[redacted]

From: system@accelo.com on behalf of Graeme and Gabrielle Gilvear [redacted]
Sent: Friday, 2 November 2018 1:48 PM
To: [redacted]
Subject: Submission Details for Graeme and Gabrielle Gilvear (comments)
Attachments: 292048_Submission Details for Gabrielle and Graeme Gilvear 20181101.pdf

Confidentiality Requested: no

Submitted by a Planner: no

Disclosable Political Donation:

Agreed to false or misleading information statements:

Name: Graeme and Gabrielle Gilvear
Email: [redacted]

Address:
[redacted]

Content:
Please see attached.

IP Address: -[redacted]
Submission: Online Submission from Graeme and Gabrielle Gilvear (comments)
https://majorprojects.accelo.com/?action=view_activity&id=292048

Submission for Job: #9552
https://majorprojects.accelo.com/?action=view_job&id=9552

Site: #0
https://majorprojects.accelo.com/?action=view_site&id=0

1 November 2018

[redacted]

WESTERN SYDNEY AEROTRPOLIS STAGE 1 PLAN

Dear [redacted],

INTRODUCTION

The Western Sydney Land Use Plan and Infrastructure Implementation Plan (LUIIP) was released by the Department of Planning and Environment (DPE) on the 21 August 2018 and is currently on exhibition until the 2 November 2018. I write this submission to you [redacted] residents of the Bringelly community for the [redacted].

Bringelly is a locality on the southwest rural-urban interface of the Sydney Metropolitan area. The area has largely retained a rural character, consisting mainly of open pastures, picturesque landscapes and traditional country living. Rural residential development has always been a popular, attractive and expensive lifestyle choice. For most residents in the community [redacted] moved from suburbia and came to the area looking for a place where the "country looks like the country [redacted] to permanently reside in a beautiful rural area, instilled with traditional rural values, a sense of place and identify and for some a beacon of hope for a financially promising and viable future.

The paradox of this whole situation is that overtime, this rural eutopia area has transitioned into something residents in the community have been trying to delay "suburbia". [redacted], the rapid population growth and demographic changes in Sydney has seen an increase in the number of smaller households, generating more demand for urban land. More so, the release and rezoning of Growth Centre land has seen the rural landscape surrounding Bringelly engulfed by small lot housing "Greenfield Development Estates" such as Oran Park and Gregory Hills.

Since the release of the South West Growth Centre there has been a substantial increase in house prices. The latest housing market figures show that Bringelly prices went up by an average of $2075 per day, going from a median of $2.05 million in 2017 to the current $2.8 million in 2018; The most noticeable price increases occurred in the suburbs of Rossmore, Glenorie, Mulgoa and Bringelly, which are all in the vicinity of Badgerys Creek Airport. Statistics reveal that median prices in these suburbs jumped by up to $975,000 over the past year, often from already high starting points. Might I add, land in Austral that has recently been rezoned for residential has a current average market value of $2 million dollars an acre. These prices were determined well before the Western Sydney Airport was officially endorsed by the Australian Government. The establishment of Western Sydney Employment Area and the subsequent Western Sydney Priority Growth Area.

BACKGROUND AND SITE CONTEXT

[redacted] is proposed to be down zoned from RU4 Primary Production Small Lots to Non-Urban Land under the proposed Western Sydney Aerotropolis Structure Plan; I note **one (1)** property outside of the proposed Mixed Flexible Employment & Urban Land zone.

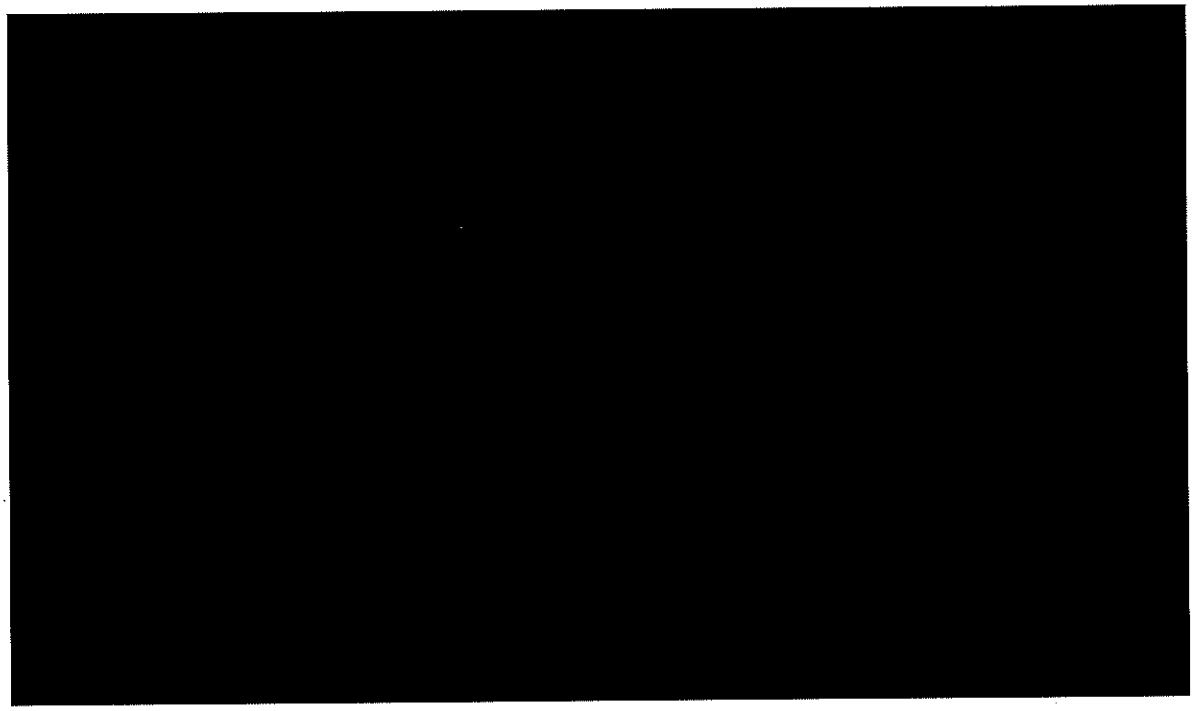

[redacted]

Figure 1: Site Location (Source: Near Maps, September 2018)

Whilst we support the Department of Planning and Environment's work undertaken thus far and its vision for the Western Sydney Aerotropolis which will benefit our local community and economy by increasing housing and jobs (approximately 60,000 homes and 200,000 jobs), increased funding for road, railway and utilities infrastructure and a cohesive new "gateway" into the proposed Western Sydney Airport, we are strongly of the opinion that our site (a nominated standalone residential lot with minimal environmental constraints) and other residential lots with rear boundaries that back onto South Creek and Thompson Creek are a significant and vital source of future housing and employment opportunities and should be included within the "Aerotropolis Core" zone as identified on Page 19 of the Western Sydney Land Use Plan and Infrastructure Implementation Plan (LUIIP).

Therefore, we request that the Department of Planning and Environment takes into consideration our local community views by reviewing and reconsidering the proposed zoning boundaries, more specifically land zoned non-urban such as ours that is unconstrained, unencumbered and able to be serviced; in other words, "urban capable".

LAND ZONING

Under the Liverpool Local Environmental Plan 2008, my lot and other residential lots within the Kelvin Park Drive Estate are zoned RU4 Primary Production Small Lots (see **Figure 2**). Under this zone, land uses including *Agriculture; Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Entertainment facilities; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Helipads; Home businesses; Home industries; Landscaping material supplies; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Veterinary hospitals; Water recreation structures* are permitted with the consent of determining authority such as the Local Council. Under the proposed LUIIP, our lot is proposed to be "down zoned" which will result in a reduction of density and limitation of land uses. In this instance, the proposed "down zoning" will have significant negative long-term implications for our property including: a limited development potential for existing and future land uses and structures, increased risk of land use fragmentation, land sterilisation and land use conflict, significant social and economic ramifications such as a forced relinquishment of individual resource and property rights, significant decrease in property value, landowner's asset value and total revenue that could be generated from the development. It should be noted, since the release of the draft LUIIP, there has been a significant decrease (approximately 50%) in the value of property within the [redacted] estate. This has affected the ability for land owners (wanting to downsize) to sell at a fair price and prevents them from early retirement, because they are forced to take out another mortgage to simply purchase another house.

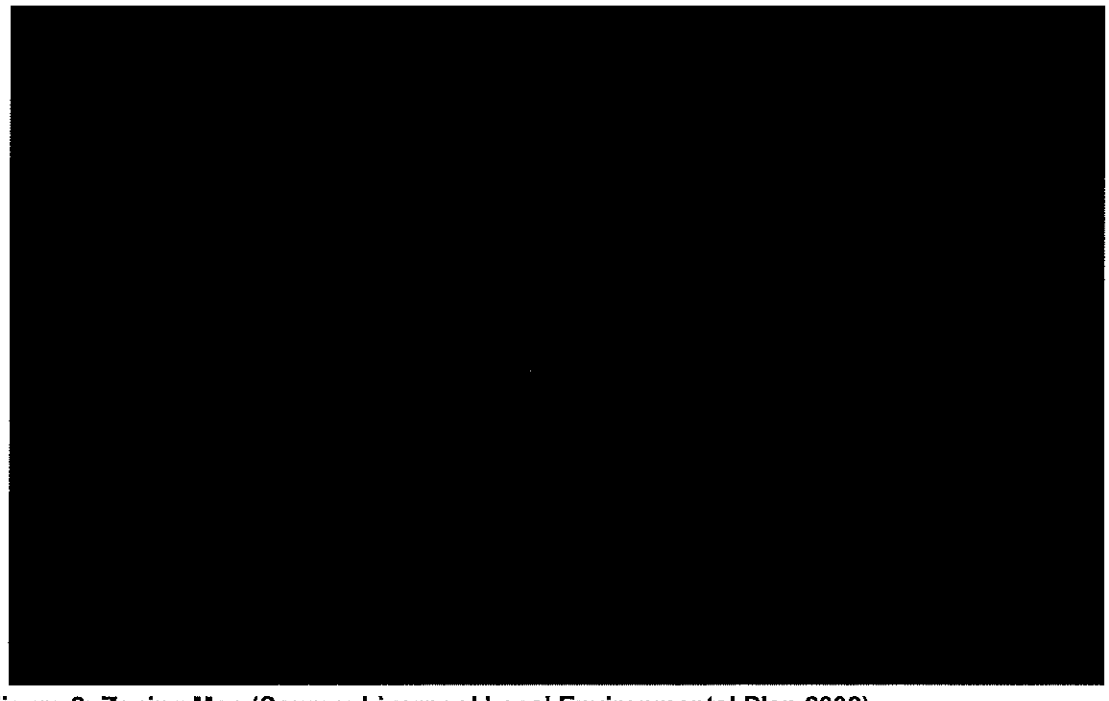


Figure 2: Zoning Map (Source: Liverpool Local Environmental Plan 2008)

Based on the information provided to date by the Department of Planning and Environment, the blanket approach to the proposed Non-Urban zone stems from the Western City District Plan that identifies the "South Creek Corridor" precinct. Under the Western City District Plan, the South Creek Corridor will comprise of "URBAN" parklands and "HIGH LIVEABILE" development uses. These proposed uses will form part of the proposed green corridor spine that provides sites for parks, walking and cycling trails, community facilities and urban neighbourhoods orientated towards waterways that will provide future housing, close to the airport for future workers and residents. Urban design principles for the South Creek Corridor have been highlighted in **Figure 3** below.

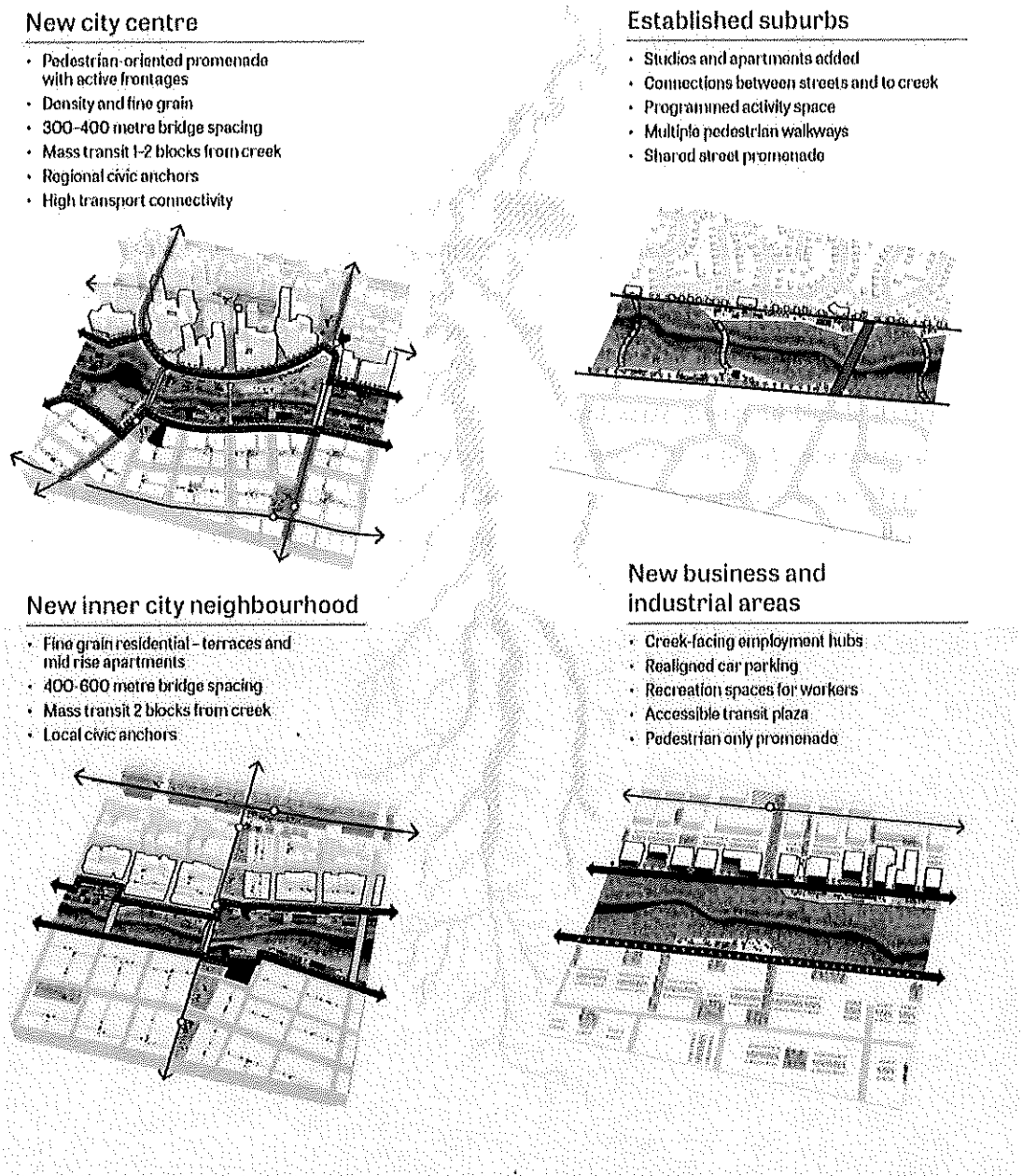


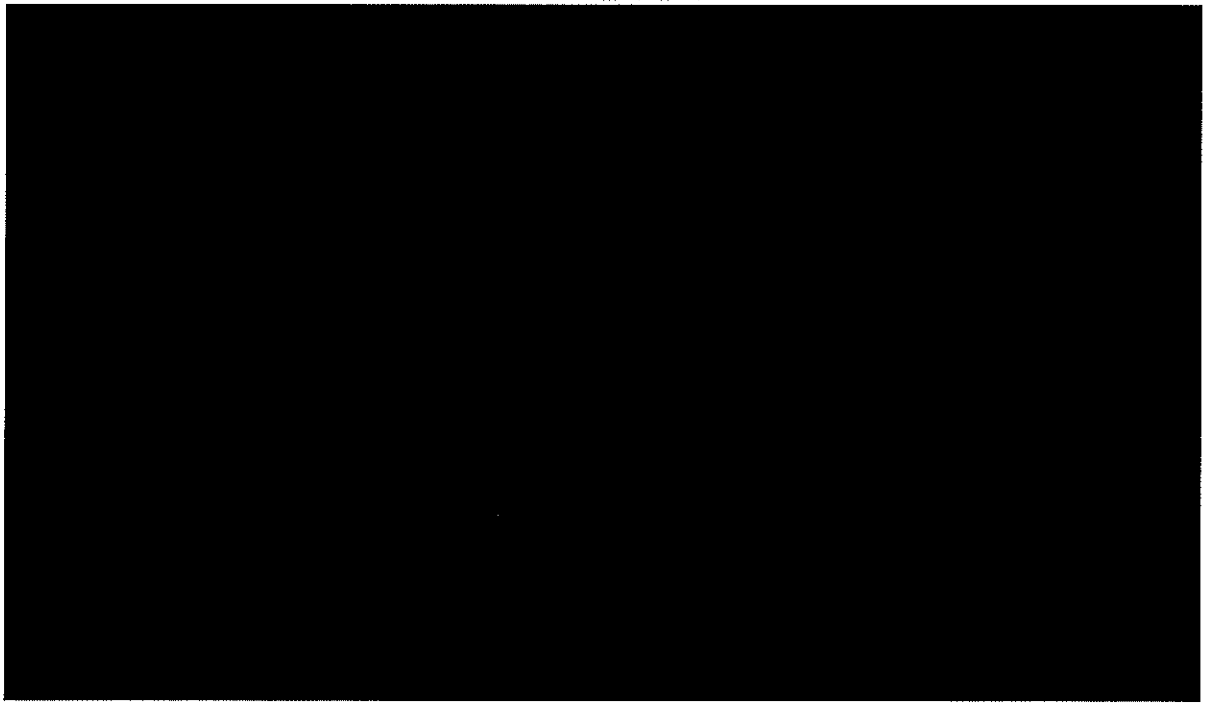
Figure 3: South Creek Urban Design Principles (Source: Western City District Plan, March 2018)

Under the proposed LUIIP, the South Creek Precinct has been identified as the central green spine of the Aerotropolis. This precinct will provide a new approach to water management, green corridors and how development will be designed. This is inconsistent with the vision and objectives of the South Creek Corridor identified in the Western City District Plan.

[redacted] We strongly believe the inclusion is warranted based on the position of the site in proximity to the proposed infrastructure including the Badgerys Creek Airport, proposed new rail infrastructure etc as well as alignment with the key objectives in the Plan. We have reason to believe that the proposed Non-Urban zone boundaries have been based on potential flooding due to proximity to South Creek.

A community consultation forum was held on 15 September 2018, we were advised by the Department of Planning and Environment Representatives [redacted] that some properties [redacted] have been identified as a 1 in 100-year flood zone, also known as a 1% flood. Meaning a flood that occurs on average once every 100 years. It was disclosed that the Non-Urban zone boundary was devised based on the most severe possible outcome in terms of flooding as detailed flood studies do not exist. We were advised that proposed zoning is a "worst case scenario" and that the alignment of the Non - Urban zoning boundary would change (shifting more towards the creek line allowing the inclusion of more residential lots into the Aerotropolis Core boundary) when detailed flood modelling, investigations and studies were undertaken. It is noted that these detailed flood investigations are currently under investigation.

As shown in **Figure 4** below, a small rear portion of land [redacted] has been mapped by Liverpool City Council as being flood liable land and falls within the low risk flood category. [redacted]



Liverpool Development Control Plan 2008 defines "Low Flood Risk Category" as the remainder of land within the floodplain (including land within PMF extent) and excludes High Flood Risk or the Medium Flood Risk Category. The DCP notes that the potential for flooding and flood liability risks, is considerably lower in land categorised as Low Flood Risk and majority of land uses would be permitted (provided Council consent is obtained).

The type of land uses permitted in flood liable land zones are broken into 8 Land Use Risk Categories. These categories are based on the sensitivity of each land use, with reference to flooding. The definitions of each land use are based on the Liverpool LEP 2008 and are as follows:

Critical uses and Facilities		
• Community facility which may provide an important contribution to the notification or evacuation of the community during flood events • Hospitals • Residential care facility		
Sensitive Uses and Facilities		
• Educational establishments • Schools • Hazardous or offensive industry or storage establishment • Liquid fuel depot • Seniors housing • Utility installations or Public utility undertakings (including generating works) undertakings which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events • Telecommunications facility • Waste disposal land fill operation • Group home		
Subdivision		
Subdivision of land, which involves the creation of new allotments, with potential for further development		
Residential		
• Attached dwelling • Backpackers' accommodation • Bed and breakfast premises • Boarding houses • Canal estate development • Caravan Park • Child care centre • Dual occupancy Dwelling • Dwelling house Exhibition home	• Exhibition village • Family day care centre • Health consulting rooms Home-based child care service • Home business • Home occupation • Hostel • Information and education facility • Moveable dwelling • Multi dwelling housing	• Residential accommodation • Residential flat building • Rural workers' dwelling • Secondary dwelling • Semi-detached dwelling • Serviced apartments • Shop top housing • Utility installations or Public utility undertakings (other than critical utilities) • Tourist and visitor accommodation
Commercial or Industrial		
• Agricultural produce industry • Amusement Centre • Animal boarding or training • establishment • Boat repair facility • Boat shed • Bulky goods premises • Business premises • Cemetery • Charter and tourism boating facility • Commercial port facility	• Funeral home • Heavy Industry • Heliport • Hotel accommodation • Industry • Kiosk • Light Industry • Materials recycling or • recovery centre • Medical centre • Mortuary • Neighbourhood shop	• Registered club • Restaurant • Retail premises • Roadside stall • Rural industry • Sawmill or log processing • works • Service station • Sex service premises • Transport depot • Take away food or drink • premises

• Crematorium • Depot • Electricity generating works • Entertainment facility • Freight transport facility • Function Centre • Funeral chapel	• Office premises • Passenger transport terminal • Place of public worship • Public administration building • Recreation facility (indoor) • Recreation facility (major)	• Tank based aquaculture • Truck depot • Vehicle body repair • workshop • Vehicle repair station • Vehicle showroom • Veterinary hospital • Warehouse or distribution • centre

Recreation or Non-urban Uses

- Agriculture
- Aquaculture
- Dam
- Environmental facility
- Extractive industry
- Feedlot
- Helipads
- Horticulture
- Intensive livestock
- agriculture
- Landscape and garden
- supplies
- Marina
- Recreation facility (outdoor)
- Stock and sale yard
- Turf farming

Based on **Figure 5** below, land [redacted] that falls within the Low Flood Risk Category is able to accommodate for a variety of land uses (provided they are permissible in the zone) with the exception of three "*Critical Uses and Facilities* ": Community facilities, Hospitals and Residential Care Facilities which have been nominated as unsuitable land uses.

Flood Risk Category	Land Use Risk Category	Planning Controls							
		Floor Level	Building Components	Structural Soundness	Flood Effects	Car Parking & Driveway Access	Evacuation	Management & Design	Fencing
Low Flood Risk	Critical Uses & Facilities								
	Sensitive Uses & Facilities	12	4	4	2, 4, 5	2, 3, 6, 7, 8	2, 6, 8	4, 5	
	Subdivision				2, 4, 5			1, 8	
	Residential (++)	2, 8	3	3		2, 3, 6, 7, 8	2, 8		
	Commercial & Industrial	2, 8	3	3	2, 4, 5	2, 3, 6, 7, 8	1, 8	2, 3, 5	
	Tourist Related Development	1, 8, 15	3	3	2, 4, 5	2, 3, 6, 7, 8	2, 8	2, 3, 5	
	Recreation & Non-Urban	1, 9, 15	3	3		1, 5, 7, 8	6, 8	2, 3, 5	
	Concessional Development	14	3	3		1, 3, 5, 7, 8, 9	2, 8	2, 3, 5	
Medium Flood Risk	Critical Uses & Facilities								
	Sensitive Uses & Facilities								
	Subdivision				1, 4, 5			1	1, 2, 3
	Residential	2, 8, 15	3	1	2, 4, 5	2, 3, 6, 7, 8	2, 8		1, 2, 3
	Commercial & Industrial	2, 8, 15	3	1	2, 4, 5	2, 3, 6, 7, 8	1, 8	2, 3, 5	1, 2, 3
	Tourist Related Development	1, 8, 15	3	1	2, 4, 5	2, 3, 6, 7, 8	2, 8	2, 3, 5	1, 2, 3
	Recreation & Non-Urban	1, 9, 15	3	1	2, 4, 5	1, 5, 7, 8	6, 8	2, 3, 5	1, 2, 3
	Concessional Development	1, 14, 15	3	1	2, 4, 5	1, 3, 5, 7, 8, 9	2, 8	2, 3, 5	1, 2, 3
High Flood Risk	Critical Uses & Facilities								
	Sensitive Uses & Facilities								
	Subdivision								
	Residential								
	Commercial & Industrial								
	Tourist Related Development								
	Recreation & Non-Urban	1, 8, 15	3	1	1, 4, 5	1, 5, 7, 8	6, 8	2, 3, 5	1, 2, 3
	Concessional Development	1, 14, 15	3	1	1, 4, 5	1, 3, 5, 7, 8, 9	2, 8	2, 3, 5	1, 2, 3

Key:

Not Relevant

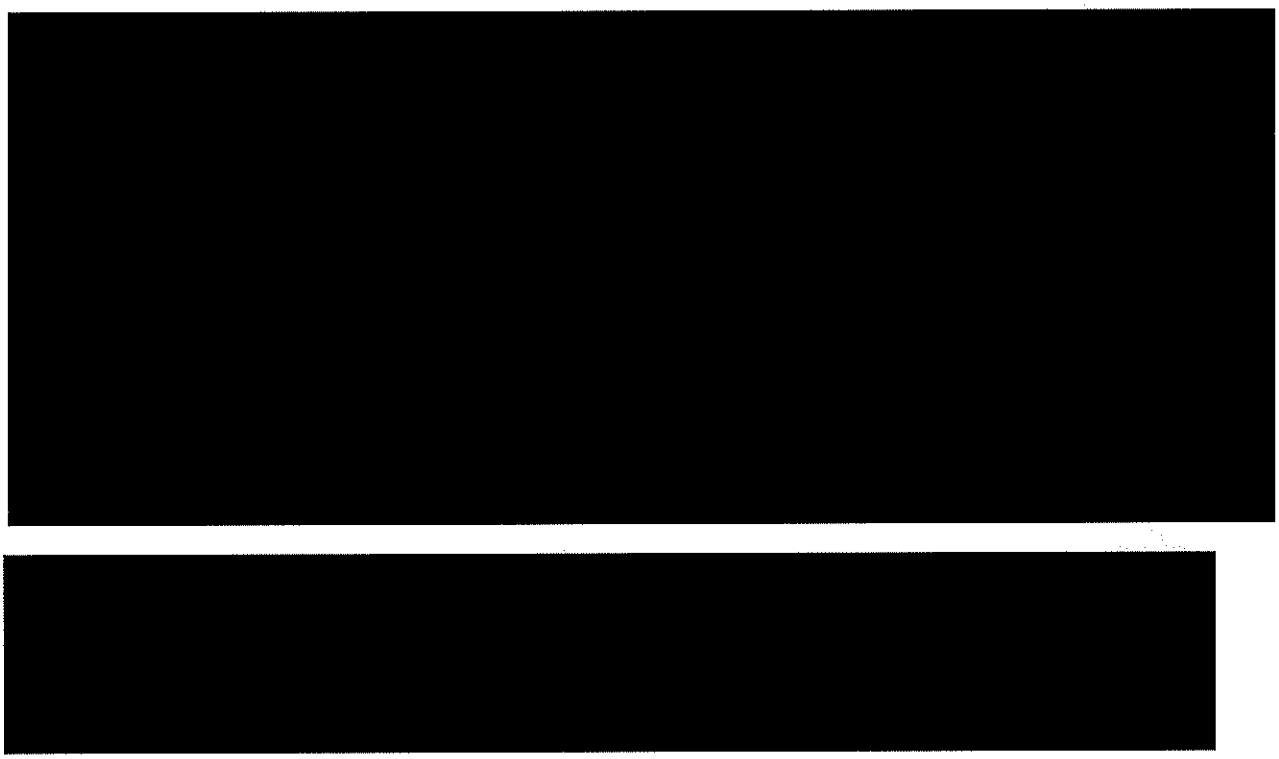
Unsuitable Land Use

1, 2, 3 — Control reference number relevant to the particular planning consideration. (see Table 6)

(++) Attached dwellings, Dwelling houses, dual occupancies, multi unit dwelling housing, residential flat buildings (not including development for the purpose of group homes or seniors housing), Secondary dwellings and Semi-detached dwellings are exempt from these controls.

Figure 5: Land uses permitted in flood liable land zones (Source: Liverpool City Council, October 2018)

Similarly, to **Figure 4**, The South West Growth Centre, Development Control Map shown in **Figure 6** illustrates the nominated Flood Prone and Major Creek Land in the Bringelly area. The map clearly demonstrates that our property is excluded from nominated Flood Prone and Major Creek Land; this contrasts with the proposed Western Sydney Aerotropolis Stage 1 Structure Plan which includes our property within the South Creek Precinct (see **Figure 7**). This reiterates that the proposed South Creek boundary is inconsistent with the already approved and existing land use boundaries in other Environmental Planning Instrument Maps.



After examining the maps, the boundaries proposed as part of the Western Sydney Aerotropolis Stage 1 Structure Plan are inconsistent with the Environmental Planning Instrument Maps. Nonetheless, the flood affected areas present opportunities for future redevelopment with "flood compatible" uses including **Sensitive Uses and Facilities, Subdivision, Residential, Commercial or Industrial and Recreation or Non-urban Uses.**

The Western City District Plan highlights that "...the NSW Government is progressing investigations into the Hawkesbury-Nepean Valley floodplains, to identify the extent of the constraints and considerations for extreme event floods. These extreme events don't necessarily mean development cannot occur but consideration of the resilience of the new development to flooding and recover, as well as the ability to evacuate the areas need to be taken into account (pp. 41)."

In terms of development potential, detailed studies over the site have demonstrated that our land is not flood affected. Accordingly, we seek a change to the Plan – **"Figure 7 Proposed Western Sydney Aerotropolis Stage 1 Structure Plan"** such that the "Aerotropolis Core" zone which includes mixed flexible employment and urban land zone [redacted] and be extended

across the [redacted] estate. This will avoid a situation where land is held undeveloped and economically useless.

CONCLUSION

The Western Sydney Land Use Plan and Infrastructure Implementation Plan (LUIIP) was released by the Department of Planning and Environment (DPE) on the 21 August 2018 and is currently on exhibition until the 12 October 2018. The Western Sydney Land Use Plan and Infrastructure Implementation Plan (LUIIP) has established a set of aims and priorities to guide future investment in the economy, housing and social and environmental capital in Western Sydney, particularly around the airport.

By definition, an "aerotropolis" is a city in which the layout, infrastructure, and economy are centered around a major airport. After reviewing the Western Sydney Land Use Plan and Infrastructure Implementation Plan (LUIIP) whilst we strongly support the proposal for the Western Sydney Airport and the Aerotropolis; careful consideration needs to be given to the proposed zoning boundaries (our property) and subsequent urban development of parcels of land that are unencumbered, able to be serviced and in close proximity to proposed "Aerotropolis Core" zone. As highlighted throughout our submission, the proposed Draft Structure Plan will have significant negative long-term implications for our property which in turn will have significant impacts for the future of our family and generations to come.

This submission is aimed at alerting the Department of Planning and Environment to the significant opportunities that our property presents for mixed use development, broader land use planning and infrastructure commitments. Based on the information provided to date by the Department of Planning and Environment, there is no justification as to why our property, a significant source of land (with no environmental impact) is not included in the proposed "Aerotropolis Core" zone. We strongly believe that our property should be able to be developed in conjunction with other similar land in the area identified as mixed use (both urban and commercial). We formally request that the proposed LUIIP be amended to include our property in the "'Aerotropolis Core" Zone, as our land will be an anchor in delivering a variety of future commercial, residential and industrial land uses. It will also assist in addressing the undersupply of housing in the greater Sydney Region.

This submission outlines the rationale for this request. We would welcome the opportunity for further discussions to resolve any issues relating to the site's inclusion prior to any finalisation of the Western Sydney Land Use Plan and Infrastructure Implementation Plan (LUIIP) occurring and reiterate our message presented throughout this submission; that key land owners and land owner groups be consulted as part of ongoing planning and infrastructure decisions by the respective Collaborations.

We also seek advice on how often the boundaries of growth areas and urban areas will be reviewed and how this gets reflected in the LUIIP – especially where major infrastructure provision is announced. We have included information attached to this submission to support our land being included in the

Aerotropolis Core zone, rather than Non-Urban land. Including our land in the 'Aerotropolis Core" zone would enable development to occur in a coordinated and holistic manner with adjacent land holdings.

In conclusion, we strongly oppose the proposed "Aerotropolis Core" zoning boundary in its current form with respect to the matters raised in this letter. We trust our contribution will be given serious consideration and would welcome the opportunity to work collaboratively with the Department of Planning and Environment for the future planning of the Western Sydney Airport. [redacted]

Yours faithfully

[redacted]