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Sent: Friday, 12 March 2021 9:47 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Draft Precinct Plans
Attachments: wsa-draft-precinct-plans-submission_j-colusso.pdf

Submitted on Fri, 12/03/2021 - 21:46

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Justin

Last name

Colusso

I would like my submission to remain confidential

No

Info

Email

Suburb/Town & Postcode

Bringelly 2556

Submission file

[wsa-draft-precinct-plans-submission_j-colusso.pdf](#)

Submission

Please find the attached submission.

Regards

Justin Colusso

I agree to the above statement

Yes

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My name is Justin Colusso and I have lived in Kelvin Park Drive Bringelly for 16 years. Our property was until recently zoned RU4 primary production small farm lots, a zoning allowing dual occupancy and the operation of home industries.

I strongly oppose the WSA Precinct Plans.

We accepted that one day our area would be earmarked for development, due to its proximity to Sydney's proposed second airport and the adjoining major roads. However, what we weren't expecting was the poor planning policies, the lack of transparency/honesty, the complete disregard for small landowners at the behest of giving the larger developers everything they asked for and more.

Our community is completely disillusioned with all levels of government, but especially the WSA Corporation, NSW Department of Planning, the Minister for Western Sydney, Stuart Ayres and the Minister for Planning, Robert Stokes.

NSW Planning has from day One, taken purposeful steps to devalue/stagnate property values of small landowners within the Aerotropolis precincts. They did this when they initially labelled our precinct as "non-urban" with NSW Planning staff telling the public at community meetings that "non-urban" meant you couldn't build on that land and that it was flood-affected. This was completely false, with people building high quality homes and operating businesses. The land is nearly all developable under the previous RU4 zoning. In any case, Dept of Planning succeeded in their goal of suppressing prices and keeping the "speculators out". Our property values plummeted whilst currently in Sydney there is a property boom...but not in Bringelly.

In fact our land is now landlocked and sterilised...it has been devalued. They have taken away our rights for use. We are now unable to build and do anything on our land indefinitely and no one wants to buy our land

Our land was never regarded as environmentally significant which is evident in the 2008 Liverpool Local Environmental Plan and embedded in legislation. Please view the map at the end of this submission.

There are people in the affected areas that want to sell their property but they cannot. People with health issues, aged or personal reasons...and they just cannot do it. How can 5 acres of land be worth nothing in Sydney? In a time of uncertainty during Covid which is already stressful the Planning Department have only increased the stress for all.

How can you just render land within 3 kms of the proposed runway useless, with no compensation - change the use of land because you want a park? Unbelievable!!! The arrogance of the Planning Department. They are just going through the motions and ticking their boxes.

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The treatment of us reeks of corruption and arrogance of the government. This is evidenced with the recent ICAC hearings and enquiries into suspicious LANDCOM deals in Wilton and Govt purchases in Camelia. Back in 1996 the ex-Labour Premier

in his capacity as chairman of CSIRO sold without tender a 344ha parcel of Govt owned land for \$3.5m. Funny how this CSIRO chairman was a partner with the purchaser in a gourmet pizza business. This parcel of land sold this week for \$499 Million. Looks like not much has changed.

Prime land next to the airport now rendered useless. As small landowners we are overlooked and only the large land-owners are taken care of. There is no fairness and no equality...and it is really who you know.

We want fairness and equality.

We are just small landowners that chose to live a rural lifestyle are now fully or partly green, why isn't DPP putting in a Wianamatta South Creek open space (regional park) corridor as they do for all public spaces and offer Just Terms Compensation and give us the same certainty as they have given Thompson Creek residents?

Housing shortage & affordability, why is there so much good developable land being zoned as excessive Green space.

Government owned 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.

Due to current market conditions within our area and its surrounds, how do you expect us to buy another house close to our family, friends, doctors, schools, support when you will be severely hindering our ability to gain any capital to purchase back into the area or its nearby surrounds.

It is unacceptable to burden land owners with green space within the mixed use zone, fully knowing developers will approach land owners and negotiate a price based on the those controls, severely impacting land owners.

The documented amount of environmental significant land compared to the Environmental & Recreational precinct - clearly the bulk of it is recreational therefore it is public purpose, so why are they not being acquired?.

Linear parks are overly wide (70m+) in areas that would otherwise be unencumbered and suitable for development.

Fragmented lands need to be amalgamated, in many circumstances entire properties have been marked as greenspace. These properties would not have any incentive to amalgamate. This will slow or stop development.

Who will maintain all these extra parklands? Who will ultimately own them? Council, State Government, private ownership etc.

Consultation & transparency is a complete FAILURE The lack of information and transparency and obvious complete lack of any coherent planning and budgeting for land acquisition of green space throughout the area within a reasonable time frame is mind blowing. That the Department of Planning Minister and Minister For Western

Sydney consider this to be acceptable clearly shows how they look at us with disdain and only care about the prominent developer families.

Considering most government projects have a history of running over schedule and massively over budget, as well as corruption allegations & ongoing ICAC investigations.... Is it any wonder, land owners have no confidence in all levels of government involved!

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 local rural community and residents of NSW expect better from representatives elected to represent them and would welcome a full PUBLIC inquiry.

Current exhibited precinct plans are too inconsistent, and in its current form will clearly benefit major developers and cripple land owners saddled with enormous tracts of green space unnecessarily.

Who will be responsible for the mental health of land owners and their families captured in green zones, being forced to stay "prisoner" on their property for an undisclosed period of time? The loss of basic human rights to get on with life that is available to the rest of Australia.

BREACHING OF HUMAN RIGHTS

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)

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?

Public Safety should always be the priority, 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.

The lack of a detailed register of bird/bat & wildlife & migration – a recommended 6 year assessment appears to be missing – we appear to have a 3 day assessment around 2018 & a 6 month assessment in 2020 & that assessment being done on “what we do know”....there could be a whole lot of “what we don’t know” Since the roadworks all native wildlife and birds are now distributed in a smaller area and the local bird population has increased 3 kms away from the airport runway. Keeping and increasing environmental land so close to the airport just doesn’t make any sense.

The increase in water retention areas/wetlands that don’t already exist & millions of tree planting to attract bird/bat/wildlife? Who is held responsible? Precinct plans look to keep farm dams in close proximity to the airport which is a bad idea, dams are not suitable in urban environments.

Creek lines have been retained even where no creeks appear and have gone overboard with the mapping. Catchments have been changed as a result of the road layouts and many will have less or piped water.

The ecology reporting is significantly underdone. No ecology technical report has been prepared. How can it be master planned without considering ecology? The Precinct Plan apparently sits on the SEPP, this is state level documentation which is overly restrictive especially since the reporting is not complete.

Major Developers are given the opportunity to master-plan a 100 ha location and simply lodge an amendment to precinct plans under a planning proposal for consideration or ultimately a Land & Environment Court determination, if they are not happy with the existing controls. This creates opportunity for corruption, bullying & unreasonable pressure on inexperienced land owners and unconscionable conduct.

If developers are going to buy land and develop they make enough money from their sales and it should be their responsibility to provide open space as part of their planning proposal which meets the DOP & PP requirements, which could be done through a VPA arrangement, it should not be the burden of mum & dad land owners by voiding all development potential from their land.

In conclusion only the following is acceptable:

- 1) The Environmental & Rec zoning is totally abandoned.

- 2) The proposed amendment to the WSA SEPP increasing this Environmental & Rec zoning is abandoned.
- 3) Developers in their designs include any green zones as a percentage.
- 4) Re-zoning cannot force down land values.
- 5) Government to step back and let developers buy property from the land owners – No time restrictions, No pressure to sell with the land owners left to sell when and for what amount.
- 6) Land rates to be held at single dwelling home on suburban block rates or held at rural rate amounts and not to be used to force families off their property with lower sales values because of zonings and restrictions.

