

**Western Sydney Aerotropolis
Community Consultative Committee
Minutes**

Meeting No: 1

Date: 5 October 2021

Venue: over Zoom

Attendees	
Community members: Sam Aloï Helen Anderson Paul Buhac Gabriella Condello Rob Heffernan Joe Herceg Carleen Markuse Roger Moss Paul Taglioli Sascha Vukmirica Diana Vukovic Wayne Willmington	Independent Chair: Professor Roberta Ryan, Independent Community Commissioner Minute taker: Kate Robinson, office of the Independent Community Commissioner
Non-community members: Tim Poole, Chief City Coordinator, Western Parkland Authority Natasha Borgia, City Planning Manager, Penrith City Council Lina Kakish, A/Manager City Planning, Liverpool City Council	
Apologies: Catherine Van Laeren, Executive Director, Western Parkland City, Department of Planning, Industry and Environment Ross Murphy (community member)	

Item	Description	Action
1	Welcome	
	<p>RR welcomes everyone.</p> <p>Attendees introduce themselves.</p> <p>RR says it is pleasing to have both councils join the meeting.</p> <p>RR explains the process with the CCC minutes. The minutes will be circulated for comment and feedback. She is happy for people to make minor amendments, but it is important not to editorialise. They will have an action column and a designated person responsible to follow up on the actions. The minutes will be posted online. CCC members will be provided with the web link to access the minutes.</p> <p>RR says that the group will include a representative from the Commonwealth and that she anticipates that over time there will be people from different parts of government who will come and talk to the group.</p> <p>RR notes that the CCC is an advisory group and will adhere to the CCC guidelines. The Committee provides an opportunity for members to give input into what they are hearing on the ground and to put forward things [for government] to consider.</p> <p>She says that she and Kate will continue to meet with CLG.</p>	<p>KR to provide link to CCC webpage</p>
2	Apologies	
	CVL and RM are apologies.	
3	Update on exhibition documents - RR	
	<p>RR explains that the release of the exhibition documents had been delayed due to the resignation of the Premier and the Cabinet spill. This means that there is no authority or delegation to release the documents to go on exhibition.</p> <p>She is able to provide some high-level information to the group about the documents in confidence but the situation leaves her and Councils in a difficult position to talk in detail.</p> <p>SA queries that if it was due to be released, then surely it had already been signed off.</p> <p>RR clarified that the content has been finalised and signed-off, but there isn't permission to release.</p>	

<p>PT asked if Rob Stokes would hold his position.</p> <p>RR says, according to media, the portfolios will remain as they are until the summer break.</p> <p>SA asks who will look after Wianamatta South Creek (WSC) noting it's an important part of the Aerotropolis.</p> <p>TP responds that the issue is what looking after means? It might be a good point for a discussion. There's a city deal commitment around WSC. The Authority is looking at the delivery strategy. This needs to interface with other plans by DPIE. Is it a delivery or land acquisition strategy?</p> <p>PT says that he met with a lot of people who had received the open space letter. The generic letter was addressed 'Dear landowner'. It stressed a lot of people even though they knew they had parkland / open space. That was in addition to the letter from the Valuer General. Some feel they are boxed into a corner. It would have been better if everyone had received the 1 pager.</p> <p>RR reminded the group that there is a 1800 number which people should call for more information.</p> <p>SV says people are calling the 1800 but they don't have the information to assist.</p> <p>RR says that from tomorrow residents will be able to call and get information about their property. She also has information on people's properties. For specific queries, people should call the 1800 number and if they don't receive a satisfactory response, they should call RR.</p> <p>JH says there are people who had open space in the Precinct Plans who didn't receive a letter but their neighbour with less open space did receive a letter. People are confused.</p> <p>RR says she had spoken to someone who had received a letter who doesn't have open space. In broad terms, those who received the longer letter are people who are subject to the op sp network. If they didn't receive that means they no longer have open space on their property.</p> <p>Everyone affected by the open space overlay have been written to. The amount of land subject to open space overlay</p>	<p>KR to organise a briefing from DPIE on WSC</p>
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	<p>which has been reduced by 45%. For some people this means the overlay has come off entirely, for others it has moved, in a few rare cases the amount on an individual lot may have increased and I am advised there are no additionally impacted lots. The open space overlay is an overlay not a zone. It means overlay on your property. It is marked as open space overlay in green or that it's about stormwater infrastructure being placed on a lot.</p> <p>The changes are based on feedback received through the submissions. They have brought together biodiversity or open space where possible.</p> <p>There will be a lot of landowners who are happy where the affectation has been removed. For others, the open space remains as it was before.</p> <p>JH says there are people who had open space in the draft precinct plans and who have ENR at back of their blocks which runs along the side. Some got letters, some didn't even though they had similar affectations. He queries if just the back will be acquired or the entire lot.</p> <p>RR says that people can get that detail now.</p> <p>She says the acquisition process depends on the purpose. All of the open space marked for acquisition can be funded. Open space is not like the acquisition process for transport or a road with the acquisition authority coming in to say it will be at this time.</p> <p>Open space is different – it's when people want to and when it is needed by government. People may want to move on and sell their properties – and they can talk to the acquiring authority around timing that works for them.</p> <p>We are trying to ensure a process that is seamless regardless of the acquisition authority. If local open space it is council, if regional open space then it is DPIE. There is a small number of properties that will be handled by the Authority. Transport is another potential acquisition authority.</p> <p>Open space is not a zoning, it's an overlay. We are seeking legal advice for the underlying value for the precinct. Hopeful to get more clarity on the valuation process by the Valuer General's Office for all people affected by open space.</p>	<p>KR to promote information session with Valuer-General's office</p>
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	<p>PT says the calculations for land valuations didn't make sense. He asks: when you go to sell do you need negotiate with developers and government? Or will government buy the lot and sell to developer?</p> <p>RR says it depends. Some landowners are consolidating their lots with other landowners, and then selling the lot. Whatever is open space will need to be set aside. Government wouldn't usually sell to a developer.</p> <p>For people with less than 10 hectare lots and open space is more than 30%, the ICC recommendation is that the whole lot is acquired if that is what the landowner wants. The funding is not yet identified to address these types of issues.</p> <p>JH says he understands, based on funding, people who have received letters will be acquired in years to come. He asks for clarity on those people who don't have letters and still have ENR affectation.</p> <p>RR clarifies that the zoning has not changed, and that there is no plan to acquire ENR. If landowners have received a letter it means they have open space or stormwater. It is not related to zoning.</p> <p>JH says the Wianamatta South Creek study has not been finalised. Residents on the creek who are ENR are getting letters and others not. One who has 40% ENR and 40% mixed use received a letter. The neighbour with a similar block didn't receive a letter. How do we know the block being acquired?</p> <p>RR says the open space needs study has been completed and is going on exhibition. Within that will be before and after maps, and the acquisition layer.</p> <p>If government wants private land for public land they will need to fund it for acquisition.</p> <p>ENR aligns with the 1/100 flood line.</p> <p>NB says she can see the confusion between ENR, open space and drainage. Council is talking to the Department about streamlining the process.</p> <p>PB asks if there were any properties where the open space affectation had increased.</p>	<p>Now completed.</p>
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	<p>RR confirms that she is advised that this has occurred for a small number of properties.</p> <p>PB states that for those where they were severed, they may now have a bigger part of their property affected by open space. He asks if those properties impacted by internal roads network have received letters as well.</p> <p>TP says not yet as road planning is not at that stage. DPIE has moved away from the road network to a higher level. More work is needed and he is not aware that land has been earmarked.</p> <p>RR adds that the road network will be put in place once lots are being developed.</p> <p>NB also adds that there will be some detail about major roads in the final precinct plans.</p> <p>RR summarises the documents that will come onto exhibition:</p> <ul style="list-style-type: none">- The EIE with amendments to the Aerotropolis SEPP- Luddenham Village discussion paper- The draft DCP which talks to the development in new zones and will not be of much interest to smaller landowners. <p>TP says that there is a need to keep an eye on major landowners proposing something that will affect smaller landowners e.g., Badgerys Creek. There is a need to understand the impacts of masterplans and it is important for this group to keep an eye on this area.</p> <p>RR adds that a <i>Responding to the issues</i> report will also go on exhibition. It details what was heard through the submissions process, her recommendations, and how the Government has responded. The report will give everyone the opportunity to read the Government's response to the issues raised in the submission process.</p> <p>Landowners impacted by open space are welcome to put in submissions, but it is not likely to significantly change in my view.</p> <p>SA asks about Council's plans for the corner of Elizabeth Drive and Northern Road.</p>	
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<p>NB says that there might be direction in the DCP regarding setbacks etc. to provide guidance. They want to finalise the contribution plan to fund infrastructure They are keen to see the final precinct plans.</p> <p>RR says for there are key elements for consideration:</p> <ul style="list-style-type: none"> - the open space needs study and the land that has been identified for acquisition plus permitted land use - proposed changes to ENR zone boundary for Kemps Creek and Rossmore. The letter has gone to 250 landowners. It is proposed that the Wianamatta South Creek precinct boundary won't change. For residents south of Elizabeth Drive, there is an option to discuss changing the ENR back to the original zone – mostly RU4. <p>SA says that he's in this area and hasn't received a letter. GC adds that a number of other residents have not received a letter.</p> <p>RR says that she will follow up with GC separately about the letters.</p> <p>PT asks what flood levels the precinct plans will be adopting.</p> <p>TP says the 2004 flood study. RR adds that the 2004 LCC is the only adopted flood study and that is the one DPIE have to use.</p> <p>PT says if landowners want to put in a DA, Council will be reluctant to approve because of a future flood study.</p> <p>RR says the precinct plans are adopting the Liverpool Council flood study for 2004. The uses that are available are in the Liverpool Council LEP. Council looks at a range of matters when considering a DA. The precinct plan will inform how DAs will be considered.</p> <p>PT asks if there is another flood study. LK says she will report back to the group at the next meeting.</p> <p>JH says he has been involved in the flood study with Council and the study conducted 12 months ago was conclusive. The area has changed immensely – new roads etc- and the upstream LGAs have seen enormous development. Towards the south, it is the same story and is affecting waterway. The airport is also affecting the waterways. Council voted 10-nil not to implement the study for these reasons. With</p>	<p>RR to meet with GC.</p> <p>Now completed.</p> <p>Now completed.</p> <p>LK to report to the next CCC on the status of the Liverpool flood study</p>
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	<p>development moving forward, it is wise to do a study in the future with other LGAs and to have a discussion about mitigation work.</p> <p>If the plans are going to adopt 2004 study, residents will continue to have issues with the reason for where the flood line is drawn line because they know that it has probably changed drastically. There will be enormous push back.</p> <p>RR acknowledges that flooding is a perennial issue that is a concern for many residents.</p> <p>She speaks about the Luddenham Village exercise: workshops are scheduled, a discussion paper has been developed. The discussion is about a sustainable future for the village including the areas that need protecting.</p> <p>She adds that there are other documents in the bundle including information on aviation safeguarding, and Recognition of Country guidelines.</p> <p>She asks the members to please get involved in the discussions and the workshops noting that a separate process is being run for Kemps Creek and Rossmore landowners regarding the changing back of the E&R zone.</p> <p>RM says he has received an open space letter which has his address but the wrong name –it’s for a resident down the road.</p> <p>He asks about Liverpool Council’s work on Martin Rd, where they said they would do a full reconstruction. Will that occur if it is going to be a ring road?</p> <p>LK says she will take the question on notice.</p> <p>WW says that a resident – Kevin – called the Department twice today and that no one has gotten back to him. RH says that Kevin is his brother-in-law. Kevin inherited the property and it is 10-% green. He asks if the government will prioritise acquisition of those properties that are 100% green?</p> <p>RR says that she has spoken with Kevin several times and she is seeking information from the Department.</p>	<p>LK to provide a response re intended work on Martin Rd</p>
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	<p>She says that if people want to be acquired because of scale that may be an option but not until the mechanisms are in place at the end of the year.</p> <p>PB suggests sharing email addresses for Committee members.</p> <p>RR asks the group if they are comfortable publicising their email addresses. She says that some people set up a separate email address such as Hotmail for this purpose. She also said it was up to members if they wanted to provide their phone number. Details will be published on the CCC web page.</p> <p>JH asks about the rail corridor. He says there is talk of it going underground and some dates are being proposed. This is causing people to question when they should move on. He has approached Transport for NSW (TfNSW) but still has no answer. He recommends having someone from TfNSW to the next meeting. He mentions that Geoff Cahill is particularly helpful.</p> <p>JH also raises vendor tax which was knocked back in the Upper House but is due to come back. There are rumours that it will be retrospective. He says Council's 6.5 % contribution tax is concerning. The vendor tax will affect every landowner and if it is going to retrospective in the Aerotropolis then its should also be retrospective in the north west and south west areas which have been rezoned in the last few years. He asks if there is an intention to implement the vendor tax?</p> <p>RR I don't know anything about the vendor tax issue.</p> <p>TP says he is working with transport about how they align rail with the Leppington extension and Metro south.</p> <p>JH adds that metro south is more than likely the next step in metro links once they finish going north. The biggest question is the Kelvin Park pocket. There is no information whether it is over or underground. He asks: if it is underground, from Bradfield to Bringelly the topography going back to Kelvin Park is uphill. Everyone is guessing whether they will tunnel through that section.</p> <p>TP says this is important to sort and that he is happy to give an update at the next meeting.</p>	<p>KR to confirm with members their permission to make contact information publicly available</p> <p>Action – invite TfNSW to the next meeting to discuss the rail corridors.</p> <p>KR to add update from TP re rail to agenda for next meeting</p>
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	<p>Closing the meeting, RR says there will be a discussion about the Committee's code of conduct at the next meeting.</p> <p>If residents are distressed, put them in touch with RR.</p>	<p>KR to add CCC code of conduct to agenda for next meeting</p>
7	Next meeting	
	<p>The next meeting will be scheduled once the documents have been released for exhibition.</p>	<p>KR to contact members with next meeting date</p>

Approved by:

Professor Roberta Ryan
Western Sydney Aerotropolis Community Commissioner