

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Thursday, 11 March 2021 8:08 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Draft Precinct Plans
Attachments: andrei-precinct-plan-submission.pdf

Submitted on Thu, 11/03/2021 - 20:07

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Andrei

Last name

Stepanov

I would like my submission to remain confidential

No

Info

Email

Suburb/Town & Postcode

Bringelly

Submission file

[andrei-precinct-plan-submission.pdf](#)

Submission

Mr. A Stepanov. I am writing to express my concerns about the treatment of the residents in the Western Sydney Aerotropolis area. We have been blatantly disregarded from the Department of Planning and Planning Partnership. This issue has not progressed since 2018 from Brett Whitworth and Catherine Van Laeren originally labelling us non-urban rendering us as worthless.

The lack of transparency and uncertainty about our land is appalling. The department have never answered our questions and instead direct us to make a submission. Following all these submissions are questions are still left unanswered. Your department should also revise the previous submissions from the stage 1 LUIP and the SEPP as the issues have not changed.

Over 600 submission were lodged by the Community at Stage 1 and close to 700 submission lodged for stage 2. The submissions have not been considered and at each stage we the residents keep on repeating ourselves. What is more concerning is the current precinct plan is a reflection of the exact opposite of majority of the earlier submissions. It seems like it is just another tick the box exercise for the department to obtain approval.

These submissions are publicly exhibited and the current precinct plan has completely disregarded our concerns. Prior to these plans the land surrounding the airport was zoned as RU4 and at the stroke of a pen it is now Environmental and Recreational zone. I cannot fathom how the department of Planning can justify making our properties unusable for decades to come. The land

was never regarded as environmentally significant which is evident in the 2008 Liverpool Local Environmental Plan and embedded in legislation. If the land was never regarded as environmentally significant (with evidence is the 2008 Local Environmental Plan) how can it become an environmental and recreational zone overnight? The government doesn't want to acquire it and the developers do not want to purchase the land. This has been strategically zoned by your department and there is evidence of this in the ICAC investigation of Gladys Berejiklian and Darryl McGuire.

There are so many people out here that need to sell for whatever reason be that divorce, health reasons and retirement. We have been stripped of our property rights without any compensation. We are unable to seek hardship under the Just Terms Compensation Act. Why is it that road and rail corridors can apply for compensation on hardship grounds and green corridors and green space are not treated equally? This land is regarded as recreational and therefore it is public purpose, so why are we not being acquired. This needs to be dealt with promptly and taken seriously as it is affecting many residents mental health.

Furthermore the area surrounding the airport should not be zoned as Environmental and Recreational. Bird and bat strike is a serious risk to aviation and human safety. The Australian Aviation guidelines outline that areas surrounding airports need to minimise the risk of bird and bat strike. The department's plan of planting millions of trees and retaining water is inconsistent with these guidelines. It is obvious that increasing green space and waterways the amount of birds breeding and living in the area will exponentially increase. The current precinct plan states that they would be having wildlife exclusion zone without outlining measures to be taken. How will they be able to control where birds fly and control the level of the population in this area? It is absolutely ridiculous.

Why did the Department of Planning & Environment & Planning Partnership engage Avisure to do a Western Sydney Aerotropolis Draft Wildlife Management Assessment Report and inform Avisure what visions were "not negotiable" in enabling the vision for the Parkland City to be achieved? Safety should always be put first, it would seem a landscape led approach with planning cannot be compatible with safe operations of 24hr airport that meets Government standards or legislation. The Avisure report suggests that the precinct planning conflicts with airport operation and it is a safety risk to aircraft having so much greenspace in close proximity.

Government land has been zoned to achieve the highest use, surrounding residents have been classified as parks to offset the use even when the land is fully developable. Will there be compensation for the lower order use? If not, there is no incentive to amalgamate and development will be slowed or stopped. Prior to October 2020 our land was zoned RU4 and our land including 1 in 100 land was perfectly developable land and now it is zoned as Environmental and Recreation Zone it should be treated the same. The land should be acquired at the developable rate as it was always developable land.

Current exhibited precinct plans are inconsistent, and in its current form will clearly benefit major developers and cripple land owners saddled with enormous tracts of green space unnecessarily. There doesn't seem to be any acceptable plan or strategy on how the excessive green space within the initial precinct land release will be transferred from Private Ownership to Public purpose and within what time frame. We keep being told, "at this stage the only land identified for acquisition is Thompson's Creek" Liverpool City Council has also acknowledged the excessive amount of green space and has no idea when Council will be in a position to be able to afford to acquire any green space! This is not acceptable and deprives land owners from their basic right to freedom to move on with life.

The subject landowners' human rights are being breached by NSW Government.
How So? The Universal Declaration of Human Rights ("UDHR") provides:
Article 17

- 1) Everyone has the right to own property alone as well as in association with others.
- 2) No one shall be arbitrarily deprived of his property."

The injurious affection caused by imposition of recreation and environmental zoning, which impairs landowners' ability to use their land held under freehold title (or indeed leasehold title) is a deprivation of property rights in breach of Art.17 (2)

If all these issues are not resolved I am sure there will be years of litigation and investigations to come. My recommendation is that the government remove the excessive green space or substantially reduce it (for the reasons described above). If you cannot afford to acquire it don't zone it green. Zonings should not force down land values and the land owner must not leave his/her property with an end result of less than what the property was worth at a RU4 rate.

I agree to the above statement
Yes

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