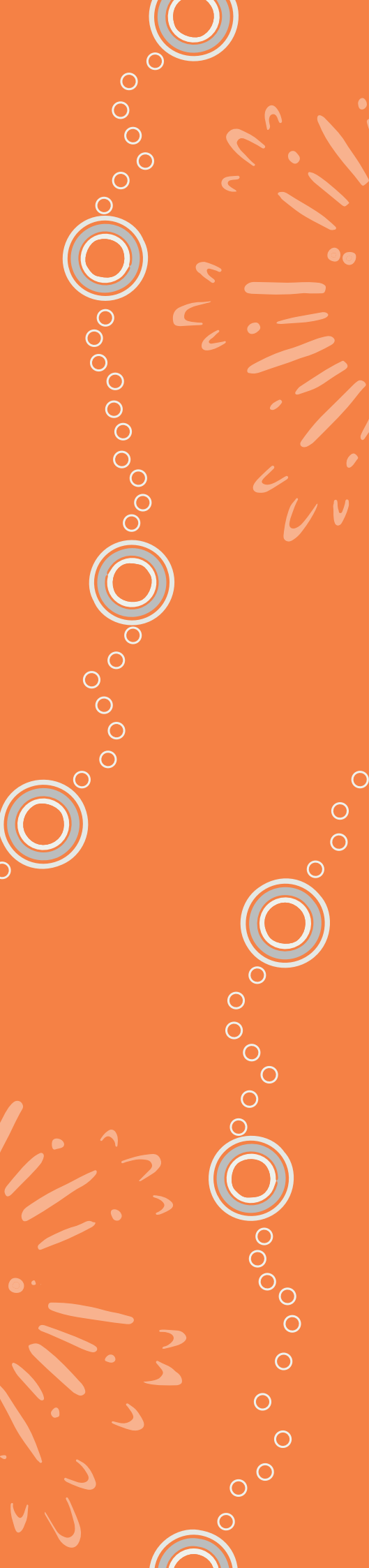


Aerotropolis

Responding to the Issues

NSW Department of Planning,
Industry and Environment
October 2021



Aerotropolis - Responding to the Issues

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Cover image: Artist's impression of the Aerotropolis town centre
Left and right: Artwork by Nikita Ridgeway



Acknowledgement

Planning for the Western Sydney Aerotropolis acknowledges more than 60,000 years of continuous Aboriginal connection to the land that makes up NSW.

We recognise that, as part of the world's oldest living culture, the Traditional Aboriginal and Torres Strait Islander Owners and Custodians of the Australian continent and adjacent islands share a unique bond to Country – a bond forged through thousands of years of travelling across lands and waterways for ceremony, religion, trading and seasonal migration.

Aboriginal people maintain a strong belief that if we care for Country, it will care for us. The Aerotropolis area is custodially cared for by three Aboriginal groups: the Darug, Dharawal and Gundungurra. Others, such as the Eora, Darkinjung, Wiradjuri and Yuin maintain trade or other obligatory care relationships with the area. The Deerubbin, Gandangara and Tharawal Local Aboriginal Land Councils also

have local land holdings and responsibilities towards Aboriginal people living in the area.

Country takes in everything within the physical, cultural and spiritual landscape - landforms, water, air, trees, rocks, plants, animals, foods, medicines, minerals, stories and special places. It includes cultural practice, kinship, knowledge, songs, stories and art, as well as spiritual beings and people: past, present and future.

The 11,200 hectare of the Aerotropolis forms part of Country - the interconnected and complex system of water, landscape, geology, sky and culture important to Traditional Owners and Custodians. Country is emerging as an integral concept to urban design. It extends from the mountains, across the plains and rolling hills to the sea and beyond.



South Creek

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Executive summary

The Western Sydney Aerotropolis is the new 11,200-hectare economic hub that will surround the Western Sydney International (Nancy-Bird Walton) Airport. It will be Australia's next global gateway, with new jobs and places to learn, within a cool, green and connected Western Parkland City.

The NSW Government has progressed significant planning, in the form of the Aerotropolis Planning Package, to support the delivery of the Aerotropolis. Community and stakeholder consultation has accompanied each step of planning for the Aerotropolis. The Aerotropolis Planning Package was built on community feedback received on the previously exhibited Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan and the Western Sydney Airport Plan.

The Aerotropolis Planning Package was exhibited in November 2020 through to March 2021, and received significant feedback from the community and stakeholders. In response to this feedback, the Hon. Rob Stokes MP, Minister for Planning and Public Spaces, appointed Professor Roberta Ryan as the Independent Community Commissioner in May 2021 to help address the concerns of smaller landowners in the Western Sydney Aerotropolis. The Independent Community Commissioner released her report to the Minister for Planning and Public Spaces in August 2021, which outlined 40 recommendations.

The government has taken this opportunity to provide responses in this report, Aerotropolis – Responding to the Issues, in an endeavour to provide certainty to the community as early as possible. This report includes responses to some of the recommendations from the Independent Community Commissioner, as well as the way forward on the planning issues raised in the Aerotropolis Planning Package. The NSW Government acknowledges that this report does not address all the Independent Community Commissioner's recommendations, and identifies specific areas that need additional consideration to address these recommendations.

The following planning documents are available to view from from 5 October 2021 until 2 November 2021:

- Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) Explanation of Intended Effect
- Phase 2 Development Control Plan
- Open Space Needs Study
- Luddenham Village Options Paper
- Recognise Country: Guidelines for Development in the Aerotropolis
- Aviation Safeguarding Guidelines
- Existing Use and Additional Permitted Use Guide.

By working with the Independent Community Commissioner, further consultation will be tailored to better meet the needs of the community as we progress the finalisation of Precinct Plans for December 2021.

Part 1 – Background

Independent Community Commissioner's report

The Hon. Rob Stokes MP, Minister for Planning and Public Spaces appointed Professor Ryan as the Independent Community Commissioner in May 2021 to help address the concerns of smaller landowners in the Western Sydney Aerotropolis.

The Independent Community Commissioner released her report to the Minister for Planning and Public Spaces, in August 2021 which outlined 40 recommendations.

The initial government response to the Independent Community Commissioner's report committed to a more detailed response in the coming months.

The government has taken this opportunity to provide these responses in this Aerotropolis - Responding to the Issues report in an endeavour to provide certainty to the community as early as possible. It is acknowledged that this report does not address all the Independent Community Commissioner's recommendations.

However, we continue to work with the Independent Community Commissioner to explore opportunities to assist the community to make decisions regarding their future in this changing environment.

Once again, we would like to thank the community for their ongoing engagement with the Independent Community Commissioner.

Further work to be completed

There are some recommendations that require further investigation to provide more certainty to the community.

These include:

- Further investigation will be undertaken by the Western Parkland City Authority, the Department of Planning, Industry and Environment and the Independent Community Commissioner regarding the timing, funding and placement of Precinct Managers.
- Work is currently being undertaken to improve the communications and engagement of all agencies operating in the Aerotropolis.
- The Independent Community Commissioner will be supported by Western Parkland City Authority. An Independent Community Commissioner portal will be included in the Western Parkland City Authority website.
- Over time, this portal could evolve into a gateway for landowners and the community to access information on which Government agency is responsible for a particular issue with relevant contact details.
- Further work is being done to investigate funding of land acquisition particularly the funding and program for voluntary acquisitions on compassionate grounds. The Precinct Plans will need to be finalised as a first step to implementing any program.

Aerotropolis Planning Package

In addition to responding to the Commissioner's report, this report addresses feedback received during the exhibition of the Precinct Plans and the follow up engagement that has taken place to inform the next stages of the land use planning process.

The [Aerotropolis Planning Package](#) was built on community feedback received on the previously exhibited, Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan and the Western Sydney Airport Plan.

Community and stakeholder consultation has accompanied each step of planning for the Aerotropolis. By working with the Independent Community Commissioner, further consultation will be tailored to better meet the needs of the community as we progress the finalisation of Precinct Plans for December 2021 to provide a greater level of certainty to the community.

In response to the Independent Community Commissioner's report several documents are on exhibition or have been released for information.

CURRENTLY ON EXHIBITION

Explanation of Intended Effect (EIE)

A document that outlines the proposed amendments to the *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP)* including:

- Changes to the Environment and Recreation Zone Boundary
- Inclusion of previously permitted uses
- Identification of land for acquisition.

Luddenham Village Discussion Paper

This paper provides options to guide a discussion with the community regarding the sustainable future of the Luddenham Village.

Phase 2 Development Control Plan

A detailed technical guide for the lodgement and assessment of Development Applications, this includes draft Recognise Country Guidelines and draft Aviation Safeguarding Guidelines.

October 2021

FINALISED DOCUMENTS

Aerotropolis - Responding to the Issues report

Open Space Needs Study

Existing Use and Additional Permitted Use Guide

Figure 1: Aerotropolis planning documents currently on exhibition and finalised

What we heard

Independent Community Commissioner recommendations

In May 2021, the Minister for Planning and Public Spaces announced the appointment of an Independent Community Commissioner to engage with landowners to address their concerns and the drivers of these concerns.

The feedback captured by the Independent Community Commissioner from landowners included the following issues:

- Uncertainty and lack of clarity regarding the finalisation of plans and delivery including potential acquisition
- Communication and clear language in the plans and supporting information
- Information and evidence to support decisions reflected in the plans
- Acquisition of private property
- The impact of airport noise contours on the range of uses permissible on the land
- Timing and pathways forward.

Following the in-depth consultation and analysis of the issues raised by

local landowners, the Independent Community Commissioner provided 40 recommendations for the way forward. A summary of all recommendations is provided in Appendix A.

The recommendations were delivered across three areas:

- Communication and engagement – ways for government to communicate and engage, with the community at the centre
- Granular responses to specific landowner impacts – zoning and proposed acquisitions
- Ongoing support – potential mechanisms to address fragmentation and uneven impacts, articulation of future pathways and on-going governance.

Community and stakeholder feedback – draft Aerotropolis Precinct Plans

During the exhibition period of the draft Aerotropolis Precinct Plans, community and stakeholder feedback received raised a number of issues and requested clarifications or amendments to the draft Precinct Plans.

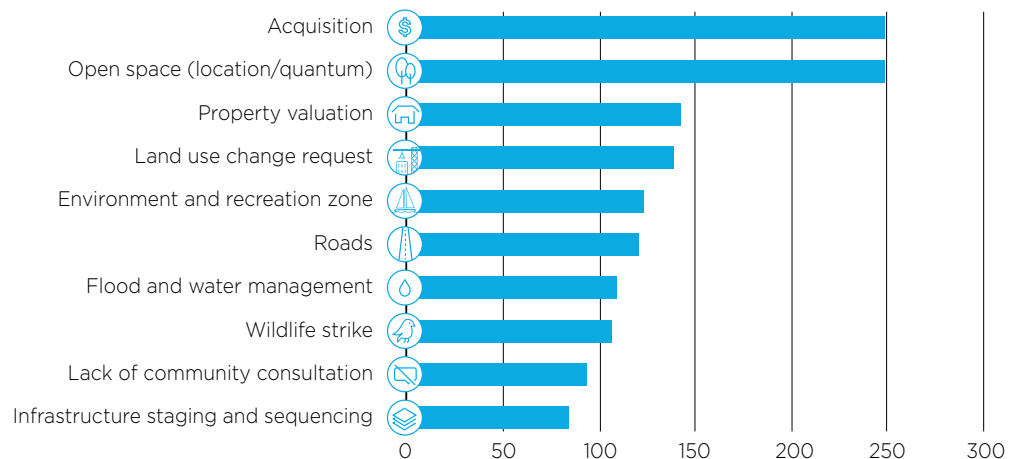


Figure 2: The 10 most common issues raised by the community and stakeholders during the exhibition of the draft Precinct Plans

Common themes and areas of interest

This report is focused on planning responses to the issues raised by the community through consultation undertaken by the Independent Community Commissioner and the government.

It is acknowledged that the main area of concern for landowners centred on the perceived value impact on their land. The Commissioner’s recommendations provide guidance for the government to create a fair and equitable pathway for smaller landholders to address outstanding concerns. Implementing these recommendations will require significant additional government resources and will require the resolution of outstanding land use planning matters, resourcing, funding and the coordination of agencies working in the Aerotropolis.

This report is the first step to address the planning issues which will provide a foundation to progress other investigations including the recommendations centred on providing ongoing support for smaller landowners.



Kelvin Park Homestead, Luddenham

Source: Extent Heritage 2020

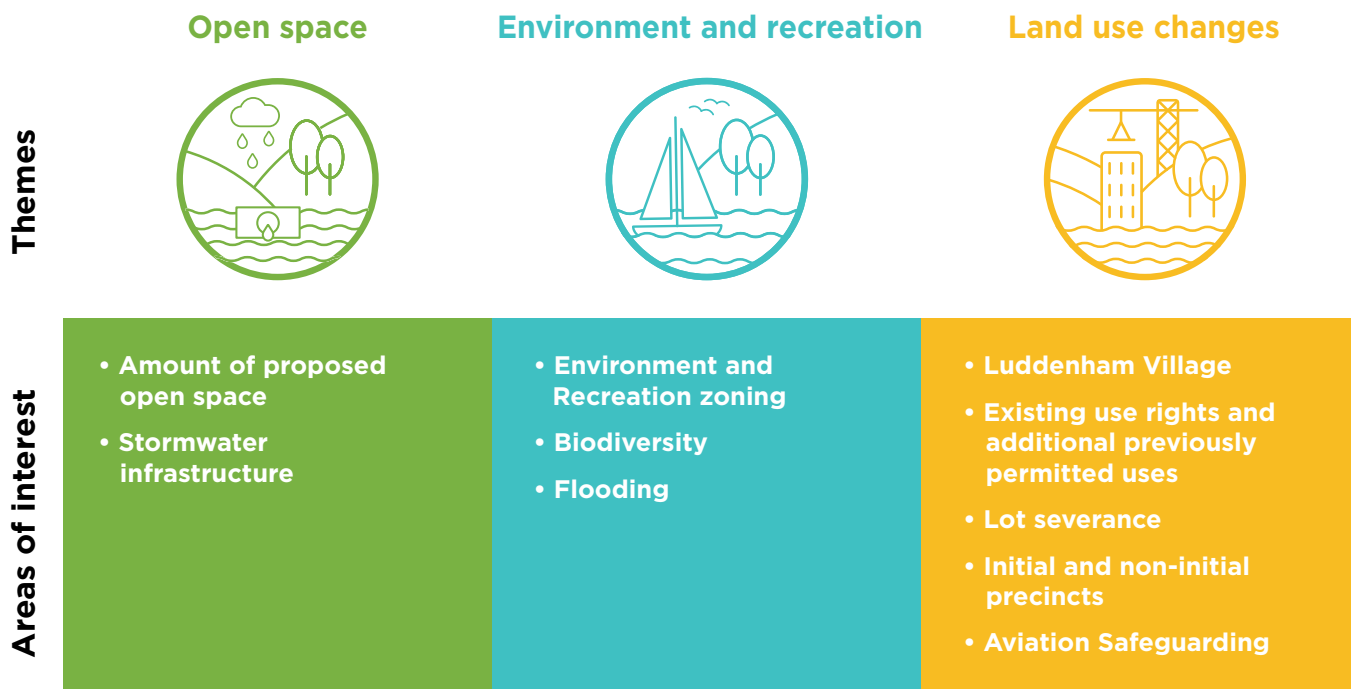


Figure 3: Themes and areas of interest

How land use planning is managed in the Aerotropolis

The Western Sydney City Deal is the key framework that brings the three levels of Government together for the planning, coordination, investment and delivery of the Western Parkland City. The Western Sydney Planning Partnership has had carriage of the community consultation and preparation of the Aerotropolis Planning Package. The aim of the Planning Partnership undertaking this work is to bring together all three levels of government to provide a greater

involvement and ownership of the plans, particularly for local government, which has the greatest connection to the local communities.

These agencies will also be working closely with the Independent Community Commissioner to implement recommendations made in her report, with a focus on both immediate priorities and long-term outcomes.



Figure 4: Roles and responsibilities of agencies in the Aerotropolis

Part 2 - Responding to the Issues

South Creek

Open space

In planning the Aerotropolis, the NSW Government needs to protect and plan for areas of open space to achieve good amenity, recreation and liveability outcomes.

The proposed Open Space Network in the Aerotropolis is important to protect and maintain parkland and recreation spaces for the current and future community who will work and live in the Aerotropolis.

The finalised Open Space Network has been refined to reduce the amount of private land required for acquisition. In the meantime, the government will ensure the planning controls allow the land to be used as before. It will mainly be acquired by the Councils and will provide parkland and recreation spaces such as playing fields, picnic areas and cycle paths for the current and future community. The Open Space Network is different from the Environment and Recreation zone which is addressed later in this report.

Theme: Open space



Open space issues






What we heard

- A significant number of submissions (almost 250 out of 673 submissions) stated that too much open space was identified in the draft Precinct Plans.
- There was little support for the amount of open space proposed, particularly when impacting privately owned land.
- The rationale and the process used to locate proposed open space was not available for public review.
- The many types and descriptions of open space were confusing. There was preference for a simplified definition of open space.
- Many submitters raised concerns about who would acquire the open space and when this would happen.
- Landowners preferred their land to be zoned for Enterprise or Mixed Use.
- Some smaller landowners raised concerns that the draft Precinct Plans favoured larger landholders.
- There was confusion expressed between land identified for open space and land that has been zoned as Environment and Recreation, including in some instances an assumption that the government would acquire land that is zoned Environment and Recreation.

How we are responding

- An Open Space Needs Study was undertaken and found that the need to acquire private properties for open space has been reduced by 42% or 622 hectares and still ensures that 16.2% of the initial precincts in the Aerotropolis are open space. The revised Open Space

Responding to:

- ▶  **Submissions**
- ▶  **Stakeholder feedback**
- ▶  **ICC recommendations**

#11 - Finalise the detailed precinct plans to rationalise the scale of the open space overlay based on evidence of need and meet the NSW Government commitment that it is publicly accessible open space

#12 - Continue to communicate that any land required for publicly accessible open space will be acquired

#13 - Conduct and make public an Aerotropolis-wide open space needs study for the initial precincts, in conjunction with the finalisation of the precinct plans

#14 - The Aerotropolis SEPP should clearly identify land to be acquired with the Precinct Plans to be updated and consistent with the SEPP

Network ensures that over 95% of homes will be located within 400 metres (or a five minute walk) of open space.

- Land included in the revised Open Space Network has been identified, explained and justified in the Open Space Needs Study, which has been released in conjunction with this report.
- To ensure that the Aerotropolis meets the open space needs of the current and future population, all land marked as open space will need to be in government ownership.
- The revised Open Space Network is reflected in the Land Reservation Acquisition Map as part of the proposed amendment to the *Aerotropolis SEPP* which is currently on exhibition and open for public comment. The Land Reservation Acquisition Map will also include land that has been identified for stormwater infrastructure. This is in addition to the land identified under the current Land Reservation Acquisition Map for a regional park at Thompsons Creek.
- We will consult the community on the revised Open Space Network (including stormwater), and will seek submissions on the Open Space Network map.
- The amended *Aerotropolis SEPP* will be finalised by December 2021 and identify the relevant acquisition authority for land in the Open Space Network.
- The revised Open Space Network will be included in the final Precinct Plans, to be released in December 2021.

What will stay the same

- The proposed Open Space Network will not be zoned, i.e. we will not change the underlying zone of the land. For example, land can be both zoned Mixed Use and be part of the Open Space Network. The existing zone will still apply, and this will assist in determining the value of land for the purposes of acquisition.
- Until they decide to sell, the landowners impacted by the Open Space Network can continue to use their land as they currently do, and did, prior to the network's introduction. Any new development on land affected by the Open Space Network will need to go through the usual development application or complying development process for approval.
- Land is still required for open space and this has been identified by the Open Space Needs Study, and the Open Space Network map in the final Precinct Plans and Land Reservation Acquisition Map in the *Aerotropolis SEPP*. These maps identify what land will be acquired in the future.
- Where possible, acquisition will occur when the landowner is ready to sell, and this may be some time into the future. There may be instances where the land is required to deliver open space at a particular time in conjunction with adjoining land. If this is the case, the government will approach the landowners and commence the acquisition process either through voluntary acquisition or compulsory acquisition.

Next steps

- Information regarding the process for valuation of land within the Open Space Network will be provided by the first quarter of 2022.
- The Explanation of Intended Effect to amend the *Aerotropolis SEPP* includes land identified for the Open Space Network within the Land Reservation Acquisition Map and is on exhibition now and open for public comment and submissions. It is proposed to finalise the amendment of the *Aerotropolis SEPP*, including identification of who will acquire land by December 2021. All submissions will be taken into consideration in the finalisation of the *Aerotropolis SEPP* amendment.
- The final Open Space Network map will be incorporated in the final Precinct Plans which will also be finalised in December 2021.



Artist's impression of the Aerotropolis town centre

Theme: Open space



Responding to:

- ▶ Submissions
- ▶ Stakeholder feedback
- ▶ ICC recommendation

#14 - The Aerotropolis SEPP should clearly identify land to be acquired with the Precinct Plans to be updated and consistent with the SEPP

Stormwater infrastructure



One of the central objectives in planning for the Aerotropolis is to take a landscape-led approach and to retain water in the landscape. Stormwater infrastructure in the Aerotropolis includes detention basins, creeks, waterways and some existing dams.

As the Aerotropolis develops and the natural and rural environment becomes urbanised, we need to manage the water runoff from developed areas (i.e. the stormwater quantity) and include treatment for stormwater to protect the health of waterways that stormwater runs into (i.e. stormwater quality). To successfully manage this, stormwater infrastructure is needed to comply with the waterway health targets that have been set for the Aerotropolis. These targets will be included in the Development Control Plan.

The stormwater infrastructure in many parts of the Aerotropolis will create more open space and places that people can enjoy such as parks, or in some cases, as playing fields. Therefore, we have combined the space dedicated to stormwater infrastructure with the space dedicated to open space to create an Open Space Network for future communities to enjoy.

Managing and operating stormwater in the Aerotropolis is not a business as usual approach. We are investigating how to bring the stormwater infrastructure into public ownership and to manage all of the stormwater infrastructure as an integrated water system, including stormwater recycling. A trunk drainage manager will be appointed to operate and manage this infrastructure, and will actively manage the landscape and, over time, rehabilitate the creeks and waterways to be part of a healthy, natural system.

What we heard

- Lack of simplicity regarding who would own and manage the proposed stormwater infrastructure and whether the land on which the infrastructure is located would be subject to acquisition by the government.
- If I have stormwater infrastructure located on my land - what does that mean - will this portion of my land be acquired and by who?
- Why is so much space needed for stormwater infrastructure?

How we are responding

- A comprehensive review has been completed on the stormwater infrastructure required for the Aerotropolis (including water detention basins) to consolidate and reduce the impact on land that is currently privately owned.
- Water detention basins (where it makes sense to do so) are being integrated with the revised Open Space Network, which means that there are fewer smaller landowners impacted and less land required for acquisition.
- The Open Space Needs Study includes information about the amount of space needed for stormwater and how this is co-located with and adds to the Open Space Network.
- A trunk drainage manager will be appointed to build, operate and maintain the stormwater infrastructure. It is not yet certain which agency will acquire, build and manage the land for stormwater infrastructure. Details regarding the acquisition authority and manager for stormwater will be included within the finalised amendment of the *Aerotropolis SEPP*, due for release in December 2021.

- The Explanation of Intended Effect to amend the *Aerotropolis SEPP* includes the Land Reservation Acquisition Map showing the Open Space Network which includes the space needed for stormwater management (see Figure 5).
- We are consulting the community on the revised Open Space Network (including stormwater), and will seek submissions on the land identified in Open Space Network map which is also included in the Land Reservation Acquisition Map.

What will stay the same

- Although a review of the stormwater network has been undertaken to reduce the impact on private property it is still necessary for stormwater infrastructure to be provided to help manage water quality, the release of water and to protect water ways.

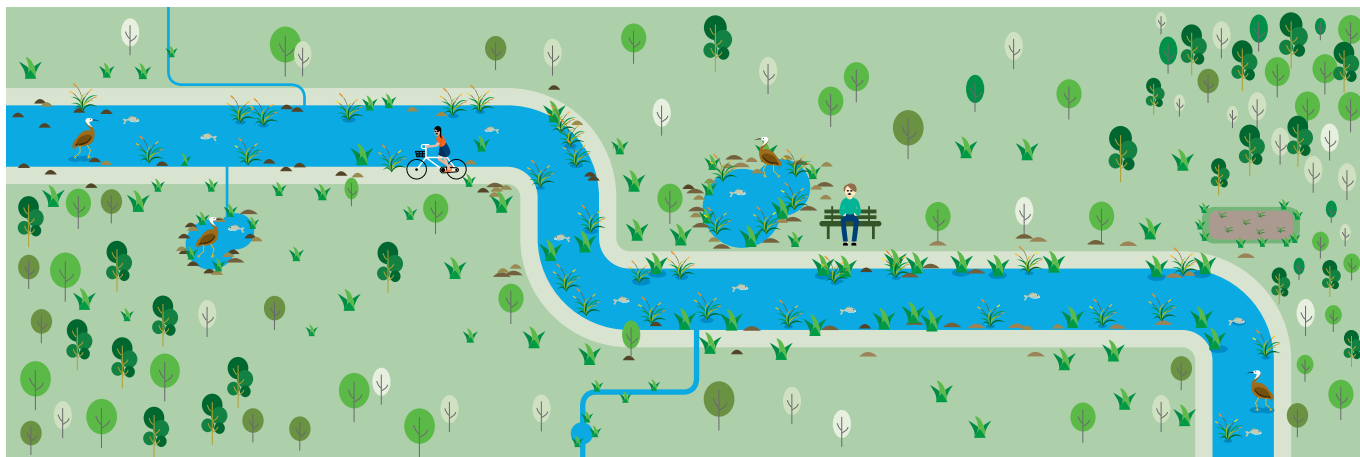


Figure 5: Stormwater management around waterways

Next steps

- Further work is required to determine the stormwater authority responsible for the acquisition of land for stormwater infrastructure and the management and maintenance of the stormwater system. The identification of the stormwater authority will be identified as part of the finalisation of the amendment to the *Aerotropolis SEPP*.
- Consider submissions received in response to the exhibition of amendments to the *Aerotropolis SEPP*, specifically the Land Reservation Acquisition Map that includes land identified for stormwater infrastructure.
- The final Open Space Network, which includes stormwater infrastructure will be included in the finalised amendment of the *Aerotropolis SEPP* in December 2021. The final Open Space Network will be reflected in the final Precinct Plans, also due to be released in December 2021.

Environment and Recreation

In October 2020, some land was rezoned to Environment and Recreation through the *Aerotropolis SEPP*. The *Aerotropolis SEPP* applied the Environment and Recreation zone to the Wianamatta-South Creek Precinct and other areas through the Land Zoning Map.

The Environment and Recreation zone includes land:

- that is affected by the 1:100 chance per year flood planning level
- which includes vegetation protected under the existing Biodiversity Certification program and the Strategic Assessment program
- that is all Cumberland Plain Conservation Plan vegetation
- to be acquired along Thompsons Creek for the purposes of creating a regional park close to the Aerotropolis Core city centre.

The objectives of the zone are to protect and provide the opportunity to restore waterways in the Aerotropolis, including Wianamatta-South Creek and the waterways draining into the creek. The area includes privately owned land that is already restricted from development due to flood risk and protected vegetation. There is a need to ensure that these areas are protected for the future as the zone also allows for the possible future provision of public recreation opportunities on land that will be put into public ownership, such as the Thompson Creek area.

The name of the Environment and Recreation zone does not mean the government will acquire land within the zone, nor that it will be used for public recreation or necessarily have biodiversity value.

Theme: Environment and Recreation



Environment and Recreation zone



What we heard

- The Environment and Recreation zone created uncertainty for landowners around the implications for land that falls within the zone, including:
 - the meaning of the zone’s name
 - the zone’s potential impact on land values, particularly being perceived as a down zoning
 - how to sell property in the future within this zone
 - what the land will be used for in the future
 - will it be used for playing field and other recreation facilities
 - the perception that the government is seeking to use private land for a public purpose without adequately compensating the landowner
 - future land transactions
 - opportunities to undertake development
 - the continuation of existing uses (i.e. small business or residential).
- Landowners want to be adequately compensated. If acquired, it should be for the value of the land prior to the finalisation of the Precinct Plans.
- Property advisors, valuers and other industry stakeholders did not understand the scope and intent of the Environment and Recreation zoning and at times inconsistently communicated potential impact on land valuations.
- Widespread views that the creeks and other waterways have been neglected and need rehabilitation, and the representation of what they might be in the future was overstated.

Responding to:

- ✉ Submissions
- 💬 Stakeholder feedback
- ✅ ICC recommendation

#6 – Educate the influencers, including planning and property advisors and real estate agents

#10 – Amend the Aerotropolis SEPP as a matter of priority including the rationalisation of the Environment and Recreation zoning

#16 – Inform and educate landowners on their existing use rights and permissible land uses under the Aerotropolis SEPP

#25 – In consultation with impacted landowners zoned Environment and Recreation Zone (Environment and Recreation Zone) in the Wianamatta-South Creek Precinct to the east of Wianamatta South Creek adjoining the Kemps Creek and Rossmore Precincts, the Department is to investigate if they can be reverted to the zoning that existed on their land before the commencement of the Aerotropolis SEPP

#32 – With the Aerotropolis, the process for engaging with and educating landowners to support the achievement of bio-diversity conservation outcomes for the Aerotropolis occurs at a granular rather than an Aerotropolis scale, using pilots with small groups of landowners to support a process where landowners may be incentivised to contribute to these outcomes

- There is lack of clarity as to whether private land in the Wianamatta-South Creek Precinct would be acquired for rehabilitating the creek.
- Concerns about the impact of flooding and biodiversity constraints on current and future land uses and land values.

How we are responding

Application of Environment and Recreation zone

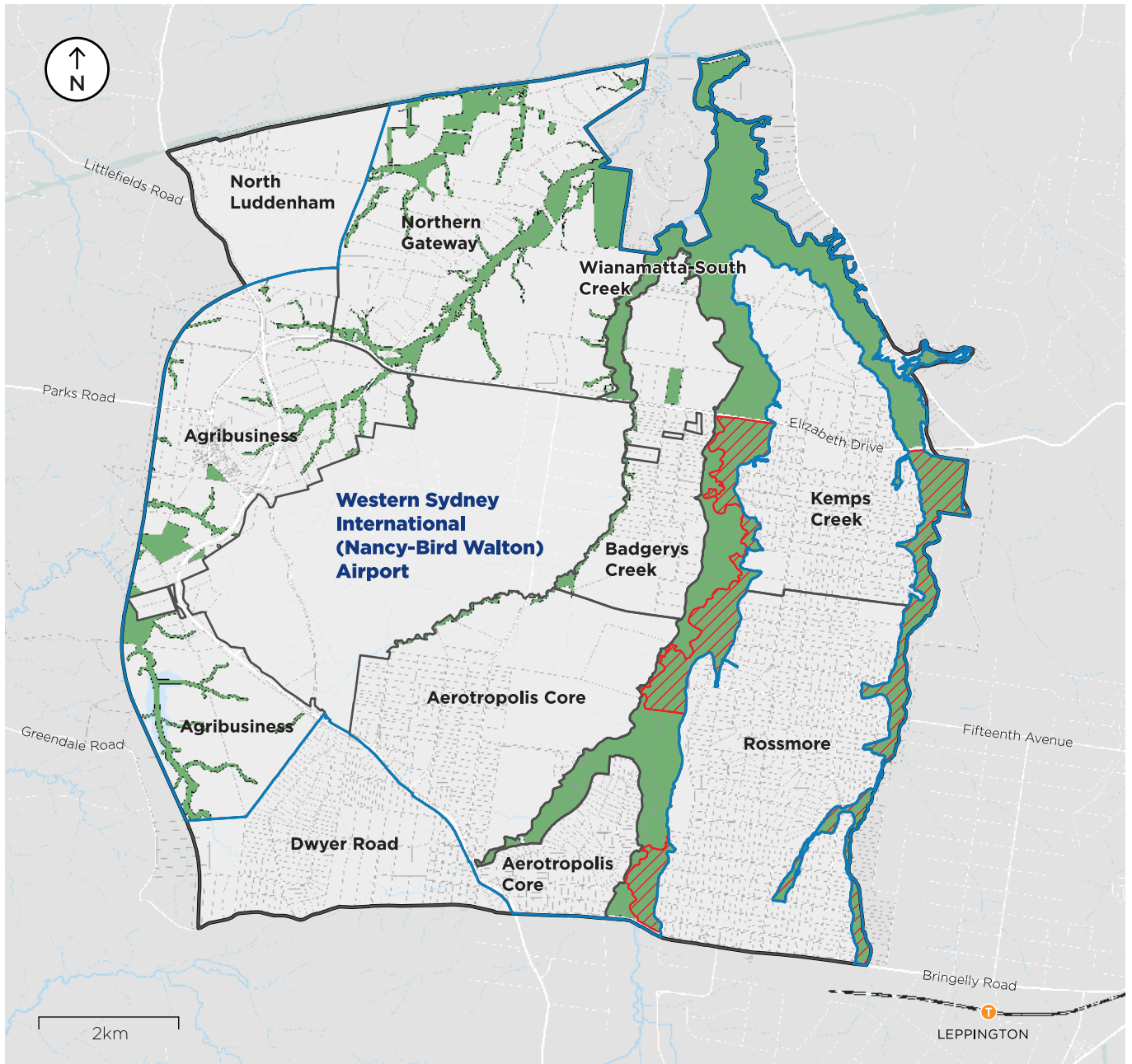
- There are significant changes proposed to the Wianamatta-South Creek Precinct. The Environment and Recreation zone will be removed from some properties and replaced with the RU4 Rural Small Holdings zone under the *Liverpool Local Environmental Plan 2008*. This is the zone that applied to these properties prior to the commencement of the *Aerotropolis SEPP* and the application of the Environment and Recreation zone. These properties are in areas that adjoin the non-initial precincts of Kemps Creek and Rossmore, south of Elizabeth Drive. See Figure 6. Whether to make these proposed changes to the zone will be determined through targeted consultation undertaken with the assistance of the Independent Community Commissioner and consideration

of submissions to the proposed amendment of the *Aerotropolis SEPP*.

- It is proposed that the Environment and Recreation zone be reduced by 1,329.8 hectares (32.6%) to 896.6 hectares within the Liverpool local government area. The areas nominated for consideration for the removal of the Environment and Recreation zone are those areas where there will be little or no development pressure within the short term and therefore the potential for

adverse impacts on Wianamatta-South Creek are reduced.

- For constrained land, where there may be development pressure in the short to medium term, the Environment and Recreation zone will still apply. These properties will remain as an initial precinct and the relevant provision with the *Aerotropolis SEPP* will continue to apply.
- Additional permitted land uses will be re-introduced to align the Environment and



KEY	 Area of ENZ zone to be amended	 Existing SEPP Land Application Boundary	 Cadastre
	 ENZ Environment and Recreation	 Existing Aerotropolis Precinct Boundary	

Figure 6: Proposed zoning changes

Recreation zone more closely with the previous zone that applied to the land before the commencement of the *Aerotropolis SEPP*. These uses include dual occupancies, dwelling houses and secondary dwelling depending on previous uses permissible in the zone. As was the case under the previous zoning, these permitted land uses will require a development application to be lodged and assessed by the relevant council.

- The airport safeguarding provisions, including the exclusion of noise sensitive development from noise affected areas will continue to apply regardless of whether the land is zoned Environment and Recreation or RU4.
- The Explanation of Intended Effect to amend the *Aerotropolis SEPP* includes the proposal to rezone some land, previously included in the Open Space Network, to Environment and Recreation to meet the biodiversity certification requirements. This is consistent with the approach in other areas of the Aerotropolis where land required for biodiversity certification has already been zoned Environment and Recreation.

Wianamatta-South Creek

- The Wianamatta-South Creek Precinct boundary will remain unchanged, however where the Environmental and Recreation zone is replaced with the RU4 zone, that part of the precinct will be changed to being non-initial precinct and will no longer be covered by the Precinct Plans, to be finalised in December 2021.
- Further work is being undertaken by the Department of Planning, Industry and Environment to investigate options for funding for the delivery of the Wianamatta-South Creek blue-green grid. This may include potential remediation, vegetation and water

management projects within the Wianamatta-South Creek Precinct. These investigations are being undertaken as part of the Wianamatta-South Creek Delivery Strategy which is a technical analysis of the precinct to support the formulation of a funding proposal for consideration by the NSW and Commonwealth governments. The outcomes of the funding proposal will be known in 2022.

- It is proposed to finalise the amendment of the *Aerotropolis SEPP* by December 2021. All submissions will be taken into consideration in the finalisation of the *Aerotropolis SEPP* amendment.

Boundary review of the Environment and Recreation zone

- We are rationalising the boundary of the Environment and Recreation Zone in accordance with the Commissioner's recommendations to ensure that it aligns with:
 - 1:100 flood chance per year planning level, and flood islands (meaning land that is flood free but is surrounded by flood affected land) that cannot be accessed or evacuated in a flood
 - land identified in the draft Cumberland Plain Conservation Plan
 - lands required for biodiversity certification (responding to the Independent Community Commissioner's recommendation #10).

Industry and Council actions

- Education sessions will be undertaken by the NSW Government for industry practitioners and stakeholders about the Environment and Recreation zone and the planning controls that apply to the Aerotropolis. These sessions are targeted at planners, property advisors and real estate agents to



promote a greater understanding of land values in the Aerotropolis (responding to the Independent Community Commissioner's recommendation #6).

- In collaboration with Councils, a Guideline to Existing Use Rights and Permissible Land Uses has been prepared and is available on the Department of Planning, Industry and Environment's website (responding to the Independent Community Commissioner's recommendation #16).

What will stay the same

- The Environment and Recreation zone will continue to exist as part of the *Aerotropolis SEPP*, but will have refinements as described above.

- Achievement of conservation outcomes does not rely solely on public ownership. This is consistent with the approach taken across NSW. Further work will be undertaken to investigate the potential economic return for land zoned Environment and Recreation.
- For land where the Environment and Recreation zone is removed, the aircraft noise and airspace operations controls will still apply to ensure that the community is protected from noise impacts due to the operation of the Western Sydney International Airport.
- Where Environment and Recreation zone is changed to RU4 the flooding provisions of the *Liverpool Local Environmental Plan 2008* and Development Control Plan will apply (refer to page 23 on Flooding).

Next steps



- The Explanation of Intended Effect to amend the *Aerotropolis SEPP* is currently on exhibition, which includes reductions to the Environment and Recreation zone.
- We will review submissions on the Explanation of Intended Effect and consider these as part of finalising the *Aerotropolis SEPP* amendment in December 2021.
- Further work is currently being undertaken to draft information on how land values within the Environment and Recreation zone are determined, in consultation with the NSW Valuer General.
- Further work will be undertaken on the Wianamatta- South Creek Delivery Strategy to support the funding proposal for potential remediation, vegetation and water management projects. The outcomes of the funding proposal will be known in 2022.

Aerial artist's impression of the Aerotropolis



Theme: Environment and Recreation



Biodiversity



The Environment and Recreation zone has been applied to protect land that has been identified as having biodiversity value through two strategic conservation certification plans that apply to the Aerotropolis.




The biodiversity certification refers to vegetation protected under the existing *Sydney Region Growth Centres Biodiversity Certification Order* (and complementary Commonwealth Strategic Assessment program), as well as the vegetation proposed to be protected as part of the Strategic Biodiversity Certification being developed as part of the *Cumberland Plain Conservation Plan*. Figure 7 shows where each plan applies.

These strategic plans identify threatened plants and species so that the impact of development can be avoided, minimised or mitigated. Implementation of the plans requires planning controls (for example land zoning) to protect these important areas.

What we heard

- The mapped vegetation is not considered to be existing native vegetation, or vegetation of any value and should be ground truthed.
- Expert reports provided as submissions indicating low or no ecological value of land marked for biodiversity value have been ignored.
- Retention of vegetation will lead to bird attraction and is inconsistent with aviation safeguards.
- The potential negative impact on individual land values.

Responding to:

- ▶  **Submissions**
- ▶  **Stakeholder feedback**
- ▶  **ICC recommendation**

#10 - Amend the Aerotropolis SEPP as a matter of priority including the rationalisation of the Environment and Recreation zoning

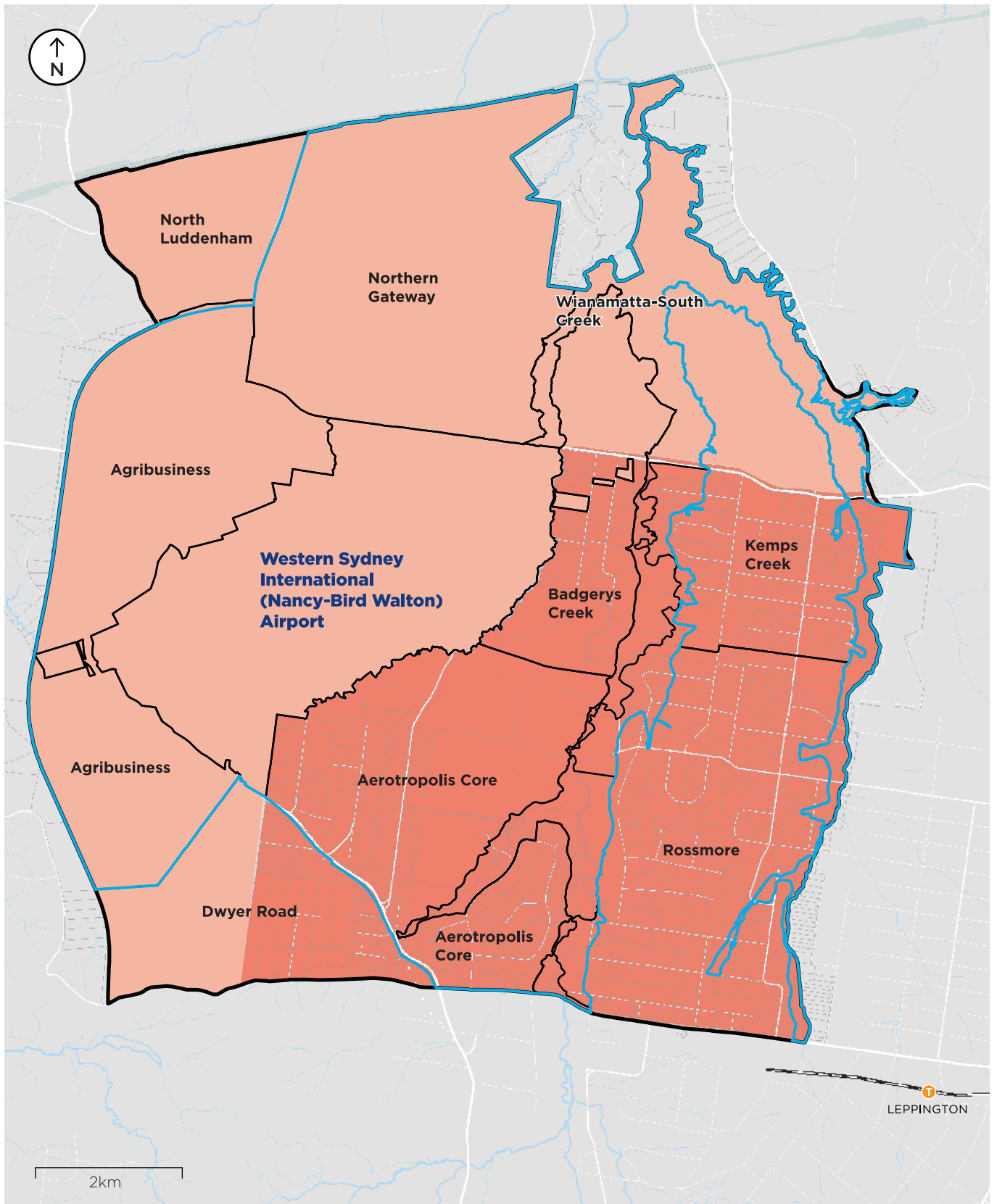
#20 - To address concerns regarding potential zoning impacts, the Department of Planning, Industry and Environment should investigate options that increase the potential economic return for land zoned Environment and Recreation

#25 - In consultation with impacted landowners zoned Environment and Recreation Zone (Environment and Recreation Zone) in the Wianamatta-South Creek Precinct to the east of Wianamatta South Creek adjoining the Kemps Creek and Rossmore Precincts, the Department is to investigate if they can be reverted to the zoning that existed on their land before the commencement of the Aerotropolis SEPP

#32 - With the Aerotropolis, the process for engaging with and educating landowners to support the achievement of bio-diversity conservation outcomes for the Aerotropolis occurs at a granular rather than an Aerotropolis scale, using pilots with small groups of landowners to support a process where landowners may be incentivised to contribute to these outcomes

How we are responding

- The biodiversity protections will be finalised in the Precinct Plans and will not exceed those identified in the draft Precinct Plans.
- For land subject to the *Sydney Region Growth Centres Biodiversity Certification Order* (land south of Elizabeth Drive and east of the Western Sydney International Airport), we have recalculated the biodiversity protection requirements based on a revised Wianamatta-South Creek Precinct boundary. This results in a reduced area of land needed to meet the bio-certification requirements. These changes are shown in the Explanation of Intended Effect which is on exhibition. This change will be reflected in the final Precinct Plans and the finalised High Biodiversity Value Areas Map of the *Aerotropolis SEPP*.
- Where additional expert ecology reports were provided with a submission to the draft Precinct Plans, our ecologists, EcoLogical Australia, have reviewed and considered this additional information. This has informed our review of mapping of areas of biodiversity and the finalisation of the Precinct Plans.



KEY	 CPCP Application	 GC Order Application	 SEPP Land Application Boundary	 Proposed Aerotropolis Boundaries	 Cadastre

Figure 7: Conservation plan locations

- Parts of the Aerotropolis are subject to the *Draft Cumberland Plain Conservation Plan* (land to the north of Elizabeth Drive and west of the Western Sydney International Airport). The Department of Planning, Industry and Environment received over 500 submissions during public exhibition of the *Draft Cumberland Plain Conservation Plan* from 26 August to 2 November in 2020, and is preparing a submissions report. The Department of Planning, Industry and Environment is aiming to release this report before the end of the year with updated mapping available through a spatial viewer. The *Aerotropolis SEPP* will ensure the commitments outlined in the *Draft Cumberland Plain Conservation Plan* are implemented and associated changes to zoning will be included in the final Precinct Plans and *Aerotropolis SEPP*, once the *Draft Cumberland Plain Conservation Plan* is finalised.

What will stay the same

- The landscape-led approach to planning for the Aerotropolis remains an important objective. This includes protecting biodiversity and requiring appropriate landscaping (as included in the Development Control Plan) to accompany future development.
- The Aerotropolis continues to be planned to meet the legal requirements for biodiversity retention and to ensure biodiversity protection is upheld in our land use planning.
- Land use planning for the Aerotropolis will continue to be guided by the two biodiversity certification plans that apply to the Aerotropolis – the *Draft Cumberland Plain Conservation Plan* and the *Sydney Region Growth Centres Biodiversity Certification Order*.

Next steps

- Following the exhibition of the Explanation of Intended Effect to amend the *Aerotropolis SEPP*, we will consider submissions received in response to the exhibition and finalise the *Aerotropolis SEPP*.
- Finalisation of Precinct Plans for initial precincts will be released in December 2021.
- The Department of Planning, Industry and Environment is working to submit the *Cumberland Plain Conservation Plan* for approval before the end of the year.






Ridgeline Park

Theme: Environment and Recreation



Responding to:

-  Submissions
-  Stakeholder feedback
-  ICC recommendation

#23 - Upon the adoption of new flood modelling by Liverpool City or Penrith City Councils, the Department of Planning, Industry and Environment considers the implementation of the new modelling so it does not increase the amount of land zoned Environment and Recreation

Flooding



What we heard

- Some landowners believed that the draft Precinct Plans identified additional areas that are flood-affected to further sterilise land for development.
- The draft Flood Study released by Liverpool City Council in 2020 and the flood impacts shown in the draft Precinct Plans led some landowners to understand that the zoning would be based on the updated version.
- Some landowners have a different level of affectation between the South Creek Floodplain Risk Management Study and Plan 2004 and the draft Wianamatta-South Creek Flood Study 2020 undertaken by Liverpool City Council and expect the flooding and zoning be based on the flood study with the least affectation to their land.
- There is a lack of confidence in the flood studies, being from some time ago (2004) and that there has been a considerable amount of change in the locality that will lead to changes, such as a reduction in some areas affected by flooding.
- The lack of ground truthing and current information is a poor basis to make decisions.
- In some areas in the Aerotropolis landowners have filled or changed the level of their properties and this has led to local flooding impacts. There has been a lack of regulation of these behaviours.

How we are responding

- The Environment and Recreation zone in the *Aerotropolis SEPP* is informed by the 1:100 chance per year flood planning level. For the Liverpool City Council area, this is the South Creek Floodplain Risk Management Study and Plan 2004.
- The Wianamatta-South Creek Flood Study 2020 was exhibited by Liverpool City Council and any subsequent decision to adopt the Flood Study was deferred by Council. As Liverpool City Council has not adopted the draft Wianamatta-South Creek Flood Study 2020, the Precinct Plans will be finalised using the South Creek Floodplain Risk Management Study and Plan 2004 because it still remains the current adopted information for this area.
- If Liverpool City Council adopts a new flood study in the future, the flooding provision within the *Aerotropolis SEPP* will be amended to reflect the new flood study. Where the flood affection is reduced, the Environment and Recreation zone will be reduced to align with the new flood information as long as the land is not mapped high biodiversity value. If the affectation is increased, there will not be an expansion of the Environment and Recreation zone although the flood provisions of the *Aerotropolis SEPP* will apply.

What will stay the same

- The NSW Government will continue with the data based on the South Creek Floodplain Risk Management Study and Plan 2004 (Liverpool City Council), given the draft Wianamatta-South Creek Flood Study 2020 has not been endorsed by Council.
- Councils will remain the authority responsible for the adoption of flood studies.
- Councils will remain responsible for the regulation of development in floodplains including filling of land.

Next steps

- A Flood Impact Assessment is currently being prepared and will accompany the final Precinct Plans to demonstrate that the effects of development on the 1:100 chance per year flood planning level are manageable through the proposed planning controls, and will not result in an increase in flooding of properties. This Flood Impact Assessment will be available in December when the Precinct Plans are finalised.
- If a revised flood study is adopted by the relevant council, then the flood planning information in the *Aerotropolis SEPP* will be reviewed and revised to reflect the new information.



South Creek catchment

Land use changes

A variety of the recommendations made by the Independent Community Commissioner on land use changes can be addressed through the planning framework.

Issues and recommendations raised in relation to precinct boundaries, zoning land for acquisition, retaining previously permissible land uses and land use provisions for Luddenham Village, require changes to the planning rules.




In response to feedback, changes will be made to the *Aerotropolis SEPP*. The proposed changes are detailed in the Explanation of Intended Effect to amend the *Aerotropolis SEPP* currently on public exhibition. Proposed changes to the *Aerotropolis SEPP* include:

- Amendments to the Environment and Recreation zone boundary.
- Clearly identifying land to be acquired for the Open Space Network on the Land Reservation Acquisition Map.
- Restoring the permissible land uses that were previously permissible prior to the commencement of the *Aerotropolis SEPP* in 2020, subject to considerations.
- Changes to facilitate the Luddenham Village Plan.

Theme: Land use changes



Responding to:

-  Submissions
-  Stakeholder feedback
-  ICC recommendation

#22 – Ensure a sustainable future for Luddenham Village by rapidly undertaking a visioning and planning process and for this to be completed prior to the finalisation of the Precinct Plans.

Luddenham Village



What we heard

- Concerns over the ongoing viability of Luddenham Village as a result of the planning controls that limited residential development.
- Important that there is sufficient population growth to ensure viability of key social facilities and retail.
- The future of Luddenham Village is unclear.

How we are responding

- In response to concerns raised by the community and Liverpool City Council regarding a sustainable future for Luddenham Village, a Luddenham Village Plan is being developed to define the strategic vision for the Village.
- The Luddenham Village Discussion Paper has been developed to provide the basis of discussions with the community to shape a vision and objectives for the Village. These will inform the Luddenham Village Plan.
- The Explanation of Intended Effect for the *Aerotropolis SEPP* outlines potential changes to the boundary of Luddenham Village which will be guided by community feedback on the Luddenham Village Discussion Paper.

- The Explanation of Intended Effect also proposes additional permissible uses within Luddenham Village to assist in the implementation of the vision and objectives of the Village.
- The Luddenham Village Plan will inform the final Agribusiness Precinct Plan and may require changes to the *Aerotropolis SEPP* (addressed in the Explanation of Intended Effect on exhibition) and Development Control Plan, based on engagement with the community and evidence-based findings.
- It is proposed to finalise the amendment of the *Aerotropolis SEPP*, including changes to enable the final Luddenham Village Plan, by December 2021. All submissions will be taken into consideration in the finalisation of the *Aerotropolis SEPP* amendment.

What will stay the same

- The existing Luddenham Village is within the 20 ANEF/ANEC noise contours. The development for sensitive uses is prohibited in these areas. Sensitive uses include houses. It is important that these controls are maintained to protect the community from the operation of the Western Sydney International Airport. The identification of the affected areas is based on advice received from the Commonwealth Government and will not be changed at this time.

Next steps

- A Luddenham Village Discussion Paper is on exhibition for comment.
- Proposed changes to the boundary of Luddenham Village and additional permissible uses included in the Explanation of Intended Effect to amend the *Aerotropolis SEPP* is on exhibition for comment.
- Targeted workshops with the Luddenham Village community, landowners and government stakeholders will be undertaken during the exhibition period to develop and refine the future for the village.
- The *Aerotropolis SEPP* amendment, to be finalised in December 2021, will include changes to implement the outcomes of the final Luddenham Village Plan.
- The Luddenham Village Plan is scheduled to be finalised and released with the final Precinct Plans in December 2021.



Artist's impression of the Aerotropolis town centre

Theme: Land use changes



Existing use rights and previously permitted uses






An existing use is a use that was allowed under a previous planning instrument, but is now prohibited by a new or amended planning instrument. Existing use rights refer to the legislative protection that enables landowners to continue using their land in accordance with the use that is now prohibited.

Previous permitted uses are a range of uses that were permissible with development approval on a property under the zone that applied to the land prior to the *Aerotropolis SEPP*. It is proposed to re-introduce some of the previous permitted uses into the zones that apply to land under the *Aerotropolis SEPP*.

What we heard

- Many landowners asked if they could continue to live on their property, and whether they could extend or rebuild on their site.
- For landowners whose land use changes as a result of the Precinct Plans, they are not sure if they can continue to do what they do now and if they can continue to do this into the future.
- Existing use rights were confusing for many and clarifications are needed on how they apply.
- If there is a reduction in the range of land uses how might that impact the value of land.

Responding to:

- ▶  **Submissions**
- ▶  **Stakeholder feedback**
- ▶  **ICC recommendation**

#15 - Include additional land uses to the allowable existing uses in the zonings to enable landowners to continue residential and other low impacts uses for land (for example an additional dwelling storey, a shed etc.) even if these uses may be prohibited under the new zonings. These transitional uses must consider and not impact future airport operations.

#16 - Inform and educate landowners on their existing use rights and permissible land uses under the *Aerotropolis SEPP*

How we are responding

- The Explanation of Intended Effect to amend the *Aerotropolis SEPP* includes a provision that enables land to be developed under land uses that were permissible prior to rezoning that occurred through the *Aerotropolis SEPP* (which came into force October 2020). These uses include dual occupancies, dwelling houses and secondary dwellings, depending on previous uses permissible in the zone. These uses are being re-introduced to enable people to continue to live and work on their land without relying on existing use rights. The restating of uses is subject to the protection of the community from operations of the Western Sydney International Airport, airport operation safeguards and flooding.
- Development proposed under a previously permitted use will also be subject to considerations to ensure the development has regard to the future vision of the *Aerotropolis*. These considerations are addressed in the Explanation of Intended Effect and will be matters for consideration in the assessment of a development application. These considerations may include:
 - Whether the proposed development would result in a substantial increase in the intensification of the land use that would be incompatible with the vision for *Aerotropolis* or surrounding land uses.
 - Whether the development proposed under the previously permitted use will mean the use is increased – for example, developing a number of additional single dwellings in an area zoned Mixed Use. The vision for the *Aerotropolis* is medium to high density housing to create vibrant centres while focusing on the provision of land for jobs.

- Whether the land surrounding the development has already been developed under the *Aerotropolis SEPP* land use zone - for example building a single dwelling when all surrounding land has been developed as industrial in an Enterprise zone creates potential conflict between residential and industrial uses.
- Community Guidelines - Existing Use Rights and Permissible Land Uses has been developed in response to the recommendations of the Independent Community Commissioner and is available on the Department of Planning, Industry and Environment's website. The Community Guidelines - Existing Use Rights and Permissible Land Uses will assist landowners, business operators and other community stakeholders, to understand how existing residential, business or other uses may continue, despite the changes to the planning controls within the Aerotropolis.

What will stay the same

- The land use zones under the *Aerotropolis SEPP* will continue to apply, providing a clear direction for the future development of the Aerotropolis; this includes provisions relating to flooding, airport safeguarding and heritage.
- Previously permissible uses will not be enabled for land zoned SP2 Infrastructure.
- This land is required for the construction of infrastructure, such as the Sydney Metro - Western Sydney International Airport and therefore intensification of development would be unlikely to be approved.
- The provision of the *Environmental Planning and Assessment Act 1979* relating to existing use rights will not be changed. Refer to the Community Guidelines - Existing Use Rights and Permissible Land Uses.

Next steps

- The Explanation of Intended Effect to amend the *Aerotropolis SEPP* is on exhibition and the finalisation of the SEPP amendment to include additional permitted uses will be finalised in December 2021.



St James Anglican Church, Luddenham

Source: Extent Heritage 2020






Aerial artist's impression of the Aerotropolis town centre

Theme: Land use changes



Responding to:

- ▶  **Submissions**
- ▶  Stakeholder feedback
- ▶  **ICC recommendation**

#19 – If acquisition of part of a property is required for any public purpose, for example if it is more than 30% of a 10-hectare lot or less, the whole lot is acquired, if that is desired by the landowner

Lot severance



How we are responding

- The road and open space networks are being reviewed and realigned with current property boundaries and this will be reflected in the final Precinct Plans.
- Where possible, the proposed roads will be changed to run along property boundaries to minimise lot severance and maximise the development area for landowners.

What we heard

- The way the draft Precinct Plans were presented was confusing and unclear.
- This particularly related to the placement of roads and open space.
- There were cases where roads and infrastructure did not align with the cadastral boundaries of properties and severed access to land holdings. The figure below is an example of this severance issue in the draft Precinct Plans.

Next steps



- The revised road network will be shown in the final Precinct Plans to be released in December 2021.






Figure 8:
An example of the severance issue in the draft Precinct Plans

Theme: Land use changes



Responding to:

-  Submissions
-  Stakeholder feedback
-  ICC recommendation

#24 - For the non-initial precincts a pathway for their rezoning and the triggers that would enable their rezoning to be provided, as soon as possible after the finalisation of the current precinct planning processes

Initial and non-initial precincts



The Aerotropolis contains 10 Precincts, six of which have been the focus of Precinct Planning. The initial precincts are:

- Aerotropolis Core
- Agribusiness
- Badgerys Creek
- Mamre Road (not included in the Aerotropolis Precinct Plans)
- Northern Gateway
- Wianamatta-South Creek.

The non-initial precincts are:

- Dwyer Road
- Kemps Creek
- North Luddenham
- Rossmore.

The Aerotropolis includes 11,200 hectares and it was important that development is phased to align with the provision of infrastructure and demand. Within the initial precincts, the Precinct Plans identified priority areas for development to further refine alignment with infrastructure provision.

The first areas of priority are:

- High density employment areas within walking/active transport distance from the committed Metro Stations at Luddenham and Aerotropolis Core.
- Associated large unfragmented landholdings.
- Land adjacent and outside of the M12 corridor and interchange area that can support access to the Western Sydney International Airport.
- Agribusiness land in the northern area enabling access to the Western Sydney International Airport from The Northern Road.
- Agribusiness land in the southern area that

links to Northern Road and Western Sydney International Airport entry.

What we heard

- Landowners across the Aerotropolis have requested that additional areas be included in Priority Area 1 and that greater certainty be provided on when Priority Area 2 and Priority Area 3 will be rezoned.
- It is unclear to people in the non-initial precincts how the initial precinct areas were selected.
- Pathways are required for rezoning in precincts that are not identified as initial areas for prioritised development.
- Information is required as to how landowners can consolidate and prepare their land for consolidation.
- The basis for the Master Planning size restrictions is unclear.

How we are responding

- We have reviewed the areas to the west of The Northern Road in Luddenham Village with the utilities providers. As a result, this area will be included in Priority Area 1 to ensure a coordinated approach for the whole village.
- Areas to the south of Elizabeth Drive in the Badgerys Creek Precinct will be included in Priority Area 1 as servicing of this land will be possible in the early stages of development with main trunk infrastructure running south through this area to the Aerotropolis Core.
- Additional criteria will be included in the final Precinct Plans to confirm that land identified in Priority Area 2 and Priority Area 3 can be deemed suitable for development where there is demand and utility and infrastructure delivery agencies supporting infrastructure will be in place to support development.
- The requirement for approval from the Secretary of the Department of Planning, Industry and Environment to proceed with

out-of-sequence development will be removed from the final Precinct Plans and replaced with a requirement for approval from the relevant planning authority for Priority Area 2 and Priority Area 3.

- The criteria to be eligible for Master Planning is being reviewed to allow Master Plans to be prepared for areas less than 100 hectares. This

is addressed in the Explanation of Intended Effect which is currently on exhibition and available for public comment.

What will stay the same

- The sequencing of precincts will continue to apply, ensuring that development and infrastructure provisions are aligned.

Next steps ↙

- Inclusion of additional areas as Priority Area 1 to be shown in final Precinct Plans.
- Additional criteria for Priority Area 2 and Priority Area 3 will be included in the final Precinct Plans.

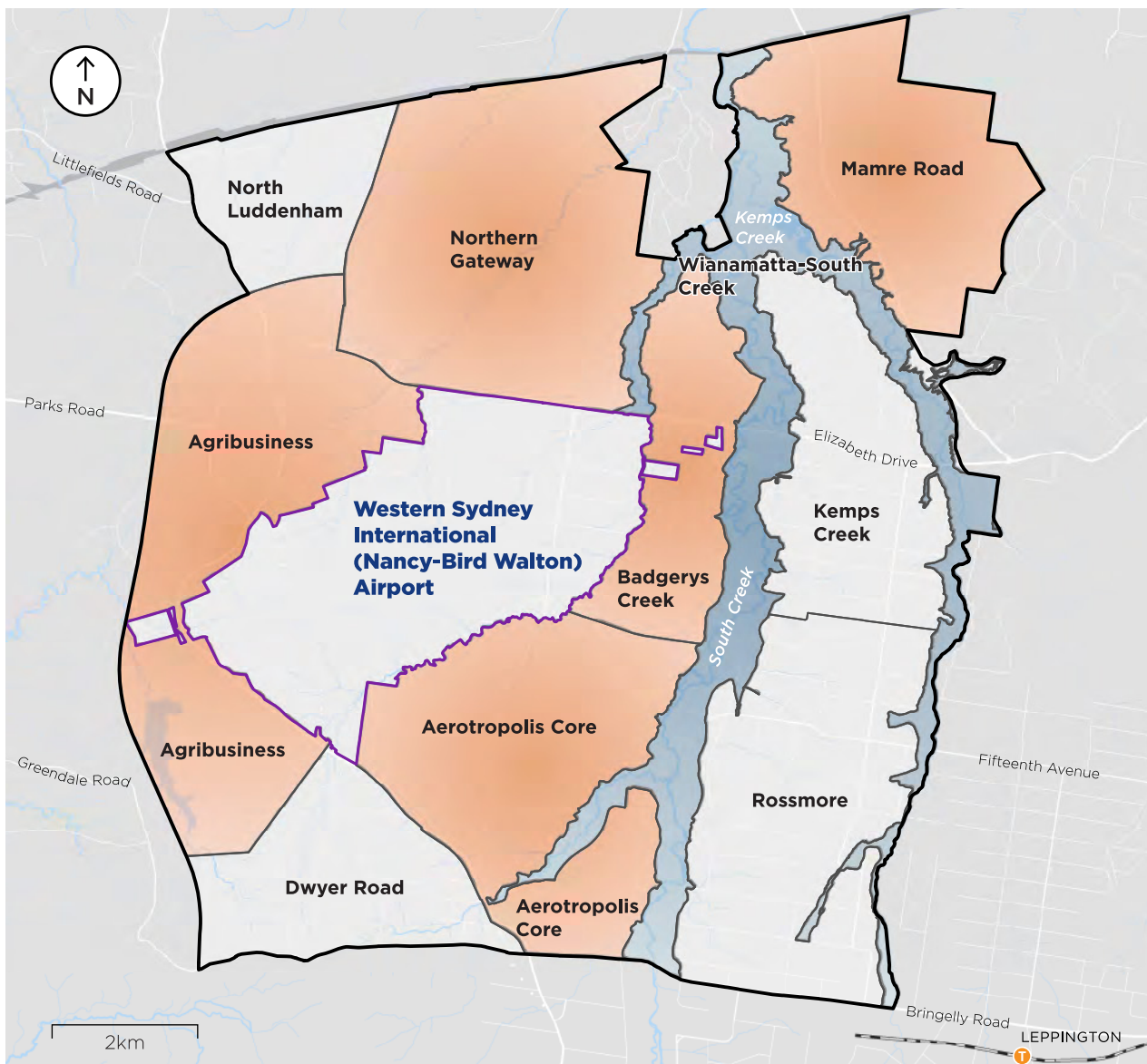





Figure 9: Initial Precincts for development

Theme: Land use changes



Responding to:

-  Submissions
-  Stakeholder feedback
-  ICC recommendation

#27 - The Commonwealth Government provides information to small landowners as soon as possible clarifying the acquisition and remediation available for those impacted by the ANEC contours

Aviation safeguarding



The Western Sydney International Airport is being constructed now and will be operational in late 2026. The Western Sydney International Airport will attract investment in business in Western Sydney, ranging from manufacturing and logistics to hospitality, education and other professional services. It will enable businesses to have quicker and more convenient access to overseas markets. The Western Sydney International Airport will provide the Greater Sydney community with access to more destinations more often with around five million passenger flights a year, reaching 10 million passengers by around 2031.

The planning of the Western Sydney International Airport is the responsibility of the Commonwealth Government. An Environmental Impact Statement was prepared and the Western Sydney International Airport was approved for construction in 2016. Part of the Environmental Impact Statement (EIS) included identification of the Obstacle Limitation Surface and the noise contours (Australian Noise Exposure Concept or ANEC / Australian Noise Exposure Forecast or ANEF) around the Western Sydney International Airport based on the indicative flight paths in the EIS.

A core objective for the planning for the Aerotropolis is to minimise potential impacts on the community while still maintaining the safe 24 hour operation of the Western Sydney International Airport. The Aerotropolis planning framework includes objectives and controls to make sure that there are no regrets decisions about investment in new development today that will be affected by airport noise tomorrow.

The Obstacle Limitation Surface limits the intrusion of obstacles, which may pose a risk to the safe operation of the airport. Obstacles may include buildings, telecommunication towers, mobile and fixed cranes and signage. This can

result in restricting building heights in some parts of the Aerotropolis, ensuring that aircraft can maintain visual sight without buildings or structures intruding into the navigational air space of the runways as they approach the airport. The ANEC/ANEF restricts noise sensitive development (e.g. dwellings) in some parts of the Aerotropolis. The NSW and Commonwealth Governments agreed that, to safeguard 24 hour airport operations, no additional noise-sensitive development will be permitted in areas within the ANEC 20 and above noise contours.

What we heard:

- Where existing homes are within the ANEC 20 and above - how will I be compensated?
- When the Western Sydney International Airport starts operations it will be too noisy to live in my home, who will buy it if I want to move?
- Why can't I build a granny flat and insulate it?
- How will Luddenham Village survive if new homes can't be built to support the future population?

How we are responding:

- The Commonwealth Government will develop a noise insulation and property acquisition policy for landowners whose homes will be affected by aircraft overflight noise.
- This policy will identify assistance for noise mitigation measures, such as sound proofing homes, among other measures, dependent upon the level of impact.
- We are working with the Commonwealth Department of Infrastructure and the Western Sydney Airport Corporation to coordinate our communications with affected landowners across (and beyond) the Aerotropolis.
- We are consulting further with the Luddenham Village community about viability and sustainability of Luddenham Village, and have a Luddenham Village Discussion Paper on exhibition. This will inform the Luddenham

Village Plan that will be released with the final Precinct Plans in December (see Luddenham Village section).

What will stay the same:

- We are not changing the *Aerotropolis SEPP* to allow new houses within the ANEC 20.

Next steps

- The Commonwealth Government is developing a preliminary airspace and flight path design with an objective to minimise aircraft noise impacts on the environment and the community, noting that safety is paramount.
- When complete, the preliminary airspace and flight path design will be released publicly as part of the environment assessment process to be undertaken by the Commonwealth. Community feedback on the preliminary design will then be taken into account before proceeding to detailed design.
- The noise insulation and property acquisition policy will be released at the same time as the preliminary flight paths.
- As part of the environment assessment phase, an updated noise tool will be developed to enable the community to understand localised impacts of aircraft noise from the preliminary flight paths.



Aerial artist's impression of Western Sydney International Airport and the Aerotropolis



Part 3 – Next stages

Staging and sequencing in the delivery of the Aerotropolis

The staging and sequencing of development in the Aerotropolis is driven by three key factors:

- an alignment with Government investment that supports economic growth
- access to infrastructure
- market demand.

Government investment is putting in place the city structure for the Aerotropolis, delivering the Sydney Metro - Western Sydney International Airport and major road upgrades such as Northern Road and Bringelly Road. Investment by Sydney Water in the Upper South Creek Advanced Water Recycling Centre together with a network of new water reservoirs will provide essential water and wastewater servicing as part of an integrated approach to water cycle management. Augmentation of the electricity network is also underway with sites for new substations being identified.

Contingent on the city structure infrastructure being in place at the precinct level, new road, stormwater and utility networks need to be established. While some of the infrastructure needed to activate development at a site level is co-funded by development contributions and government funding, the majority of infrastructure needed to activate development relies on delivery through the development process.

How development can expand the network of infrastructure is therefore a key determinate of sequencing of development. In early years of precinct development, the larger sites are typically better placed in terms of economies of scale to facilitate delivery of major roads, trunk water, sewerage and stormwater management as part of the development process.

Market Demand largely determines the feasibility of development and therefore staging. It is this demand, or take up rate, that is the largest determinate of the staging of development. In this way development is staged to manage the costs of development so that development remains viable.

Background technical reports published by Department of Planning, Industry and Environment set out key considerations for infrastructure delivery and include the Precinct Urban Design and Landscape Reports, Western Sydney Aerotropolis (Initial Precinct) Stormwater and Water Cycle Management Study Interim Report. The Greater Sydney Commission also published the Western Parkland City Initial Place-Based Infrastructure Compact Area Draft Report and the accompanying Technical Report which provide a precinct by precinct overview of infrastructure needs.

What to expect next

We have been reviewing the Precinct Plans to consider submissions received and are updating the plans to include the changes that we have outlined in this report.

On exhibition in October is the draft Aerotropolis Development Control Plan together with the draft Recognise Country Guidelines and draft Aviation Safeguarding Guidelines. We are also exhibiting the *Aerotropolis SEPP*

amendment, including the Explanation of Intended Effect. This document brings together the statutory changes that we are making that will be consistent with the finalised Precinct Plans.

When the Planning Package is finalised, it will contain the Statutory planning framework, supporting documents and studies as well as the final contributions framework.



Artist's impression of the Aerotropolis town centre

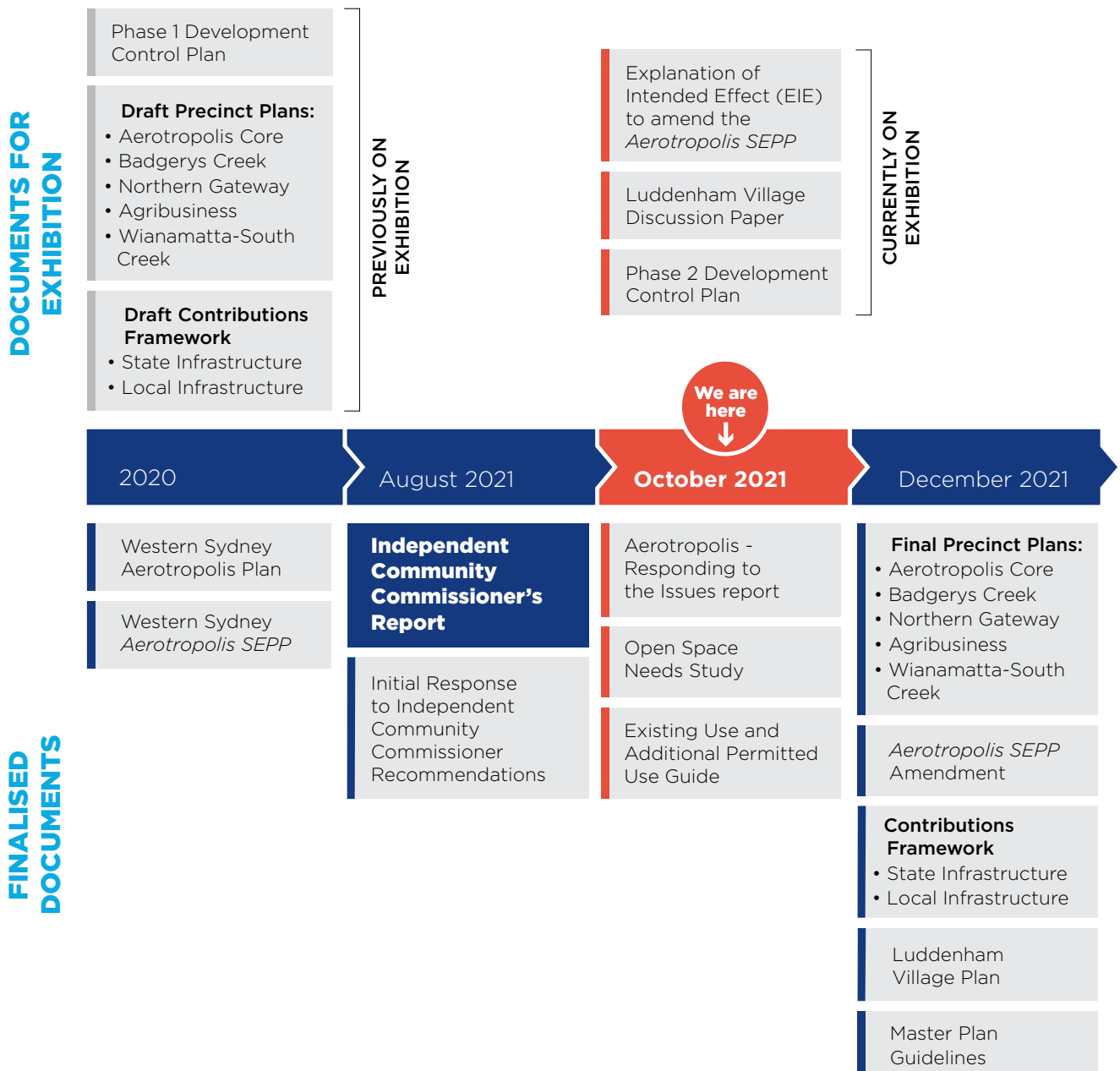


Figure 10: Aerotropolis planning process

Glossary

Term	Definition
1:100 flood	A flood that has a 1% chance of occurring in any given year within a 100-year cycle.
Aerotropolis	A metropolitan area where infrastructure, land uses and economy are centred around an airport and includes the outlying corridors, and aviation orientated businesses and residential development that benefit from each other and their accessibility to the airport.
Aerotropolis Core	This is the city, proposed to be named Bradfield, at the core of the Aerotropolis activity associated with the Airport. The combination of uses, activities, development and places are reliant on and complementary to the operation of a global airport.
Agribusiness	Businesses associated with the production, processing, marketing and distribution of agricultural products, especially at a large and integrated scale.
Australian Noise Exposure Concept (ANEC)	Anticipated forecasts of future noise exposure patterns based on indicative flight paths around an airport. The level of exposure is shown by the contour lines that constitute the contours.
Australian Noise Exposure Forecast (ANEF)	Approved forecasts of future noise exposure patterns around an airport that constitute the contours on which land use planning authorities base their controls.
Biodiversity	Biodiversity means plants and animals and the ecosystems in which they live.
Biodiversity offsets	Biodiversity offsetting is a system of compensating for biodiversity loss from development projects by requiring the conservation of biodiversity of equal value somewhere else.
Blue-Green Infrastructure	Blue-green infrastructure is the interconnected network of natural and semi-natural landscape elements. For example, blue includes water bodies, creeks and dams. Green includes trees, parks and native vegetation.
Country	For Aboriginal peoples, Country relates not only to the cultural group and land to which they belong, it is also their place of origin in cultural, spiritual and literal terms. Country includes not only the land but also waters and skies, and incorporates the tangible and intangible, knowledges and cultural practices, identity and reciprocal relationships, belonging and wellbeing.
Cumberland Plain Conservation Plan	The <i>Cumberland Plain Conservation Plan</i> will enhance a network of green spaces, natural and semi-natural systems in Western Sydney. One of the important species protected by the <i>Cumberland Plain Conservation Plan</i> is the Cumberland Plain Woodland. Cumberland Plain Woodland is a critically endangered ecological community found only in the Sydney Basin. It comprises of an open tree canopy, a layer of shrubs and ground cover and is considered functional at low integrity levels. Less than 10% of pre-European settlement levels of the community remain, with most patches of remnant vegetation existing in isolation and alongside other land uses. <i>Cumberland Plain Conservation Plan</i> will address impacts on biodiversity from urban growth through a conservation program that includes commitments and actions designed to improve ecological resilience and function over the long-term. The <i>Cumberland Plain Conservation Plan</i> will enable land to be certified for development and areas avoided from development conserved.

Term	Definition
Department of Planning, Industry and Environment	<p>Within the Aerotropolis, the Department of Planning, Industry and Environment is responsible for the integration and efficient delivery across key areas such as long-term planning, precincts, infrastructure priorities, open space, and the environment. The Department has four Ministers with responsibility for various aspects of its activities:</p> <ul style="list-style-type: none"> • The Hon. Rob Stokes MP – Minister for Planning and Public Spaces • The Hon. Melinda Pavey MP – Minister for Water, Property and Housing • The Hon. Matthew Kean MP – Minister for Energy and the Environment • The Hon. Shelley Hancock MP – Minister for Local Government.
Development	As per the <i>EP&A Act</i> , development includes any of the following: the use of land; the subdivision of land; the erection of a building; the carrying out of a work; the demolition of a building or work; or any other act, matter or thing that may be controlled by an environmental planning instrument.
Development application	An application for consent under Part 4 of the <i>EP&A Act</i> to carry out development (not including an application for complying development) such as a change of use of land, subdivision of land, or a building, landscaping and other work.
Development Control Plan	Provides detailed planning and design guidelines to guide the assessment of a development proposal within the Aerotropolis to ensure that development is consistent with the objective for the Aerotropolis as outlined in the Western Sydney Aerotropolis Plan.
Environment and Recreation zone	<p>The Environment and Recreation zone is applied to land within the Aerotropolis via the <i>Aerotropolis SEPP</i>. It includes land that is:</p> <ul style="list-style-type: none"> • 1:100 chance per year flood planning level, and flood islands (meaning land that is flood free but is surrounded by flood affected land) that cannot be accessed or evacuated in a flood • land identified in the draft <i>Cumberland Plain Conservation Plan</i> • lands subject to biodiversity certification. <p>Inclusion of land within the Environment and Recreation zone does not mean the land will be used for a public purpose or that it will be acquired by the government. A range of land uses are permissible with consent within this zone.</p>
<i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i>	Is the primary planning legislation in NSW and governs matters such as, strategic planning, plan making, development application and assessment, and building certification. A copy of the <i>EP&A Act</i> can be viewed here .
Floodplain	An area of land which is subject to floods up to and including the probable maximum flooding event (1:100 chance per year flood planning level), that is, flood prone land.
Greater Sydney	The local government areas within the boundary shown on the map in the Greater Sydney Region Plan and Schedule 1 of the <i>Greater Sydney Commission Act 2015</i> .
Local Centre	Smaller-scale places that vary from a few shops on a corner to a vibrant main street and generally serve a local population.

Term	Definition
Local Environmental Plan	Defined in the EP&A Act . Guides planning decisions in local government areas through zoning and development controls.
Master Plan	An approved Master Plan will be able to amend a Precinct Plan. These plans will be undertaken to provide a greater level of detail and also list complying development for the site. Guidelines for the preparation of Master Plans will be released in December 2021.
National Airports Safeguarding Framework	National land use planning framework to improve community amenity by minimising aircraft noise- sensitive developments near airports and improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions.
Obstacle Limitation Surface (OLS)	This defines the height limits of buildings or objects within the airspace that approaches the runway.
Open Space	Land identified for acquisition for public uses such as, sports fields, parks, gardens, areas for passive recreation, play and unstructured activity.
Open Space Network	Land that has been identified for open space including sports fields, parks, gardens, areas for passive recreation, play and unstructured activity, stormwater drainage functions and water quality, creeks and immediate areas adjoining creeks, City Centre and Regional Parkland as well as bushland and environmental conservation. All land identified within the Open Space Network will be acquired.
Open Space Needs Study	A comprehensive study of the open space needed for future Aerotropolis communities.
Precinct planning	Identifies the development intent and development capacity across a precinct by allocating land uses, densities, housing types, built form, infrastructure, and open space.
Procedures for Air Navigation Services – Aircraft Operations Surfaces (PANS-OPS)	The primary surface for protecting aircraft operating under non-visual (instrument guided) conditions generally located above the OLS. Separate procedures for each runway and for the type of navigation system being used and the multiple surfaces are combined to form the PANS OPS.
Public domain	Any publicly or privately owned space that can be accessed and used by the public and/or is publicly visible.
State Environmental Planning Policy (SEPP)	Environmental planning instruments that address planning issues of State significance.

Term	Definition
<i>State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP)</i>	The <i>Aerotropolis SEPP</i> applies to land in the Western Sydney Aerotropolis. It aims to facilitate development in the Aerotropolis in accordance with the objectives and principles of the Western Sydney Aerotropolis Plan, and to ensure development is compatible with the long-term growth, development and operation of the Western Sydney International Airport.
Western Parkland City	Western Parkland City, including the existing city centres of Liverpool, Campbelltown and Penrith, and the new Western Sydney International Airport and surrounding Aerotropolis.
Western Parkland City Authority	A NSW Government body (formerly the Western City & Aerotropolis Authority) established to facilitate the delivery of the Western Parkland City. The Western Parkland City Authority works across all three levels of Government to jointly plan, design and deliver Western Parkland City to achieve the best possible outcomes in infrastructure, liveability, investment attraction, job growth and sustainability.
Western Sydney International (Nancy-Bird Walton) Airport	A Commonwealth business enterprise established in August 2017 to build the new Western Sydney International Airport at the heart of the Western Sydney Aerotropolis.
Western Sydney Airport Plan	The Western Sydney Airport – Airport Plan outlines the approach to the design and development of Western Sydney International Airport. The Western Sydney Airport Plan was originally prepared in 2016 to provide the authorisation for Stage 1 of the Western Sydney International Airport (a single runway facility capable of handling up to 10 million passengers per year). The Western Sydney Airport Plan has subsequently been revised to allow construction of the Sydney Metro at the airport.
Western Sydney Planning Partnership	A local government-led initiative comprising of representatives of all eight Western Parkland City councils as well as Blacktown Council, and representatives from the NSW Department of Planning, Industry and Environment, Transport for NSW, Sydney Water and the Greater Sydney Commission.

Appendix A: Independent Community Commissioner Recommendations

Recommendation number	Explanation
Recommendation 1	Appoint Precinct Community Place Managers
Recommendation 2	Establish ongoing Independent Community Commissioner role
Recommendation 3	With the community, develop a Community Participation Plan
Recommendation 4	Establish a Community Consultative Committee
Recommendation 5	Prioritise the community in all communications and ensure communications and engagement are place-focussed and coordinated rather than agency driven
Recommendation 6	Educate the influencers, including planning and property advisors and real estate agents
Recommendation 7	Establish funding for support and advisory for landowners including personal, financial, planning and property advisory
Recommendation 8	Establish a publicly available complaints register
Recommendation 9	Develop a media engagement strategy
Recommendation 10	Amend the <i>Aerotropolis SEPP</i> as a matter of priority including the rationalisation of the Environment and Recreation zoning
Recommendation 11	Finalise the detailed precinct plans to rationalise the scale of the open space overlay based on evidence of need and meet the NSW Government commitment that it is publicly accessible open space
Recommendation 12	Continue to communicate that any land required for publicly accessible open space will be acquired
Recommendation 13	Conduct and make public an Aerotropolis-wide Open Space Needs Study for the initial precincts, in conjunction with the finalisation of the precinct plans
Recommendation 14	The <i>Aerotropolis SEPP</i> should clearly identify land to be acquired with the Precinct Plans to be updated and consistent with the <i>SEPP</i>
Recommendation 15	Include additional land uses to the allowable existing uses in the zonings to enable landowners to continue residential and other low impacts uses for land (for example an additional dwelling storey, a shed etc.) even if these uses may be prohibited under the new zonings. These transitional uses must consider and not impact future airport operations.
Recommendation 16	Inform and educate landowners on their existing use rights and permissible land uses under the <i>Aerotropolis SEPP</i>
Recommendation 17	Clearly set out the acquisition process including likely timing depending on the acquisition requirements
Recommendation 18	Once the Precinct Plans are finalised, enable acquisition on a voluntary basis due to compassionate grounds for landowners on a case-by-case basis
Recommendation 19	If acquisition of part of a property is required for any public purpose, for example if it is more than 30% of a 10-hectare lot or less, the whole lot is acquired, if that is desired by the landowner

Recommendation number	Explanation
Recommendation 20	To address concerns regarding potential zoning impacts, the Department of Planning, Industry and Environment should investigate options that increase the potential economic return for land zoned Environment and Recreation
Recommendation 21	Use existing legislation to assist owners facing significant rate increases and provide further information regarding opportunities to defer rate payments
Recommendation 22	Ensure a sustainable future for Luddenham Village by rapidly undertaking a visioning and planning process and for this to be completed prior to the finalisation of the Precinct Plans
Recommendation 23	Upon the adoption of new flood modelling by Liverpool City or Penrith City Councils, the Department of Planning, Industry and Environment considers the implementation of the new modelling so it does not increase the amount of land zoned Environment and Recreation
Recommendation 24	For the non-initial precincts a pathway for their rezoning and the triggers that would enable their rezoning to be provided, as soon as possible after the finalisation of the current precinct planning processes
Recommendation 25	In consultation with impacted landowners zoned Environment and Recreation Zone (Environment and Recreation Zone) in the Wianamatta-South Creek Precinct to the east of Wianamatta- South Creek adjoining the Kemps Creek and Rossmore Precincts, the Department of Planning, Industry and Environment is to investigate if they can be reverted to the zoning that existed on their land before the commencement of the <i>Aerotropolis SEPP</i>
Recommendation 26	Publish the Master Planning guidelines
Recommendation 27	The Commonwealth Government provides information to small landowners as soon as possible clarifying the acquisition and remediation available for those impacted by the ANEC contours
Recommendation 28	The Planning Partnership Office brings together the large landowners to enable extensive input and engagement before the finalisation of the Precinct Plans. As part of this engagement, mechanisms for the large landowners to assist small landowners are identified
Recommendation 29	Establish ongoing mechanisms for government engagement with large landowners. This engagement should consider ways to support small landowners
Recommendation 30	Facilitate engagement between small landowners and large landowners where large landowners can assist by addressing impacts. This engagement could be transparently facilitated by the Community Commissioner
Recommendation 31	Prior to public communication of the outcomes of the precinct planning process, individuals additionally negatively impacted landowners are communicated with directly and the implications of the impacts effectively explained. This work could be facilitated by the Community Commissioner

Recommendation number	Explanation
Recommendation 32	Within the Aerotropolis, the process for engaging with and educating landowners to support the achievement of bio-diversity conservation outcomes for the Aerotropolis occurs at a granular rather than an Aerotropolis scale, using pilots with small groups of landowners to support a process where landowners may be incentivised to contribute to these outcomes
Recommendation 33	Strengthen communication between small landowners and Councils to assist them to navigate development issues
Recommendation 34	Ensure local Councils continue to address regulatory issues emerging across the Aerotropolis
Recommendation 35	Ensure ongoing change management support for the future of the Aerotropolis
Recommendation 36	The NSW Government strengthens senior levels of public service coordination to ensure clear roles and responsibilities for coordinated cross-government decision making for the planning and delivery of the Aerotropolis
Recommendation 37	The land use planning to conclude the Precinct Plans continue under the current arrangements through the Western Sydney Planning Partnership, on behalf of the Minister for Planning and Public Spaces
Recommendation 38	Following the conclusion of the Precinct Plans, the Department of Planning, Industry and Environment and the relevant local councils will continue their usual roles and functions in assessing development applications
Recommendation 39	To build on the excellent existing collaboration between the Department of Planning, Industry and Environment and Liverpool City and Penrith City Councils, a formal collaboration process continues to oversee future strategic planning and master planning for the Aerotropolis
Recommendation 40	The framework for investment and delivery of future infrastructure in the Aerotropolis is to be developed, coordinated and communicated by the Western Parkland City Authority



Aerial artist's impression of Western Sydney International Airport and the Aerotropolis



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