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Sent: Friday, 12 March 2021 2:41 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Draft Precinct Plans
Attachments: 26-derwent-road-precinct-plan-submission-aerotropolis-core-(final.pdf)

Submitted on Fri, 12/03/2021 - 14:39

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Jaime

Last name

McNamara

I would like my submission to remain confidential

No

Info



Suburb/Town & Postcode

North Sydney 2060

Submission file

[-derwent-road-precinct-plan-submission-aerotropolis-core-\(final.pdf\)](#)

Submission

To whom it may concern,

This submission to the NSW Government's Western Sydney Aerotropolis Draft Precinct Plans has been prepared by APP Corporation Pty Limited on behalf of the Landowners of [REDACTED] Derwent Road, Bringelly 2556.

Kind regards,

Jaime McNamara

I agree to the above statement

Yes

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SUBMISSION TO THE WESTERN SYDNEY AEROTROPOLIS DRAFT PRECINCT PLANS

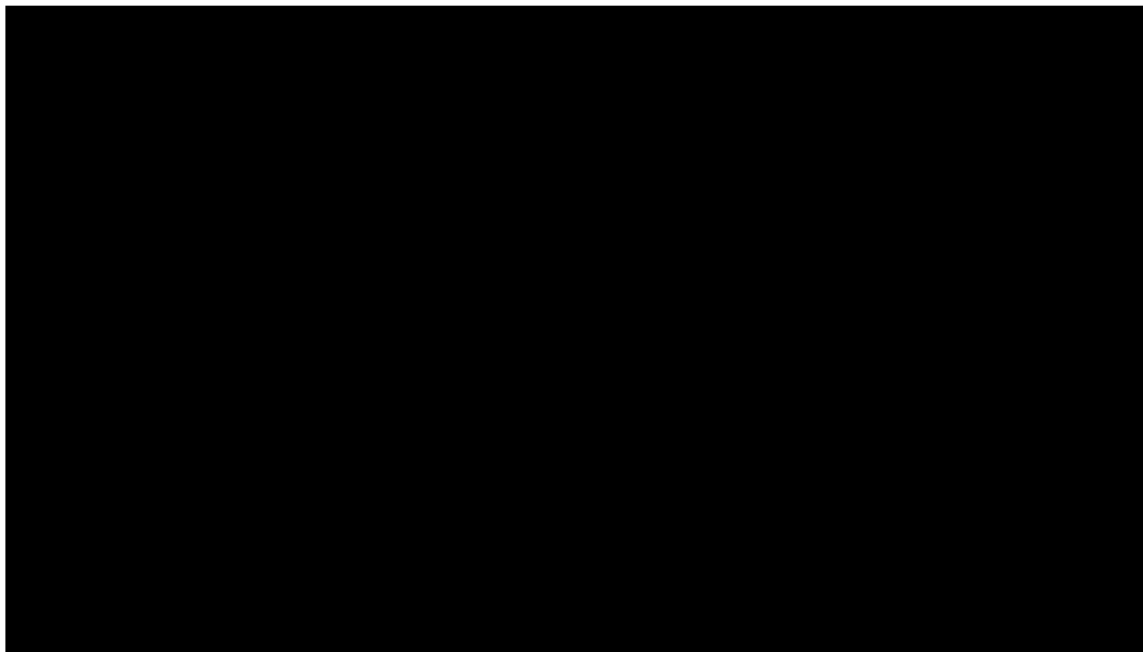
PREPARED ON BEHALF OF THE LANDOWNERS OF [REDACTED] DERWENT ROAD, BRINGELLY

Introduction

This submission to the NSW Government's Western Sydney Aerotropolis Draft Precinct Plans (the Precinct Plan) has been prepared by APP Corporation Pty Limited on behalf of the Landowners of [REDACTED] Derwent Road, Bringelly 2556 (the Site). The Precinct Plans address the provision of sustainability, connectivity, productivity, liveability, place and built form throughout the initial Aerotropolis precincts, providing guidance on the future use of sites within the Aerotropolis Core. The Precinct Plans are consistent with the statutory aims and objectives of the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP).

The Aerotropolis Core Precinct is positioned to play a key role in facilitating Greater Sydney as a 30-minute city, offering connection to Liverpool, Penrith and Campbelltown partly via the Western Sydney Airport (WSA) Metro. As a metropolitan centre, the Precinct Plan outlines various preferred land uses, offering a mix of typologies to support the resident population, including enterprise and light industry uses. This in-turn will offer significant employment opportunities adjacent to the WSA. APP on behalf of the Landowner supports these objectives.

Despite this, the sites identification as 100% open space, negates any possibility of commercial sale due to the absence of development potential. Government commitment to acquisition of the land under a Contributions Plan is similarly uncertain, driving the Landowners into financial hardship and uncertainty as they aim to transition into retirement.



Historic site contamination has resulted in extensive remediation works undertaken and financed by the Landowner. The presence of contaminants also highlights potential risks to human health should the site be used as open space, as well as the need to invest in further remediation works. The Precinct Plans commitment to forming a continuous urban parkland system across the Aerotropolis also raises concern regarding the risk of wildlife strike.

As is evident through review of the Precinct Plan and with reference to other planning frameworks, the site is positioned within an area earmarked for growth, supported by the commitment of catalytic infrastructure projects including the Western Sydney Airport (WSA) Metro Station. The identification of the site for use as public open space results in no potential development capacity, severely limiting the Landowners financial prospects.

The uplift of the sites development capacity may assist in enabling private sale, particularly due to the sites identification as a potential amalgamation parcel. This would facilitate the transition of the land from the current Landowner to a developer or investor in order to realise orderly economic use and development of Aerotropolis land. Site contamination could be addressed through the capping and development of the site.

As such, this submission will address the following key points with reference to the objectives of the ENT Enterprise zone and Aerotropolis Core Precinct:

- Financial hardship of owners due to the absence of development potential or private sale;
- Financial hardship of owners due to uncertainty of Government acquisition of land identified for use as open space;
- Risk of wildlife strike within Aerotropolis Core; and
- Financial burden of site contamination and risk to human health.

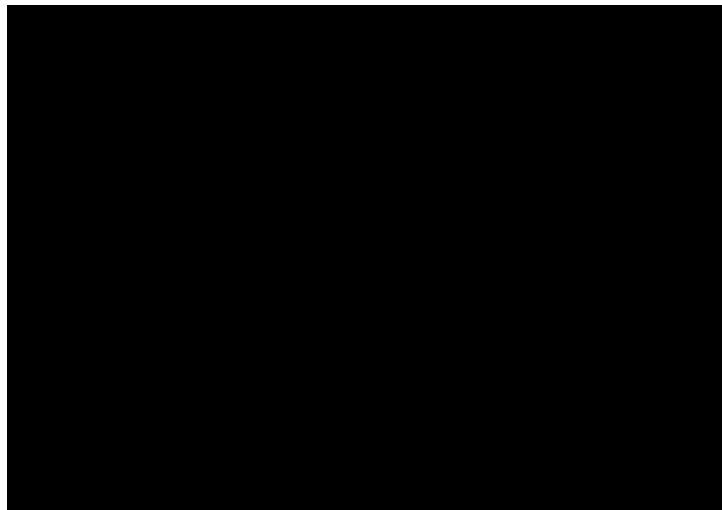
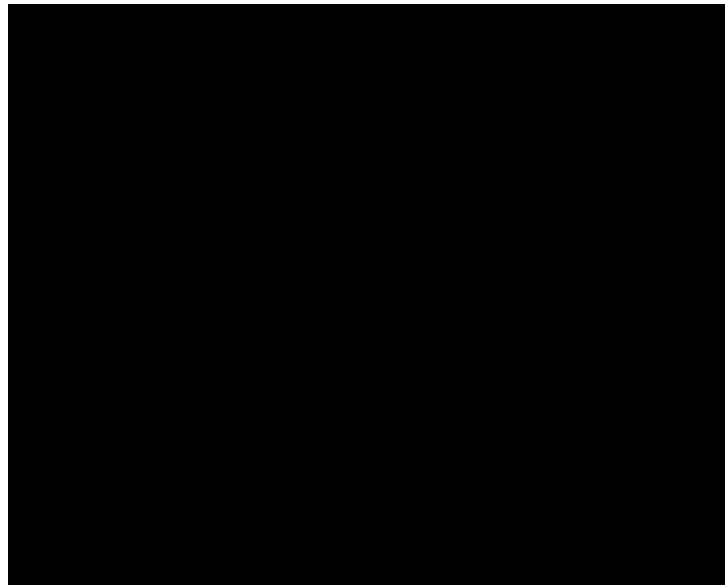


Figure 2 – Proposed use of the site and surrounds within the Aerotropolis Core

Site Context

The site, known as [redacted] Derwent Road Bringelly [redacted]) has a total area of 2 hectares and is rectangular in shape. It has a frontage to Derwent Road of 100 metres and is located 1 kilometre north of the Northern Road and 1.2 kilometres south of the WSA site. The site is located within the Aerotropolis Core Precinct, characterised as a dense urban precinct planned around the Aerotropolis Metro Station and the Wianamatta-South Creek Corridor. As a metropolitan centre, the Aerotropolis Core will be

focused on advanced manufacturing, research and development, professional services, creative industries and science, educational facilities and emerging aerospace and defence industries.



Zoning

The site is zoned ENT Enterprise within the Aerotropolis Core Precinct, as identified by the Aerotropolis SEPP. With reference to the Precinct Plan, the zone supports the establishment of Enterprise uses whilst mitigating the impacts of Airport operations on surrounding development. The identification of the site as open space within a zone void of residential or noise sensitive development, greatly inhibits the sites usability and raises questions regarding its suitability for open space use.

Prior to the precincts rezoning in December 2019, the site was historically zoned as RU4 Primary Production Small Lots under the Liverpool Local Environment Plan 2008. With reference to Figure 4, the sites current ENT Enterprise prescribes the following objectives:

- To encourage employment and businesses related to professional services, high technology, aviation, logistics, food production and processing, health, education and creative industries;
- To provide a range of employment uses (including aerospace and defence industries) that are compatible with future technology and work arrangements;
- To encourage development that promotes the efficient use of resources, through waste minimisation, recycling and re-use;
- To ensure an appropriate transition from non-urban land uses and environmental conservation areas in surrounding areas to employment uses in the zone;
- To prevent development that is not compatible with or that may detract from the future commercial uses of the land; and
- To provide facilities and services to meet the needs of businesses and workers.

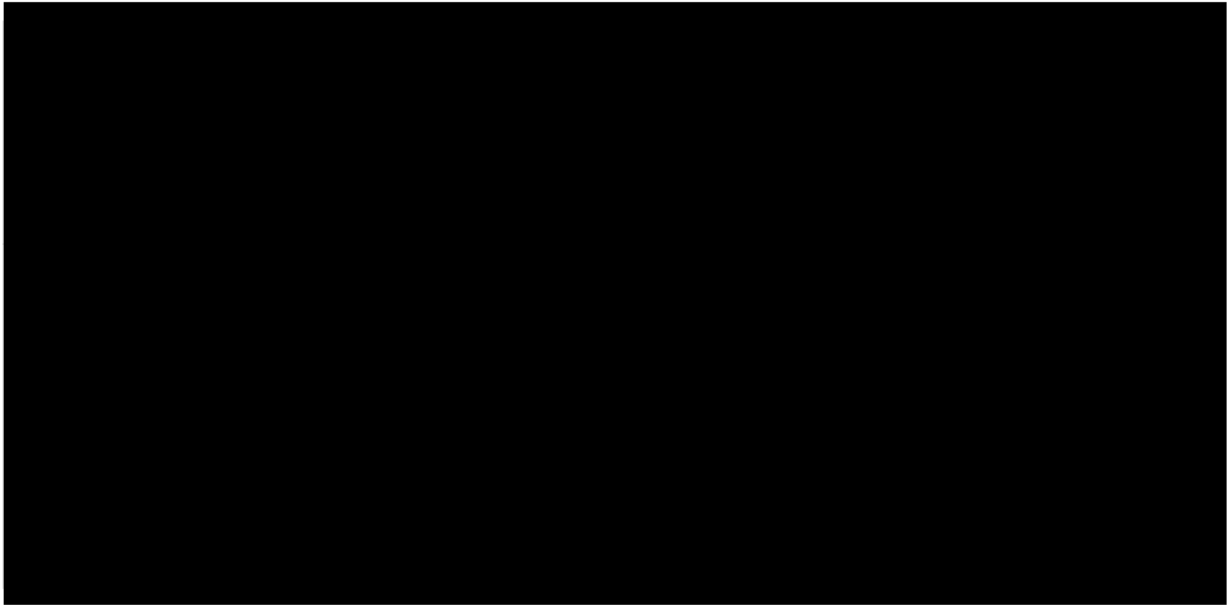


Figure 4 – Zoning of site and surrounds

With reference to the objectives of the zone, the provision of quality open space in the dense urban core of the Aerotropolis is understood and supported by APP on behalf of the Landowner. Furthermore, the provision of open space around drainage corridors and across lands in the 100 year flood impact area is also understood and supported.

Due to the subject sites identification as entirely open space, there is no site development potential and therefore it will need to be acquired pursuant to the future Contributions Plan. This is contrary to the objectives of the zone as:

- Being an isolated site, the long term acquisition and remediation for open space will impact the orderly development of the surrounding properties – impacting employment generation and good urban design outcomes;
- Future acquisition will detract from the viability of future commercial uses on the land; and
- Due to site contamination, the land is not currently suitable for transition to open space for use by workers and visitors to the Aerotropolis.

Certainty of Timing of Sale / Hardship

The Western Sydney Aerotropolis will be Australia's next global gateway, supported by a pipeline of infrastructure projects and commitment of the Western Sydney International (Nancy-Bird Walton) Airport. Whilst many landholdings throughout the Aerotropolis Precinct have been subject to significant land use uplift, there is clear disparity between zoning of individual lots prescribed by the Precinct Plan. Reclassification of the site from RU4 Primary Production to ENT Enterprise zoning has resulted in increased land tax contributions under the assumption of increased site value and development potential.

Despite this, the sites identification for use as open space negates any possibility for timely development within the strategic parameters of the ENT Enterprise zone. The site is identified as a second priority area under the Precinct Plan, causing development to be staged and sequenced subsequent to first priority areas. As such, the site is commercially stagnant as the site has no development potential, relying on government acquisition. Due to the long-term nature of the acquisition under the Contributions Plan, the owners are effectively locked in to a long term, expensive hold.

The culmination of the above has resulted in financial hardship on behalf of the owners as they face

greater financial obligation and little certainty regarding the timing and value of future acquisition. Due to the owners age and financial situation, uncertainty regarding the sale or acquisition of the property has impacted their retirement security and associated health care. This has been further exacerbated due to ongoing remediation requirements and the associated financial burden. Should the site possess greater flexibility of use, the Landowners commercial prospects would allow them the financial and personal autonomy to sell the site as a key strategic land holding within the Aerotropolis Precinct.

Amalgamation Plan Feasibility

The Precinct Plan is supported by an Amalgamation Plan that provides detail regarding conceptual amalgamation parcels, sub precincts, major roads requiring coordinated development and open space requiring coordinated development. Amalgamation provides increased flexibility for development footprints, allowing for better public domain and development outcomes. Accordingly, APP supports this approach and the merits of amalgamation.

With reference to Figure 5, the site is identified in conjunction with Lot [redacted] and Lot [redacted] of DP [redacted] as a potential sub precinct where coordinated urban design outcomes are required for roads and open space. Due to development site coverage restrictions and the requirement of 15-20% open space coverage, there remains little incentive or capacity for flexibility in the amalgamation and development of the site, regardless of sub precinct potential.

As such, site coverage and open space requirements across the potential amalgamation parcel are unlikely to viably deliver consolidation. It is more likely that the two properties to the north, with greater development potential, will be purchased jointly and developed in isolation from the subject site. This will create further financial impact and cause disorderly economic use and development outcomes of the land.

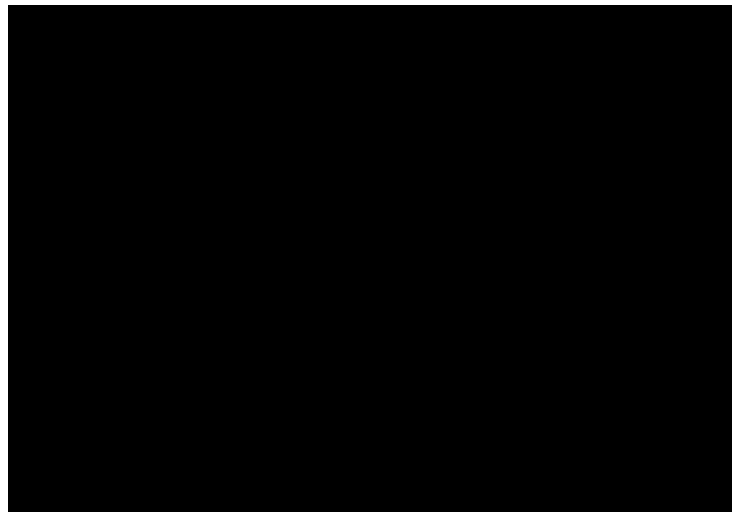


Figure 5 – Amalgamation Plan

Site Contamination

Whilst the immense value of open space networks is realised by the Landowner, the classification of the site as Nature Park within the surrounding proposed development pattern raises questions regarding the sites suitability for the prescribed use. The site has a history of contamination and illegal dumping which is not suitable for safe use as open space. Accordingly, the site will need to be substantially remediated.

With reference to the CSIRO Australian Soil Classification database, the site features Natric Kurosol soils

characterised by high acidity, high salinity potential and very low capacity for agricultural yield. The sites soil degradation is largely due to historical pasture over-improvements and land clearing activities on the site and surrounds. Due to the presence of contaminated soil, it is recommended that the site be remediated and capped to reduce the risk of harm to human health and the environment.

Furthermore, local water quality sampling of Badgerys Creek watercourses and drainage lines indicates that existing surface water is relatively degraded, with high levels of phosphorous and nitrogen. These contaminants are likely to continue affect the health of the waterway that dissects the north-west corner of the site. Despite the identification of the waterway on GIS maps, the Landowners have noted that the sites ephemeral stream is largely non-existent and has been barren for the majority of the owners involvement with the property.



Figure 6 – Existing site vegetation

Wildlife Strike

The Precinct Plans are supported by a Draft Wildlife Management Assessment Report that identifies wildlife attraction issues associated with the Aerotropolis and Western Parkland City, including mechanisms to mitigate wildlife strike risks to aircraft. The report identified the conflict between safeguarding the 24/7 operations of the airport and the Western Sydney Aerotropolis vision of 40% tree cover canopy, enhancement of riparian zones and wetlands and maximising biodiversity. Where land use is likely to increase strike risk, the report identifies flexibility in changes to design and operating procedures as a mitigation measure.

The extent of open space planned for the site poses a risk to aircraft operations and wildlife populations, requiring reevaluation of the provision of open space and riparian corridors across the site. The alternate integration of green cover into the built form will reduce the amount of impervious surfaces whilst keeping biodiversity attraction to a minimum, to ensure that the site does not adversely impact WSA operations. This is particularly relevant given that the site is located within 3 kilometres of the WSA site.

Strategic and Statutory Planning Framework

Draft Aerotropolis Precinct Plan

Under the Precinct Plan, the site is currently identified for use as open space as a result of its alignment with existing ephemeral creeks and the intersection of a waterway across the north-west corner of the site. Beyond the sites proximity to the waterway, the broader development fabric proposed for the Aerotropolis Core is planned to support the operation of the Western Sydney International (Nancy-Bird

Walton) Airport and associated industries, in line with the objectives of the ENT Enterprise zone. Despite the identified presence of a waterway dissecting the site is limited to an ephemeral creek that has contributed little ecological benefit to the site since the Landowners occupation.

Draft Western Parkland City Place-based Infrastructure Compact 2020

The Greater Sydney Commission (GSC) established the Western Parkland City Place-based Infrastructure Compact (PIC) as part of the 2019 Western Sydney City Deal. The PIC seeks to coordinate the provision of city-shaping infrastructure with population growth and development across the Western Parkland City. The Western Parkland City PIC informs the staging and sequencing of infrastructure development across the Aerotropolis.

The subject site falls within the Western Sydney Aerotropolis Growth Area and as such is identified to support an increase in jobs and skills across a breadth of industries. The site is well connected to major committed infrastructure projects including the Sydney Metro – Western Sydney Airport, as well as supporting infrastructure projects including upgrades to The Northern Road, Bringelly Road and Mulgoa Road. As such, the site is well appointed within the PIC subject area to support job growth.

Draft Aerotropolis Contributions Plan 2020

The Draft Aerotropolis Contributions Plan 2020 (Contributions Plan) enables developers of land in the Western Sydney Aerotropolis to make monetary contributions towards the provision of local infrastructure that supports the precincts development. Local infrastructure includes local and collector roads, stormwater drainage facilities, parks and community services that are essential to support regional growth.

As prescribed by the Contributions Plan, the Section 7.12 levy rate for development within the Aerotropolis Core is Nil for proposed development costs up to \$200,000 and 6.5% of proposed development costs that exceeds \$200,000. As such, should the parks 100% classification as open space be retained in the final plan, there is issue regarding the timing of acquisition and the low likelihood of purchase on the open market. This will result in increased financial burden to the Landowners and no financial benefit to government or contribution to local infrastructure.

Draft Aerotropolis Special Infrastructure Contribution 2020

The Western Sydney Aerotropolis Special Infrastructure Contribution (SIC) is proposed to help fund the delivery of State and regional infrastructure including:

- Rail and bus infrastructure;
- Schools;
- Community health and emergency service facilities;
- Parks and other open space;
- Upgrades to State and regional roads;
- Bicycle network; and
- Regenerating the Cumberland Plain Conservation Area.

Throughout the Aerotropolis Special Contributions Area, the SIC is proposed to seek contribution from developers in line with land zoning. As such, the site has potential to draw development contributions consistent with ENT Enterprise zoning of \$200,000 per hectare of net developable area, significantly contributing to State and regional infrastructure projects.

Recommendations

Through investigation of the site context with reference to the strategic and statutory planning

framework, it is clear the site is highly constrained by the Precinct Plan. Due to the sites position within the Aerotropolis Core, it is well supported by planned and committed state and federal infrastructure projects. The site is environmentally constrained due to its history of contamination and low soil quality, highlighting the need to reconsider its primary use as open space. Furthermore, the risk of wildlife strike highlights the need to further consider the position of wildlife attracting habitats within the Aerotropolis Core.

Through remediation and treatment of the site, this strategically significant land holding could be developed to support the establishment of enterprises, in line with the ENT Enterprise zone objectives and the surrounding development fabric. Whilst greater development potential has clear financial benefit to the Landowner, increased flexibility in site use will benefit local and state Government through increased development contributions via the Contributions Plan and SIC. This will ultimately lead to enhanced provision of local, state and regional infrastructure projects to support the growth of the Western Parkland City.

Therefore it is recommended that:

- The site be reconsidered for use as open space, allowing additional uses in line with the ENT Enterprise zone objectives;
- The site be considered for inclusion within a conceptual amalgamation parcel to facilitate more diverse development outcomes;
- Government provide clarity of timing of proposed acquisition of site by Liverpool City Council;
- The site be remediated to reduce the risk of harm to human health and the environment for future land use;
- The location of open space within the Aerotropolis Core be reconsidered to mitigate the potential for increased risk of wildlife strike; and
- If the sites classification as open space is retained, an early acquisition process should be initiated by Government in order to alleviate further financial hardship experienced by the Landowners.

Should you wish to discuss any of the matters contained in this submission, please contact the undersigned on [REDACTED] or [REDACTED]

Yours sincerely

APP CORPORATION PTY LIMITED



Jaime McNamara
Urban Planner

Submission Reviewed by Josh Owen – Senior Associate Planner