

From: noreply@feedback.planningportal.nsw.gov.au on behalf of [Planning Portal - Department of Planning and Environment](#)
To: [PPO Engagement](#)
Cc: planning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2
Date: Friday, 22 October 2021 2:06:06 PM

Submitted on Fri, 22/10/2021 - 14:05

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Connor

Last name

Mackenzie

I would like my submission to remain confidential

No

Info

Email

[REDACTED]

Suburb/Town & Postcode

North Bondi

Please provide your view on the project

I support it

Submission

I am writing to show my support of the Sustainability and Circular Economy provision contained in the DCP.

I note that on page 101, the DCP states:

The NSW Government aims to achieve its net zero target by 2030. This includes leading industry practise targets by 2025, sustainable regenerative targets beyond 2026 and principles for energy, waste, and circular economy.

I would like to whole heartedly support the achievement of net zero by 2030 and commend the DCP on this provision.

I agree to the above statement

Yes

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[REDACTED]

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Thursday, 4 November 2021 10:43 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2

Submitted on Thu, 04/11/2021 - 22:43

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

[REDACTED]
[REDACTED]

I would like my submission to remain confidential

Yes

Info

[REDACTED]
[REDACTED]
[REDACTED]

Please provide your view on the project

I support it

Submission

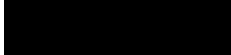
As a resident of [REDACTED] for the last 25 years, we knew that the airport would eventually happen. We are disappointed in the way information has been given and then again not given. Being re-zoned back to RU4 is great, but we still feel that we are disadvantaged as we are still in the airport noise zone, there is a major industrial development happening to the north of us and major roadworks will be carried out around us. From what I understand developers may not be interested in our property due to the future E&R zoning as they would not be able to utilise all of the land the purchase. This is not the environment I or my family wish to be surrounded by. Personally my family has no use for an airport, we would like to be out of the area before the airport opens, if we are able to put our property up for sale but are unable to sell because the potential buyers do their homework and realise that in 10-20 years time they are going to be re-zoned back to E&R, we would like the timeline (10-20 years) to be brought forward in line with the opening of the airport and where possible, compassionate acquisition be an option.

I agree to the above statement

Yes

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From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Thursday, 4 November 2021 11:55 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2

Submitted on Thu, 04/11/2021 - 23:54

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Marc

Last name

Serafin

I would like my submission to remain confidential

No

Info

Email



Suburb/Town & Postcode

Kemps creek 2178

Contact number



Please provide your view on the project

I support it

Submission

To Whom it may concern.

As a resident of [redacted] for over 25 years I'm very disappointed in the way the whole planning process has been carried out. My property was originally zoned Ru4 with development rights, it was then rezoned as Environment & Recreation but now with the latest draft it is looking more likely to be changed back to Ru4 (with no development rights) & the high probability that it will go back to E & R in the next 10-20 years. It sounds like a stalling tactic to me.

My family would like some assurances that our best interests are being looked after. In saying that, I believe that my area should be rezoned to coincide with the opening of the airport not in 10-20 years time, any properties that are aircraft noise affected should have options for compassionate acquisition and finally all E & R zones in the Wianamatta South Creek & the Aerotropolis be included in the FSR ratio . This will allow land to be used to its full potential.

Thanks

Kind regards

Marc Serafin

I agree to the above statement

Yes

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Edna Grigoriou

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 5 November 2021 4:27 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2
Attachments: submission_nick-stepanov-02112021.docx

Submitted on Fri, 05/11/2021 - 16:25

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Nick

Last name

Stepanov

I would like my submission to remain confidential

No

Info

Email

nikolaistepanov30@gmail.com

Address

■

Suburb/Town & Postcode

BRINGELLY

Contact number

■

Please provide your view on the project

I am just providing comments

Submission file

[submission_nick-stepanov-02112021.docx](#)

Submission

I am writing to you about the E&R zoning placed on a part of my property at ■■■■■ Bringelly. Prior to rezoning, this land was fully developable land zoned RU4.

We have now been informed that this particular E&R zoned land will not be on the acquisition list at this stage and that the only land to be acquired within the foreseeable future are the Thompson Creek properties. This is not fair to us as the E &R portion of our property is sterilised, devaluing our property for decades.

We have been fighting the inequitable treatment of our properties for the last 3 years and hope that this will be our last submission.

We propose the following way forward in order to avoid further devaluing of our property, and any further delays to the Aerotropolis Core Precinct project:

Our proposal is in respect to when a developer lodges a development application, in calculating the Floor Space Ratio (FSR) they be allowed to include this E & R portion of land as a part of the FSR calculation.

This would be a win /win situation for all concerned, landowner, developer and the government.

Please consider this proposal as it allows all concerned to have some certainty and clarity allowing the Governments vision for the Aerotropolis and South Creek precinct to get underway.

Regards,
Nick Stepanov

I agree to the above statement

Yes

Disclaimer

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I am writing to you about the E&R zoning placed on a part of my property at [REDACTED] Bringelly. Prior to rezoning, this land was fully developable land zoned RU4.

We have now been informed that this particular E&R zoned land will not be on the acquisition list at this stage and that the only land to be acquired within the foreseeable future are the Thompson Creek properties. This is not fair to us as the E &R portion of our property is sterilised, devaluing our property for decades.

We have been fighting the inequitable treatment of our properties for the last 3 years and hope that this will be our last submission.

We propose the following way forward in order to avoid further devaluing of our property, and any further delays to the Aerotropolis Core Precinct project:

Our proposal is in respect to when a developer lodges a development application, in calculating the Floor Space Ratio (FSR) they be allowed to include this E & R portion of land as a part of the FSR calculation.

This would be a win /win situation for all concerned, landowner, developer and the government.

Please consider this proposal as it allows all concerned to have some certainty and clarity allowing the Governments vision for the Aerotropolis and South Creek precinct to get underway.

Regards,
Nick Stepanov

From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 5 November 2021 5:33 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2
Attachments: dcp-submission-aerotropolis.docx

Submitted on Fri, 05/11/2021 - 17:32

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Melissa

Last name

Williams

I would like my submission to remain confidential

No

Info

Email

Suburb/Town & Postcode

Liverpool 2170

Please provide your view on the project

I am just providing comments

Submission file

[dcp-submission-aerotropolis.docx](#)

Submission

See attached file

I agree to the above statement

Yes

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Western Sydney Airport Development Control Plan Phase 2 November 2021

RESPONSE TO PUBLIC EXHIBITION

Preliminaries

Gandangara Local Aboriginal Land Council is a statutory body corporate operating under the *Aboriginal Land Rights Act 1983* NSW and constituted to “protect, preserve and foster the best outcomes for Aboriginal people” in our local area, especially for our Members (s51 ALRA). We are a Member-based organisation, delivering and implementing a range of social services for our 800 + Members in the South-Western Sydney jurisdiction. Gandangara Local Aboriginal Land Council covers six local government areas including Liverpool, Cumberland, Parramatta, Fairfield, Sutherland Shire, and Canterbury-Bankstown. The entirety of the Aerotropolis precinct resides within the boundaries of Gandangara Local Aboriginal Council. For these reasons, Gandangara is considered the primary stakeholder as a statutory Aboriginal community-controlled organisation in relation to the Aerotropolis development.

The Development Control Plan (hereafter DCP) states that all development must “start with Country.” This premise was central to the Aerotropolis Precinct Plans on exhibition in 2020. Gandangara provided public feedback on those documents and reiterated the importance of positioning Gandangara as a primary stakeholder in development plans. However, this does not seem to be reflected in the DCP. One of the performance objectives by which “Starting with Country” is to be measured is that developers must “consult with at least two” Aboriginal groups who have connection with the Airport, with the LALC as just one option out of many. Why are other statutory authorities accorded due respect in consultation but LALCs are not? The objective of reaching out to a variety of Aboriginal groups may satisfy the felt need to be inclusive – but it inadvertently sidelines the legal responsibilities of the LALC to ensure the preservation and protection of Aboriginal culture and heritage and the reality of Aboriginal land rights, for which LALCs were established. Developers may not be aware of cultural protocols in the consultation process; there are groups that no doubt may lay claim to being Traditional Owners of a given area, but there are no granted Native Title claims in the Greater

Sydney Area, and therefore no Prescribed Bodies Corporate to act on behalf of actual Traditional Owners under the *Native Title Act* (Cth). This means that rights to consultation on land use have become a matter of self-referential identity politics. However, LALCs exist to represent local Aboriginal Members in given geographical areas under the *ALRA*. LALCs have a primary say on land development within their jurisdictions. This is especially so where culture and heritage artefacts may be impacted, per the *National Parks & Wildlife Act 1974* and the resultant guidelines prepared under the NSW Office of Environment & Heritage.

We would therefore wish to see more courage and clarity in the articulation of stakeholder salience in the objective “Starting with Country.” Tangentially, as we raised in our submission on the draft Precinct Plans, the naming of ancestors in the documentation is incorrect: the local people with ancestral connection to the Country are the Cabrogal Clan of the Darug, occupying Liverpool and its surrounds. “Gundungurra” is a misnomer with antecedents in the Blue Mountains and Cumberland Plains, which was carried over when Gandangara Local Aboriginal Land Council was named in 1983. The Dharawal are traditionally associated with the deeper south-west (Camden area). Similarly, this feedback pertains to the supplemental document *Recognise Country: Draft Guidelines for Development in the Aerotropolis*.

It is of interest that the DCP states:

“The requirements outlined in this section are not to replace the legislative requirements and processes for Aboriginal heritage assessment outlined in Section 3.1 (Aboriginal Cultural Heritage), rather they are intended to complement them. This will support development to further embed, enhance and celebrate cultural values and practices within the built form of the Aerotropolis and provide ongoing benefits for Aboriginal people.”

If the DCP recognises the precedent set by Aboriginal Culture and Heritage protection legislation and concomitant guidelines for consultation with Aboriginal communities via LALCs, why would cultural planning be any different?

Categories of Development:

The DCP splits SSI and non-SSI types of developments into separate categories with varying benchmarks and performance objectives. For SSI projects (20 hectares or \$20M minimum capital works), the performance objectives are more stringent and repeatedly mention the necessity of “cultural values research” in line with OEH guidelines. It would be worth specifying that such investigation is inclusive of historical heritage such as artefacts found in earthworks, as well as existent landforms (scar-trees) and interpretive cultural heritage elements such as stories and familial knowledges retained. Importantly the OEH guidelines recognise the pre-eminent role of LALCs in facilitating Aboriginal consultation as well as providing input (s4). Although heritage items are discussed further down in section 3.1 of the DCP, they cannot be dissociated from (presumably intangible) “cultural values.”

The reality may be that projects requiring cultural values research via Aboriginal consultation may take place on lots of less than the “benchmark” 20 hectares or on projects under the capital limit of \$20 million. The objectives in section B (Connecting to

Culture and Country through Built Form) could be phrased more strongly to make explicit reference to LALCs and Aboriginal-owned/operated, and Aboriginal Community Controlled Services as co-designers in the Cultural Infrastructure that will benefit them and showcase culture to the world. Non-Aboriginal service providers should not be primary points of consultation for the development of Aboriginal Cultural Infrastructure. Likewise, point 2.1.2 (2) on public art is vague and open to abuse:

“Where a development proposal has identified the opportunity to deliver public art that is responsive to culture and Country (see Section 14.3), an Aboriginal person with a connection to Western Sydney is to be engaged to:

- a. Provide input into the preparation of the public art brief, and
- b. Contribute to the design of the public art.

3. Preference is given to Aboriginal individuals or companies to make and install the public art.”

How is the “Aboriginal person” to be sourced, and what is their affiliation (with a LALC, a company limited, a community organisation etc.). How is the identity and cultural connection of the person/s to Western Sydney to be validated? What community transparency provisions are in place for the local Aboriginal population to feel represented? And rather than mere “preference” being given to Aboriginal artists and companies to make and install the art, would it not be mandatory for Aboriginal people to be selected, as there are known cases of art fraud and the unethical commercialising of Aboriginal art?

Language and naming are sensitive cultural issues also. Section C (2-3) reads:

“New development including suburbs, public spaces, places, roads or administrative areas should give preference to the use of local Aboriginal language for naming purposes.

For Aboriginal naming and dual naming, the proponent shall consult with the NSW Geographical Names Board, local language subject matter experts and with Aboriginal stakeholder groups.”

The *Geographical Names Act* explicitly defers to the Local Aboriginal Land Council as the de facto consent authority and consultant stakeholder for Aboriginal naming and dual-naming purposes, as is proper for an established statutory entity. Again, it is about reiterating the criticality of all public land development related matters (especially those touching on Culture) being had in conversation with the relevant Local Aboriginal Land Council.

Aboriginal Heritage

Section 3.1 repeats much of the above section in relation to Aboriginal cultural heritage items, which may include artefacts, deposits, scarred trees, grinding grooves, and cultural sites excavated in the course of earth works as part of development. The section appropriately acknowledges the *National Parks & Wildlife Act 1974* and necessary approvals under the Office of Environment and Heritage, but should also refer to the *Aboriginal Land*

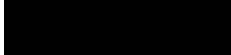
Rights Act 1983 noting the Local Aboriginal Land Council as statutorily responsible for the preservation and promotion of Aboriginal cultural heritage in its boundaries, and the Guidelines for Proponents (Aboriginal Consultation, OEH) on process related to archaeological surveys involving the Local Aboriginal Land Council.

Conservation strategies should explicitly involve the Land Council especially if the land intersects with the Cumberland Plains Conservation Area. Management of Aboriginal cultural heritage and conservation of heritage items should not be left to third parties.



Melissa Williams

Chief Executive Officer



From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 5 November 2021 9:17 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2

Submitted on Fri, 05/11/2021 - 21:16

Submitted by: Anonymous

Submitted values are:

Submission Type

I am submitting on behalf of my organisation

Name

First name

Phillip

Last name

Diversi

I would like my submission to remain confidential

No

Info

Email

phil.diversi@diversi.com.au

Address



Suburb/Town & Postcode

Norwest

Contact number



Please provide your view on the project

I am just providing comments

Submission

I advise Diversi have been engaged by some landowners in Bringelly to review the Draft DCP. I refer to your recent exhibition of the Draft Western Sydney Aerotropolis Development Control Plan 2021 and provide my following comments:

- p25, Clause 4.2 – preservation of existing artificial waterbodies – this should be amended as the location of farm dams suited the existing farms but is unlikely to suit the urban form and layout of the precinct. Therefore it may be unsuitable to retain existing farm dams. New water bodies should therefore be located in accordance with a defined masterplan as determined by the precinct Water Cycle Management Plan and should be located along water courses, SP2 land and in RE1 land.
- P29 Clause 4.3 - we agree with a WUSD approach. The reduction in phosphorous seems high at 80% and will significantly increase bio-retention basins etc. Has a study been done to determine what increase this has to the WSUD basins? Has any background study been done to determine what is the desired reduction levels and water affects this has on the downstream water quality? What evidence is there to prove that a reduction of 80%P is the recommended criteria. Has the same been considered for 65% reduction of Nitrogen?

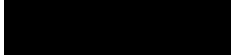
- p37, Clause 5.1 – Tree canopy – the minimum tree canopy targets appear to be high. ie on a site of say 300m² the canopy target is 20% of the site area. This would mean that approximately 60m² of the site would be under a tree canopy and would not have direct solar etc. We note the front and rear setback to the lots equal to about 100m² on a 300m² lot and is the only area in which trees can be planted and canopies can be safely and practically accommodated. This therefore means the tree canopy will occupy 60% of the total area for the front and rear setback to buildings or could be up to 100% of the front setback or rear setback depending on the planting. Whilst I am in favour of creating shade which will reduce heat affects on houses and living, I believe these targets are too high and should be reconsidered and reduced. Similarly is a site is 600m² and say 40 by 15m , then allowing for say 5m setbacks front and rear then the setback area is 150m² or 25% of the available site areas for landscaping. However your target of say 30% tree canopy is more than the available landscape area on site is not practical. Further the canopy would be over or near structures which is not recommended for house design and the Australian Standards for footings etc.
- p54, clause 2.22, PO6 – typographic error. Delete “2. Table 22” and replace with “Table 2”
- p60, Clause 7.2.4 car parking – consideration should be given to on street parking too so that there is sufficient on street parking for short term visits or pickup or set down of good or persons. ie pizza delivery, drop of elderly passengers, pick up more delivery by couriers or postal services. We do not want to see insufficient on street parking like in Waterloo, Green Square, Harold Park etc as there is limited on street parking for short term 10-60 min visits/meetings or those trying to get close to destinations for set down or pick up of elderly passengers or mothers with prams etc. Sufficient short term street parking needs to be provided for the examples mentioned so people do not have to park far from their destination. Notwithstanding this we acknowledge there will need to be a limit to the amount of parking which can be practically provided on street.
- P115, Clause 14.1, Site coverage – It is not clear what is intended by the typology and site coverage. How is this to be implemented?

I agree to the above statement

Yes

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From: noreply@feedback.planningportal.nsw.gov.au on behalf of Planning Portal - Department of Planning and Environment <noreply@feedback.planningportal.nsw.gov.au>
Sent: Friday, 5 November 2021 11:01 PM
To: PPO Engagement
Cc: eplanning.exhibitions@planning.nsw.gov.au
Subject: Webform submission from: Western Sydney Aerotropolis Development Control Plan Phase 2
Attachments: 2021.10-270-badgerys-creek-road-badgerys-creek---aerotropolis-submission-update-v02.pdf

Submitted on Fri, 05/11/2021 - 20:44

Submitted by: Anonymous

Submitted values are:

Submission Type

I am making a personal submission

Name

First name

Thomas

Last name

Diep

I would like my submission to remain confidential

No

Info

Email



Address



Suburb/Town & Postcode



Contact number




Please provide your view on the project

I am just providing comments

Submission file



Submission

RE property : , Badgerys Creek. around 17 acres rural land

We are the owners of the property and sending this 2nd submission in response to the updated drafted Aerotropolis planning which affects our property.

We would like to draw the attention of the Department of Planning of the following issues :

1. There is an inconsistency in the alignment of the proposed Western Ring Road between the SEPP Transport Corridor map and the initial Aerotropolis Core Precinct Plan, crossing our property. In the initial Aerotropolis Core Precinct Plan, the Ring Road passes through the south eastern corner of our land and 15-20% of our land, on the western high land area is designated as enterprise & light industry (ELI) development zone. The first submission is written to respond to this zoning proposal. The Eastern Ring Road and the rest of land designated as open space parkland would acquire 80 percent of our land.
2. In current updated Aerotropolis Core Precinct plan, the Eastern Ring Road crossing our property has been realigned to be consistent with SEPP Transport Corridor map. Hence, the zone planning on our property has completely changed.
3. In the Snapshot from EoE Appendix C Land Zoning map and Appendix d Land Reservation Acquisition Map, we note that our near rectangular shaped land is divided into two triangular zones: the north western triangle designated as storm water infrastructure and the south eastern triangle designated as ENT zoning. At a glance, it appears we gain more land to contribute to the development of the new city.
4. However, Civile planning consultant has studied the updated precinct plan and found out that, SP2 Stormwater Infrastructure zone acquires 51% of land, the primary arterial road (Eastern Ring Road) acquires 34% and the aligned arterial road (Badgerys Creek road) acquires 4%, there is only 4% Enterprise development land and 8% enterprise with excavation restriction within road buffer. While the Department of Planning has reduced total open space in response to the recommendation of the Independent Community Commissioner, to increase development areas, but the updated planning has increased acquisition of our property from 80% to 88% -96%.
5. Seville has identified that in the SP2 Stormwater Infrastructure zone, the majority of that area is elevated well above the creek which passes through the central part of the site, at least 8m above the creek level; The elevation would generally make it unsuitable for storm water management purpose; the area of Existing Native Vegetation does not extend into the subject site; the majority of the proposed storm water land is well outside the current riparian corridor; the vast majority of the proposed SP2 Storm water land is not affected by flooding.
6. Civile has put a proposal to change of the zoning on our property which we believe is practical and reasonable.

Although not mentioned in Civile's report, Civile's proposal zoning still provides 10,400 sqm (over 2.5 acres) open space from SP2 stormwater infrastructure zone, the combined SP2 stormwater infrastructure zone and Eastern Ring Road would provide 31,900sqm (over 8 acres) open space, much more contribution of open space in comparison with the neighbor properties along Badgerys Creek Road which provide 2.5 acres from each property.

We hereby submit Civile's report : 270 BADGERYS CREEK -REVIEW OF UPDATED TO AEROTROPOLIS PLANNING, we request the Department of Planning to re-assess the planning on our property and accept Civile's proposal.

Maria & Thomas Diep

I agree to the above statement
Yes

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Dr Thomas and Maria Diep
Cabramatta John Street Medical Complex
[REDACTED]
Cabramatta NSW 2166

4 November 2021

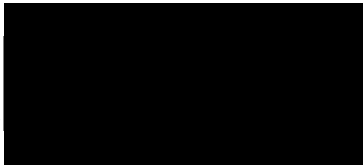
Dr Thomas and Maria,

[REDACTED] – REVIEW OF UPDATES TO AEROTRIOPLIS PLANNING

As requested we have completed a brief review of the documents recently released by the Department of Planning, Industry and Environment. I have attached our comments and accompanying figures.

If you have any queries please let me know and I will be happy to discuss.

Regards,



Andrew McMillan
andrew@civille.com.au

Suite 104
27 – 39 Abercrombie St
Chippendale NSW 2008
www.civille.com.au

1 Introduction

In March 2021 Civille completed a review of the draft Aerotropolis Core precinct plan for the property at [REDACTED] (the subject site). The report, which was subsequently submitted by our client to the Department of Planning Industry and Environment, included a high level:

- assessment of the site conditions
- review of the potential for development of the site based on the Aerotropolis Core Precinct Plan
- modified proposed site plan with suggested adjustments to zone extents, based on our client's vision for the site.

Subsequent to the completion of that report, there have been two updates that affect the subject site:

1. It was identified that the arterial road reserve corridor as defined in the SEPP is positioned on a different alignment to that shown in the Aerotropolis Core precinct plan.
2. Additional documents released in October 2021 propose changes to zoning/use of the subject site.

This letter report provides a brief assessment and comments on the above updates in relation to the subject site.

2 Precinct Plan – February 2021

Under the original planning documents and precinct plan the subject site included some 'enterprise' and was shown as being partially utilised for development (Figure 1). Based on our client's vision for the site Civille prepared a possible modified site arrangement (Figure 2) to include a vibrant multicultural hospitality offering incorporating environmentally sensitive uses along a realigned and restored riparian corridor.

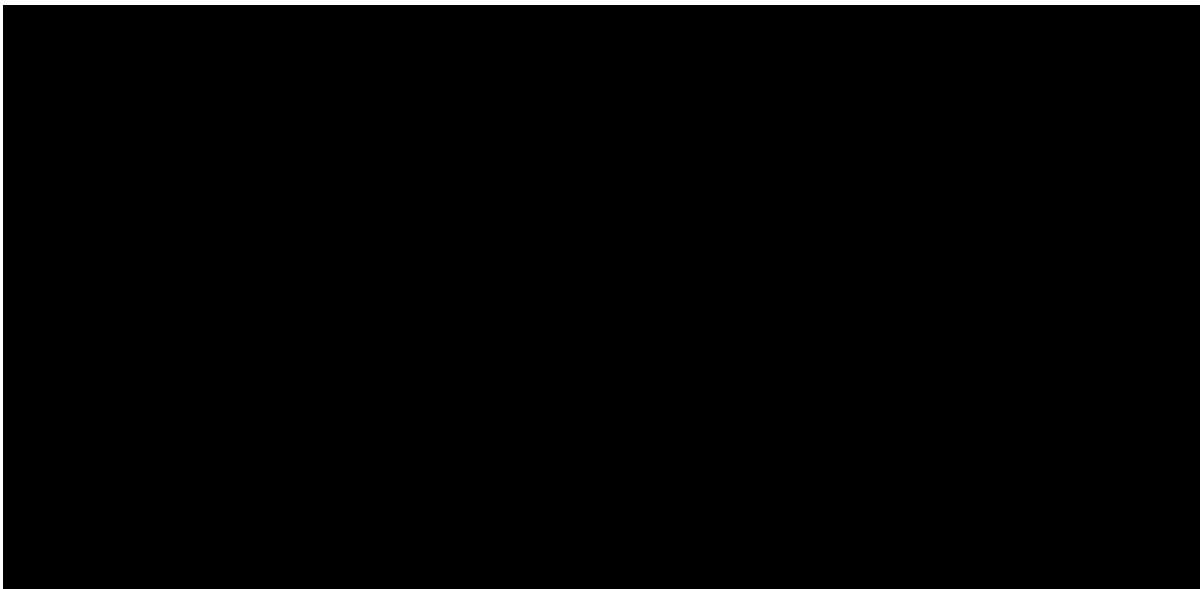


Figure 1 - Snapshot of land use proposed in the February 2021 Aerotropolis Core precinct plan. The subject site (270 Badgers Ck Rd) includes the western portion shown as 'enterprise'

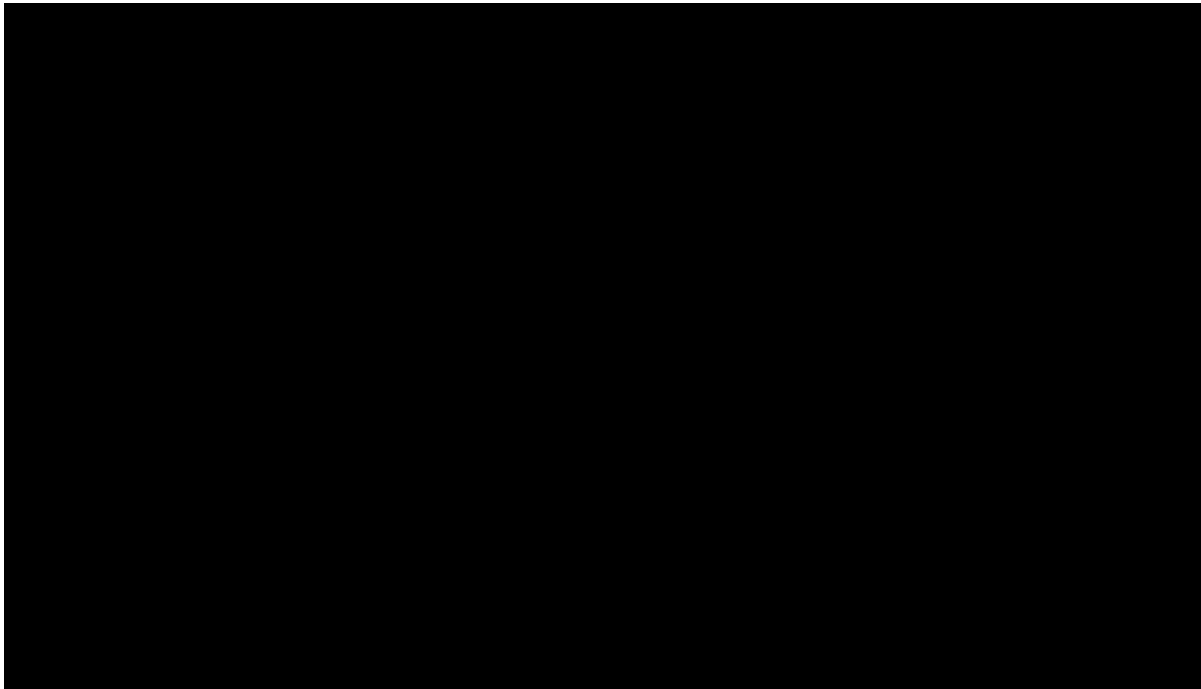


Figure 2 - Client's proposed modified site plan (Civille, March 2021)

3 Arterial Road Corridor Alignment

Following completion of the precinct plan review and modified site layout it was identified that there is an inconsistency in the alignment of the proposed eastern ring road between the SEPP Transport Corridors map and the Aerotropolis core precinct plan.

In Figure 3 the primary arterial road corridor as designated in the SEPP transport corridors map is shown superimposed over the original Aerotropolis Core precinct plan. The SEPP road corridor alignment is understood to be finalised, and means that the exhibited draft precinct plan in the vicinity of the subject site will need to be modified.

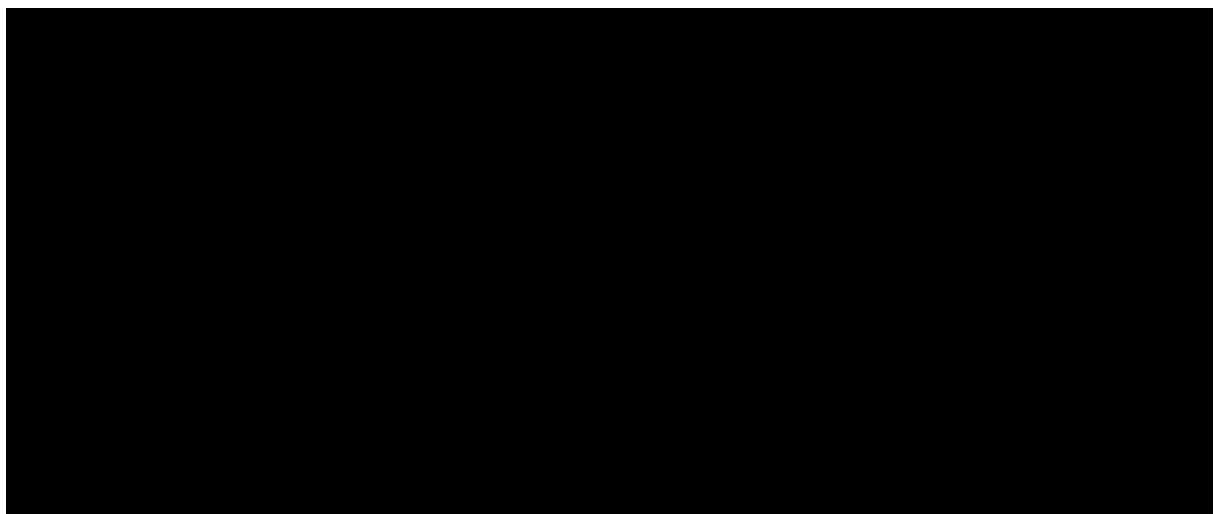


Figure 3 – Snapshot from SEPP transport corridors map (L), Arterial road corridor over precinct plan (R)

4 Planning Updates – October 2021

In October 2021 documents were released in response to feedback on the earlier draft Aerotropolis planning documents. These include the *Explanation of Intended Effect*, *Open Space Needs Study*, *Responding to the Issues*, and *Phase 2 Draft DCP*. Selected snapshots from mapping provided within the *Explanation of Intended Effect* are shown in Figure 4 for the area in the vicinity of the subject site. These show the triangular shaped northwestern portion of the subject site as proposed to be acquired for stormwater infrastructure.

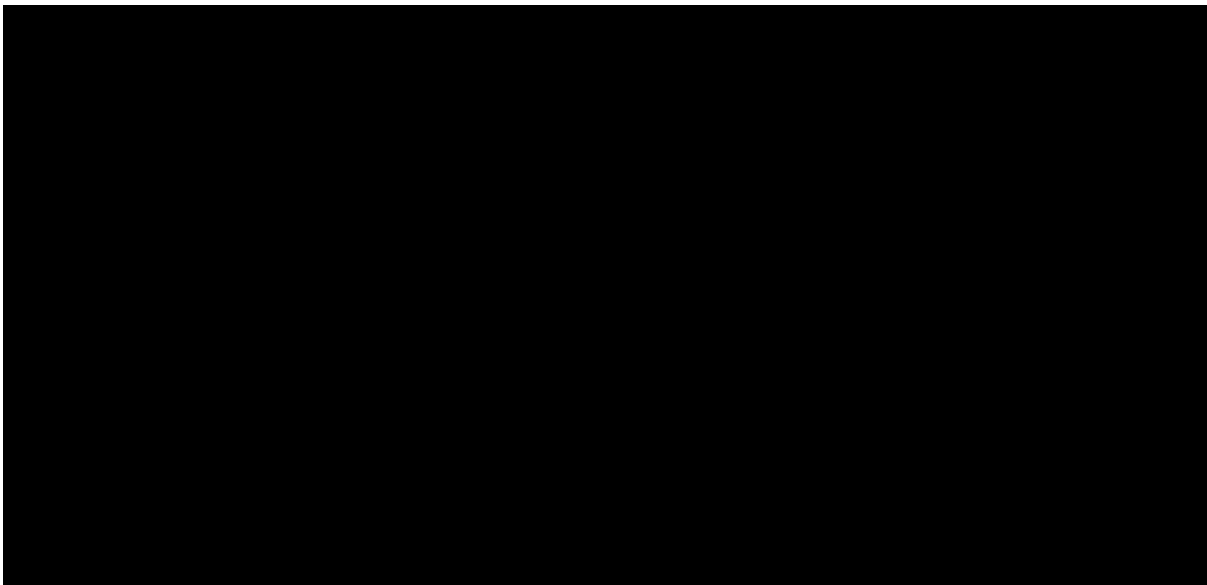


Figure 4 – Snapshot from EoIE Appendix C Land Zoning Map (left) and Appendix D Land Reservation Acquisition Map (right)

Appendix B of the *Open Space Needs Study* considers each of the lots affected by the updated proposed open space network and stormwater infrastructure land. In relation to the subject site, the rationale for inclusion of this land in the revised open space network includes:

- *Waterway health*
- *Riparian corridor protection (SSO 3)*
- *High Biodiversity Value vegetation*

A summary of the applicable areas in the subject site under the current planning documents is provided in Figure 5.

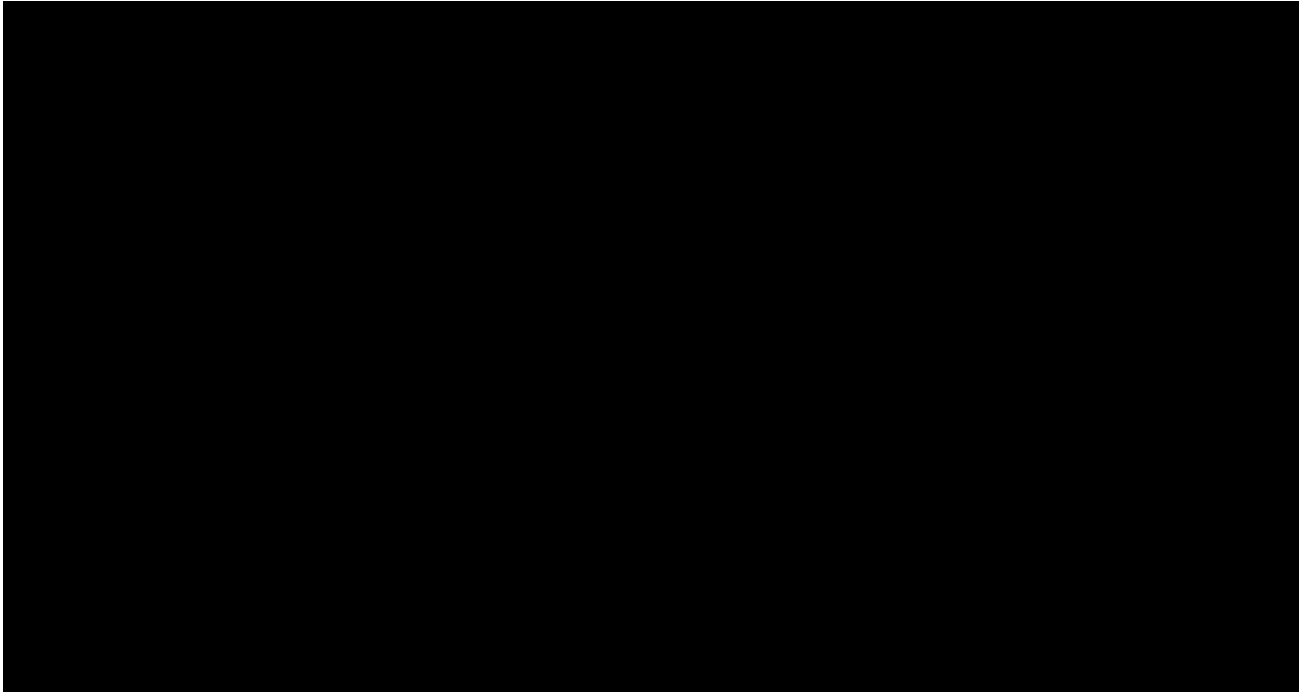


Figure 5 – Summary showing site areas based on October 2021 planning documents

5 Review of proposed stormwater infrastructure reservation

As described in Section 4 the triangular shaped north-western portion of the site has been identified to be acquired for SP2 stormwater infrastructure. Based on our preliminary review it is not clear exactly how this site would be used for stormwater infrastructure given that:

- a) The majority of that area is elevated well above the creek that passes through the central part of the site. The north-western corner of the site is a local high point and at least 8m above the creek level (refer Figure 6).
- b) The elevation of the northwestern portion of the subject site would generally make it unsuitable for stormwater management purposes unless there are very significant excavation works carried out.
- c) The areas of Existing Native Vegetation ('ENV') do not extend into the subject site (refer Figure 6).
- d) The majority of the proposed stormwater land is well outside the current riparian corridor (refer Figure 6).
- e) Publicly available documents from Sydney Water indicate that there are no stormwater management systems proposed within the subject site (Figure 7) other than the watercourse.
- f) The vast majority of the proposed SP2 stormwater land is not affected by flooding (Figure 8).

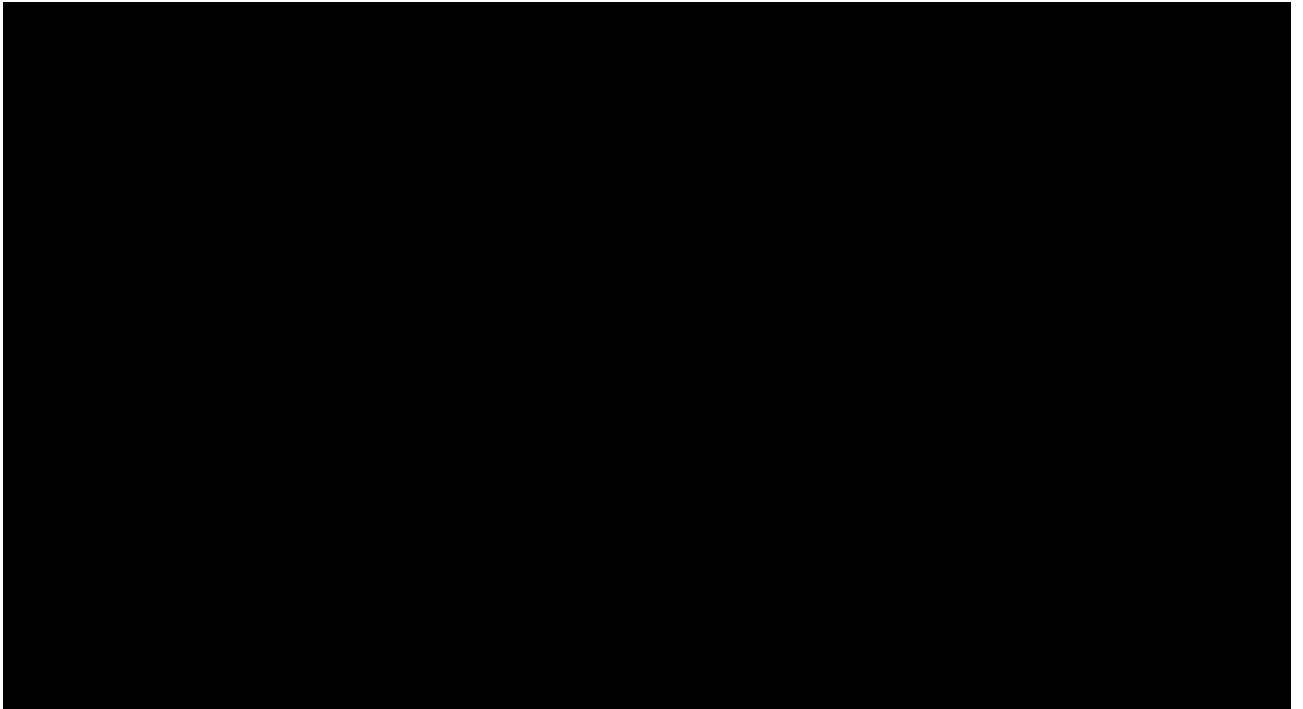


Figure 6 – Topography, watercourse and ENV with site areas based on October 2021 planning documents

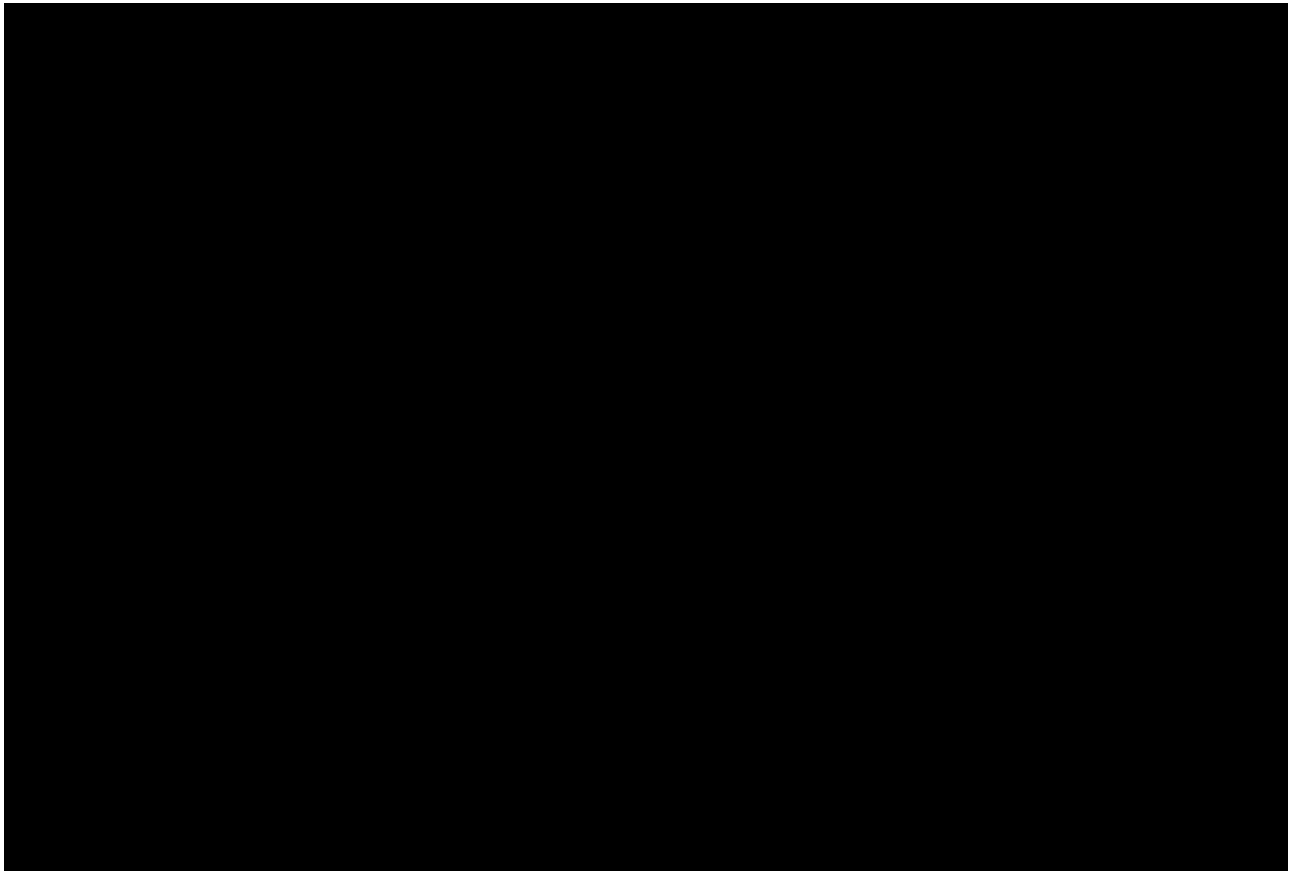


Figure 7 – Snapshot from Sydney Water interim report on stormwater and water cycle management

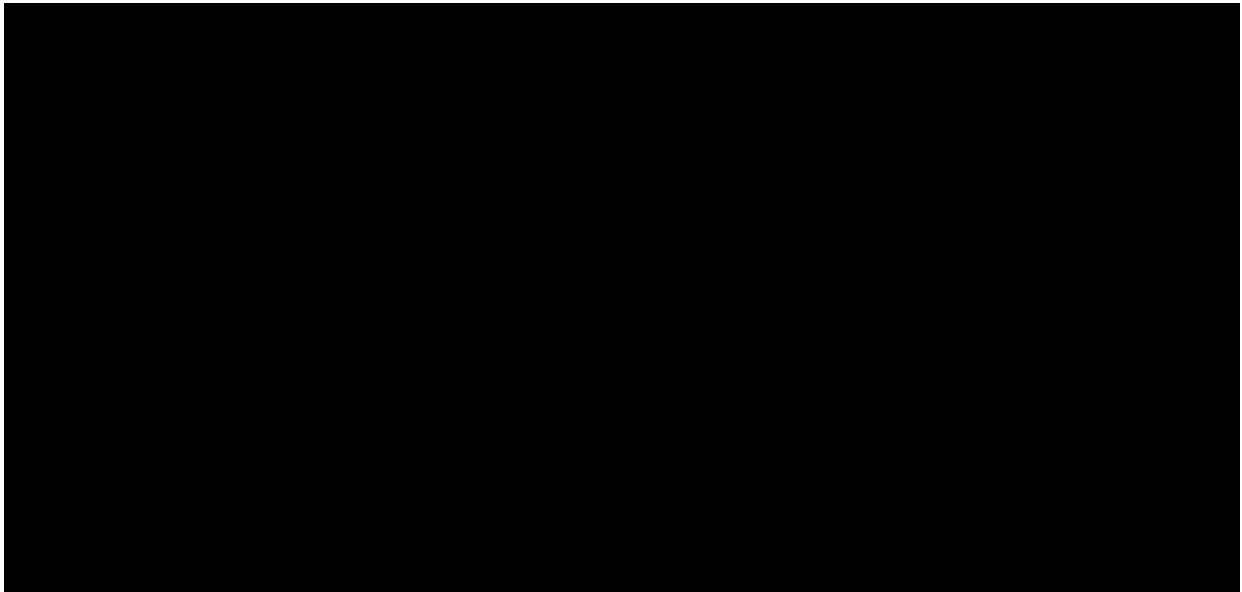


Figure 8 – Modelled 1% AEP flood depth (GRC Hydro) with draft site areas based on October 2021 planning documents

6 Conclusion

As outlined in Section 6, most of the area that is proposed to be acquired for SP2 land does not appear to be suitable to be used for stormwater infrastructure. Based on this assessment a change to the proposed zoning could be considered by DPIE. An indicative possible adjusted land use arrangement is shown in Figure 9. Table 1 provides a summary of the total site areas for the site land use based on the October 2021 planning documents, compared with the areas for the possible alternative arrangement shown in Figure 9

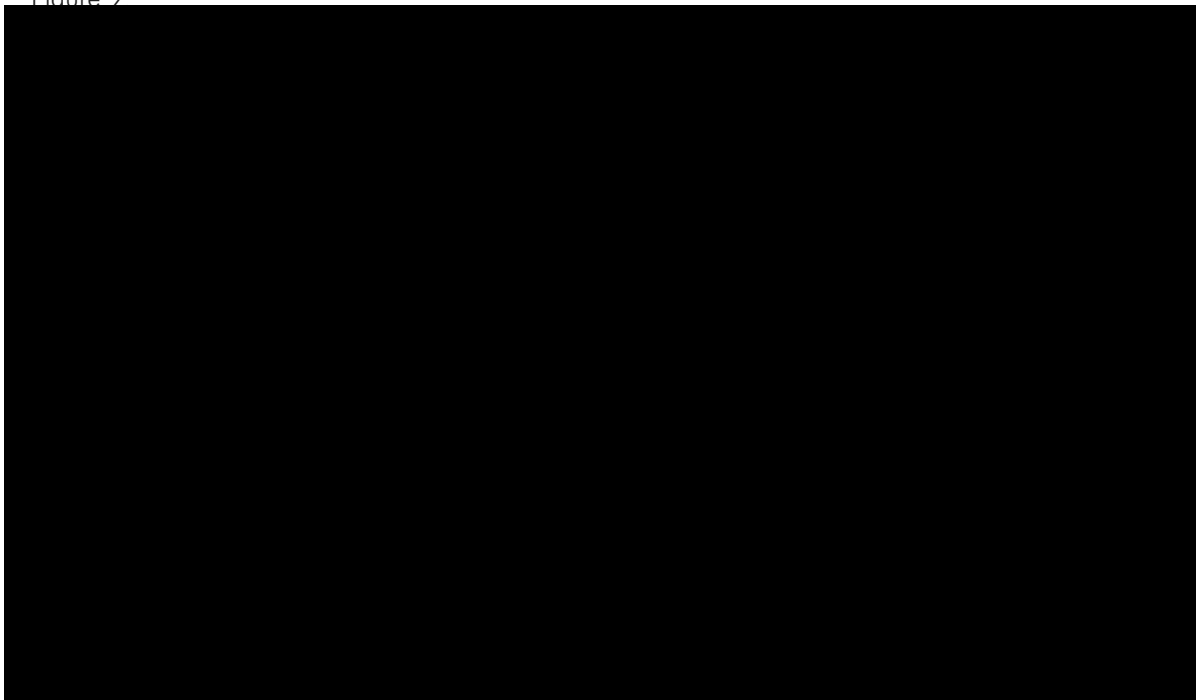
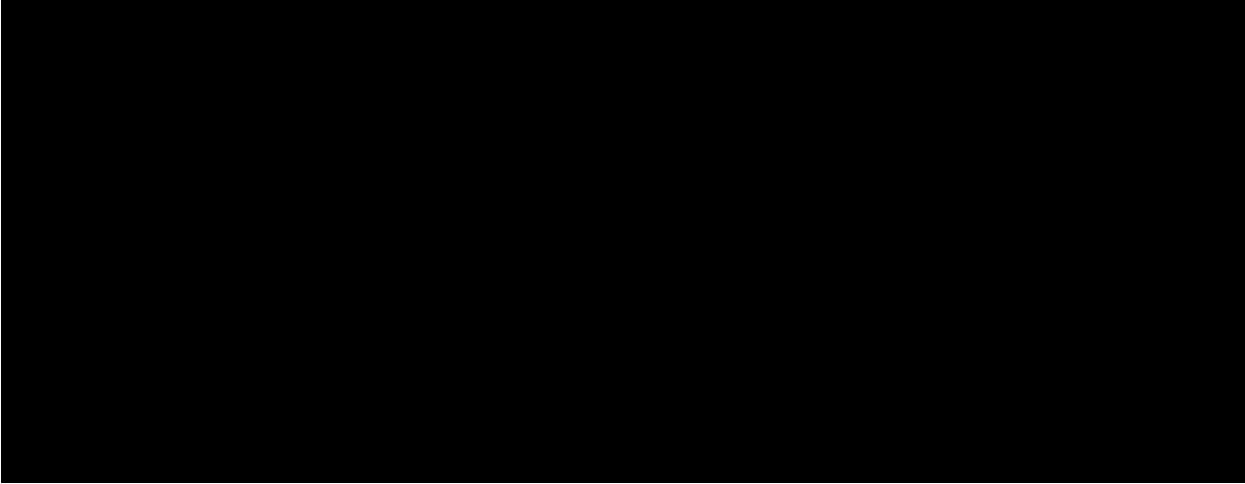



Figure 9 – Indicative possible adjusted site land use, with indicative existing riparian corridor



From: [Mel R](#)
To: [PPO Engagement](#)
Subject: Concerns about the re-zoning of the Western Sydney Aerotropolis Developmental Controls Phase 2 Plan October 2021
Date: Thursday, 11 November 2021 11:07:56 PM
Attachments: 

To Catherine Van Laeren

We are sending you our letter of complaint, which we have attached regarding the re-zoning in the Western Sydney Aerotropolis Development Control Plan 2021 phase 2 Draft October 2021.

Please advise or send me any other information regarding to the development of my area for the Western Sydney Aerotropolis.

Thank you,
Melina Rinaldi

Disclaimer

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, on behalf of **Liverpool City Council**.

Executive Director,
Central River City and Western Parkland City

[REDACTED]
[REDACTED]
KEMPS CREEK NSW 2178

NSW Department of Planning,
Industry & Environment
12 Darcy Street,
Parramatta NSW 2150

Sent to: engagement@ppo.nsw.gov.au

11 November 2021

Attention: Catherine Van Laeren

TO WHOM IT MAY CONCERN

I am writing to you in relation to the new Mamre Road Precinct and confirm that I am the owner of the above-named property located on Mamre Road Kemps Creek and I want to bring to your **urgent attention our matters of re-zoning concerns about the changes to Phase 2 Development Control Plan.**

We were advised that a further submission had to be submitted by Friday, 5 November 2021, in which I can make my statement of complaints to you relating to surrounding developments and re-zoning and de-valuing of my property in the Western Sydney Aerotropolis Development Control Plan 2021 phase 2 Draft October 2021, which you will read below.

We know that due to the flood line zone defining our property, it has not considered in the Mamre Road Precinct? We are questioning and puzzled why? As our neighbour's property, which is only on the other side of the shared fence and also has half of their property zoned as flood affected by the flood line zone was considered as part of the new Mamre Road Precinct as Industrial and my property was zoned Environmental and Recreation Zone, National Parks Reserves, why?

Why has our property not been considered for the new Mamre Road Precinct as Industrial? When both properties sit side by side and is only separated by a fence and are very similar in landscape and size with the same flood zoning? Both properties originally used to be valued at the same land value prior to this new re-zoning and now with the re-zoning our properties land value has significantly dropped while our neighbour's property has significantly increased? Why, please explain how is this possible?

How can the value of my neighbour's property go up in value by millions and my property gets de-value and goes down in value by millions, when we have paid the same rates for 45 plus years and both of our properties previously shared the same land value and both our properties were deemed in the flood zone and this is the neighbour on our fence line at 931-947 Mamre Road, KEMPS CREEK NSW 2178, how is this logical and fair?

Our land is all that we have and worked very hard to own and we feel that the situation you have put us in due to the new re-zoning has caused myself and my family so much stress. We feel our lively hood and our future has been robbed from us as we see and hear others that share the adjoining fence line (our neighbours) are gaining lots more in their land value, why?

We wanted to live in a quiet rural setting and now it is all changing to industrial land we will be surrounded by factories and trucks and will have loud noisy planes flying just meters from the roof top of our home. We want be able to sell our property for a profit as you have devalued our land and made it worthless and no one will want to buy it. We will be stuck here in a changed suburb that we done want to live in due to all the new changes and infrastructure, this was not our dream to live under the flight path of an airport or to be surrounded by factories and lots of traffic and noise!

Why doesn't the new Mamre Road Precinct continue on the western side opposite the eastern side up to Abbott Road on Mamre Road, Kemps Creek and make all of this area Industrial zoning and not make it the Environmental and Recreation Zone, National Parks Reserves? There are plenty of other areas that have more trees and park land features than ours!

We want the Environmental and Recreation Zone, National Parks Reserves Zoning REMOVED from our Property! We Want Our Property To Be Re-Zoned To Industrial Land and To Have the Same Land Value As Our Neighbour who shares the same fence, land size and landscape and flood zoning as us.

According to your plans we actually live in a creek not on dry land? Believe me we do not live in a house boat nor have we ever needed one in 45 years!

We bought 25 acres and we have been paying our taxes, rates, water licence for our land for 45 years apparently for nothing! Our land on your plans in Phase 2 Development Control Plans makes it look like a swamp and not dry solid land that has had hundreds of head of cattle and vegetable gardens on it at various times over the past 45 years and they have never gone swimming or drowned in water?

How would you know where the water sits and flow on our property when you have never set foot on our land in dry or wet season? We know it is hard for you to believe we know what we are talking about! A photo from a satellite or drone would never be able to capture a picture of the flood lines you predict in you Phase 2 Developmental Plans, because it has never flooded to that extent!

We have been overlooked and believe that we have a substantial amount of the land that is above the flood line zone and is always high and dry. The flooding is minimal to none existent for 360 days of the year and easily maintained. We have been on this property for more than 45 years and we have never seen any serious flooding. This is due to the sloping of the land on our property and the fact that the creek is running at the back of our property, it flows and takes all and any of the excess rain water away and off my property and to the lower lying properties further down the creek in along Mamre Road in Kemps Creek.

We have not ever seen the water rise or any damage on our property to which your New Flood Zoning and mapping are showing as a prediction in 100 years! Which makes us believe you are exaggerating the flood lines in your new plans to devalue our land, when it is truly and was worth a lot more before the re-zoning of our area. How can this once in a 100-year occurrence that you apparently say happens, dictate my properties land value today when it has not happened?

The flood line your plans show in your new plans, we feel are completely exaggerated. As we have very old plans more than 45 years old that show the original flood lines of our property and surrounding properties and they well and truly sit and hug the creek line about and are only 5 to 8 metres out from the creek and it only runs at the back end of our property. Which we know and feel are the true and correct flood lines designed accurately and not for profit. Your new plans now show that over half my property gets completely flooded which is completely not the true or the case! We feel cheated and these flood lines are exaggerated to devalue our property and to rob people of their lands true value just so you can profit off of it.

You are valuing our property based on the off chance of a once in a 100-year flooding accordance, how can this be possible? Shouldn't you value the land on today's current land values not what could or most likely happen and hasn't happened in more than 45 years plus?

With any new development areas, the developers often landfill and install proper drainage and sewer systems to ensure that the land is fully useable and has no negative effects to new or surrounding infrastructures and is easily maintained thereafter.

My property falls directly under the flight path and believe we have been left out of the Industrial Mamre Road Precinct and we should be included in the Mamre Road Precinct and not be zoned Environmental and Recreation Zone, National Parks Reserves Zoning. We do not want to be suck in the middle of an industrial area and under the new airports flight path, this was not our dream when we bought our property 45 years ago!

We invested in this property for the peace and quiet somewhere safe and clean to bring up our children and we have invested everything we have into this property and it is everything we have and it was also meant to be our security for our future in our retirement too! Now we are living with so much stress and fear that we no longer see the same dreams or a future due to the re-zoning of our area including our property, as you have de-valued our property and changed the surrounding area as well! We feel lost, robbed and scarred of the future for ourselves and our children.

We form part of the Wianamatta – South Creek Precinct and have been told our property zoning has changed to the Environmental and Recreation Zone, National Parks Reserves Zoning, it should change now to as we will not get anything positive out of this in the future.

The Wianamatta-South Creek Precinct boundary has generally defined using 1 in 100 chance per year flood level data from Liverpool and Penrith City Councils.

At the last submission phase of the Mamre Road Precinct the eastern side of Mamre Road recently were advised to be part of the Mamre Road Precinct after review and we require your immediate attention to have us included in this Precinct as well (on the western side of Mamre Road up to Abbots Road) which do not form part of the Mamre Road Precinct.

For our future we currently face the following issues: -

1. Dramatically reduced land value (in which our property has been categorised Environmental and Recreation)
2. We will not be able to sell our land for a profit and move as no one will want to buy it.
3. Aircraft noise (we are in the Wildlife Buffer Zones being 5kms within in the radius of the airport and right under the flight path)
4. Pollution (the roads will be more populated with heavy vehicles and airplanes overhead which both will pollute the air with deadly fumes)
5. M12 basically in my backyard (again effect by noise and pollution)
6. Mamre Road upgrade to four (4) lanes wide central medium for future six (6) lanes in all and shared path on either side (This will increase the number of heavy vehicles, traffic, noise, pollution and accidents)
7. Sewerage Plant is on our back fence of my property (This will pollute the air and water, also my livestock and vegetation/market garden and living altogether to inhaling such toxic waste smell. As part of the process, Sydney Water has identified our private property to have an easement for pipelines underground based on their preliminary designs, which our property is impacted)
8. Tips one (1) kilometre away from my property (This pollutes the air and affects our air quality and health of living)
9. Future factories surrounding our property from across the road and next door to the left (looking towards M4) (This will increase the number of heavy vehicles, traffic, noise and pollution)

10. Rezoning and use of our land due to surrounding new dwellings and business, it will change the use and purpose of why we firstly purchased the land for which effects our current and future lifestyle.
11. All the above will defeat the purpose of living on a peaceful rural property lifestyle, as there will be no rural lifestyle for the remaining properties here and also a zero-dollar value for the sale of the property in which we will have no savings for retirement and therefore no future and inheritance for my children.

The Western Sydney Aerotropolis Plan published in December 2019 states that all Precincts list the aircraft noise as first key consideration. With this in mind it makes no sense that we should be included in the Industrial Mamre Road Precinct (employment precinct) as our properties fall directly under the flight path and face the possibility of your plans devaluing our land and it will not be profitable after all these years.

One of Australia's largest developers, whom showed interest in our properties, advised that due to the recent plan decision, they have ceased their action on further discussions of interest of purchase.

Kind regards,

M. Rinaldi

P.S Further to my email sent to community.input@ghd.com.au on 5.11.21. I wish the above comments to be considered & have a reasonable reply by you in writing by post and email at your earliest convenience.

Email: [REDACTED]