



WESTERN SYDNEY AEROTROPOLIS

Western Sydney Aerotropolis Precinct Plan - Amendment No.1

Finalisation Report

May 2023

Published by NSW Department of Planning and Environment

planning.nsw.gov.au

Title: Western Sydney Aerotropolis Precinct Plan – Amendment No.1

Subtitle: Finalisation Report

First published: May 2023

© State of New South Wales through Department of Planning and Environment 2023. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided you attribute the Department of Planning and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (May 2023) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Table of Contents

Executive Summary and Introduction	2
1. Introduction.....	3
1.1 Aerotropolis planning background.....	3
2. Exhibition Details.....	4
2.1 Exhibition and Submissions Period.....	4
2.2 Exhibited Materials	4
2.3 Public Notice.....	5
2.4 Notification to Landowners.....	5
2.5 Engagement Activities	5
3. Submissions Summary	5
3.1 Number of Submissions.....	5
3.2 Issues raised	5
4. Consideration of issues	6
4.1 Development standards in the SSP	6
4.2 Non-residential uses in the SSP	9
4.3 Transport	9
4.4 Environment	10
5. Summary of post-exhibition changes	10

Executive Summary and Introduction

The Aerotropolis Planning Package and supporting technical studies for the initial precincts were finalised in March 2022. The planning package included amendments to the State Environmental Planning Policy (Precincts – Western Parkland City) (the Aerotropolis SEPP), the final Aerotropolis Precinct Plan (the Precinct Plan), the Aerotropolis Special Infrastructure Contributions Plan and the Luddenham Village Interim Strategy. In November 2022, The Aerotropolis Development Control Plan (DCP) Phase 2 was finalised.

Following the finalisation of the Precinct Plan, and a request from the land owner of the Sydney Science Park (SSP), further consideration was given to the minimum lot size, building height and floor space ratio controls that applied to specific sites, namely a part of the SSP site in the Northern Gateway Precinct of the Aerotropolis and 2700 Elizabeth Drive, Luddenham in the Agribusiness Precinct. On this basis the Department prepared a draft amendment to the Precinct Plan to make the following amendments:

- Amend minimum lot sizes for low density residential development in the SSP;
- Amend Section 5.3 Floor Space Ratio of the Aerotropolis Precinct Plan to remove the FSR control for part of the SSP and inclusion of an additional clause requiring consistency with the built form controls for SSP in the Aerotropolis DCP;
- Amend Section 5.2 Height of the Aerotropolis Precinct Plan and inclusion of an additional clause requiring consistency with the built form controls for SSP in the Aerotropolis DCP; and
- Amend Section 5.2 Height of the Aerotropolis Precinct Plan to include a maximum building height for all developable land at 2700 Elizabeth Drive Luddenham.

The draft Amendment to the Precinct Plan was exhibited from 18 November until 16 December 2022 with four submissions received, from the following stakeholders:

- Penrith City Council
- Sydney Metro
- Water NSW
- A member of the community.

This report summarises the consultation process, issues raised in the submissions and how those issues have been addressed in the final Precinct Plan Amendment and supports the endorsement and publication of the Western Sydney Aerotropolis Precinct Plan – Amendment No.1.

Section 3 & 4 of this report discusses the issues raised in the submissions, the Department's response and the following changes to the proposed amendment to the Aerotropolis Precinct Plan:

- An amendment to the maximum FSR control for the portion of the Sydney Science Park identified to accommodate the initial 750 dwellings. This FSR control ranges from 1:1 to 1.8:1 (increase from existing range of 0.55:1 to 1.8:1).
- Removal of a proposed clause referring to built form controls for low density residential development within the Western Sydney Aerotropolis DCP Phase 2 as this clause is not needed to ensure the DCP controls are satisfied.
- Inclusion of a provision in section 4.2 of the Aerotropolis Precinct Plan to limit the number of low density dwellings to be delivered in the Sydney Science Park to 750.

1. Introduction

1.1 Aerotropolis planning background

Planning for the Aerotropolis requires the consideration of several strategic and statutory documents. The following table provides a summary of documents that have been prepared and released in relation to the Aerotropolis.

Table 1: Aerotropolis documents prepared and released

Timeline	
August 2018	<ul style="list-style-type: none"> Publication of the Western Sydney Aerotropolis – Land Use and Infrastructure Implementation Plan - Stage 1: Initial Precincts.
September 2020	<ul style="list-style-type: none"> Western Sydney Aerotropolis Plan finalised Aerotropolis Phase 1 Development Control Plan finalised.
October 2020	<ul style="list-style-type: none"> State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 gazetted and initial precincts rezoned (now known as the Western Parkland City SEPP).
November 2020	<ul style="list-style-type: none"> Draft Precinct Planning package and supporting technical studies for initial precincts released for community consultation Draft SIC and Draft Local Infrastructure Contributions Plan released for community consultation.
November 2020 - March 2021	<ul style="list-style-type: none"> Public consultation - 673 submissions received.
May 2021	<ul style="list-style-type: none"> Appointment of Independent Community Commissioner for the Aerotropolis, Professor Roberta Ryan.
August 2021	<ul style="list-style-type: none"> Independent Community Commissioner provides recommendations to the Minister.
October 2021	<ul style="list-style-type: none"> Aerotropolis Phase 2 Development Control Plan released for community consultation, including: <ul style="list-style-type: none"> Draft Recognise Country: Guidelines for Development in the Aerotropolis Draft Aviation Safeguarding Guidelines Explanation of Intended Effect (EIE) released for community consultation with proposed SEPP amendments Luddenham Village Discussion Paper released for community consultation.
October 2021 – November 2021	<ul style="list-style-type: none"> Public consultation - 33 submissions received on the Phase 2 DCP EIE and Luddenham Village Discussion Paper considered separately and addressed as part of the Responding to Issue 2 report).
December 2021	<ul style="list-style-type: none"> Master Plan Guidelines published on the NSW Planning Portal.

Timeline	
1 March 2022	<ul style="list-style-type: none"> Consolidated SEPPs amendment comes into effect. The existing Aerotropolis stand-alone SEPP was consolidated into <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>.
March 2022	<ul style="list-style-type: none"> Amendments to Aerotropolis SEPP made Precinct Planning package, including supporting technical studies finalised for initial precincts Luddenham Village Interim Strategy released Master Planning Guidelines come into effect SIC finalised.
November 2022	<ul style="list-style-type: none"> Aerotropolis Development Control Plan Phase 2 finalised Recognise Country: Guidelines for Development in the Aerotropolis finalised Aviation Safeguarding Guidelines finalised.
May 2023 (we are here)	<ul style="list-style-type: none"> <i>Aerotropolis Precinct Plan – Amendment No.1 finalised</i>
Next Steps	<ul style="list-style-type: none"> Liverpool and Penrith Councils to finalise their Local Infrastructure Contributions Plans Submission of master plans and development applications to relevant planning authorities Ongoing work on the Luddenham Village Plan, as per the Interim Strategy.
Longer term	<ul style="list-style-type: none"> Precinct planning for remaining precincts e.g. North Luddenham, Dwyer Road, Rossmore and Kemps Creek.

2. Exhibition Details

2.1 Exhibition and Submissions Period

The draft amendment to the Precinct Plan was exhibited from 18 November to 16 December 2022 and four submissions were received. All submissions have been considered in preparation of the final amendment to the Precinct Plan. A summary of the key issues raised and responses to these issues is provided in Section 3 & 4 of this report.

2.2 Exhibited Materials

The following document was publicly exhibited:

- Western Sydney Aerotropolis Precinct Plan Amendment - Discussion Paper - November 2022.

This document was available on the Department's website:

<https://pp.planningportal.nsw.gov.au/draftplans/under-consideration/proposed-changes-aerotropolis-precinct-plan>

2.3 Public Notice

Print advertisements were placed in the Penrith Western Weekender and the Koori Mail advising of the details of the public exhibition. Digital advertising was geo-targeted and ran across the Penrith Western Weekender website, EDM, Facebook and Instagram as well as on News network encouraging people to have their say on the draft Amendment to the Precinct Plan.

2.4 Notification to Landowners

The Department sent notification letters to the landowners of the Sydney Science Park and 2700 Elizabeth Drive Luddenham. The letter provided details of the exhibition period and engagement opportunities and invited submissions on the draft Amendment to the Precinct Plan.

The Department also sent notification emails to key stakeholders including Penrith and Liverpool Council, Transport for NSW, Sydney Water and the Western Parkland City Authority advising of the exhibition.

2.5 Engagement Activities

The following community engagement activities occurred during the exhibition period:

- One electronic direct mail (EDM) was sent at the beginning of the exhibition campaign to 1,893 subscribers who were registered on the Department's database
- Dedicated webpages were maintained on the Department's website and the planning portal, which included all exhibition document
- Staff attended the Aerotropolis Drop-in Session on 19 November 2022
- The Aerotropolis Consultative Committee was informed of the exhibition at meeting 6 December 2022.

3. Submissions Summary

3.1 Number of Submissions

The Department received four submissions in response to the formal public exhibition. Copies of all submissions received during the exhibition period are on the Department's website. Section 3.2 of this report (below) outlines the key matters that arose out of submissions and Sections 4 and 5 outline how these matters have been considered in the finalisation of the Amendment to the Precinct Plan.

Submissions were received from:

- Penrith City Council
- Sydney Metro
- Water NSW
- One submission from a member of the Community.

3.2 Issues raised

All submissions received were reviewed by the Department. The key issues raised in submissions include:

- Density controls in the SSP, including FSR, should be retained to provide certainty to the community

- Density controls on FSR should reflect the lower density character of the section of the SSP earmarked to accommodate the initial 750 dwellings
- Consideration should be given to amending the height of buildings map for the SSP to align with the lower density residential character of the area earmarked to accommodate the initial 750 dwelling
- Consideration on the delivery of non-residential floor space in the SSP
- The need to ensure that job growth remains a key focus for development in the SSP
- Concern about the capacity of the road network to accommodate increased traffic resulting from new residents
- Concern about the impact of development on the natural environment.

4. Consideration of issues

This section discusses the key issues raised in submissions and the Department's response.

The post-exhibition changes to Aerotropolis Precinct Plan – Amendment No.1 are summarised in Section 5.

4.1 Development standards in the SSP

Penrith City Council raised issues about development standards that should apply in the portion of the SSP that is earmarked to deliver the initial 750 dwellings. Council's issues were:

- *Regarding the proposed amendments to the Floor Space Ratio (FSR) controls, Council officer preference is to maintain key density controls in the Western Sydney Aerotropolis Precinct Plan. This is to provide certainty to the community on the future density of this part of Sydney Science Park.*
- *As the primary permissible residential land uses are dwelling houses, dual occupancies, and multi dwelling houses, a single maximum FSR should apply to the area identified for the first 750 dwellings. The FSR should be set to allow for the construction of the densest permissible dwelling product of multi dwellings housing. Council officers would recommend an FSR of no greater than 0.75:1 is applied to ensure the minimum provision of private open space; deep soil planting and car parking can be achieved.*
- *If dwelling houses, dual occupancy and multi dwelling housing are going to be the dominant land use in the area allocated for the first 750 Dwellings, consideration should be given to amending Figure 12 Height of Buildings of the Western Sydney Aerotropolis Precinct Plan, to apply a single maximum Height of Building Control to reflect the dominant land use. A maximum Height of Building control of 10 metres is considered appropriate and would allow for the construction of a 3-story dwelling where required.*

Department comment

The Aerotropolis Precinct Plan includes Floor Space Ratio (FSR) controls for all mixed-use zoned land. For the part of the SSP subject to this proposed amendment, these FSRs range from 0.55:1 to 1.8:1. The Aerotropolis Precinct Plan amendment, as exhibited, proposed that these FSR controls be removed and for the built form controls included in Section 5.2.5 of the Western Sydney Aerotropolis Phase 2 DCP to guide built form outcomes. For the part of the SSP subject to this amendment, maximum building heights range from 12m to 27m. The amendment as exhibited proposed no change to building height controls.

In response to the issues raised by Penrith City Council:

- In regard to FSR, the controls as exhibited sought to rely upon the Western Sydney Aerotropolis Phase 2 DCP to guide built form outcomes. An FSR control is however needed to control the density of other forms of development in the Mixed Use zone. Consideration

had been given to removing the FSR controls for low density forms of residential development while retaining FSR controls for other forms of development. However, this would introduce a level of complexity into the Precinct Plan that creates an undesirable precedent for future amendments in other parts of the Aerotropolis. On this basis the FSR control will be retained in the Precinct Plan for all parts of the SSP, which range from 1:1 to 1.8:1 in the section of the SSP that was subject to the proposed amendment and has been included in Section 5.3 of the Precinct Plan (as shown in Figure 1 below). These FSR controls are recommended based on the following considerations:

- an urban design analysis found that the 0.55:1 FSR that currently applies to part of the site is unsuitable as this FSR does not align with the types of lower density residential developments on smaller lots as is proposed with this amendment and the other forms of development allowed in the mixed use zone.
 - built form testing of lower density residential development on the smaller proposed lot sizes was undertaken to inform what suitable FSR should be applied. This testing found that dwelling houses, semi-detached and dual occupancies can comfortably be accommodated within a 1:1 maximum FSR. Controls contained in the Western Sydney Aerotropolis Phase 2 DCP also apply and must be complied with.
 - a 1:1 FSR also would enable other uses permitted in the Mixed Use zone to be developed, with development consent.
 - to align FSR controls with maximum building heights (which are not proposed to change) an FSR of 1.8:1 is applied to parts of the site with maximum building heights that range from 24m to 27m.
- In regard to building heights, given that the full range of land uses remain permissible in the Mixed Use zone, a range of building heights are needed to accommodate different forms of development and other considerations such as the intensification of development around the proposed Metro station. On this basis, no change is proposed to the height of buildings controls that currently apply and were exhibited. These building heights range from 12m to 27m and are included in Section 5.2 of the Precinct Plan (as shown in Figure 2).

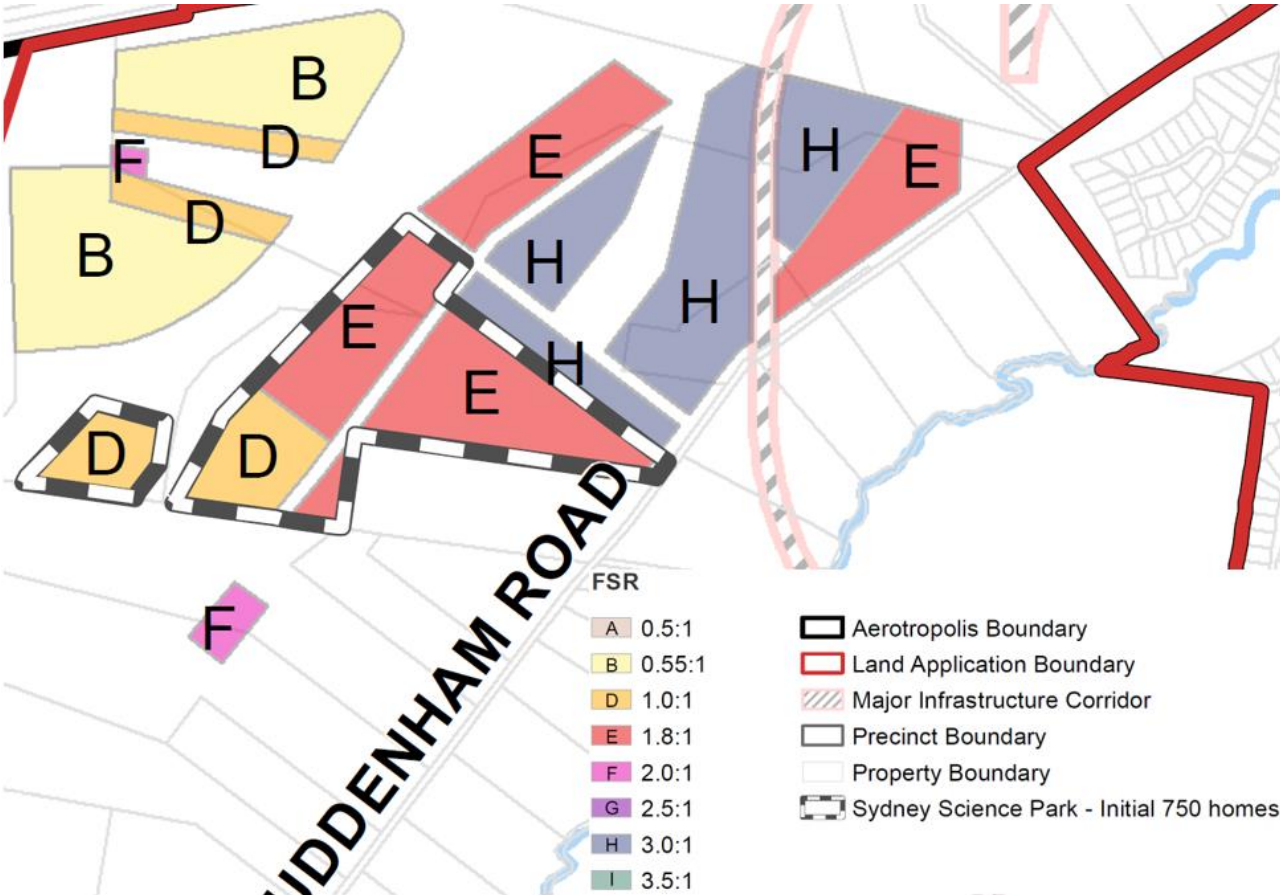


Figure 1: Amended FSR control – Sydney Science Park – Initial 750 homes

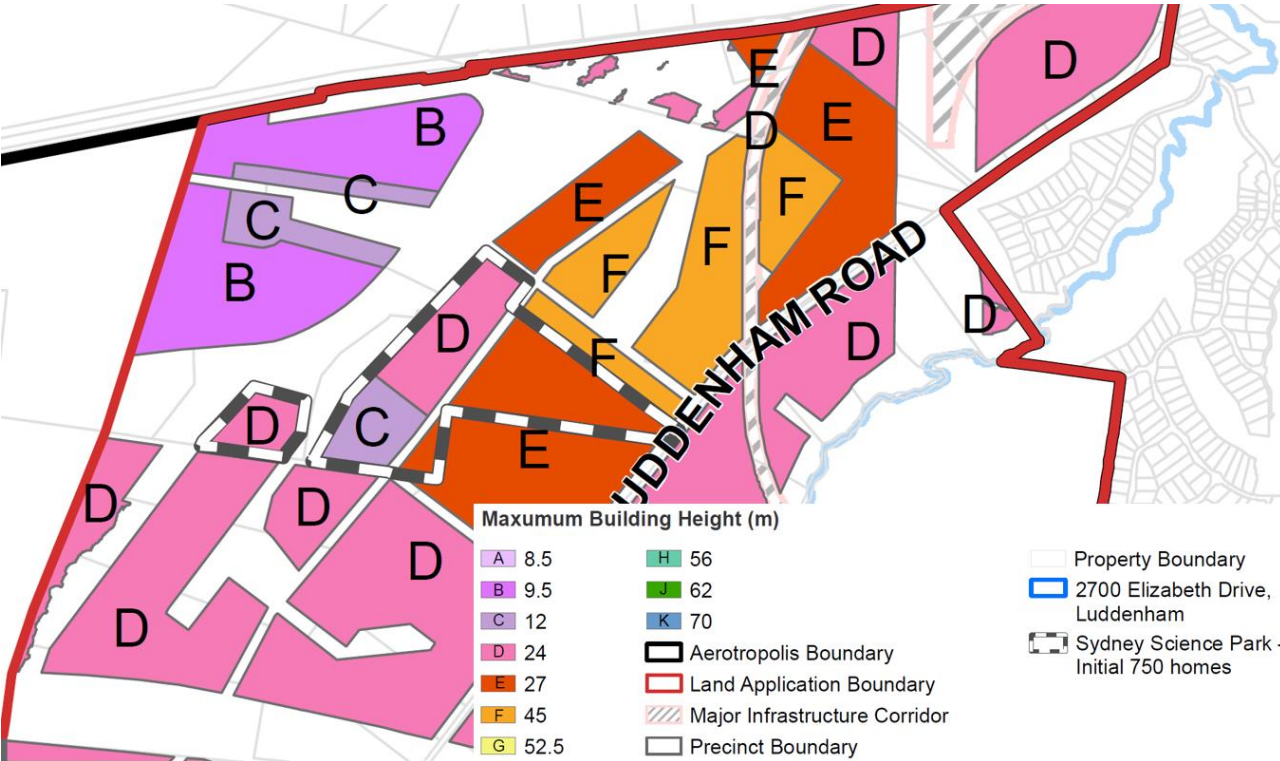


Figure 2: Height of building control – Sydney Science Park – Initial 750 homes

4.2 Non-residential uses in the SSP

Submissions from Penrith City Council and Sydney Metro addressed the need to plan for non-residential floor space in the SSP. Issues raised include:

- *The proposed amendment only discusses the ability to deliver the first 750 dwellings and does not provide any detail on the 35,000m² of non-residential development that is required to be delivered as part of the delivery of the first 750 dwellings. Further information needs to be provided on the relationship between the delivery of the first 750 dwellings and the requirement to deliver 35,000m² of non-residential development. We have not been able to assess whether additional built form and density controls are required for non-residential development in the area identified for the first 750 dwellings.*
- *There is a need for future planning for the SSP site to be focused on employment generating land uses, in particular in parts of the SSP with the 400-800m radius of the Luddenham Metro station.*

Department comment

The amendments to the Aerotropolis Precinct Plan do not change the requirement to deliver non-residential floor space in line with new homes in the SSP. This is a requirement under Section 4.28A of the State Environmental Planning Policy (Precincts—Western Parkland City) 2021 and will need to be complied with as development of the SSP progresses.

The need for future planning of areas closer to the Luddenham Metro station to have a focus on employment uses is noted and will be considered as planning of this area progresses.

The SSP site is subject to a 3,400 dwelling cap. There is a need to balance different forms of residential development in the SSP that will be delivered within this 3,400 dwelling cap to ensure that the majority of residential development is delivered as genuine mixed use development consistent with the zone that is incorporated with and supports the development of employment generating uses. Given adjustments to minimum lot sizes for low density residential development in this amendment, there is a need to also ensure the majority of dwellings delivered under the 3,400 cap are not low density development and that this form of development occurs further away from the Luddenham Metro station. To achieve this outcome an additional objective and requirement has been included in section 4.2 of the Aerotropolis Precinct Plan that limits the number of dwellings in the Sydney Science Park that can be dwelling houses, semi-detached dwellings and dual occupancy to 750.

The following inclusions in section 4.2 of the Aerotropolis Precinct Plan are proposed:

- **New objective:** In the Sydney Science Park residential development is balanced between low density and mixed use.
- **New requirement:** In the Sydney Science Park the combined number of residential dwellings that can be dwelling houses, semi-detached dwellings or dual occupancy is limited to 750. Areas where these lower density residential uses are permitted are limited to areas outside a 1.2km radius of the Luddenham Metro Station as shown in the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021 Additional Permitted Uses Map – Aerotropolis*.

4.3 Transport

The submission received from a member of the community raised concern about the capacity of the road network to cope with residential development in the SSP.

Department comment

Substantial investments are being made in the planning and delivery of transport infrastructure including the road network to cope with planned growth in the Aerotropolis and surrounding areas. These amendments to the Aerotropolis Precinct Plan do not result in any change to development capacity allowed for through the Western Parkland City SEPP and the broader planning framework, including Aerotropolis Precinct Plan.

4.4 Environment

The submission received from a member of the community raised concern about the impact of development on the natural environment.

Department comment

Impacts on the natural environment were considered in detail prior to the approval of the Aerotropolis Precinct Plan in March 2022. These amendments do not result in any change or increased impacts on the natural environment compared to the planning framework that is already approved and in place for the Aerotropolis.

5. Summary of post-exhibition changes

This section summarises post-exhibition changes in response to feedback during exhibition of the draft Aerotropolis Precinct Plan Amendment No.1. The final Aerotropolis Precinct Plan Amendment comprehensively responds to the submissions, as outlined in Section 4 of this report.

Post-exhibition amendments include:

- The amendment as exhibited proposed that the FSR control not apply to the part of the Sydney Science Park earmarked for the delivery of the initial 750 dwellings. It was proposed that standards contained in the Aerotropolis Phase 2 DCP solely guide built form outcomes for lower density residential in this area. However, as discussed in Section 4 of this report, an FSR control is needed for other forms of development permitted in the mixed-use zone.
Consideration was given to excluding the FSR control for lower density forms of residential development only, while retaining an FSR control for other forms of development, this introduces higher level of complexity into the Precinct Plan and would create an undesirable precedent. On this basis the exhibited proposal has been amended to include an FSR control as is currently applied to all parts of the SSP. This FSR control ranges from 1:1 for parts of the site currently 0.55:1 to 1.8:1 for all areas currently 1:1 and 1.8:1 in the part of the SSP that is subject to the proposed amendment.
- The Precinct Plan amendment as exhibited proposed to include additional clauses in Section 5.2 Height and Section 5.3 Floor Space Ratio. The new clause was to read as follows:
 - *Development for the purpose of dwelling houses, dual occupancies, and multi-dwelling housing on land shaded red hatched in Figure 1 is to satisfy built form controls expressed in the Western Sydney Aerotropolis Phase 2 DCP Section 5.2.5*

This proposed additional clause is not being included in the amended Precinct Plan for the following reasons:

- FSR and building height controls provide the broad parameters and certainty on the built form outcomes to be realised in the portion of Sydney Science Park earmarked for the delivery of the initial 750 dwellings.

- A reference in the Precinct Plan is not required to ensure that controls for dwelling houses, dual occupancies, and multi-dwelling housing contained in the Aerotropolis DCP are satisfied.

There were no post-exhibition amendments made to the site at 2700 Elizabeth Drive, Luddenham, the building heights as shown in Figure 3 below remain as exhibited.

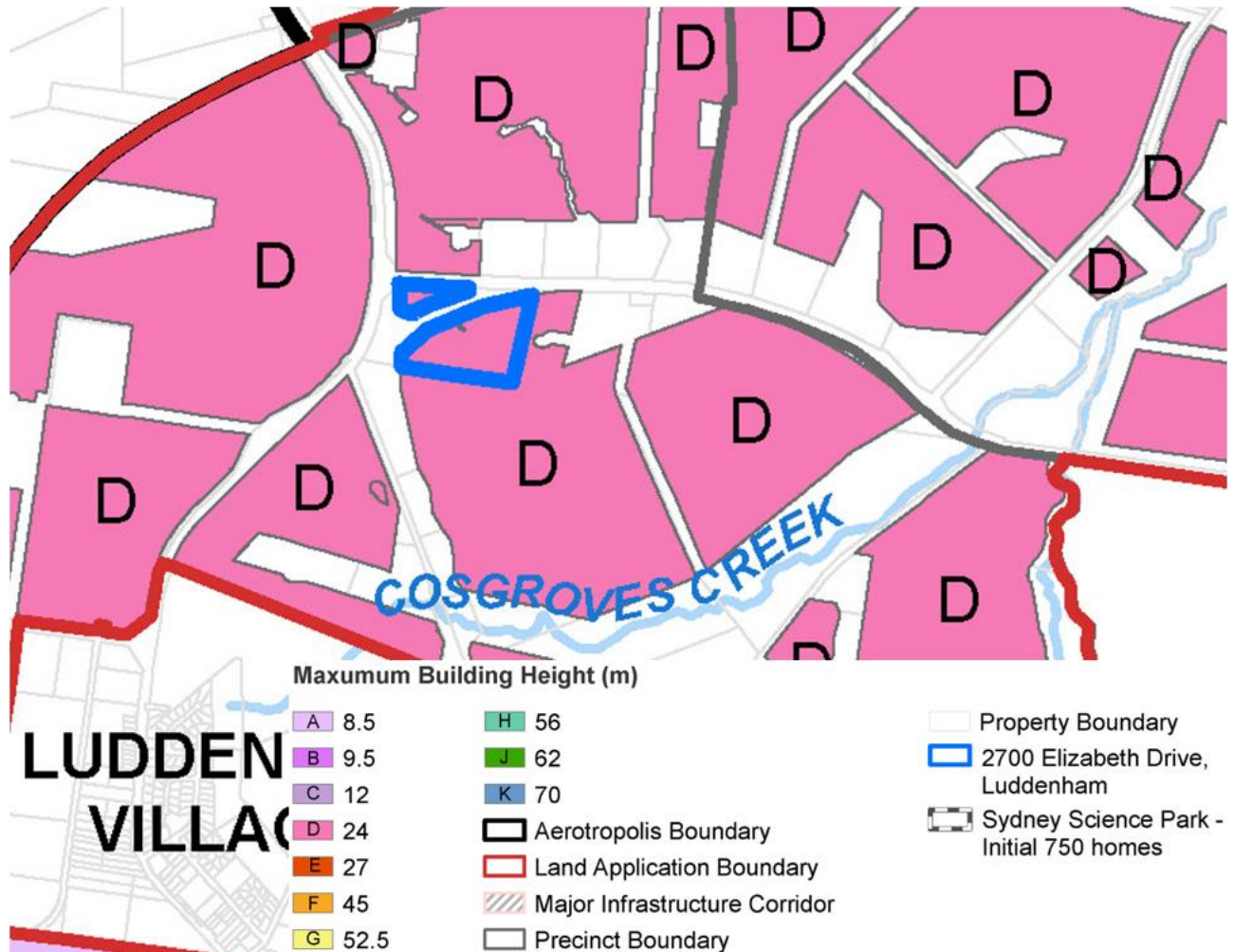


Figure 3: Amended Height –2700 Elizabeth Drive, Luddenham