

WESTERN SYDNEY PLANNING PARTNERSHIP  
PO BOX 257  
PARRAMATTA NSW 2124

8 March 2021

JOINT SUBMISSION TO THE EXHIBITION OF  
THE DRAFT AEROTROPOLIS PRECINCT PLAN  
ON BEHALF OF THE LANDOWNERS AT

[REDACTED]  
[REDACTED]

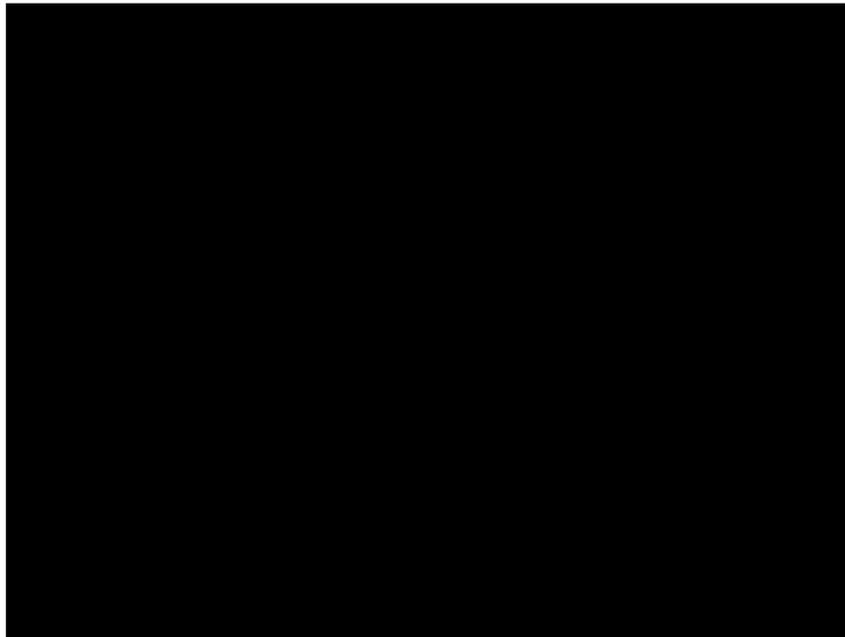
I have been engaged by the owners of [REDACTED] Badgerys Creek Road, Bringelly, to prepare a joint submission to the *Draft Aerotropolis Precinct Plan*.

The three properties (herein referred to as the 'subject site') form a parcel that aligns with the conceptual amalgamation plan, as shown in the draft *Urban Design and Landscape Plan Report* (UDLPR).

Figure 1 shows an aerial image of the subject site, and Schedule 1 shows the subject site within the context of the Aerotropolis Core.

The owners have met and discussed the draft precinct plan and will be working together to facilitate future development.

Upon discussions, the owners share the same views for consideration by the Planning Partnership Office (PPO).



*Figure 1 - Subject site*

## Objection to the proposed nature park

The owners express their unequivocal objection to the proposed nature park that occupies approximately 60% of the subject site.

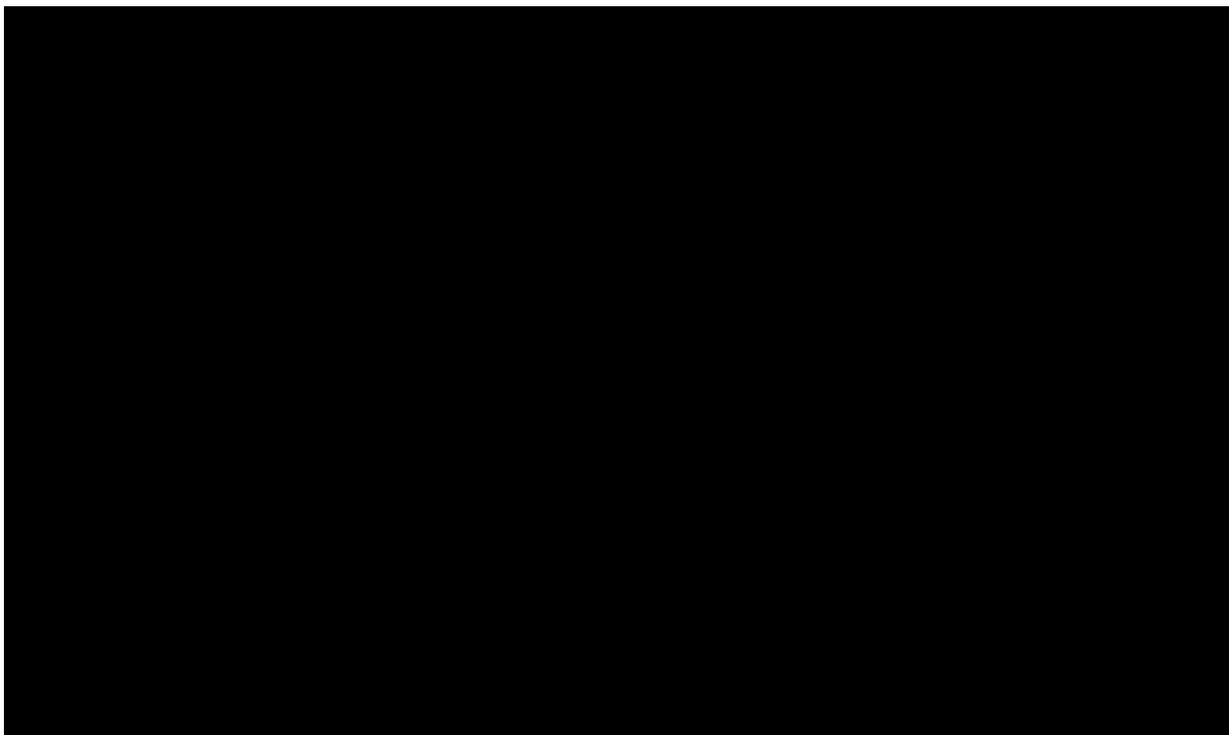
The subject site is located within the 800m metro station catchment and is one of the few significant development opportunities within walking distance of the future mass-transit node.

If the proposed nature park remains, a significant opportunity to increase residents and workers within the catchment is lost because of the proposed development constraints that will impact on the viability of development.

We believe there is already ample open space proposed on the adjoining Commonwealth land, which includes an approximate 5.5 ha Nature Park that directly adjoins the subject site.

To illustrate, Bigge Park in Liverpool, which is also close to a railway station, is an impressive 3.3 ha open space. This gives an indication that the adjacent nature park proposed on the Commonwealth land in Bringelly is more than adequate for meeting open space requirements.

Therefore, the owners request the nature park on the subject site be removed to allow for significant development opportunities and economic stimulus the site offers, which is especially important during the nation's recovery from a 1:100 year pandemic.



*Figure 1 - Nature Park as Exhibited*

*Figure 2 - Amend Nature Park per Submission*

## Objection to the proposed non-certified land

The owners strongly object to the proposed changes to biodiversity certification on the subject site to partly 'non-certified land' as exhibited in the draft biodiversity reports.

The proposed reduction of biodiversity certified land will adversely impact future development opportunities and market land value.

During the Listening Panel held on 26 February 2020 by the PPO, the Chair advised the intent was for properties to remain certified given how hard the NSW Government had to work for it.

The entire subject site is currently legislated as 'existing certified land', strategically assessed and conferred as part of the South West Growth Centres' planning.

The vegetation on the subject site has already been strategically offset through the NSW Government's \$530 million commitment to protect the environment.

Retaining the biodiversity certification will streamline the development approvals process and allow construction to commence sooner, utilising an effective planning tool to drive economic recovery after a 1:100-year pandemic.

A reversal of these commitments will hinder economic activity, job creation and ancillary developments that will support the future international airport.

'Non-certified land' will also significantly reduce the property acquisition rate for constrained land to \$80/m<sup>2</sup> according to the Council's *Draft Aerotropolis Contributions Plan 2020*, which is severely and unfairly below the current market value.

The biodiversity assessment report prepared by Eco Logical Australia (dated 14 December 2020) validated 183.7 ha of Existing Native Vegetation (ENV) within the current Environment and Recreation zone of the Aerotropolis SEPP, which is 43.48 ha short of the previous 227.18 ha of ENV identified in the *Draft Growth Centres Conservation Plan 2007*. As a result, the draft precinct plans propose to meet the shortfall by protecting other ENV on 'existing certified land'.

The proposal to have the owners of 'existing certified land' absorb the removal of ENV from current 'non-certified land' is considered incredibly unfair and unpopular.

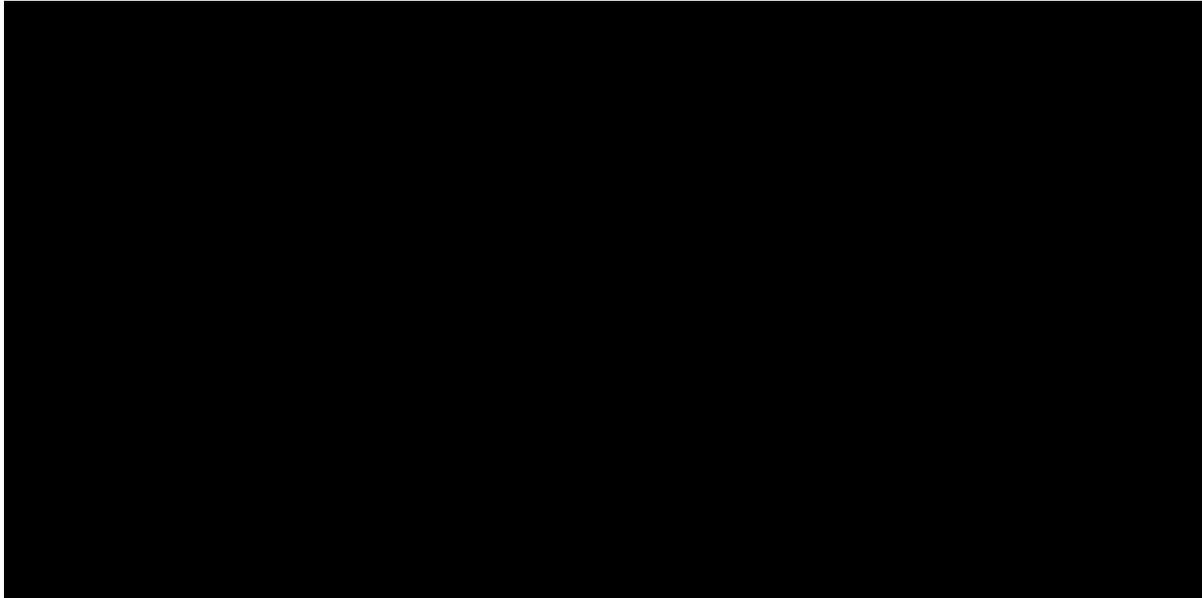
A fair and logical solution would be first utilising the Additional High Conservation Value Vegetation (AHCVV) within existing 'non-certified land' that was not counted towards the critical 227.1 ha retention target.

The biodiversity assessment report identified 81.4 ha of AHCVV that could be utilised to cover the shortfall almost twice.

To further supplement, ENV on 'existing certified land' within riparian corridors could also be considered in recognition that this vegetation would need to be irrespectively retained to satisfy the *Guidelines for riparian corridors on waterfront land* at the development stage.

Therefore, we strongly recommend the PPO, in the first instance, utilise the AHCVV on current 'non-certified land', and then ENV on 'certified land' within riparian corridors to cover the ENV shortfall.

This way, the subject site would no longer be required for meeting the critical retention target, allowing the property to retain its 'existing certified land' status in its entirety – see figures 2 and 3 for comparison.



*Figure 3 - Proposed Biodiversity Certification as Exhibited*

*Figure 4 - Amended Biodiversity Certification Mapping per Submission*

### **Objection to the proposed Environment and Recreation Zone**

In addition to the objection of the proposed nature park and non-certified land status, the owners also object to the proposed Environmental and Recreation zone (ENZ) as seen in the exhibited draft biodiversity reports.

The proposed ENZ on the subject site would no longer be necessary if the approach mentioned earlier to achieve the critical vegetation retention targets is utilised.

High Density Residential Mixed Use (HDRMU) developments under the draft UDLP would have an indicative open space (OS%) of 40% to 60% (p. 257). These open spaces would be well-connected and walkable for residents and workers, contributing to the broader multi-functional open space network.

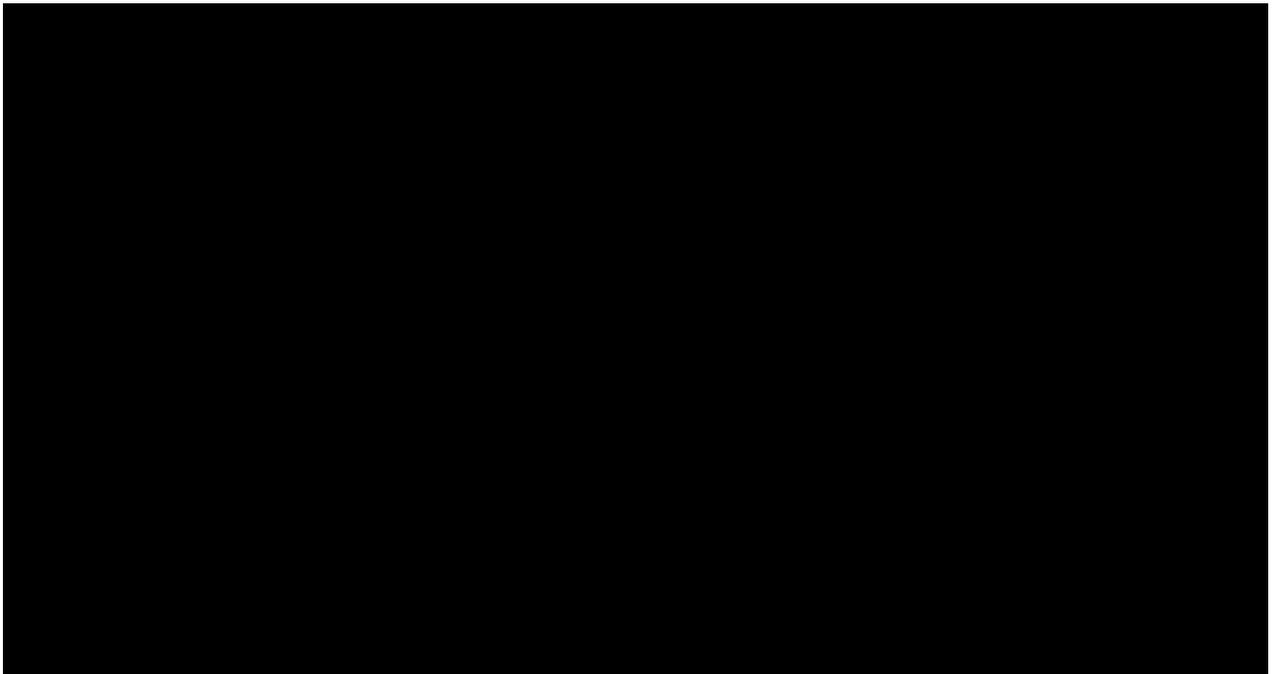
Overall, open space is adequately provided for the subject site by the indicative OS% for HDRMU developments, the adjacent nature park on Commonwealth land, two active open space areas 250m to the north and south, Thompsons Creek Regional Park and Western Sydney Parklands.

Therefore, we consider the proposed rezoning to ENZ unnecessary and would like to have it removed for the subject site.

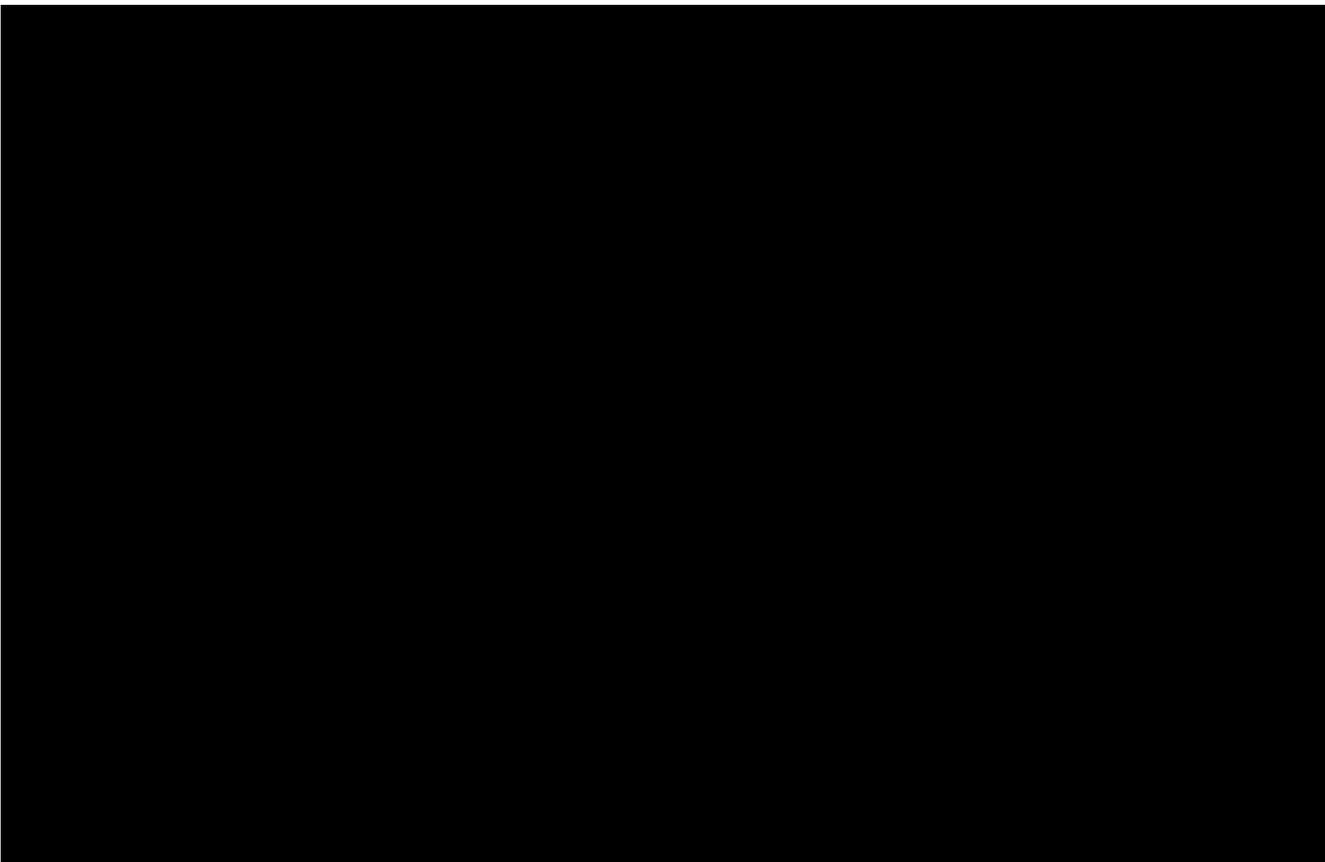
**Support to expand Mixed Use for the entire site**

The owners support the proposed Mixed Use as shown on the draft precinct plan and would like it extended over the entire subject site – see figures 5 and 6 below for comparison.

The subject site is not affected by flooding or exposure to future aircraft noise, which means the entire land is suitable for residential uses. The site is within the 800m station catchment, accommodating future residents and workers within walking distance of the future metro station and city core, which satisfies objective 3.4.4 of the *Draft Aerotropolis Precinct Plan*.



We would also like to see a rezoning of the entire subject site to Mixed Use, which will allow for consistency with the precinct plan and correspond with the relevant development control plans associated with mixed use residential and ancillary uses – see figures 7 and 8 for comparison.



In the event a rezoning is not supported by the PPO, we request to have suitable residential and ancillary uses inserted as an Additional Permitted Use (APU) for the entire subject site according to Clause 15 of the Aerotropolis SEPP.

Upon reviewing the current permissible land uses for the Mixed Use zone, we request the following APU or similar wording be inserted into Schedule 1 of the Aerotropolis SEPP:

**Use of certain land at Bringelly in Zone ENT**

- (1) This clause applies to [REDACTED] in Zone ENT Enterprise at [REDACTED] [REDACTED] Badgerys Creek Road, Bringelly.
- (2) Development for the purposes of home-based childcare, home businesses and home occupations is permitted without development consent.
- (3) Development for the purposes of attached dwellings, boarding houses, group homes, hostels, multi dwelling housing, residential flat buildings, seniors housing and shop top housing is permitted with development consent.

### Support to relocate the Transport Corridor

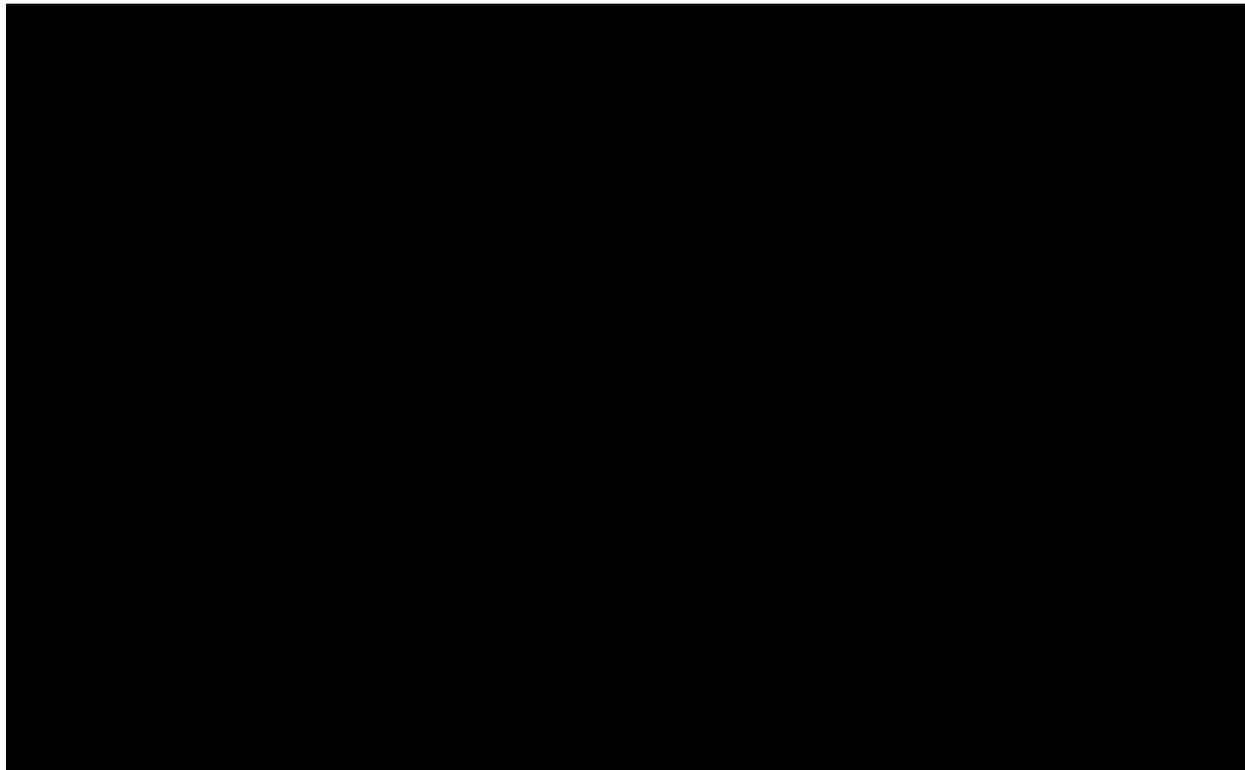
We support the proposed relocation of the transport corridor, currently affecting [REDACTED], [REDACTED] Badgerys Creek Road under the Transport Corridors Map of the Aerotropolis SEPP – see figure 9.

The draft precinct plan demonstrates the subject property is no longer affected by this corridor, based on further consultation with the relevant authorities, such as Transport for NSW – see figure 10.

The transport corridor's removal will facilitate increased pedestrian connectivity and permeability to the city core and future metro station for residents and workers.

It will also help the subject site form a parcel to coordinate future development per the conceptual amalgamation plan.

We want to remind the PPO to amend the Transport Corridor Map under the SEPP to reflect the Transport Corridor's removal from [REDACTED] Badgerys Creek Road, Bringelly.



*Figure 9 - Existing Transport Corridor, Aerotropolis SEPP*

*Figure 10 – Proposed Arterial Roads as Exhibited*

## Summary

The subject site is located within the 800m metro station catchment and has significant development opportunities to support the city core and the future international airport.

The owners request that proposed development constraints are removed to allow the subject parcel to be entirely developed for High Density Residential Mixed Use, satisfying objective 3.4.4 of the *Draft Aerotropolis Precinct Plan* – see figures 11 and 12 for comparison of the built form.

This joint submission provides the evidence the owners are working together based on the conceptual amalgamation plan to facilitate and coordinate future development, which will play an essential role in stimulating the economy from a 1:100 year pandemic.

In summary, the following amendments are requested to be considered by the PPO:

- Remove the proposed nature park and the ENZ zone affecting the subject site;
- Retain ‘existing certified land’ status for the whole subject site by:
  - Firstly, utilising potentially 81.4 ha of AHCVV that are currently on ‘non-certified land’ to meet the shortfall in ENV retention targets;
  - Secondly, using ENV within riparian corridors on ‘certified land’ to address the shortfall in recognition that this vegetation would need to be irrespectively retained as part of the waterfront land strategy at the development stage;
- Support mixed use land use for the entire subject site on the precinct plan;
- Rezone the subject site entirely Mixed Use; alternatively, include suitable residential land uses as an APU; and
- Amend the Transport Corridor Map under the Aerotropolis SEPP to reflect corridor’s removal affecting (■■■ Badgerys Creek Road ■■■).

We want to thank the PPO for their consideration of this submission.

Should the PPO require further information, please contact the undersigned.

Regards,

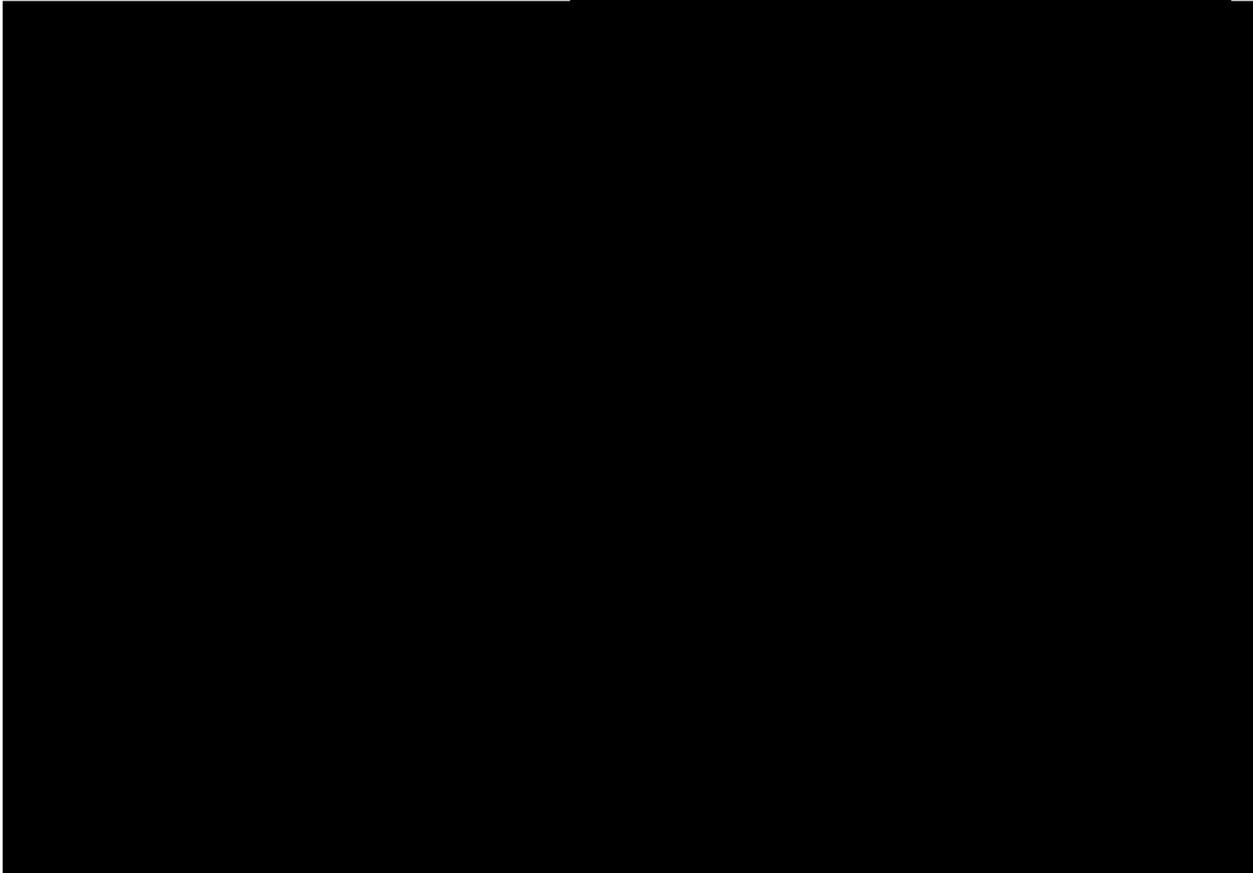
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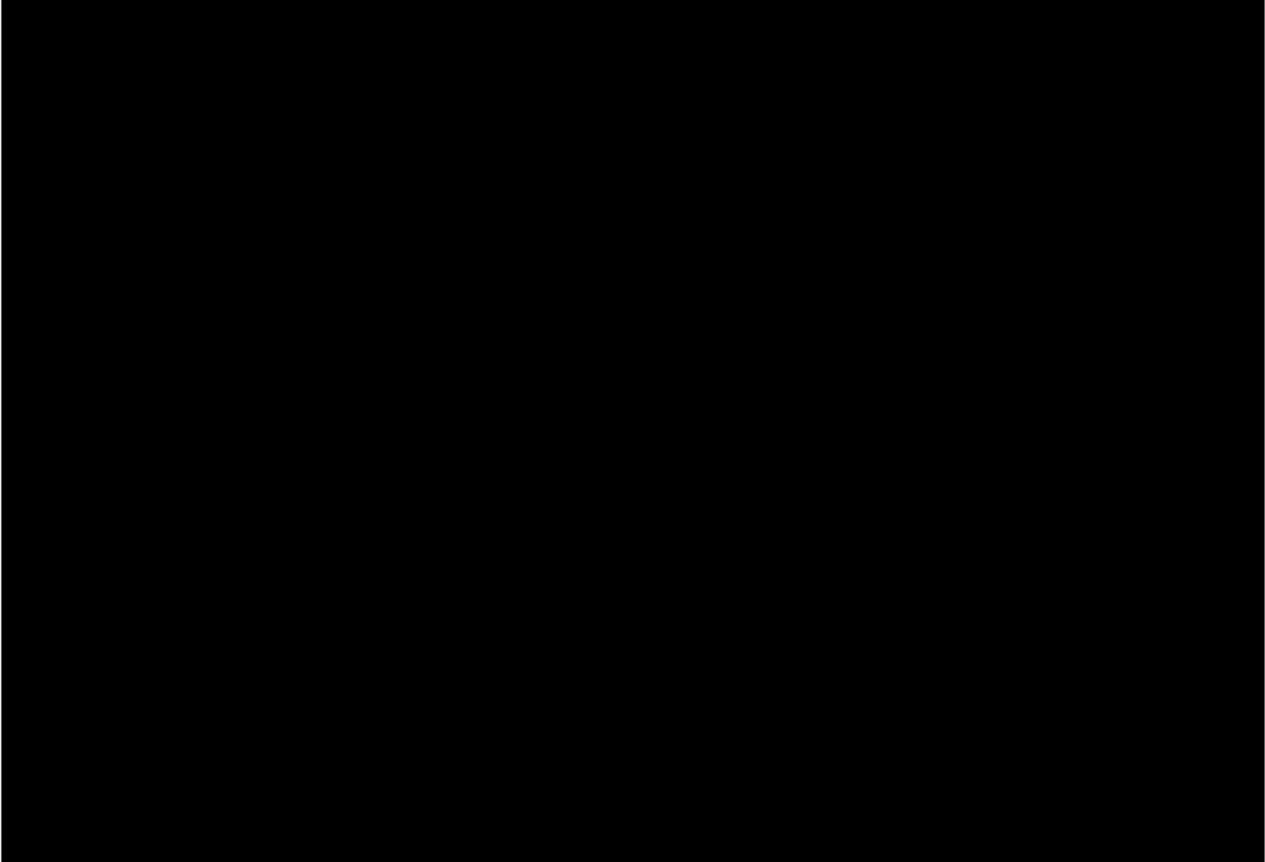
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*Figure 11 –Perspective as Exhibited*



*Figure 12 - Perspective per Submission*

