Zone: Suggest addition of backpackers accommodation, business identification sign, early education and care facility, environmental facility, hostel, recreation facility (outdoor), and respite day care centre. Further consideration should also be given as to whether signage can be included, if appropriately controlled regarding size, impact, etc.
 - b. Mixed Use Zone: Suggest addition of amusement centre, building identification sign, centre based childcare facility, dual occupancy (attached), exhibition dwelling, industrial retail outlet, recreation facility (outdoor), seniors housing, and vehicle sales or hire premises. Further consideration should also be given as to whether warehouse and distribution centres, as well as signage can be included, if appropriately controlled regarding size, impact, etc.
 - c. Environment and Recreation Zone: Suggest addition of cafes. Note that further uses could be provided along with additional detail regarding the intended ownership and function of the Environment and Recreation zone.
 - d. Agribusiness Zone: Suggest addition of aquaculture, business identification sign, cellar door premises, centre based child care facility, depot, hardware and building supplies, industrial retail outlet, landscaping material supplies, and specialised retail premises. Some types of waste facilities may require further assessment if required in the precinct, as well as potential uses within Luddenham Village.
 - e. SP2 Infrastructure Zone: Suggest addition of Aquaculture, Environmental Protection Works, Flood Mitigation Works, Roads.
17. The Acknowledgement that the future vision, role and function of Luddenham Village will be considered as part of precinct planning is welcome. This will be important when considering uses which may not be appropriate in the wider Agribusiness precinct but would be desirable in Luddenham Village. Residential use in the context of the yet to be finalised flight paths for Western Sydney Airport will also continue to be a key priority, and will require further investigation through the Precinct Planning stage. We would welcome the opportunity to work through some of these

potential uses, as well as further planning as airport flight paths are finalised during Precinct Planning.

Given the proximity to Western Sydney Airport, the future role of Luddenham Village should be explored in the context of its ability to support the existing and emerging land uses, while maintaining its Village character.

18. The implementation of airport safeguarding controls in the SEPP is supported as a measure of ensuring that aviation impacts are appropriately managed. Further detail regarding potential controls may also be supplemented in the DCP.
19. The WSEA SEPP amendment has identified potential opportunities for an intermodal terminal within the Mamre Road Precinct. Further detail contained in the WSEA SEPP Discussion Paper should be reflected in the WSAP (including the structure plan).
20. The role and powers of Western Sydney Airport in the DA and referral process requires further detail and clarification. Any suggested timeframe or system of referral / concurrence should include a definitive timeframe for response, and once expired then agreement / concurrence should be assumed. Referral agencies often result in delays in excess of 12 months for Council applications, and impact progression of development assessment and delivery.
21. Savings provisions should be maintained for appropriate homes and businesses to ensure that landowners are not unnecessarily affected by land use changes under the SEPP. Should such land use change be required (e.g. uses which have undesirable impacts, such as poultry farms), then provisions should be drafted which would encourage such uses to move elsewhere.
22. The residential target over the Sydney Science Park, including those within the North Luddenham Precinct, should be reviewed at a future stage if a metro station were to be identified at the site. Without this, the raising of the residential target in the Northern Gateway from 3,400 dwellings to 8,000 – 10,000 dwellings would require further capacity and impact assessment
23. The SEPP instruments suggests it works alongside SEPP 70 however it is not clear how this SEPP will relate and operate with respect to SEPP (Affordable Rental Housing) 2009, or how the target of 5-10% from the Greater Sydney Region Plan would be achieved. It is understood that the SEPP will establish targets however the delivery of the targets must be addressed through separate EPI's. Given the precinct specific nature of this SEPP and Phase 1 DCP, it would be more appropriate that affordable rental housing requirements are contained within this single EPI,

with applicable development controls reflected within the DCP rather than a supplementary SEPP consideration.

24. Please note that detailed comments on specific Phase 1 DCP provisions have been provided under separate cover.

Potential Interfaces:

1. Some areas of the 'Enterprise' zone directly abut the existing Twin Creeks community, which would be inappropriate if realised in this form. Appropriate buffers to this area need to be considered, such that existing sensitive residential development is not located immediately adjacent to enterprise uses.
2. The Suez Resource Recovery Facility, located to the north of Elizabeth Drive, is currently permitted to operate until 2025. DA19/0470 is currently under assessment with Council, which would seek an extension of this use to 2031. The interface between development under the Enterprise zone within the Northern Gateway and the resource recovery facility will be relevant to precinct planning, and will need to be considered as the assessment of DA19/0470 continues.
3. Integration of the Sydney Science Park with the remainder of the Aerotropolis needs to be a key focus in Precinct Planning. The treatment of the Science Park under the SEPP is welcomed, however this may need to be further refined in order to ensure that the Science Park is appropriately integrated with surrounding lands. This should particularly be a focus during precinct planning, as further detail is known at the precinct level.
4. Interfaces between existing rural / rural residential development, and other existing sensitive uses, and future flexible employment lands will need to be subject to strong acoustic controls so that amenity in these rural areas is maintained. The Phase 2 DCP may assist in enabling this.
5. Transitional provisions for existing dwellings also remain a priority, including the continued permissibility of renovations / minor extensions for existing dwellings within the ANEC / ANEF 20-25 contour. It is suggested that this framework be extended to existing development consents already approved in addition to existing dwellings.
6. The interface between any future critical utility / infrastructure and the surrounding lands, particularly the designated Regional Parkland in Badgerys Creek, needs to be carefully managed in Precinct Planning to ensure that the land use transition is appropriate.

7. The Planning Partnership's approach to ANEC/F contours, in terms of locating residential development significantly away from noise affected areas, is supported. The Partnership should remain aware that as flight paths are not finalised these contours may change in the future, as airspace design work is completed and finalised. Once this occurs, then residential permissibility in certain areas may be affected and need to be reviewed.

It is also recommended that sensitive land uses (as identified under Section 2.9.2 of the SEPP Discussion Paper) are further explained in the final SEPP, such that specific uses are defined and prescribed to specific maximum noise contours.

Efficient Use of Land:

1. Where land is required for public purposes (such as transport infrastructure investigations), this land should be retained on an as needed basis. Once additional certainty is known, this land should be returned to economic use at the earliest opportunity.
2. There should continue to be a pathway for unique proposals (including those outside of initial precincts) which would contribute exceptionally to the Aerotropolis, similar to the 'Out of Sequence' pathway under the Stage 1 LUIIP. However, this would need to include exceptional criteria in order to progress development, establishing a very high standard for such a pathway to occur.
3. Noting the substantial amount of land contained within the six nominated initial precincts, staging between and within precincts is needed to ensure that land is used in an orderly and efficient manner, that services are provided when they are required, and that early Aerotropolis economic output can be maximised. We would look forward to the opportunity to work with you on developing these criteria, if required. This staging work is required up-front, and should be clearly communicated as soon as possible.
4. Temporary uses, including those which could support workers, continue to be supported, and the precinct planning for Badgerys Creek as an interim use precinct will assist this. Initial stage activation projects should also be considered within the Aerotropolis, as the region forms an identity and sense of place over time.

Traffic and Transport:

1. A traffic and transport strategy built on regional level traffic modelling, along with funding commitments for the required infrastructure is required for the Aerotropolis area given its

substantial scale and context adjacent to a number of other growth precincts.

2. Connections to existing communities (such as Mulgoa Valley) and new emerging areas (such as GPEC) should be considered in precinct planning.
3. Key roads through the precinct, including Mamre Road, Luddenham Road, Elizabeth Drive and the Southern Link Road (along with any other similar arterial roads) will have a State connectivity function and accordingly should be classified as such. Timeframes for the upgrade of these key corridors should also be clarified.
4. The Southern Link Road should extend to the M9 Outer Sydney Orbital.
5. Bus rapid transit links through the Aerotropolis area, including those to Penrith, need to be identified in the plan.
6. Local, sub-arterial and arterial links alongside the larger motorway and rail public transport network will be critical in delivery of connectivity in the Aerotropolis. In particular, north-south and east-west links across the Penrith area should be further developed through precinct planning. Where necessary, these roads need to be able to accommodate heavy vehicles. Ownership and funding arrangements for these roads need to be considered as part of the design of such as system, including funding arrangements for ongoing maintenance of future roads.
7. Connectivity to and from the M12, which is identified as a key infrastructure project in the Aerotropolis, should be recognised as a priority. This includes the provision of on / off ramps which help provide accessibility to the initial precincts.
8. Shared pathways should be identified as necessary on key road connections, including motorways.
9. Given the number of significant transport corridors within the Aerotropolis, connectivity across corridor reservations is required to enable accessibility throughout.
10. Future upgrade plans for Elizabeth Drive should be communicated as they are known including intersection spacing along Elizabeth Drive. This includes the area around Lawson Road, Martin Road, the Eastern Ring Road and the Suez Facility Access Road which are currently all in close proximity.

The roads intersecting with Elizabeth Drive currently facilitate a large volume of heavy vehicles and the intersections are currently

approximately 100 metres apart. Further assessment will need to factor in this function of Elizabeth Drive.

11. Final roadway widths and intersection requirements are to be considered in relation to land levels and flood free access / egress. This has particular impacts on adjacent levels and the interface and possible landscape treatment between roadways and development on adjacent land.

Flooding:

1. Use of the 1:100 + 0.5m freeboard flood planning level is supported.
2. The retention of farm dams could potentially result in open space, biodiversity, urban cooling and water retention benefits, however comes with a significant structural cost. Costs for the structural retention of farm dams should be factored into any future planning.
3. In a situation where farm dams are to be removed, then it needs to be demonstrated that flooding impacts would not be worsened, including the provision of replacement water retention facilities if required. This needs to be particularly reviewed in the context of downstream impacts, which affect large parts of the Penrith LGA.
4. The documents envisage the use around creeks as 'green space links'. There is an inference that the green space links will be embellished for recreational purposes. Much of the areas around South Creek, Kemps Creek and Badgerys Creek are below the 1% AEP and subject to inundation during times of flood. Whilst it is recognised that these green spines provide connectivity through the catchment to key parklands and reserves, the permanent embellishment of these areas with infrastructure should be minimised to reduce loss during times of flood. This includes minimising park and street furniture and stormwater basins. As such the DCP needs to address the limitations of recreational and stormwater embellishment.
5. The DCP provides flood controls in section 4.2. The DCP controls should match the controls in Councils DCP. In this regard details around flood free and flood safe access need to be addressed, detailed controls for filling and other controls. Flooding controls in the DCP should be measurable, rather than subjective.
6. The DCP does not address Stormwater controls. Council has a Stormwater policy for Building developments which should be addressed in the DCP.

7. The terms 'flood plain' and 'flood planning level' are used interchangeably in the WSAP. It is suggested that the term 'flood planning level' be adopted to differentiate between developable and non-developable areas (meaning 1:100 + 0.5m freeboard).
8. The precinct boundaries appear to be defined by the 1% AEP. Consideration should be given to whether Precinct boundaries would change should future modelling change the 1% AEP line. Additionally, there may need to be assessment of the impacts of the PMF and any impacts on development and evacuation.

Water Management:

1. A risk based approach to management of the cumulative effects of development on the health of catchments is proposed. This is supported in the context of work being undertaken by the NSW Government in relation to Wianamatta-South Creek.
2. In addition to infrastructure ownership confirmation (previously discussed under 'Funding Mechanisms'), clarification of responsibilities in relation to future management is important in delivering a functional water system. We look forward to further opportunities to comment, particularly as water quality and flow management targets are developed.
3. As part of this work, it is supported that all creeks within the Priority Growth Area receive this approach beyond South Creek-Wianamatta, including Thompsons Creek, Cosgrove Creek and Badgerys Creek.

Infrastructure Certainty:

1. Key transport corridors throughout the precinct have at this stage been exhibited, but not yet finalised under the discussion paper for the proposed SEPP for the Potential of the Western Sydney Transport Corridors. We would encourage that the locations and widths of these corridors, but specifically the North-South Rail corridor, be finalised prior to the completion of Precinct Planning.

We would also encourage nomination of stations on Sydney Metro Greater West (within the Aerotropolis area) to be announced prior to the exhibition of Precinct Planning. Without this level of detail, it will be difficult to effectively plan affected precincts, including the Northern Gateway and Aerotropolis Core.

2. Provision of health, education, cultural and recreational facilities should be planned for during precinct planning and the Growth Infrastructure Compact, from a precinct and region wide needs assessment.

3. The implementation of a satisfactory arrangements clause, as identified at Section 2.8 of the SEPP Discussion Paper, would assist in avoiding a situation whereby development requires approval without funding arrangements in place. However, Council's strong preference is to have infrastructure identified and contributions in place prior to development, including State and Local plans.

Open Space and Biodiversity:

1. Open space should be appropriately located, such that open space is not lost in future (e.g. due to future infrastructure provision, or flood loss). Active open space facilities (such as sportsgrounds) should not be located below the flood planning level.
2. Private recreation areas, such as golf courses, should be identified within the WSAP and supporting documentation. Although these are not public open space areas, they still can play a private recreation and biodiversity role.
3. Active open space facilities, such as sportsgrounds, should be located close to public transport. Other types of active open space, such as indoor sports halls / centres, should also be considered as part of the active open space provision.
4. Broadly, the sharing of open space areas with educational institutions is supported, so long as appropriate management and operational agreements are put in place, and cost / budget responsibility is agreed. If school sportsgrounds are to be used for public open space purposes, then associated facilities (flood lights, amenities, car parking, etc.) should also be included. This could be extended to other community facilities such as sports halls or theatres.
5. Council's draft Sport and Recreation Strategy can provide further detail on the recreational needs and future plans in the Penrith LGA.
6. All native vegetation, as defined under Part 5A of the *Local Land Services Act 2013*, needs to be identified and protected.
7. The following should be integrated into future planning of the precinct:
 - a. Biodiversity Sensitive Urban Design Principles (as documented in *Biodiversity Sensitive Urban Design*, Garrard et al. 2017);

- b. Best practice lighting design principles (as documented in the draft *National light pollution guidelines for wildlife including marine turtles, seabirds and migratory birds*); and
 - c. Bird friendly building design principles (as documented for example in Bird Friendly Building Design, American Bird Conservancy).
- 8. Proposed green connectivity is generally limited to a north-south direction – an increased focus on east-west green connectivity across the precinct would enhance biodiversity and open space outcomes.
- 9. An increased focus on green understorey, in addition to canopy cover, is warranted to enhance biodiversity and ecosystems. The cooling effect of green infrastructure is enhanced by structural diversity of the understorey.
- 10. Riparian corridor buffers should be incorporated within non-riparian land to maximise riparian corridor width, minimise edge effects, and optimise retention of the biodiversity value of the riparian corridors.
- 11. Integration of fauna crossings to facilitate faunal movement across the landscape is warranted
- 12. The potential development of a regional parkland should not impact riparian zones and Environment and Recreation areas of Thompsons and South Creek.
- 13. Noting that there is substantial work being undertaken in this space, wildlife impacts can result from migration between sites, and may be difficult to address in a single Development Application. This should be worked through Precinct Planning, to strike an appropriate relationship between risk minimisation for aircraft and preservation of biodiversity values in existing communities. Development proposals in isolation cannot give effective consideration to wildlife impacts given the highly mobile nature of wildlife. The effect of this is that development control drafting is the appropriate stage for prescribing the key controls which can then be implemented at DA stage. This should also be considered in the context of any impacts which it would have on the northern Regional Park.
- 14. The ownership and maintenance of environmental conservation areas should be detailed, including longer term intended acquisition and maintenance funding. If Council is intended to own and manage the flood planning area, then funding must be arranged for.