



Andrew Jackson
Director
Western Sydney Planning Partnership
PO Box 257
PARRAMATTA NSW 2124

via NSW Planning Portal

Dear Sir,

Re: Western Sydney Aerotropolis Planning Package

I write further to the three Aerotropolis planning documents (Planning Package) recently placed on exhibition by the Western Sydney Planning Partnership.

Western Sydney International (Nancy Bird Walton) Airport and the related Aerotropolis are critical to the future growth of South West Sydney. Liverpool City Council therefore welcomes the opportunity to provide a submission on the Planning Package. This submission is made pursuant to a resolution of Council at its meeting on Wednesday 26 February:

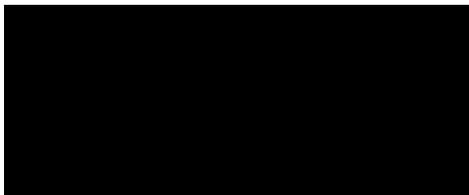
This submission is made up of three parts:

1. Summary of Council's recommendations on the Planning Package
2. Further detail on Council's recommendations on the Planning Package
3. Summary of feedback received from constituents regarding the Planning Package

Attached are also submissions received by Council on the Planning Package, which have been forwarded to the Planning Partnership for appropriate consideration.

Should you require any further information on this matter, please do not hesitate to contact me directly.

Yours sincerely,



David Smith
Manager Planning & Transport Strategy

Part 1 - Summary of Council's recommendations on the Planning Package

EFFECTIVELY MANAGING AIRPORT NOISE IMPACTS	
Recommendation 1	Retain land use boundaries (buffer) now shown on page 63 of the Aerotropolis Plan, insofar as they help ensure safeguarding of the airport's curfew free operations
Recommendation 2	Include further development controls in the SEPP regarding noise-sensitive development outside the 20 ANEC
Recommendation 3	Include a clause in the SEPP to address interface between Aerotropolis and surrounding land
DELIVERING A HIGH-QUALITY URBAN FORM	
Recommendation 4	Aerotropolis SEPP be amended to include a mechanism to ensure an innovative approach to deliver a Smart City
Recommendation 5	Provide dwelling density bands for all areas to be developed for the purpose of residential or mixed use development
Recommendation 6	Provide clarity in the Aerotropolis Plan on principles of Landscape Orientated Development and how this applies to the acquisition of open space
Recommendation 7	NSW Government to undertake a feasibility study of land acquisition under s.7.11 contributions and/or a SIC.
Recommendation 8	Revise objectives and controls to better address big box retail within Aerotropolis precincts
ACHIEVING SOCIAL AND ECONOMIC SUSTAINABILITY	
Recommendation 9	Removed by Council resolution 26/2/2020
Recommendation 10	Commit to undertaking an economic development strategy (including consideration of how agglomeration will be achieved)
Recommendation 11	Amend DCP and Aerotropolis Plan to encourage agglomeration economies by identifying distinct/unique sectors for particular locations
ENSURING SUSTAINABLE LAND TRANSPORT	
Recommendation 12	Aerotropolis Plan be amended to include an objective to adopt an innovative approach for sustainable transport
Recommendation 13	DCP be amended to include mode share targets for active transport and public transport
Recommendation 14	Aerotropolis Plan and DCP include a requirement that a Sustainable Urban Mobility Plan be prepared, detailing measures to be put in place to enable access to public transport and active transport opportunities
Recommendation 15	Aerotropolis Plan and SEPP be amended to make development conditional on certain transport infrastructure (as prescribed by the Sustainable Urban Mobility Plan) being in place
Recommendation 16	Clarify on p36 of the Aerotropolis Plan that while local bus services will be delivered "in line with demand" this should be done "while recognising the importance of early provision of these services to avoid excessive reliance on private motor vehicle movements"

Recommendation 17	Add new objective for the 'Aerotropolis Core Precinct' (ie. Section 2.1.2): <u>"Significantly reduce reliance on single occupancy private motor vehicles for trips, enabling the majority of trips in Precinct to be undertaken using sustainable forms of transport such as public transport, walking and cycling"</u>
Recommendation 18	Amend Aerotropolis Plan maps to show full extent of Fifteenth Avenue Smart Transit corridor connecting to Airport and Aerotropolis
Recommendation 19	Include additional text in Section 4.2.1 of the Aerotropolis Plan on the FAST Corridor project, and the approach being taken to this project's investigation
Recommendation 20	Amend the Vision Statement for the Wianamatta-South Creek Precinct in Section 2.3.1 as follows: "The precinct will also connect to the regional <u>transport</u> road network via Elizabeth Drive, Fifteenth Avenue, Bringelly Road and Mamre Road"
ACHIEVING ENVIRONMENTAL SUSTAINABILITY	
Recommendation 21	Removed by Council resolution 26/2/2020
Recommendation 22	Removed by Council resolution 26/2/2020
Recommendation 23	Removed by Council resolution 26/2/2020
Recommendation 24	Add new Objective for each of the initial precincts in DCP (ie. Section 2.1.2, 2.2.2, 2.3.2, 2.4.2 and 2.5.2) that reads: "Ensure that design minimises energy and water design and supports achievement of net zero emissions across the entire Aerotropolis"
Recommendation 25	Include in SEPP minimum energy and water efficiency standards for development in Aerotropolis
Recommendation 26	Delete reference to State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 in section 1.5.2 of the draft DCP
Recommendation 27	NSW Government to develop a Utility Servicing Strategy which incorporates circular economy principles, and considers technologies such as micro-grids and water recycling
Recommendation 28	Amend the DCP to require an end-of-life plan for temporary development and infrastructure
Recommendation 29	Ensure Aerotropolis Plan and Cumberland Plain Conservation Plan align
Recommendation 30	Aerotropolis Plan to require development of an implementation plan for achieving sustainability aspirations
Recommendation 31	Precinct plans to consider implementation plan for sustainability aspirations
Recommendation 32	Confirm operational responsibility for regional parkland areas
Recommendation 33	Removed by Council resolution 26/2/2020
PROTECTING AGRICULTURAL INDUSTRIES	
Recommendation 34	Include agri-business strategy in overall Economic Development Strategy and provide a timeframe
Recommendation 35	Aerotropolis Plan and DCP should be amended to enable a broader range of non-urban land uses in areas of open space and recreation
Recommendation 36	Increase permissible agricultural activities across the Aerotropolis, namely by including extensive agriculture and intensive plant agriculture in the

	SEPP as permitted uses across all Aerotropolis zones and provide a timeframe on when these permissible uses transition to the new zoning
Recommendation 37	Add new Strategic Outcome for Agribusiness Precinct in Aerotropolis Plan <i>“Allow the development and operation of appropriate tourist facilities and visitor accommodation in Luddenham Village that are sympathetic to the character and history of the village and reflect the rural nature of the area”</i> and ensure alignment between the WSAP and Council’s LSPS regarding future land uses in Luddenham Village including that the Luddenham Village remain zoned R2 and not be rezoned to the new agribusiness zone and that the planning package include appropriate protections for the heritage buildings in Luddenham Village.
Recommendation 38	Add ‘Bed and breakfast accommodation’ to activities permitted with consent in agribusiness zone
APPROPRIATE DELIVERY AND GOVERNANCE	
Recommendation 39	Aerotropolis SEPP be amended to clarify when development consent will be granted
Recommendation 40	Aerotropolis SEPP be amended to specify when referrals are required
Recommendation 41	Aerotropolis SEPP be amended to include an objective requiring sustainable funding for delivery and ongoing operation of local infrastructure
Recommendation 42	If place-based infrastructure compact approach adopted, ensure that includes local infrastructure needs identified by councils
Recommendation 43	Amend section 1.4.4 of the DCP to clarify the administrative arrangements for the DCP including the process (and responsibility) for undertaking minor amendments to the document
Recommendation 44	Amend section 3.2.2 of the Aerotropolis Plan to identify a single primary ‘custodian’ for the DCP during the implementation phase
Recommendation 45	Provide further clarity in the Aerotropolis Plan on the role of Council staff and Councillors on the preparation or amendment of DCPs
Recommendation 46	Seek to limit number of other SEPPs applying (if any)
Recommendation 47	Clarify that the Aerotropolis SEPP will prevail over any other SEPPs that apply
Recommendation 48	Delete reference to all SEPPs listed in section 1.5.2 of the draft DCP except the State Environmental Planning Policy (Western Sydney Aerotropolis) 2019
Recommendation 49	Note detailed comments by Council planning assessment officers on DCP drafting
Recommendation 50	Note preliminary comments by Council planning assessment officers on SEPP drafting
Recommendation 51	Provide clarity regarding acquisition plans for Environment and Recreation zoned land, including timeframes and responsible acquisition authority
Recommendation 52	Provide confirmation in the Aerotropolis Plan of longer-term governance arrangements and timeframes for review of Aerotropolis Plan and SEPP
Recommendation 53	Set out process to align rezoning with planning for costed infrastructure
Recommendation 54	Note ongoing discussion between Liverpool City Council and the Planning Partnership Office about DCP urban design section
Recommendation 55	Add the Dwyer Road Precinct as an initial precinct

PART 2 - LIVERPOOL CITY COUNCIL'S SUBMISSIONS ON THE AEROTROPOLIS PLANNING PACKAGE

Effectively Managing Airport Noise Impacts

Recommendation 1 - Retain land use boundaries (buffer) now shown on page 63 of the Aerotropolis Plan, insofar as they help ensure safeguarding of the airport's curfew free operations

Recommendation 2 – Include further development controls in the SEPP regarding noise-sensitive development outside the 20 ANEC

A critical component of the success of the new Western Sydney International (Nancy-Bird Walton) Airport (the Airport) will be ensuring its curfew free operation. This will allow the airport to compete in a number of aviation markets that were previously not available in the Sydney basin. In order to best ensure the curfew free operation of the airport is protected, it is appropriate to limit noise-sensitive new development in close proximity to the airport boundary.

Liverpool City Council (Council) supports the location of the Mixed Flexible Employment & Urban Land Zone in the Aerotropolis Core precinct, as detailed in the WSAP, and considers this to be a sensible precautionary approach to the location of residential development. This is a considerable improvement from the LUIP Stage 1. Council recommends that consideration be given to how noise-sensitive development outside the 20 ANEC contour can be further protected from airport noise. The SEPP Discussion Paper states under part 2.9.2 that “development up to the 20 ANEC contour will need to adopt appropriate design and construction standards to reduce aircraft noise impacts”. It is recommended that consideration of appropriate design and construction standards is also given to land that falls outside of the 20 ANEC contour, given the 24-hour nature of the Airport and the difficulty in establishing accurate 20 ANEC contours.

It is known that most complaints related to aircraft noise comes from residents that live outside of 20 ANEC contours.¹ As noted in the National Airports Safeguarding Framework Principles and Guidelines:²

“At the 20 ANEC level, it is estimated that approximately 11 per cent of people will be seriously affected by aircraft noise and approximately 45 per cent of people moderately affected by aircraft noise... at the 15 ANEC level, approximately 8 per cent of people will be seriously affected by aircraft noise and approximately 34 per cent of people moderately affected.”

Further consideration of appropriate design and construction standards outside the 20 ANEC contour should therefore be considered if the WSAP is truly to take a precautionary approach.

Acoustic attenuation guidelines for conditionally acceptable development in the 20-25 ANEC as described in Australian Standard *AS2021:2015 Acoustics – Airport noise intrusion – Building siting and construction* should be applied to development close to but outside the current 20 ANEC in the Aerotropolis. As the Standard notes,³ the actual location of 20 ANEC contours is difficult to define accurately, therefore it states Clause 2.3.2 (which deems a project ‘conditionally acceptable’ provided stipulated design and construction standards are met) may be applied to building sites outside but near the 20 ANEC contour. Council recommends that the Western Sydney Aerotropolis Plan (WSAP), the Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) and the

¹ National Airports Safeguarding Framework Principles and Guidelines: Guideline A: Measures for Managing Impacts of Aircraft Noise, Supplementary Aircraft Noise Metrics,

https://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/nasf_principles_guidelines.aspx

² Ibid.

³ Australian Standard *AS2021:2015 Acoustics – Airport noise intrusion – Building siting and construction*, p12

Western Sydney Aerotropolis Development Control Plan – Stage 1 (DCP) be updated to reflect this, and suggests it is prudent to ensure the process for ‘conditionally acceptable’ development is ensured across an appropriate buffer from the 20 ANEC, in order to protect amenity for any noise-sensitive development sited near the 20 ANEC contour. The Stage 1 DCP should include noise attenuation criteria, and the Stage 2 DCP should include preferred methods of managing noise (e.g. a preference for dwelling/building orientation and double glazing as opposed to sealed windows which increases reliance on mechanical ventilation).

Recommendation 3 - Include a clause in the SEPP to address interface between Aerotropolis and surrounding land

Council recommends a clause be inserted into the SEPP to clarify treatment of development sites outside the boundary of the Aerotropolis to ensure a consistent transition between the Aerotropolis and land zoned through Liverpool City, Penrith City, and Camden councils. This could be similar to the Standard Instrument LEP “development near zone boundaries” clause. This may allow some transitional development beyond the Aerotropolis and reduce the occurrence of conflicting land uses being maintained or established on its peripheries.

Consideration also needs to be given to councils’ strategic planning vision of land outside of the Aerotropolis area. For example, Camden Council’s LSPS defines an employment investigation area around the realigned Northern Road south of Bringelly Road. Staging and sequencing of precincts should consider wider planning work outside the Aerotropolis, in consultation with councils, to ensure district-wide cohesion.

Delivering a High-Quality Urban Form

Recommendation 4 - Aerotropolis SEPP be amended to include a mechanism to ensure an innovative approach to deliver a Smart City

As the Aerotropolis will be a complete new city, there is an opportunity to create a “Smart City - Centre of Excellence” and set an example of a smart city, not only by implementation of smart technology but also by undertaking ongoing research and innovation in this space to deliver world’s best practice in 21st Century city performance. In particular smart city technologies might be used to provide real-time monitoring and management of transport and other infrastructure, and might provide innovative opportunities for effective community engagement and communication.

It is Councils recommendation that the SEPP includes provisions to ensure the delivery of a Smart City as per Section 4.3 of the WSAP. This should include a clear definition of what a Smart City is, how Smart City principles will be delivered, and what success looks like. This will help ensure that the aspirations set out in the WSAP to improve quality of life through technology are, in fact, delivered in practice.

Recommendation 5 - Provide dwelling density bands for all areas to be developed for the purpose of residential or mixed use development

Dwelling density bands allow Council to require a developer to amend their development when they provide too little or too much housing, relative to the infrastructure and services which have been planned.

In the past, a minimum dwelling density requirement was required to ensure that adequate housing density was produced to make services such as public transport feasible, and to ensure the efficient use of public utilities and services. More recently Liverpool City Council has been responding to the opposite problem, where development is taking place at far higher dwelling densities than were planned, which may result in a lack of infrastructure to cater to new populations. Whilst FSR, lot size and building height controls can provide for the number of lots, or size of multi-unit developments, density bands provide greater certainty to both Council and developers.

Recommendation 6 - Provide clarity in the Aerotropolis Plan on principles of Landscape Orientated Development and how this applies to the acquisition of open space

Recommendation 7 – NSW Government to undertake a feasibility study of land acquisition under s.7.11 contributions and/or a SIC.

Much of the planning of the Aerotropolis and its sub-precincts is based on principles of combining Transit-Oriented-Development (TOD) with Landscape-Oriented-Development (LOD) in a bid to improve connectivity, support mode shift, and also to improve amenity and re-connect people with nature. Whilst this approach is lauded, it does present some challenges. Areas zoned for open space in greenfield areas are typically under private ownership requiring a government agency to first acquire land before it can be used for a public purpose. If there are any disputes between the acquiring authority and the land-owner, the Valuer General is often involved in determining the value of the land based on its 'underlying zone'. The underlying zone is what the land would have been zoned had it not been zoned for a public purpose. Unfortunately, this means that acquisition of such open space may be prohibitively expensive, due to the fact that the highest densities (hence highest values) will be zoned adjacent to open space.

It is recommended that the Valuer General's office is consulted on the principles of LOD and what impacts this may have on land-acquisition feasibility. A MOU should be developed in which the Valuer General recognises that the increase in density around open space would not result had the open space not been zoned. Further, an economic feasibility study should be carried out to determine the viability of acquiring such land under typical S.7.11 contribution plans, or a State Infrastructure Contribution and how this will impact upon development feasibility and the provision of affordable housing.

Recommendation 8 – Revise objectives and controls to better address big box retail within Aerotropolis precincts

Council recommends the SEPP and DCP consider options to address big box retail (specialised retail premises) in order to realise the vision of fine-grain urban form, permeability, and compact urban development.

Currently the SEPP allows the group term 'Commercial premises', which includes specialised retail premises. Council is concerned that early commercial activity in the Aerotropolis may tend towards a proliferation of big box retail, which could have significant impacts on visual amenity, permeability and traffic, and make it difficult to realise a vision for a fine-grain, compact urban form once other forms of commercial activity become viable. Restriction of specialised retail premises, or provision for transition to more fine grain form, should therefore be considered, particularly within mixed use zones. Zone objectives in the SEPP, precinct objectives in the DCP and performance outcomes in the

DCP should better reflect a desire to see fine-grain, permeable and compact urban forms, and specifically address specialised retail premises.

Achieving Social and Economic Sustainability

Recommendation 9 – Removed by Council resolution 26/2/2020

Recommendation 10 – Commit to undertaking an economic development strategy (including consideration of how agglomeration will be achieved)

Council requests a commitment in the WSAP to development of an economic development strategy, reflected in the precinct implementation strategy sections of the WSAP.

The Aerotropolis is expected to be a nationally significant employment area, contributing towards 200,000 jobs for the Western Parkland City. Further consideration of how employment is to be attracted to the Aerotropolis' precincts is required. While the WSAP lists an agritourism strategy as an implementation strategy, an overarching economic development strategy is also needed.

This should also extend to attraction of creative enterprise to the Aerotropolis. The LUIP Stage 1 indicated that the second stage of the LUIP would provide greater detail on strategies to support creative industries in the Aerotropolis. An economic development strategy should address strategies to allow creative business to thrive within the Aerotropolis.

This strategy should also inform the size, location, timing/delivery and viability of strategic centres (including the viability of retail and commercial) in the Aerotropolis area and surrounds. It may need to investigate special economic zones, and/or other incentives for industries to establish and concentrate in key employment nodes.

Recommendation 11 - Amend DCP and Aerotropolis Plan to encourage agglomeration economies by identifying distinct/unique sectors for particular locations

It is noted that the Planning Package envisages that in the Aerotropolis there will be a range of employment uses *“that do not require or benefit from direct access to public transport but would benefit from proximity to airport operations”*. These industries include *“Defence industries and aerospace, advanced manufacturing and technology-based industry may be located within the precinct”*.

It is noted, however, that many of these industries are also provided for elsewhere in the Aerotropolis and the broader local government area, in locations with the potential for higher job density. The emphasis of planning for the Western Parkland City should focus on providing distinct sectors for agglomeration economies to form based on an evidence-based economic development strategy (see above).

Providing planning controls which advocate for the same, or similar, industries throughout all sub-precincts will provide poor market differentiation and less certainty. This may undermine the goals of attracting high-job density, resulting in sprawling low-quality development.

Ensuring Sustainable Land Transport

Recommendation 12 - Aerotropolis Plan be amended to include an objective to adopt an innovative approach for sustainable transport

Recommendation 13 - DCP be amended to include mode share targets for active transport and public transport

Council welcomes the focus in the WSAP on delivering a sustainable land transport network in the Aerotropolis. Development of the Aerotropolis provides a unique opportunity to transform Western Sydney's transport network to improve access to public transport and active transport through design and infrastructure decisions made now. Western Sydney, particularly west of Liverpool currently has much poorer access to public transport than other parts of the Sydney basin and, resultantly, has significantly lower mode share for both public transport and active transport.

Low mode share for public transport and active transport has significant health, social and economic impacts. This includes increasing reliance on private motor vehicle ownership, increased congestion on our road network, higher levels of localised pollution and decreased access (particularly for the young, elderly and most vulnerable) to education, healthcare and other social services. Development of the Aerotropolis provides an opportunity to 're-imagine' transport in Western Sydney. Buildings and communities can be designed to make public and active transport more appealing and easier to deliver. Also, jobs and social services can be located in places that are more accessible by means other than private car ownership.

It is acknowledged that there are a number of current and future projects proposed to shift mode share away from the current reliance on private motor vehicle use. Nonetheless, a clearer articulation of the NSW Government's aspiration for how the land transport network will operate in this area in the future is required. This will provide certainty for industry, government and – most critically – our community. A failure to deliver a more sustainable land transport network in the Aerotropolis risks significant adverse impacts for our current and future community (including, particularly, from increased congestion caused by the thousands of new residents and employees expected to locate in the area.

Council recommend that for the new growth areas of the Aerotropolis a mode share target of 50% active and public transport for the AM and PM peak be adopted. As a sustainable community, it is a reasonable aspiration that the majority of trips in the Aerotropolis should be able to be achieved using a sustainable mode of transport. If a majority of trips are undertaken by private motor vehicle this is not only unsustainable, but will also have significant adverse impact on the surrounding road network that our existing residents and businesses rely upon.

Traditionally, DCPs will often discuss improving public and active transport mode-share, but they do not provide any tangible targets, nor provide specific actions to get there. The DCP must recognise commitments by Future Transport 2056, and planned metro stations and provide parameters around the location of jobs and dwellings to ensure that public transport access is available from day one.

It is recommended that this mode share target be included in the WSAP and operationalised through the Aerotropolis DCP and SEPP. Release of land for development will be subject to the ongoing monitoring and achievement of the mode share target set. Council notes precedent in other jurisdictions for the inclusion of this type of mechanism for major development areas (see, for example, mode share target / traffic generation obligations contained in Auckland Council's statutory planning rules for the 'Wynyard Quarter' precinct in Auckland City.⁴

Recommendation 14 - Aerotropolis Plan and DCP include a requirement that a Sustainable Urban Mobility Plan be prepared, detailing measures to be put in place to enable access to public transport and active transport opportunities

Recommendation 15- Aerotropolis Plan and SEPP be amended to make development conditional on certain transport infrastructure (as prescribed by the Sustainable Urban Mobility Plan) being in place

Recommendation 16 - Clarify on p36 of the Aerotropolis Plan that while local bus services will be delivered *"in line with demand"* this should be done *"while recognising the importance of early provision of these services to avoid excessive reliance on private motor vehicle movements"*

Recommendation 17 - Add new objective for the 'Aerotropolis Core Precinct' (ie. Section 2.1.2): "Significantly reduce reliance on single occupancy private motor vehicles for trips, enabling the majority of trips in Precinct to be undertaken using sustainable forms of transport such as public transport, walking and cycling

Council considers that the success of the Aerotropolis is contingent on the timely delivery of transport infrastructure in the Aerotropolis area. In particular it is critical that public transport access is available from day one of occupation in the Aerotropolis. Council considers that, where possible, transport infrastructure should be provided in advance of communities being established.

As an example in the local region, Council note that while the South West Rail Link extension was provided in advance of the development of communities at Edmondson Park, limitations in surrounding bus, walking and cycling infrastructure has forced a dependence on private motor vehicles for the community to connect to rail services on this line. The Aerotropolis provides an opportunity to avoid this type of transport challenge being repeated. Ensuring sufficient station spacing, last-mile transport-services, and active transport connections are provided for up-front will be critical in avoiding the commuter parking troubles associated with recent rail projects.

Council recommends that the WSAP and DCP include a requirement for a Sustainable Urban Mobility Plan to be prepared that will plan in more detail how the community and business will sustainably move in these new growth areas. This can include a scheduling of infrastructure delivery including projects such as the FAST Corridor, and the Greater West Metro Stage 1, as well as the design and delivery of the connecting local bus, micro-mobility, and active transport networks. This planning should be done in consultation with local businesses and community members (as was recently successfully undertaken in relation to the North West Metro with the development of Station Access Plans).

⁴ Under the Auckland Unitary Plan Wynyard Quarter (35ha) sets trip generation targets with the aspiration of a 30/70 modal split achieved by 2030 (no more than 30% of trips to be single occupancy vehicles). The Unitary Plan also contains a number of other rules relating to monitoring, the establishment of a Transport Plan and landholder transport organisation to enable implementation of this sustainable transportation target.

The Sustainable Urban Mobility Plan is a recognised transport planning tool, used successfully in a number of jurisdictions overseas (including particularly the United Kingdom), and the Aerotropolis provides a unique opportunity to adopt a similar approach in Australia.

Amongst other things, the Sustainable Urban Mobility Plan should provide a corridor network that provides a network hierarchy with the recognition of different uses of different corridors. In particular the Plan should seek to maximise pedestrian permeability and priority, as well as providing unobstructed public transport routes, whilst facilitating the movement of private vehicles via a clear hierarchy. Whilst principles of new urbanism, adopted in Sydney's Growth Centre strategy, have returned grid-based networks which improve pedestrian permeability, they do not provide a clear hierarchy for vehicular users, and do not provide a distinct advantage for active or public transport. Aerotropolis precincts should adopt fused-grid concepts, in which private vehicle routes are oriented onto high order roads, whilst facilitating direct and convenient active and public transport networks.

The Sustainable Urban Mobility Plan should also be developed in association with green/blue corridor plans. Creeks, as relatively gentle and landscaped corridors are ideal for active transport, and sufficient land should be made publically owned to ensure that quality active transport infrastructure can be provided.

To assist in the delivery of such a Sustainable Urban Mobility Plan it is recommended that rules be included in the WSAP and SEPP to ensure that development of the Aerotropolis will be sequenced so that growth (particularly residential) cannot occur until relevant transport infrastructure is in place. It also recommended that key design decisions in the Sustainable Urban Mobility Plan (eg. the discussion of fused grids above) be included in the Aerotropolis DCP.

Recommendation 18 - Amend Aerotropolis Plan maps to show full extent of Fifteenth Avenue Smart Transit corridor connecting to Airport and Aerotropolis

Recommendation 19 - Include additional text in Section 4.2.1 of the Aerotropolis Plan on the FAST Corridor project, and the approach being taken to this project's investigation

Recommendation 20 - Amend the Vision Statement for the Wianamatta-South Creek Precinct in Section 2.3.1 as follows: "The precinct will also connect to the regional transport ~~road~~ network via Elizabeth Drive, Fifteenth Avenue, Bringelly Road and Mamre Road"

Council welcomes the further recognition in the WSAP of the Fifteenth Avenue Smart Transit (FAST) Corridor, including showing the partial extent of the corridor in the 'proposed transport corridors' map on p37 of the WSAP. Fifteenth Avenue and the FAST Corridor will be critical in providing a high quality public transport and active transport connection between Liverpool city centre (and existing residential areas) and this new area. This project is critical to ensuring that there is a high quality, accessible public transport connection between the Airport, Aerotropolis and Liverpool.

As part of Council's ongoing strategic concept design investigations for the FAST Corridor an indicative alignment has been prepared for connecting the corridor through to the Airport and Aerotropolis. This alignment is shown in **Appendix 2** to this submission. Council seeks the inclusion of this alignment (as an indicative alignment, subject to further investigation) in the final version of the WSAP (in particular the maps on pages 37, 63, 67 and 83). Inclusion of this alignment would provide further certainty and clarity to the community, industry and other stakeholders on the purpose of this important corridor.

Council also recommends inclusion of additional text in the WSAP detailing works now underway by Council to progress the FAST Corridor in time for opening. Council recommends inclusion of the following text on p36 in section 4.2.1:

Liverpool City Council is also currently designing the Fifteenth Avenue Smart Transit (FAST) Corridor project, linking the Liverpool CBD, established and emerging suburbs, the Aerotropolis, and Western Sydney International Airport using high quality public transport, walking and cycling infrastructure. These investigations are assessing how the upgrade of Fifteenth Avenue and the City Deal commitment to a rapid bus connection in time for the airport's opening in 2026 can be delivered, and options to unlock opportunities for compact medium/high-density development in appropriate locations along the corridor. Council aspires for the FAST Corridor to be a key gateway to Sydney for visitors to Australia, showcasing the unique natural environment of South West Sydney. The corridor will be inviting and vegetated with transport infrastructure responding sympathetically to the landscape. The FAST Corridor will help reduce sprawl, improve public transport, and preserve the unique character of the region.

the primary function of Fifteenth Avenue, as a city-shaping corridor, will be public and active transport, whereas the primary function of other roads in the area (eg. Elizabeth Drive, Bringelly Road and Mamre Road) will be private motor vehicle movements and freight transport. It is therefore more appropriate to collectively refer to these corridors as the 'transport' network.

Achieving Environmental Sustainability

Recommendation 21 - Removed by Council resolution 26/2/2020

Recommendation 22 - Removed by Council resolution 26/2/2020

Recommendation 23 - Removed by Council resolution 26/2/2020

Recommendation 24 - Add new Objective for each of the initial precincts in DCP (ie. Section 2.1.2, 2.2.2, 2.3.2, 2.4.2 and 2.5.2) that reads: "Ensure that design minimises energy and water design and supports achievement of net zero emissions across the entire Aerotropolis"

Recommendation 25 - Include in SEPP minimum energy and water efficiency standards for development in Aerotropolis

Recommendation 26 - Delete reference to State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 in section 1.5.2 of the draft DCP

Council supports the NSW Government's sustainability aspirations for the Aerotropolis.

It is recommended that the SEPP set bespoke minimum energy, water and thermal comfort (BASIX) standards for development in the Aerotropolis. In order to achieve the aspirations outlined at Sections 4.3, 4.4 and 4.5 of the WSAP, it is expected that higher BASIX standards will be required than those that normally would apply in the Sydney basin. It is noted that the SEPP will need to be drafted in a way that responds to the primacy that, otherwise, the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 is required to be accorded.

Recommendation 27 - NSW Government to develop a Utility Servicing Strategy which incorporates circular economy principles, and considers technologies such as micro-grids and water recycling

A Utility Servicing Strategy will be crucial in determining what infrastructure government must provide, as opposed to what a developer must construct. The strategy should be developed in association with utility providers, with a focus on self-sufficiency and renewable technology.

A Utility Servicing Strategy should investigate technologies such as micro-grids and water recycling, including the costs and feasibility of providing these technologies in a greenfield area with limited existing utility infrastructure. Such a strategy will need to be developed with utility authorities to ensure infrastructure designed to connect development to the grid can be scaled accordingly to what is able to be self-sufficiently generated. It is understood that some utility authorities are able to impose harsh fees on developments which do not connect to the grid or provide less than full capacity.

Recommendation 28 - Amend the DCP to require an end-of-life plan for temporary development and infrastructure

Recommendation 29 - Ensure Aerotropolis Plan and Cumberland Plain Conservation Plan align

The end-of-life arrangements for transitional use/structures in the WSA precincts must be addressed by the WSA DCP to account for embodied energy in temporary structures. As NSW heads towards net-zero carbon emissions, the impacts of re-using or dismantling and recycling temporary structures and infrastructure must be considered at the development application stage. This will ensure that such structures/infrastructure is able to be adaptively re-used, or that construction materials and assembly allows for dismantling and re-using/recycling.

DPIE are currently preparing a Cumberland Plain Conservation Plan (CPCP). Council appreciate the close engagement of DPIE with Council and the Planning Partnership on this important piece of work. The CPCP will have an important interface with the WSAP, and this provides a strong opportunity for comprehensive and efficient planning.

DPIE have indicated that the CPCP will include pertinent aspects such as land use planning and development controls, application of environmental zones, conservation priorities, important corridors, and future conservation areas.

Recommendation 30 - Aerotropolis Plan to require development of an implementation plan for achieving sustainability aspirations

Recommendation 31 - Next stages of Aerotropolis Plans not be finalised until implementation plan for sustainability aspirations finalised

Council strongly supports the sustainability aspirations set out in the WSAP. Development of the Aerotropolis provides a unique opportunity to implement international best practice in sustainability design for this new urban area. Not only will this protect the natural environment values that underpin the Western Parkland city, but it will also provide new economic and social opportunities.

Sustainability and the circular economy provide strong opportunities for business innovation and will be a potential economic point of difference for South West Sydney. Implementation of a

sustainability approach also responds to increasingly extreme climate conditions in Western Sydney including, particularly, flooding and record high summer temperatures.

Council consider, however, that in order to deliver on the WSAP's objective of a "sustainable, low carbon Aerotropolis that embeds the circular economy", this will require a significant shift from 'business as usual' planning and development (in addition to the higher BASIX standards already proposed above). To achieve this, Council recommend that the NSW Government develop a Sustainability and Circular Economy implementation plan. This plan can identify more specific targets and objectives, as well as the suite of regulatory, incentive and strategic tools available to deliver on the Aerotropolis sustainability aspiration. There are relatively few implementation strategies set out in the WSAP for sustainability matters, compared to other considerations (such as investment, affordable housing and transport).

It is recommended that this implementation plan be prepared prior to the exhibition of State and Local Infrastructure Contribution Plans, Individual Precinct Plans or the DCP – Phase 2. This will provide the best possible opportunity for government to use these future plans to the best advantage to achieve the high-level sustainability aspirations set out in the WSAP. For example, any large/hard infrastructure (such as micro-grids) will need to have land allocated, and a utility strategy prepared detailing how developments can tap into such infrastructure. The development of this implementation plan will enable a targeted investigation of tangible measures to deliver the aspirations that have now been clearly expressed. Council would, of course, welcome the opportunity to be involved in this process of developing this implementation plan.

Recommendation 32 - Confirm operational responsibility for regional parkland areas

The map on page 63 of the WSAP indicates that a significant area of regional parkland is under investigation in the Aerotropolis Core area. While the creation of a connected network of regional parkland is referenced as one of the planning principles underpinning development of the Aerotropolis, there is little information contained in the Plan on the investigation process for identifying this parkland, or the long-term responsibility for this parkland.

While Council supports the principle of protecting appropriate green space in the Aerotropolis, a careful process will be needed to ensure that the green space acquisition process is fair and equitable and underpins a broader strategy. Furthermore, clarity will be required on the authority that this parkland area will vest in ultimately. Appropriate capital and recurrent funding will be required to support the Government agency ultimately responsible for this parkland area to ensure that it is developed and maintained to an acceptable high quality (as expected, appropriately, by our community).

Recommendation 33 - Removed by Council resolution 26/2/20

Recommendation 34 - Include agri-business strategy in overall Economic Development Strategy and provide a timeframe

Recommendation 35 - Aerotropolis Plan and DCP should be amended to enable a broader range of non-urban land uses in areas of open space and recreation

Protecting Agricultural Industries

An Agri-business precinct is supported and will assist in maintaining the viability of agricultural activities within the Western Sydney basin. Agricultural activities are important in providing jobs for low-skilled workers, providing for a broad economy, allowing people to work and live on the same land, and for providing privately owned green spaces.

An agri-business precinct could be made more economically feasible should market garden, intensive and extensive agricultural production in surrounding areas be supported. Soil profiles in the Western Sydney basin are generally fair (which is reasonable to provide for fodder and some crop production) and with an increasing amount of urban development in the vicinity of the airport, there is massive potential for urban water harvesting to feed extensive and intensive agriculture.

The latest drought has particularly highlighted the need to reconsider traditional farming practices, including the crops and areas which are suited to agricultural activity. Western Sydney is in a unique position in which soil profiles are appropriate for agricultural activity, and the water run-off from urban areas (which is typically wasted and discharged) can instead be put to use for domestic food production or value-added export.

Whilst the industries and aspirations of this precinct are supported, an economic development strategy and feasibility study needs to be undertaken to ensure that agricultural activity can remain viable considering the prospects of land-speculators land-banking for industrial or other uses. The DCP and land-use zoning should also look to provide for a broader range of non-urban land-uses and appropriate agri-business to be permitted in areas of open space and recreation. Areas within the Western Sydney parklands have been used for grazing and small scale food production to provide for some utility of land prior to it being embellished. If government owned, such uses may allow the grazing of animals, reducing the costs of vegetation control and hazard management.

Recommendation 36 – Increase permissible agricultural activities across the Aerotropolis, namely by including extensive agriculture and intensive plant agriculture in the SEPP as permitted uses across all Aerotropolis zones and provide a timeframe on when these permissible uses transition to the new zoning

Council recommends that further support be provided to existing agricultural industries by allowing extensive agriculture and intensive plant agriculture to be uses permitted with consent across all Aerotropolis zones.

While Council is generally supportive of the proposed land uses, Council is concerned that the SEPP Discussion Paper as drafted would prohibit extensive agriculture across the entire 11,200 hectares of the Aerotropolis, and prohibit intensive plant agriculture in all zones except Agribusiness. Council understands that this largely has to do with risk management related to wildlife strike, as well as ensuring uses are consistent with long-term zone aspirations.

Council's concern is that, due to the vast amounts of land that the Aerotropolis encompasses, and that the realisation of the Aerotropolis will occur over a period of more than 40 years, that the prohibition of these agriculture activities in the short-term will lead to the sterilisation of land, and reduce opportunities for landowners to pursue the economic, social and environmental opportunities provided by peri-urban agricultural activities.

Council's current LEP lists extensive agriculture as permitted without consent in its RU1 and RU4 rural zones due to its low impact nature and agriculture (which include intensive plant agriculture) as

permitted with consent. Council's draft Rural Lands Study 2020 shows there is agricultural activity currently occurring in initial precincts, such as Badgerys Creek and Wianamatta-South Creek, where an Enterprise zone and Environment and Recreation zone will apply, respectively. This is mostly in the form of extensive agriculture and low-tunnel controlled environment horticulture.

The SEPP should support the continuation of these agricultural activities, recognising the need to balance the risks of wildlife strike and land-use conflict with the social, environmental and economic benefits we can gain from supporting peri-urban agriculture in the short to medium term. Council recommends consideration of a clause that would allow the above agricultural uses to be permissible for a period of time until there is demand to transition away from agricultural uses, rather than solely relying upon existing use rights. This would provide certainty and allow for intensification as appropriate. This approach is appropriate considering the large extent of land that will be rezoned this year as initial precincts, and the time it will take to service this land.

Rural activities can be compatible with airport operations with measures in place to minimise wildlife strike risk. There are numerous examples of airports that have successfully managed wildlife strike risks within environments that include agricultural activities. Council recommends that consideration be given to *Guideline C: Managing the Risk of Wildlife Strikes in the Vicinity of Airports* of the National Airports Safeguarding Framework, including *Attachment 1: Wildlife Attraction Risk and Actions by Land Use*. This notes that varying forms of extensive agriculture and intensive plant agriculture have different risk profiles and can be suitably managed and mitigated, even within a 3km radius of an airport.

For this reason, Council believes it would be prudent to have extensive and intensive plant agriculture as permitted with consent for a period of time. This would allow for low-risk agricultural activities to occur while allowing for the consent authority to prohibit uses with higher risk profiles. It would also allow the intensification of existing agricultural uses, which may be necessary for viability.

While Council acknowledges that existing use rights may protect existing activities, the proposed zoning will limit the long-term potential of extensive agriculture as a contributor to the Liverpool economy. Furthermore extensive agriculture may, in appropriate circumstances, be an appropriate and appealing activity to locate in proximity to landscape-orientated development.

Prohibiting extensive agriculture and intensive plant agriculture risks losing important peri-urban agricultural jobs and landscapes that could be an asset to the Aerotropolis; and will hinder the realisation of the Western Parkland City vision. It is also inconsistent with Section 2.4 of the WSAP, which indicates that "the important agricultural lands of today can be retained".

Recommendation 37 - Add new Strategic Outcome in Aerotropolis Plan "Allow the development and operation of appropriate tourist facilities and visitor accommodation in Luddenham Village that are sympathetic to the character and history of the village and reflect the rural nature of the area" and ensure alignment between the WSAP and Council's LSPS regarding future land uses in Luddenham Village including that the Luddenham Village remain zoned R2 and not be rezoned to the new agribusiness zone and that the planning package include appropriate protections for the heritage buildings in Luddenham Village.

Recommendation 38 - Add 'Bed and breakfast accommodation' to activities permitted with consent in agribusiness zone

Council considers Luddenham Village should remain zoned R2 Low Density Residential and not rezoned to the new Agribusiness zone and that the planning package include appropriate protections for the heritage buildings in Luddenham Village.

Changes in land zoning for the Aerotropolis development should be such that the Luddenham village, the R2 vacant land, it's historical buildings and open spaces are excised from the Agribusiness zoning.

Council notes that the Luddenham Village has the potential to offer a unique proposition in the tourism economy by providing appropriate tourist facilities in close proximity to the new airport but in a landscape that will continue to have an appealing rural/agricultural atmosphere.

The WSAP already contains a Strategic Objective to protect the character and history of the Luddenham Village. While Council supports this Strategic Objective, Council consider there may also be the opportunity for appropriate tourist facilities and visitor accommodation to be established in Luddenham Village. There may also be additional opportunities for innovative/experimental agritourism businesses and operations (e.g. boutique farming, sustainable production).

In order to enable this opportunity it is recommended that the WSAP be amended to refer to this opportunity through a new Strategic Objective in the WSAP and ensuring that farm stay accommodation, eco-tourist facilities, and breakfast accommodation are permitted with consent. These changes would make it easier during the implementation phase of the WSAP to consider facilitation of appropriate tourist activities including particularly during the proposed precinct planning of Luddenham Village. These changes would also provide further flexibility during the proposed implementation strategy of investigating the development of an agritourism strategy and would be consistent with the related implementation strategy of using flexible zoning to maximise diversity and attract investment.

Appropriate Delivery and Governance

Recommendation 39 - Aerotropolis SEPP be amended to clarify when development consent will be granted

The Aerotropolis SEPP should include provisions that clearly detail when the consent authority can grant consent. This is to reduce instances where a development has technically complied with all provisions of the SEPP, but major enabling infrastructure, such as water or sewage, is not yet available. This is also to provide a legal connection between the SEPP and supportive plans, such as the precinct plans, and WSAP, which can otherwise be ignored when assessing individual developments. This is to ensure orderly development across the Aerotropolis, and to ensure that high order aspirations for the precinct can be considered for each individual development.

Council recommends that development consent should not be granted unless the consent authority is satisfied that:

1. the proposed development is consistent with the precinct plan, or site specific masterplan; and,
2. public utility infrastructure (including water, sewer, electricity, digital) is available.

Recommendation 40 - Aerotropolis SEPP be amended to specify when referrals are required

Council recommends that the Aerotropolis SEPP be updated to include detail on when concurrence and separate approvals to certain State and Federal Government departments, or the Western Sydney Airport, are required.

The development approval pathway should clearly identify when the consent authority should be receiving input from other agencies (e.g. Department of Infrastructure, Transport, Cities and Regional Development). This is not only to ensure clarity for the consent authority and developers, but to also limit unnecessary delays from referrals which are not required.

Recommendation 41 - Aerotropolis SEPP be amended to include an objective requiring sustainable funding for delivery and ongoing operation of local infrastructure

Recommendation 42 - If place-based infrastructure compact approach adopted, ensure that includes local infrastructure needs identified by councils

Council recommends that the Aerotropolis SEPP include an objective to identify and establish a sustainable funding mechanism for infrastructure creation as well as ongoing operation and maintenance of local infrastructure.

Provision within the WSAP should also be made to plan for the impacts of development on existing local infrastructure and propose a clear mechanism for sustainable funding for ongoing operation and maintenance of local infrastructure. Additionally, it is suggested that the WSAP establish a link and the relationship between the local infrastructure needs for the Western Sydney Airport and proposed Aerotropolis. Impact assessment for local infrastructure is suggested to address the infrastructure impacts by the Airport and Aerotropolis separately to distinguish and establish sustainable funding mechanism.

It is noted that the WSAP refers to the development of a place-based infrastructure compact that will inform staged servicing and development planning for each precinct. If this approach is adopted in the final WSAP it is critical that local infrastructure needs identified by Council are included in this planning process. The current drafting of the WSAP indicates that Council infrastructure would be included in scenario testing and infrastructure planning and Council would support this approach being retained in the event that a place-based infrastructure compact is delivered.

Recommendation 43 - Amend section 1.4.4 of the DCP to clarify the administrative arrangements for the DCP including the process (and responsibility) for undertaking minor amendments to the document

Recommendation 44 - Amend section 3.2.2 of the Aerotropolis Plan to identify a single primary 'custodian' for the DCP during the implementation phase

A number of government bodies will have significant interest in the preparation, amendment and approval of DCPs in the Aerotropolis area. In particular the Western City Aerotropolis Authority, Penrith City Council, Liverpool City Council, the Department of Planning, Industry and Environment and the Western Sydney Planning Partnership are likely to be formally involved in the DCP process in the future.

While section 1.4.4 of the draft DCP contains some information on formal review of the DCP, there remains uncertainty about the practical administration of the DCP (including housekeeping

amendments). Council recommend that further clarity be included in the WSAP on the administration of the DCP moving forward. In particular:

- Which authority will be the digital custodian of the document?
- Which authority is the owner of the document? (e.g. will owners/developers go to Council's offices/website to view the DCP?)
- Which authority will be responsible for carrying out the word processing of the digital document?
- How will minor/administrative amendments be carried out? Will these minor amendments require approval of the panel?
- Which authority will lead community engagement on any DCP amendments

Clarity on these matters will also be necessary for document control, and to provide certainty that the nominated entity is the entity for which to lodge DCP amendments. It is recommended that a single authority is responsible for all of the above, to improve transparency, efficiency and reduce confusion.

Recommendation 45 - Provide further clarity in the Aerotropolis Plan on the role of Council staff and Councillors on the preparation or amendment of DCPs

Greater clarity is required on the governance structure of the DCP, specifically the role of Council (elected members), the Working Group and Council Staff in the preparation and review of the DCP.

Whilst it is acknowledged that Council staff are directly involved in the Western Sydney Planning Partnership, Council does not appear to have a direct role in the formulation of proponent led, or site specific DCPs. This is not typical, as DCPs are normally under the care and control of local government only. Details as to how elected members and members of the community will be involved in the preparation of DCPs or DCP amendments will need to be provided.

Recommendation 46 - Seek to limit number of other SEPPs applying (if any)

Recommendation 47 - Clarify that the Aerotropolis SEPP will prevail over any other SEPPs that apply

Recommendation 48 - Delete reference to all SEPPs listed in section 1.5.2 of the draft DCP except the State Environmental Planning Policy (Western Sydney Aerotropolis) 2019

Council notes the comment in section 6.1 of the SEPP discussion paper that, due to alignment issues, it is expected that certain SEPPs will not apply to the Aerotropolis. To simplify planning in the Aerotropolis area, it is recommended that (if possible) all other SEPPs should be 'turned off' for the Aerotropolis. This will enable the Aerotropolis SEPP to become the single 'source of truth' for the statutory planning regime in the Aerotropolis area. To the extent that the provisions of other SEPPs (eg. Corridors SEPP) apply to the Aerotropolis area, these should be either transferred or replicated in the Aerotropolis SEPP.

This approach of streamlining and centralising the state planning policy applying to a particular location, while innovative in a NSW context, is reflective of international best practice. For example in the United Kingdom in 2012 the Government was able to consolidate over two dozen previously issued Planning Policy Statements (similar to SEPPs) into a single National Planning Policy

Framework. The Aerotropolis provides an opportunity to explore similar beneficial reform in NSW, albeit at a more discrete geographic scale.

In the event, however, that other SEPPs do continue to apply to the Aerotropolis area, it is recommended that the Aerotropolis SEPP include a provision confirming – in the event of a conflict

Recommendation 49 - Note detailed comments by Council planning assessment officers on DCP drafting

between SEPPs – that the Aerotropolis SEPP will prevail. This will reduce the risk of unintended consequences and will ensure that the important objectives and vision contained in the Aerotropolis SEPP can be delivered in this area.

In preparing this submission, Council’s planning assessment officers were asked to conduct an implementation review for the draft DCP. This review entailed officers considering the likely practical impact of the DCP and how, in future, the DCP might be capable of implementation. Details of the finding of this review, including extensive recommendations for amendments to the DCP, are set out in **Appendix 1** to this submission.

Council appreciate that the SEPP discussion paper precedes detailed drafting and exhibition of the Aerotropolis SEPP. Nonetheless, in preparing this submission Council’s statutory planning officers had a number of preliminary drafting comments. Council recommend that these are considered in the preparation of the SEPP:

Recommendation 50 - Note preliminary comments by Council planning assessment officers on SEPP drafting

1. Consideration should be given to replicating the “development near zone boundaries” clause in the standard instrument for development occurring just outside the Aerotropolis boundary. This will help enable transitional development beyond the Aerotropolis and may also reduce the occurrence of conflicting land uses occurring on the Aerotropolis periphery.
2. Include a clause in the SEPP that development consent cannot be granted unless the consent authority is satisfied that precinct plans are complied with OR development is consistent with precinct plans (or site specific DCP’s in the interim before precinct plans are finalised). A development consent can only be formally assessed against Environmental Planning Instruments. Thus, unless the SEPP refers to the precinct plan, or the precinct plan becomes a Development Control Plan, no statutory weight can be given to it.
3. Support the approach outlined in Section 8.6 of the SEPP Discussion Paper whereby development proposals will be required to demonstrate that necessary infrastructure (water/ sewer/electricity/digital/transport/green grid) is either in place, or will be in place, prior to development approval being issued.
4. Incorporate into the SEPP a stream-lined but robust process for obtaining the concurrence or separate approval of relevant state or federal departments (eg. Department of Infrastructure, Transport, Cities and Regional Development concurrence in relation to activities that may have an impact on aviation policy matters)

Recommendation 51 – Provide clarity regarding acquisition plans for Environment and Recreation zoned land, including timeframes and responsible acquisition authority

Council recommends that clarity is provided regarding any acquisition plans for land to be zoned Environment and Recreation within the WSAP and SEPP.

There is community expectation that land to be rezoned Environment and Recreation for public purpose should be acquired by the State Government, with timeframes for acquisition provided in a

Recommendation 52 – Provide confirmation in the Aerotropolis Plan of longer-term governance arrangements and timeframes for review of Aerotropolis Plan and SEPP

timely manner. Provision should be made in the SEPP for acquisition of the Wianamatta-South Creek Precinct. If acquisition is not being pursued across the Wianamatta-South Creek Precinct, options for reducing zone boundaries should be pursued to better balance landowner rights and flood risk.

Council recommends the WSAP provides detail of the long-term governance arrangements regarding future planning in the Aerotropolis.

As the Aerotropolis will be realised over decades, consideration must be given to appropriate long-term governance arrangements. Council believes that a Planning Partnership of relevant local and state government stakeholders represents the best long-term governance arrangement of Aerotropolis planning going forward.

This should also include a timeline for review and updating of the suite of documents currently being prepared for the Aerotropolis. The Aerotropolis DCP states that it will be subject to review every five years, but there is no equivalent date in the WSAP or the SEPP. Providing this timeline provides certainty to the community and industry that the documents will remain living documents and can be updated to reflect changing priorities, opportunities and technologies.

Under current NSW legislation, Local Environment Plans are required to be reviewed every ten years, and Local Strategic Planning Statements will be required to be reviewed at least every seven years. The Greater Sydney Commission's District Plans are required to be reviewed every five years with the next review therefore expected to occur in 2023. To ensure consistency with these plans, and the DCP review schedule, it is recommended that the WSAP and SEPP also be reviewed every five years using an agreed process.

Recommendation 53 – Set out process to align rezoning with planning for costed infrastructure

Council's submission on the LUIIP Stage 1 called for a fully costed schedule of proposed infrastructure and a priority roll-out plan, linked to staged development, in order to align development with infrastructure delivery.

The WSAP, however, is still vague on commitment and roll-out of servicing infrastructure. This risks an outcome similar to that observed in release areas such as Austral and Leppington, where no staging plan was produced and it was left to market forces to decide which areas would develop. Given a lack of co-ordinated infrastructure delivery, and fragmented land-holdings, there has been no orderly development patterns. The result has been poor quality, disjointed development, where essential infrastructure and services will not be provided for several years after new residents move in. New employment centres, such as Leppington, have also failed to develop.

A stronger emphasis must be placed on providing and sequencing infrastructure and ensuring development is staged to match infrastructure provision. The size of the growth area is large and there are other growth areas adjoining. There is a significant risk that, without a prioritised and fully costed infrastructure schedule in place, development will occur on too many fronts and infrastructure providers will not be able to keep up (including, particularly, Councils who often have more limited resources than state and utility authorities).

Recommendation 54 - Note ongoing discussion between Liverpool City Council and the Planning Partnership Office about DCP urban design section

Liverpool City Council has, in recent months, had an ongoing dialogue with the Planning Partnership Office about the DCP urban design section structure and content.

These conversations are ongoing and are focused on the opportunity to further clarify, through the DCP urban design section, appropriate urban design outcomes and solutions for achieving the Governments urban design objectives.

Although this submission provides feedback on the DCP as exhibited (including the urban design section), Council also looks forward to continuing to work with the Planning Partnership Office

Recommendation 55 - Add the Dwyer Road Precinct as an initial precinct

Council has resolved to support the inclusion of the Dwyer Road Precinct as an initial precinct. The Dwyer Road Precinct could also be renamed to the Southern Gateway Precinct to better represent the aspirations of the landowner's group and embody the future opportunities for their lands.

The timing to the rezoning and servicing of the Southern Gateway Precinct should be brought forward as an initial precinct to enable the orderly transition of lands from residential to flexible employment ahead of the opening of the Western Sydney Airport in 2026. Details around the timing of likely rezoning and development in this precinct should be included in the final Western Sydney Aerotropolis Plan, the Aerotropolis SEPP and DCP.

Appendix 1 – Detailed comments from Council planning assessment officers on DCP drafting

- 1.4.3: There are some instances in which it may be desirable for Council DCPs to still apply, e.g. procedures relating to land contamination. The Aerotropolis DCP should be amended to the effect that the LDCP does not apply to areas rezoned, unless otherwise specified.
- 1.4.4:
 - Minor language issue: A DCP is a planning guideline, and not a planning instrument.
 - This section requires a review of the DCP to be undertaken “in at least five yearly intervals”. This should be clarified to say “at least once in a five year period”, as it could be misinterpreted as five times a year.
- Section 1.5.1 would benefit from a land-application map.
- 1.6.1: This section discusses proponent instigated site specific DCPs. It should be clarified as to whether the proponent instigated DCPs are also subject to the scrutiny of the committee mentioned in 1.4.4.
- 1.6.3: This section could also benefit from relating to the metropolitan plan, district plan, WSAP, and WSA SEPP. After all, the DCP is a guideline which provides developers with a set of controls which guide the built form to be consistent with the broader strategic planning framework.
- 1.8: This section should recognise the contribution that existing market garden, grazing and other agricultural activities have on diversifying the domestic economy and for providing landscape amenity.
- 1.9 Figure 1 of Section 1.9, includes an outline as to how a proponent led DCP will be prepared. Whilst this process will involve Council staff, given that Council staff make up members of the Western Sydney Planning Partnership, this process only provides Council’s elected members the opportunity to comment; they will have no power to make decisions regarding the DCP. Additional opportunities for Councillors to provide input may be warranted, such as briefing sessions.
- 1.10/1.11:
 - It would be helpful to include some instances/circumstances when it may be appropriate for a site-specific DA to be approved prior to a DA being prepared.
 - This section should clarify whether Councils can consider a site specific DCP after a precinct plan has been prepared which applies to the site.
 - 1.11 Should include an Aboriginal heritage due diligence report.
- 2: The description of the Western Parkland City describes the Western Sydney Parklands forming the eastern boundary. The Western Sydney Parklands is a key north-south spine throughout the centre of the parkland city, with the Georges River more likely as the eastern boundary.
- 2.1.1: Vision statement could be more direct in retaining existing native vegetation where possible, and hinting at precinct canopy cover targets. It is suggested that reference is made to a new section in Section 3 regarding canopy cover targets and Blue-Green Grid.
- 2.2.1: The Vision Statement for the Northern Gateway Precinct discusses public transport connections to Penrith and the Aerotropolis core. Given that much of the public transport is shaping up to be oriented north-south, this provides for poor access to established residential areas in the Fairfield and Liverpool LGAs. The Liverpool and Fairfield LGAs will likely be within commuting range of the science park, and students/workers would benefit from quality public transport access.

- 2.2.2: As with 2.1.1, this statement could be more direct in addressing the Blue-Green Grid, retention of existing native vegetation and relation to the canopy cover targets.
- 2.3.1:
 - The vision statement for the Wianamatta-South Creek Precinct could be more inclusive of market garden uses.
 - It is suggested that the last sentence referring to Fifteenth Avenue as a 'road network' should be changed to a 'transport network'. It is Council's vision that Fifteenth Avenue becomes a high quality public transport corridor, which does not provide private vehicle access to the aerotropolis core.
- 2.3.2:
 - Objective b of the Wianamatta-South Creek Precinct is awkwardly written and should be expanded to encompass water quality measures.
 - Objective c should be expanded to encourage stormwater infrastructure to be of dual use (e.g. dry basins suitable for active recreation).
 - Objective e is supported, but should perhaps be located in section 2.1.2, as this precinct doesn't apply to any prominent ridgelines.
- 2.4.1: The vision statement for the Badgerys Precinct advocates for temporal structures with the longer-term vision of higher order opportunities in the future. Whilst sensible, this requires two additional pieces of work to be done, including:
 - With an emphasis on net-zero carbon, minimisation of waste and the circular economy, how will temporary uses and structures be adapted for re-use, or dismantled and redeployed in other areas? The DCP must stipulate that an end-of-life plan shall be provided, up-front, for any temporary uses, and provide details as to how the temporary uses/structures can be re-used.
 - With the inclusion of temporary uses and structures, there will be an expectation of lower cost and more timely construction of development in this area. Given that the long-term plan is for "*a sustainable precinct reliant on renewable energy, and supportive of responsible water usage*" how will the temporary uses allow for the provision of this infrastructure in the long-term? There essentially needs to be two implementation plans prepared for this area, one for the interim uses, and one for the long-term, detailing how and when transition will occur, as well as what long-term infrastructure is needed in the short-term.
 - The transport mode for Fifteenth Avenue should remain undisclosed in the DCP. Council remains mode agnostic for the Fifteenth Avenue Corridor and maintains that it should be designed to provide for a number of modes (such as buses, light-rail, trackless tram technology, with autonomous, or semi-autonomous technologies).
- 2.4.2:
 - As discussed above, the objectives of the Badgerys Creek Precinct need to focus more specifically on certain industries, rather than catering for a wide variety of employment uses. Whilst this may maximise land-value, it will not be supportive of agglomeration based industries, and could lead to a dilution of job density.
 - The objectives should provide evidence based targets for renewable energy production, and water-reuse.
- 2.5.2:
 - The objectives of the agri-business precinct are generally supported, however there should also be support for extensive agriculture, particularly given its minimal

impact on the landscape. Controls around intensive agriculture (e.g. feedlots) will also need to be explored to ensure amenity is maintained.

- The DCP needs to expand upon which commercial and retail uses are ancillary to agriculture uses, to prevent non-associated development.
- It is suggested that Sections 3.1 and 3.2 are more clearly defined as to their intent. It seems that section 3.2 is more aligned to urban canopy cover, rather than biodiversity, and could be renamed as such.
- It is recommended that section 3 of the DCP is reviewed to improve its clarity and minimise duplication. Suggestions are included below to assist with this matter, and to offer input on other specific biodiversity related issues.
- Section 3 would also benefit from more clarity on the Blue-Green Grid, including details as to how corridors of native vegetation and waterways might co-exist with active transport and recreation in contextually relevant areas. This should also consider zoning ridges and transport corridors as recreation/environment zones
- 3.1.1:
 - Objective a: It is recommended that this objective is reworded to emphasise that avoiding impacts should be considered first and foremost, followed by minimising impacts, then mitigation. Mitigation measures are often provided as the default. However, avoidance should be the first preference, then minimise impacts as much as possible, then mitigate residual impacts. This hierarchy is embedded in pertinent material such as the biodiversity assessment method (linked to the new Biodiversity Conservation Act 2016). Suggested rewording is “Avoid and minimise impacts to biodiversity from development, and mitigate residual impacts that can’t be avoided or minimised”.
 - Objective c: Prescribed impacts need to be defined, as per the Biodiversity Conservation Regulation 2017
 - Objective e: Consider removing the word ‘landscape’ as this word appears to be superfluous.
 - Objective f from section 5.1.7.1 (Urban Ecology and Sustainability - objectives) includes reference to the conservation of threatened species and communities. It is suggested that the consideration of threatened entities would be best placed within section 3.1.
- 3.1.2:
 - PO1: Recommend rewording to clarify the intended outcome. A suggested alternative is “Human-induced disturbances to biodiversity at urban interfaces are minimised”. Acceptable solutions could cover the range of impacts that commonly occur at urban interfaces (eg Asset Protection Zones, stormwater, hydrology changes, weeds, vehicle strikes, lighting, noise, shade from structures). Edge configuration and use of buffer areas may also be considered.
 - PO2: Clarify whether ‘land avoided from development due to biodiversity values’ would encompass all ‘land identified for conservation’. It is recommended that the wording is simplified accordingly if possible. Acceptable solutions should reflect the hierarchy noted above for objective a (avoid impacts, then minimise those that can’t be avoided).
 - PO3: Focus is on landscaping/urban design, so it would be best placed in a more relevant section (e.g. section 5.1.7 urban ecology and sustainability). Acceptable

solutions may include preference for indigenous plant species, incorporation of habitat features and avoidance of weeds.

- PO4: This may be more pertinent to include as an acceptable solution under PO2.
- PO5: Consider collating with PO6, and cover broader connectivity themes under one PO (e.g. 'protect and enhance vegetation and wildlife habitat corridors'). The CPCP is anticipated to identify corridors and consider their management. Acceptable solutions could cover the retention of native vegetation and habitat features within corridors, avoidance of other impacts within these areas, and enhancement measures.
- PO7: Move to section 3.3 (high ecological value waterways).
- PO9: Recommend simplifying to "habitat features are protected and enhanced to support populations of threatened species". Perhaps it could be widened to 'populations of threatened species are protected and enhanced' to allow considerations of issues beyond habitat features. Acceptable solutions may encompass the retention of habitat features such as hollow bearing trees, ground debris, waterbodies etc. If the PO is broadened beyond habitat features it can also include acceptable solutions related to the protection of individuals within the population.
- PO10: Recommend minimisation of these impacts, then mitigate residual. Acceptable solutions will probably greatly overlap with those noted for PO1 (relating to urban interface).
- PO11: Extends well beyond biodiversity issues, and does not appear to offer a biodiversity outcome that would be beyond what the other POs could achieve. Consider moving to a more pertinent section.
- Consider including a PO regarding the enhancement of native vegetation and habitat in strategic locations, which will presumably be identified in the CPCP. Alternatively, this may be included via rewording an existing PO (eg PO2). Acceptable solutions may include the improvement of ecological values in priority conservation areas.
- 3.2 Native Vegetation: An evidence based urban canopy target should be provided, with direction given to this target in this section. This section should describe the tree canopy targets in the public and private domains, and how these work together to achieve the vision.
- 3.2 The relationship between this section and the Codes SEPP/Greenfield Housing Code also needs to be clarified (if the SEPP/Housing Code apply), particularly with respect to building clearance zones. At the moment, the controls seek to advocate protecting all remnant vegetation; this isn't realistic and doesn't give DA officers any direction as to what should be retained, versus what can be lost. This will result in all vegetation being cleared.
- Section 3.2 also needs to relate to the Vegetation SEPP, particularly clause 9, if applicable (or alternatively relevant clauses in the Aerotropolis SEPP).
- 3.2.1: Consider moving objectives a and b into section 3.1.1, and simplify b to 'protect native vegetation areas and provide for areas with a size and configuration that will allow for the survival and improvement of the native vegetation communities in the long term' (or similar). Objective c would be best placed in the general provisions section given its amenity focus.

- 3.3:
 - Consider collating this section with other waterway related sections. Acceptable solutions can be based on adherence to Natural Resources Access Regulator and DPI Fisheries guidelines/requirements.
 - Liverpool City Council will not allow alterations to the flood storage capacity and flood behaviour through filling and excavation below the Flood Planning Level. It is also noted that a further investigation will need to be undertaken regarding flood extent across the aerotropolis which will inform the water cycle management strategy any lands needed for water detention and treatment.
- The performance outcomes in section 3.3.2 should include maximum waterway nutrient loads, including nutrient reduction targets. This should be done at the point-source, rather than end-of-catchment treatment devices, via rain-gardens, swales and other semi-naturalised elements.
- 4.1.2:
 - PO2 of section 4.1.2 appears to be a copy of PO1.
 - PO10 of section 4.1.2 should also equally apply to the generation of dust, as well as other particulate emissions.
 - The scope of PO11 must be refined. It is assumed that only flying wildlife are an apparent hazard. Several habitats that support flying wildlife also support other native, and endangered, wildlife such as amphibians, insects and marsupials in riparian areas. Guidance as to how to how to minimise the impacts of flying wildlife, without simply suggesting their complete removal, should be discussed and preferred over solutions which remove habitat.
 - Will there be any performance criteria relating to airport security? It is understood that aerial drones are an emerging airspace security concern, and that radio-communication jamming (broad-spectrum, or targeted) is once such method of identifying and/or disabling drones. Performance criteria with regards to interference from fixed radio-transmission antenna should be considered in the immediate vicinity of the airport site.
- 4.2.1: Flood infrastructure, including basins, should be designed in a contextually sensitive manner. In urbanised area, with greater demands for open space, dry-basins which have a dual-purpose as sporting fields should be a preferred design; whilst in less urban areas, basins and infrastructure should be designed to mimic natural water bodies, such as wetlands, where possible. This will require slight wording alterations to objective d.
- 4.2.2:
 - PO3, Council's standard practice is to not permit any fill in areas affected by the 1/100 flood. The current text may mislead applicants into filling this land to minimise risk.
 - PO4 is to be amended to state that "*Fill ~~should~~ must not reduce the capacity of the floodplain below pre-development levels*"
 - PO5 should also include guidance as to maximum batter/slope angles, maximum batter height and the suitability of retaining walls. Retaining walls require maintenance, can be subject to graffiti / present poorly, and can limit opportunities for development to interface with blue/green corridors; they should be avoided. "Should" needs to be changed to "must".
 - PO7: Floodways are not defined, refer instead to floodplain.

- PO8 must also incorporate evacuation on foot. The development, street network, and street grades should be designed in a manner in which rising waters will cause those who flee homes / workplaces to be 'pushed' by floodwaters to higher safe grounds or evacuation routes.
- PO10 should advocate that infrastructure should maintain its integrity and not present a public hazard in addition to remaining functional.
- PO12 should mention that overland flow paths are to be documented and accommodated on all-sites assuming a full-development scenario.
- 4.3.2 Should include a performance outcome ensuring that more than one evacuation route is provided for any lots affected by bushfire risk. The two (or more) access paths should not converge at any point, and would ideally head in opposite directions so as to minimise the likelihood that both are severed during a fire.
- 4.4.2: Given the need to minimise attracting flying wildlife, PO3 should be amended to discourage putrescible waste facilities, particularly those that handle green or domestic waste in an open-air setting.
- PO5 of 4.4.2 should be informed by a precinct study, inclusive of uses within 500m of the Aerotropolis.
- 4.5.2: Minor amendment to PO1 to change reference of premises to development, as noise generation in yards and other outdoor areas (such as quarries) can also be of concern. This will also require changing 'construction materials' to 'noise attenuation measures'
- It must be clarified if the Infrastructure SEPP will apply as this has controls for road and rail corridors
- 4.6: Should be reference to the generation of dust from unsealed roads, carparks, yards and dust generating activities (e.g. landscape materials suppliers).
- 4.7: The performance outcomes should advocate for minimal cut and fill, which is a primary agitator of acid sulphate and saline soils.
- 4.8.2: PO1 to be clarified that this applies to development in general, not developments.
- 4.8.2: PO3 should also specifically include pollution to the water table.
- 4.9: there needs to be a definition or well-understood example of what sloping or unstable sites are. A performance outcome should also be that large floorplate / warehouse style developments are not provided on sites where the cross-fall is greater than 3m (human scale height for cut, fill or retaining wall), or that the development conforms with local topography.
- 5.1.1.1:
 - 'Compact development' is not defined, consider changing to 'medium and high density development'.
- 5.1.1.2: Western Parkland City – Landscape Led Approach.
 - All of the Performance Outcomes are supported, but there could be greater detail provided. What is the canopy target? What is high-quality open space? What are important view lines, and how are they protected?
 - PO4 could be modified to ensure that active and public transport routes provide the most direct routes to centres, retail areas and open space. An easy walk should also be defined (e.g. 800m) and it should also be noted that this alignment will also encourage higher take-up of public transport.
- 5.1.1.2: Western Parkland City – Public Domain.

- PO7, whilst the principle is supported, this will ultimately be determined by building heights and setbacks, unless otherwise specified.
- Public domain should include a public art strategy, commissioned as part of the rezoning.
- 5.1.1.2: Western Parkland City – Urban Development.
 - PO15 requires development to conform to the urban context, but given that many of these areas will be in Greenfield locations with no / inappropriate established character, this principle cannot be achieved. The DCP should instead be providing for the character of what is desired (e.g. rhythm of features, architectural styles, façade lengths, building separation vs street wall etc.).
 - A principle should be provided which advocates for vertical development, rather than horizontal development for single-lot dwelling typologies. This allows for smaller lot sizes, incorporates more permeable space, provides better ventilation and provides better solar access. Providing a low base FSR and awarding FSR bonuses for extra storeys should be investigated to encourage additional floorspace to be provided on the vertical axis if desired by home-owners.
 - PO16: Fine-grain development needs to be defined or further described.
- 5.1.1.2: Interface with Transport and Surrounding Land Uses
 - PO18 should apply to areas around other public transport nodes, not just metro-stations. ‘Maximising outcomes’ needs to be more carefully worded so as to not encourage excessive, or out-of-scale densities which over-burdens infrastructure.
 - It is suggested that utilising a generous FSR control in addition to a more restrictive dwelling density controls in high-density mixed use areas could promote non-residential floorspace or larger unit sizes for developers who seek to maximise FSR provisions.
 - Include new PO that while high density is encouraged around public transport nodes, high (residential and employment) density is discouraged in poorly connected areas where reliance on single occupancy private motor vehicles is likely.
 - Include new PO that significant commuter or retail parking structures should be located 500-1,000m away from metro, rapid transit and retail centres to promote active transport and to encourage mode-shift whilst still providing adequate access; exceptions should be made for bicycle, micro-mobility, and mobility impaired parking.
 - PO19: Suitable interfaces to a trade gateway need to be discussed/outlined.
 - PO20: This would be better addressed by the SEPP in providing zones which separate incompatible land-uses. Alternatively a list of incompatible land-uses should be provided, including distance or other mitigation criteria between such land-uses.
- 5.1.2.1: Objective a is supported, but could be more refined or split into separate objectives to increase clarity, such as: Streets should be people and pedestrian oriented, not designed purely on vehicular movement requirements; Streets are to allocate space and furniture so as to best retain or enhance place identity; Streets designs are to clearly articulate priority in the order of: pedestrians, other active transport, public transport, private vehicles and freight, (with the exception of motorways).
 - Another objective of section 5.1.2.1 should focus on improving safety and community health outcomes by designing streets in a manner which encourages mode shift, and provides for a cooler, sheltered urban environment.

- 5.1.2.2:
 - PO2 could be further re-enforced by stipulating what kind of streets pedestrians etc. are to be prioritised. E.g. “Prioritise pedestrian, cycle and public transport movements on all local, collector and sub-arterial streets”.
 - PO7: Consider re-wording to: “carriageway widths, intersections widths and driveways widths are to reflect the minimum pavement configurations. The design widths and geometry should be based on the largest vehicle that will frequently use the road. Infrequent users, such as service vehicles on local streets, shall be used as a check vehicle, and not the design vehicle.”
 - PO8 and PO9 are duplicates.
 - PO 10 should advocate for point-source water quality management, and provide for drainage swales/rain-gardens in lieu of end-of-catchment bioretention basins. Swales and raingardens can treat pollutants closer to where contaminants enter the system, and being located in road reserves, they typically do not require additional land acquisition costs. A preferred planting species list will need to be provided to ensure plant survival and minimal maintenance.
 - PO11 is supported but is confusingly worded. Further, on-street parking areas should be provided as indented bays, rather than as an extra traffic lane which can be conveyed visually as a wider carriageway, increasing vehicle speeds.
 - PO12 needs further detail as to how streets are to be designed to be resilient to natural and man-made hazards.
 - PO13 needs to be amended to require streets to be designed in accordance with the principles of the WSSDG, and adopting standard cross-sections where appropriate.
 - PO13 needs to identify what guidelines the street network must comply with. Most Council engineering teams will assume this is Austroads, with guidelines like the WSSDG being ignored. Separate cycleways should not be provided for most local streets, as the streets should be designed in a manner in which private vehicles are travelling slowly enough so as to permit sharing of the carriageway. Collector roads, and local streets adjacent to town centres and schools are perhaps exceptions.
 - PO15 should add the existing road network and cadastral pattern as matters to consider in designing the road network.
 - PO16 needs to be amended to ensure that direct connections are provided for active and public transport modes only. This PO could imply that arterial roads should be built through the centre of town centres. Provision should also be made for private vehicular transport to coincide with public transport modes at the periphery, to encourage a transport mode shift to pedestrian and active transport within town centres. PO18 should reference “improving health outcomes” rather than safety, so that matters such as active transport and urban heat are also considered.
 - There needs to be a priority around block widths and depths to relate street pattern with development typology and to ensure pedestrian permeability. Blocks of 65x150m are suggested for residential areas.
 - Bus routes need to be considered in the context of slow-streets to ensure that they can still operate efficiently.
 - There needs to be a PO on providing pedestrian and cyclist legibility. That is, consistent treatment of pedestrian and cyclist facilities on a route, or safe, well designed transitions between different treatment types. Legible signage pointing out POIs and key cycling routes should also be provided. All pedestrian and cycle paths,

whether beside a road or through other public space should be well-lit and incorporate passive surveillance.

- A PO should advocate for a fused grid or a filtered permeable layout in areas where new streets are to be provided. A fused grid layout provides high pedestrian permeability via long, regular routes, whilst providing vehicular transport with much fewer options via localised road closures. Woolloomooloo has retro-fitted a fused-grid street layout, but reflects best-practice by keeping street blocks and passageway widths regular.
- A control should specify soil volume required for broad-canopy trees.
- All POs should require that the road network 'must' do something, rather than 'should' do something.
- Table 1:
 - Local streets should discourage thoroughfare, and should not provide vehicle priority for lengths of greater than 300m (to slow vehicle speeds and orient vehicles to the collector road network). Schools and activity centres should not be bound by local streets.
 - Sub-arterial roads must maintain active transport as a high priority, particularly cyclists, as these will be key priority maintained routes.
 - High-streets should consider continuous awnings where appropriate.
- 5.1.3.2:
 - How does a planner assess whether a development achieves PO1? These measures need to be objective and repeatable. Two planners should be able to make the same determination as to whether the same development complies with a provision.
 - PO2 should be related to demographic analysis of the planned precincts, which can be used to derive the target dwelling typology breakdown. This can then be mapped to provide for better market certainty and to ensure that dwellings being constructed respond to household needs, not just what is profitable to deliver.
 - PO3: Appropriate heights should be determined by the SEPP.
 - PO4 should reference national standards, and set benchmarks.
 - While supported, PO5 is written in subjective language and consistent interpretation cannot be guaranteed. PO should be redrafted.
 - The active frontages section should include a new PO encouraging shop fronts to be at the same grade as the street level. A significant change in grade will disrupt legibility and could result in poor surveillance.
 - PO15: Need to clarify whether a laneway is an active frontage.
 - PO19 will not be achievable in high-density development sites.
 - PO21 as it is written could advocate for buildings to be designed in a manner which is contrary to principles of minimising energy consumption and promoting sustainability (such as forcing sealed windows and reliance on mechanical ventilation). This PO should advocate for re-orienting the layout/design of the structure to mitigate noise, then consider mitigation strategies which provide for high amenity whilst minimising energy consumption.
 - Include new PO requiring Private Open Space to be provided behind the building line, and size linked to dwelling typology.
 - Minimum landscaping requirements need to be derived from urban canopy targets as well as stormwater run-off coefficient assumptions.

- A plant species list that responds to different contexts within the precincts (e.g. doesn't attract significant birdlife, frangibility, salt tolerance, WSUD) should be developed and part of a public domain master plan.
- An outcome should ensure that hydrants, substations and other plant is integrated into the design of the building.
- 5.1.4: A greater emphasis on what makes place should be provided (e.g. referencing Government Architects' documents). The 30 minute city should also be detailed here (e.g. from any dwelling it should take no longer than 30 minutes to travel to a regional centre via public or active transport).
- 5.1.4.1: Prioritising pedestrians within centres is supported, however, an objective is needed to ensure that new centres are sufficiently spaced and provide sufficient services so as to enable walkable communities.
 - All new residents should be within 800m of: their nearest centre, a government primary school, and high quality mass transit stop (metro, heavy rail, or other rapid transit stop).
 - All dwellings should be within 400m of public open space, or 200m for RFB development.
 - The nearest multi-purpose community facility, and government high school from all residents should be no more than 20 minutes away via public transport (assuming up to an additional 10 minute walk to a bus stop).
- New objective: Minimise negative impacts on the viability and vitality of existing and planned centres, and curtail out-of-centre development.
- 5.1.4.2:
 - PO2: A polycentric urban structure is jargon that many non-planners will not understand. Replace "Provide a polycentric urban structure across" with "Support the growth and ongoing viability of".
 - PO3 needs to be singular. There is a risk that objectives c and d are undermined as a result of each development site claiming to be the metropolitan centre. This would result in each site competing with one-another, likely resulting in lower densities lack of efficient public transport servicing and further sprawl. Suggest rewording to: Establish a single metropolitan centre, strategic centres, and new local centres around Metro/mass transit nodes and highly accessible areas.
 - As with the metropolitan centres heading, the strategic centres heading needs to recognise other strategic centres at the periphery of the aerotropolis, such as Leppington, and Narellan. An economic development, and retail viability strategy should be prepared to inform the size, location, timing/delivery and viability of strategic centres in the WSA area and surrounds.
 - Whilst there is a need to provide a limited amount of flexibility to ensure that development is able to take place and respond to emerging trends, the open ended wording of PO5 will almost certainly result in unordered development (similar to Austral and Leppington).
 - PO5 is contrary to the efficient use of infrastructure servicing and delivery, and will likely undermine objectives a, c, d, and e.
 - The market will go to where there is maximum opportunity to create a financial return. This is not the objective of the aerotropolis, nor will it likely result in the best outcome for new communities and high-quality job-creation.

- Please provide detailed, contextually similar case-studies as to when this model has delivered a new city which had similar aspirations to the aerotropolis. Liverpool’s experience with similarly market-led solutions has only produced very poor outcomes, where fundamental planning objectives have been undermined.
 - Replace with new PO5: *“Balance the desire for the private sector to have flexibility in where and when they invest, with recognition of the importance (and the value to the private sector and community) of having certainty about the sequencing of growth and infrastructure provision. It is important that new communities are delivered in a sequenced, predictable and commercially feasible way”*
- A further PO should be included for all centre types that *“Walking and cycling are the easiest and most convenient modes to access areas within centres, with the majority of trips within the centre being easily undertaken using sustainable modes of transport”*. It is well-documented, that people’s habits to walk/cycle for everyday trips such as commuting to work, or visiting their nearest shops/services will increase the likelihood that they will utilise active transport for other trips.
- Further POs are required regarding the timing of delivery of local centres. In several of Liverpool’s growth areas, commercial development lags behind residential development by several years. This results in car-dependent communities and further reinforces habits of driving to destinations.
- 5.1.5.1: Consideration should be given as to how much of the public transport network can operate 24/7 by amending Objective b to read *“...coming to and from the Airport using high quality public and active transport”*.
- 5.1.6.2: Council will need to develop conditions of consent relating to the WSDAP. The controls will need to send a signal to developers as to what is expected. Also, it would be appropriate to refer to the importance of data security and privacy in this section.
- 5.1.7.2:
 - PO2 advocating for the dual use of water cycle management and recreation/amenity is supported. This outcome could be strengthened by describing both passive and active recreation areas and noting the importance of ensuring sufficient space is allocated for associated infrastructure.
 - In order for PO4 to include building material controls to encourage sustainability (which Council supports) the Aerotropolis SEPP will need to over-ride the restrictions that the BASIX SEPP otherwise places on this type of control. This will also be necessary in order to achieve aspects of PO16 to PO19.
 - PO5 confuses sustainably sourced materials with general building sustainability; the two are not always mutually inclusive. Designing to minimise heat/cooling loads for buildings in Western Sydney requires the careful use and placement of high thermal mass (such as bricks, stone and concrete), as well as areas where lightweight, insulated materials (such as timber or sheeting) should be used. Sustainable building materials, on the other hand, would always prefer light weight, natural materials, such as timber, which do not have high thermal mass, which would result in the interior temperature of buildings to be more related to exterior temperatures. It would be more appropriate for this to be two separate PO’s.

- Two additional POs are needed under the “Design for Climate, Urban Heat and Thermal Comfort”:
 - “Setbacks to be derived from the perspective of providing ventilation between buildings, and providing vegetation opportunities to grow, not just providing for fire separation”.
 - “New development to support the achievement of net zero emissions and best practice in managing water demand, and the use of innovative construction techniques such as Passivhaus encouraged”
- Whilst PO8-PO10 provide for the preservation of green infrastructure on ridges and near creeks, these predominately run in a north-south direction. There will be little to no connectivity in an east-west direction. Further detail is needed to identify east-west green links.
- Whilst most existing shade trees should be retained, as per PO15, there will be scenarios where a site is heavily vegetated, but not protected from clearing. Allowing for additional height, or floorspace as an offset to dedicating such land to Council for public use may incentivise the retention of such spaces, and could be a means of providing open space as development occurs, as well as providing canopy cover on private lands with less market resistance.
- A list of species to be retained will assist the Tree Preservation section.
- PO16 – PO19 should be updated to reflect and refer to the core principles of Circular Economy thinking (as set out in the WSAP), namely: (1) design out waste and pollution; (2) keep products and materials in use; (3) regenerate natural systems.
- 5.2.1: Include a new PO
- Low and Very low income needs to be defined/referenced.
- 5.2.2:
 - PO3 should enable a typology responding to housing needs as identified in Housing Study to be prepared for Aerotropolis to ensure delivery of affordable, sustainable and context-appropriate housing stock. Based on Council’s recent housing study this is likely to preference smaller low density dwellings (more 2 and 3 bedroom dwellings/terraces), coupled with larger apartment sizes (more 3 and 4 bedroom units).
 - Minimum sizes for rooms need to be provided for different dwelling typologies.
 - Council staff are supportive of a build-to-rent model, if it provides appropriate accommodation, especially for key workers. However, checks and balances will need to be put in place to ensure that this will not be an avenue to providing sub-par residential development.
 - PO5 should be further expanded to require affordable housing (units in multi-unit development) to be intermixed with private housing. Controls should be put in place to prevent certain blocks, floors, wings or unit types of a building being for affordable housing only.
- 5.3.1:
 - Include reference to proposed SEPP provision (see main submission) that the consent authority cannot consent to a development until it is satisfied that adequate utilities and accessibility (e.g. public transport) are available or are to be made available to service the development. It is critical to ensure that an infrastructure and delivery and staging plan is in place prior to development taking place. Objective

could be worded "Ensure that new communities have early access to the necessary utilities, social infrastructure and accessibility (e.g. public and active transport)".

- This part should also integrate with objectives relating to self-sufficient water and energy, as well as principles of the circular economy.
- 5.3.2:
 - PO1 should also include gas, and, where appropriate ducts and other infrastructure to support innovative technology (eg. co-generation of heated and chilled water).
 - A performance outcome should be to consolidate utility corridors and minimise the sterilisation of land. Western Sydney is characterised by several high-tension power line corridors, gas corridors and other utilities which can be a blight on urban amenity and otherwise sterilises capable land. Utilities should be consolidated into single corridors, utilising configurations which minimise land consumption, whilst still providing utility owners with access to maintain such infrastructure. The utility infrastructure should provide for and adapt to the best capabilities of the land.
 - Utilities must be provided prior to development occurring.
 - PO2 cannot be realised at the site design stage, as each development site will place a load/burden on utilities, even if the precinct is self-sufficient.
 - New PO to be included: "Development only occurs in locations where adequate utilities, social infrastructure and accessibility (e.g. public and active transport) are available or committed to service that location"
- 5.4.2:
 - Often areas for vehicle queuing areas are designed longer, and corners wider than what is absolutely necessary to support vehicles moving at speed. PO2 could be further reinforced by minimising the amount of area dedicated to vehicle movement to that that is needed for vehicles to manoeuvre at very low speeds. Vehicle related areas should also be designed in a manner as to visually reinforce pedestrian and cyclist priority.
 - Safe and convenient set-down areas for passengers, as per PO3 should be provided from the street, so as to minimise the number of vehicles using driveways/crossing footpaths.
 - The section titled 'Car Parking' should be renamed 'Parking', and make reference to bicycles, motor-cycles and micro-mobility parking, as well as safe and secure bicycle lockers and end-of-trip facilities.
 - As per PO4, private vehicular parking should be prioritised on-street so as to minimise the amount of off-street parking required. This could include providing 90 degree parking on-street, which would provide additional traffic calming. Careful consideration will need to be given to ensure this is only used in commercial/retail areas or as visitor parking to avoid the need for residential permit schemes.
 - PO8 is supported, although reference to the service vehicle as the 'design' vehicle should be changed to the 'check' vehicle. That is, the road-related area should be designed for a smaller vehicle, such as a car, checking that a larger vehicle, such as a garbage truck is able to manoeuvre; this is rather than designing for the service vehicle which will increase corner radii, and promote higher vehicle speeds.
- A new part in section 5 should deal with temporary development, and include topics such as: length of consent, how to deal with complaints/issues, conditions for contentious development, and requirements for an end-of-life plan (including carbon cycle assessment and how structures can be re-used or dismantled).

PART 3 - SUMMARY OF FEEDBACK RECEIVED FROM LIVERPOOL COMMUNITY REGARDING THE PLANNING PACKAGE

Through regular engagement with the Liverpool community (including Council's ongoing 'Rural Forum' program), Council has received feedback on the Planning Package. This feedback is provided to the Planning Partnership for consideration. The community have also been encouraged to lodge their own submissions directly with the Planning Partnership on the Planning Package.

Issue 1 – Land acquisition

Significant community concerns have been raised with Council regarding land acquisition processes associated with planning for the Aerotropolis.

In particular community members have raised the following concerns with Council:

1. The need for timing regarding when acquisition of properties for infrastructure or open space might occur. This is important for residents to be able to plan for their futures;
2. Responsibility for acquisition of land proposed to be re-zoned as Recreational/Environmental or RE1. This re-zoning limits resident's future use of this land.

Council has advised residents that Council's position is that, where requested by the relevant landholder, land zoned as Recreational/Environmental or RE1 under the Aerotropolis planning processes should be acquired by the NSW Government.

Issue 2 – 1:100 flood line

Community members have expressed concern to Council regarding the 1:100 flood line being used in Aerotropolis planning work.

Council has advised the community that the flood lines are based on a flood study undertaken in accordance with the NSW Floodplain Development Manual. The issue of aligning a zone boundary to a flood line is the key issue, particularly as the WSAP does not propose acquisition of land zoned Environment and Recreation. Council recommends that the area zoned Environment and Recreation should also be identified on the land acquisition map in the SEPP.

Issue 3 – Kemps Creek Precinct

Landholders in the Kemps Creek Precinct have advised Council that they want their precinct to be fast-tracked. Furthermore, landholders have sought a timeframe on re-zoning and precinct planning. Landholders have indicated that the current lack of certainty on timeframes is resulting in anxiety within the community. Council have advised the community that prioritising this Precinct would potentially require the deferral of other Precincts in the Aerotropolis. There are financial risks of developing and maintaining effective infrastructure in multiple precincts. Unless new commitments are carefully balanced against Council's existing commitments (growth areas such as Austral and Edmondson Park) there is a risk of poor execution of projects.

Issue 4 – Dwyer Road Precinct / Southern Gateway Precinct

Landholders in the Dwyer Road Precinct / Southern Gateway Precinct have advised Council that they consider that this precinct should be brought forward as an initial precinct. Landholders contend that the existing residential zoning of this area and its proximity to the airport (and potential noise impacts) means the Dwyer Road Precinct should be prioritised.

Council are advised that a landholder group survey found that over 90% of residents do not wish to live near an operational airport. Landholders note research referred to in Council's Stage 1 LUIIP submission about the potential adverse effects on resident's physical and mental health when living within 5kms of an Airport. The Landholder group suggest that this needs to also be considered in managing the amenity and liveability for current residents in this Precinct, not just future residential developments.

The Landholder group also contend that the area could provide greater 30 minute job access for people living to the south of the Aerotropolis boundary (predominantly in Camden Local Government Area).

The landholder group is therefore seeking to fast track the rezoning of the Dwyer Road Precinct and be considered as a Priority. The landholder group contend that this rezoning should occur before the Airport is operational. The landholders also seek more certainty on the timing of outcomes for rezoning, master planning and delivery of infrastructure (including pathways to allow flexibility in the activation of lands in the Dwyer Road precinct where alternative arrangements for infrastructure delivery are funded and guaranteed and where business/investment attraction is successfully demonstrated).

Council has resolved to support the Dwyer Road Precinct being an initial precinct and this is included in Council's submission.