

[REDACTED]

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Sent: Wednesday, 10 March 2021 6:28 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Draft Precinct Plans
Attachments: 090321-final-hdc-planning-submission---luddenham-road-luddenham.pdf

Submitted on Wed, 10/03/2021 - 18:27

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Gilbert

Last name

de Chalain

I would like my submission to remain confidential

No

Info

Email

[REDACTED]

Suburb/Town & Postcode

Pymont 2009

Submission file

[090321-final-hdc-planning-submission---luddenham-road-luddenham.pdf](#)

Submission

Please refer to the submission uploaded made by HDC Planning on behalf of the landowner.

I agree to the above statement

Yes

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Submission to:

Draft Aerotropolis Precinct Plan:

Draft for Public Comment

November 2020

Made on behalf of:

Landowner - Immocolata Musico

Subject site:

[REDACTED]

[REDACTED]

Luddenham Rd,

LUDDENHAM NSW 2745

Date:

8th March 2021

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1 INTRODUCTION

HDC Planning has been engaged by the landowner, Immocolata Musico to review the Draft Aerotropolis Precinct Plan – Draft for Public Comment (November 2020) (*"the draft precinct plan"*) and supporting documents. This submission documents **HDC Planning** views on the draft precinct plan, particularly the impact upon [REDACTED] Luddenham Road, Luddenham NSW 2745 (*"the subject land"*).

In summary, this submission states that:

- the *subject land* is ideally located and suitable for a variety of uses and has been zoned as ENT-Enterprise zone in *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020*
- the *subject site* has been unnecessarily sterilized, reducing its development potential by an estimated 40 per cent; and,
- the draft precinct plan does not represent an the orderly and economic use and development of land.

This submission recommends that the precinct plan be revised resulting in the:

- removal of the undisturbed soil network classification to the north western portion of the site; and,
- amendment of the road network taking into account that modern industry requires larger, unrestrained development sites, thereby reducing the need for a finer road grid pattern.

Furthermore, it is recommended that any amendments made to the draft plan as a result of this exhibition process be re-exhibited giving those likely to be impacted upon an opportunity to offer further comment.

2 THE SUBJECT LAND

The subject site is located on the western side of Luddenham Road, north of the intersection of Luddenham Road and Elizabeth Drive. Improvements over the subject land include a dwelling house, dam and several sheds and garages.

The site is currently zoned ENZ: Environment and Recreation and ENT: Enterprise under the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020.

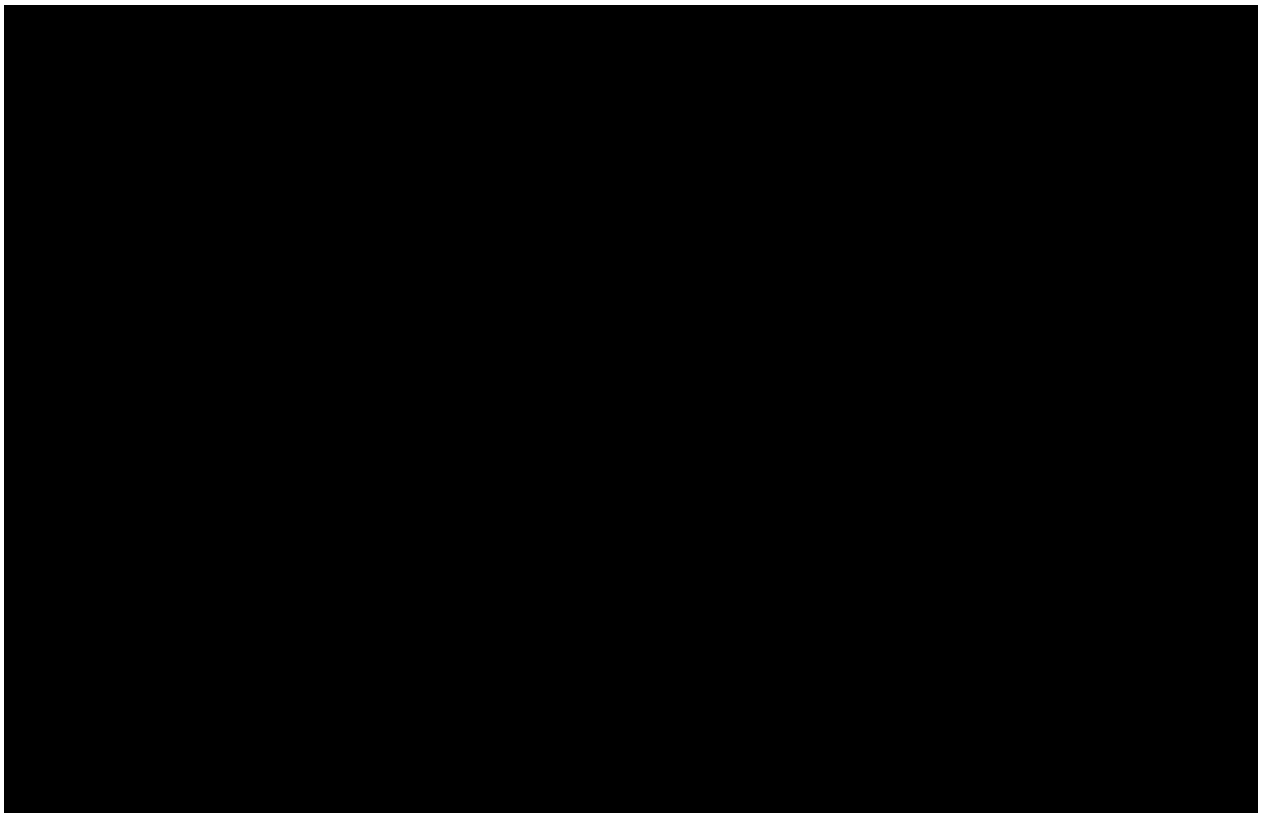


Figure 1: Extract of State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 Land Use Map – subject site in red

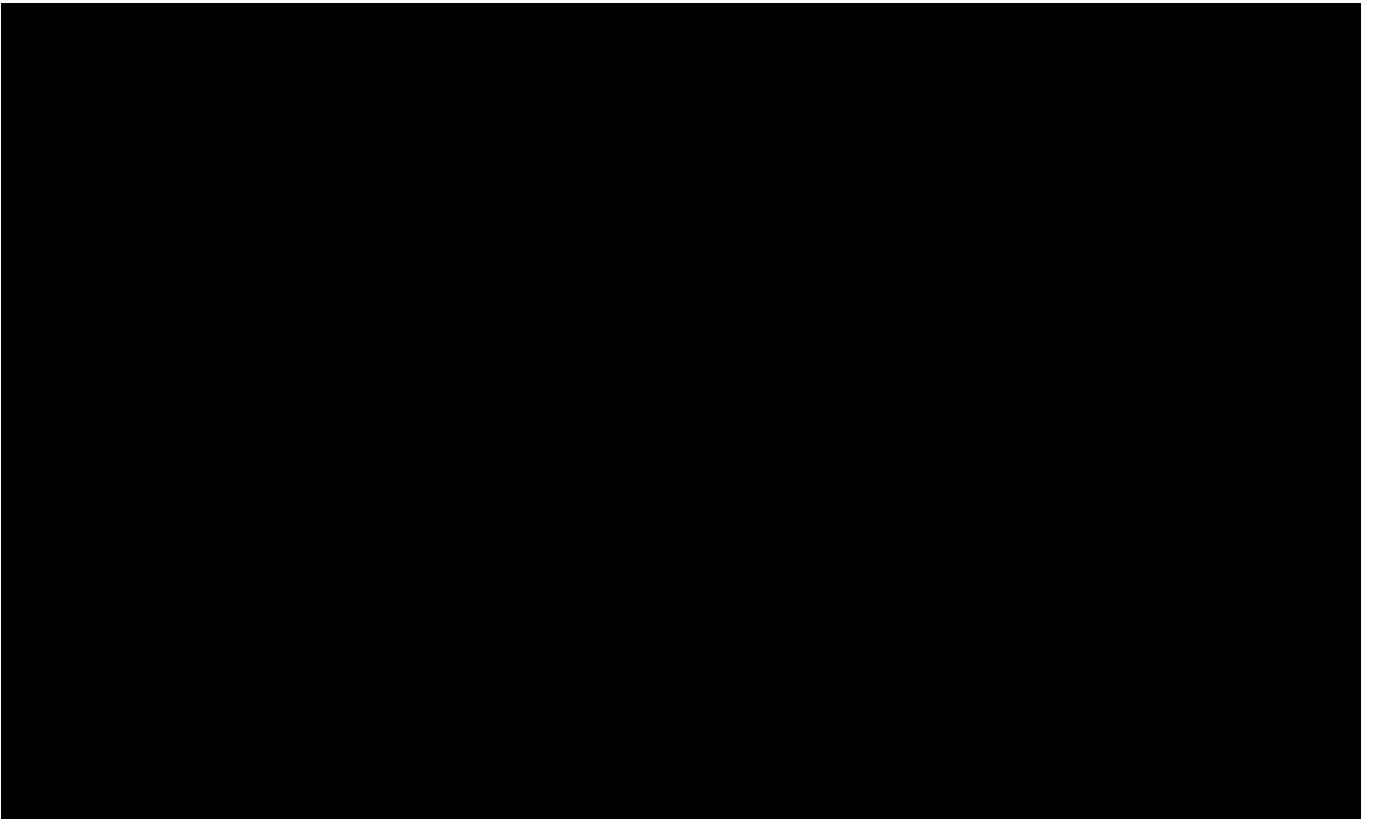
The objectives of the Enterprise Zone are to:

- *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 minimization, 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.*

Provided that the site is not unreasonably burdened through the imposition of unreasonable planning controls, future development will occur in a manner that will satisfy the relevant zone objectives.

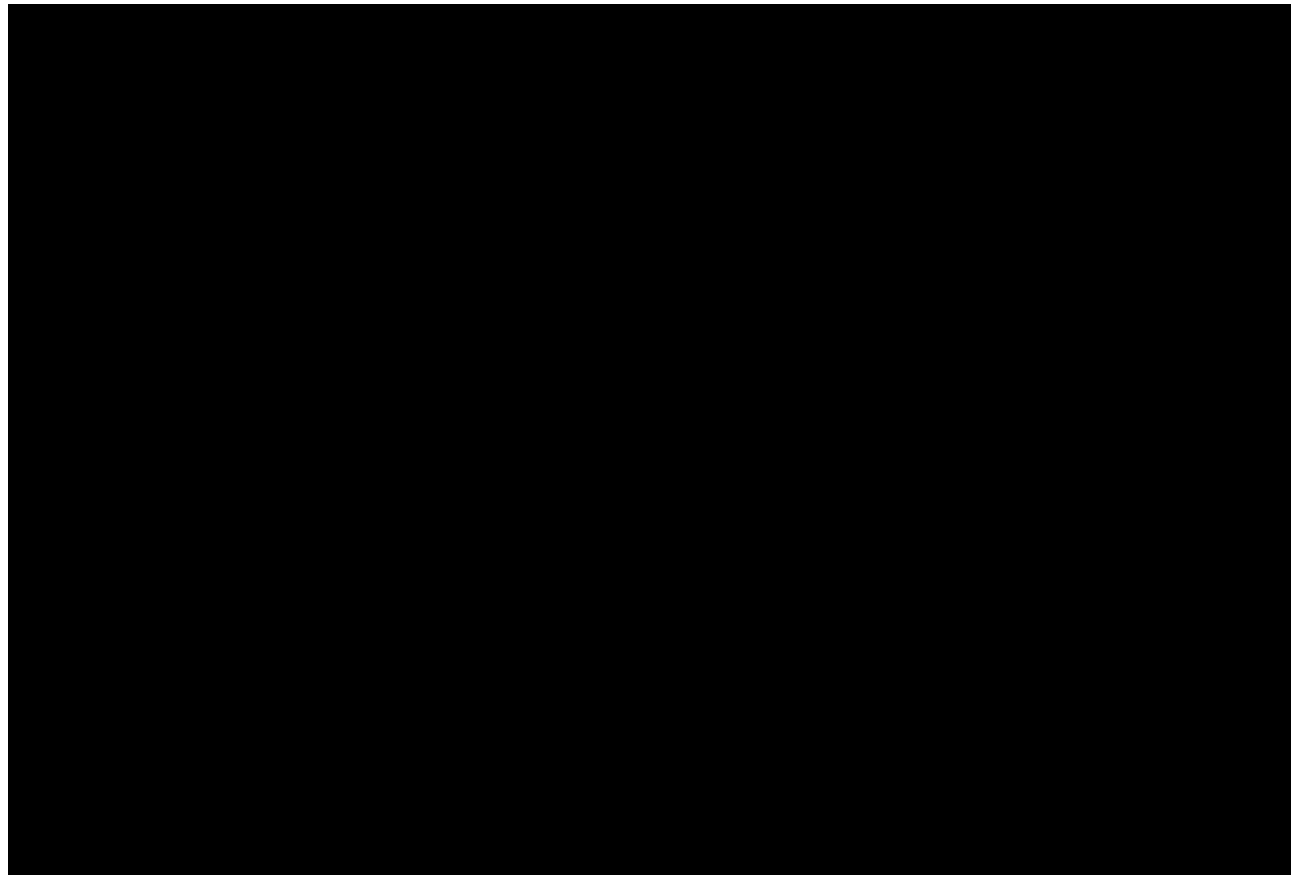
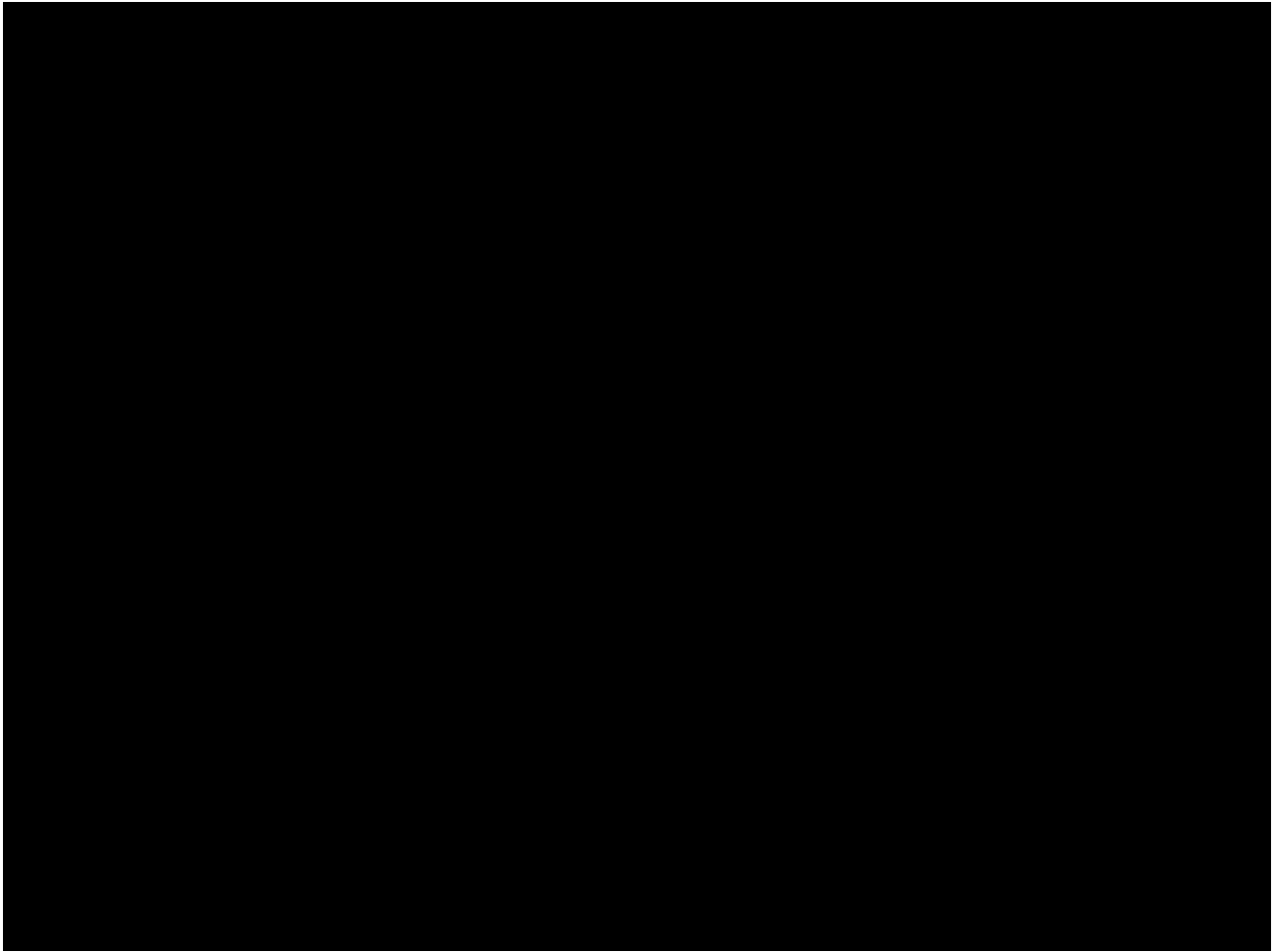
The site is well located with respect to existing and future road infrastructure, having direct access to Luddenham Road and in close proximity to Elizabeth Drive.



The subject land is largely cleared, with some buildings and ephemeral waterways through the site. Note that the only waterway present is that which flows north-south. There is no connecting waterway flowing east-west.

While the site is ideally positioned for redevelopment the draft precinct plan unreasonably burdens the site with the imposition of an overly complex road overlay and unreasonably land sterilization in the guise of the preservation of an "undisturbed soil network".

The following figures, extracted from the exhibition documentation identifies the subject site and the proposed road overlay and undisturbed soil network overlay.



According to Figure 4, two portions of the site have been identified as 'Undisturbed Soil Network'. These run through the site north-south and east-west. While it is excepted that there exists waterways running essentially north-south, the suggestion that there exists a waterway running east-west or the existence of a unique soil network that demands preservation is not reasonable.

Furthermore, the application of the undisturbed soil network land classification seems entirely arbitrary burdening one landowner. Surely soil networks don't respect property boundaries.

3 JUSTIFICATION: REMOVAL OF CONSTRAINTS

The subject land is located within the Northern Gateway precinct of the Western Sydney Aerotropolis and benefits from an 'Enterprise' land use zoning under the State Environmental Planning Policy (Western Sydney Aerotropolis). However, the Draft Precinct Plan applies substantial constraints upon the development of the site which negatively impact financial feasibility and will effectively sterilize its development potential.

3.1 The subject land provides an ample contribution to the open space network and should not be burdened with additional constraints

The subject land includes parts of two creek tributaries running through the site, both of which are identified as open space, to remain free from development. The location of these tributaries effectively cuts off the western end of the site for development, which substantially reduces the developable area of the site. Provision of this area for open space and environmental purposes is a substantial benefit to the community and to the preservation of the environmental value of the area. This is a substantial and sufficient contribution. The landowner accepts that actual waterways and a reasonable buffer zone is worthy of preservation and no objection is made in this regard.

3.2 The subject land should not be identified as 'undisturbed soil network'

As shown in Figure 4, part of the subject land has been identified as 'undisturbed soil network' which is effectively sterilized from development. A large part of the site is affected, with a strip of 'undisturbed soil network' running through the site from east to west.

The area identified as 'Undisturbed soil network' cannot be utilized and this greatly reduces the amount of developable area. There is no waterway present in this location and the sterilization of this land is an unreasonable burden to be carried by a single landowner. The benefits of this sterilization is unreasonable

in the circumstances and it is argued that the sterilization is greatly outweighed by the economic benefit of development.

3.3 An efficient grid pattern and road network are needed

The grid pattern of the Northern Gateway Precinct is inefficient, with smaller lot sizes and a large amount of land take up with roads, streets and pathways. The Precinct would benefit from a grid pattern which supports larger lot sizes or super-lots.

Manufacturing, logistics, defense and other industries which the NSW Government is hoping to attract to the Aerotropolis will benefit from larger lots sizes and more efficient road networks. The objectives of the Enterprise Zones, as outlined on page 3, will only be realized if larger lot sizes are encouraged which can accommodate the types of industries which would benefit from this strategic location, close to the airport and serviced by a major road network. This would also ensure that land use is maximized and land in this strategically advantageous location is not lost to over provision of roads, streets and footpaths.

3.4 Development potential of the site will be constrained if changes are not made

The subject site is substantially constrained by

- open space;
- areas of undisturbed soil network; and,
- an inefficient grid pattern and road layout.

The cumulative impact of these constraints is to severely undermine the financial feasibility of the development of the subject land. In order for the objectives of the Northern Gateway Precinct, and the Western Sydney Aerotropolis to be realized, changes must be made to remove unreasonable and unnecessary constraints to ensure the site (and others in the locality) can be developed in an efficient, effective and beneficial way.

4 CONCLUSION AND RECOMMENDATION

The development potential of the subject land is significantly constrained by the limitations imposed by open space requirements, the 'undisturbed soil network' as well as the inefficient grid layout and road network. In order to preserve the environmentally valuable water tributaries (open space) while still ensuring the site can be feasibility developed, we request the planning authority remove the requirements of the 'undisturbed soil network' from applying to the subject land. Furthermore it is recommended that the road network be revised to reduce the number of roads impacting upon sites, recognizing that modern industry in the vicinity of major transport nodes demands larger, unconstrained sites.

Therefore it is recommended that:

- the *subject land* be excluded from the application of the 'Undisturbed soil network' and
- the planning authority apply a more efficient and effective grid layout and road network to the Northern Gateway Precinct; and

Notwithstanding any of the above, should the planning authority wish to sterilize the site by preventing the development of the areas affected by the 'undisturbed soil network', a plan of acquisition should be prepared by the state government and a fair and reasonable offer of compensation should be provided to the landowner.