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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

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WESTERN SYDNEY

15

PLANNING PARTNERSHIP

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MR A. JACKSON, Chair

25

AEROTROPOLIS LISTENING PANEL

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BRINGELLY

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WEDNESDAY, 26 FEBRUARY 2020

RECORDING RESUMED

[1.48 pm]

5 MR JACKSON: So thanks for coming along. I know it's in the middle of a
working day, so thank you for that. We've got presentations throughout the day.
The purpose of this session is to give you an opportunity to speak to the submissions
that you're going to be making to the – to the plan. We've already done a number
today and I think it's been really valuable for us - - -

10

UNIDENTIFIED FEMALE: Yes.

MR JACKSON: - - - to hear directly from people their thoughts on things, which
has been – which has been great. There's a few people around the table and we'll
15 introduce ourselves in a minute, but there's reps here from councils and state
agencies that will be involved in considering submissions and – and making
representations, so I think that will be – that'll be really useful. We've got the
microphones because we're recording all the sessions and we'll take an official
transcript, and they'll be considered as part of a – a formal submission to – to the – to
20 the exhibition. We'll flick you a copy of that just so – to make sure it's an accurate
representation, but as I said, it's being recorded. I'll just mention a couple of things.
So we had the Community Liaison Group meeting last night, which no doubt Anh
would have mentioned to you. There was a couple of actions from that. One of them
is – and I can confirm, the Minister's agreed to a two-week extension to submissions,
25 if that's of use to you.

It may not be of use to you, but there was a request last night to get an extension, so
that has now – that's been given. So we'll communicate that through the – the CLG
members and more broadly. One of the other things that I'll send out to the group
30 this afternoon is – this is very administrative stuff, but the other thing that was
spoken about last night was that people weren't getting an – an acknowledgment
when they lodged their submission. You don't get an acknowledgment email, per se,
but there's a message that comes up on the screen; so I was just going to screenshot
that so people know what to look out for because a lot of people were going, "I don't
35 know if my submission's gone through." So that was just following through on last
night.

And the third thing, which we don't have an answer on yet and it won't happen, well,
immediately, is there was a request to – for the Minister to meet with the CLG. So
40 that request has gone to the Minister's office and we'll just wait – await a response
from them on that. So that's just kind of covering off some things last night kind of
for Anh's benefit and – and for yourselves. So we'll just do a quick introduction and
then it's – it's over to yourselves. So - - -

45 MS NORRIS: I'm Nancy-Leigh Norris from Liverpool City Council's strategic
planning team.

MS BORGIA: I'm Natasha Borgia. I'm the city planning manager at Penrith City
Council.

50

MR ORTEGA: I'm Fernando from Sydney Water.

MS GEE: Julie Gee from Transport for NSW.

5 MS BLACKWELL: Sarah Blackwell from Infrastructure NSW.

MS GRZELAK: Patrice from the Department of Planning.

10 MR McNAMARA: David McNamara. Director – Aerotropolis, Department of Planning.

MR P. TAGIOLI: I'm Paul - - -

15 MR JACKSON: So that's - - -

MR TAGIOLI: Yes. I'm Paul Tagioli. I'm a resident from 110 Badgerys Creek Road.

20 MR M. KHALED: My name is Mohamad Khaled. I'm number 3 Derwent Road – resident of number 3 Derwent Road

UNIDENTIFIED MALE: Badgerys Creek Road.

MR JACKSON: So, again, thanks guys for coming along. We're in your hands now. You've got, you know, 15 to 20 minutes to - - -

MR TAGIOLI: Yes.

5

MR JACKSON: To walk through us through. If – do you have something

MR KHALED: No.

10 MR JACKSON: - - - or you just want to talk us through that? Yes. That's fine.

MR KHALED: That's - - -

MR JACKSON: Perfectly fine.

15

MR KHALED: That one, we have it on - - -

MR JACKSON: Okay.

20

MR KHALED: If – on - - -

UNIDENTIFIED FEMALE: Yes.

MR KHALED: On USB if needed

25

UNIDENTIFIED MALE:

MR JACKSON: Is that the submission?

30

MR TAGIOLI: Yes.

MR KHALED: Yes. The same thing.

MR JACKSON: Oh, that's – that should be okay. So, look - - -

35

MR TAGIOLI: We'll – we'll - - -

MR JACKSON: - - - happy for you to talk us through whatever you – whatever you want to - - -

40

MR TAGIOLI: Okay.

MR JACKSON: - - - discuss.

45

MR TAGIOLI: So we – we're basically representing Derwent Road and Badgerys Creek Road - - -

MR JACKSON: Yes.

MR TAGIOLI: - - - landowner's group. I think by the time that things get going we'll – we'll have at least 50 hectares of landowners who agreed to sell their land as
5 one block.

MR JACKSON: Okay.

MR TAGIOLI: So we're fairly significant.
10

MR JACKSON: Yes.

MR TAGIOLI: We're pretty much directly across the road – we're on the western side of Badgerys Creek Road and definitely the majority of the properties are
15 probably within 800 metres or a 10 minute – 10 minute walk from the proposed metro station, bus interchange. I mean, Badgerys Creek Road will be a main road so - - -

MR JACKSON: Yes.
20

MR TAGIOLI: - - - that'll have plenty of public transport. I guess what we're advocating on behalf of the landowners that we get – get back into that mixed use.

MR JACKSON: Okay. Yes.
25

MR TAGIOLI: That's – that's basically the thrust of that submission that you've got in front of you. And I don't even know where to start on some of this. It – I've been mulling over it all night, but - - -

MR JACKSON: Just shoot.
30

MR TAGIOLI: Yes. Look, you know, I – the whole thing seems to be predicated around this ANEC 20, safeguarding it under the NASF. While we're – while we're safeguarding the 24-hour operation of the airport – and most of this has been on the
35 back of the second runway, which is what, like, 30 years away – I mean, I basically think that it's a bit narrow-minded to think that aviation's going to be going backwards in 30 years' time. And – and I have heard you say, and even the – the team that's planning the flight paths have done the noise contours, that you don't expect them to even expand any greater than they are at the moment. And I can also
40 understand probably why the – they haven't – haven't advertised these flight paths at this stage. I mean, the last time they were put out a couple of years ago you could hear the people from Blackstone screaming at my place. And I guess you'll prolong that as long as possible, but at the end of the day, I – I think if – and we've got a map here. I – we only did the one.

MR JACKSON: That's okay.
45

MR TAGIOLI: And we did a – did a bit of an overlay.

MR KHALED: Which I did – I'm a graphic artist in – in trade - - -

5 UNIDENTIFIED MALE:

MR KHALED: - - - so I did three maps of yours into – into one – one

10 UNIDENTIFIED MALE: We'll just pass them around

UNIDENTIFIED FEMALE: We can – we can

MR TAGIOLI: Okay.

15 UNIDENTIFIED FEMALE: Yes. Thank you.

MR TAGIOLI: So, basically, like, our – our land just falls inside that three kilometre mark. And I noticed after we did – did an overlay on the map, probably the – the mixed use to the – on the – that new proposed road that's coming off the –
20 down past Fifteenth Avenue - - -

MR JACKSON: Yes.

25 MR TAGIOLI: - - - off the Eastern - - -

MR JACKSON: Yes.

MR TAGIOLI: - - - Ring Road - - -

30 MR JACKSON: Yes.

MR TAGIOLI: I mean, probably 20 per cent of the mixed use is all – is – is inside - - -

35 MR KHALED: Within the three - - -

MR TAGIOLI: - - - that three kilometre mark as well. In fact, the closer to the runway than – than ours.

40 MR JACKSON: so in – so just on that, the – the map that you've got here with the three and the eight and the 13, that's about wildlife strike?

MR KHALED: No. No. What I did - - -

45 MR TAGIOLI: Oh, yes. No. That's fine.

MR KHALED: No. What I did, I – I took this one - - -

MR JACKSON: Yes.

MR KHALED: - - - and I superimposed on that – on the three kilometres one.

5 MR JACKSON: Yes. Yes.

MR KHALED: And then – and then I took – I put my group properties against – against - - -

10 MR JACKSON: Yes. Yes. No. I can see that.

MR TAGIOLI: Yes. Yes. So - - -

MR JACKSON: Yes. Yes.

15

MR KHALED: Yes. Yes. To show how far – we're actually further back from the - - -

MR TAGIOLI: So what I'm saying is - - -

20

MR KHALED: From the property that they are at the moment in the mixed use. I know – we understand that you have to put the lines through somewhere why not extend to Derwent Road?

25 MR TAGIOLI: We – we – we should - - -

MR KHALED: I mean, we are on the higher side, and one day the heavy rain on Sunday and went and I saw the rain. It's only – cover most of the – the property on – next to the creeks.

30

MR TAGIOLI: It was

MR KHALED: Where our properties were no – nothing.

35 MR JACKSON: They tell me, though, that that was only the – like, the one in five year event.

MR TAGIOLI: Well, no. Well, I've been there for 30, and – and let me tell you - - -

40

MR KHALED: And it – it is constant.

MR TAGIOLI: - - - I'd never seen rain like that.

45 MR JACKSON: Oh, no. No. I understand - - -

MR TAGIOLI: And I – I'd never seen – my dam was empty - - -

MR KHALED:

MR TAGIOLI: - - - filled that up in 24 hours, and the ground – the groundwater’s
5 come up just below the grass. I’d never seen anything like that in – and I think those
people down there were lucky. And where he’s coming from is, we’re high and dry.

MR JACKSON: Yes.

MR TAGIOLI: Now, for residential purposes we’re high and dry. Down where you
10 want to go, let me tell you, if – and I’ve seen it when as – growing up as a kid, with
Warragamba full and the groundwater full, they let that thing go in the middle of the
night, mate, that place will disappear down there. I – I – I know you guys pegged it
back and – and, you know, the meeting we had here before Christmas with all the
15 other landowners in the area, I mean, I haven’t got a problem compared to some of
them.

MR JACKSON: No.

MR TAGIOLI: You know, I mean, I – I didn’t even want to open my mouth at that
20 stage because I thought, you know, they’re - - -

MR JACKSON: Thanks.

MR TAGIOLI: They’ve been – they’ve been devastated. Well, they’ve been
25 devastated.

MR JACKSON: Yes. No. Absolutely. No. No. Absolutely.

MR TAGIOLI: And it – it’s not your fault.
30

MR KHALED:

MR TAGIOLI: It just is how it is.

MR KHALED: And the – the land was dry, the dams were dry, and – and you can
35 see that down there the – the low land – the low lines where it’s overflowed.

MR TAGIOLI: And, listen, another deluge like that now - - -

MR KHALED: And with asphalt and - - -
40

MR TAGIOLI: - - - I – I might disappear.

MR KHALED: And asphalt and – and concrete in place – putting all this asphalt
45 and concrete in place reducing the amount of land to receive water, where the water
will go?

MR TAGIOLI: See, I – we’re looking at this as well, you know - - -

MR JACKSON: Sorry.

5 MS GEE: No. No. You’re right.

MR JACKSON:

10 MR TAGIOLI: - - - we – that’s a substantial landholding. And, I mean, there’s obviously more buyers around for residential. Like, okay, we could end up – I’m assuming you’re not going to allow sheds to go over on that spot anyway in that location, so - - -

15 MR JACKSON: Given the - - -

MR TAGIOLI: - - - it’s going - - -

20 MR JACKSON: Given the proximity to the Aerotropolis core, given the proximity to the train line - - -

MR TAGIOLI: No.

25 MR JACKSON: - - - flexible – like, the enterprise zone in that sort of area will be - - -

UNIDENTIFIED FEMALE:

MR JACKSON: - - - potentially quite a high end - - -

30 MR TAGIOLI: Oh, I know.

MR JACKSON: - - - offering.

35 MR TAGIOLI: I know.

MR KHALED: Look, we’re – we’re willing - - -

MR TAGIOLI: But, I mean, there’s - - -

40 MR JACKSON: I – I’m not arguing.

MR TAGIOLI: Yes. Yes, yes.

45 MR KHALED: No. No, no.

MR JACKSON: I’m just - - -

MR TAGIOLI: Yes. Yes.

MR KHALED: No. We are willing to – to cooperate with you as a planning
partnership on the Aerotropolis sort of future suggestion, but to – to – to put it –
5 to put us into the other side of the equation where the sea of – of blue to compete
with while we are very close to the Aerotropolis and we're very close to the action
and very close to the – to the job creation and residential creation and – and on the
higher level of the – of – of the – of the topography as well, that is counterproductive
to the Aerotropolis itself. Whether we – we need to safeguard the airport or
10 safeguard the Aerotropolis, can – we can do both. Okay. We can do both. We can –
we can create the environment where – where everyone is – is working there in the
Aerotropolis, have a job and have a place to – to – to – to live. Just imagine 2008
GFC you can see most of the jobs and most of the factories but residential's
still – still – still the – the – the – the single part where the economy started to take
15 off from residential, not from the other sector in the economy.

MR TAGIOLI: I mean, yes, what he's saying is – I mean, commercial tanked when
the GFC hit

20 MR JACKSON: No.

MR TAGIOLI: It really did. I mean, I remember in Penrith, because I got – had an
office in there, couldn't rent it. You could fire a shotgun down the main street and
you wouldn't hit anybody in the middle of the day - - -
25

MR JACKSON: Yes.

MR TAGIOLI: - - - in the middle of the week. The place was deserted overnight.
People that built – put buildings up there went broke because they couldn't sell them,
30 couldn't rent them, nothing.

MR JACKSON: Yes.

MR TAGIOLI: I mean, things have improved in the meantime, but that's – that's an
35 event that can happen again. What – what still kept going? Residential just kept
plugging away. There's always – people need somewhere to live.

MR KHALED: If you – if you want to build a city, you need people to live in it.

40 MR TAGIOLI: You've got to future – you want to futureproof the airport; I think
you need to futureproof the – the Aerotropolis as well.

MR JACKSON: Yes. And, look, I mean, a – a comment on that, and, again, this is
45 just context, this – you know, the airport and the Aerotropolis sits in as part of
western – you know, western Sydney more broadly. There's a well-documented job
shortage in western Sydney and the – and the – the aspiration from the governments
is – is about job creation in this area. So that's why, unlike other release areas, this

area around the airport is – is primarily focused on – is primarily – sorry, my phone’s just talking to me. I wonder if that will get picked up on the transcript.

5 MR TAGIOLI: I hope so. You’re in trouble, matey.

MR JACKSON: The – so it’s definitely got a – a jobs focus, and that’s why we’re being conscious in terms of the residential footprint. And – and I’m – I’m just giving – I mean, I think - - -

10 MR TAGIOLI: Sure.

MR JACKSON: - - - you understand the rationale for why – you understand why we’ve done things, but you have an issue with that. In terms of this area, without doubt a competitive advantage that this area has is a curfew free airport.

15 MR TAGIOLI: Yes.

MR JACKSON: And the biggest thing to put that at risk is – is basically noise complaints, and that’s - - -

20 MR TAGIOLI: Sure.

MR JACKSON: - - - why our number one – well, our number one – an important priority for us is ensuring that we minimise the chance of, basically, noise sensitive
25 in areas that will be affected by noise. And I – I’ll be quite clear, we have taken a precautionary approach. Where that line was drawn initially was the ANEC 20 line as it stands.

30 MR TAGIOLI: Sure.

MR JACKSON: Will the ANEC line change? It may, but if it does, as you said, it’s only going to change a little bit.

35 MR TAGIOLI: Yes.

MR JACKSON: The reality is noise doesn’t stop at the ANEC 20.

MR TAGIOLI: Absolutely.

40 MR JACKSON: You hear noise beyond that. So that’s why in terms of what we’ve done, we’re saying, “Look, we’re taking” – because residential is not an overly important part of this we’ve said, “Let’s pull it away from the ANEC”, and, in fact, that’s why we’re focusing it around the areas that we have around the green corridor around South and Thompsons Creek and, if you like, around the – the – where a
45 station location – that’s just our rationale.

MR TAGIOLI: Yes.

MR JACKSON: So in terms of making a submission - - -

MR TAGIOLI: But your northern – your northern-most mixed use point is closer to – closer to ANEC 20 than we are.

5

MR JACKSON: Yes. Look, quite - - -

MR TAGIOLI: Yes. So, you know - - -

10 MR JACKSON: And I think – I think - - -

MR TAGIOLI: And – and probably 20 per cent of that - - -

15 MR JACKSON: And I think a thing to point out – and we were just having this conversation exactly at lunch, is we've got quite broad zonings, so just because an area is - - -

MR TAGIOLI: Sure.

20 MR JACKSON: - - - shaded yellow and blue doesn't mean that you can do housing anywhere in that area. It – when we do the more detailed precinct planning it's going to become – it's going to be more focused. And there's other things, such as, you know, Fifteenth Avenue, what does that end up looking like? Is it – does that become a mass transit corridor? If it does, then what you do at the top half of that
25 area may be – may be quite different. So - - -

MR TAGIOLI: Look, we've got some stuff in here - - -

MR JACKSON: Yes.

30

MR TAGIOLI: Like, Liverpool Council already have a policy that they've – from 2008 around the – the air – airport and – and development. It says like:

35 *In accordance with commonly accepted interpretations of the Australian standards, residential accommodation on land where the ANEF exceeds 20, and commercial premises on land that exceeds ANEF 25 is prohibited unless it meets requirements of AS2021-2000 Acoustics – Aircraft noise intrusion – Building siting and construction.*

40 So that's to say the LEP recognises the – the ability to – to develop – for the development of – of – to be sited within ANEF 20 noise contour if it can demonstrate suitable design solutions.

45 MR JACKSON: That's – that's the same council that made a submission to the first stage that said you shouldn't have residential within five kilometres of the airport based upon World Health Organisation.

MR TAGIOLI: Well, they're already doing it inside the ANEF, not C.

MR KHALED: So we – we – what we're asking is to – to – because we are – we are subjected to the second runway, not second runway, and second runway 30
5 years from now - - -

MR JACKSON: Yes.

MR KHALED: - - - everything it will – will happen and change by the hour
10 digitally the world is changing. Okay. So what we are asking, asking for flexibility in term of the future of – for our land; rather than to be that set, for enterprise to be flexible enough to say if we can demonstrate – as Liverpool Council say, that we can undertake the – the noise and – and tackle the noise through design, through
15 construction and things, why not?

MR JACKSON: Okay.

MR TAGIOLI: And, I mean – and it's not only – it's not only Liverpool.

20 MR JACKSON: No.

MR TAGIOLI: It's Fairfield, Bankstown – and Bankstown are doing that around the – the - - -

25 MR JACKSON: Airport.

MR TAGIOLI: - - - Bankstown Airport. They're already doing it and – and – and that's all by design.

30 MR KHALED: It's all by design.

MR JACKSON:

MR KHALED: And we – we can't be or – or zoned based on today's
35 technology. If the airport is five years, six years from now - - -

MR JACKSON: Yes.

MR KHALED: - - - and the runway is 30 years after that, this is 40 years.
40

MR McNAMARA: I think the point Andrew made before is that this is not just about whether you can technically build residential there. It's about the Aerotropolis driving jobs - - -

45 MR KHALED: That's right.

MR McNAMARA: - - - more than housing.

MR KHALED: Well, airport - - -

MR McNAMARA: The western Parkland City is 90,000 hectares.

5 MR KHALED: If – if - - -

MR McNAMARA: There's a lot of opportunities for housing - - -

10 MR KHALED: Correct. Correct.

MR McNAMARA: - - - in other parts.

MR KHALED: Correct.

15 MR McNAMARA: And there's also – just to – from experience, whilst you can build residential in some of those areas where there is noise impacts, it does come at a not insignificant cost in terms of additional construction costs for glazing, extra gyprock. So we've got to be mindful are we going to create an affordability issue by trying to build a type of housing that's going to be more expensive.

20 MR KHALED:

MR McNAMARA: So a very - - -

25 MR KHALED: Now, I tell – I give an example.

MR McNAMARA: Very important consideration.

30 MR KHALED: A friend of mine, he bought in Tempe. He took all the gyprock from inside, he put carton – egg carton inside the – the – the – the walls and put the gyprock back. Guess what? He reduce his noise by 70 to 80 per cent. This is design and – and people can do it, can – can – and construction site. They put two sheets here, two sheets here, put an egg carton or similar product - - -

35 MR TAGIOLI: Doesn't get much louder than Tempe.

MR KHALED: - - - and – and do that. It's very cheap.

40 MR McNAMARA: But two sheets is more expensive than one sheet.

MR JACKSON: Yes.

MR McNAMARA: That's the issue.

45 MR KHALED: It – it's - - -

MR McNAMARA: So you can't – it's not just a simple as saying we can technically do it. There is an affordability cost factor to be considered as well.

MR KHALED: Sure.

5

MR McNAMARA: And there's the broader context of are we trying to achieve jobs or are we trying to achieve highest and best use for every piece of land.

10 MR TAGIOLI: I – I thought they'd be mixed. Like, you know, it'd be a situation where there'd be commercial on the bottom and residential at the top.

MR KHALED: This is what

15 MR TAGIOLI: That's what I thought it was. I didn't think it'd be just blocks of flats and nothing else happening.

MR JACKSON: Oh, and it could very – that could be – I'm assuming that's what it's going to be in some of the places that - - -

20 MR TAGIOLI: Yes.

MR JACKSON: - - - we've identified for that – for that mixed use to

25 MR KHALED: Look - - -

MR TAGIOLI: Yes.

30 MR KHALED: It is – it's happening in Macquarie Park some areas like Strathfield and other areas, okay, due to the – to the – the – to the traffic on Parramatta Road resolved thoroughly through design.

MR JACKSON: Yes.

35 MR KHALED: Our area we are designing things from – from scratch.

MR JACKSON: Yes.

40 MR KHALED: And to – to have a city – vibrant city you need people to live in it coffee shop, to look into the things – not necessarily on high end districts, to service people who are living there. And you need to – people to live there.

MR JACKSON: Yes.

45 MR KHALED: You need that otherwise you – you – you need – you need to find lands elsewhere and – and then designate that land for – for – for – for – to – to take the job.

MR JACKSON: Yes. That – look, totally understand what you’re – what you’re saying and I can understand how you’ve formed your submission. I mean, the plan does contemplate at the moment 60,000 people residing in the – the Aerotropolis because we do understand exactly what you’re saying, in terms of we do need to
5 have people living in the – living in that area. As David said, it’s not – it’s not a technical issue because you – you know, your land is outside of the ANEC, which a lot of land is in this area that doesn’t have a residential designation already. So I think – and, I mean, obviously I haven’t read through this, but I’ve heard what you’re saying, just I think you’ve got to mount your case – don’t do it from a technical
10 perspective around noise - - -

MR TAGIOLI: No.

MR JACKSON: - - - because you are outside of the – the ANEC. It’s about why
15 you think that that area should be used - - -

MR TAGIOLI: Well, I think the recommendations in the – the last page - - -

MR JACKSON: Yes.
20

MR TAGIOLI: - - - are probably more important - - -

MR JACKSON: Okay.

MR TAGIOLI: - - - I guess, at the end of the day, if that’s where you’re coming
25 from. And, I mean, it’s about, you know, putting – when you write up the SEPP do we incorporate some wording in there whereby in – in – should we just remain in this enterprise zone, but down the track we can demonstrate that, you know, we can develop this as - - -
30

MR JACKSON: Okay.

MR TAGIOLI: As a residential site.

MR JACKSON: Because there’s a fair – I mean, this area, it’s – it’s going to
35 develop over decades - - -

MR TAGIOLI: Oh - - -

MR JACKSON: - - - and decades - - -

MR TAGIOLI: - - - yes.

MR KHALED: Yes.
45

MR JACKSON: - - - as you’ve said, and things will change over time.

MR KHALED: Yes.

MR JACKSON: Absolutely. And at - - -

5 MR TAGIOLI:

MR JACKSON: At the same time, we know the airport's the thing that's going to be there and we – we want to try to make sure that we're not making decisions today that will make it harder to maintain that operation in the future. So it's balancing all
10 of those different things today and, you know, in 40 years' time when none of us are here.

MR TAGIOLI: Yes. Well, that's it.

15 MR JACKSON: Well, Nancy-Leigh will be here still.

MR TAGIOLI: See, we won't have to worry about the airport.

MR A. LEE: Sorry, can I just - - -
20

MR KHALED: I think the airport will take care of itself.

MR TAGIOLI: I don't want to be - - -

25 MR JACKSON: Yes. Yes. Go for your life.

MR LEE: Can I just ask – I mean, there's a lot of – everyone I sort of talk to, they're going – they're always saying that grade A offices are coming, but no company's stood up and done an expression of interest for a grade A office in
30 Bringelly at this point. So you've got, let's say, our whole street is apparently going to be grade A office, without one company expressing that they're going to buy it, lease it.

MR JACKSON: Yes.
35

MR LEE: You know, really there's - - -

UNIDENTIFIED FEMALE:

40 MR LEE: There's – you know, so there's a whole bunch of things – I mean, I know that there's plenty of truck companies that want to come onto that street.

MR JACKSON: Yes.

45 MR LEE: And – and this is the thing, you're trying to say, well, we want these multistorey offices, but I think you – you need to sort out, like, some transition period because I think it's going to be a while before offices start going in if there's

no transport there and none of the other facilities, unless people are going to start travelling from the city to come out there and work.

5 MR JACKSON: Yes. And, look, one of the other issues is there's a lot of blue area on that map and when we get into the precinct planning that's when we'll be saying some things like – there will be areas that are going to be dirty industry, like, you know - - -

10 MR TAGIOLI: Yes.

MR JACKSON: We know where people are knocking on doors at the moment around concrete batching facilities and - - -

15 MR TAGIOLI: Sure.

MR JACKSON: And facilities like that.

MR TAGIOLI: Well, already got a DA for the quarry up near the creek there.

20 MR JACKSON: Yes. Yes, yes.

MR TAGIOLI: They've already got a DA in to put a batching plant in there.

25 MR JACKSON: Yes. So I - - -

MR TAGIOLI: Yes.

MR JACKSON: I reckon I know of four or five of those.

30 MR TAGIOLI: Yes.

MR JACKSON: So when we do that precinct planning that's – and you're absolutely – you need all those users to make a city. At the precinct planning stage that's when we're going to be talking about well, actually – logistics and that sort of thing – “This is where we think it should be centred in the blue.” And the reality will be, given that you are right across the road from the Aerotropolis core, which will have a metro station, and the vision around advanced manufacturing, health and education precincts etcetera – and it's hard to envisage now, but that's, you know – that – the Aerotropolis core we see as being high end in that space.

40 Now, I – again, I understand what you're saying, but I think once that more detailed planning is happening and I think some more things become definitive around anchor tenants in the Aerotropolis core and so forth, I think that's when there'll start to be an appetite for that sort of – this is – it's – it's – this is – I hate the term game changer.

45 This is going to be quite different for western Sydney and it's – it's hard to stretch your – my mind, anyone's mind, in terms of what it could actually be like. And we – we've just got to make the – the no regrets decisions now, and one of the biggest no

regrets things for us is around not impacting on the – on the airport operation. So that's why we've taken a precautionary approach, and I'm happy - - -

MR TAGIOLI: Sure.

5

MR JACKSON: - - - to say that's what we've done, but, again, that's not to say that you can't make a submission. Well, you have.

MR TAGIOLI: Yes.

10

MR JACKSON: And, you know, happy to work - - -

MR TAGIOLI: No. But what we – what we - - -

15

MR JACKSON: - - - through that.

MR TAGIOLI: What we put in there the APP - - -

MR JACKSON: Yes. Yes.

20

MR TAGIOLI: - - - have recommended in our recommendations - - -

MR JACKSON: Yes.

25

MR TAGIOLI: - - - is not unreasonable. Like, we're not saying go move – move the boundaries now and – and make us mixed use.

MR JACKSON: Yes.

30

MR TAGIOLI: You can word your SEPP up - - -

MR JACKSON: Yes.

35

MR TAGIOLI: - - - in such a way that somewhere down the track this enterprise land outside ANEC 20 becomes more flexible, providing we can meet all of the NASF issues.

MR JACKSON: Yes. Okay. No. That's a pragmatic approach that you've taken, so that's good.

40

MR TAGIOLI: Well, I didn't think we were going to get anywhere any other way anyway.

45

MR JACKSON: It's amazing how many people do think they can get there that way. So I think it's fair to say that everyone that's come in today has come in from a constructive perspective, for want of a – a better term; kind of not complaining, but

putting options and solutions on the table. So that's why we have the exhibition process.

5 MR TAGIOLI: Have you got a problem there? You're tapping the paper.

UNIDENTIFIED MALE: No. I'm thinking. I'm just thinking about the recommendations.

10 MR JACKSON: He – he does that.

MR TAGIOLI: Is this positive thinking?

MR JACKSON: He thinks like that.

15 MR KHALED: Now, the – the – the jobs and jobs of the futures, no one guarantee jobs any more this – in this world. I mean, even if you wanted to – to find the – a – an example from the world, you look at countries where they are looking into four-day weeks and six – six-hour days and some – some countries like Switzerland, last year in their election they put the UBI on the table, so – you know about the
20 UBI, universal basic income on the table, and due to the fact that the advancement in – in digital world and the – and the artificial intelligence – and there are some reports about some manufacturers that will – will start producing shirts in – in Europe no hand will touch - - -

25 MR JACKSON: Yes.

MR KHALED: - - - from – from to the consumers, and if you – you – you want all this land for for – for creating job, what sort of job? Are they the traditional 19th century jobs or - - -

30 MR JACKSON: No.

MR KHALED: - - - the 21st or 22nd century job? This is a big blanket of – of decision making and I don't know where but still one thing's for – people need a
35 place to sleep.

MR TAGIOLI: I mean, we were at Macquarie Park, not – not checking Macquarie Park out, a couple of weeks ago, with one of the other landowners up the road, and in that area there the whole place has been retrofitted. They put – on top of the offices
40 now they're building residential.

MR KHALED: Yes.

45 MR TAGIOLI: That, you know - - -

MR KHALED: Yes.

MR TAGIOLI: That should have been done in the first place, I would have thought.

MR JACKSON: Well, that's – Macquarie Park went ahead of the train station, didn't it?

5

MR KHALED: Yes.

UNIDENTIFIED MALE: Yes.

10 MR JACKSON: Yes. I reckon if there was a train station there when - - -

MR McNAMARA: It would have always been like that.

MR JACKSON: - - - it went in - - -

15

UNIDENTIFIED MALE: Yes.

MR TAGIOLI: Maybe.

20 MR JACKSON: - - - it would have always been like that.

UNIDENTIFIED MALE: Yes.

MR TAGIOLI: Yes, maybe.

25

MR JACKSON: Yes.

MR KHALED: So, I – I mean, I attended about three times or four times the – the – the forum – the Aerotropolis forum and I've seen a lot of talk, and every single speaker was talking about 22nd century technology and jobs creation. How - - -

30

MR JACKSON: We – we don't know - - -

MR KHALED: How – how this going to fit in this blue? I don't know.

35

MR JACKSON: We don't – and – and to be honest, that's why the zone that we've got is so broad. We don't know half the jobs that are going to appear out here. And there are already facilities kind of just north of here that are fully automated. I think someone said Woolworths has just opened a - - -

40

MR TAGIOLI: Yes.

MR JACKSON: A factory and I think it's fully automated.

45 MR KHALED: Yes.

MR JACKSON: So there's that balance between what are the jobs of the future and – and automation, and that's why we've gone really broad with the zonings to enable that - - -

5 MR KHALED: But - - -

MR JACKSON: - - - over time.

10 MR TAGIOLI: Hurlstone Park with all those factories in there that were supposed to create, like, 20,000 jobs. There's about - - -

MR KHALED: Yes.

15 MR TAGIOLI: - - - 1000 in there because - - -

MR JACKSON: 1000.

MR TAGIOLI: - - - it's all automated.

20 MR JACKSON: Yes. Yes.

MR KHALED: Bob Carr – I remember Bob Carr you know, create job for tens of thousands of people. No. Hardly 1000 there.

25 MR JACKSON: Yes. I understand.

MR KHALED: Mostly trucks.

30 MR TAGIOLI: So I know we're running out of time, but - - -

MR JACKSON: That's okay.

35 MR TAGIOLI: - - - I need to just ask one – a couple of questions on this regional parkland investigation, because obviously there's about six or seven of us that are affected by this. You keep stonewalling everyone. You don't have an answer for any of this, from what I can gather.

MR JACKSON: Correct.

40 MR TAGIOLI: What's – what's the go? Who – who instigated this?

MR JACKSON: Who instigated it?

45 MR TAGIOLI: Well, like – yes. I mean, that wasn't there on the previous draft plan - - -

MR JACKSON: No.

MR TAGIOLI: - - - that came out back in 2018.

MR JACKSON: No. It wasn't. And in terms of the development of the plan that's currently out, from the outset with the western district the – the Parkland City, there is that vision for blue and green and the importance of that in terms of that natural environment, in terms of urban pooling, etcetera. A lot of work has been done since the original went out. The reason that it was drawn as a – as kind of a thumbprint, for want of a better term, rather than something specific was that there's a sense at a strategic level – and there's two regional parks shown, that some strategic landscape work has identified the potential for regional parks to the north and to the south of the Aerotropolis.

There's no – there's no decision that there is actually going to be a park there, but we wanted to make sure that we flagged that it was something that is under consideration from the government. We would hope that a decision is made on that, if not before the rezoning, as part of the precinct planning. And in that way it would be a conversation that would happen with the community. The – I mean, the reality is, you know, we've identified Thompsons Creek as being land for acquisition, and that's a – an important green kind of spine running through the Aerotropolis core. And the question is do we need stuff – green stuff beyond that both east and west? So the – you know, the east and west and, you know, it picked up Liverpool Council land to the – to the east of South Creek and it – yes, it did, it went - - -

MR TAGIOLI: Well - - -

MR JACKSON: - - - further to the west of Badgerys Creek.

MR TAGIOLI: - - - you're futureproofing the airport with noise. What about – what about these forests with – you know what – what I'm talking about here?

MR JACKSON: It is a - - -

MR TAGIOLI: It's a major problem.

MR JACKSON: And it's - - -

MR TAGIOLI: Bird strike's the biggest cost to any airport anywhere in the world.

MR JACKSON: Absolutely. And it's not the first time it's been raised today, and it's probably the biggest – that's probably the biggest land use conflict that we have to sort out as part of this. As I said earlier to a group today, there's very few absolutes in that wildlife management space. There's – it's a risk management approach. Again, we - - -

MR TAGIOLI: Well, the - - -

MR JACKSON: We – we’ve got studies underway at the moment looking at what that could look like, but it’s a real consideration. And that’s when your circle comes into play around the – the three kilometres because that’s the first - - -

5 MR TAGIOLI: Well, in the - - -

MR JACKSON: - - - area of influence.

10 MR TAGIOLI: - - - three kilometre mark, as far as this is concerned, which will be not wetlands – I mean, this looks like it’s integrated into the wetlands, so, you know, wetland birds will fly into the trees in the dry spots. In – we’re – our land’s inside that three k mark. I mean, even on that NASF document it’s – well, wetlands within three ks is not compatible, obviously. And then in the – in – in the three k mark it’s mitigate. Well, why would you put something in that you’ve got to mitigate?

15 MR JACKSON: Yes. No.

MR TAGIOLI: You know, I mean - - -

20 MR JACKSON: That’s – that’s a – that’s a really fair question to ask and it is something that we’re looking at as part of the – making a decision around whether there is a park.

25 MR TAGIOLI: And – and – and I – you probably remembered me because, as I said, like, for my property and his property and several of us on that Badgerys Creek Road - - -

MR JACKSON: Yes.

30 MR TAGIOLI: - - - on the western side - - -

MR JACKSON: Yes.

35 MR TAGIOLI: Or – oh, right through that whole section, there’s no buyer for our property any more. Who’s going to buy – who’s going to come in and buy parkland?

MR JACKSON: Yes.

40 MR TAGIOLI: Nobody. You know - - -

MR JACKSON: Which - - -

45 MR TAGIOLI: If you want to do all that parkland stuff, I mean, I think that should be done at – at – at a design level when – when that suburb’s going in. You know, I mean, at any – any – whether it’s commercial or residential or whatever’s going in there, there’s going to be a need to be a certain amount of open space and - - -

MR JACKSON: Yes.

MR TAGIOLI: And – and recreational areas that go in there. Why impose that –
5 such a big footprint and drive everybody crazy? It's costing a fortune for everyone
getting consultants to put some decent submission together to – to try and counter
that.

MR JACKSON: Yes. I understand. And, look, the – the submission that we will
10 receive most, it won't be about that parkland, but it will be about the concept that
you've spoken about, in terms of if you're going identify stuff for green

MR TAGIOLI: Well, that's exactly right.

MR KHALED: The Cumberland Woodland – for – from the fifties up today, they –
15 they put – people put – put cows and – and – and sheep and goats and donkeys and
horses there to eat everything

UNIDENTIFIED MALE:

20 MR KHALED: And I'm sitting on lawnmower mowing the - - -

MR JACKSON: Sorry.

MR KHALED: The – the ground, so - - -
25

MR JACKSON: Yes. Okay.

MR KHALED: So what happened to the Cumberland Woodland? It's now gone.
30 Long gone. You can't revive it any more.

MR JACKSON: We're just – we're pretty much out of time. Did anyone have any
other questions of the gentlemen?

MR TAGIOLI: I just want to finish up. I'll just - - -
35

MR JACKSON: Yes.

MR TAGIOLI: - - - say one thing. I mean, look, for everybody, including us – I
40 mean, it's no mean feat to put 50 hectares together - - -

MR JACKSON: That's - - -

MR TAGIOLI: - - - at the moment.

45 MR JACKSON: - - - fair.

MR TAGIOLI: You head up the road, people want to die on their property. So we're going to try and keep increasing that. I – I think the problem is over the years there's been a lot of developers and investors come in and they've got all – they're running their own agenda.

5

MR JACKSON: Yes.

MR TAGIOLI: There's a couple mixed in with us at the moment who've realised that they're better to be jumping onboard and – as a consolidated - - -

10

MR JACKSON: Yes.

MR TAGIOLI: - - - block of land, and we're holding them together, but I don't know – we're going to try and hold them together as long as possible.

15

MR JACKSON: Yes.

MR TAGIOLI: But I think it's a good opportunity, not only for us, but for planning as well, that - - -

20

MR JACKSON: Yes.

MR TAGIOLI: This is sitting there and we can get this happening sooner than later or we can be building that in conjunction with wherever the CBD's going to be across the road.

25

MR JACKSON: Yes. I understand. And I think Liverpool Council's contemplating running a session in the near future, kind of helping educate and inform landowners, in terms of dealing with developers and dealing with the whole fragmented ownership. So whether it's just tips about how to go about that, that might be something that's useful. I – I don't know.

30

UNIDENTIFIED FEMALE: Yes. In its - - -

35

MR JACKSON: You seem to be – you seem to be doing it pretty well already.

UNIDENTIFIED FEMALE: Yes.

MR TAGIOLI: Well, I – I can't see that you're going – and I took onboard you said, I think probably at Warwick Farm that you weren't going to be taking, you know, DAs on five and - - -

40

MR JACKSON: Yes.

45

MR TAGIOLI: - - - 10 acre blocks all over the place because you just wouldn't be able to manage the - - -

MR JACKSON: Yes.

MR TAGIOLI: It wouldn't look very nice at the end of the day, the - - -

5 MR JACKSON: It won't.

MR TAGIOLI: The final development.

10 MR JACKSON: No. No. Not at all. So, look, thanks very much for that. So are you lodging this as a - as - - -

MR KHALED: No. We haven't. We haven't. I have it on - - -

15 MR JACKSON: No. But you - - -

MR TAGIOLI: You can keep that.

MR JACKSON: Are you going to put something in on the - - -

20 MR TAGIOLI: Yes.

MR JACKSON: - - - internet? Yes. Okay. But, no, thank you for providing - - -

25 MR KHALED: I - I have this USB - - -

MR JACKSON: Yes. We'll take it. Patrice can you - - -

MS GRZELAK: Yes.

30 MR JACKSON: - - - grab that?

MR KHALED: Please.

35 MR JACKSON: Thank you.

MS GRZELAK: Thank you.

40 **RECORDING CONCLUDED**

[2.24 pm]



SUBMISSION TO THE DRAFT WESTERN SYDNEY AEROTROPOLIS PLAN

PREPARED ON BEHALF OF THE DERWENT ROAD & BADGERYS CREEK ROAD LANDOWNER GROUP

This submission to the NSW Government's Draft Western Sydney Aerotropolis Plan (the Plan) has been prepared by APP Corporation Pty Limited on behalf of the Derwent Road and Badgerys Creek Road Landowner Group (the LOG).

The LOG comprises 21 landowners controlling 48ha of land between Badgerys Creek Road and Derwent Road. The site is positioned immediately to the north of The Northern Road and 1.6km south of the Western Sydney Airport (WSA). The lands are zoned RU4 Primary Production - Small Lots under Liverpool Local Environmental Plan 2008.

The lands are in the Aerotropolis Core Precinct under the Plan. The LOG understands the implications of the Plan on the future use of their properties and their key objectives are to:

1. Advocate for a greater level of flexibility in the application of the mixed-use zoning within the Aerotropolis Core;
2. Work collaboratively to plan for their landholding as a strategically important site for future master planning; and
3. Advocate for greater certainty around the timing of rezoning, precinct planning and delivery of infrastructure.

The LOG firstly wants to commend the Department of Planning, Industry and Environment (DPIE), the Planning Partnership (PP), and Western Sydney Aerotropolis Authority (WCAA) for preparing the Plan for Sydney's newest economic hub. The Aerotropolis will be a nationally significant metropolitan centre providing greater productivity and jobs for the Western Parkland City as well as a diverse range of housing types, in a vibrant mixed-use community.

The LOG appreciates that fragmented smaller land holdings can be a significant impediment to effective rezoning, sales and coordinated infrastructure delivery in the Aerotropolis. It is understood that consolidation enables master planned outcomes which are imperative to the success of the Aerotropolis. Accordingly, the Derwent Road and Badgerys Creek Road LOG have organised themselves as a collective under a Memorandum of Understanding (MOU). The LOG is looking forward to working collaboratively with Government into the future to deliver the shared objectives of orderly economic, liveable and sustainable outcomes for the Aerotropolis Core.

The purpose of this submission is to identify the changes in the zoning for the LOG lands between the Stage 1 Land Use Infrastructure and Implementation Plan (LUIIP) and the Aerotropolis Plan and recommend that flexibility should be incorporated in the final Plan and the Aerotropolis SEPP to allow for site specific mixed use proposals beyond the ANEF 20-25 contour, and particularly on the subject lands.

The NSW Government's 'precautionary approach' to aircraft noise exposure and location of mixed-use lands are understood for safeguarding the future operations of the WSA. However, the current relationship between aircraft noise and land-use planning should be reconsidered in the context of achieving the key objectives of the Aerotropolis Core.

The coordination of land-use and infrastructure planning is integral to the success of the Aerotropolis. Greater flexibility in land-use planning will allow development to respond to future opportunities and constraints.

The Aerotropolis Core Precinct

The Aerotropolis Core Precinct is 1,382ha of land in Bringelly set to provide 50-60,000 new jobs and accommodate 20-24,000 new residents centred around a new Sydney Metro Station with retail, creative industries, civil and cultural facilities and world class public open spaces. The key objectives of the Precinct are, inter alia:

- *To create a major metropolitan 24-hour vibrant, global centre and robust local economy built around professional services, high technology advanced manufacturing, research training, education and creative industries.*
- *Provide high frequency public transport and efficient movement corridors to other centres in Greater Sydney.*
- *Provide an entertainment quarter with opportunities to interface with the Wianamatta-South Creek Corridor.*
- *Create opportunities for tourism and conference uses and facilities.*
- *Protect transport corridors early to minimise possible land use conflicts and allow the orderly and timely provision of infrastructure.*
- *Create public spaces with civic, community and cultural facilities, public art, pop-up installations and creative placemaking.*
- *Activate the station precincts and respond to and leverage the high frequency public connections (including Sydney Metro) to the Airport and other centres in Greater Sydney.*

The creation of a vibrant 24-hour major metropolitan centre is an exciting prospect for Western Sydney. As a predominantly enterprise and mixed-use precinct, establishing a sustainable and economically viable centre will be key and depends on planning with people and place at the forefront. Flexible governance that recognises the need to facilitate commercial investment is vital to the success of the Aerotropolis Core. Amongst other things, this requires establishing a strong resident population and implementing planning controls that incentivise medium and higher density residential development in order to attract the population that will support job growth.

As stated in the Plan, the key considerations for planning in the Aerotropolis Core Precinct are:

- Aircraft noise and its impact on land-uses.
- Safeguarding Airport operations.
- Gradual residential development to support the vibrancy, social cohesion and night time economy of the centre.
- Transition from initial development types to higher order commercial development.
- Early activation.
- Innovative and adaptable housing stock.
- Integrated land use and transport planning, as well as movement and place outcomes that activate the ground plane.

Where residential uses can be adequately attenuated from noise generated by Aircraft, these should be supported irrespective of which ANEC/ANEF contour they are located in. This approach would be in line with the following implementation strategies for the Aerotropolis Core:

- Use of flexible zoning to maximise diversity and attract investment; and
- Investigate best practice housing stock suitable for innovation and commercial districts.

In accordance with the Plan residential uses within the Aerotropolis Core will be located well outside of the ANEC/ANEF 20+ noise contours. This is a stricter interpretation of Australian Standard 2021 than that which has prevailed since the 1970's.

Residential development in the Precinct is also intended to be 'within 800m or a 10-minute walk of the future Metro Station', promoting Transit Oriented Development and establishing a key node within the Aerotropolis Core. The LOG lands are likely positioned within 800m of a future metro station in the Aerotropolis Core and will have excellent direct access to future public transport in the form of bus networks along The Northern Road, Badgerys Creek Road and the future Eastern Ring Road.

Innovative housing stock will allow development solutions to respond to opportunities and environmental constraints that exist, to ensure that a high amenity-built environment is established. As is the case across many residential areas in Greater Sydney already affected by aircraft noise, construction standards, considered design approaches and other attenuation measures can be incorporated to preserve residential amenity in the Aerotropolis Core.

Comparisons between the Stage 1 & Stage 2 Plan

Under the Western Sydney Aerotropolis Stage 1 Initial Precinct Land Use and Infrastructure Implementation Plan (LUIIP), the LOG lands were identified as 'Mixed Flexible Employment and Urban Land' (see Figure 1).

By contrast, the Plan now identifies the LOG lands as 'Flexible Employment'. This corresponds under the State Environmental Planning Policy (SEPP) Discussion Paper, as an 'Enterprise' zone "*where enterprises are supported while mitigating impacts of airport operations.*" Residential development is not permitted, however a range of other sensitive land uses including childcare centres, educational establishments, health services facilities and serviced apartments are permissible with consent. The objectives of the Enterprise zone are:

- *To ensure a range of uses that enable successful aerospace and defence industries.*
- *To manage the transition of land from non-urban uses to employment uses.*
- *To support the development of well-planned and serviced new urban communities in accordance with the Precinct Indicative Layout Plan.*
- *To safeguard land uses for non-urban purposes from development that could prejudice the use of the land for future commercial land use purposes.*
- *To encourage a precinct built around professional services, high technology, food production and processing, health and education and creative industries.*
- *To ensure that land which has the potential to impact environmental conservation areas is developed appropriately and enhance biodiversity outcomes for the Precinct.*
- *To protect the operations of the Airport, including 24-hour operations and provide appropriate protections for the community.*
- *Ensure there are no sensitive land uses (such as residential aged care, early education and child care, educational establishments and hospital amongst other uses) located within the ANEC 20 and above contours.*
- *Ensure that land uses up to the ANEC 20 contour are subject to appropriate design and construction standards to reduce any potential for airport noise impacts.*
- *Prevent potential conflicts between airport operations and land use/development outcomes.*

The future land uses in the Enterprise zone as listed in the SEPP Discussion Paper are:

Animal boarding or training establishment, building identification sign, car park, centre based child care facility, commercial premises, community facility, depot, educational establishment, electricity generating

works, emergency services facilities, entertainment facility, environmental protection works, flood mitigation works, freight transport facility, function centre, funeral home, garden centre, general industry, hardware and building supplies, hazardous industries, health services facility, hotel or motel accommodation, industrial retail outlet, industrial training facility, information and education facility, landscape material supplies, light industry, liquid fuel depot, neighbourhood shop, passenger transport facility, places of public worship, public administration building, pubs, recreation area, recreation facility (indoor), recreation facility (major), registered club, research station, restricted premises, road, service station, serviced apartment, sex services premises, signage, storage premises, telecommunications facility, transport depot, truck depot, vehicle body repair station/workshop, vehicle sales or hire premises, veterinary hospital, warehouse or distribution centre, waste or resource management facility, water supply system, water treatment facility, wholesale supplies.

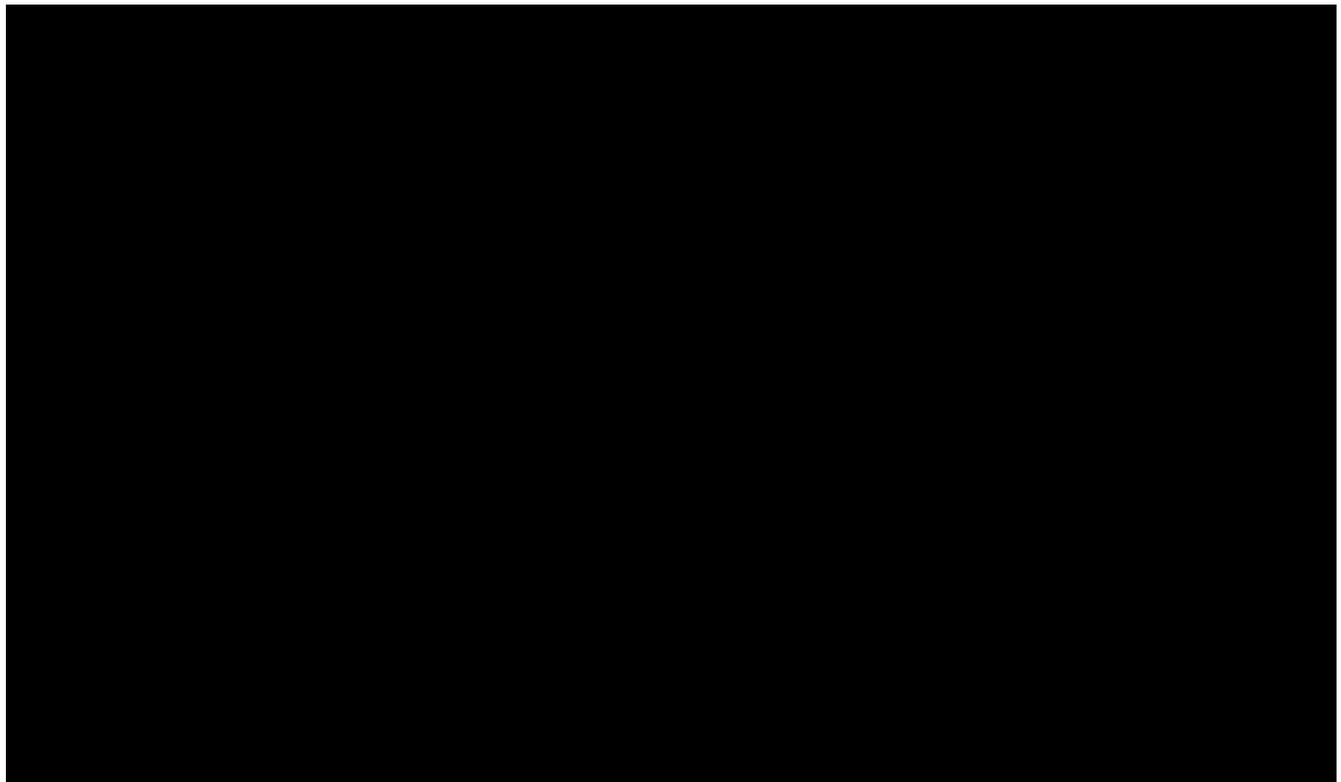


Figure 1 – Aerotropolis Stage 1 Structure Plan (DRLOG lands shown in pink)

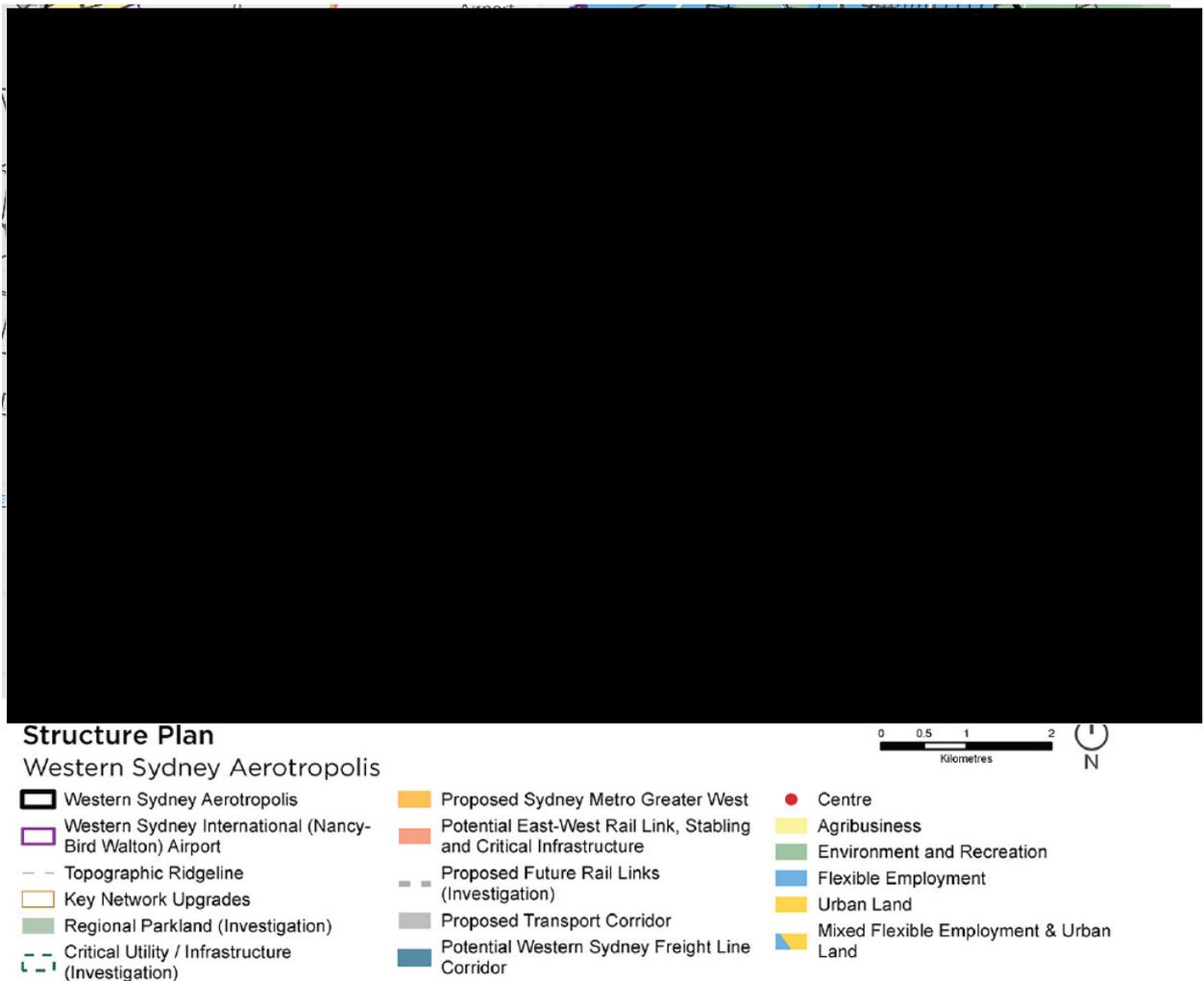


Figure 2 – Aerotropolis Stage 2 Structure Plan (DRLOG lands shown in pink)

Planning for Aircraft Noise

The ANEC/ANEF calculations are a means of portraying aircraft noise exposure on land. Development decisions around noise affectations have applied *AS2021 Acoustics—Aircraft noise intrusion— Building siting and construction* since the 1970’s. The ANEC/ANEF rating considers:

- the intensity, duration, tonal content and spectrum of audible frequencies of the noise of aircraft take-offs, landings and reverse thrust after landing (the noise generated on the airport from ground running of aircraft engines or taxiing movements is not included for practical reasons).
- the forecast frequency of aircraft types and movements on the various flightpaths.
- the average daily distribution of aircraft take-offs and landing movements.
- the topography of the area surrounding the airport.

Since it was first derived in the 1970’s, AS2021 has been used nationally as a broadly accepted noise tool, with much success. It is apparent that the Federal and State Governments’ approaches to planning for aircraft has been a key factor in the change to the Structure Plan since the Stage 1 Aerotropolis LUIMP (August 2018). The new Aerotropolis Plan states:

Due to the ‘greenfield nature’ of the Aerotropolis, a precautionary approach is being applied to land use planning for noise sensitive uses which includes limiting new residential development to areas outside the 20ANEC/ANEF noise contour. This is stricter than what is conditionally acceptable within the ANEF 25-30

contour within Australian Standard AS2021-2015 Acoustics Aircraft Noise Intrusion Building Siting and Construction.

The NSW Government was an active participant in the formation of the latest version of AS2021 developed between 2012 and 2015 and should be fully aware of its content, use and acceptance. The current maps associated with the airport have been derived as a “proof of concept” to ascertain if airspace surrounding Badgerys Creek could support an airport without interfering with the existing Kingsford Smith and Bankstown Airports. The final flight paths and real long-term forecasts (ANEF) showing the extent of the affectation won’t be available until 2024. At this time all stakeholders will have adequate information to make informed decisions about land use. Until then, important land-use planning decisions should provide development flexibility in planning frameworks, such as zoning under the SEPP until all the facts about Aircraft noise are fully determined.

Safeguarding the 24-hour Airport

It is understood that the approach to aircraft noise being applied under the Plan is in response to the principles of the National Airports Safeguarding Framework (NASF) - a national approach to ensure an appropriate balance is maintained between the social, economic and environmental needs of the community and the effective use of airports. The principal aims of the NASF are to:

- Improve amenity by minimising aircraft noise-sensitive development near airports; and
- Improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions on safety-related issues.

Besides aircraft noise, the NASF includes measures to protect against wildlife strike, wind shear and turbulence, public safety areas, lighting and reflectivity, wind turbines and helicopter landing sites. The NASF will be implemented via the Aerotropolis SEPP, DCP, Section 9.1 Direction 3.5, precinct planning and master planning processes. It is acknowledged that the full extent of the NASF has not been adopted in the Aerotropolis Plan. The NASF includes new noise contours (N70) which have not been adopted in the Plan.

Safeguarding the operations of the WSA is important, and the principles of the NASF are supported, however, the implementation of blanket limitations this early in planning is potentially detrimental to achieving the objectives of the Aerotropolis Core, including the creation of a vibrant mixed-use precinct.

It is entirely possible that future development proposals on the LOG lands could successfully demonstrate consistency with the aims of the NASF. This more granular level of detailed investigation will be done as part of site constraints and opportunities investigations and detailed reporting at the precinct / master planning and Development Application (DA) phase and are likely to include:

- Site / development specific noise impact assessments;
- Nomination of construction materials, standards and approaches to mitigate impacts of aircraft noise to enable good levels of residential amenity;
- Wind impact assessments;
- Reflectivity and light spill impact assessments;
- Consideration of the OLS and any height obstructions to aircraft operations;
- A more detailed assessment and nomination of public safety areas;
- Wind shear impact assessments; and
- Consolidation environmental impact assessment.

It is important that industrial cities embrace opportunities for mixed use development where possible to create vibrancy and contribute to the 24-hour economy. As such, it is the basis of this submission that greater flexibility be applied at this stage in planning (i.e. within the final Plan) to ensure that zoning best responds to the known conditions of the lands and future development proposals. This will also reduce the need for future rezoning proposals for mixed use over additional lands outside of the current zoning that are later identified as being suitable for such outcomes.

Local Case Studies

The Plan is inconsistent with the approach to land use planning around airports in three other known case studies nearby in Western Sydney. Liverpool and Fairfield Council's current approach to residential development is consistent with the commonly accepted interpretations of AS2021 and are explained below:

Liverpool Local Environmental Plan 2008 (Clause 7.18)

The Liverpool LEP includes provisions for residential development in areas subject to potential airport noise from Bankstown and Badgerys Creek Airports. The objectives of this clause are that development:

- *has regard to the use or potential future use of each site as an airport, and*
- *does not hinder or have any other adverse impact on the development or operation of the airports on those sites.*

In accordance with commonly accepted interpretations of the Australian Standards, residential accommodation on land where the ANEF exceeds 20, and commercial premises (business, office, retail and tourist/visitor accommodation) on land that exceeds ANEF 25 is prohibited unless it meets the requirements of AS2021-2000 Acoustics-Aircraft noise instruction-building siting and construction.

That is to say, the LEP recognises the ability for development to be sited within the ANEF 20 noise contour if it can demonstrate suitable design solutions and the achievement of good amenity outcomes. There are multiple examples across Liverpool where residential development has been supported in recent times where developments have been able to demonstrate sufficient attenuation measures as part of the DA stage.

Horsley Park – Fairfield City Council

In 2019, the Structure Plan for Horsley Park resolved issues pertaining to certain lands within the precinct being affected by the ANEC 20-25 contours associated with Western Sydney Airport. The draft preferred Structure Plan by Council and the community is to support development of low density residential, agribusiness and estate homes (1 acre) within the affected area. The solution acknowledges the fact that there are possible design solutions to mitigate the impacts of aircraft noise, to allow residential development within this area.

The Structure Plan has been endorsed by Council and is currently under consideration by the Greater Sydney Commission. It is understood that the issue of potential impacts from aircraft noise on the new residential areas is still a matter for consideration.

Bankstown Local Environmental Plan 2015 (Clause 6.6)

The Bankstown LEP includes provisions for residential development in areas subject to aircraft noise from the Bankstown Airport. The following provisions highlight how aircraft noise impacts are managed for new residential developments in areas around the airport including Georges Hall and Milperra:

(2) Development consent may be granted to development that is the erection of a dwelling (other than a dwelling house) on land in the vicinity of the Bankstown Airport where the ANEF contour is between 20 and 25 only if the dwelling meets the standards specified in AS 2021—2000.

(3) Development consent may be granted to development that is the erection of a dwelling house or seniors housing on land in the vicinity of the Bankstown Airport where the ANEF contour exceeds 25 only if the consent authority is satisfied that the nature of occupation or internal noise attenuation measures enable reasonable amenity for the occupants.

The LOG lands have been identified as being located 600m to the east of the outer extent of the 20-25 ANEF contour (see Figure 3 below). It is not clearly understood, given the above examples, as to why the subject lands have been excluded from the mixed-use zone area on the basis of aircraft noise considerations.

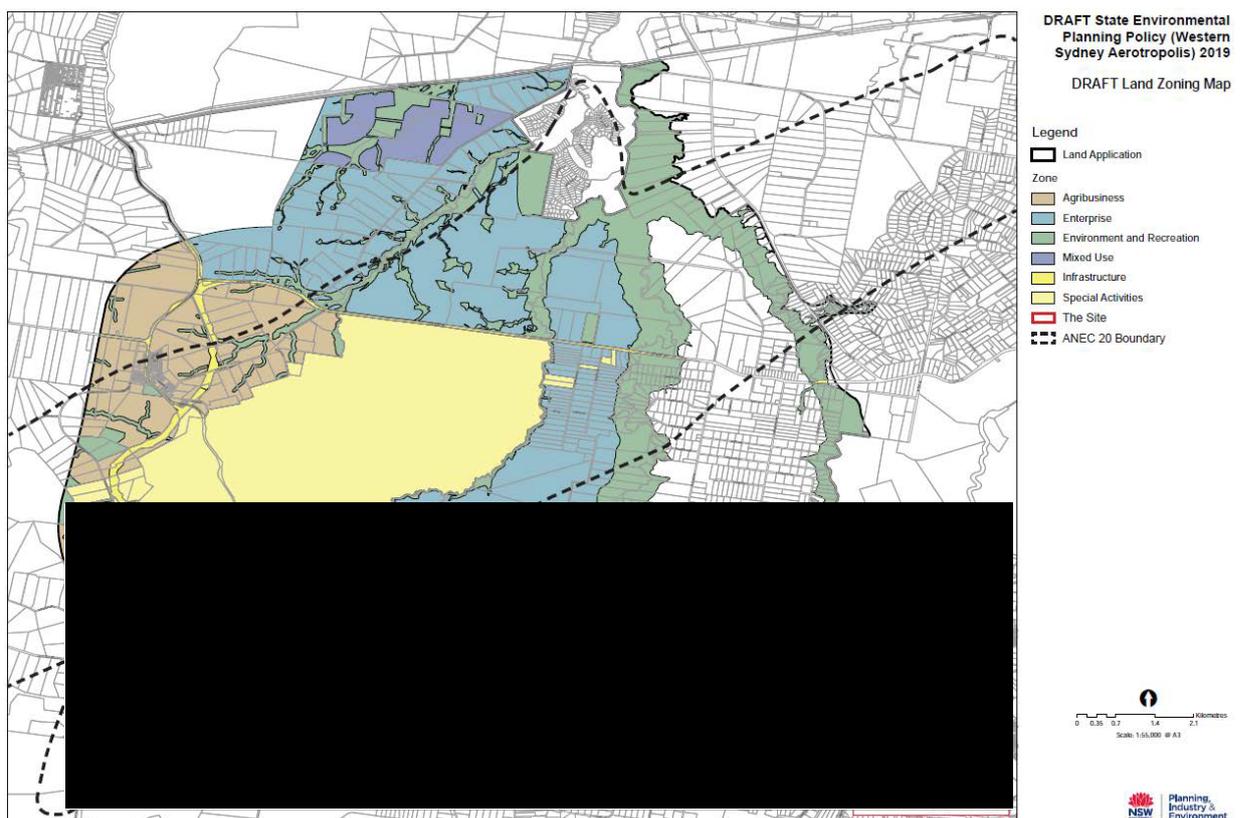


Figure 3 – Aerotropolis SEPP Draft Zoning Map and ANEC 20 Overlay

A Flexible Approach for the Aerotropolis Plan

The PP have acknowledged the need to develop a framework around land use and development outcomes without limiting ‘flexible approaches’, particularly when precinct planning is still some time away. Discussion about zoning needs to include flexibility in order to let the market dictate levels of interest and utilise precinct approaches to deliver place-based planning outcomes.

In adopting the 20 ANEC restriction to all forms of residential development, the Government is not considering the radical technological advancement driving growth in Aviation - Noise reduction capabilities, advanced avionics and improved operating efficiency will change the way we think about airports. Elon Musk’s idea for the electric (VTOL supersonic jet) plane – the vertical take-off and landing

supersonic jet in itself would completely change land-use planning around the Western Sydney Airport if it was to come to fruition.

Much like the *Future Transport Strategy 2056*, the Aerotropolis Plan needs to consider the implications of rapid technological advancement and ensure that the planning framework does not restrict our ability to harness its full potential. Whether technological advancements result in reduced noise impacts or increased flight capacities, incorporating flexibility into planning decisions will allow these changes as and when they occur.

Constant innovation is changing the way people and business do things and the 'precautionary approach' adopted in the Plan is not the solution. Planning for the Aerotropolis must be fundamentally centred around flexibility, allowing detailed planning to be addressed through the future precinct / master planning and DA processes. The DRLOG understand the general reasoning behind the implementation of the new approach to aircraft noise and safeguarding, but these issues should be resolved at the detailed planning stage, especially where a proposal can suitably justify that other more sensitive uses such as shop top housing can be appropriately managed so as to not impact on amenity or the operations of the airport.

Recommendations:

In light of the above, the following consideration and updates to the Aerotropolis Plan and Aerotropolis SEPP are provided:

- The subject lands, and any other lands beyond the outer extent of the ANEC 20-25 contour shown in the plan should be reconsidered for mixed use.
- If the extent of the zone boundaries is fixed at this stage, wording should be included in the Plan and provisions inserted into the SEPP to allow for additional lands in the Aerotropolis Core Precinct to be considered for mixed use development at the precinct / master planning phase where site specific technical reporting is able to demonstrate successful mitigation of all aircraft acoustic impacts to residential and other sensitive uses.
- Incorporate wording into the Plan which allows for greater flexibility in the application of mixed use in response to site specific conditions of the land, development proposals and distance from the final ANEF 20-25 contour. Commensurate provision(s) should be included in the SEPP to avoid the need for future rezoning.
- Incorporate mapping which shows lands beyond the current calculated extent of the 20-25 ANEC contour as a fuzzy area which could be utilised for future mixed-use subject to detailed site investigations and reporting at the DA stage. This map should also form part of the SEPP to provide clarity and statutory consideration for future DAs.

Should you wish to discuss any of the matters

Yours sincerely

Josh Owen
SENIOR ASSOCIATE PLANNER
APP CORPORATION PTY LIMITED

IN WITNESS WHEREOF, the Landowners have executed this non-binding MOU as indicated below.

