



WESTERN SYDNEY  
PLANNING  
PARTNERSHIP 

# Western Sydney Aerotropolis Discussion Paper on the Proposed State Environmental Planning Policy

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## Part 1 – Introduction

On 4 March 2018, the Prime Minister, Premier of NSW and mayors of Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly Councils signed the Western Sydney City Deal. The City Deal sets the investment foundation for the Western Parkland City to become a global city, enriched by its heritage and connected to the world. Over the next 20 years the Western Sydney City Deal will drive the creation of the Western Parkland City.

The Western Sydney International (Nancy-Bird Walton) Airport (Airport) and Western Sydney Aerotropolis (Aerotropolis) as mapped in **Figure 1** will be drivers for a strong economy and a connected Western Parkland City. People will be connected to the Greater Sydney's metropolitan and strategic centres by an efficient public transport system, and to the rest of the country and world by the new airport.

Planning for future land uses around the Aerotropolis has required close consideration of the need to mitigate impacts associated with the operation of the Airport, and to sensibly locate compatible land uses that efficiently utilise land and capitalise on existing and proposed road and rail transport corridors. This is to enable a high-quality land use response to the emerging Western Parkland City.

In order to deliver a world-class Aerotropolis for Western Sydney, a new planning framework is proposed to facilitate the achievement of State planning objectives for the Aerotropolis. The planning framework is comprised of the Western Sydney Aerotropolis Plan (WSAP), the State Environmental Planning Policy proposed in this Discussion Paper (proposed SEPP), and a staged Development Control Plan (DCP) comprised of a Phase 1 DCP and Phase 2 DCP.

This Discussion Paper has been prepared under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to provide an explanation of the intended effect of the proposed SEPP. The proposed SEPP will provide the primary development controls for the Aerotropolis, zoning land for urban, environmental, recreational and infrastructure purposes, establishing appropriate development controls, permitting compatible land uses next to an airport, and requiring the protection of native vegetation and natural areas.

The proposed SEPP will apply to the approximately 11,200 hectare area within Western Sydney surrounding the Airport and will:

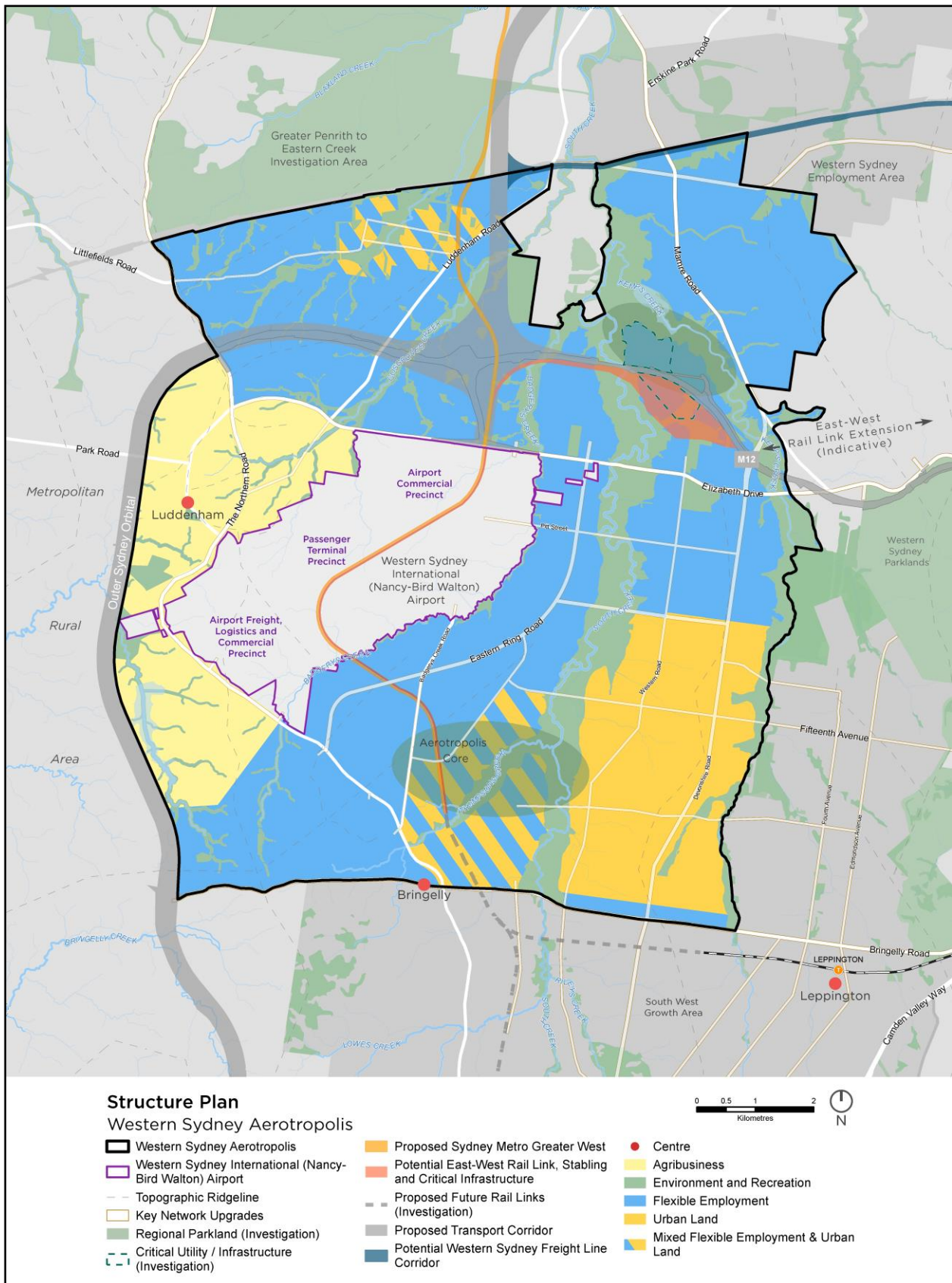
- implement the WSAP;
- set the boundary for the Aerotropolis and the area to which the proposed SEPP applies;
- define precincts within the Aerotropolis;
- apply land use zones throughout the Aerotropolis, with the Airport site remaining subject to the *Airports Act 1996* (Cth);
- set strategic objectives for future planning within the area;
- outline planning controls, using mapping for some of those proposed controls;
- identify transport corridors and utility sites required to service the Aerotropolis; and
- outline approval pathways.

Planning for transport corridors required for road and rail infrastructure to support the new city, consistent with Future Transport 2056, is underway. Ongoing engagement with land owners and government agencies as the proposed SEPP is finalised will ensure that transport corridors and land required for utility infrastructure continue to be identified and protected, thereby giving certainty to landowners over time.

The Department of Planning, Industry and Environment (Department) is developing a conservation plan for Western Sydney to protect threatened plants and animals, while supporting the delivery of housing, infrastructure, open and green spaces. This conservation plan will apply to part of the Aerotropolis, in parallel with ongoing conservation programs. Avoiding and minimising impacts to



biodiversity is a critical step in reducing the impacts of the proposed development and the need for commitments and actions to offset those impacts and minimise impacts to biodiversity values where possible.

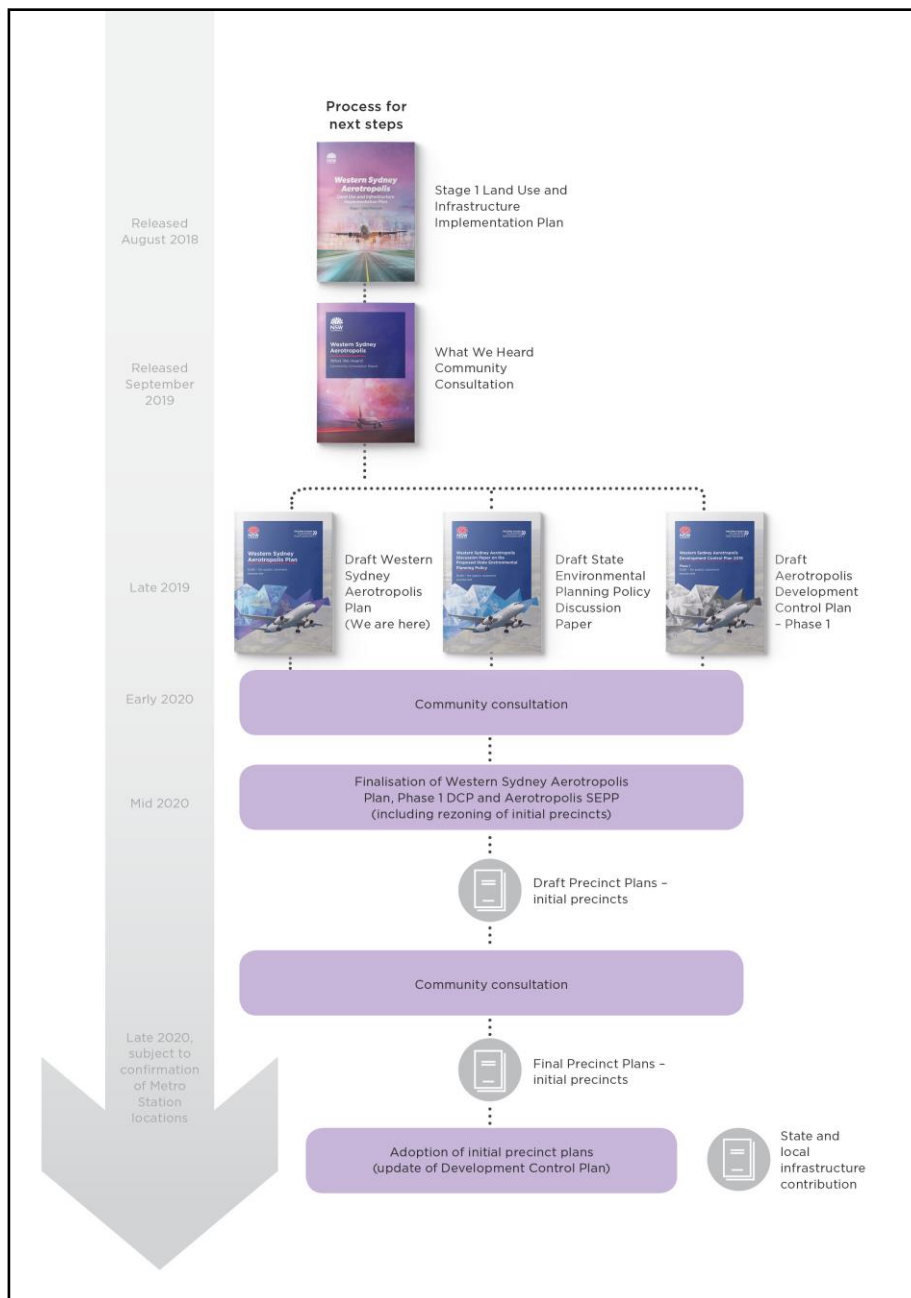


### Figure 1 Western Sydney Aerotropolis Structure Plan

The Minister for Planning and Public Spaces or the local councils will be the consent authority for development within the Aerotropolis, depending on the nature of the development. Exempt and complying development will continue to be recognised as an important planning pathway in the Aerotropolis to streamline straightforward development proposals. Investigations are underway to consider how exempt and complying development will apply and to review additional Aerotropolis-specific development that could be considered under the complying development framework. Certain development applications will also trigger referral to the Western Sydney Airport Co and/or the appropriate Commonwealth Department or Agency as part of the assessment process.

Following rezoning, precinct planning will provide greater land use guidance for development to occur within the Aerotropolis Core, Northern Gateway, Badgerys Creek and Agribusiness Precincts. Detailed master planning for specific sites within a precinct planning may be permitted to commence ahead of completion of broader precinct planning.

### Next steps in the process



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## Part 2 - Proposed State Environmental Planning Policy

The proposed SEPP will include a range of provisions that will deliver the Aerotropolis Plan.

### 2.1 Objectives of Proposed SEPP

The proposed SEPP will contain objectives that align with the WSAP.

### 2.2 Aerotropolis boundary

The proposed SEPP will apply to the area of land shown on the draft Land Application Map.

There have been changes to the Aerotropolis boundary and precinct boundaries that were first proposed in the Stage 1 LUIP. The changes were made in response to submissions and subsequent investigations, with the amendments covering:

- the eastern boundary of Mamre Road Precinct has been extended to include additional land; and
- the boundary of the Kemps Creek Precinct now excludes land to the east of Kemps Creek, beyond the eastern boundary of Wianamatta-South Creek, providing a clearly defined boundary for the Aerotropolis. Planning for this area will be progressed by Liverpool City Council.

### 2.3 Zoning Approach

An innovative approach to land use zoning will be applied to precincts throughout the Aerotropolis with four broad zone types which will allow for greater site design and flexibility following detailed site investigation. The four zones are:

- Enterprise Zone;
- Mixed Use Zone;
- Environment and Recreation Zone; and
- Agribusiness Zone.

In addition, the following standard instrument zones will apply:

- SP1 Special Activities (Airport) Zone;
- SP1 Special Activities (Commonwealth) Zone; and
- SP2 Infrastructure Zone.

Details of the land uses proposed to be permitted in each zone are set out in Section 3.

### 2.4 Integrated Water Management Strategy

Provisions that aim to improve water health including management of the built form, drainage and hydrologic conditions will be considered for inclusion in the proposed SEPP. Details of the proposed additional provisions for the creation and protection of a Blue-Green Grid for the Aerotropolis are set out in Section 4.

### 2.5 Transport Infrastructure

Planning for the future transport networks of the Western Parkland City comprises major, long-term strategic corridors identified in Future Transport 2056 (Transport for NSW, 2018). A more detailed transport network is also needed to support growth in population and jobs, and deliver a 30-minute



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city, consistent with directions outlined in the Greater Sydney Regional Plan and Western District Plan.

Planning for road and public transport networks across the Aerotropolis is underway, with a number of key multi-modal routes having been identified to support development. Public consultation for the protection of four recommended corridors (Outer Sydney Orbital, Western Sydney Freight Line, M12 Motorway and Sydney Metro Greater West) to provide for transport infrastructure occurred in mid-2018. These corridors, along with existing roads requiring widening and an expanded transport network to support the growing population of Western Sydney and particularly the Aerotropolis, are identified on the Western Sydney Aerotropolis Structure Plan.

**A Discussion Paper for a proposed State Environmental Planning Policy for the Protection of the Western Sydney Transport Corridor (the Corridors SEPP) has already been released by Government. The Corridors SEPP will prevail if it is in place before the Aerotropolis SEPP. If the Corridors SEPP is not in place, the proposed Aerotropolis SEPP will include provisions to deal with the proposed transport corridors within the Aerotropolis thorough a combination of zoning and/or corridor protection.**

**The proposed SEPP will require master plans, development applications and complying development applications on or adjacent to these corridors to obtain concurrence from, or be referred to, Transport for NSW prior to consent being granted. It is important to note that the actual corridors are still under investigation and, where settled following public exhibition, will be incorporated into the final SEPP and precinct planning.**

## 2.6 Affordable Rental Housing

The Aerotropolis will deliver Affordable Rental Housing for very low to low income households in Western Sydney. All development applications with residential components will be required to demonstrate consistency with the policy and targets for Affordable Rental Housing Targets as outlined in the Greater Sydney Region Plan 2018, being 5 – 10%.

As the Affordable Rental Housing Target is applied to new rezoning, it will work alongside, and not impede, the operation of existing planning controls that address affordable housing including State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes) or those adopted by the relevant council. The target does not preclude councils from negotiating additional affordable housing above the 10% baseline.

The Aboriginal Housing Office's (AHO) Supply and Demand Model identifies Penrith and Liverpool as being among the top councils across NSW for Aboriginal housing demand. Precinct planning will consider specific targets and measures to address affordable rental housing for the growing Aboriginal population.

**The SEPP will include provisions to require development to meet targets for Affordable Rental Housing Targets as outlined in the Greater Sydney Region Plan 2018 being 5 – 10%.**

## 2.7 Protecting indigenous and non-indigenous heritage

The rich history of the land on which the Aerotropolis lies warrants appropriate future management regimes that best facilitate the effective conservation of its significance for present and future generations. Recognition of Western Sydney's Aboriginal heritage will be incorporated into precinct planning with key heritage sites to be preserved and, where appropriate, activated and integrated with the new development. Specific strategies will be considered for inclusion in future precinct plans.

During precinct planning, measures to integrate Aboriginal cultural heritage into specific precinct plans will be explored through direct engagement with Aboriginal stakeholders. Furthermore,

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detailed site investigations will occur to identify and protect Indigenous along with non-Indigenous heritage.

**The Local and State Heritage items identified located within the Western Sydney Aerotropolis will be mapped in the proposed SEPP. Appendix 1 contains a list of the proposed items for inclusion.**

Heritage items identified as being located within the Airport site have not been mapped. Details of these heritage sites are contained within the Western Sydney Airport Environmental Impact Statement 2016.

## 2.8 Infrastructure funding arrangements prior to development approval

A Place Infrastructure Compact (PIC) is being developed for the Aerotropolis by the Greater Sydney Commission. The PIC will be used to develop a special infrastructure contribution and local infrastructure contributions under the EP&A Act. The PIC will also guide the investment and staging decisions of utility providers to ensure services are available at the Aerotropolis growth area.

**The proposed SEPP will ensure arrangements to deliver State infrastructure are made before development occurs. If a special infrastructure contribution has not been finalised satisfactory arrangements must be in place prior to determination of any development application.**

## 2.9 Airport and Aviation Matters

Planning for development adjacent to the new Airport requires development to be placed in areas that are suitable. Strategic considerations include using the close proximity of the new Airport and its supporting infrastructure to:

- leverage economic and employment growth opportunities;
- establish agribusiness industry opportunities;
- activate an advanced manufacturing industry in aerospace and defence, including research and development opportunities;
- safeguard airport operations and the future expansion of the Airport (including the future second runway);
- minimise land use conflicts with a focus on managing the transition of land from non-residential to mixed-use urban uses;
- appropriately locate future infrastructure and transport corridors to provide access to high frequency public transport; and
- provide amenity for future residents, including creating access to open space and green corridors.

Several airport and aviation controls along with proposed development mitigation measures are proposed in the SEPP as described below.

### 2.9.1 National Airports Safeguarding Framework

The National Airports Safeguarding Framework (NASF) offers a nationally consistent 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 NASF is a national land use planning framework that aims to:

- improve amenity by minimising aircraft noise-sensitive developments 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.

The NASF comprises nine guidelines which have been approved by NASAG:

- Guideline A: Measures for Managing Impacts of Aircraft Noise;
- Guideline B: Managing Risks of Building Windshear and Turbulence at Airports;
- Guideline C: Managing Risks of Wildlife Strike in the Vicinity of Airports;
- Guideline D: Managing Risks Associated with Wind Turbines;
- Guideline E: Managing Risks of Distractive Lighting in Vicinity of Airports;
- Guideline F: Managing Risks of Intrusion into Protected Airspace;
- Guideline G: Protecting Aviation Facilities – Communications, Navigation and Surveillance;
- Guideline H: Protecting Strategically Important Helicopter Landing Sites; and
- Guideline I: Managing the Risks in Public Safety Areas at the ends of Runways.

Applying NSAF principles to the new Western Sydney Airport will ensure key issues such as noise, airspace protection, and obstacle limitation surfaces are incorporated into planning controls. Some provisions, such as the identification of noise contours or airspace protection surfaces apply beyond the Aerotropolis area.

**The SEPP will formalise the application of airport safeguarding controls to land within the Aerotropolis boundary as well as beyond that boundary.**

## 2.9.2 Australian Noise Exposure Concept / Australian Noise Exposure Forecast

Aircraft noise is a key factor in land use planning for the Aerotropolis. A precautionary approach is being applied to the land use planning of noise sensitive uses around the Airport. For the Aerotropolis, NSW Government has adopted a position that no noise sensitive land uses (including new residential development) will be permitted in Australian Noise Exposure Concept (ANEC)/Australian Noise Exposure Forecast (ANEF) contour of 20 or above. An ANEC contour refers to anticipated forecasts of future noise exposure patterns based on indicative flight paths around an airport.

Limiting new residential development to areas outside the 20 ANEC/ANEF reflects the greenfield nature of the Airport, is stricter than what is conditionally acceptable in the ANEF 25-30 contour within Australian Standard AS2021-2015 Acoustics – Aircraft Noise Intrusion Building Sitting and Construction. Confirmation of the final Airport airspace design/flight paths and ANEF contour is expected to be confirmed closer to the opening of the Airport. Notwithstanding, the land use planning will progress based on the most up-to-date information and will respond to any changes accordingly.

**Updated ANEC/ANEF contour maps will be incorporated within the SEPP as required, with a focus on ensuring sensitive land uses are located in areas that will not be affected by aircraft noise. It is noted that the ANEC/ANEF contours extend beyond the Aerotropolis. As noted above airport safeguarding controls will be applied to land beyond the Aerotropolis through the SEPP.**

Renovations to existing houses or minor extensions within the ANEC/ANEF 20 contour may still be allowed subject to appropriate noise mitigation management measures. The intention is to ensure that there is no further intensification of sensitive uses in those areas affected by the ANEC/ANEF 20 and above contours. The application of specific noise mitigation measures is to be included in the DCP and determined as part of the Development Assessment process.

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An ANEF chart will be developed as part of the forthcoming airspace design process. This may differ from the current ANEC contours contained in the Airport Plan. Planning decisions will mitigate the impacts of aircraft noise and protect the amenity of new communities by:

- Managing the location of potential development so that more noise tolerant land uses (such as industry) are located in louder areas and uses less tolerant to noise (such as residential dwellings, schools and hospitals amongst other uses) are located in quieter areas, and
- Considering building design with respect to the expected amount of noise.

Under the WSAP, the SEPP and the DCP, development up to the 20 ANEC contour will need to adopt appropriate design and construction standards to reduce aircraft noise impacts. Over time, the noise exposure contours will be reviewed and recalibrated in accordance with the requirements of the *Airports Act 1996*. Land use planning will progress based on the most up-to-date information and will respond to any changes accordingly.

The application of this control to individual properties will be identified in Planning certificates issued under Section 10.7 of the EP&A Act with a reference to the proposed SEPP.

### 2.9.3 Protection of Airspace Near Airports

Part 12 of the *Airports Act 1996* (Cth) and the *Airports (Protection of Airspace) Regulations 1996* (Cth) establish a framework for the protection of airspace at and around airports.

The Commonwealth regulations recognise the need to restrict the height of buildings and other structures (such as cranes) and regulated land uses (such as avoidance of plume generating uses) near airports or under flight paths. This protected airspace is formally known as prescribed airspace. An airport's prescribed airspace typically includes the following surfaces:

- Obstacle Limitation Surfaces (OLS) – is designed to protect aircraft flying in visual conditions close to an airport by defining a volume of airspace to be protected from development. An OLS for the Airport was included in the Western Sydney Airport – Airport Plan and declared on 19 October 2017 under the provisions of the *Airports Act 1996* (Cth) and *Airports (Protection of Airspace Regulations 1996* (Cth);
- Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) – is the primary surface for protecting aircraft operating under non-visual (instrument guided) conditions. It is generally located above the OLS.; and
- Any other surfaces that are declared, for example high intensity approach lighting, are also to be protected.

The regulations require approval to carry out controlled activities in prescribed airspace from the Commonwealth or in some cases the airport lessee. Conditions can be imposed on an approval. Controlled activities include the following:

- permanent structures, such as buildings, intruding into the protected airspace;
- temporary structures such as cranes intruding into the protected airspace (with some transitional exemptions prior to commencement of operations at the Airport); and
- other activities causing intrusions into the protected airspace for example from stacks or vents.

**The final airspace design is expected to be confirmed closer to the opening of the Airport. The SEPP will include current prescribed airspace (OLS) mapping and controls to restrict development within these surfaces. Updated prescribed airspace mapping (OLS, PANS-OPS and any other surfaces) will be incorporated within the SEPP as required. The Obstacle Limitation Surface Map shows the extent of protection required around the Airport.**



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## 2.9.4 Wildlife Management around Airports

Wildlife strikes can cause major damage to aircraft and/or compromise aircraft safety. Whilst the Civil Aviation Safety Authority has well-established safety requirements for wildlife management plans on-airport, wildlife hazards also occur outside the Airport site.

NASF Guideline C – Managing the Risk of Wildlife Strikes in the Vicinity of Airports provides advice to help protect against wildlife hazards originating off-airport.

## 2.9.5 Airport Safeguarding

**To manage the risk of wildlife strikes within the Aerotropolis, the following measures are proposed:**

- **implementation of performance-based outcomes and acceptable solutions in the assessment of potentially incompatible land uses;**
- **landscape design principles which will reduce wildlife attraction within a 3km, 8km and 13km radius of the Airport as mapped on the Wildlife Map;**
- **building and site design guidelines which will reduce wildlife attraction within a 3km, 8km and 13km radius of the Airport;**
- **identifying appropriate referral triggers for development applications and planning proposals to regulatory agencies; and**
- **preparation of standard conditions which can be included as part of development consent.**

**Radial wildlife buffers of 3km, 8km and 13km are mapped on the Draft Wildlife Buffer Zones Map extending beyond the Aerotropolis boundary.**

In order to ensure development or activities in the vicinity of the Airport do not negatively impact on airport operations, it will be a requirement in the proposed SEPP that master plans and relevant development applications be referred to Western Sydney Airport and the relevant Commonwealth Authority for comment. Potential impacts or development that would trigger a referral include:

- glare from artificial light or reflected sunlight;
- air plumes from stacks, vents or plumes;
- development or construction activities including the use of cranes that extend into prescribed airspace (subject to temporary exemptions operating prior to the commencement of Airport operations);
- development located in the windshear assessment area; and
- uses that incorporate lighting that could cause distraction to pilots.

Wind farms and wind turbines will be prohibited within the Aerotropolis due to the building restricted area surrounding aviation communications, navigation and surveillance facilities. Generally, a building restricted area should be kept clear of permanent or temporary:

- obstructions (e.g. buildings, other structures or trees) to the 'line of sight' between transmitting and receiving devices;
- objects (e.g. wind turbines) which act as reflectors or deflect signals used by aviation facilities;
- radio frequency interference;
- electromagnetic emissions (e.g. such as those emitted by arc welding associated with steel fabrication); and
- plume rises (as defined in the Airports (Protection of Airspace) Regulations 1996).

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**The SEPP will identify those development or activities that require referral to the Western Sydney Airport and the relevant Commonwealth Authority for comment and building restricted areas to protect airport operations.**

## 2.10 Biodiversity and Riparian Corridors

The Aerotropolis contains natural assets that represent opportunities and constraints to future urban growth. Some of the key environmental considerations include biodiversity values and riparian lands.

### **Biodiversity**

Western Sydney is home to some of the last remaining critically endangered plant communities on the Cumberland Plain and other threatened flora and fauna. This vegetation and its location within the Aerotropolis has been identified via a number of programs including:

- the Biodiversity Certification and Strategic Assessment under the Growth Centres SEPP, typically located below the 1:100 chance per year flood extent; and
- land with significant conservation values to be identified in the draft Cumberland Plain Conservation Plan (CPCP).

Future land development and infrastructure in the Aerotropolis will be required to avoid areas of high biodiversity values where possible, protect existing trees and vegetation, and implement strategies to mitigate avoidable impacts. The protection of habitat sites or potential habitat sites for key species, significant paddock trees and nesting sites, vegetation communities and endangered ecological communities, along with the intended planting of additional trees will contribute to the vision of the Western Parkland City. This will be explored in detail during precinct planning and further amendments to the proposed SEPP and DCP.

**Native vegetation with biodiversity value on certain land within the Aerotropolis will be protected under the proposed SEPP by mechanisms including a new Environment and Recreation Zone, and a range of Development Control Plan controls. These controls aim to conserve and encourage rehabilitation of the remaining native vegetation communities and contribute to the potential increase of native vegetation communities within the Aerotropolis.**

**The proposed new Environment and Recreation Zone does permit a broader range of land uses than the Environment Conservation zone in the Growth Centres SEPP. To maintain consistency with existing biodiversity certification measures, additional planning controls in the proposed SEPP will apply to mapped areas. These controls will ensure that the native vegetation in these areas cannot be cleared despite the application of the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*. The controls will also prohibit certain land uses and activities that are not considered consistent with environmental conservation from being carried out.**

**The proposed SEPP may not initially map all the biodiversity areas as further investigations may be required before this can occur as part of the CPCP. Where required, further investigations will be undertaken during precinct planning. Once precinct planning is complete, the proposed SEPP may be amended to reflect this work and enable the relevant land use zone to be applied. Further information about biodiversity protections including the Vegetation SEPP is provided in Section 6.2.**

### **Riparian corridors**

Riparian corridors will be assessed through precinct planning to meet the expectations of the WSAP to protect and manage waterways. Relevant controls will be applied within the proposed SEPP and DCP to manage waterway health, revegetation and rehabilitation and integration into land use

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decisions. The *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions* will inform waterway outcomes and stormwater management strategies and responses.

## 2.11 Essential Infrastructure Provision

Existing water, sewer and electrical infrastructure can meet the demands of existing rural development but need expansion to support the proposed development envisaged for the Aerotropolis. The new and upgraded infrastructure needed to unlock future development should include high quality digital infrastructure that is adaptable and scalable to future technology. The timely and efficient provision of communications and digital infrastructure is fundamental to successfully activating precincts and supporting the greater Western Parkland City.

As work continues to investigate the accommodation of trunk infrastructure, precinct planning work will examine innovative means to fund delivery. Voluntary Planning Agreements (VPAs) can be used with the private sector to fund and manage the private delivery of infrastructure. Consideration will also be given to alternate servicing solutions and hybrid servicing technologies and methodologies.

Precinct planning processes will also incorporate planning for a fuel pipeline to the Airport. Consideration will be given in ongoing planning to appropriate setbacks to the pipeline, suitable adjacent development types and mitigation measures to ensure compatible land use development is planned for.

An integrated water solution will consider opportunities for water provision and re-use, and wastewater within developments as the servicing strategy is prepared for the precincts. The proposed SEPP will permit a sewage treatment plant, with associated resource recovery, which will produce recycled water appropriate for a range of different applications, renewable energy and bioresources to meet demand.

**The proposed SEPP will require the consent authority to be satisfied, prior to development applications being approved, that public utility infrastructure will be provided, or alternate and adequate arrangements to make that infrastructure available have been made. Public utility infrastructure includes infrastructure for the supply of water, the disposal and management of sewage and the supply of electricity.**

## 2.12 Savings and Transitional Provision

A savings and transitional provision is proposed to apply to any development applications made in the Aerotropolis before the proposed SEPP commences. This will ensure that pending applications continue to be assessed and determined as if the Aerotropolis SEPP had not commenced.

**The proposed SEPP will include a savings and transitional clause.**

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## Part 3 – Proposed land use controls

### 3.1 Land Use Zones

As a greenfield growth area, the Aerotropolis can take advantage of the urban development zone concept to provide flexibility and encourage investment. The approach enables a faster rezoning and reduces the need for subsequent amendments to zone boundaries as detailed precinct plans evolve. This approach will also enable innovative development assessment approaches that facilitate economic activity and job growth in the Western Parkland City, consistent with the Western City District Plan. The intent of each zone, the proposed permitted and prohibited land uses, and where they will apply is outlined below.

The proposed airport safeguarding mechanisms will influence the way in which some permitted land uses can be carried out. This will include identifying the suitability of land uses within the public safety area of each affected precinct. The proposed land uses within each land use zone will be reviewed once public safety areas are confirmed.

Detailed planning controls for specific development such as height of buildings, lot sizes and floor space ratio, as well as controls including setbacks, will be addressed in the precinct planning stage. Requirements for open space, riparian corridors and stormwater infrastructure may also be confirmed through precinct planning, at which point further landowner consultation will occur.

Consideration of development applications within each of the zones will need to ensure consistency with a Precinct Structure Plan that demonstrates how the planning outcomes of each precinct will be delivered. The Precinct Structure Plan will be adopted by the Minister under provisions contained in the proposed SEPP.

### 3.2 Enterprise Zone

The intent of this zone is to permit land uses complementing the functions of the city and the Airport as a 24 hour transport hub. The zone will enable uses typically associated with employment lands, supporting a range of commercial and industrial sectors that have synergies with the Airport.

The application of the zone across the precincts will be broad enough to accommodate different outcomes depending on the precinct structure plan. For example:

- in the Badgerys Creek Precinct, the zoning will encourage and support industrial activities such as local distribution premises and light industry;
- in the Agribusiness Precinct, the zoning will enable a transition from Agribusiness uses to a range of commercial and industrial uses; and
- in the Aerotropolis Core, the zoning will focus on advanced manufacturing – research and development, industry led educational facilities and facilitate the development of a cutting-edge aerospace and defence industries.

The Enterprise Zone may contain a mix of retail activity including shops, large format retail (with active street frontages), educational facilities, advanced manufacturing, commercial and industrial land uses. These activities will be linked to new and existing residential communities via high quality transport links including proposed Sydney Metro Greater West and connecting road network that are aligned to maximise permeability and move people around as efficiently as possible. Residential accommodation will not be permissible within this zone.

As significant portions of this land will be located inside the ANEC 20, it is necessary to protect the community from aircraft noise. This will be achieved by prohibiting sensitive land uses such as schools, hospitals, seniors housing and childcare facilities within the ANEC 20. Other specific noise and planning mitigation strategies will be determined as part of establishing precinct planning controls including the necessary assessment under Australian Standards AS2021.



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NASF Guideline I (Public Safety Areas), lists uses that are incompatible within public safety areas. These uses include storage or manufacture of flammable, explosive or noxious materials. As the public safety areas will only apply to a portion of the Enterprise Zone, hazardous industries and liquid fuel depots will be permitted within that zone, subject to a merit-based assessment.

### 3.3 Mixed Use Zone

The Mixed Use Zone will apply to areas where there is a focus on the delivery of both employment and higher density residential uses. The application of the zone will include local centres that provide for social services and art and cultural facilities and are located in areas of high amenity with access to high frequency public transport, open space, parks and waterways, pedestrian and cycle linkages and public squares. These areas will be highly connected, containing a legible street network to provide direct, safe, cool and convenient pedestrian, cycle and public transport access. The land uses in the Mixed Use Zone will contain a mix of commercial uses, including retail, such as restaurants, cafes, offices, medical and social services, and places of entertainment, along with residential (as appropriate).

The Mixed Use Zone will be applied to ensure residential land uses at the Aerotropolis are located outside the ANEC 20 contour. This restriction is one of the most important factors in protecting the future Aerotropolis community from any noise-related impacts of the Airport and to secure the 24-hour operation viability of the Airport.

The proposed SEPP will contain specific provisions to recognise the existing zoning of the Sydney Science Park within the Northern Gateway Precinct (Lots 2, 3 and 4, DP1242470, and Lot 1 DP221182) until precinct planning is completed as described in Section 7.4.

Commonwealth-owned land located at Bringelly and zoned SP2 under the Liverpool Local Environmental Plan 2008, is proposed to be zoned for mixed use purposes as the Commonwealth has agreed to enable the development of this land to help build the Western Parkland City.

### 3.4 Environment and Recreation Zone

The Environment and Recreation Zone will be applied to the Wianamatta-South Creek Precinct and other areas throughout the Aerotropolis as per the draft Land Zoning Map. The corridor created by Wianamatta-South Creek throughout the Aerotropolis is a central defining feature of the Western Parkland City. The protection of key landscape features and high value areas suitable for achieving amenity, recreation and liveability outcomes is essential to achieving the NSW Government's vision for the Western Parkland City being set on a 'Blue-Green Grid'.

The Environment and Recreation Zone will apply to all land affected by the 1:100 chance per year flood planning level. The zone will include vegetation protected under the existing Biodiversity Certification program and the Strategic Assessment program and all Cumberland Plain Conservation Plan vegetation. The zone will also apply to certain lands along Thompsons Creek, within the Aerotropolis Core Precinct, to create opportunities for amenity and recreation. Land along Thompsons Creek is proposed to be publicly acquired to establish a regional park, as mapped on the draft Land Reservation Acquisition Map.

Riparian corridors will be required to be retained and rehabilitated to support the 'Blue-Green Grid'. Precinct planning will assess the status of riparian corridors in line with Water NSW's 'Guidelines for riparian corridors on waterfront land' and make recommendations for their future rehabilitation, ownership and management.

As noted in previous sections of this Discussion Paper, parts of the Environment and Recreation Zone to be zoned for environmental conservation will include additional planning controls preventing the clearing of high quality native vegetation or land uses and other activities not considered consistent with aims of the zone.

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## 3.5 SP1 Special Activities

The SP1 Zone provides for special land activities, such as established public infrastructure not provided for in other zones and to minimise any adverse impacts of the development on surrounding lands.

The Airport and associated land under Commonwealth ownership are to be zoned SP1 Special Activities under the proposed SEPP. This will support the long-term protection of the land to facilitate the future and continued operation of an international airport in Western Sydney. While a zone is identified in relation to the Airport site and associated land under Commonwealth ownership, the airport site is subject to the planning regime contained in the *Airports Act 1996* (Cth).

## 3.6 SP2 Infrastructure Zone

The SP2 Infrastructure Zone identifies land required for infrastructure purposes, and to ensure compatible adjacent development.

The SP2 Infrastructure Zone will apply to existing classified State roads, as identified in the relevant Local Environmental Plan and include:

- The Northern Road;
- Bringelly Road;
- Elizabeth Drive; and
- Mamre Road.

Co-location of public infrastructure such as transport corridors and utilities will be encouraged to reduce impact on land requirements and efficiently utilise land acquired by Government.

## 3.7 Agribusiness Zone

The Agribusiness Zone will permit agribusiness activities within the Agribusiness Precinct of the Aerotropolis. The Agribusiness Precinct is located to the western edge of the Airport and supports the long-term retention of existing agricultural lands and the growth of new agriculture and agribusiness opportunities in the Aerotropolis and Western Parkland City. The development of agriculture and agribusiness so close to the Airport requires design controls to ensure land uses are compatible with Airport operations.

While this zone is proposed to apply to the Luddenham Village the village will not necessarily be limited to Agribusiness activities. The future vision, role and function of the village will be further explored during precinct planning.

Residential housing will be permitted in this zone outside of the ANEC/ANEF 20 and above contours.

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## 3.8 Proposed Land Use Table

### Enterprise Zone

<b>1. Objectives:</b>
<ul style="list-style-type: none"><li>• To ensure a range of uses that enable successful aerospace and defence industries.</li><li>• To manage the transition of land from non-urban uses to employment uses</li><li>• To support the development of well-planned and serviced new urban communities in accordance with the Precinct Indicative Layout Plan.</li><li>• To safeguard land used for non-urban purposes from development that could prejudice the use of the land for future commercial land use purposes.</li><li>• To encourage a precinct built around professional services, high technology, food production and processing, health and education and creative industries.</li><li>• To ensure that land which has the potential to impact environmental conservation areas is developed appropriately and enhance biodiversity outcomes for the Precinct.</li><li>• To protect the operations of the Airport, including 24-hour operations, and provide appropriate protections for the community.</li><li>• Ensure there are no sensitive land uses (such as residential, aged care, early education and childcare, educational establishments and hospital amongst other uses) located within the ANEC 20 and above contours.</li><li>• 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.</li><li>• Prevent potential conflicts between airport operations and land use/development outcomes.</li></ul>
<b>2. Permitted without consent:</b>
<ul style="list-style-type: none"><li>• Nil.</li></ul>
<b>3. Permitted with consent:</b>
<ul style="list-style-type: none"><li>• Animal boarding or training establishment</li><li>• Building identification sign</li><li>• Car park</li><li>• Centre-based child care facility</li><li>• Commercial premises</li><li>• Community facility</li><li>• Depot</li><li>• Educational Establishment</li><li>• Electricity generating works</li><li>• Emergency Services Facility</li><li>• Entertainment facility</li><li>• Environmental protection works</li><li>• Flood mitigation works</li><li>• Freight transport facility</li><li>• Function centre</li><li>• Funeral home</li><li>• Garden centre</li><li>• General industry</li><li>• Hardware and building supplies</li><li>• Hazardous industries</li></ul>

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- |  |
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| <ul style="list-style-type: none"><li>• Health services facility</li><li>• Hotel or motel accommodation</li><li>• Industrial retail outlet</li><li>• Industrial training facility</li><li>• Information and education facility</li><li>• Landscape material supplies</li><li>• Light industry</li><li>• Liquid fuel depot</li><li>• Neighbourhood shop</li><li>• Passenger transport facility</li><li>• Places of public worship</li><li>• Public administration building</li><li>• Pubs</li><li>• Recreation area</li><li>• Recreation facility (indoor)</li><li>• Recreation facility (major)</li><li>• Registered club</li><li>• Research station</li><li>• Restricted premises</li><li>• Road</li><li>• Service station</li><li>• Serviced apartment</li><li>• Sex services premises</li><li>• Signage</li><li>• Storage premises</li><li>• Telecommunications facility</li><li>• Transport depot</li><li>• Truck depot</li><li>• Vehicle body repair station</li><li>• Vehicle body repair workshop</li><li>• Vehicle sales or hire premises</li><li>• Veterinary hospital</li><li>• Warehouse or distribution centre</li><li>• Waste or resource management facility</li><li>• Water supply system</li><li>• Water treatment facility</li><li>• Wholesale supplies</li></ul> |
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<b>4. Prohibited:</b>
<ul style="list-style-type: none"><li>• Any development not specified in item 2 or 3.</li></ul>



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## Mixed Use Zone

### 1. Objectives:

- To manage the transition of land from non-urban uses to a range of urban uses.
- To encourage the development of well-planned and well-serviced new urban communities in accordance with the Precinct Indicative Layout Plan.
- To ensure a range of uses are located in a way that are consistent with the strategic planning for the Western Sydney Aerotropolis.
- To safeguard land used for non-urban purposes from development that could prejudice the use of the land for future urban purposes.
- To ensure that land adjacent to environmental conservation areas is developed in a way that enhances biodiversity outcomes for the Precinct.
- To protect the operations of the Airport, including 24-hour operations, and provide appropriate protections for the community.
- To ensure there are no sensitive land uses (such as residential, aged care, early education and childcare, educational establishments and hospitals amongst other uses) located within the ANEC 20 and above contours.
- To 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.

### 2. Permitted without consent:

- Home business
- Home occupation
- Home-based child care

### 3. Permitted with consent:

- Attached dwelling
- Backpackers' accommodation
- Boarding house
- Business identification sign
- Car park
- Commercial premises
- Community facility
- Early education and care facility
- Educational Establishment
- Electricity generating works
- Emergency Services Facility
- Entertainment facility
- Environmental facility
- Environmental protection works
- Flood mitigation work
- Function centre
- General industry
- Group home
- Health services facilities
- Home industry
- Hostel
- Hotel or motel accommodation
- Industrial training facility

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- |  |
|--|
| <ul style="list-style-type: none"><li>• Information and education facility</li><li>• Light industry</li><li>• Multi dwelling housing</li><li>• Passenger transport facility</li><li>• Places of public worship</li><li>• Public administration building</li><li>• Pubs</li><li>• Recreation areas</li><li>• Recreation facility (indoor)</li><li>• Recreation facility (major)</li><li>• Registered club</li><li>• Residential care facility</li><li>• Residential flat building</li><li>• Respite day care centre</li><li>• Road</li><li>• Semi-detached dwelling</li><li>• Service station</li><li>• Serviced apartment</li><li>• Sex services premises</li><li>• Shop top housing</li><li>• Storage premises</li><li>• Telecommunications facility</li><li>• Vehicle repair station</li><li>• Veterinary hospital</li></ul> |
|--|

<b>4. Prohibited:</b>
<ul style="list-style-type: none"><li>• Any development not specified in item 2 or 3</li></ul>

- |  |
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| <ul style="list-style-type: none"><li>• Any development not specified in item 2 or 3</li></ul> |
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## Environment and Recreation Zone

<b>1. Objectives:</b>
<ul style="list-style-type: none"><li>• To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.</li><li>• To prevent development that could destroy, damage or otherwise have an adverse effect on ecological or recreational values.</li><li>• To enable land to be used for public open space or recreational purposes.</li><li>• To provide a range of recreational settings and activities and compatible land uses.</li><li>• To ensure that development is secondary and complementary to the use of land as public open space, and enhances public use, and access to, the open space.</li><li>• To encourage, where appropriate key regional pedestrian and cycle connections.</li></ul>
<b>2. Permitted without consent:</b>
<ul style="list-style-type: none"><li>• Environmental protection works</li><li>• Flood mitigation work</li></ul>
<b>3. Permitted with consent:</b>
<ul style="list-style-type: none"><li>• Environmental facility</li><li>• Information and education facility</li><li>• Kiosk</li><li>• Recreation area</li><li>• Recreation facilities (outdoor)</li><li>• Water recreation structure</li><li>• Road</li></ul>
<b>4. Prohibited:</b>
Any other development not specified in item 2 or 3

The broad application of the Environment and Recreation Zone will permit both environmental and recreational land uses. However, land that is of high biodiversity value and intended to be preserved for environmental conservation will benefit from additional planning controls in the proposed SEPP which are intended to prevent the clearing of vegetation or broader uses and activities that are not consistent with this object. These areas will be mapped.

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## Infrastructure Zone (SP1)

<b>1. Objectives:</b>
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- |   |
|---|
| <ul style="list-style-type: none"><li>• To provide for special land uses that are not provided for in other zones.</li><li>• To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.</li></ul> |
|---|

<b>2. Permitted without consent:</b>
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- |  |
|--|
| <ul style="list-style-type: none"><li>• Nil (noting that developments on the Airport Site are subject to the Airports Act regime).</li></ul> |
|--|

<b>3. Permitted with consent:</b>
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- |   |
|---|
| <ul style="list-style-type: none"><li>• The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose (noting that developments on the Airport Site are subject to the Airports Act regime).</li></ul> |
|---|

<b>4. Prohibited:</b>
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- |   |
|---|
| <ul style="list-style-type: none"><li>• Any development not specified in item 2 or 3 (noting that developments on the Airport Site are subject to the Airports Act regime).</li></ul> |
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## Infrastructure Zone (SP2)

<b>1. Objectives:</b>
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- |  |
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| <ul style="list-style-type: none"><li>• To provide for infrastructure and related uses.</li><li>• To prevent development that is not compatible with or that may detract from the provision of infrastructure.</li></ul> |
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<b>2. Permitted without consent:</b>
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- |   |
|---|
| <ul style="list-style-type: none"><li>• Nil</li></ul> |
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<b>3. Permitted with consent:</b>
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- |   |
|---|
| <ul style="list-style-type: none"><li>• The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.</li></ul> |
|---|

<b>4. Prohibited:</b>
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- |  |
|--|
| <ul style="list-style-type: none"><li>• Any development not specified in item 2 or 3</li></ul> |
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## Agribusiness Zone

### 1. Objectives:

- To encourage sustainable and high technology Agribusiness and Agricultural production with links to food production and processing.
- To encourage diversity in Agricultural and Agribusiness enterprises and systems appropriate for the area.
- To encourage the development of integrated food and supply chain related industries.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain and enhance natural rural character, biodiversity and sustainability of the area;
- To allow for non-agricultural land uses that will not restrict the use of other land in the locality for agricultural purposes.
- To allow for the sustainable and holistic development of agritourism product and experiences.
- 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 childcare, educational establishments and hospitals 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.

### 2. Permitted without consent:

- Home occupation

### 3. Permitted with consent:

- Animal boarding or training establishment
- Business premises
- Car park
- Community facility
- Earthworks
- Educational establishment
- Eco-tourist facility
- Electricity generating works
- Environmental protection works
- Environmental facility
- Farm building
- Farm stay accommodation
- Flood mitigation work
- Food and drink premises
- Freight transport facility
- Function centre
- Garden centre
- Health services facility
- Industrial training facility

- Information and education facility
- Intensive plant agriculture
- Landscaping material supplies
- Light industry
- Market
- Places of public worship
- Plant nursery
- Recreation area
- Research station
- Roadside stall
- Rural industry
- Rural supplies
- Rural workers' dwelling
- Service station
- Telecommunications facility
- Warehouse or distribution centre
- Water recycling facility
- Water supply system

#### 4. Prohibited:

- Any development not specified in item 2 or 3

## 3.9 Additional Permitted Uses

Future precinct planning will enable the inclusion of additional permitted uses for particular precincts if required. The proposed SEPP will ensure additional uses can be included as they are identified through an amendment to the SEPP.

## 3.10 Existing use rights

Land uses within the Aerotropolis will gradually transition from rural to urban land uses envisaged in the new zones.

The EP&A Act includes protections for uses that have been established with appropriate approvals. These are known as 'existing use rights' and allow existing uses to continue to operate while preventing any further intensification of those same uses.

The proposed rezoning will not negatively affect farming operations, including extensive agricultural uses, if such uses have lawfully commenced prior to the commencement of the proposed SEPP.

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## Part 4 – Precinct specific controls

### 4.1 Wianamatta-South Creek the central spine of the Blue-Green Grid

Wianamatta-South Creek is at the heart of the Western Parkland City. Wianamatta is the original name for South Creek and comes from the Darug language meaning a creek where mothers meet. It is a significant cultural and spiritual place for the Darug people. Rapid and sustained growth in the Western Parkland City, particularly in the Growth Areas close to Wianamatta-South Creek and tributaries such as Kemps Creek, Lowes Creek and Badgerys Creek, will see the population of the Western Parkland City grow to well over 1.5 million by 2056.

The Greater Sydney Commission's *A Metropolis of Three Cities*' vision for the Wianamatta-South Creek Corridor is to transform water management, while using the creek corridor to form the spine of the Western Parkland City. This conceptualises a green corridor that will provide sites for parks, walking and cycling trails, community, leisure and cultural facilities, and ecological services including nutrient capture, urban cooling, and local habitat. To create a cool and green Western Parkland City, the Aerotropolis needs to be structured around the landscape with Wianamatta-South Creek and its tributaries acting as the defining structural element.

Areas of higher density and high-quality public spaces will be orientated towards waterways, making the most of this green infrastructure. This is important to deliver the best amenity and lifestyle for the residents of the Parkland City, challenging the traditional transit-oriented approach to development.

An integrated approach to both green and transport related infrastructure is therefore paramount to balance growth with supporting infrastructure, ensuring the Parkland City vision is realised as the region transforms over time.

**To achieve the Blue-Green Grid, the following principles for planning and development in the Aerotropolis will be identified in the proposed SEPP and accompanying precinct planning:**

- 1. Planning for the Aerotropolis will start with and be guided by the principles of Country, suitably identifying, protecting, interpreting and integrating Country considerations into the future of the Aerotropolis;**
- 2. Wianamatta-South Creek and its tributaries will be protected from urban runoff, by retaining the hydrologic characteristics of the catchment and providing water in the landscape for amenity, urban cooling, and high quality green space;**
- 3. The provision of regional parks to support the Aerotropolis will be investigated;**
- 4. Suitably sized and located farm dams will be protected to support water retention in the landscape;**
- 5. South Creek's waterway health will be protected and managed to achieve the waterway health outcomes set out in *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions*;**
- 6. Remnant vegetation, tree canopy and other areas of significant vegetation will be identified and protected, enabling planning within the Aerotropolis to be built around landscape elements;**
- 7. Ridges will be protected from inappropriate development to preserve view lines and enable provision of open space for active and passive recreation; and**
- 8. When identifying suitable land uses, particularly those in centres, development will be oriented to access and face green spaces and water, to improve amenity and liveability.**

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## 4.2 Wianamatta-South Creek Precinct Boundary and Flood Planning Levels

The proposed SEPP utilises a different boundary for the Wianamatta-South Creek Precinct to the Stage 1 Land Use and Infrastructure Implementation Plan. The new boundary no longer uses the Probable Maximum Flood line to determine the precinct, instead using the 1 in 100 chance per year flood planning level.

The proposed SEPP will define the flood planning level as the level of the 1 in 100 chance per year flood (1 in 100 Annual Exceedance Probability flood), plus 0.5 metres freeboard. Urban development on flood prone land above the flood planning level will be permitted, subject to risk-based flood-related development controls, encouraging more intensive development in areas of lower flood risk. No urban land uses, including additional dwellings, will be permitted on land below the flood planning level. Areas of the South Creek floodplain located below the 1 in 100 chance per year flood level as mapped on the draft Flood Extent Map are proposed for flood-compatible land uses and activities such as recreation and public spaces.

Alterations to flood storage capacity and flood behaviour through filling and excavation or other earthworks is not desirable. Under the proposed SEPP these types of works will not be permitted below the flood planning level and will be discouraged in other areas of the floodplain. This approach is consistent with the principles set out in the Western City District Plan (Greater Sydney Commission, March 2018, p.137).

Flood data used to prepare the draft Flood Map and to inform the proposed Environment and Recreation Zone is based on current flood data sourced from Penrith and Liverpool City Councils. Precinct planning will further investigate the flood extent across the Aerotropolis and inform the water cycle management strategy that will confirm land needed for water detention and treatment.

## 4.3 Rossmore, Kemps Creek, North Luddenham and Dwyer Road Precincts

The development of the Aerotropolis is going to occur incrementally over many years. The first stage of precinct planning for the Aerotropolis will not include planning for the Rossmore, Kemps Creek, North Luddenham and Dwyer Road precincts. The existing zoning in the applicable local environmental plans (LEPs) will still apply to these areas and inform land uses that can occur until precinct planning is undertaken. One exception is Kemps Creek where certain land identified as being below the 1:100 year flood level will be rezoned to the proposed Environment and Recreation Zone along with certain properties identified as Public Recreation – Regional under the Growth Centres SEPP.

Under the proposed SEPP, master planning provisions outlined in Part 9 of this discussion paper will not apply to these precincts until the land is rezoned under the SEPP. This approach will allow existing rural activities to continue to operate, recognising the longer-term occupation and use of this land for rural-based uses, along with its economic contribution.

Extensive agriculture as a use that is permitted without consent in these precincts creates potential risks in terms of compatibility with the Airport. Airport safeguarding approaches by Western Sydney Airport will include investigations will be undertaken to determine the application of extensive agriculture as a permissible use in these precincts.

## 4.4 Mamre Road Precinct

The Mamre Road Precinct sits within the Western Sydney Employment Area (WSEA) SEPP while also being located within the proposed Western Sydney Aerotropolis Plan area.

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A discussion paper and rezoning package proposing the rezoning of the Mamre Road Precinct to industrial has been released to ensure the release of more large floor plate industrial land in Western Sydney. Under the proposed SEPP planning controls for the precinct will remain within the WSEA SEPP.

Retention of the Mamre Road Precinct within the Western Sydney Aerotropolis Plan boundary will allow the Aerotropolis principles to be achieved and ensure quality outcomes for the Wianamatta-South Creek interface.



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## Part 5 – Proposed Maps

Maps proposed to give effect to the land use and environmental controls within the Aerotropolis as listed in Appendix 2. Detailed development controls will be inserted into the proposed SEPP upon completion of precinct planning. These maps may include (but are not limited to) a height of buildings, floor space ratios and residential densities, and are therefore not included in the following list.

## Part 6 – Relationship of the proposed SEPP to relevant statutory provisions, environmental planning instruments and strategic planning documents

Preparation of the Aerotropolis Planning Framework has included consideration to the operation of existing SEPPs and strategic planning documents.

### 6.1 SEPPs applying to the Aerotropolis

As the proposed SEPP creates new zones that are not necessarily aligned with the Standard Local Environmental Plan, certain SEPPs, such as the Infrastructure; Educational Establishments and Child Care Facilities; and Exempt and Complying Development Codes SEPP, would not automatically apply. The proposed SEPP will contain amendments to ensure relevant considerations and planning controls in these SEPPs will apply in the Aerotropolis. A list of the potential SEPPs for consideration are listed in Appendix 3.

### 6.2 Federal and State Biodiversity Legislation

Some land within the Aerotropolis is subject to the Biodiversity Certification Order made in 2007 under the State biodiversity legislation, which confers biodiversity certification on land within the South West and North West Growth Centres. The remaining land is subject to the CPCP, which will be finalised in 2020. Following confirmation of the commitments within these programs, land found to have conservation values will be zoned Environment and Recreation.

#### 6.2.1 Biodiversity Certification Order 2007

The land within the Western Sydney Aerotropolis subject to the Biodiversity Certification Order 2007 requires the ongoing protection of existing native vegetation under the Order. This scheme was given effect under the new biodiversity and land management framework, which means that the agreement and any existing obligations will continue under the *Biodiversity Conservation Act 2016*.

Biodiversity certification is an upfront assessment of an area's biodiversity values and development potential. When an area of land is biocertified, it switches off the need for a site-by-site assessment of biodiversity impacts when development applications are made under the EP&A Act, but only if they comply with any relevant biodiversity measures.

**The Biodiversity Certification Order 2007 will continue to apply to affected lands in the Western Sydney Aerotropolis through the continued application of the Growth Centres SEPP. This will be achieved in the proposed SEPP through additional planning controls that will prevent the clearing of existing native vegetation. Detailed assessments will also be undertaken as part of precinct planning to confirm the presence of existing native vegetation and ensure conservation status is granted where required to satisfy commitments made to the State Government under the program.**

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The Commonwealth Strategic Assessment Program 2012 (under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)) is also relevant to the existing biocertified lands in the Aerotropolis. The existing provisions of the Growth Centres SEPP relating to the protection of matters of national environmental significance, including Cumberland Plain Woodland, are critical to the Commonwealth's Strategic Assessment approval under the EPBC. Application of the Growth Centres SEPP to the Western Sydney Aerotropolis will continue for the purposes of retaining the Strategic Assessment approval. To ensure State commitments under the Commonwealth program are met, detailed assessments will be undertaken as part of precinct planning to confirm the presence of Cumberland Plain Woodland and ensure its continued protection within the Aerotropolis.

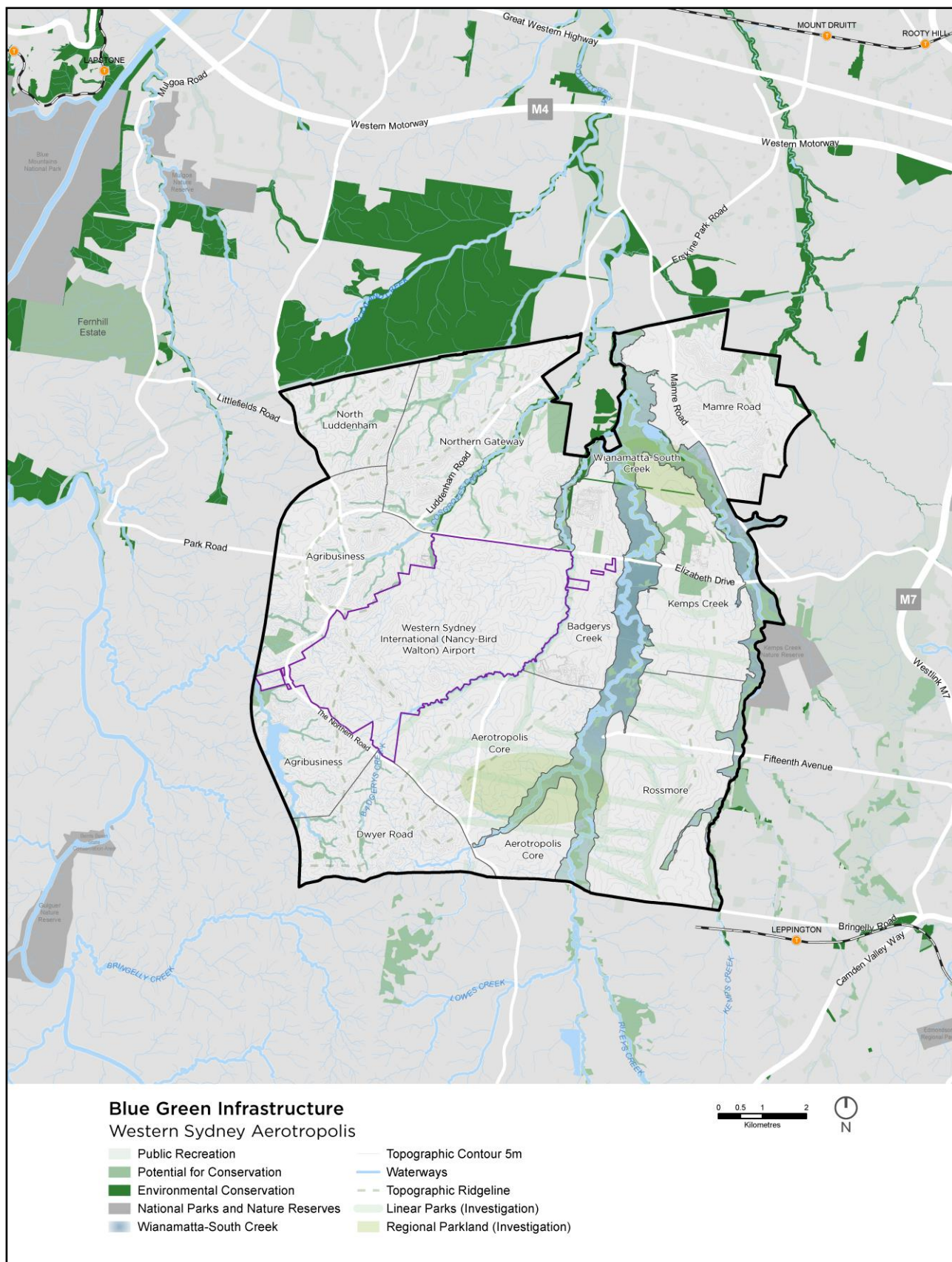
## 6.2.2 Cumberland Plain Conservation Plan

A new strategic bio-certification process is being implemented for parts of the Aerotropolis, through the preparation of the *Cumberland Plain Conservation Plan* (the CPCP), which will be finalised in 2020. The CPCP is a strategic conservation plan for Western Sydney and delivers a landscape scale approach to assessing and protecting biodiversity. Critical to the CPCP approach is the identification and avoidance of areas of high value biodiversity early in the planning process. Once areas of high value are avoided, the remaining impacts to biodiversity from future development are assessed and actions/strategies identified to minimise and mitigate impacts on threatened plants and animals. The CPCP will address impacts on biodiversity from urban growth through a regional Conservation Program that includes commitments and actions designed to improve ecological resilience and function over the long-term.

It will be a requirement of precinct planning in the Aerotropolis that urban capable footprints be consistent with the areas of certified land and avoided lands as identified by the CPCP process. Development that is allowed under the proposed SEPP will need to be consistent with the biodiversity conservation measures and commitments identified in the CPCP, including requirements to mitigate threats to biodiversity and minimise impacts to adjacent conservation lands. This will be achieved through planning controls which both seek to preserve vegetation required for environmental conservation and minimise the impacts of development in areas adjacent to lands reserved for conservation purposes.

**Areas identified through the CPCP program as avoided lands due to having conservation value are proposed to be zoned Environment and Recreation Zone under the proposed SEPP.**

**Conservation values across the Aerotropolis are mapped in Figure 2.**



**Figure 2 Green Infrastructure**

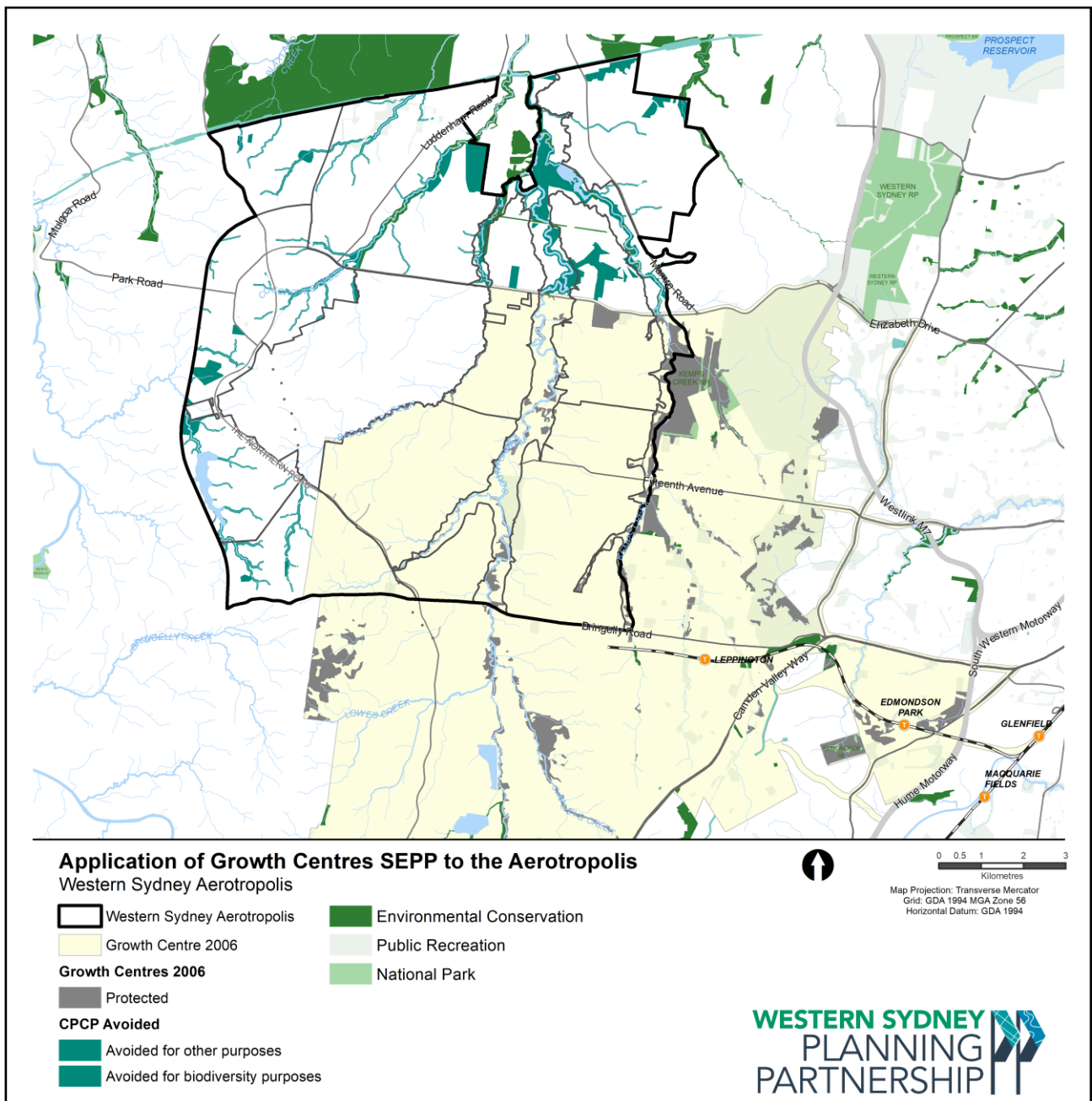


## Part 7 – Amendments to other environmental planning instruments

A range of amendments are required to the existing planning framework to enable the Western Sydney Aerotropolis SEPP to have effect.

### 7.1 Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006

It is proposed to amend the Growth Centres SEPP to clarify it will continue to apply to the Aerotropolis only for the purposes of retaining the Biodiversity Certification and Strategic Assessment programs. The land to which the Growth Centres SEPP applies is mapped in **Figure 3**, below.

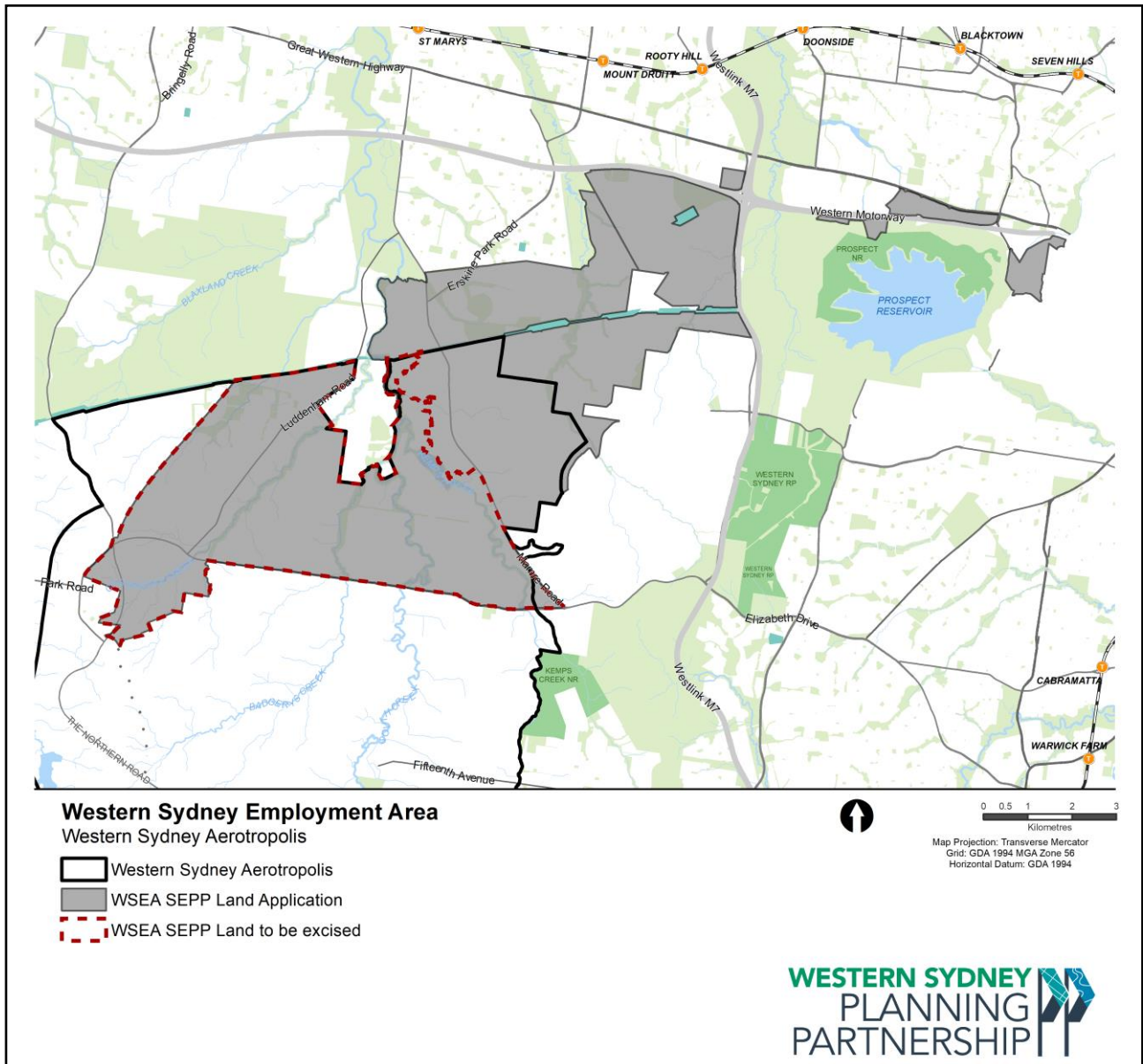


**Figure 3: Area within the Western Sydney Aerotropolis to which the Growth Centres SEPP applies**

## 7.2 Amendments to State Environmental Planning Policy (Western Sydney Employment Area) 2009

Part of the Aerotropolis lies within State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP). With the exception of the Mamre Road Precinct, an amendment to the Land Application Map under the WSEA SEPP will occur to excise the balance from the application of that SEPP. These areas are mapped in **Figure 4**, below.

Rezoning of the Mamre Road Precinct will occur under the WSEA SEPP recognising the high level of industry demand for employment and industrial land in Western Sydney.



**Figure 4: Map showing land to be removed from the WSEA SEPP and included in the Western Sydney Aerotropolis SEPP**



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## 7.3 Amendments to Liverpool Local Environmental Plan (LEP) 2008

The following changes are proposed to the Liverpool LEP 2008 to support the proposed SEPP:

- all planning controls for land within the Liverpool LGA that are within the Aerotropolis Core, Wianamatta-South Creek, Agriculture and Agribusiness and Badgerys Creek precincts are to be repealed once the precincts are rezoned; and
- existing planning controls within the Liverpool LEP will continue to apply to all land within the Rossmore and Kemps Creek precincts until these areas are rezoned.

## 7.4 Amendments to Penrith Local Environmental Plan (LEP) 2010

The following changes are proposed to the Penrith LEP 2010 to support the proposed SEPP:

- all planning controls for land within the Penrith LGA that are within the Wianamatta-South Creek, Agriculture and Agribusiness, and Badgerys Creek precincts are to be repealed once the precincts are rezoned; and
- all planning controls for land within the Penrith LGA that are within the Northern Gateway precinct are to be repealed once the precinct is rezoned, with the exception of 565-609 Luddenham Road, Luddenham (Sydney Science Park). Whilst this site is proposed to be rezoned for mixed use purposes, the existing planning controls within the *Penrith LEP 2010* and Development Control Plan will continue to apply until a precinct structure plan for the area has been prepared. Until that occurs, the underlying LEP controls will continue to apply to the Sydney Science Park.
- existing planning controls within the Penrith LEP will continue to apply to all land within the North Luddenham and Kemps Creek precincts until these areas are rezoned.

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## Part 8 – Planning Pathways

### 8.1 Precinct planning

The proposed SEPP will set up a framework for the creation of precinct plans. This will include, but not be limited to, what they should contain and who will prepare them. Once finalised and published, the proposed SEPP will also require all DAs to be consistent with approved precinct plans.

Each precinct plan will include a Precinct Structure Plan that will establish spatially through a map, the planning and land use principles to be met from development in the precinct. The proposed SEPP will be specific that development cannot occur until a Precinct Structure Plan has been completed and incorporated into the proposed SEPP.

### 8.2 Development Pathway

As part of the planning for the new Aerotropolis, a planning framework may enable development applications to be submitted prior to the completion of and/or concurrently with precinct planning. To avoid ad-hoc and out of sequence development this will be controlled through a specific provision that sets out what a consent authority must consider, for example, the Western Sydney Aerotropolis Structure Plan or alternately it may encompass mechanisms like master plans. The key focus of the proposed planning pathway controls will be to ensure that development does not occur out of sequence or until precinct planning is completed and development exhibits design excellence.

### 8.3 Development applications (DAs) submitted prior to precinct planning

The proposed SEPP will require for DAs submitted after notification of the proposed SEPP but prior to precinct planning being finalised, that the consent authority cannot grant consent unless they are satisfied of certain matters have occurred to prevent ad hoc and unplanned development. These considerations will include requirements to:

- a) consider whether the proposal:
  - i. is consistent with the Western Sydney Aerotropolis Plan published by the Department on its website;
  - ii. is incompatible with land uses in any environmental planning instrument applying (or proposed to apply) to the land, or would result in fragmentation of landholdings,
  - iii. makes provision for or with respect to infrastructure services and does not hinder the orderly and coordinated provision of infrastructure across the Aerotropolis,
- b) has the concurrence of the Secretary of the Department and relevant concurrences from State Government agencies.

### 8.4 Master plans

The proposed SEPP will include a framework to establish an optional master planning process. Under limited circumstances, landowners will be able to provide granular details of land use allocation and arrangements across a site, which if approved may lead to the use of other planning pathways, for example complying development. Their key role is to build on the level of detail shown on the Western Sydney Aerotropolis Plan, or relevant Precinct Plan.

Master plans must address any specific requirements issued by the Secretary of the Department in for a site or proposal. These requirements might set minimum site area thresholds, concurrences that must be obtained and any environmental investigations required. It will also require that the proposal align with the Western Sydney Aerotropolis Plan, including that the site has necessary

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services and infrastructure available to function. Governance arrangements will be included in the proposed SEPP confirming procedural functions and approval authority for master plans.

It is proposed that master planning will only be available for sites with a minimum site area of 100 hectares and could enable site investigations to be acknowledged prior to and concurrently with precinct planning. It could also be utilised following the completion of the precinct planning.

## 8.5 Complying and exempt development

Specific development types and activities only to be found in the Aerotropolis will be able to utilise complying and exempt development provisions if the development aligns with applicable land use zones, and the compatibility of potential development types with airport safeguarding operations. The proposed SEPP will contain the framework for complying and exempt development so that new types development can be added as part of the precinct planning process.

## 8.6 Staging and sequencing of development

Precinct plans will include a staging plan that proposes the staging and sequencing of infrastructure provision to inform the roll out of development. This will ensure that the delivery of infrastructure is aligned with growth. For example, a development proposal will be required to demonstrate that relevant regional roads required to facilitate development of a locality will be delivered in a logical and sequenced way and avoid ad-hoc proposals that result in highly fragmented patterns of development.

## Appendix 1 – List of State and local heritage items

Item	Suburb	Name	Address	Property Description	Significance
I1	Luddenham	Luddenham Road Alignment	Luddenham Road	NA	Local
I2	Badgerys Creek	McGarvie-Smith Farm	1793-1951 Elizabeth Drive	Lot 63, DP 1087838	Local
I3	Kemps Creek	The Fleurs Radio Telescope Site	885 (a) Mamre Road	Lot 21, DP 258414	Local
I4	Luddenham	Brick cottage	406 Park Road	Part Lot 2, Section A, DP 1452	Local
I5	Luddenham	Brick cottage	21-55 Campbell Street	Lot 1, DP 972057	Local
I6	Luddenham	Showground	428-452 Park Road	Part Lot 2, Section A, DP 1452	Local
I7	Luddenham	Cottage	3065-3067 The Northern Road	Lot 1, DP 930372	Local
I8	Luddenham	Weatherboard cottage	3075 The Northern Road	Lot 1, DP 304800	Local
I9	Luddenham	Luddenham Progress Hall	3091-3095 The Northern Road	Lot 7, DP 1655	Local
I10	Luddenham	Luddenham Uniting Church and Cemetery	3097-3099 The Northern Road	Lot 8, DP 1655	Local
I11	Luddenham	St James Anglican Church and Cemetery	3101-3125 The Northern Road	Lot 2, DP 529143	Local

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Item	Suburb	Name	Address	Property Description	Significance
I12	Luddenham	Luddenham Public School	The Northern Road	Lot 1, DP 194409	Local
I13	Luddenham	Willmington Reserve	17 Jamison Street	Lot 7004, DP 93052	Local
I14	Luddenham	Lawson's Inn Site (former The Thistle site)	2215 The Northern Road	Lots 3 and 7, DP 1234822	Local
I15	Bringelly	Dwelling and Rural Lot - Mount Pleasant	3 Shannon Road	Lot 44, DP 581187	Local
I16	Bringelly	Kelvin Park Group, including site landscaping, homestead, kitchen wing, servant's quarters, coach house, 2 slab barns and other works and relics (former "The Retreat", cottage vale, stables and lock-up)	30 The Retreat	Lots 2711–2714, DP 1128906	State
I17	Bringelly	Bringelly Public School Group, including schoolhouse and former headmaster's residence	1205 The Northern Road	Lot 50, DP 746911	Local
I18	Rossmore	Bellfield Farm Group, including homestead, slab kitchen, slab cottage and smoke house	33 Rossmore Avenue West	Lot 1, DP 580979	State
I19	Rossmore	Church of the Holy Innocents Group, including church and churchyard	Church Street	Lots 1-4, DP 117688	State



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## Appendix 2 - Exhibition Maps

Map Name	Purpose
Land Application Map	Identifies the land to which the proposed SEPP applies
Precinct Boundaries Map	Identifies the boundaries of all precincts
Flood Map	Identifies land affected by the 1:100-year flood extent
Land Zoning Map	Identifies land use zoning and corridor reservation requiring concurrence from Transport for NSW
Land Reservation Acquisition Map	Identifies land to be acquired for road, utility or social infrastructure purposes
Australian Noise Exposure Concept Map	Identifies areas where restrictions on development may apply
Obstacle Limitation Surface Map	Identifies areas where appropriate development controls will be required to protect airspace (noting that additional surfaces will be declared in due course)
Wildlife Map	Establishes 3km, 8km and 13km distances from airport runways to minimise wildlife airstrike incidents
Lighting	Identifies developments to be referred to Western Sydney Airport and the relevant Commonwealth Authority for comment that incorporate lighting that could cause distraction to pilots
Windshear	Identifies developments to be referred to Western Sydney Airport and the relevant Commonwealth Authority for comment that are located in the windshear assessment area
Heritage Map	Identifies existing items of local and state heritage significance

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## Appendix 3 – List of potential SEPPs to be amended to create consistent planning outcomes in the Aerotropolis

- a) State Environmental Planning Policy (Affordable Rental Housing) 2009
- b) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- c) State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- d) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- e) State Environmental Planning Policy (Concurrences) 2018
- f) State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- g) State Environmental Planning Policy (Infrastructure) 2007
- h) State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
- i) State Environmental Planning Policy (State and Regional Development) 2011
- j) State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- k) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- l) State Environmental Planning Policy (Western Sydney Employment Area) 2009
- m) State Environmental Planning Policy No 1 – Development Standards
- n) State Environmental Planning Policy No 19 – Bushland in Urban Areas
- o) State Environmental Planning Policy No 33—Hazardous and Offensive Development
- p) State Environmental Planning Policy No 44—Koala Habitat Protection
- q) State Environmental Planning Policy No 55 – Remediation of Land
- r) State Environmental Planning Policy No 64—Advertising and Signage
- s) State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
- t) State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)