



23 November 2021

Fiona Christiansen
Director, Aerotropolis
Department of Planning, Industry and Environment
4 Parramatta Square
Parramatta NSW 2124

Dear Fiona,

Draft Aerotropolis Planning Package (October 2021) Submission

Thank you for the opportunity to comment on the draft documentation exhibited in relation to the Western Sydney Aerotropolis (Aerotropolis). Western Sydney Airport (WSA) is the Airport Lessee Company responsible for developing and operating Western Sydney International (Nancy-Bird Walton) Airport (WSI).

Set to begin operations in late 2026, WSI will eventually grow to become the largest gateway to Australia, with a projected capacity of 82 million annual passengers in the 2060s. It will spark Australia's third largest economy to create a new era of jobs and business opportunities for the communities across Western Sydney. Its 24/7 operational opportunities are also directly linked to the success of the Aerotropolis and realising the full potential of the Western Parkland City.

WSA has been working collaboratively with the NSW Western Sydney Planning Partnership and Department of Planning, Industry and Environment (DPIE) on the strategic planning of the Western Sydney Aerotropolis (Aerotropolis). Our shared focus has been to ensure the planning controls for the Aerotropolis strike the right balance between the sustainable growth required to develop this important part of the Western Parkland City and protecting against unsustainable growth. What is unsustainable must be considered in the context of the need to prioritise the safe operation of the airport and minimise the number of people subject to the noise and other cumulative impacts from the 24/7 operation of the airport and the Aerotropolis.

We are writing in relation to the Draft Aerotropolis Planning Package (October 2021), which includes:

1. the Western Sydney Aerotropolis Explanation of Intended Effect (EIE);
2. the Luddenham Village Discussion Paper;
3. Western Sydney Aerotropolis Development Control Plan – Phase 2 (Phase 2 DCP);
4. the Open Space Needs Study;
5. Recognise Country. Draft Guidelines for Development in the Aerotropolis; and
6. Draft Aviation Safeguarding Guidelines



The Western Sydney Planning Partnership has worked with WSA and other stakeholders to implement aviation and social amenity safeguarding through provisions in the Western Sydney Aerotropolis Plan, State Environmental Planning Policy, Phase 1 and Draft Phase 2 SEPP and the Draft Aviation Safeguarding Guidelines. WSA is committed to work collaboratively across all levels of Government to deliver positive and sustainable community outcomes.

In reviewing the current suite of planning documents, we note that some of the options proposed involve significant departure from the original Aerotropolis planning framework, with strong potential to put safeguarding provisions achieved to date at risk. In particular, the Luddenham Village Discussion Paper presents two scenarios that are a departure from the precautionary planning approach that has been applied to protect the amenity of current and future residents in this area. Key issues raised within this submission include:

1. The residential intensification in Luddenham Village proposed under Scenarios 3 and 4 is not supported. Minimising noise sensitive development in the vicinity of the airport reduces the potential for land use conflict, minimises the number of people exposed to amenity impacts and maximises the opportunities for sustainable growth and positive economic and social outcomes for Luddenham Village.
2. No case study presented in the Discussion Paper is comparable to Luddenham Village due to their distance from the nearest airport, the operating hours of the airport and the annual passenger and air traffic movements of the airport.
3. Scenarios 3 and 4 presented in the Luddenham Village Discussion Paper will result in a significant intensification of residential development. This will adversely impact both the amenity and social outcomes for residents.
4. In the event either Scenario 1 and 2 are not supported by the Planning Partnership, it is recommended a decision on the sustainable future for Luddenham Village be held over until further consultation is undertaken with key stakeholders including WSA, Airservices Australia DITRDC, Liverpool and Penrith Councils and alternative scenarios are prepared that do not rely on residential intensification to support increased retail floor space.
5. The stormwater infrastructure strategy appears to incorporate new permanent water bodies and wetlands. Consultation with WSA is required to work through issues around wildlife attraction risk.
6. The Explanation of Intended Effect for the proposed SEPP changes includes allowing land uses that were previously permitted prior to the commencement of the SEPP. This may result in an intensification of noise sensitive uses within proximity to the airport. Therefore WSA seeks confirmation that this clause will not enable land subdivision for the purposes of allowing additional noise sensitive uses under this proposed change.
7. The Obstacle Limitation Surface (OLS) map is still contained with the SEPP. WSA requests that the OLS map be excluded from the SEPP maps and replaced with a reference to the OLS map on the WSA website. This will ensure the OLS map in the SEPP does not become outdated.
8. WSA requests the opportunity to review and provide comment on the draft instrument. Some of these key points are discussed in further detail below.



1. Luddenham Village Discussion Paper

Luddenham is well positioned to leverage the economic opportunities available from its proximity to WSI and location within the Aerotropolis. However, it is essential that careful planning and design is undertaken to protect the amenity and social outcomes of its current and future residents.

The residential intensification presented in Scenarios 3 and 4 of the Discussion Paper departs from the original precautionary approach of the Aerotropolis Plan. Residential intensification throughout the Aerotropolis should only be provided in appropriate locations to protect residents from any noise impacts from airport operations.

Sustainability of Luddenham Village

WSA supports a sustainable future for Luddenham Village. However, there is a presumption within the Discussion Paper that a sustainable village can only be achieved with significant intensification of residential development to support an increase in retail floor space.

To achieve a sustainable vision for Luddenham Village, careful consideration must be given to:

- Amenity and social impacts on future residents from:
 - o very close proximity to 24-hour per day, 7-days per week operations of a major international airport; and
 - o the permitted land uses within the Agribusiness Precinct, which will create a conflict from built form and land use outcomes, including increased truck movements.
- The assessment of scenarios should include alternatives to residential intensification (to the scale proposed in Scenarios 3 and 4) to sustain the village.

Case Studies

The discussion paper identifies 3 case studies of local centres across Australia. These case studies are not considered comparable to Luddenham Village. A summary of key comparisons, particularly in relation to airport proximity and airport operations is provided below.

- Hahndorf, South Australia,
 - o Adelaide Airport is located approximately 15km from Hahndorf
 - o The operational hours of Adelaide Airport are 4am to 11pm.
 - o Annual passenger movements in 2018 were approximately 8.5 million (*The Adelaide Airport Master Plan 2019*)
 - o Annual air traffic movements (ATM) in 2018 were 106,075. (*The Adelaide Airport Master Plan 2019*)



- Berry, NSW
 - The nearest aviation facilities are at Jaspers Brush Airfield and Robertson Airstrip and, approximately 15km away, HMAS Albatross/Nowra Airport. Berry is over 90 kilometres from the nearest international airport.
 - Berry is not located in close proximity to a major city.
- Evandale, Tasmania
 - Launceston Airport is located approximately 4km from Evandale.
 - The operational hours of Launceston Airport are 5am to 10.30pm.
 - The annual passenger movements between 2013 and 2018 averaged 1,311,883. (*Launceston Airspace Review 2019 (CASA)*).
 - The annual ATM averaged 23,795 between 2013 and 2018 (*Launceston Airspace Review 2019 (CASA)*).
- Luddenham Village, NSW
 - The whole village (to the extent proposed in Scenario 4) is within approximately 2km of WSI and as close as 400m.
 - The operating hours of WSI will be 24 hours per day, 7 days per
 - In 2026 WSI will have 10,000,000 annual passengers, increasing in stages to 82,000,000 annual passengers around the 2060s, following the development of the second runway.
 - In 2026 WSI will have approximately 185,000 air traffic movements per year, increasing to approximately 370,000 air traffic movements per years following the development of the second runway.

The Discussion Paper should consider local centres within proximity to a like-for-like international airport. Bulla, Victoria is a much more comparable case study due to being located approximately 2km of Melbourne (Tullamarine) Airport, which operates 24/7. Bulla has a population of approximately 675 people.

Additionally, a proposal to increase residential development at Cooks Cove (by approximately 12,000 people) was refused by the Bayside Planning Panel in 2018. The area was not considered suitable for residential development for reasons including noise impacts from Sydney (Kingsford Smith) Airport. While the majority of this development was within the ANEC 20 contour, the decision highlights the importance of ensuring good planning outcomes to protect the amenity of future residents within proximity of major international airport.

Protection of Amenity for Future Residents

It is essential that the amenity of future residents is carefully considered in land use planning decisions within the Aerotropolis. The Discussion Paper has not given any consideration to the noise levels, frequency of that noise or hours that the noise will be experienced nearby from aircraft operation at the airport.



Scenarios 3 and 4 presented in the Discussion Paper will result in a significant intensification of people living within Luddenham Village. Compared to the 2016 figures, Scenario 3 will result in an intensification of over 300% and almost 750% in Scenario 4. Scenarios 3 and 4 will result in more people living with aircraft noise.

People residing in close proximity to the airport will be impacted by the noise and other cumulative impacts from the 24/7 operations of a major international airport and Aerotropolis agribusiness precinct.

In accordance with AS2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction, residential development outside ANEC 20 is not required to achieve construction standards to mitigate noise impacts from aircraft. Accordingly, under existing legislation it would be up to the dwelling vendor to elect to incorporate construction standards to reduce noise impacts indoors.

Planning Certificates

Increasing the number of people residing within Luddenham Village, within proximity of a major international airport with 24/7 operations, has the potential to result in people moving/buying properties without an appreciation of the noise impacts, particularly given that they currently don't have information available to make a reasonable assessment of the noise they will experience.

The planning certificates, issued under the Environmental Planning and Assessment Act 1979 only currently include notations for those properties located within identified ANEC contours. It is recommended that any additional residential development permitted within Luddenham Village, include a notation on the planning certificate outlining exposure to noise and other impacts, as a result of residing in close proximity to a 24/7 major international airport. Potential owners should be provided with information on airport operations, projected air traffic movements and the cumulative impacts of the airport and Aerotropolis agribusiness precinct in terms of the local road network.

Decision on Luddenham Village

For the reasons set out above, WSA recommends scenario 2 be given further consideration with some minor allowance for residential development, to offset the loss of any residential sites from other uses permitted within zone.

In the event either Scenario 1 and 2 are not supported, it is requested a decision on the sustainable future for Luddenham Village be held over until further consultation is undertaken with key stakeholders including WSA, DITRDC, Liverpool and Penrith Councils and alternative scenarios are prepared that do not rely on residential intensification to support increased retail floor space.



2. Wildlife Attraction Risk

WSA previously made comments in relation to the Draft Precinct Planning package that “*the location of parks and farm dams should be reviewed to ensure that aviation safeguarding has been considered*”, and that “*the final plans for these spaces should be determined following a holistic assessment of wildlife management, in order to ensure that the wildlife attraction risk is mitigated on a singular and cumulative basis*”.

Likewise, WSA previously raised concern that the creation of a ‘chain of water bodies’ along the eastern boundary of WSI has potential to create new habitats across and through the flight paths within the immediate vicinity. Further information is needed to demonstrate the nature of this risk, given that no further updates to the Wildlife Risk Assessment appear to have been undertaken since May 2019.

The Open Space Needs Study identifies that wetlands are to be provided as part of the stormwater infrastructure. Further, examples of permanent water bodies have also been shown within that document. This presents a significant wildlife attraction risk in potential conflict with the safe operations of WSI. No new permanent water bodies, including wetlands, should be identified within the 13km wildlife buffer until detailed wildlife risk assessments have been prepared, provided to WSA and further consultation with WSA is undertaken.

3. Enabling Previously Permissible Uses

In relation to this component of the EIE, it is understood that uses permissible prior to the rezoning under the Aerotropolis SEPP would continue to be permitted. As part of this draft provision, it is noted that protection would be in place for the consent authority to consider “if the proposed development compromises airport safeguarding”. However, it is unclear the degree of weight that this would have in assessment of applications, and whether a consent authority would be able to determine an application which compromises airport safeguarding (e.g. the location of a noise sensitive land use within noise contours) on the basis that the above provision has been ‘considered’.

Noting the significant role of airport safeguarding provisions in the SEPP, it needs to be confirmed, Clause 5 of the Aerotropolis SEPP (which identifies the land to which the SEPP applies) will continue to apply to applications made under the previous instruments. If these safeguards are eroded, it is likely to significantly impact social amenity and the future economic opportunities of the Aerotropolis.

Further, with no minimum lot size applicable under the SEPP, there is a risk that, particularly outside the ANEC 20, subdivision will occur for the purpose of facilitating additional residential development. If pursued, it is essential that this clause is drafted to only allow it to be applied to the existing lot size at the time the clause takes effect. Ie the clause should not apply to any land that is subdivided after



that date. (It is noted that the final precinct plans may identify a MLS, however in the absence of the final precinct plans and noting that precinct plans are not EPIs under the EP&A Act 1979 (as stated in the EIS), this needs to be addressed).

Consideration also needs to be given to potential compensation/acquisition for any new noise sensitive uses constructed under this clause. It is recommended that targeted consultation occur with DITRDC, who will be responsible for the noise amelioration plan for WSI, on this matter.

4. Stormwater Infrastructure / Commonwealth land

A boundary error has been identified in the Aerotropolis SEPP. Any stormwater infrastructure proposed on the Commonwealth land immediately adjoining WSI would be subject to acquisition. Consultation must occur with WSA and the Commonwealth before plans are developed for any stormwater infrastructure proposed to be located on Commonwealth land.

5. Recognise Country. Draft Guidelines for Development in the Aerotropolis

We commend you on producing a document which provides clear guidance on how to implement Aboriginal design elements into developments within the Western Sydney Aerotropolis.

Section 2.2.2 of the document talks about the cultural significance of the landscape and how the cultural landscape can inform planning and design. A number of questions are provided to prompt practitioners on how to incorporate a culturally appropriate landscape-led approach. It is noted that two of the questions relate to the protection and restoration of native vegetation corridors and wildlife movement corridors and the opportunities to restore landscape through regeneration of native vegetation. Whilst we support in principle, it is important that the wildlife that could be attracted to the restored areas is carefully considered and balanced against the need to ensure it does not present a risk to the safe operations of the airport. We would encourage the inclusion of a note within the report to acknowledge the need to balance these outcomes.

6. Next Steps

Thank you for the opportunity to comment on the Aerotropolis Planning Package (October 2021). We look forward to working with you following exhibition of these documents and will be available to answer any queries or clarifications you have in relation to this submission.



**Western
Sydney
Airport**

If you have any questions, please contact the WSA Planning Team or dfrankel@wsaco.com.au.

Yours sincerely

Scott Ifield

Scott Ifield

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