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10 March 2021

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

Submitted via https://www.planningportal.nsw.gov.au/WSAPP

Re: Western Sydney Aerotropolis Draft Precinct Plans

Western Sydney is critical to The University of Sydney (the University), having a physical presence in the region for over 80 years with significant landholdings, including the McGarvie Smith and Fleurs properties with an area of 344ha at the entry to the Western Sydney Airport.

Our significant agriculture, veterinary and environmental research and teaching at our Camden and Cobbity campus is strategically positioned for clustering of agricultural industry, technology, research and education creating the elements for a potential Agri-port.

Further, our Bringelly property (466 Ha), located in the south-west region of the Aerotropolis footprint within a few kilometres of the new Airport, provides further opportunity to realise the vision for employment and research growth for the region.

The University's landholdings immediately north of Western Sydney Airport straddle the Northern Gateway, Badgerys Creek, Wianamatta South Creek and Kemps Creek precincts. These landholdings have the potential to significantly support the delivery of the government's agenda for economic and employment growth in Western Sydney and beyond.

At the front door of the airport, this site could be used to engage with the new and evolving industries, via student placements and joint research, using our existing expertise and industry partnerships in defence, advanced manufacturing, robotics, agriculture and aerospace industries to support new jobs and economic opportunity.

Attachment A to this letter includes a detailed account of the University's fundamental concerns with the draft Precinct Plans. In summary, the University is concerned the draft Precinct Plans:

- Are too prescriptive, planning at a fine grain, detailed level without the requisite evidence base or 'ground truthing'. Further, the plans contain numerous inconsistencies in addition to the fact that the plans are inconsistent with the SEPP.
- Nominate excessive areas for the 'blue-green grid', especially designation of proposed regional park or open space areas on land zoned enterprise (ENT) without any rationale, justification or proposed acquisition schedule.
- Fail to optimise the economic and employment generating potential of land most proximate to the airport which require large, flexible site areas which will evolve over time to accommodate airport related land uses.



As the Department is aware, the University has for many years planned for the future of its Badgerys Creek lands and lodged a Planning Proposal in February 2018. When the Western Sydney Aerotropolis Plan (WSAP) was in an early draft stage, we were assured that the Planning Partnership would consider the University's detailed site investigations and proposal in the formation of the WSAP planning package. Unfortunately, this has not been the case, with engagement only at a superficial level with no adequate response ever provided to the multiple submissions it has made over the last two years.

The University has been ground truthing development options for its site since 2016 and will continue with this work under the new planning regime. The University is committed to preparing a masterplan under the new planning regime and appreciates that its concerns may be addressed via that mechanism, however, is nevertheless disappointed with the form of the draft precinct plans.

Therefore, we request the Department prepares a detailed response to this submission including an itemised account of how each of the areas of concern will be addressed prior to re-exhibiting and finalising the Precinct Plans. Furthermore, the University requests a meeting with the Department and representatives of the Western Parkland City Authority, Greater Sydney Commission and Penrith Council to work through its concerns.

The University remains committed to working with multiple authorities to optimise outcomes for the Aerotropolis.

Yours sincerely

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Greg Robinson
Chief University Infrastructure Officer



ATTACHMENT A



SUBMISSION TO THE EXHIBITION OF THE DRAFT AEROTROPOLIS PRECINCT PLAN

Prepared for The University of Sydney

By BBC Consulting Planners

Job No. 20-167C

draft Aerotropolis Precinct Plan - University of Sydney Submission.docx

March 2021

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1. INTRODUCTION

This submission responds to the exhibition of the *Draft Aerotropolis Precinct Plan Draft for Public Comment* dated November 2020 (DAPP).

The University of Sydney (the "University") is the owner of a significant land holding in Western Sydney including 344 hectares of land known as McGarvie Smith Farm in Badgerys Creek and Fleurs Farm in Kemps Creek ("the University land") (see **Figure 1**):

• McGarvie Smith Farm:

- No's 1793-1951 Elizabeth Drive, Badgerys Creek comprising Lot 63 in DP1087838 and Lot 3 in DP164242; and
- No. 1793a Elizabeth Drive, Badgerys Creek comprising Lot 62 in DP1087838;
 and

• Fleurs Farm:

- o No. 885A Mamre Road, Kemps Creek comprising:
 - Lot 21 in DP258414;
 - Lot 1 in DP88836; and
 - Lot 1 in DP74574.

Deposited plans of the University land are included in **Appendix 1**.

The University supports the metropolitan planning vision for Sydney and the Western Parkland City major catalyst provided by the new international airport at Badgerys Creek which is immediately to the south of the University land.

The University has been undertaking detailed land capability and ground truthing investigations for the University land since 2016 and intends to prepare a master plan for the University land as envisaged under the planning and approval framework proposed for the Aerotropolis.

The master plan would consider the framework and performance criteria for master plans provided by the Precinct Plan and any subsequent guidelines. Any master plan would achieve a superior outcome to the Precinct Plan and would be prepared in accordance with provisions of the Precinct Plan.

The master planning process envisaged by the DAPP for the Aerotropolis would enable concerns with the DAPP raised below to be addressed. These concerns in essence relate to the prescriptive nature of the DAPP which is not supported by necessary and detailed site investigations and analysis.

Notwithstanding the availability of alternative approval pathways envisaged under the DAPP, the University has a number of comments on the DAPP that should be addressed in the final Precinct Plan.



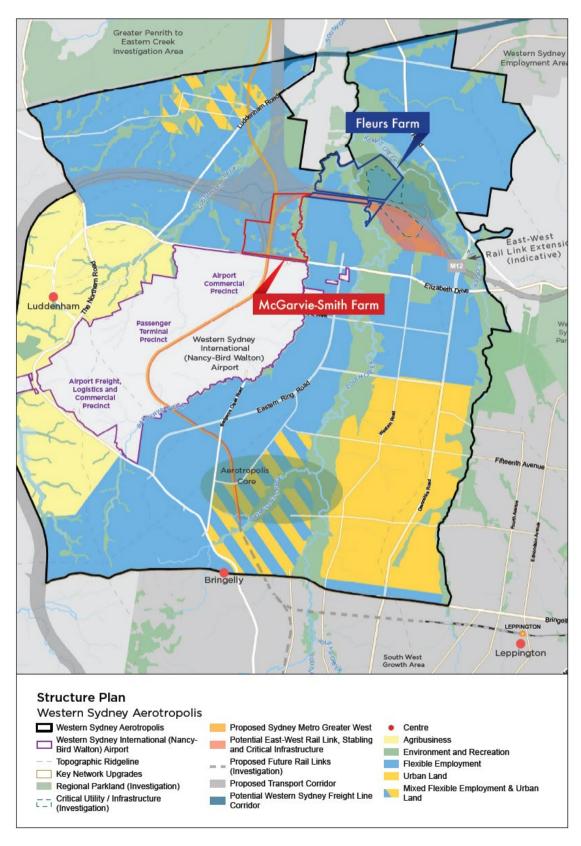


Figure 1: University Land



2. GROUNDS FOR SUBMISSION

2.1 DAPP is too prescriptive

Clause 41 of State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (SEPP WSA) says that development consent must not be granted to development on land to which a precinct plan applies unless the consent authority is satisfied that the development is consistent with the precinct plan.

The DAPP presents a detailed and prescriptive outcome for precincts in terms or local and collector road layout, land use distribution, stormwater management and block arrangements.

The level of detail or fine grain in the urban design response imbedded in the DAPP is not supported by a commensurate level of detail in site analysis and understanding of a place. The urban design reflected in the DAPP normally follows extensive and site specific assessment of local conditions. The lack of detailed knowledge of the large areas in question and the lack of detailed evidence based planning results in an urban design outcome that is ill considered and inappropriate in many instances and unnecessarily rigid and prescriptive. Inconsistencies remain resulting from precincts being planned by different consultants with inadequate consideration of precinct boundary conditions.

The focus on micro level detailed planning of streets, open space and stormwater management has come at the expense of resolving precinct wide issues and results in a situation where the urban design lacks 'ground truthing'.

This may be acceptable if the proposed detailed urban design is indicative only. However the statutory planning framework is such that significant statutory weight is given to a precinct plan that is poorly resolved and inconsistent with the SEPP WSA.

The DAPP should have a key objective of defining principles and resolving critical precinct wide challenges, and because it does not make sense to lock in fine grain planning without the requisite detailed design, there should be an express provision for the ability for alternate land use and layouts to be assessed against key principles, not rigid precinct plans.

The urban design solutions in the DAPP (particularly street layout, stormwater management and local green areas in the Enterprise Zone) should be replaced with a more enhanced WSAP Structure Plan indicating key road linkages but not to the detail of local streets. This would provide the opportunity to better achieve the objectives of the SEPP WSA and WSAP without the prescription of a local street and block layout. This is particularly so for larger lots in the one ownership.

2.2 Inconsistencies with SEPP WSA in relation to Fleurs West

Clause 40 of the SEPP WSA requires precinct plans to be consistent with the SEPP. This is not the case in a number of areas of importance to the University.

As indicated on **Figure 1**, Fleurs West is part of the University land located in the Badgerys Creek Precinct. Land above the 1 in 100 year flood level is within the Enterprise Zone under the SEPP WSA. The DAPP indicates Fleurs West north of the M12 corridor as being



conservation area (S3.2.7 and Figure 15 of DAPP). This land has no biodiversity value as indicated in S3.2.8 and Figure 16 of DAPP.

There is no basis for the designation of this land as conservation provided in the technical studies and no discussion of the need for, or reasons behind, this area being designated for conservation or open space. There is no commitment for this land to be acquired for conservation purposes.

This area must be indicated for enterprise use consistent with its zoning and reflected as such on a Precinct Plan figures.

2.3 DAPP is contrary to the orderly and economic use and development of land

The DAPP is considered to be inconsistent with the objects of the EP&A Act in that:

- It prescribes one urban design outcome that has not been fully proven and is not based on adequate site specific information or detailed site analysis.
- The urban design outcome does not represent an efficient development pattern with an
 overabundance of open space, prescriptive stormwater management systems and a
 street system and block pattern not related to a particular development form. For
 example, block sizes may be appropriate for commercial or educational uses but not
 for logistics or warehousing.
- It does not allow the urban design to evolve to facilitate and respond to the emerging and evolving nature of airport operations.

The prescription of maximum block sizes do not reflect real world examples of airport related land uses, which require large footprints and flexibility to evolve over time.

The Place-based Infrastructure Compact (PIC) indicates that the Northern Gateway has the lowest cost of accommodating new jobs of any precinct in the Aerotropolis, including the Aerotropolis Core and Mamre Road. Further, the supporting document by the Centre for International Economics (CIE) discusses the benefits of accessibility to an airport with international studies indicating a relationship between commercial values and proximity to an airport.

The DAPP needs to leverage the large, consolidated and highly accessible landholding of the University to maximise the use of the land for job creation, skills and industry. Therefore, it is recommended that technical experts in the area of airport planning undertake a peer review of the DAPP to ensure land most proximate to the airport is optimised for catalytic development.

2.4 Blue - Green Infrastructure Framework (s3.2)

The University supports the protection and rehabilitation of the major creek systems which traverse the Western Parkland City, including well-connected and appropriately located local and regional parks through the region building on the success of the Western Sydney Parklands. However, the blue-green grid has many incongruous elements, such as linear open space areas along 'interpreted' creek systems, around existing farm dams and inconsistent designation of parkland over enterprise zoned land. On the University's lands, areas are beneath the flight path in enterprise zones with no ecological or public purpose justification.



The DAPP proposes two nature parks within two of the linear sections of the open space network in the University's McGarvie Smith property, and in addition there are areas of ENZ land derived around existing farm dams.

It is understood that the configuration of these areas has been derived based on Penrith City Council's flood study, however there is an inherent flaw in artificially constraining development based on existing farm dams and the DAPP must consider flooding and water sensitive urban design based on the future enterprise land uses, not its former agricultural land use.

There should be greater flexibility in the location of WSUD basins which should not be based around farm dams because the dams:

- o are a wildlife attraction risk for the airport as identified in the DAPP;
- are not part of natural creek systems and were constructed for agricultural purposes;
- are not suitable for the post development scenario because of issues such as location and stability; and
- o are not required for flood storage.

The extent of the blue-green grid beyond the main creek systems is excessive and not justified. The DAPP and SEPP zones should be amended as follows:

- S3.2.2, requirement BG1 says Ensure urban development avoids encroachment into the 1% AEP. This should be qualified to exclude development permissible in the Environment and Recreation Zone under prevailing environmental planning instruments.
- Detention basin areas should not be identified as part of the open space network (nature parks (Fig 15, page 81). This requirement should be removed to enable the location and design of these facilities in conjunction with development. The location of detention basins should be flexible and spatial requirements not known, particularly in areas of limited catchment size.
- The Waterways, Vegetation and Riparian Corridors plan (P84) does not consider the on-ground extent and nature of biodiversity values and are not accurate and need to be corrected

2.5 Recognize Country (S3.1)

Submissions in relation to heritage are:

- RC3 (page 62 of DAPP) says to Retain existing heritage items and their significant elements. This requirement should change to say Significance of heritage items to be considered in the development process to be less prescriptive and more consistent with the WSA SEPP heritage provisions.
- Figure 8 and the Northern Gateway Precinct Urban Design Report shows a local unlisted heritage item on McGarvie Smith Farm. This would appear to be an error as there is no information on what this item is and the Heritage technical paper does not specify such an unlisted item.



2.6 Access and Movement Framework S3.3)

Submissions in relation to access and movement are:

- Figure 19 of DAPP should be amended to show intersection access to McGarvie Smith west of the M12 corridor from Elizabeth Drive as proposed in the M12 Corridor amended proposal;
- The internal road layout is considered inefficient and untested from a traffic perspective including the 4 local collector crossings of Badgerys Creek from McGarvie Smith Farm to Badgerys Creek Precinct are proposed with two of these leading directly into a significant resource recovery park with a substantial life remaining. The need for this number of crossings is questioned and has not been addressed in the traffic technical studies. The DAPP and the draft S7.11 contributions plan and SIC levy are silent on how these will be funded;
- There should be a flexibility clause allowing variations to the street pattern on larger sites in the one ownership provided external linkages are maintained.

2.7 Land use and built form (S3.4)

Submissions in relation to land use and built form are:

- The street pattern and land use plan (Figure 30) do not take advantage of available land within the Enterprise Zone resulting in inefficient land use planning. The boundaries of the business and enterprise land use should extend to the 1 in 100 year flood zone or at least to the Environment and Recreation zone boundary, should include roads and should extend to the zone boundary.
- Figure 31 dealing with height should also extend to include all zoned land.
- S3.4.5 contains a yield and density framework. This has the objective LUO2 Achieve the average employment density per hectare per precinct in the Enterprise and Agribusiness Zones and a requirement LU3 Achieve employment targeted densities per precinct, unless supported with a written justification on the type and number of direct and indirect jobs, as outlined in Table 4. The DAPP is not clear on how this would be applied on a site by site basis and this would be difficult to implement and monitor at the DA stage.
- S3.4.8, subdivision and block structure includes a requirement to *Ensure subdivision layout and block sizes generally accord with Table 6*. There should be a flexibility clause as the most efficient block size will relate to use and to market forces that can change over time in response to the emerging needs of the airport and its support network of land uses and industries. Block sizes should be flexible.
- S3.4.12, amalgamation includes requirement LU12 on page 158 as follows: Establish a landscape buffer on the western boundary of the Wianamatta-South Creek Corridor. This is not consistent with the SEPP WSA. The corridor reflects the 1 in 100 year flood line. There is no need for a buffer beyond this area. Indeed uses permitted in the Enterprise Zone should be allow in the adjoining corridor where the objectives of the Environment and Recreation Zone can be met.



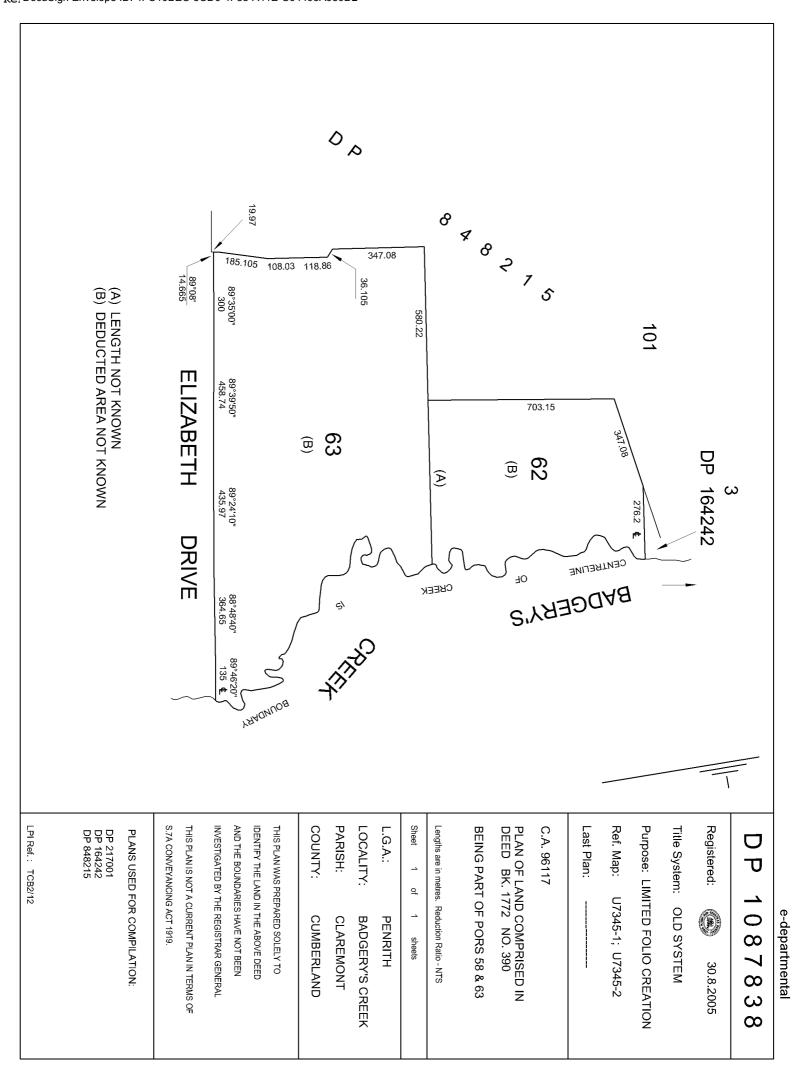
2.8 General Comments

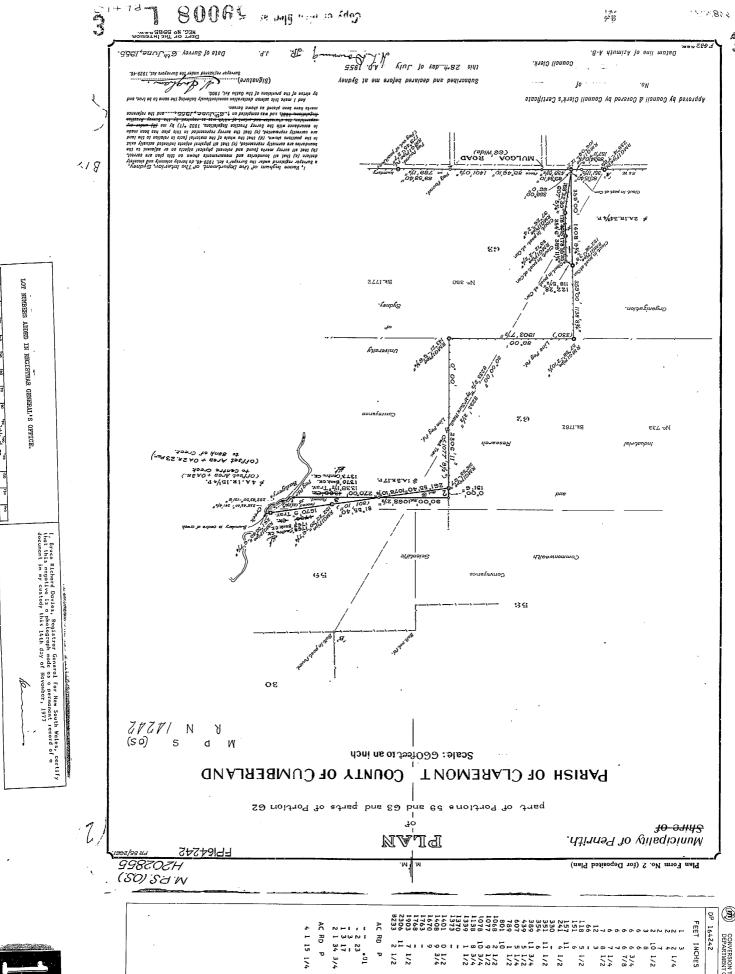
- There is a lack of clarity as to what comprises the Aerotropolis Precinct Plan which needs
 to be rectified. The role of other supporting documents such as the overview or summary
 documents (which have most of McGarvie Smith property covered by legend boxes on
 most figures) and the layout and structure plan for the Northern Gateway precinct and
 other precincts (one page) should be clearly stated.
- There are inconsistencies between the DAPP and the supporting technical studies and urban design reports. The assumption is that the DAPP takes precedence and this should be confirmed in the introductory sections of the document.
- The DAPP document contains a number of internal inconsistencies and requires an edit and review to resolve and remove inconsistencies (some of which are discussed above).
- The precinct plan needs to be written in a manner that enables consistency to be assessed.
 The objectives and requirements need to be drafted in a manner that is relevant to the consideration of a DA and can be measured or assessed at the DA level.
- Clarity is required as to whether requirements apply precinct wide or to each site (eg S3.3.2 Requirement AM1 do mode split targets apply to the precinct or each development.
- Principles Guidelines, Objectives and Requirements for subdivision and neighbourhood design should be separated from building controls that would apply on a site basis.

We thank you for the opportunity to make this submission. The Western Sydney Planning Partnership is requested to takes these matters into account in finalising the Aerotropolis Precinct Plan.



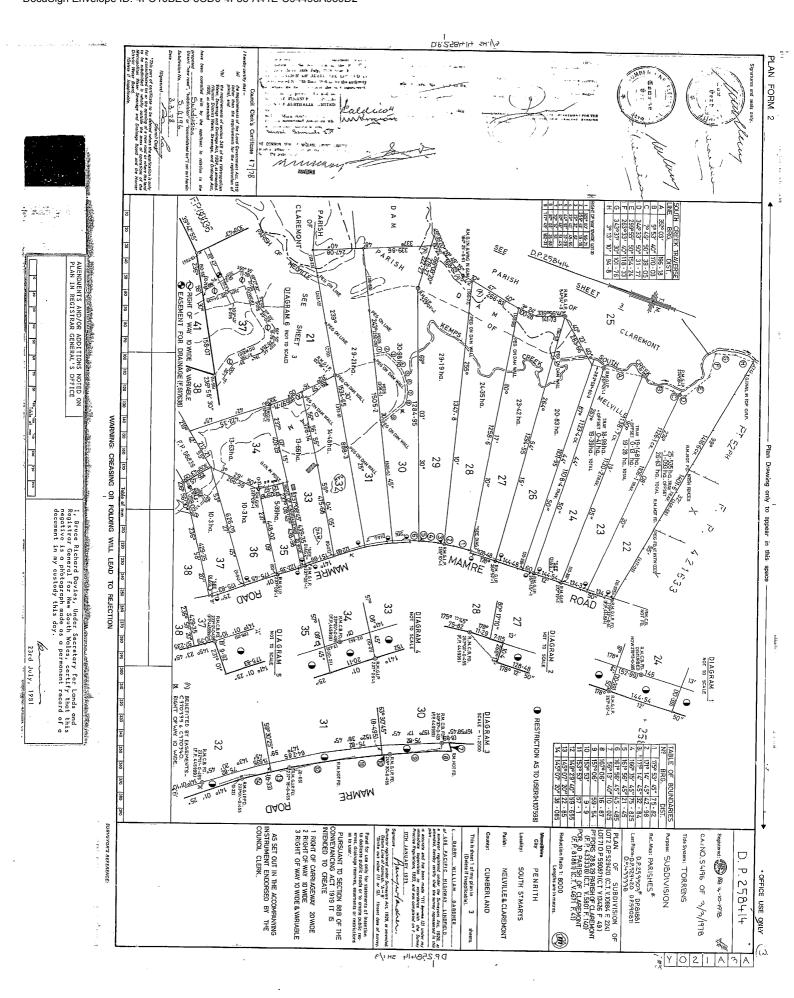
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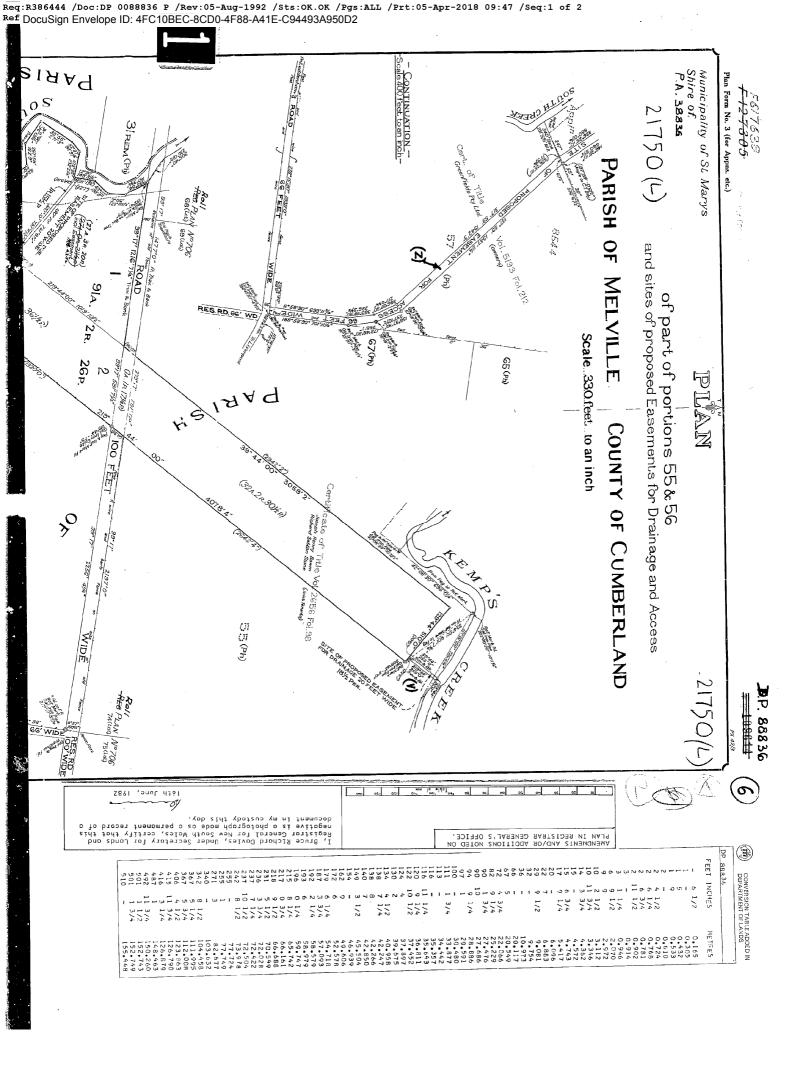


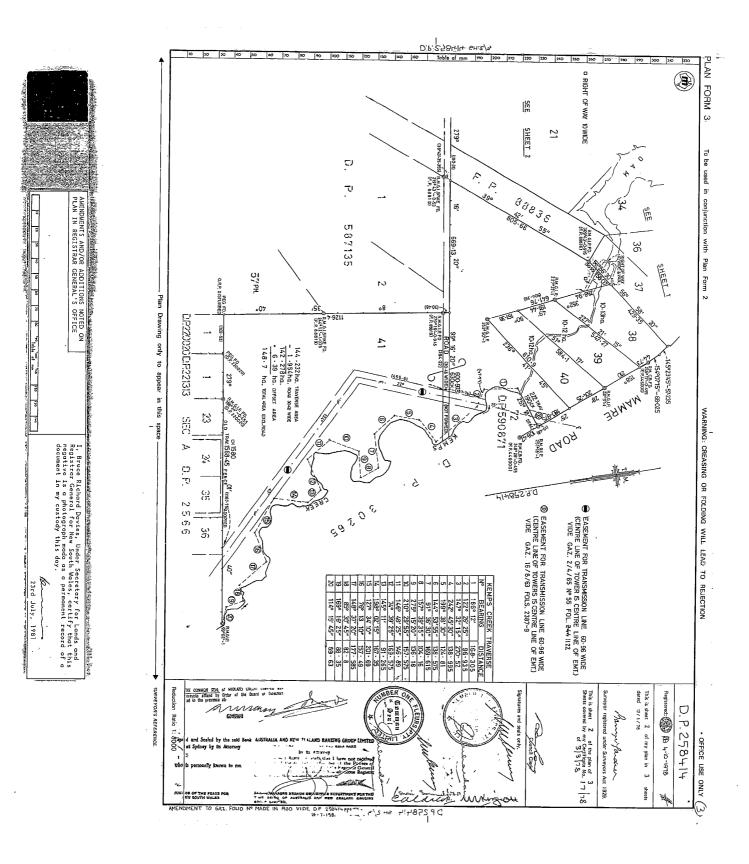


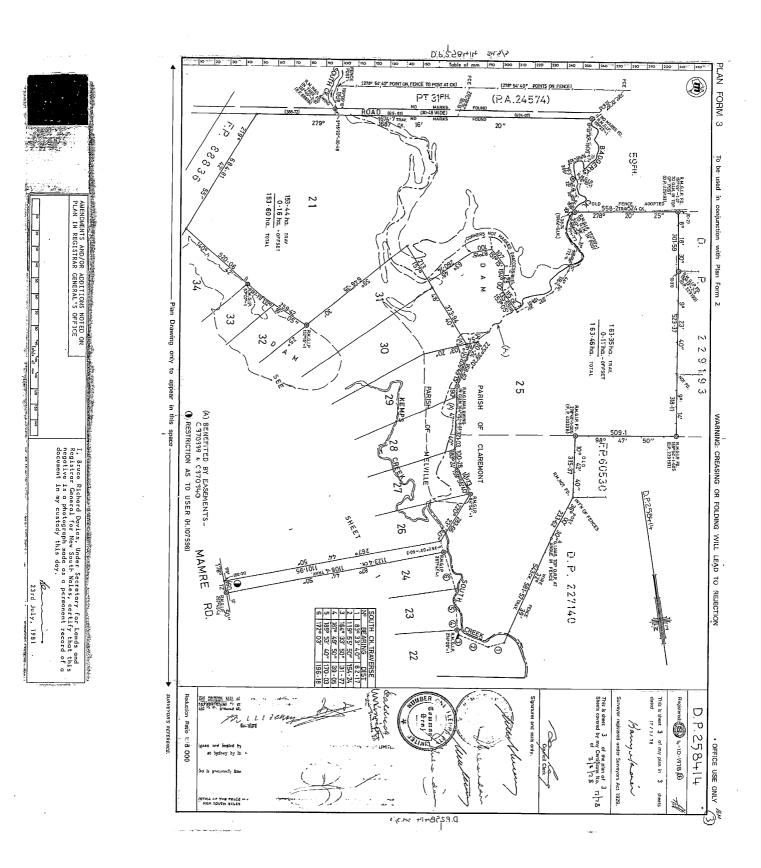
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