



Anglican Church Diocese of Sydney

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9 March 2021

Mr Jim Betts

Secretary

NSW Department of Planning, Industry and Environment

PO Box 257

Parramatta NSW 2124

Dear Mr Betts

Re: Submission on Draft Aerotropolis Precinct Plan and Special Infrastructure Contribution (SIC) plan

I am writing on behalf of the Anglican Church Property Trust Diocese of Sydney (ACPT), the registered proprietor of all parish property in the Anglican Diocese of Sydney. By way of background, the ACPT is the registered proprietor of some 1,100 separate buildings in 270 parishes across the Anglican Diocese of Sydney, which covers the Greater Sydney area, the Blue Mountains, Southern tablelands and Wollongong/Illawarra/Shoalhaven region. There are 3 ACPT landholdings within the Aerotropolis.

The ACPT has instructed Ethos Urban to prepare the **attached** submission to the Department. The submission raises a general comment and two specific comments in relation to ACPT's landholdings:

- 1) Consistent with the current approach adopted in the Western Sydney Growth Areas Special Infrastructure Contribution determination on 14 January 2011, ACPT requests that Draft Aerotropolis Precinct Plan (the "Plan") and Special Infrastructure Contribution Plan (the "SIC Plan") explicitly provides for Places of Public Worship (PoPW) to be excluded from paying a special infrastructure contributions (SIC) levy.

- 2) ACPT also seeks clarification in relation to the proposed requirement in the Draft Aerotropolis Precinct Plan to amalgamate land. Our focus is particularly on the ACPT landholding at 162 Badgerys Creek Road, Bringelly which is considered strategic to the interests of the Diocese. It is important that the Plan provides a clearer framework that allows the consent authority to consider and approve certain types of development without amalgamating lots in order to allow for the orderly delivery of social infrastructure in the Aerotropolis Core.
- 3) Notwithstanding that the St James Church, Luddenham site is owned by the ACPT, the Plan identifies the site as an 'urban park'. Accordingly, ACPT requests that the final Plan either remove the designation of the Luddenham site as an urban park or appropriately identify it as a land that will be acquired for public open space.


ACPT endorses the attached Ethos Urban submission and requests the Department to incorporate the amendments, detailed in the Ethos Urban submission, into the Aerotropolis Precinct Plan and Special Infrastructure Contribution (SIC) plan.

If you would like to discuss or seek clarification of ACPT's submission, can you please contact either:

Michael Rowe of Ethos Urban Tel: [REDACTED] Email: [REDACTED]
or

ACPT's Executive Officer, Greg Ellem Tel: [REDACTED] Email:
[REDACTED]

Yours sincerely,



Richard Neal

Chair, Anglican Church Property Trust Diocese of Sydney

cc The Hon Robert Stokes MP
 The Most Rev Dr Glenn Davies, Archbishop of Sydney
 Mr Greg Ellem, Head of Parish Property Services, ACPT
 Mr Michael Rowe, Director, Ethos Urban
 (encl)

11 March 2021

2200126

Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
PO Box 257
Parramatta NSW 2124

Dear Mr Betts,

SUBMISSION ON THE DRAFT AEROTROPOLIS PRECINCT PLAN AND SPECIAL INFRASTRUCTURE CONTRIBUTION (SIC) PLAN

We are writing on behalf of the Anglican Church Property Trust Diocese of Sydney (ACPT) in relation to its landholdings within the Western Sydney Aerotropolis which will be affected by the Aerotropolis Precinct Plan (APP) and Special Infrastructure Contribution (SIC) Plan.


Summary of Key Points

- The Aerotropolis SIC Report does not specifically exempt Places of Public Worship. Given they are a type of social infrastructure, we request that consistent with the current approach adopted in the Western Sydney Growth Areas SIC, Places of Public worship be explicitly excluded from having to pay a SIC.
- ACPT is concerned with the requirements in the APP to amalgamate land. In addition to clarifying the relationship of LU6 and LU7 which are internally inconsistent, we believe it is important that the Plan provide a clearer framework that allows the consent authority to consider and approve certain types of development without amalgamating lots in order to allow for the orderly delivery of social infrastructure in the Aerotropolis Core.
- St James Luddenham has been identified as an 'urban park' despite being privately owned property. The final APP should either remove the designation of the Luddenham site as an urban park or appropriately identify it as a land that will be acquired for public open space.

1.0 ACPT Landholdings and Intentions

Places of public worship are a key component of the creation of 'great places' in Sydney and, around the world. St Andrews Cathedral in Sydney and St Johns Cathedral in Parramatta are the centre pieces of the civic fabric of our Eastern and Central Cities, and have had a significant role in shaping the social and cultural identity of those cities. More recently, the delivery of New Life Church in Oran Park town is widely recognised as being a contributing factor for the social cohesion and success of Oran Park town.

For the purpose of this submission, the following sites owned by the ACPT will be referenced (see **Figure 1**):

-  **Badgerys Creek Road, Bringelly:** The site is approximately 3.5 ha and contains a residence and cleared land.

The land was acquired in 2017 with the specific purpose of building a new church to service the future community that will live and work within the Aerotropolis. Approximately 1 ha is required for the future church with the remainder being surplus land that will be necessary to support funding of the construction of the church facilities and also the potential provision of compatible land uses to provide income and to connect with the local community.

- **St James Luddenham, 3101-3125 The Northern Road, Luddenham.** The site is approximately 4 ha and comprises a locally listed church, cemetery and bushland area.

The APP identifies the site as being an urban park as part of the Luddenham open space framework.

It is noted that the ACPT also own Holy Innocent's Rossmore at 120 Rossmore Avenue West, Rossmore which is affected by the Draft SIC but is not addressed the APP Report.

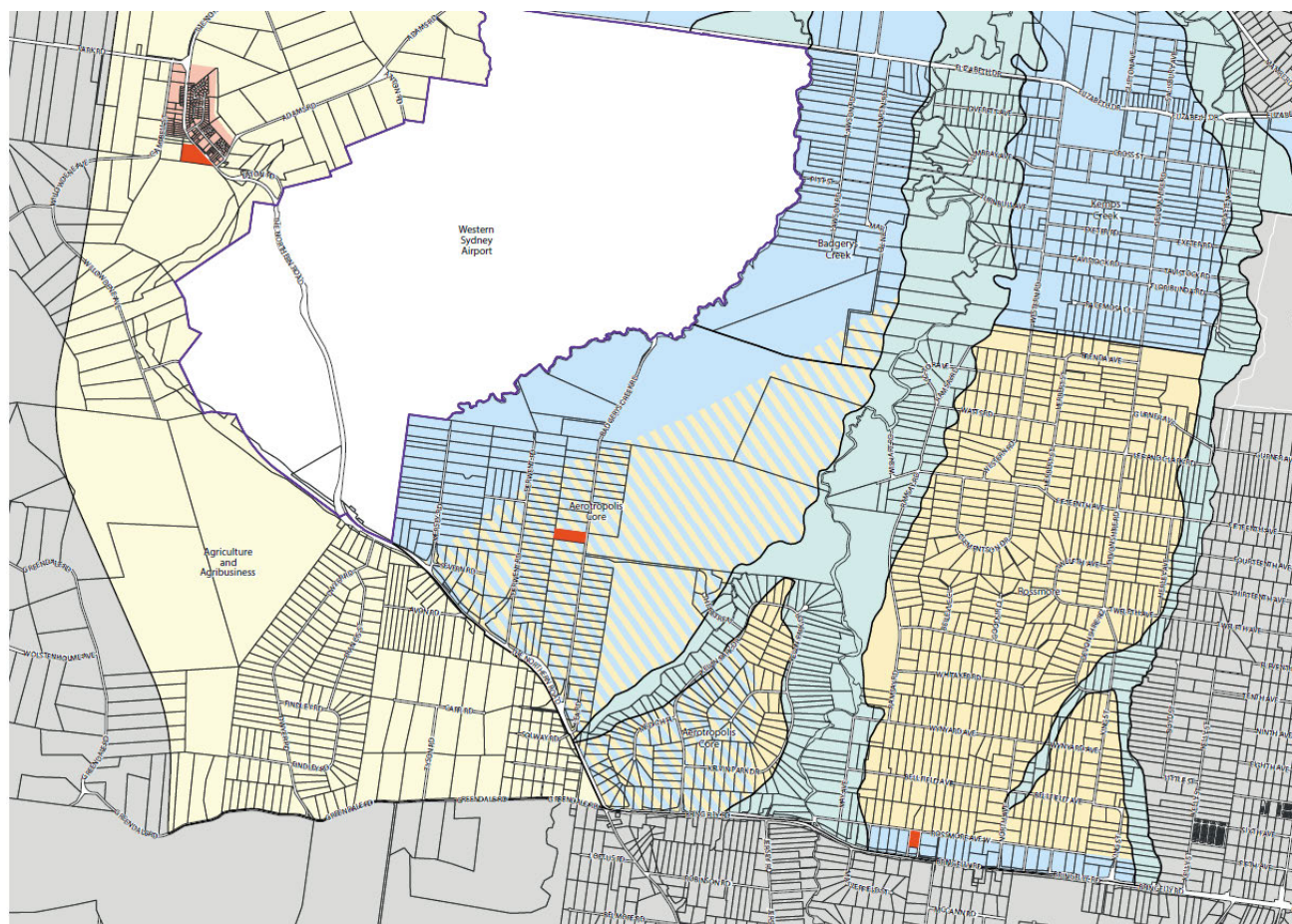


Figure 1 The Stage 1 LUIP with ACPT land shown in red

2.0 Special Infrastructure Contributions

In addition to their role in creating great places, places of public worship are a form of social infrastructure and are directly involved in the spiritual and mental wellbeing of their communities as well as regularly being involved in caring for physical needs their communities at no cost to the NSW Government.

The value of Places of Public Worship to the community is currently recognised in the Western Sydney Growth Areas SIC, which explicitly excludes Places of Public Worship as a form of exempt development. Their exemption reflects the fact that they:

- provide a form of social and cultural infrastructure that contributes to the well-being of society and provide services that reduce the burden on Government;
- do not generate any demands on other social infrastructure;
- are typically attended by people who live in the surrounding areas who have already paid development contributions as part of purchasing or renting housing;

- typically generate traffic impacts on Sundays, outside of peak times; and
- are funded by the generosity of donations from their members.

The 'Planning for Western Sydney Aerotropolis: Proposed Special Infrastructure Contribution' Report identifies who will be required to pay the SIC, stating that it "includes, but is not limited to, educational facilities, public housing, seniors housing or affordable housing carried out by or on behalf of a social housing provider."

Whilst the Report states that the above list 'is not limited to' those uses, in its current form the SIC is ambiguous and we would request that consistent with the current Western Sydney Growth Areas SIC, Places of Public worship be explicitly excluded from having to pay the SIC.

3.0 Site Specific Comments

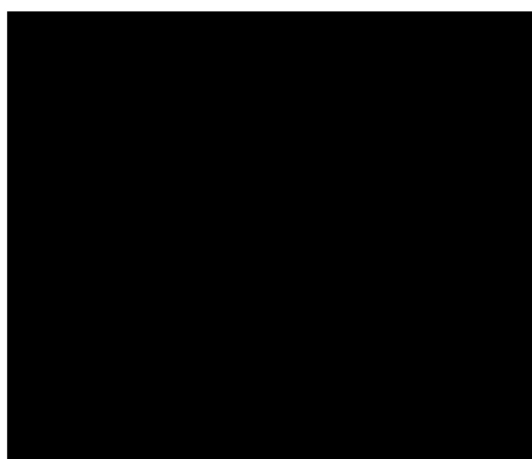
3.1 ■ Badgerys Creek Road

ACPT generally supports the APP. However, it does have specific concerns in relation to the requirements in the APP to amalgamate land.

As currently drafted Requirements LU6 and LU7 (replicated below) are internally inconsistent as LU6 implies amalgamation is required for the areas shown in Figure 44 (see **Figure 2**) which includes the site, whereas LU7 indicates that for the land west of Badgerys Creek Road, which also includes the site, it is only 'encouraged'. We assume that LU6 is only intended to apply to mixed use development given the potential impact strata subdivision has on the future delivery of the plan, and LU7 is intended to apply to the enterprise area where greater flexibility is appropriate for employment uses.

LU6 *Amalgamation of land is required to a minimum of 5ha in areas shown on Figure 44 (see **Figure 2**) (and conceptually described in Figures 45 and 46), to support the development of efficient mixed use development.*

LU7 *Amalgamation of land is encouraged to a minimum of 5ha directly to the west of Badgerys Creek Road in order to achieve a consistent and feasible employment land development on the major arterial road, in areas shown on the Figure 44 (see **Figure 2**).*



Amalgamation Plan
Western Sydney Aerotropolis





-  Conceptual amalgamation parcels
-  Sub precincts where coordinated urban design outcomes is required for roads and open space
-  Major Roads requiring coordinated development
-  Open space requiring coordinated development

Figure 44: Amalgamation Plan within the Aerotropolis Core and Badgerys Creek

Figure 2 Extract of Figure 44 with the site circled in red*Source: Western Sydney Aerotropolis Precinct Plan*

ACPT understands the intent behind the above requirements in order to promote the orderly development of the centre and prevent isolation of sites, however, we believe it is important for the APP to provide an appropriate level of flexibility to enable early forms of development to occur that does not preclude the delivery of the APP.

For example, it is possible that a short-term church in the form of movable buildings is constructed on the site during the first years of the Aerotropolis coming online. This will enable a community to start meeting on site in-line with the new population moving into the area. However, once a community is established the movable buildings are likely to be replaced with a permanent church building, which may also be integrated with other community purposes or employment uses that financially support those community uses.

As the primary objective of the site for the ACPT is to accommodate a future place of public worship, and only 1 ha is required for that purpose, requiring ACPT to amalgamate with other landowners to achieve 5 ha is likely to unnecessarily prevent the orderly delivery of, as well as increase the cost of delivery of, this important piece of social infrastructure. Failure to enable these pieces of infrastructure to get established within the community from the outset is likely to impact on the long-term success of the aerotropolis.

In addition to clarifying the relationship of LU6 and LU7 we believe it is important that the Plan provide a clearer framework that allows the consent authority to consider and approve development, such as that being contemplated by the ACPT, to occur without amalgamating lots. Requiring or encouraging amalgamation without clearly identifying a framework to consider when it may not be required is likely to result in confusion and issues for all stakeholders during the implementation of the APP.

3.2 St James Luddenham

The Open Space Network Plan identifies the St James Luddenham site as being an 'urban park', which is also reflected in the Luddenham Village Plan (see **Figure 3**). Whilst the site does include a large area of vegetation in addition to the heritage listed church building and cemetery, this land is the ACPT's private property and not public open space.

ACPT does not object to the principle of the vegetated land becoming a public park in the future to support Luddenham Village, however in order for this to occur, the land not occupied by the church, must be acquired by the NSW Government / Council for the purposes of public open space. To not do so would reward landholders who have previously cleared land and penalise the ACPT, as the only land holder to retain what has now become remnant vegetation.

Notwithstanding our previous submissions requesting consideration of the potential of the Luddenham site, the lack of development potential under the Aerotropolis SEPP and APP means there is no incentive for the ACPT to dedicate this land for a public purpose.

Given the purpose of the APP and SIC is to provide a coordinated approach to development and infrastructure planning, it is critical that if the ACPT's property is going to be used for the purposes of public open space to support the future development occurring elsewhere in the APP, those developments' SIC or s7.11 contributions are also used to fairly acquire the open space from the ACPT.

Accordingly, we request that the final APP either remove the designation of the Luddenham site as an urban park or appropriately identify it as a land that will be acquired for public open space.

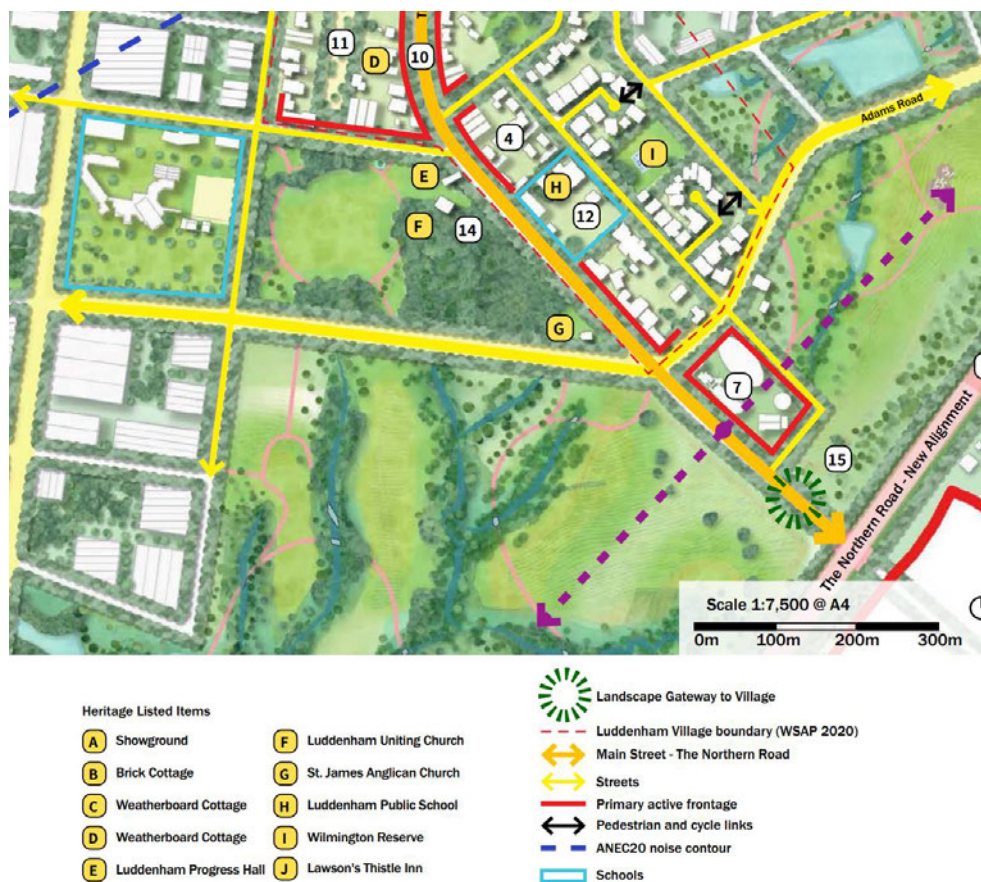


Figure 3 Luddenham Village Plan

Source: Western Sydney Aerotropolis Precinct Plan

ACPT would like to thank the Western Sydney Planning Partnership for providing the opportunity to make a submission on the APP and it would welcome any opportunities to have a role in the next stage of more detailed planning. Should you have any further queries please do not hesitate to contact myself, or Scott Lincoln (Manager Parish Property, ACPT) on 0450 007 079.

Yours sincerely,

Michael Rowe
Director