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**To:** [PPO Engagement](#)  
**Cc:** [planning.exhibitions@planning.nsw.gov.au](mailto:planning.exhibitions@planning.nsw.gov.au)  
**Subject:** Webform submission from: Western Sydney Aerotropolis Draft Precinct Plans  
**Date:** Friday, 12 March 2021 8:57:53 AM  
**Attachments:** [aerotropolis-core-submission-█-shannon-road-bringelly\\_nexus-horizon-pty-ltd\\_march-2021.pdf](#)

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Submitted on Fri, 12/03/2021 - 08:39

Submitted by: Anonymous

Submitted values are:

**Submission Type**

I am submitting on behalf of my organisation

**Name**

**First name**

Michael

**Last name**

Gheorghiu

**I would like my submission to remain confidential**

No

**Info**

**Email**

█

**Suburb/Town & Postcode**

Bondi Junction NSW 1355

**Submission file**

[aerotropolis-core-submission-█-shannon-road-bringelly\\_nexus-horizon-pty-ltd\\_march-2021.pdf](#)

**Submission**

Dear Sir/Madam,

Please find the attached submission made on behalf of Nexus Horizon Pty Ltd owner of the property at █ Shannon Road, Bringelly with respect to the Draft Aerotropolis Core, Badgerys Creek and Wianamatta-South Creek Precinct Plan.

Regards,

Michael Gheorghiu  
Tudor Planning and Design

**I agree to the above statement**

Yes

**Disclaimer**

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11 March 2020

Western Sydney Planning Partnership,  
PO Box 257,  
Parramatta NSW 2124

Dear Sir or Madam,

**Re: Western Sydney Aerotropolis Submission - Aerotropolis Core, Badgerys Creek and Wianamatta-South Creek Precincts – ■ Shannon Road, Bringelly**

This submission has been prepared on behalf of Nexus Horizon Pty Ltd owner of the property located at ■ Shannon Road, Bringelly legally described as ■ (the site) in response to the Western Sydney Aerotropolis (WSA) Draft Aerotropolis Core, Badgerys Creek and Wianamatta-South Creek Precincts Plan (draft Precinct Plan). Figure 1 below shows the site in context of the Western Sydney Airport and Figure 2 shows the site in its current immediate context.

The site is located within the Aerotropolis Core, Badgerys Creek and Wianamatta-South Creek Precincts and was recently rezoned to an Enterprise land use zone via the publication of the *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020* (WSA SEPP).

A detailed review of the draft Precinct Plan has been undertaken. It was found that there are number of issues with the draft Precinct Plan from an overall perspective as well as specifically associated with the site. The site specific issues include:

- Inconsistencies between publicly exhibited documents;
- Excessive allowance of 'open space' on subject site;
- Compensation or acquisition of identified open space on subject site; and
- Mechanisms to deliver open space on the site.

The overall identified issues and site specific issues are discussed in this submission.

### **Draft Precinct Plan Overall Key Issues**

The draft Precinct Plan has significant delivery issues. It is important for the Precinct Plan to create a network of 'blue' and 'green' infrastructure', including to create a grid pattern to define streets and blocks, and to create more opportunities to deliver sustainable environmental outcomes. However, the proposed structure of the draft Precinct Plan diminishes these virtues, creating a Precinct Plan that is unresolved and not able to be delivered to the fullest potential. The overall key issues with the draft Precinct Plan include:

- Major demands on landowners and sites to deliver open space, roads, engineering services infrastructure and potentially social infrastructure while also being subject to the Special Infrastructure Contribution – Western Sydney Aerotropolis;
- There are no incentives for landowners and developers to delivery orderly development;
- The Precinct Plan is ill conceived with respect to lot boundaries and potential delivery of roads and infrastructure between parcels of land; and
- Developers will only be attracted to those properties that are feasible and not burdened by infrastructure delivery and land dedication.

The above issues are discussed on the following pages in this submission.

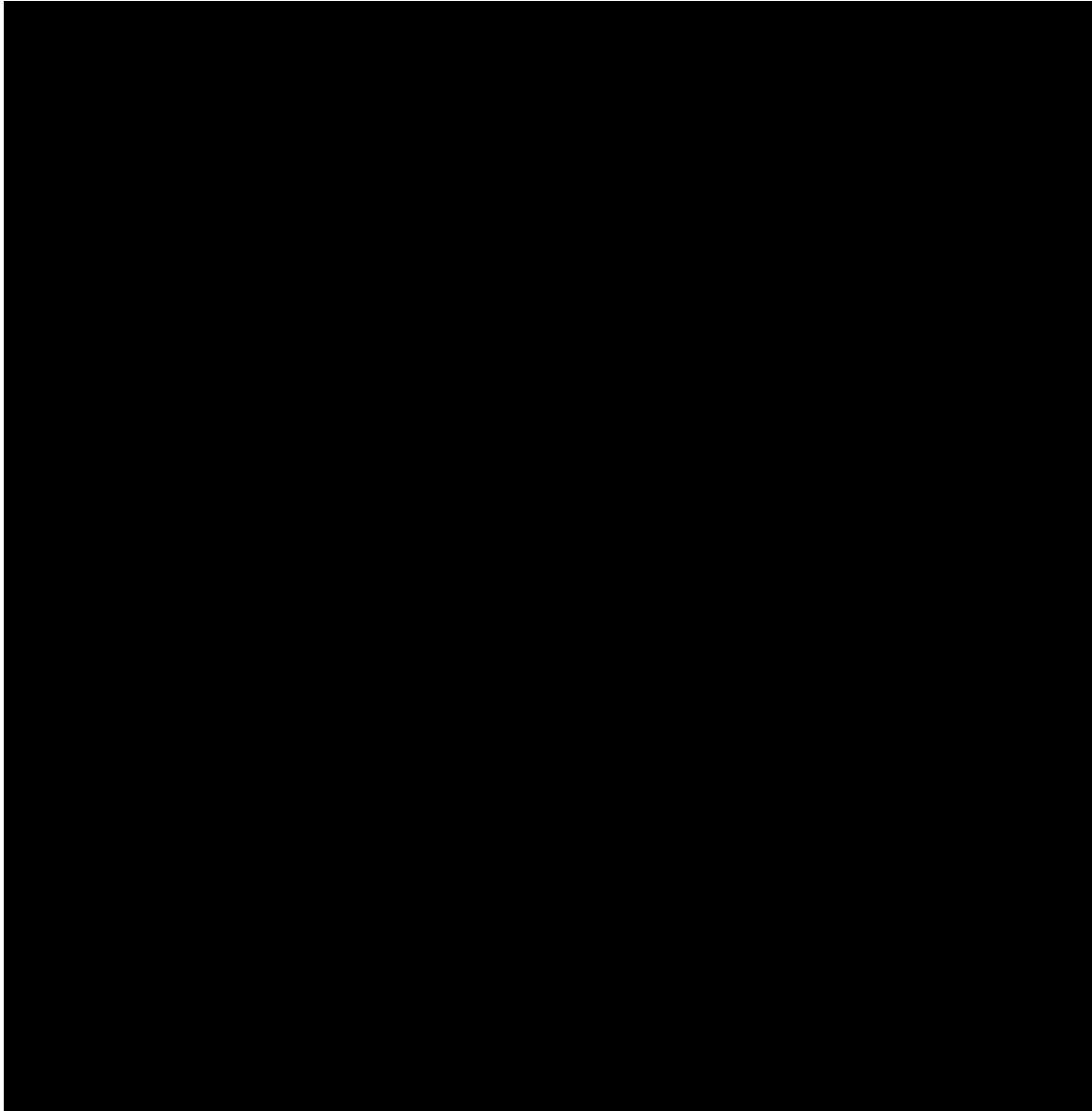


Figure 1. Site location within the Western Sydney Aerotropolis

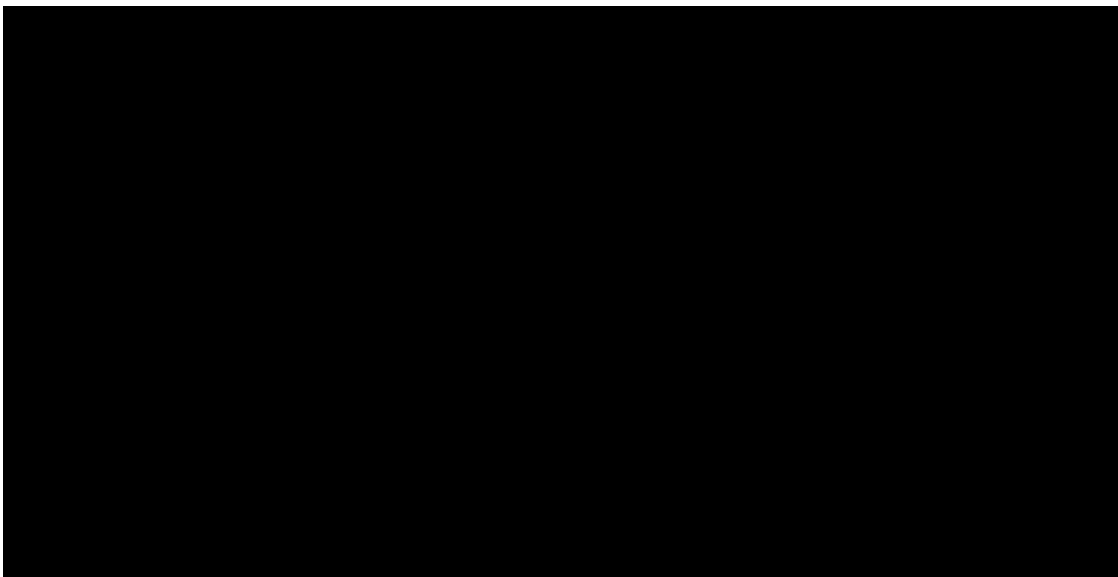


Figure 2. The subject site

## **A. Major demands on landowners and respective sites**

The draft Precinct Plan is ambitious and proposes delivery of 'green' and 'blue' infrastructure as well as all the civil engineering infrastructure and social infrastructure, such as sports fields to support the projected population and incoming community in the Aerotropolis. While this is considered to be important and necessary, the draft Precinct Plan lacks thought on the delivery mechanism and means of incentivising landowners to deliver the desired outcome of the draft Precinct Plan.

It is noted that the idea of the draft Precinct Plan is to act as a Master Plan and establish the vision for the entire Precinct. By the nature of the Precinct Plan and desired design outcomes there will be some landowners that would be more burdened than others with respect to delivery of infrastructure, such as roads and open space. However, in this circumstance the following is evident:

1. There are sites and landowners that are considered to be unfairly burdened by the delivery of open space and roads;
2. Land within the Aerotropolis Core is zoned as 'Enterprise Zone'. Only a small portion of the Precinct is identified for formal land acquisition under the WSA SEPP around Thompson Creeks. Therefore, open space, roads and other infrastructure will need to be delivered as part of future development applications and be dedicated to local Council's; and
3. In addition to dedicating land for open space and roads, and delivering other infrastructure as well as payment of local Council contributions, the NSW State Government also seeks payment of a Special Infrastructure Contribution (SIC). The SIC is calculated over the net developable area of a site for provision of infrastructure in connection with the Creation of the Western Sydney Aerotropolis and new economic hub centred on Western Sydney Airport. The consequences of these demands on land may discourage investment and redevelopment.

Without a planning mechanism and delivery structure to deliver the desired outcomes of the draft Precinct Plan, the implication of the above is that the draft Precinct Plan in its current form will never be achieved. Importantly, the above factors have a significant financial impost on the value of land and ability to feasibly achieve development and to achieve the desired outcomes of the Precinct Plan. An example of unfairly burdened land is presented in Attachment 1 of this submission. Figures 1.1 and 1.2 in Attachment 1 identify the following land:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

All the above lands have been designed under the draft Precinct Plan to deliver open space and roads. While in the circumstance of the properties at nos [REDACTED] Badgerys they are expected to deliver a sports field and the properties at nos [REDACTED] Badgerys Creek Road to deliver potential building footprints that do not appear to be viable. There are many examples through the entire draft Precinct Plan of this situation.

## **B. No incentives for landowners and developers to deliver orderly development**

Further to the above, there is no incentive for landowners and developers to deliver orderly development. It is evident that in its current format and urban planning framework the draft Precinct Plan cannot avoid piecemeal development occurring. The current example within the Sydney Metropolitan Area, where the lack of any urban planning incentives and ill conceived Precinct Plans by way of Indicative Layout Plans, are driving poor development outcomes and piecemeal developments are found in the North-West and South-West Growth Centres, identified under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP).

Possible incentives to drive better planning outcomes include:

1. Lot amalgamation incentive;
2. Development controls/standards incentives;
3. Environmental or open space incentive; and
4. Sustainability incentive.

**C. The Precinct Plan is ill conceived with respect to lot boundaries and potential delivery of roads and infrastructure**

The same problems that have plagued land development in the North-West and South-West Growth Centres, identified under the Growth Centres SEPP will occur in the Aerotropolis Precinct under the proposed Precinct Plan. These issues include:

- Disputes over land owners consent between properties when a development application is lodged;
- One land owner holding adjoining land owner to ransom by withholding landowners consent for proposed developments; and
- Precinct Plans create Island sites and sites, which rely on adjoining properties for vehicle access.

Given the high level nature of the Precinct Plan, it is better to have larger blocks with maybe restrictions for vehicle access off main roads and allow landowners and developers to resolve the local road pattern within the larger blocks. Refer to **Attachment 2** of this letter for proposed amendments to the Precinct Plan design. Hence, the road layout should seek to follow as best as possible the existing allotment pattern, while creating efficient connections and encouraging an urban block pattern that is logical and workable for urban development.

**D. Developers will only be attracted to those properties that are feasible and that are not burdened by infrastructure delivery and land dedication.**

Developers will make commercial decisions based on what is feasible and therefore are likely to be deterred from purchasing land that is burdened by infrastructure and be required to be dedicated to Council. The consequence is that the intent to deliver large open spaces as identified in the draft Precinct Plan may not be realised. As such, rendering the Precinct Plan as ineffective. Refer to **Attachment 2** that shows an alternative design to proposed road layout in the draft Precinct Plan that will contribute to addressing this issue. Within this proposed alternative road layout, it is recommended that the open space and recreational areas be carefully reviewed. The aim of this review would be to achieve meaningful spaces that support and provide amenity to localised blocks as well as the wider Precinct.

**Site Specific Issues to No. [redacted] Shannon Road, Bringelly**

The draft Precinct Plan has a number of site specific issues to no. [redacted] Shannon Road Bringelly. These issues include:

**E. Inconsistencies between publicly exhibited documents.**

It is unclear on which Precinct Plan to rely on as there are significant differences between the proposed built form layouts and blocks shown on different plans. Refer to images in **Attachment 3** that show different Precinct Plans provided in the publicly exhibited material.

**F. Excessive allowance of 'open space' on subject site.**

The draft Precinct Plan shows excessive allowance for open space on the site with an unclear model for delivery of the open space. Notwithstanding this, the landowner is prepared to accept some amount of open space on their land under the following terms:

1. With the appropriate compensation mechanism,
2. Potential to redistribute open space or provide it through other design incentives; and
3. The extent of open space to reflect the ecological value of the existing vegetation on the site as assessed by the landowner's Ecological expert. Refer to Point H in this letter on the following page.

#### **G. Compensation or acquisition of identified open space on subject site**

There is no clear method for compensating the landowner for the delivery of open space and more importantly there is no clear mechanism to encourage landowners to dedicate open space. Also, the draft Precinct Plan does not provide an urban planning/urban design or legal mechanism to encourage better design outcomes for development or for offsetting open space via for example delivery of vertical gardens and green walls.

#### **H. The vegetation in the front of the property is of poor condition and poor ecological value and does not contribute to overall biodiversity. The landowner has engaged their ecological expert to prepare an ecological assessment to determine the ecological value of the vegetation found on the site**

On 3 July 2020, UDM Ecological Consultants P/L prepared a detailed ecological assessment report of the subject site. The report found the following:

*"The current survey identified two (2) native vegetation communities within the Subject Land:*

- *PCT 835: Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion; and*
- *PCT 850: Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion.*

*Which in turn are associated with two (2) Threatened Ecological Communities (TECs), being;*

- *PCT 835 is associated with TEC 10787: River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (Endangered – BC Act); and*
- *PCT 850 is associated with TEC 10191: Cumberland Plain Woodland in the Sydney Basin Bioregion (Critically Endangered – BC Act and EPBC Act)."*

Refer to **Attachment 4** of this overview for the ecological assessment mapping that shows the abovementioned ecological communities. In essence the ecological report found that there are significant ecological communities to the rear of the subject site, however the front portion of the property is disturbed and has less to no ecological value. Further, the report also found that

- *"No (0) threatened flora were observed within or adjacent to the Subject Land.*
- *Cleared paddocks, fences, roads, and dense residential development may present a barrier/obstacle to the movement of some fauna.*
- *Habitat fragmentation and edge effects (e.g. noise and light pollution) surround the Subject Land as it is situated in a currently urbanising area. Current development of The Northern Road ~500m to the south-west is an example of this.*
- *Rehabilitation of the riparian zone in the River-Flat Eucalypt Forest along southern boundary of Subject Land (Figure 2-1)."*

We note that the findings of the detailed ecological assessment report are consistent with the draft Precinct Plan open space network layer, whereby the front portion of the site is identified as not including landscaping other than street trees. Refer to an extract of the draft Precinct Plan open space network layer in the figure below. The proposed streetscape interface to the front portion of the site is supported. However, with respect to the middle and rear portions of the site we refer to **Attachment 2** for an alternative road layout and design that responds to the existing ecological conditions on the site.

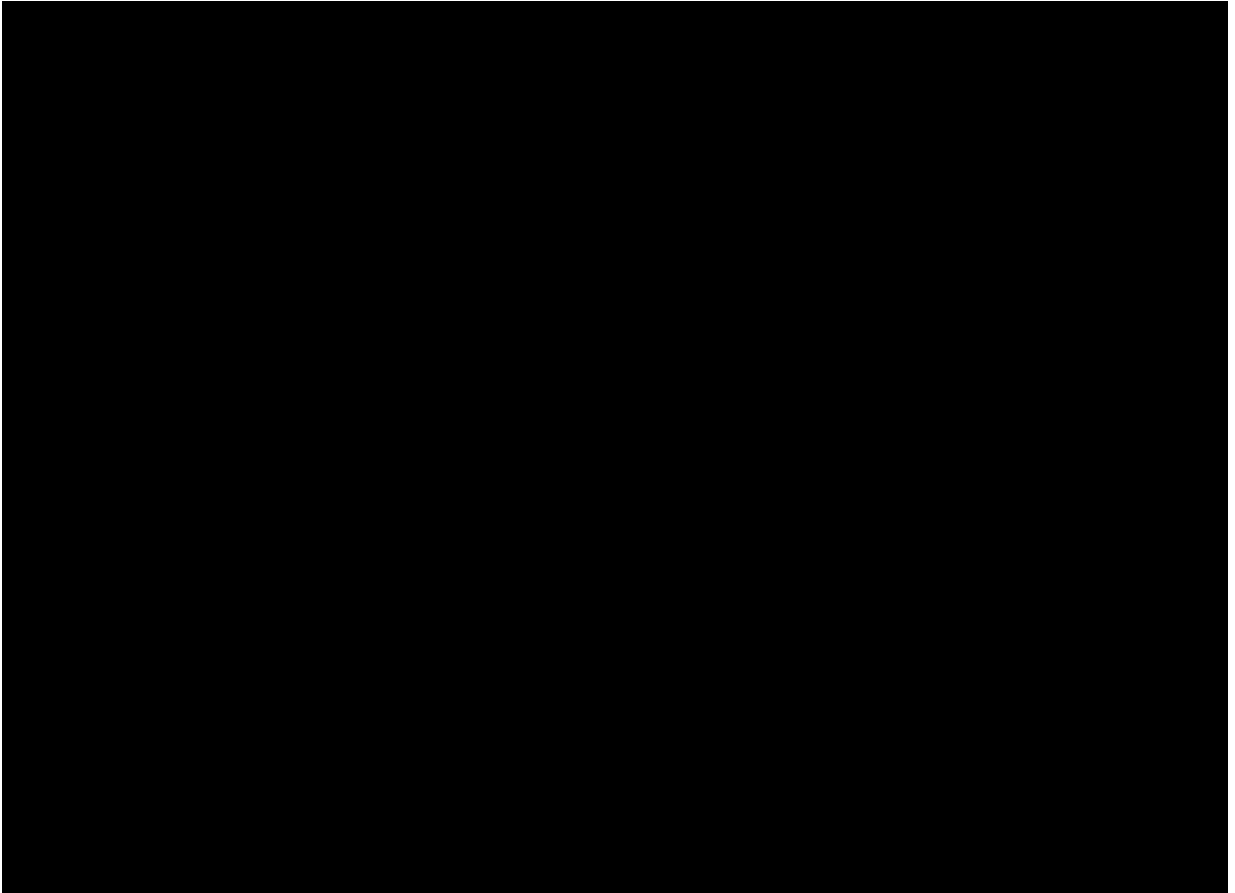


Figure 3. Extract from draft Precinct Plan open space network layer (Site shown in red outline)

It is also noted that part of the vegetation to the rear of the site includes PCT 850 canopy of ecological community with dense African Olive understorey. African Olive is an aggressive invasive non-native weed. Refer to NSW Department of Primary Industries website for details <https://weeds.dpi.nsw.gov.au/Weeds/Details/4>. Further investigation of the area that the African Olive has grown in is required to determine the true ecological value of that area. The African Olive would need to be cleared, as it is a weed, which may then change the findings of the Ecological Assessment. The point being that further assessment is required of the area the Precinct Plan identifies as having an ecological value and that is identified as future open space.

In addition to be above and further to Point G, the Site is proposed to provide a new road as well as open space with no incentive mechanism to compensate or encourage delivery of the new road and open space. From a feasible delivery point of view, this needs to be considered in context of the Special Infrastructure Contributions (SIC) levy that are expected to be paid as well as any other contributions. Hence, what is the combined burden including extensive dedication of land, cost to delivery infrastructure and significant cost of contributions.

## **Conclusion**

We support the NSW State Government's initiative to create a Precinct Plan for the Aerotropolis Core, Badgerys Creek and Wianamatta-South Creek Precincts and to deliver urban growth within this Precinct, as an extension to the delivery of the WSA. It is evident that the future WSA will significantly contribute to the strategic economic role of Sydney, nationally and internationally. It is also evident that urban development of the Precincts around the WSA will also significantly contribute to the growth of the Sydney Metropolitan Area (SMA) and economic growth of the SMA and the State, by delivering a range of land uses, including housing and employment to support the WSA and businesses throughout the SMA and potentially the State.

Based on the issues raised in this submission, we are of the view that the draft Precinct Plan in its current form does not achieve/encourage the best possible opportunities for urban development to support the growth of the SMA. This in turn will have an impact on the economic growth of the SMA and the State. Therefore, in order to give the Precinct the best possible opportunity to achieve/encourage urban development, including delivery of social, environmental and economic outcomes, we request that the NSW Department of Planning, Industry and Environment (DPIE) amend the draft Precinct Plan with the recommended alternative road layout provided in **Attachment 2** of this submission. In addition, we request that DPIE review the design principles of the draft Precinct Plan in consideration of the issues raised in this submission.

Further, from a site specific perspective, the proposed amendments to the draft Precinct Plan found in **Attachment 2** will give the landowner and immediate surrounding landowners the best possible opportunity to:

- Realise a development on their land/s; and
- Achieve feasible urban development; and
- Achieve the NSW State Government's objectives to deliver urban development in balance with all other demands in the Precinct, including delivery of roads and open space.

Should you have any queries regarding the issues raised in this submission, please do not hesitate to contact me on [REDACTED] or via email at [REDACTED].

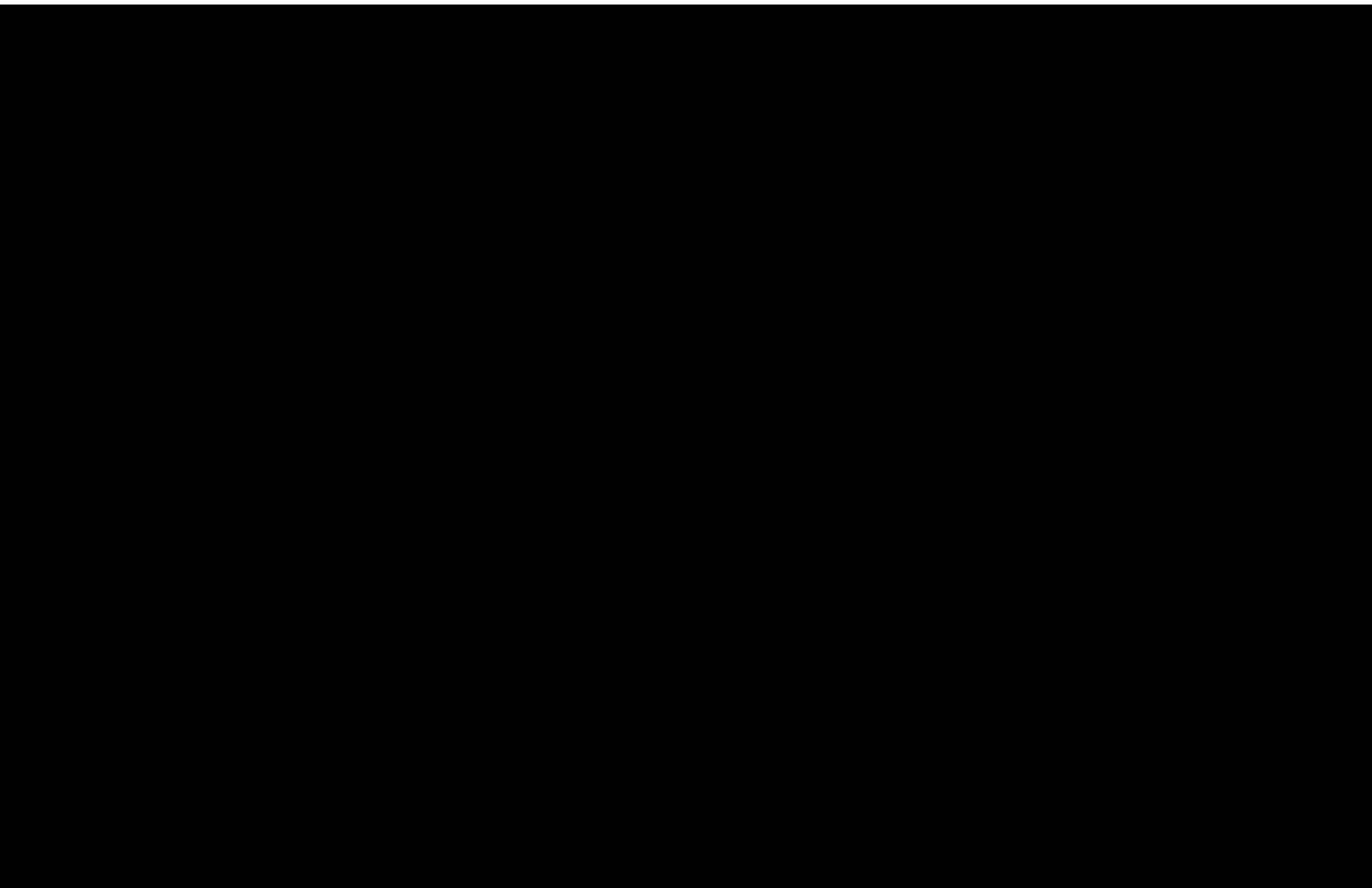
Yours sincerely,

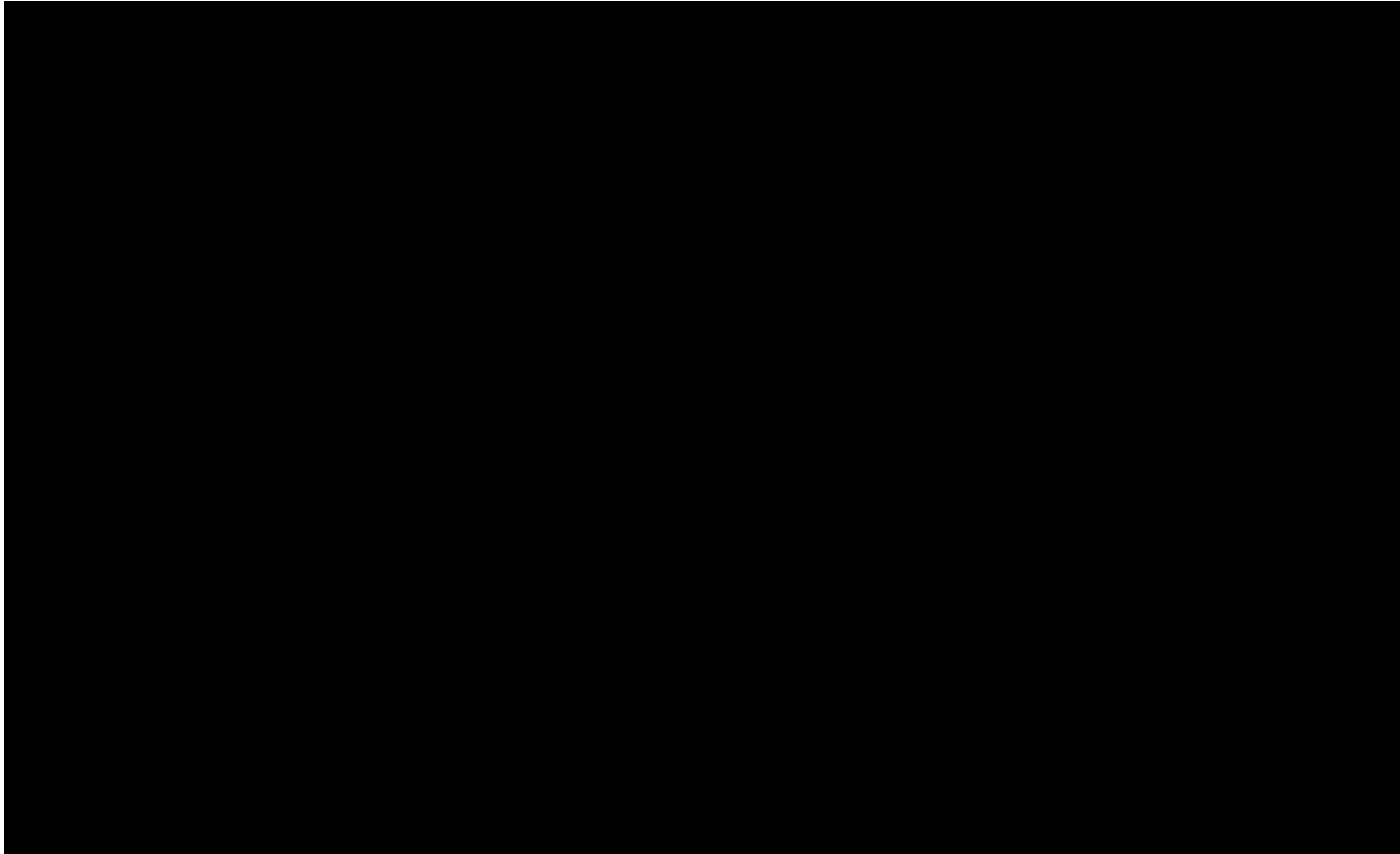


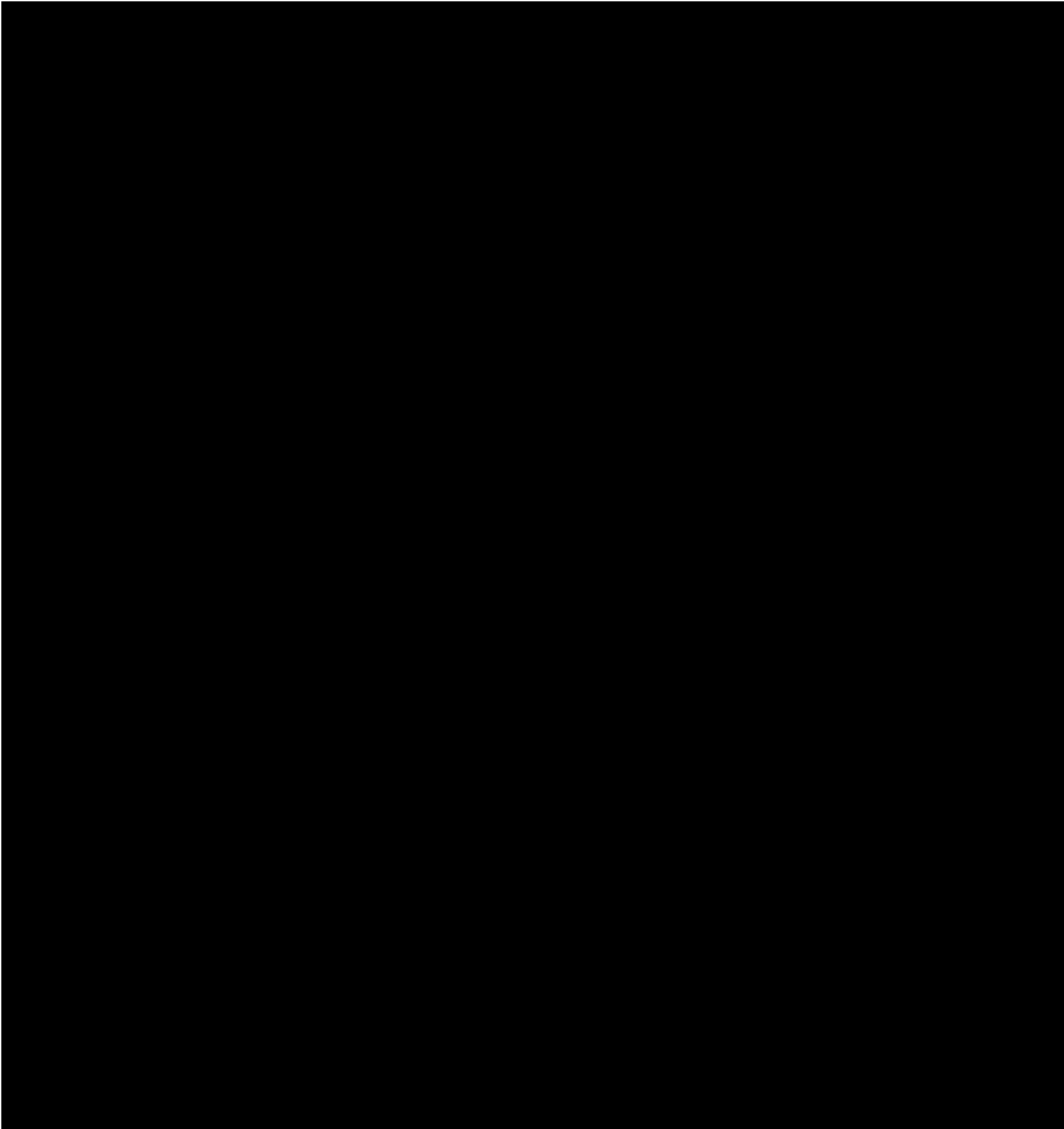
Michael Gheorghiu

B.Eng (Civil & Bldg.), MURP, MUDD

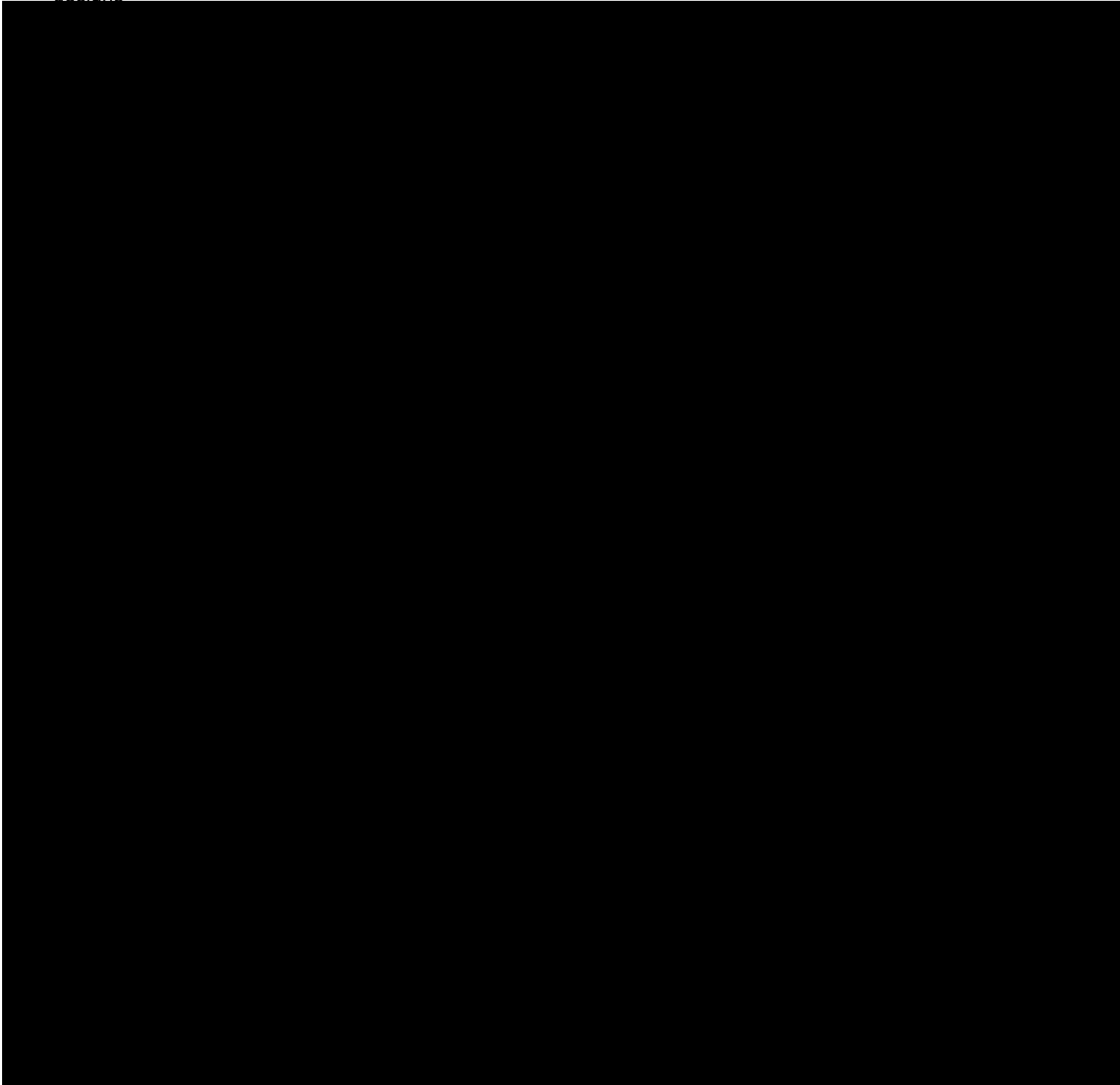








The image below shows the proposed alternative road layout to the Precinct Plan in vicinity of the subject site, with local roads shown in 'pink' and main roads shown in 'orange'. The proposed alternative road layout is drawn over the current draft Precinct Plan in order to show the difference between the two designs.



### ATTACHMENT 3 – INCONSISTENT PUBLICLY EXHIBITED PRECINCT PLANS

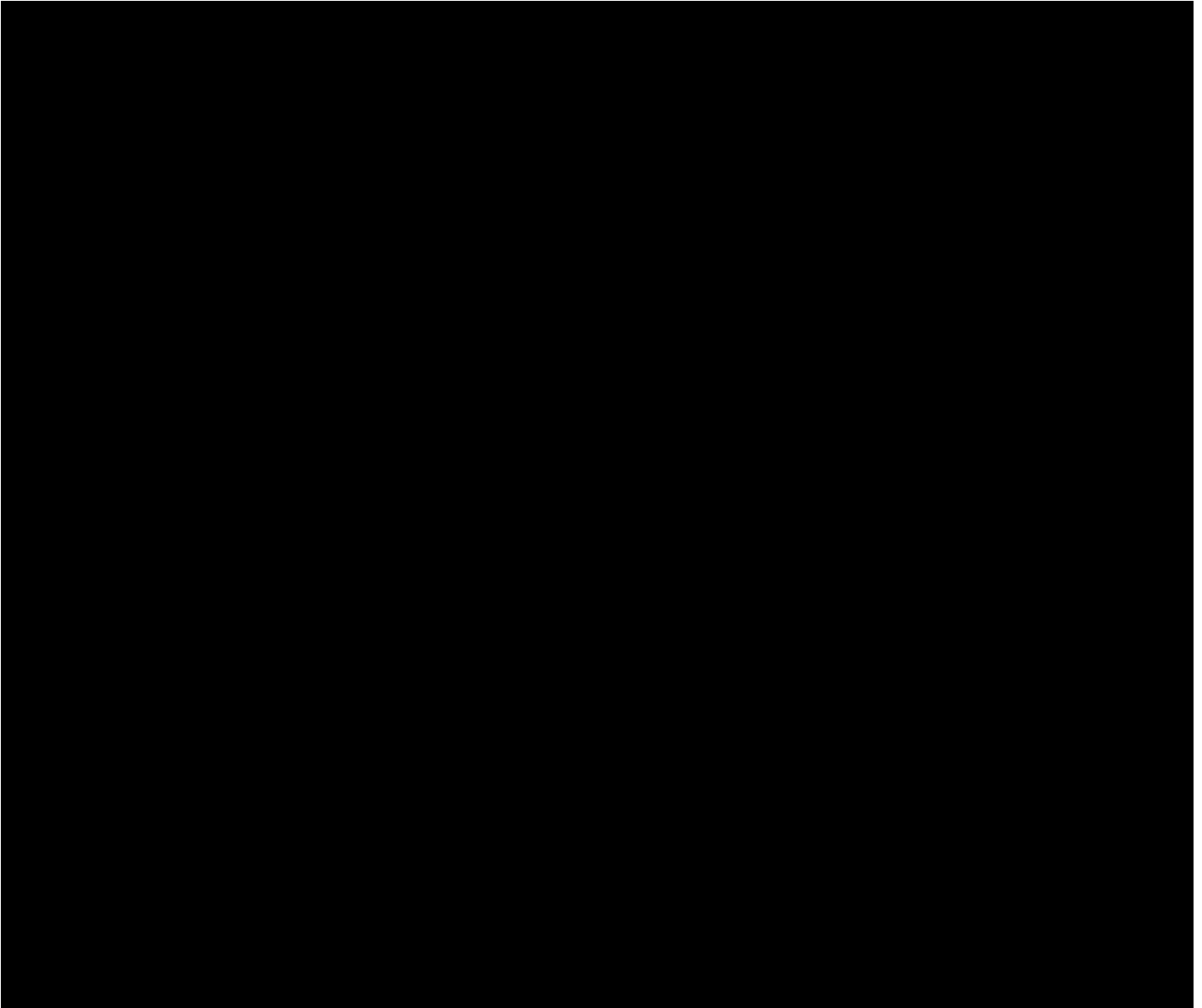
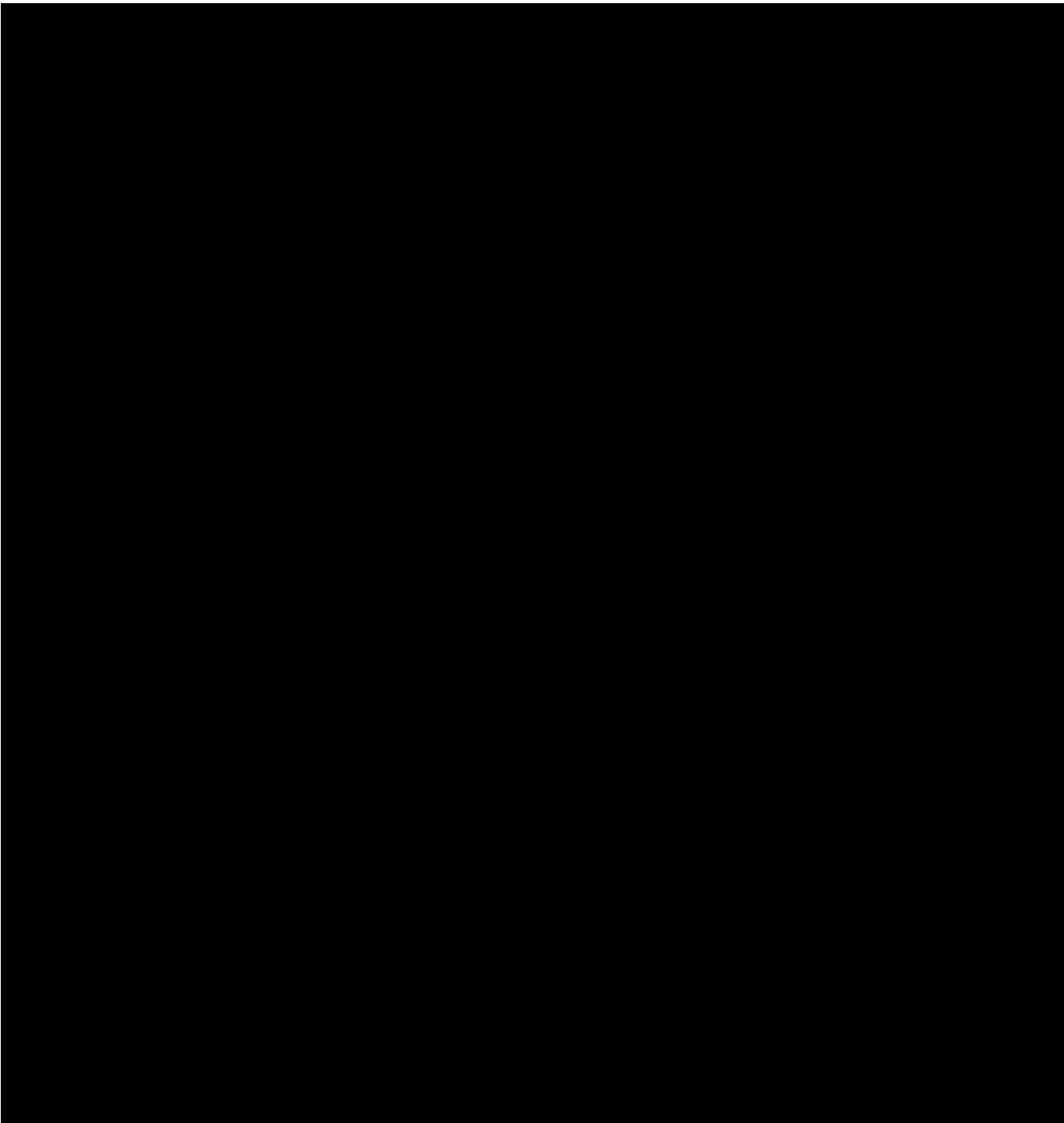


Figure 3.1 - Precinct Plan (source: Western Sydney Aerotropolis Urban Design and Landscape Plan Report, page 12. This plan is similar to Precinct Plan found on page 38, of Chapter 2 in the Draft Aerotropolis Precinct Plan)



## ATTACHMENT 4 – ECOLOGICAL ASSESSMENT

Figure 1-6: Local Hydrology



Figure 4.1 - Local Hydrology Plan

**Figure 1-7: Vegetation Mapping (SCIVI, Tozer *et al.* 2010)**



**Figure 4.2 - Vegetation Mapping**



## Figure 2-1: Ground-truthed Vegetation Communities (UBM 2020)

Note: Boundaries of vegetation communities are approximate only.



Figure 4.3 - Vegetation Assessment and Identified Communities