



10 March 2021

Department of Planning, Industry and Environment  
Western Sydney Aerotropolis Precincts Submission  
Locked Bag 5022,  
Parramatta NSW 2124

Dear Sir / Madam,

**Re: Draft Western Sydney Aerotropolis Precinct Plan: Landowner Submission – Hy-Tec Industries Pty Limited**

R.W. Corkery & Co Pty Limited has been commissioned by Hy-Tec Industries Pty Limited (Hy-Tec) to assist with planning and preparation of a development application for development of a concrete batching facility, temporary materials storage area and resource recovery facility [REDACTED]. This submission has been prepared on behalf of Hy-Tec in response to the public exhibition of the Draft Precinct Plan for the Western Sydney Aerotropolis (the Precinct Plan). Hy-Tec is the owner of land at [REDACTED], known as [REDACTED] Elizabeth Drive, Badgerys Creek (the Hy-Tec Site). The Hy-Tec Site is located within the Badgerys Creek Precinct and is zoned for Enterprise development. Hy-Tec has commenced consultation with Penrith City Council (Council), Transport for NSW (TfNSW) and the Department of Planning, Industry and Environment (DPIE) regarding the proposed development of a concrete batching facility, temporary materials storage area and resource recovery facility at the property. It is considered that the proposed development would be permissible at this location. Planning for the proposed development requires careful consideration of the sometimes conflicting requirements for efficient operation of an industrial facility alongside aspirational preferences expressed in strategic planning by those parties regulating the approval and implementation of the development.

As a landowner with an interest in developing land and providing a product needed for the development of infrastructure (both public and private) within the Western Sydney Aerotropolis in the short, medium and long term, Hy-Tec considers it important that the requirements for development be made clear. This is including but not limited to development controls, future intentions for land use that may affect development applications now, and most importantly the timing and order of infrastructure and services needed to support development.

Our submission covers the following matters.

- Respecting Land Boundaries
- Consultation
- Road Networks
- Transitional Development and Staging for Infrastructure Development

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## Respecting Land Boundaries

Our principal concern with the Precinct Plan is the apparent disregard of lot boundaries in planning for the secondary road network. It is not clear if this was professionally designed or is considered an aspiration. However, the Hy-Tec Site of approximately 10ha is effectively split in two by a secondary road. It is assumed that this issue has been raised by others in this exhibition process as mapping was later updated with lot boundaries and added to the planning package. There are several indicators that the road network was planned without considering smaller landholders or existing land uses.

- The lot boundary for [REDACTED] clearly establishes a single 10ha land holding<sup>1</sup>.
- The road appears to provide access to the lot adjacent to the property directly to the east of the Hy-Tec Site that is zoned for Environment and Recreation. However, it should be noted that [REDACTED] this land is currently used for industrial purposes.
- The proposed division of the block is not consistent with Section 3.4.12 Amalgamation that describes general objectives to encourage amalgamation of land and discourage fragmentation.
- Further, Figure 4.4 presents an Amalgamation Plan that appears to present [REDACTED] and [REDACTED] as an amalgamation parcel. [REDACTED] is currently industrial land zoned for Environment and Recreation and therefore not likely to be an attractive acquisition for the development of employment generating land uses.

We ask that the NSW Government and associated Councils respect the rights of landowners in this matter. Private land parcels should not be split unless there is an obvious planning need. It should not occur for the development of aspirational transport corridors and connection to proposed green space. Where subdivision of land parcels is necessary, landowners should be offered appropriate consultation and/or the opportunity to reach negotiated agreements.

## Consultation

On the whole, we have found the consultation for the Precinct Plan exhibition process to be positive and helpful. We have had proactive engagement with officers from Council, DPIE and TfNSW on the proposed development of the land. That said, there exists a high level of uncertainty from officers on specific plans for implementation of the works described and the intention of planning aspirations expressed in the documents. While there is a noticeable enthusiasm from the officers involved, the uncertainties make planning for business investment difficult. For example, officers of Council were concerned that general industrial development, while beneficial now, would not suit DPIE's objective to encourage high technology development. During consultation with DPIE officers on the matter those officers involved appeared to be very supportive of general industrial development that would support infrastructure development within the Western Sydney Aerotropolis. There appears to have been a misunderstanding between planning bodies on this matter which may require broader education on the intention of planning strategies or a more integrated approach between those planning and those implementing the strategies.

## Road Networks

The orderly development of the proposed concrete batching, storage area and resource recovery facility would to some extent rely on the efficient operation of the road network. It is acknowledged

<sup>1</sup>[https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub\\_pdf/00+-+Planning+Portal+Exhibitions/WSAPP+2/Aerotropolis+Core\\_Badgerys+Creek\\_Wianamatta+precincts+-+Layout+and+Structure+Plan+with+cadastre+-+Draft+-+For+public+exhibition.jpg](https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/00+-+Planning+Portal+Exhibitions/WSAPP+2/Aerotropolis+Core_Badgerys+Creek_Wianamatta+precincts+-+Layout+and+Structure+Plan+with+cadastre+-+Draft+-+For+public+exhibition.jpg)



that development and upgrade to Elizabeth Drive is planned for the medium term. However, there is no clear indication of timing or limitations that may result from the transition from the existing condition of Elizabeth Drive, its upgrade and the (assumed) coincident development of the proposed secondary road network and its connection to the proposed key intersections (Section 3.3.1 Transport strategy and Figure 19: Aerotropolis transport strategy plan). It will be vital that access directly to Elizabeth Drive remains available for industrial and other road users until suitable alternatives are provided. TfNSW must work with landowners and operations to ensure that works are not significantly impacted by long-term work plans.

Further to this, it is noted that [REDACTED] development in the Enterprise Zone would be likely to rely on the road network and would benefit from ease of access to arterial roads. In the case of the Hy-Tec Site, the surrounding arterial connections would be the M12 Motorway and Elizabeth Drive. It is noted that Martin Road (approximately 370m east of the currently entrance to [REDACTED]) is proposed to become a key intersection and arterial connection. Hy-Tec supports any plans to develop a signalised intersection at Martins Road noting that the proposed network of industrial roads and collector roads (as presented in Section 3.3.8: Street Hierarchy and Figure 22: Street hierarchy and network plan) would reliably support land use to the north of Elizabeth Drive. It is noted that the existing round-about at the intersection of Mamre Road and Elizabeth Drive is effective in managing traffic using Elizabeth Drive and its retention, or the inclusion of roundabouts as interim measures while surrounding land uses are expanded, is encouraged.

### **Transitional Development and Staging for Infrastructure Development**

We have noted above the likely impact on developers of planning expectations that are to be realised over long time frames with regards to the progressive development of the road network and difference between the needs of the area now and into the future. As a landowner and facility operator that is intended to be present in the location for the long term, Hy-Tec is eager to understand how planning for the development may evolve over time to suit development of the Western Sydney Aerotropolis and the infrastructure and services intended for the Badgerys Creek Precinct. This is one aspect that is not clear in the Precinct Plan and the planning package in general.

Business investment requires certainty and there are two aspects that should be better explained in the Precinct Plan.

1. The progressive nature of the intended development and growth of the area.
2. The intended implementation of public infrastructure and services.

It is understood that to some extent the area will develop according to demand and market forces which may be expected to evolve over time within the broad restrictions of planning objectives and strategies. However, a simple chronological overview of known or intended development would benefit planning for development by private parties.

Hy-Tec is comfortable to consider a staged or transitional development, however this would need to be planned in consultation with relevant Government authorities and require all parties to agree on a beneficial outcome that is informed by known development stages. This seems very difficult to achieve and uncertain from the current Precinct Plan. The outcome may be that development is not as efficient or integrated as may otherwise be achieved.

While it is acknowledged that there is information available, Hy-Tec would benefit from a greater level of certainty on the following matters.

1. Timing for development of the road network including Elizabeth Drive, secondary road networks and key intersections.
2. Timing for development and the availability of services.
3. Whether the requirements or preferences of planning authorities are expected to change between present requirements and the longer term and to what extent development must satisfy these now.
4. What aspects are considered important for the longer term satisfaction of the Precinct Plan, such as landscaping and views, green space dedication in private property and vehicle access strategies.

We appreciate the opportunity to comment on the Draft Precinct Plan and look forward to [REDACTED] the relevant planning authorities on the proposed development at 1745 Elizabeth Drive, Badgerys Creek.

Yours sincerely

[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

Nick Warren  
Principal Environmental Consultant

Copy: Hy-Tec Industries