



Western Sydney Aerotropolis - Summary and responses to public and agency submissions for the SEPP Amendments Package and Luddenham Village Discussion Paper

March 2022

1 Overview of Submissions

This section provides an overview of the formal submissions received from stakeholders and agencies during the public exhibition of both the Western Sydney Aerotropolis (Aerotropolis) State Environmental Planning Policy (SEPP) Explanation of Intended Effect (EIE) and Luddenham Village Discussion Paper from 8 October 2021 and 5 November 2021.

1.1 Exhibition Statistics

The table below summarises the submissions received by stakeholder group to each. Note, this does not include submissions classified as 'out of scope' as outlined in section 1.3.

Stakeholder	SEPP EIE	Luddenham Village Discussion Paper
Total Submissions	224	32
Landowners/ Local Community	189	17
Community Organisations/ Local businesses	9	5
Developers/ Planning Consultants	11	2
Agencies and public authorities	8	6
Councils	3	2
Industry Groups	4	0

The Figures below illustrates the sentiment of the submissions received.

Figure 1: Summary of sentiment in stakeholder submissions – Explanation of Intended Effects

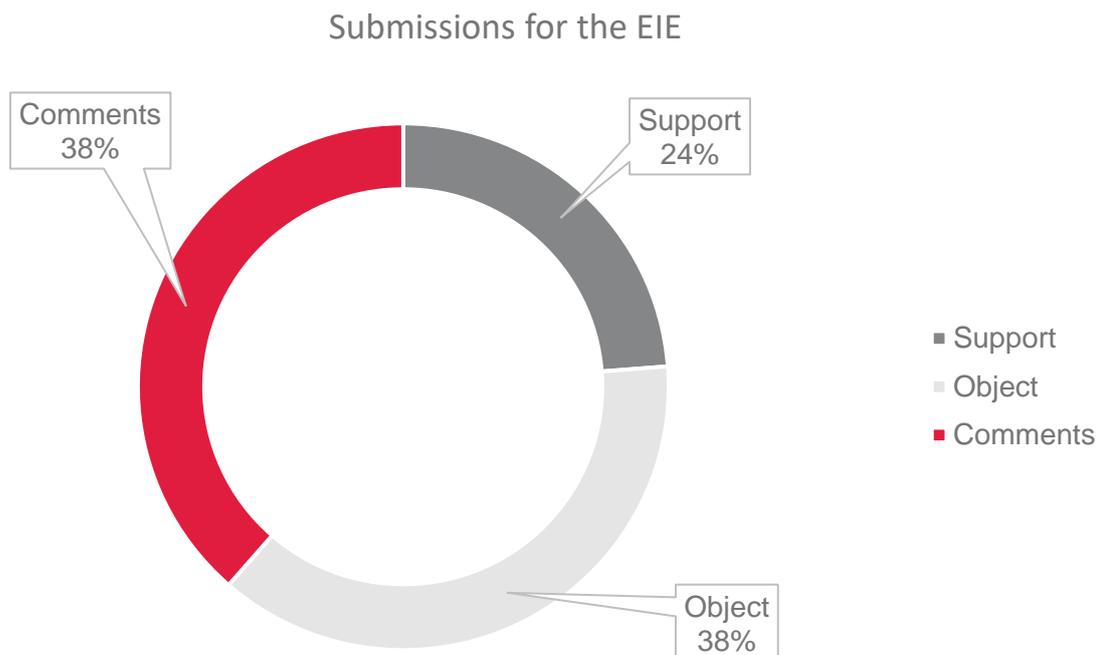
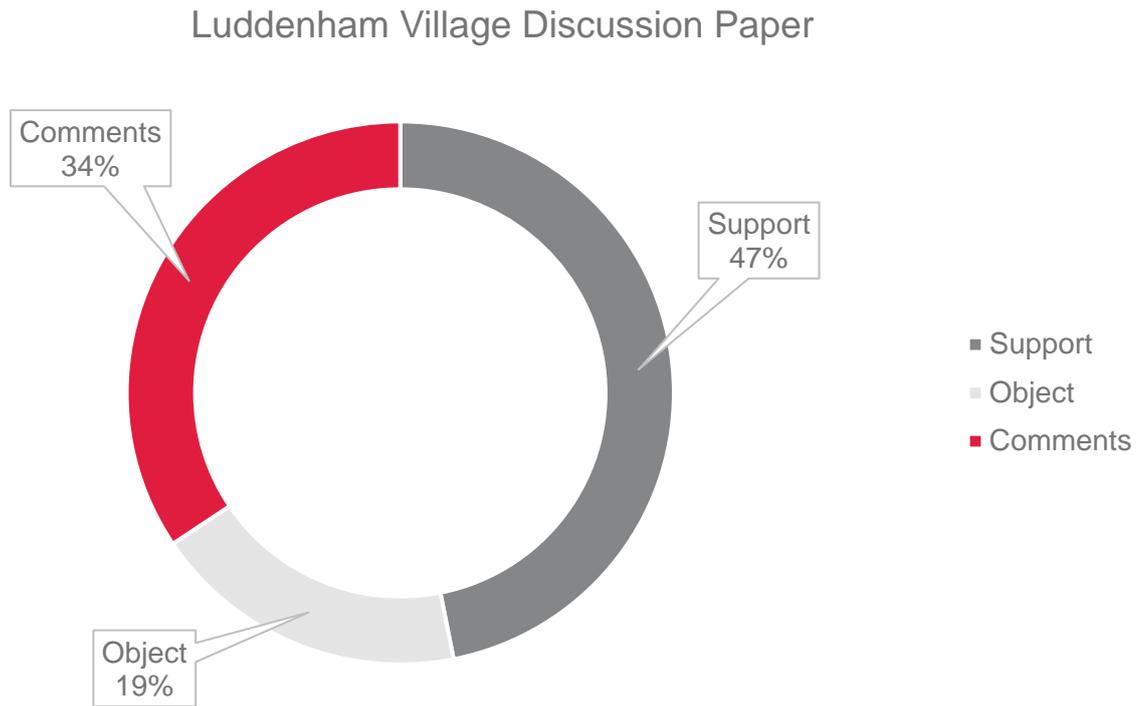


Figure 2: Summary of sentiment in stakeholder submissions – Explanation of Intended Effects



1.2 Submission Snapshot – Themes

The overall themes raised relate to flooding and water management, development controls, acquisition, SEPP (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP), Open Space and Environment, Infrastructure, Transport, Community consultation process, Precinct Plans and masterplans, and development opportunities. Table 1 below provides an overview of the matters raised in public submissions per theme.

Table 1: Stakeholder theme overview

Themes	Overall feedback
Flooding and Stormwater Management	Flooding and water management was raised 151 times in public submissions to the SEPP EIE and 3 times to the Luddenham Village Discussion Paper. These issues related to the location or amount of land required for stormwater infrastructure, the methodology used in determining the location or amount of land for stormwater infrastructure, validation of the identified land through ground truthing and clarity on the application of the overlay rather than a zoning for SP2 Stormwater Infrastructure. Submissions also noted concerns related to the condition of waterways and the drainage impact on the road network.
Development Controls	Proposed development controls were raised 218 times in public submissions to the SEPP EIE and 14 times to the Luddenham Village Discussion Paper. These issues related to support provided to the rationalisation of the Environment and Recreation Zoning or requested the removal or relocation of different zones to facilitate development opportunities. Other submissions raised issues proposing to apply a floor space ratio control to land zoned environment and recreation, requests for long term transitional arrangements to be made for land uses that continue under existing use rights and strategies to address land use conflicts as the area changes. Submissions to the Luddenham Village Discussion Paper, specifically noted requests to reduce the occurrences of split zonings across larger sites, provision to enable the

	<p>boundary to be further adjusted to include larger land holdings around the village, and the promotion of tourist related land uses in the future role of the precinct.</p>
Acquisition	<p>105 public submissions made comments regarding the acquisition process to the SEPP EIE, and 5 to the Luddenham Village Discussion Paper. This included the lack of information provided about the specific land required and its purpose, the timing for acquisition and the rates people would be compensated at. Additional requests were made to acquire more or less land given the remaining land available for development, subject to existing land constraints. Public submissions also requested further engagement on the acquisition process and to be provided opportunities to provide additional feedback.</p>
Aerotropolis SEPP	<p>Specific to the SEPP EIE, 52 public submissions made comments relating to the intent of the Aerotropolis SEPP. This included altering the existing provisions of the design excellence clause as it related to industrial and warehouse usage, clarity on the application of complying development under SEPP (Exempt and Complying Development Codes) 2008, and concerns regarding the outcomes of the proposed changes to State and Regional development, including the State Significant Development Application (SSDA) process. Public submissions also requested further clarity on how the inclusion of a clause to guide variations to Precinct Plan would be applied, including the consideration of other provisions of the Aerotropolis SEPP.</p>
Open Space and Environment	<p>82 public submissions made comments related to open space and environmental matters, including the reduction of open space, the methodology applied to determine the location and amount of open space required, and requests for further information - such as ground truthing to validate the rationale used to determine the locations of environmentally sensitive areas. Submissions also requested further clarity on the changes to biodiversity certification and the relationships to the Cumberland Plain Conservation Plan. Other public submissions also raised concerns on the approach to the open space network as it related to wildlife attraction risks and the impact on aircraft operations.</p> <p>6 additional submissions made to the Luddenham Village Discussion Paper requested the need to review the functionality of proposed parks in the area, the retention of environmentally sensitive land and further clarity on the impacts of the undisturbed soil network as it relates to stormwater management.</p>
Infrastructure	<p>Matters related to infrastructure were raised 34 times in public submissions, including the finalisation of the State Infrastructure Contributions (SIC) and Local Infrastructure Contributions (LIC), clarity on if the monetary amounts in the SIC or LIC had been reviewed/ reduced as part of the reduction of the open space network, and the timing in which infrastructure would be delivered to support development – both at a local road network scale, and large scale parklands.</p> <p>Specific to the Luddenham Village Discussion Paper, 17 additional submissions made comments regarding infrastructure delivery to support future development in the area (including connections to water and sewer), the need for greater amounts of social and cultural infrastructure, road upgrades and requests for a new school facility.</p>
Transport	<p>Public submissions noted transport related matters in 38 public submissions to the SEPP EIE, which highlighted inefficiencies in the current road network, the need for additional rationale for the proposed location of transport corridors and long term access arrangements, consideration of land that becomes further fragmented due to the location of certain roads, and constraints associated with development and the Outer Sydney Orbital.</p>

<p>Community Consultation Process</p>	<p>60 public submissions to the SEPP EIE and 9 to the Luddenham Village Discussion Paper identified issues with the community engagement process. Submitters considered there was insufficient time available to understand the impacts of the documents on private land, and requests made for the release of further information such as flood studies or specialist reports, and for a version of the draft instrument prior to being notified. Additional concerns were raised on the quality of the material exhibited and the legibility of the maps provided for comment.</p> <p>Public submissions also raised concerns that the Precinct Plan would not be made available again for public comment once amended and requested further clarification on how the public submissions previously made to the Precinct Plan exhibition have been resolved.</p>
<p>Precinct Plans and master plans</p>	<p>Specific to the SEPP EIE, 39 public submissions raised comments on the draft Precinct Plan and the master plan process. Greater clarity was requested of how small landowners can seek minor amendments to a Precinct Plan without undertaking a master plan process, and to demonstrate the likely built form outcomes for the precinct. Specific requests were made to how the master plan process is proposed to run and general concerns the master plan guidelines were yet to be released for public comment. Public submissions advocated for the criteria for a masterplan to be flexible and to provide incentives to undertake this process.</p>
<p>Development Opportunities</p>	<p>Specific to the Luddenham Village Discussion Paper, matters relating to development opportunities were related 20 times. This included the location of housing (type and density), new development to protect of local character and heritage, the application of building height controls and consideration of ANEC 20 and above contours on development in the village. Additional submissions discussed individual ambitions for certain sites and how they are developed.</p> <p>7 submissions to the SEPP EIE requested further information on the densities expected adjacent to open space corridors and to ensure provisions were in place to deliver affordable housing.</p>
<p>Other:</p>	<p>20 public submissions to the SEPP EIE noted support for the Recognise Country Guidelines. Public submissions raised concerns as to how the guidelines are applied and requests made for further clarification on how to apply the guidelines to development, including the referral requirements to Aboriginal knowledge holders.</p> <p>4 submissions to the SEPP EIE and 6 submissions to the Luddenham Village Discussion Paper support the protection of heritage items in the precinct and requests further consideration is given to how Aboriginal heritage is embedded into the delivery of infrastructure and development.</p> <p>60 public submissions to the SEPP EIE and 6 to the Luddenham Village Discussion Paper identified concerns with the impact of rezoning land on Council rates and the overall value of land being negatively impacted.</p> <p>A number of out of scope submissions were received as part of the exhibition of the SEPP EIE which related to development outside of the Aerotropolis for the purposes of subdivision or dwelling houses in the ANEC 20 contour and above and the staging of development.</p> <p>16 submissions to the Luddenham Village Discussion Paper identified preferences for specific scenarios. Majority of the submissions suggested general support for the growth of the town and the importance of the town as a gateway to the Airport from a tourist and visitor perspective. However, submissions identified concerns to ensure local character and heritage was not diminished in the town as part of its future growth.</p>

Table 2 outlines the agencies written submissions received during the exhibition of the SEPP EIE and Luddenham Village Discussion Paper:

Table 2: Agency submissions responding to the public exhibition

Agency submissions to the SEPP EIE	Agency submissions to the Luddenham Village Discussion Paper
Penrith City Council (Single Submission)	Penrith City Council (Single Submission)
Liverpool City Council (Single Submission)	Liverpool City Council (Single Submission)
Fairfield City Council	Western Sydney Airport (Single Submission)
Western Sydney Airport (Single Submission)	Department of Primary Industries
Water NSW	Sydney Water (Single Submission)
Sydney Water	Transport for NSW (Single Submission)
Transport for NSW	Endeavour Energy
Sydney Metro	Environmental Protection Authority
Environmental Protection Authority	
Department of Primary Industries (Biosecurity and Food Safety branch)	
Department of Primary Industries (Fisheries)	

1.3 Out of Scope Submissions

There were a number of submissions that after careful consideration were identified as out of scope for the SEPP EIE and Luddenham Village Discussion Paper. Accordingly, these submissions have been forwarded on to the relevant team within the Department for their consideration and response.

Development opportunities in ANEC 20 Contour and above

44 submissions were received in response to the SEPP EIE as they related to the impact of the ANEC 20 Contour and above, on development opportunities for subdivisions and constructing a dwelling house or secondary dwelling. The issue raised was created as a result of the introduction of the Aerotropolis SEPP in October 2020, which included clause 19 aircraft noise as a mechanism to safeguard airport operations and amenity impacts on surrounding lands. These issues were primarily received from residents in Horsley Park and Cecil Park, and a submission from Fairfield City Council which has been summarised in section 3.4.

These submissions primarily raised the following concerns:

- Request for compensation on land impacted by ANEC/ANEF
- Concerns regarding restrictions on development
- Suggestions that land within the ANEC should be rezoned for industrial use.

The exhibited SEPP EIE outlined that when the Aerotropolis SEPP was made, there were a number of Development Applications (DA) lodged with local Councils that were yet to be determined. This meant that these DAs could not be approved. To ensure a fair and reasonable consideration of requests for subdivision prior to the commencement of the Aerotropolis SEPP (1

October 2020), the DAs for subdivision lodged before the commencement date will be permitted with consent. However, there are no proposed changes to clause 19 of the Aerotropolis SEPP as part of this exhibition.

In relation to future options and support for the community of Horsley Park and Cecil Park, the Greater Sydney Commission and Fairfield City Council are co-chairing the Steering Committee for the Fairfield Urban Investigation Area. This Committee encourages continued cross-agency collaboration to support Council's ongoing structure plan investigation into the area.

Development Staging and timing

Several other submissions identified concern regarding the lack of certainty and timing for future precincts. The staging of development is subject to the identification of 'initial' precincts under the Aerotropolis SEPP, Precinct Plan and Western Sydney Aerotropolis Plan.

There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.

Draft Stage 2 Development Control Plan (DCP)

The Stage 2 DCP for the Aerotropolis was also exhibited concurrent with the SEPP EIE and the Luddenham Village Discussion Paper. A number of submissions received included comments for all documents, including the draft DCP. These matters included issues such as requesting clarity about the master planning process, design related controls and noise mitigation requirements. The resolution of matters raised specifically about the draft DCP (including responses to those submissions) are proposed to be resolved separate to the SEPP EIE and Luddenham Village Discussion Paper, upon finalisation of the document in 2022.

2 Submissions made to the Explanation of Intended Effect

Submission ID	Issues raised (theme)	Summary	The Department's response
001	Zoning	<p>Potential inconsistency in the alignment of the Eastern Ring Road and notes the Eastern Ring Road aligns with the SEPP Transport Corridor map.</p> <p>The submission raised concerns that the proposed zoning and Land Reservation maps will result in the landowner having less developable land.</p> <p>Suggests a change to the zoning of the property to improve the amount of developable land for the landowner.</p>	<p>The site was identified as comprising of open space land in the draft Precinct Plans.</p> <p>The site is affected by multiple constraints including the proposed Eastern Ring Road and land needed for stormwater infrastructure.</p> <p>Stormwater land will not be rezoned SP2 and will be shown as an overlay in the SEPP (see Section 4.4.1 Land for Stormwater Infrastructure)</p>
	Flooding and Stormwater Management	<p>Concern regarding that the size and extent of the storm water management area and Sydney Water documents which do not identify stormwater management systems proposed within the subject site</p> <p>Considers property is not suitable for storm water management due to its elevation.</p>	<p>Land required for stormwater infrastructure has been identified to deliver a regional approach to water cycle management for the Aerotropolis. The approach is detailed in the <i>Stormwater and Integrated Water Cycle Management Plan</i> (Sydney Water, December 2021)</p> <p>Stormwater basins have been identified and located within catchments to treat water before it reaches the creek and are sized to consider the stormwater runoff of the future (post-development) area.</p>
002	Zoning	<p>Requests the Mixed Use zone be extended given half the land will be acquired for parkland and considers Mixed Use zone is an appropriate use for</p>	<p>The Aerotropolis SEPP zones the subject properties Enterprise, and the Department does not consider additional Mixed Use zoning is needed.</p>

		the land which is located close to metro precinct.	Land identified as Open Space at the rear of the site captures the environmental and vegetation qualities in these locations. The Department confirms the northern and southern lots were ground-truthed as part of the <i>Aerotropolis Biodiversity Assessment Report</i> , and the central sites validated by desktop analysis. No changes to the Environment and Recreation zoning is proposed.
003	Zoning	Supports removal of the Environment & Recreation zone and return to RU4 zoning zone.	Noted.
004	Property Valuation and Acquisition	Supports identified social infrastructure and suggests ensuring authorities acquire land based on current market rates or higher, and valuations are undertaken at the time of acquisition. Suggests that landowners are provided with accurate square metre details for land impacted by zoning and acquisition prior to finalisation and any land proposed for acquisition is acquired within 5 years. Suggests that any Environment and Recreation land that cannot be acquired should be returned to landowners as RU4 land with building permissions reinstated.	Land acquisition processes including valuations will be in accordance with the <i>Land Acquisition (Just Terms Compensation) Act</i> . Land will not be required for acquisition immediately and the private use of land can continue in accordance with development approvals in place prior to the Aerotropolis SEPP commencement on 1 October 2020. Discussions between the acquisition authority and landowners will occur as part of the acquisition process at detailed design and delivery stage of infrastructure delivery. Section 4.4.3 Environment and Recreation Zone
	Floor Space Ratio (FSR) / Local Infrastructure Contributions	Suggests blocks impacted by multiple zones benefit from higher FSR as compensation. Suggests the government is making sufficient money from development charges, stamp duty, land tax, CGT and	The final Precinct Plan identifies suitable FSR controls for the relevant zones to ensure the intended vision for the precinct and associated density is guided by suitable development controls. See Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		council rates and an infrastructure levy is not fair and should be removed.	Infrastructure contributions is one of many tools used by local and state government to plan for and fund infrastructure in new precincts. See Section 4.4.8 Special Infrastructure Contributions
005	FSR / Property Valuation	Suggest that landowners have a mechanism to offset their FSR with the portion of land proposed for Environment and Recreation to provide more certainty and ensure a fair and equitable outcome for landowners.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
006	Zoning and Acquisition	Objects to the rezoning of the property from RU4 Primary Production Small Lots to Environment and Recreation. The submission details concern regarding the sterilisation of the land and the devaluing of property resulting from the proposed rezoning. Clarity was also sought on the rationale for the acquisition of Environment and Recreation zone properties given the subject property has not been identified for acquisition, yet residents 5 doors down have been identified for acquisition.	Section 4.4.3 Environment and Recreation Zone The Department identified land for acquisition in the Thompsons Creek area for a regional park that will support the future communities living in the Aerotropolis Core Precinct. The land to be acquired for this regional park was zoned Environment and Recreation in the Aerotropolis SEPP in 2020.
	FSR	Suggests that all land impacted by Environment and Recreation zoning should be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved. The submission notes that residents are not opposed to the airport	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		and are in support of future jobs and development.	
007	Development opportunities/ DA Processes and FSR	<p>Expresses support for the project, however objects to the rezoning of Environment and Recreation land due to concerns the zone will impact development potential, rights and restrictions.</p> <p>Concern the government is 'double dipping' on green/ open space and questions the equity of the proposal.</p> <p>Clarify why land impacted by Environment and Recreation zoning is not used in FSR calculations to ensure equity for all parties.</p>	<p>Section 4.4.3 Environment and Recreation Zone</p> <p>See Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
008	Zoning and Acquisition	Supports for the project however concerns regarding the rationale for the acquisition of Environment and Recreation zone properties given the subject property has not been identified for acquisition, yet residents 5 doors down have been identified for acquisition.	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>The Department identified land for acquisition in the Thompsons Creek area for a regional park that will support the future communities living in the Aerotropolis Core Precinct. The land to be acquired for this regional park was zoned Environment and Recreation in the Aerotropolis SEPP in 2020.</p>
	FSR	Suggests that all land impacted by Environment and Recreation zoning should be included in FSR calculations to ensure a win/win situation for all parties.	See Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
009	Zoning and Acquisition	Commends the Minister for Planning for appointing the Independent Community Commissioner and notes more has been	<p>Noted.</p> <p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>

	<p>achieved in 6 months than the 2 previous years combined.</p> <p>Concerns regarding impacts to landowners of the remaining Environment and Recreation land in the Aerotropolis Precinct Plans that have not been identified for acquisition.</p> <p>Suggests compassionate acquisition for property owners in Kemps Creek that are affected by noise levels (20 or above). Concerns regarding lack of transparency for small landowners within the Aerotropolis Precincts.</p>	
FSR	<p>Proposes Environment and Recreation land in FSR calculations to benefit all parties and suggests beautification and development to be covered by developer contributions. The submission notes the proposed solution will achieve WSPC outcomes at a faster rate which in turn is beneficial to attracting residents and businesses to the Precinct.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
Development staging	<p>The submission recommends bringing forward the rezoning of land at Kemps Creek between Kemps and South Creek to avoid the creation of dead land between two thriving developments to the east and west and thriving industrial to the north. The submission raises concern the combination of these factors will result in a negative impact on the rural lifestyle for existing residents.</p>	<p>The Department does not support bringing forward rezoning of non-initial precincts.</p> <p>The timeframe for the rezoning of non-initial precincts will depend on the rate that the initial precincts develop. This will be monitored as the Aerotropolis initial precinct are implemented.</p>

010	Zoning and Flooding and Stormwater Management	<p>Support for the project however does not support the rezoning of rural land to Environment and Recreation unless properties will be acquired immediately.</p> <p>Recommends the airport project prioritises the cleaning of waterways.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>Cleaning waterways is not the responsibility of the airport.</p>
011	Zoning and Flooding and Stormwater Management	<p>Concerns regarding the application of the Environment and Recreation zone on the subject property given over 80% of the land is not considered to be flood affected. The submission expresses support for the intent of the Environment and Recreation zone however not at the cost of the landowner.</p> <p>Concerns regarding notification period for the proposed stormwater facility which bisects the property and the inability to utilise or access the other half of the property. The submission seeks clarification on why the stormwater facility does not include land adjoining the creek.</p> <p>Requests land to be acquired be reimbursed at the market rate for a Mixed Use zone given the majority of land is over the 1:100 flood level and the proportion of land required to facilitate Stormwater Infrastructure at the site.</p> <p>Seeks clarification regarding the balance of land area remaining in the core zone and Environment and Recreation after the middle portion of the property is acquired for stormwater.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>Land zoned Environment and Recreation is land that is constrained for development due to a number of factors including flooding and or protected vegetation. The 1% flood data used for the Precinct Plan is the adopted data from councils.</p> <p>All landowners identified as affected by open space or stormwater were notified prior to the SEPP EIE commencing exhibition in October and provided a contact details to discuss their property and how it may be affected.</p> <p>Land required for stormwater infrastructure has been identified to deliver a regional approach to water cycle management for the Aerotropolis. The approach is detailed in the <i>Stormwater and Integrated Water Cycle Management Study</i> (Sydney Water, December 2021)</p> <p>Stormwater basins have been identified and located within catchments to treat water before it reaches the creek and are sized to manage the stormwater runoff of the future (developed) area.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>

012	Zoning and Flooding and Stormwater Management	<p>The submission raises concerns regarding half the property being proposed for Stormwater Infrastructure and 35% proposed for Environment and Recreation given 80% of the land is not considered to be flood affected.</p> <p>The submission raises concern regarding the proposed acquisition in the middle of the property which will impact access and the use of land. The submission requests further information to be provided and made public to provide further certainty to local residents. The submission raises concerns that only 15% of the land is usable with 85% of land useless for another 10 years with no certainty of compensation for private land being taken for public use.</p> <p>The submission questions the equity of the proposal given the adjoining property has not been proposed for stormwater and would receive money for the entire block as a Mixed Use zone. The submission requests the rear portion of the property be acquired at the market rate for Mixed Use land. The submission expresses support for the open space network provided compensation is fair and relative to the value of Mixed Use land at the time of acquisition.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>All landowners identified as affected by open space or stormwater were notified prior to the SEPP EIE commencing exhibition in October and provided a contact details to discuss their property and how it may be affected.</p> <p>Land required for stormwater infrastructure has been identified to deliver a regional approach to water cycle management for the Aerotropolis. The approach is detailed in the <i>Stormwater and Integrated Water Cycle Management Plan</i> (Sydney Water, December 2021)</p> <p>Stormwater basins have been identified and located within catchments to treat water before it reaches the creek and are sized to manage the stormwater runoff of the future (developed) area.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
013	FSR and Acquisition	<p>Requests the areas in the Environment and Recreation zones along Wianamatta-South Creek and Aerotropolis be included in the floor to space ratio calculations.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>

		<p>Suggests developers can build and offset the Environment and Recreation from their contributions.</p> <p>Notes that Land to be acquired should be fair and purchased at the rezoned land value and not as market rate for rural land so that landowners can still benefit.</p>	
014	Open Space and Zoning	<p>Support for the reduction in green space that was projected in the initial draft Precinct Plans. The submission requests the Department consider including the Environment and Recreation portion of affected land in the green space calculation for the Floor to space ratio rather than double dipping. The submission notes the proposed amendment would avoid double dipping and result in a 'fairer and more equitable solution' which should also be applied to properties affected by easements.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
	Acquisition	<p>Concerns regarding the proposed acquisition leading to further fragmentation of landholdings contrary to the intention.</p>	<p>The land required for various purposes is intended to support the future development of the Aerotropolis, including parks and infrastructure. The structure of the Aerotropolis will change over time as these aspects are delivered and development occurs.</p>
016	Zoning and Flooding and Stormwater Management	<p>Concerns regarding the SP2 Stormwater Infrastructure zone proposed for part of the property given the land is not flood prone and has never held any extra water or had stormwater issues in 10 years.</p> <p>Concern that partial acquisition will further fragment land and impact sale to developers.</p>	<p>Land required for stormwater infrastructure will not be rezoned as SP2, it is shown as an overlay on the Land Reservation Acquisition map in the SEPP.</p> <p>Stormwater basins have been identified and located within catchments to treat water before it reaches the creek and are sized to consider the stormwater runoff of the future (developed) area. Land identified for stormwater infrastructure does not mean it is currently flood prone.</p>

			Land will not be required for acquisition immediately and the private use of land can continue in accordance with development approvals in place prior to the Aerotropolis SEPP commencement on 1 October 2020, or in accordance with Previously Permissible Uses – see Section 4.4.5 Provisions for previously permissible uses.
017	Zoning and Flooding and Stormwater Management	<p>Concern regarding the SP2 zone proposed for part of the property.</p> <p>Advises the land is not flood prone and has never held any extra water or had stormwater issues in 10 years.</p> <p>Concern that partial acquisition will further fragment land and impact sale to developers.</p>	<p>Land required for stormwater infrastructure will not be rezoned to SP2, it is shown as an overlay on the Land Reservation Acquisition map in the SEPP.</p> <p>Stormwater basins have been identified and located within catchments to treat water before it reaches the creek and are sized to consider the stormwater runoff of the future (developed) area. Land identified for stormwater infrastructure does not mean it is currently flood prone.</p> <p>Land will not be required for acquisition immediately and the private use of land can continue in accordance with development approvals in place prior to the Aerotropolis SEPP commencement on 1 October 2020, or in accordance with Previously Permissible Uses – see Section 4.4.5 Provisions for previously permissible uses.</p>
018	Zoning and Flooding and Stormwater Management	<p>Concern the proposed location for SP2 Stormwater Infrastructure.</p> <p>Current location of proposed infrastructure is on the higher parts of the land and partially in an existing farm dam, rather than the lowest parts of the land as expected. This would require major earthworks, dewatering and filling of the large dam and retaining walls to make the neighbour's land to the south of our border useable land for the Enterprise zoning.</p>	<p>The Department has undertaken a review of the land required for Stormwater Infrastructure in consultation with the Department's urban designers for the project and Sydney Water.</p> <p>As part of this review, the Department have reduced the land required for acquisition while still achieving benchmarks.</p>
	Ground Truthing	The submission recommends a proper investigation of the topography of the land and a solution to move the SP2 land	As outlined above.

		further south to encompass the already built dam.	
019	Zoning and FSR	<p>The submission objects to the rezoning of the property from RU4 Primary Production Small Lots to Environment and Recreation. The submission details concern regarding the sterilisation of the land and the devaluing of property resulting from the proposed rezoning.</p> <p>The submission seeks clarity on the rationale for the acquisition of Environment and Recreation zone properties given the subject property has not been identified for acquisition, yet residents 5 doors down have been identified for acquisition.</p> <p>The submission recommends that all land impacted by Environment and Recreation zoning should be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved. The submission notes that residents are not opposed to the airport and are in support of future jobs and development.</p>	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
020	Zoning and Acquisition	<p>The submission commends the Minister for Planning for appointing the Independent Community Commissioner and notes more has been achieved in 6 months than the 2 previous years combined.</p> <p>Concerns regarding impacts to landowners of the remaining Environment and Recreation land in the</p>	<p>Noted.</p> <p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>

		<p>Aerotropolis Precinct Plans that have not been identified for acquisition.</p> <p>Recommends compassionate acquisition for property owners in Kemps Creek that are affected by noise levels (20 or above). Concerns regarding lack of transparency for small landowners within the Aerotropolis Precincts.</p>	
	FSR	<p>Suggests including Environment and Recreation land in FSR calculations to benefit all parties and recommends beautification and development to be covered by developer contributions. The submission notes the proposed solution will achieve WSPC outcomes at a faster rate which in turn is beneficial to attracting residents and businesses to the Precinct.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
	Development staging	<p>Recommends bringing forward the rezoning of land at Kemps Creek between Kemps and South Creek to avoid the creation of dead land between two thriving developments to the east and west and thriving industrial to the north. The submission raises concern the combination of these factors will result in a negative impact on the rural lifestyle for existing residents.</p>	<p>The Department does not support bringing forward rezoning of non-initial precincts.</p> <p>The timeframe for the rezoning of non-initial precincts will depend on the rate that the initial precincts develop. This will be monitored as the Aerotropolis initial precinct are implemented.</p>
021	Open Space (location / quantum) and	<p>The submission strongly opposes the allocation of a stormwater basin in the exact location of the existing residential</p>	<p>The amount of open space on the subject property has been reduced significantly as a result of the Department's review following the Precinct Plan exhibition. A small portion of land was proposed to</p>

	<p>Flooding and Stormwater Management</p>	<p>dwelling on the subject property. The submission notes that advice received previously from the Department confirmed the property was no longer required for acquisition. The submission requests a review of the location of the proposed infrastructure and relocation within Thompson Creek Parkland.</p> <p>The submission notes the subject property does not have any restrictions for flood or ecology. The submission also expresses concerns regarding process, stress and lack of information provided about proposed road networks.</p>	<p>be retained for acquisition, however, further analysis and consultation with Sydney Water determined the entirety of the proposed basin can be located on the neighbouring property given the whole site will need to be acquired for Thompsons Creek and in line with the recommendations of the Independent Community Commissioner.</p> <p>The land previously identified for acquisition has been removed from the site.</p>
022	<p>Open Space (location / quantum) and Acquisition</p>	<p>Concerns regarding the need to sell their property to fund retirement with the property being reclassified as "open space green parkland". The submission expressed concerns the proposal will render the property unsalable with no timeline for acquisition. The submission requests the removal of the property from the open space classification or acquisition of the entire block.</p>	<p>Approximately 65% of the site is currently identified as either detention basins, or as vegetation under the Department's Environment and Recreation 2021 Desktop Study. Consultation with Sydney Water and relevant subject matter experts confirm the whole site is identified for open space to provide a continuous blue and green corridor and that no changes have been proposed as per the finalisation package.</p> <p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
023	<p>Flooding and Stormwater Management and Zoning</p>	<p>The submission expresses thanks and support regarding the removal of the proposed stormwater detention basin and open space from the subject property. The submission requests for this amendment to remain on the final plans.</p>	<p>Noted.</p>

024	Property Valuation and FSR	<p>Concerns regarding equity of FSR calculations.</p> <p>Notes the value of land in the area is 3 million per acre and suggests rezoning land to Mixed Use and have developers deliver the green space.</p>	<p>The final Precinct Plan identifies suitable FSR controls for the relevant zones to ensure the intended vision for the precinct and associated density is guided by suitable development controls.</p> <p>In some instances, land values have been considerably increased by the rezoning that has occurred under the Aerotropolis SEPP.</p> <p>The Department considers that the amount of mixed use zoned for the Aerotropolis is appropriate.</p>
025	Property Valuation and FSR	<p>Concerns regarding Environment and Recreation Land in the Aerotropolis Precinct Plans and the sterilisation and devaluing of land with no option for acquisition.</p> <p>Concern regarding impacts to residents and members of the community that are vulnerable or elderly.</p> <p>Suggests use of FSR on the affected Environment and Recreation properties to benefit all parties involved for and a request for equality for residents now and into the future.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
026	Open Space (location / quantum) and FSR	<p>Concern regarding the extent of land being zoned Environment and Recreational in addition to green space that will be imposed on the property through the FSR calculation.</p> <p>Concern regarding the equity of the proposal's impact on landowners and a belief it is 'double dipping'. Suggestion to improve fairness by including the portion of Environment and Recreation land into the FSR calculation.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>

027	Acquisition and FSR	<p>Concern for fellow residents impacted by Environment and Residential zoning and proposed acquisition. Suggests that the Department allow developers to include unacquired Environment and Recreation land in FSR calculations rather than in addition to.</p> <p>Concerns about rationale behind why some properties were proposed for acquisition and other proposed Environment and Recreation land has not been identified for acquisition. The submission noted this inconsistency was unfair and discriminating.</p>	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
028	Acquisition and FSR	<p>Concerns regarding the amount of Environment and Recreation land that will not be acquired and the impact on local landowners.</p> <p>Concern the proposal is not fair for all residents and suggests FSR be applied to Environment and Recreation land.</p>	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
029	Zoning and Acquisition	Concerns regarding community members affected by Environment and Recreation zoning and no commitment for acquisition. Request that this affectation be addresses to achieve a fairer outcome for all impacted residents.	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
030	Zoning and Acquisition	Concerns regarding the Environment and Recreation Land proposed in the Aerotropolis Precinct Plans and the	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		sterilisation and devaluing of land with no option for acquisition. The submission expressed concern regarding impacts to residents and vulnerable members of the community.	
	FSR and Property Valuation	Suggests applying FSR to the affected Environment and Recreation zoned properties to benefit all parties involved and requests equality for residents now and into the future.	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
031	Zoning and FSR	Support for the airport, however, objects to land in Environment and Recreation zone not being acquired or being provided with a fair outcome for all residents. Suggests applying FSR to the affected Environment and Recreation zoned properties to benefit all parties involved and requests equality for residents now and into the future.	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
032	Zoning and Acquisition	Objects to the rezoning of land to Environment and Recreation with no acquisition proposed. The submission raised concerns regarding the rationale behind acquiring some properties and not others.	See Section 4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	FSR and Acquisition	Requests the subject property is either acquired or included in FSR calculations to ensure a win/win situation for all parties.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

033	FSR and Property Valuation	<p>Concerns regarding the proposal for Environment and Recreation zoned land on the subject site.</p> <p>Suggests for a fair and equitable outcome to either acquire the property or permit the Environment and Recreation zoned land to be included in FSR calculations.</p>	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
034	Acquisition and Infrastructure Delivery	<p>Concerns regarding the acquisition rate for the acquisition of Environment and Recreation zoned land, the devaluing of land and lack of incentives to sell or develop land into its proposed final form.</p> <p>Suggests a contributions plan that allows developers to enter into a works in kind or Voluntary Planning Agreement for the rehabilitation and dedication of these lands as an offset to development contributions.</p> <p>Notes the opportunity to facilitate more financially viable warehouse and manufacturing facilities while adding value to the Environment and Recreation zoned land through these processes.</p>	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	FSR	Suggestion to allow developers to offset Floor Space requirements with Environment and Recreation zoned land, including open space land.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
035	Zoning and Property Valuation	Concern regarding the subject property being impacted by Environmental and Recreation zoning and the 1:100 flood level for the majority of the lot. The	The subject land refers to land adjoining the Mamre Road precinct which was rezoned as part of a separate planning process.

		<p>submission notes that some lot(s) will be rezoned to IN1 General Industrial due to the flooding issue over part of the land. The submission seeks clarification on why certain flood affected properties in the precinct are being rezoned and not others.</p> <p>Requests the environment and recreation zone be removed from the property and rezoned to industrial land similar to their neighbour.</p> <p>Notes the land is considered to be located under the flight path and suggests it should have been included in the Mamre Road precinct. The submission raises concerns regarding the rezoning of land and environmental impacts such as noise and air pollution, more trucks on the road, odour impacts from nearby sewerage plant.</p> <p>Submission expresses concern for the loss of rural lifestyle.</p>	<p>Land zoned Environment and Recreation is land that is constrained for development due to a number of factors including flooding and or protected vegetation. Therefore if the land is flood liable, then Environment and Recreation is the appropriate zoning.</p> <p>Concerns regarding the surrounding changes in land use and impact due to future operations of the Western Sydney Airport are noted.</p>
036	Open Space (location/quantum)	<p>Objects to the proposal for a park to be located in the location of existing dwellings on the subject property.</p> <p>Requests the proposed park be relocated to the north or south side of the dwellings so the homes can remain and will still meet the rationale for open space as listed in the Open Space Needs Study.</p> <p>Notes the Luddenham Village Discussion Paper Scenarios 3 and 4 propose residential use for part of the property so</p>	<p>The request to relocate the park is supported., and the quantum of open space will be retained.</p> <p>The final Precinct Plan reflects the park being relocated to ensure the existing dwellings are not impacted.</p>

		<p>makes sense to retain the 2 homes and relocate the proposed park.</p>	
037	Zoning and Property Valuation	<p>Concern regarding the temporary rezoning of land as Enterprise and impacts to current and future sales of property.</p> <p>Suggests the Enterprise zone is retained and return Rural lands to RU4 Primary Production Small Lots.</p>	<p>The Western Sydney Aerotropolis Plan identified future potential zoning of land in the non-initial precincts. This includes areas in the non-initial precincts that could in the future be zoned Enterprise.</p> <p>At this time there is no timeframe for the rezoning of non-initial precincts.</p>
	Flooding and Stormwater Management	<p>Concern regarding Councils poor management and coordination of flood investigations through the Aerotropolis and concern the flood studies are not accurate.</p>	<p>The Department has utilised adopted flood studies from both Penrith and Liverpool Council to inform planning for the Aerotropolis.</p> <p>Councils will continue to be responsible as the Flood Planning Manager.</p>
038	Zoning and Acquisition	<p>Concerns regarding rezoning of land to 2 acres of Mixed Use, 1.8 acres Stormwater Infrastructure and approximately 4 acres of Environment and Recreation land.</p> <p>Concern regarding the impact of the proposal on retirement and mental health.</p> <p>Requests further information in relation to acquisition and that the acquisition process is exhibited with other documentation. Raises concerns regarding equity of the process and concern not all property owners will be offered flexible acquisition opportunities e.g. compassionate acquisition or partial versus full acquisition.</p>	<p>See Section 4.4.1.</p> <p>Land required for stormwater will be acquired by Sydney Water.</p> <p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>

<p>Flooding and Stormwater Management</p>	<p>Concerns that flood studies are out of date.</p> <p>Concerns relating to Councils' ability to manage and coordinate flood studies.</p> <p>Concerns regarding allocation and size of proposed stormwater Infrastructure</p>	<p>The Department has relied on the Council-endorsed flood studies to inform the Aerotropolis Planning. A Flood Impact Assessment has been prepared to inform the planning controls to ensure that stormwater runoff is managed to minimise the change in runoff due to decreased permeability across the catchments.</p> <p>Stormwater infrastructure options were assessed in the <i>Stormwater and Integrated Water Cycle Management Plan</i> (Sydney Water 2021)</p>
<p>Property Valuation and Infrastructure Delivery</p>	<p>Concern regarding the impact of the Environment and Recreation zoning on land value and saleability and the lack of incentives to sell and create Environment and Recreation zoned land. The submission identifies concerns regarding the value of land to be acquired across various zones.</p> <p>Suggestion for a work in kind arrangement or voluntary planning agreement process to be put in place to assist the delivery of infrastructure.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance, 4.4.11 Built form and urban design, 4.4.8 Special Infrastructure Contributions and 4.4.12 Timing and Infrastructure Delivery.</p>
<p>Open Space (location / quantum)</p>	<p>Suggestion to provide further clarity on allocation and volume of different types of open space with mapping.</p>	<p>The Open Space Needs Study provides a detailed explanation of the matters that were considered in identifying areas for open space.</p>
<p>Environmental Values</p>	<p>Concern the proposed zoning has been prepared on the basis of ecologically sensitive mapping that has not been ground-truthed.</p>	<p>The Department has completed a Biodiversity Assessment report for the precinct and ground truthed sites where issues have previously been raised in former exhibitions, submissions provided supporting technical assessments, or where the Department was able to arrange for technical experts to visit relevant sites requiring further validation. Whilst the biodiversity on some land was not ground truthed, the desktop analysis was an appropriate mechanism to identify land based on the overall intent on retaining existing vegetation and to deliver open space.</p>

039	Acquisition	Concern for community members affected by Environment and Recreation zoning with no commitment for acquisition. The submission outlines a request that this affectation be addressed to achieve a fairer outcome for all impacted residents.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	FSR	Suggests impacted landholdings should be able to use their Environment and Recreation land to offset FSR calculations.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
040	Open Space (location/quantum)	Supports removal of green space and Stormwater Infrastructure from the subject property. The submission requests to have the new proposed plans finalised.	Noted.
041	Development Staging	Concern regarding the lack of certainty on timing for future precincts. Concern that current infrastructure is inadequate let alone when airport is in operation.	The timeframe for the rezoning of non-initial precincts will depend on the rate that the initial precincts develop. This will be monitored as the Aerotropolis initial precinct are implemented. The initial precincts were selected based on committed infrastructure delivery to align with land released for development and the broader utilities servicing planning.
042	Zoning and Acquisition	Concerns regarding rezoning of land to 2 acres of Mixed Use, 1.8 acres Stormwater Infrastructure and approximately 4 acres of Environment and Recreation land.	See section 4.4.1. The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .

	<p>Concern regarding the impact of the proposal on retirement and mental health.</p> <p>Requests further information in relation to acquisition and that the acquisition process is exhibited with other documentation. Raises concerns regarding equity of the process and concern not all property owners will be offered flexible acquisition opportunities e.g. compassionate acquisition or partial versus full acquisition.</p>	
<p>Flooding and Stormwater Management</p>	<p>Concerns that flood studies are out of date.</p> <p>Concerns relating to Councils' ability to manage and coordinate flood studies.</p> <p>Concerns regarding allocation and size of proposed stormwater Infrastructure</p>	<p>The Department has relied on the Council-endorsed flood studies to inform the Aerotropolis Planning. A Flood Impact Assessment has been prepared to inform the planning controls to ensure that stormwater runoff is managed to minimise the change in runoff due to decreased permeability across the catchments.</p> <p>Stormwater infrastructure options were assessed in the <i>Stormwater and Water Cycle Management Study</i> (Sydney Water 2021)</p>
<p>Property Valuation</p>	<p>Concern regarding the impact of the Environment and Recreation zoning on land value and saleability and the lack of incentives to sell and create Environment and Recreation zoned land. The submission identifies concerns regarding the value of land to be acquired across various zones.</p> <p>Suggests a work in kind arrangement or voluntary planning agreement process to be put in place to assist the delivery of infrastructure.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance, 4.4.11 Built form and urban design, 4.4.8 Special Infrastructure Contributions and 4.4.12 Timing and Infrastructure Delivery.</p>

	Open Space (location/quantum)	Suggestion to provide further clarity on allocation and volume of different types of open space with mapping.	The Open Space Needs Study provides a detailed explanation of the matters that were considered in identifying areas for open space.
	Environmental Values	Concern the proposed zoning has been prepared on the basis of ecologically sensitive mapping that has not been ground-truthed.	The Department has completed a Biodiversity Assessment report for the precinct and ground truthed sites where issues have previously been raised in former exhibitions, submissions provided supporting technical assessments, or where the Department was able to arrange for technical experts to visit relevant sites requiring further validation. Whilst the biodiversity on some land was not ground truthed, the desktop analysis was considered acceptable in identifying land based on the overall intent on retaining existing vegetation and to deliver open space.
043	Zoning and FSR	Concern that the Environment and Recreation zone will be returned in the future. Suggests that unacquired Environment and Recreation land should be used as FSR to ensure a 'win win' for all parties.	Noted. Rezoning for non-initial precincts will apply a consistent approach to zoning as outlined in the Western Sydney Aerotropolis Plan. See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
044	Development staging	Support for the airport, however objects to the rezoning timeframe for Kemps Creek. Requests to bring rezoning forward due to avoid impacts to the property and property owners. Concerns about mental health impacts to residents.	The Department does not support bringing forward rezoning of non-initial precincts. The timeframe for the rezoning of non-initial precincts will depend on the rate that the initial precincts develop. This will be monitored as the Aerotropolis initial precinct are implemented.
045	SEPP (instrument)	Concerns regarding the proposed use of Clause 4.6 as mechanism to vary the Precinct Plans. The submission notes Clause 4.6 variation requests are	Whilst drafted with similar intent to clause 4.6 of the Standard Instrument, the new provisions under Part 7 of the Aerotropolis SEPP have been tailored for the Aerotropolis to facilitate

		<p>technical documents relating to development standards backed by a (growing and complex) body of case law.</p> <p>Suggests a site specific clause be introduced in to the Aerotropolis SEPP that includes the relevant considerations for the consent authority to consider when assessing applications that propose variations to the Precinct Plans.</p>	<p>development that proposes minor inconsistencies with the Precinct Plan.</p>
	Acquisition	<p>Concern regarding the subject site in Luddenham Village which contains a heritage item and an existing church identified for open space.</p> <p>Notes the land is not identified on the Land Reservation acquisition Map which is considered to be an error and fixed in the final plan. The submission does not object to the principle of the vegetated land becoming a park, however, does not support the land where the church is located to be acquired.</p>	<p>The Department confirms the land is not required for acquisition or identified for open space. The Department sought advice from the project team finalising the Cumberland Plain Conservation Plan and confirm no changes are required in the Aerotropolis SEPP. The Environment and Recreation zone is proposed to be retained as per the identification of land under the Cumberland Plain Conservation Plan, however, will remain in private ownership and the church can continue to operate as normal. The Luddenham Village Interim Strategy identifies the site as privately owned to provide further clarity.</p>
	Development opportunities / DA Processes and Existing Uses	<p>Notes current planning controls seek to restrict the potential expansion of the church and it considers there is no need to dedicate this land for public purpose.</p> <p>Requests the planning controls are reviewed to enable the expansion of the facilities (additional permitted uses) and deliver public benefits through offsets provided in increased development.</p>	<p>The new provisions under the SEPP provide a consistent framework for the assessment of previously permissible land uses.</p>
046	Zoning	<p>Supports the extension of the Agribusiness Precinct boundary (and</p>	<p>The majority of additional land added to the Agribusiness Precinct has been zoned Enterprise, which is consistent with the adjacent</p>

	associated zoning) into land immediately south of the proposed M12 Motorway.	land within this Agribusiness Precinct. Some land is affected by the 1 in 100 AEP Flood Extent and has been zoned Environment and Recreation. .
SEPP (instrument)	The submission supports the proposed new procedures for creating and modifying a Precinct Plan, as well as introducing an equivalent “clause 4.6” into the SEPP to enable development to be inconsistent with an adopted Precinct Plan.	Noted. Whilst drafted with similar intent to clause 4.6 of the Standard Instrument, the new provisions under Part 7 of the Aerotropolis SEPP have been tailored for the Aerotropolis to facilitate development that proposes minor inconsistencies with the Precinct Plan.
Master Plans	Supports the proposed new procedures for creating and modifying a Precinct Plan and the publication of masterplan guidelines. Seeks a clarification of the complying development pathway and the timing in which Master Plan guidelines will be published and placed on exhibition is needed.	Noted. The master plan guidelines have been published on the NSW Planning Portal.
Open Space (location / quantum) and Infrastructure Delivery	Seeks confirmation of the land area required for the Sydney Water reservoir, The submission objects the quantum of land required for stormwater as it has not been completely justified and requests the area is reviewed and reduced.	The Department with Sydney Water has reviewed the land requirements for the proposed reservoir and confirms the area has been reduced. The revised area is shown in the final Precinct Plan.
Community Consultation Process / Transparency	Requests further engagement with major landowners in the precinct to clarify the specific lands required and delivery for Stormwater Infrastructure, Notes plans provided during the exhibition are not clear and are difficult to	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.

	<p>read. The submission expresses concern regarding lack of consultation, justification and detail provided on amount of land required for acquisition.</p> <p>Suggests a collaborative Master Planning process between the Department and the proponent.</p>	<p>The SEPP EIE was exhibited and supported by the Open Space Needs Assessment and Summary which outlines the rationale for the identification of the location and amount of open space land (including Stormwater Infrastructure) required in the precinct.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to the Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p> <p>Further discussions between the acquisition authority and landowners will occur as part of the acquisition, detailed design and delivery stage of infrastructure.</p> <p>The minimum requirements for the master planning pathway have been revised.</p>
Acquisition and Zoning	<p>Seeks confirmation regarding acquisition for open space and stormwater infrastructure land.</p> <p>Does not support the extent of land identified for Stormwater Infrastructure and requests none of the land that forms part of the open space network be rezoned SP2 Stormwater Infrastructure, but that the total network become a layer requiring further justification prior to formal acquisition.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space</p>
Existing Uses	<p>Suggests a long-term transitional arrangement to allow previously permitted uses on all land to continue, including that land zoned SP2.</p>	<p>See section 4.4.5 Provisions for previously permissible uses. Land will not be rezoned SP2.</p>
Design Excellence	<p>Requests consideration design excellence requirements across the Aerotropolis as a whole, but focused on public infrastructure, including design competitions for visually prominent public</p>	<p>See section 5.1.1 Design Excellence Provisions.</p>

		infrastructure facilities such as the proposed reservoir. This includes the benefits of public art as incorporated elements into public infrastructure facilities and funding secured through the SIC.	
	Flooding and Stormwater Management and Zoning	Requests the identification of open space, including stormwater remains as an overlay to provide flexibility and to allow detailed Master Planning to be completed.	Agreed. This has been addressed.
	DCP and Master Plan guidelines	The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE. The submission identified a need for masterplan guidelines to be published in a draft exhibition for public comment.	The Master Planning guidelines have been published on the Department's website.
	Development Proposal	The submission notes an urban design strategy was also proposed for the site which demonstrates an alternative configuration and reduced size for the reservoir.	Noted.
047 – Agency: Environmental Protection Authority	Zoning and Development Opportunities / DA processes	<p>The Aerotropolis SEPP is unclear on how land use conflicts will be managed as a result of the retention of previously permitted uses in place under the zoning of the Penrith and Liverpool Local Environmental Plans.</p> <p>A former submission to the Precinct Plans reaffirmed it is important to develop a transitional strategy to ensure land currently and continued to remain as an</p>	See section 4.4.5 Provisions for previously permitted uses.

	<p>agricultural use in a residential zoned area can continually operate, and transition to the intended future use. However, assessment practices need to be in place to ensure it is managed effectively.</p>	
SEPP (Instrument)	<p>Sustainability objective of the Region and District plans should be incorporated into the Aerotropolis SEPP as it relates to air pollution. It is important assessment processes considers the cumulative impacts and air quality risks associated with operational rural uses, airport operations as well as added traffic and transport usage.</p> <p>All development should be designed to avoid, minimise or manage potential air quality and odour impacts, in addition to managing emissions.</p>	<p>This is considered beyond the scope of the proposed amendments to the Aerotropolis SEPP.</p> <p>The draft Phase 2 DCP is considered the best place to promote sustainability initiatives as it relates to the detailed design considered in the development process.</p>
Zoning	<p>The removal of Environment and Recreation zoning will impact the ability of the precinct to deliver the vision and waterway health outcomes being sought under the plan. Suggests further consideration of the delivery of the water network is provided through the Aerotropolis SEPP and future amendments, as well as the implementation of the DCP.</p>	<p>The removal of the environment and recreation zoning has been subject to a review post exhibition. The reduction and removal of open space is not considered to limit the overall delivery of an integrated water cycle management and open space network. The future use of the land were the Environment and Recreation zone has been removed will be considered as part of the strategic planning for the Rossmore and Kemps Creek precincts. .</p>
Complying Development	<p>It is unclear how the changes relating to complying development will influence the activities regulated by the EPA. It is important that any development requiring</p>	<p>Development requiring licensing and regulation from EPA will not change as a result of this SEPP amendment. The development assessment process, including those under SEPP (Exempt and Complying Development) 2008 include relevant provisions to ensure</p>

		Environment Protection Licensing requires development consent to ensure appropriate assessment protocols are in place.	activities regulated by different agencies are appropriately considered.
	Recognise Country	Support is noted for the application of the Recognise Country Guideline.	Noted.
048	Open Space (location / quantum)	The submission opposes the land use being identified for a public use and does not support future development.	Noted.
	Community Consultation Process / Transparency	The submission also raised issues with the release of information, clarity of exhibition material and the overall impact of the plan(s) on the property.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p>
049	Zoning	Supports the removal of Environmental and Recreation zoning on the site.	Noted.
	Development staging	Concern regarding the timing of delivery for the precinct and the impacts of earlier developments on local infrastructure such as roads, water and local flooding.	There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.

	Matters relating to other Agencies	The submission raises concern regarding amendments to the Liverpool LEP 2008 which will permit animal boarding or training establishments next to the property and the impacts on local amenity.	This matter is not considered within the scope of the SEPP EIE and inquiries of this nature are appropriately managed by the relevant Council.
050	Zoning and Acquisition	Supports the airport however objects to Environment and Recreation land not being acquired. Suggests Environment and Recreation land should be acquired at an appropriate rate. Suggestion for a works in kind arrangement or voluntary planning agreement to deliver Environment and Recreation land to resulting in a win for all parties and provide a fair outcome for residents providing certainty and equity. This proposal would involve the application of transferable FSR onto land zoned Environment and Recreation.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
051	Zoning and Acquisition	The submission expresses support for the airport however objects to Environment and Recreation land not being acquired. Suggests Environment and Recreation land should be acquired at an appropriate rate. Suggestion for a works in kind arrangement or voluntary planning agreement to deliver Environment and Recreation land to resulting in a win for all parties and provide a fair outcome for residents providing certainty and equity. This proposal would involve the application of	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		transferable FSR onto land zoned Environment and Recreation.	
052	Zoning and Property Valuation	The submission expresses support for the rezoning of land from Environment and Recreation to RU4 Primary Production Small Lots. However, raises concerns that property values have already been impacted. The submission suggests industrial and commercial development could be built in the area despite airport impacts.	Noted. The Precinct Plans and the Aerotropolis SEPP identify appropriate zoning and development controls to respond to airport safeguarding principles. Despite the changes in zoning from Environment and Recreation to RU4 Primary Production Small Lots, the provisions of the Aerotropolis SEPP will still remain in addition to those of the relevant LEP. The identification of suitable land uses will be the subject of detailed precinct planning work to be undertaken in the future.
	Development opportunities / DA Processes	The submission raises concern regarding the ability to develop the land in the future with airport noise issues and the impact on building future homes. The submission raises concerns that the residents will be unable to live in the property when the airport is operational and won't get a fair price for the property sale. The submission notes a recent DA for a pool at the property was not approved.	This was a matter that was addressed upon the commencement of the Aerotropolis SEPP. Development opportunities are possible on land subject to ANEC 20 contours and above, in accordance with the relevant provisions of the Aerotropolis SEPP. The determination of DAs is subject to the applicable legislation and assessment processes of the relevant consent authority.
	Flooding and Stormwater Management	The submission notes the subject property is located in the 1:100 flood zone, however, is considered to only be the case due to poor creek management, upstream development and climatic changes.	The Department has utilised adopted flood studies from both Penrith and Liverpool Council to inform the planning of the Aerotropolis, including the location of Stormwater Infrastructure to support Sydney Water's Stormwater and Integrated Water Cycle Management Plan. The remediation and management of local waterways are a matter to be considered by the relevant Council and their program of works when maintaining existing assets.
	FSR	The submission requests all land in the area to have an FSR applied to the property in order to provide developers	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		the opportunity to develop land without decreasing land value.	
	Noise (ANEC/ANEF)	The submission requests compensation or acquisition in locations where dwellings cannot be built on land in the ANEF.	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
	Development staging	The submission requests to bring the rezoning timeline forward for land reverted to RU4.	There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
053	Flooding and Stormwater Management	The submission suggests the land is not flood prone. The submission request reimbursement for the portion of land marked for acquisition and Environment and Recreation land as it was not considered flood prone at time of purchase. The submission notes multiple submissions have been made with no change in zoning.	See section 4.4.1 Land for Stormwater Infrastructure and 4.4.14 Flooding and water cycle management
	Open Space (location/quantum)	The submission supports adequate open spaces in the Aerotropolis overall. Suggests all land should have a percentage of open space applied to ensure it is equitably distributed across all landowners rather than individual landowners wearing the cost.	The open space quantum has been determined based on a number of considerations including alignment of open space and waterways, protection of high biodiversity land and consistency with the relevant strategic framework, landscape led approach for the Aerotropolis and the Draft Greener Places Guide. The Open Space Needs Study provides a detailed explanation of the matters that were considered in identifying areas for open space.

	Acquisition	The submission requests the remainder of the subject site zoned Environment and Recreation should be acquired for stormwater due to access to the remainder of the property.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
054	FSR and Property Valuation	The submission requests that land in the Environment and Recreation zones in the Wianamatta South Creek and the Aerotropolis be included in the FSR maps. This is considered to ensure the land to be developed accordingly and ensure public access from the time of development. This is believed to also support the productive use of land and reduce the burden on landowners of potential land sterilisation.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Noise (ANEC/ANEF)	The submission requests compensation for the landowners impacted by ANEC 20 or above.	This is not a matter for the current SEPP amendment as the ANEF/ANEC requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
	Development staging	The submission requests the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging.	There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Community Consultation	The submission raises concerns relating to transparency of the process and	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition

	Process / Transparency	equitable opportunities provided for development.	<p>period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p>
055	Community Consultation Process / Transparency	The submission raises concerns with the exhibition process and inability to understand the documents submitted in the context of the changes in the Precinct Plan.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p> <p>Individual submissions were reviewed by the Department’s project team and adjustments were made to the Precinct Plan and the Aerotropolis SEPP which has informed the SEPP EIE relating to the SEPP amendment. The final Precinct Plan will be published on the Department’s website at the time the finalisation package is made.</p>
	Zoning and Property Valuation	The submission seeks clarification regarding the reverting of land back to original zoning, the remaining acquisition processes and the value of land associated with those decisions. The submission notes it is unclear if future rezoning’s will take place and if they will be expedited as a result of the changes.	<p>The EIE outlines that in response to the Independent Community Commissioner’s recommendations to consider the rationalisation of Environment and Recreation zoned land and the views of affected landowners, it is proposed to replace the Environment and Recreation land use zone for a portion of land south of Elizabeth Drive, along the eastern edge of Wianamatta-South Creek and the entirety of Kemps Creek with the original RU4 Primary Production Small Lots under the Liverpool Local Environmental Plan 2008. However, the provisions of the Aerotropolis SEPP will still remain as it relates to the protection of airport operations and transport corridors.</p>

	<p>Flooding and Stormwater Management</p>	<p>The submission suggests the recent flood study is outdated and does not consider the amount of water that will be dispersed into the creek system.</p>	<p>See section 4.4.14 Flooding and water cycle management</p>
056	<p>Zoning and Flooding and Stormwater Management</p>	<p>The submission does not support the draft Precinct Plans as amended which have rendered the subject site undevelopable. The submission notes approximately 30% of the land was identified as Enterprise zoning and is now retained as 100% Stormwater Infrastructure. The submissions seeks clarity on the rationale for properties to be zoned for Stormwater Infrastructure given landowner on the opposite side of the road (in the Agribusiness precinct), was not zoned for Stormwater Infrastructure and is considered as having similar environmental qualities and affectation.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space</p>
057	<p>Flooding and Stormwater Management and Acquisition</p>	<p>The submission notes the proposed reduction in open space and the Land Reservation Acquisition map is proposed, however the subject site has now been included in the revised open space network for open space/ stormwater. The submission seeks clarity on why a currently operating waste and resource facility is identified for open space. The submission also raises the importance in the completion of flood studies applying to the subject site in determining the Probable Maximum Flood level.</p>	<p>The Department confirm the land is identified as Stormwater Infrastructure. The Department and Sydney Water have reviewed the location and size of the detention basin identified on the site and consider it is necessary to retain the basin location at the rear of the site to help development meet the waterway health objectives and stormwater targets via the regional stormwater scheme. The assets are located within flood prone land to reduce the impacts on development and avoid impacts on riparian zones, vegetation and the South Creek floodway.</p>

	Community Consultation Process / Transparency	The submission raises concern regarding the lack of consultation and justification provided to the landowner on why the site has been included in the revised open space network.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The SEPP EIE was exhibited and supported by the Open Space Needs Assessment and Summary which outlines the rationale for the identification of the location and amount of open space land (including Stormwater Infrastructure) required in the precinct.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to the Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p>
	Existing Uses and Flood and Stormwater Management	The submission notes an existing DA approval is in place to complete bulk earthworks to mitigate flooding on the site and seeks clarification on existing use rights	Providing that a development consent has or can legally commence, it will continue to be valid despite whether the consent was granted prior to the making of the Aerotropolis SEPP. The additional provisions for previously permissible uses will provide a framework for lodging new DAs for uses that were previously permissible.
	Acquisition	The submission seeks clarity regarding whether the subject site is needed for Stormwater Infrastructure or for open space as it is not clear on the Land Reservation Acquisition map or the SEPP EIE.	See Section 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space . All landowners impacted by the land reservation acquisition map were contacted as part of the exhibition process and will be contacted again following the finalisation of the planning package.
058	FSR and Property Valuation	Raises concern regarding the Environmental and Recreational zoning over the property and suggests that and FSR could be applied.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design .
059	Open Space (location /	The submission notes the subject site has development approval to operate as	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and

<p>quantum) and Development opportunities / DA Processes</p>	<p>a quarry and is zoned Enterprise and open space (at the rear). The submission supports the reduction of open space across the whole precinct and the reduction of open space on the subject land. The submission suggests that open space and stormwater should be shown as an indicative overlay as further ground truthing and justification should occur.</p>	<p>Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
<p>Acquisition and Zoning</p>	<p>The submission seeks confirmation regarding the requirements to acquire open space, final land areas and timing for when the land will be required. Suggests land should be purchased at the rate of the underlying zoning.</p> <p>Suggests the appointment of clear trunk drainage manager to coordinate the process and ensure infrastructure is delivered in a timely manner.</p> <p>The submission does not support the extent of land identified for Stormwater Infrastructure particularly that encroaching into enterprise land as it has not been justified in the methodology.</p> <p>The submission requests none of the land that forms part of the open space network be rezoned SP2 Infrastructure, but that the total network become a layer requiring further justification prior to formal acquisition.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
<p>Master Plans</p>	<p>The submission supports the proposed new procedures for creating and modifying a Precinct Plan and the</p>	<p>Noted. As part of the SEPP EIE, a new clause has been included to outline the requirements and process for preparing a Master Plan where there are proposed inconsistencies with the Precinct Plan.</p>

	<p>publication of masterplan guidelines. The submission seeks clarification of the complying development pathway associated with this process is required and the timing in which Master Plan guidelines will be published and placed on exhibition is needed.</p>	<p>The Master Planning guidelines have been published on the NSW Planning Portal.</p>
Existing Uses	<p>The submission considers there should be a long-term transitional arrangement to allow previously permitted uses on all land to continue, including that land zoned SP2.</p>	<p>Land zoned SP2 Infrastructure has been identified for infrastructure and therefore it is not considered appropriate to allow previously permissible uses on this land as it may delay or contribute to the cost of delivery infrastructure.</p>
Community Consultation Process /Transparency	<p>The submission requests commitment from the Department to complete further engagement with major landowners in the precinct and facilitate a workshop to clarify the specific lands required for Stormwater Infrastructure, the preferred location and timing for delivery. The submission notes plans provided during the exhibition are not clear and are difficult to read. The submission expresses concern regarding lack of consultation, justification and detail provided on the amount of land required for acquisition. Suggests a collaborative Master Planning process between the Department and the proponent.</p>	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited SEPP EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure and 5.1.2 Release of the Master Plan Guidelines.</p>
Open Space (location /	<p>The submission acknowledges that additional land is to be required for open space, however, expresses concern that no communication or correspondence</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and</p>

	quantum) and Zoning	suggested the Enterprise zoning on the property would be reduced as a result. The submission requests further details to assess the technical evidence supporting the proposal prior to a rezoning.	Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design. See section 3
060	FSR and Property Valuation	The submission requests FSR be applied to Environmental and recreational zones so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Noise (ANEC/ANEF)	The submission requests compensation is paid for the landowners impacted by ANEC 20 or above	This is not a matter for the current SEPP amendment as the ANEF/ANEC requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
	Development staging	Request the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging	There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
061	Flooding and Stormwater Management and Property Valuation	The submission expresses concern regarding the proposed zoning of Stormwater Infrastructure on the subject site and the supporting studies believing the zoning and controls will provide a financial disadvantage.	The location and extent of land required for Stormwater Infrastructure has been developed and rationalised by Sydney Water as part of the Stormwater and Integrated Water Cycle Management Plan. The Plan sets out a regional approach to water cycle management for the Aerotropolis. The strategy integrates and balances drinking water, wastewater, recycled water and harvested stormwater. The development of the plan has included an effort to locate Stormwater Infrastructure on lower lying land (within the flood fringe

			<p>but outside the floodway) as much as possible in order to maximise economic benefit and reduce impacts on developable land.</p> <p>In response to concerns of rezoning land for the purpose of SP2 Stormwater Infrastructure, this land is now identified with a mapping overlay under the Aerotropolis SEPP. Land for Stormwater Infrastructure has not been rezoned and will retain its former zoning.</p>
062 – Agency: Liverpool City Council	SEPP (Instrument) and DCP	<p>The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE.</p> <p>In principle support provided for the changes in the Agribusiness and North Luddenham precinct boundaries and the inclusion of savings provision’s related to subdivision applications lodged prior to the commencement of the Aerotropolis SEPP.</p>	Noted.
	Flooding and Stormwater Management and Open Space (location / quantum)	<p>The changes in arrangements for Stormwater Infrastructure management need to be consistent in process demonstrated by Council and other service providers and is to be guided by a regional stormwater authority.</p> <p>The authority responsible for the acquisition of open space should also be clearly identified in the Aerotropolis SEPP and identified where funding will be provided (i.e. through the State Infrastructure Contribution or Local Infrastructure contribution).</p> <p>The reduction in the open space network is supported, however, it is important the land identified for acquisition can be appropriately funded, and the amount of</p>	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space

	open space currently proposed remains sufficient to meet the requirements of current and future residents.	
Zoning and Acquisition	<p>In principle support is provided to the rationalisation of the environment and recreation zone and the retention of land uses under the Liverpool LEP 2008. However, it is important to reiterate the land retaining the provisions under the Liverpool LEP 2008 will be subject to the provisions of each plan, in addition to those listed under the Aerotropolis SEPP. However, land required for acquisition should be identified on the Land Reservation Acquisition map as a minimum.</p> <p>Some land identified within the Land Reservation Acquisition map should also capture land which has been left with constrained or limited development potential where open space or Stormwater Infrastructure cannot be further reduced. This map should also be validated against the riparian land required under the proposed DCP to provide stronger guidance and certainty to the land required for the stormwater and open space network.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
Environmental Values / Biodiversity Certification	<p>Support is provided for the added protection of existing native vegetation and the retention of the existing Growth Centres Biodiversity Certification Order. Where land is identified for environmental</p>	<p>See section 4.4.2 Land for Open Space and 4.4.13 Biodiversity</p>

	<p>conservation, it should be updated on the Land Reservation Acquisition Map.</p> <p>Consideration should be given to how the ecological, scenic and recreation values of riparian areas in the Wianamatta-South Creek, Kemps Creek and their tributaries are retained and enhanced under the Aerotropolis SEPP and proposed Stormwater Infrastructure land / overlay. The appropriateness of active or passive open space should also be considered in the future planning of riparian areas and public open space.</p>	
SEPP (Instrument)	<p>Supports the inclusion of the:</p> <ul style="list-style-type: none"> • building restricted areas controls to ensure aircraft operations are safeguarded; • clarification of buffer areas under SEPP (Exempt and Complying Development Codes) 2008; • permissibility of land clearing in the area for public authorities subject to outcomes being agreed to by the Department. <p>Council has requested the clarification of the role of the commonwealth body in providing concurrence to confirm proposed development will not negatively impact airport operations.</p> <p>It is also requested further guidance is included in the Aerotropolis SEPP for the criteria for Complying Development and</p>	<p>Noted. The new part that ‘switches on’ certain complying development provisions under the SEPP, includes specific provisions that either:</p> <ul style="list-style-type: none"> • Exclude the application of the complying development pathway for development that would otherwise require Commonwealth consultations under Part 3 of the SEPP; or • Applies additional development controls for complying development to comply with airport safeguarding provisions that otherwise sit in the DCP. <p>The application of SEPP (Exempt and Complying Development Codes) 2008 is subject to the relevant clauses of the SEPP as it relates to the development seeking to apply the code(s).</p>

	the application of SEPP (Exempt and Complying Development Codes) 2008.	
Recognise Country / Development opportunities/ DA processes	Concerns exist over the application of recognise Country guidelines and the need to ensure their inclusion in the planning process does not result in unnecessary delays in assessment practice. Clarity is requested in the wording regarding the statutory weight of the document in assessing DAs and the requirements for technical reports required to support future assessment.	See Section 4.4.15 Aboriginal engagement and connecting with Country.
Transport Corridors / Acquisition	<p>Considers there is a lack of detail in relation to how individual lots are impacted by changes to transport corridors and the information exhibited does not clearly outline implications for landowners.</p> <p>When confirmed, land identified as a major corridor should be identified on the Land Reservation Acquisition map and zoned according to the relevant use.</p>	There is no change to how Transport Corridors are identified in the SEPP amendment.
Master Plan Guidelines / SEPP (Instrument)	<p>Master planning guidelines are considered a critical element of the planning package and concerns exist that they have yet to be released by the Department for comment by Council or industry.</p> <p>Suggests the requirements for masterplans are not placed on all sites but are expected to meet a certain</p>	See Section 5.1 Aerotropolis SEPP.

		<p>minimum site area as well as other requirements to support applications.</p> <p>Clarity is required on the relationship of the guidelines and the other design guidance material either in effect or that has been exhibited – such as the Design and Place SEPP.</p> <p>Clarity is further requested on the intent of the guidelines to embed high quality design or sustainability outcomes into development and how that is intended to be assessed.</p> <p>Guidance on the approval process to amend a Precinct Plan should also be clearly outlined in the Aerotropolis SEPP.</p>	
	Matters for other Agencies	Does not support the role of the Western Parkland City Authority in the Precinct Planning process, including the approval or masterplans.	See Section 5.1 Aerotropolis SEPP.
063	Open Space (location / quantum) and Zoning	<p>The submission notes 40% of the subject site is identified for Stormwater Infrastructure. The submission considers this is excessive and requests that the quantum of open space identified in the Open Space Needs Study be reviewed. The submission considers the Enterprise zoning was an appropriate type to mitigate the effects of Airport operations - i.e. noise.</p>	<p>A comprehensive review as part of the Open Space Needs Study has been undertaken of the Stormwater Infrastructure and open space previously exhibited under the draft Precinct Plan. The intent has been to rationalise the quantum and extent of land required for Stormwater Infrastructure (which includes land for detention basins and water sensitive urban design features) on private land and the basins required as part of the regional stormwater management approach in public ownership. Alterations to the extent of land required for open space or Stormwater Infrastructure (new and existing) has been subject to this detailed review in alignment with the supporting technical studies for the precinct.</p> <p>Where land is now identified for open space or Stormwater Infrastructure, this has been to consolidate this land in line with the recommendations of the Community Commissioner and reduce the severance of individual lots affected by land for open space or Stormwater Infrastructure</p>

			<p>The Open Space Needs Study was exhibited with the SEPP EIE and provides a detailed explanation of the matters that were considered in identifying areas for open space. This study was updated in response to the above.</p> <p>Heritage and environmental values were two considerations in the selection of appropriate open space areas. A cultural heritage assessment was undertaken when preparing the Precinct Plans. This assessment identified areas of high and moderate Aboriginal heritage sensitivity, known Aboriginal heritage sites and objects and sites of archaeological significance. Many of these areas of Aboriginal significance are also linked to the landscape-led approach and waterway health objectives for the Aerotropolis more broadly.</p> <p>No further change is considered to be required at this stage.</p>
	Acquisition and Community Consultation Process Transparency	The submission seeks clarity regarding the timing, valuation, and process of any acquisition process. The submission raises concern there has been little engagement with landowners on the acquisition process in Rossmore for future roadworks.	The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
064	Zoning and FSR	The submission supports the removal of Environment and Recreation zones in Rossmore. The submission requests inclusion of these zones in FSR controls.	<p>Noted.</p> <p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
	Development staging	The submission requests that future environmental and open space land in Rossmore is acquired at the market rate of the underlying zoning, not the proposed open space zone. The submission identified the strategic placement of Rossmore for future	Land is not proposed for acquisition for environmental and open space purposes in the Rossmore Precinct at this time. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to

		development and its connection to existing road and future rail networks.	the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Roads and Flooding and Stormwater Management	The submission identifies key issues relating to the state of roads. The submission requests additional infrastructure to meet the proposed density but should be prioritised to ensure flood risk is mitigated.	See Section 4.4.12 Timing and Delivery of Infrastructure
065	Development staging and Housing (location / quantum)	The submission seeks clarity on the rationale behind the staging of development in Rossmore the given the upgrade of roads and surrounding development in nearby areas and the demand for affordable housing in the area adjacent to the Airport.	See Section 4.4.16 Initial and Non-Initial Precincts . There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
066	Zoning	The submission supports the proposed amendments to the Environmental and Recreation zone adjoining Rossmore and Kemps Creek precincts.	Noted.
067	FSR and Property Valuation	The submission requests the FSR be applied to Environmental and recreational zones, so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design .
	Noise (ANEC/ANEF)	The submission requests compensation is paid for the landowners impacted by ANEC 20 or above	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses

	Development Staging	The submission requests that the development staging of relevant land in Kemps and Sough Creek be brought forward due to potential land use conflicts.	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.</p> <p>Council's assessment processes consider the impact and mitigation strategies associated with land use conflicts between rural and residential uses, as well as the future operations of the Western Sydney Airport.</p>
068	Recognise Country	The submission acknowledgement of the Darug people and their custodianship to the land.	Noted.
	FSR and Property Valuation	The submission requests the FSR be applied to Environment and Recreation zones, so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design .
	Noise (ANEC/ANEF)	The submission requests compensation is paid for the landowners impacted by ANEC 20 or above	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
	Development staging	Request the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging.	See Section 4.4.16 Initial and Non-Initial Precincts . There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to

			the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
069	Zoning and Acquisition	The submission does not support the identification of the property on the Land Reservation Acquisition map. The submission notes the site is partially zoned Mixed Use under the Aerotropolis SEPP which is contrary to the mapping of the revised open space network.	A large amount of the site is within the Wianamatta-South Creek Precinct and is flood affected. The whole site and neighbouring land have been nominated as open space and for acquisition for the purposes of establishing a regional park. No further changes are proposed as the acquisition of the entire site is considered consistent with the Independent Community Commissioners recommendations.
	Open Space (location/quantum) / Community Consultation Process /Transparency	The submission raises concerns relating to the loss of development potential due to the loss of Mixed use land and is inconsistent with the objectives of the Act given the proposed change in use. The submission identifies the land owner was not consulted on the changes and requests the reports justifying the amendment be provided and the Open Space Needs report be reconsidered to ensure the land identified for open space is delivered in the Environment and recreation zones.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p> <p>The open space quantum has been determined based on a number of considerations including alignment of open space and waterways, protection of high biodiversity land and consistency with the relevant strategic framework, landscape led approach for the Aerotropolis and the Draft Greener Places Guide.</p> <p>The Open Space Needs Study provides a detailed explanation of the matters that were considered in identifying areas for open space.</p>
070	Open Space (location / quantum)	The submission is not an objection to the open space however seeks clarity on the rationale and potential impact that it may have on the adjacent land. The submission notes if there was no open space located on the site, there would still be access to open space within 600m and the open space needs study shows	<p>The open space quantum has been determined based on a number of considerations including alignment of open space and waterways, protection of high biodiversity land and consistency with the relevant strategic framework, landscape led approach for the Aerotropolis and the Draft Greener Places Guide.</p> <p>The Open Space Needs Study provides a detailed explanation of the matters that were considered in identifying areas for open space.</p>

		no coverage to areas both north and south of the site.	
	Environmental Values and Non-Aboriginal Heritage	The submission seeks clarification on the rationale regarding the proximity to biodiversity and heritage influences the land selected as open space and the impact of future development.	The Open Space Needs Study outlines that heritage and environmental values were two considerations in the selection of appropriate open space areas. Other important considerations were social infrastructure needs, topography, suitability of land, access to housing and proximity to centres, active transport and urban cooling to name a few. Heritage and biodiversity are linked to two key Aerotropolis objectives – recognising Country and the landscape-led approach. The Western Sydney Aerotropolis Plan makes it clear that these objectives, amongst other, are significant in the realisation of a Parkland City.
	Acquisition and Property Valuation	The submission seeks clarity on timing for acquisition which impacts the ability to sell the property or develop accordingly.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space. The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
071	FSR and Property Valuation	The submission requests FSR be applied to Environment and Recreation zones so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
072	Flooding and Stormwater Management and Open Space (location / quantum)	The submission supports other landowners in Bringelly and request to reconsider the location of the stormwater basin on the property to ensure they can still live on the site.	The amount of open space on the subject property has been reduced significantly as a result of the Department’s review following the Precinct Plan exhibition. A small portion of land was proposed to be retained for acquisition, however, further analysis and consultation with Sydney Water determined the entirety of the proposed basin can be located on the neighbouring property given the whole site will need to be acquired for Thompsons Creek and in line with the recommendations of the Independent Community

			Commissioner. The land previously identified for acquisition has been removed from the site.
073	FSR and Property Valuation	Requests that and FSR be applied to all land in the Aerotropolis including the Rossmore Precinct.	The application of revised FSR controls in the Rossmore precinct is not suitable prior to detailed precinct planning investigations.
	Development staging	Concern with the staging of the Rossmore precinct and the inability to act on development opportunities. Request made to bring this forward (3-5 years).	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.</p> <p>There are no defined timeframes for the rezoning of non-initial precincts including Rossmore. Timing will depend the provision of servicing infrastructure and the pace of development uptake in rezoned areas.</p>
	Flooding and Stormwater Management and Infrastructure Delivery	Identified key issues in the submission relating to the state of creeks and roads. Additional infrastructure was requested to meet the proposed density, but importantly, the state of waterways need to be looked at further to manage flooding issues and water contamination.	See Section 4.4.12 Timing and Delivery of Infrastructure
	Zoning	Support noted for the change in Environment and Recreation zoning in the Rossmore precinct.	Noted.

074	FSR and Property Valuation	Requests that and FSR be applied to all land in the Aerotropolis including the Rossmore Precinct.	The application of revised FSR controls in the Rossmore precinct is not suitable prior to detailed precinct planning investigations.
	Development staging	Concern with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests to bring this forward (3-5 years)	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.</p>
	Flooding and Stormwater Management and Infrastructure Delivery	The submission identified key issues in relating to the state of creeks and roads. The submission requests additional infrastructure to meet the proposed density, and prioritisation of works to waterways to manage flooding issues and water contamination.	See Section 4.4.12 Timing and Delivery of Infrastructure
	Zoning	Support noted for the change in Environment and Recreation zoning in the Rossmore precinct.	Noted.
075	Zoning and FSR	Submission requested the removal of the Environment and Recreation Zone from Rossmore along the Wianamatta-South Creek and all creeks from all affected residents. The submission requests FSR be applied to Environment and Recreation zones so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

	Roads and Council Rates	The submission raises concerns that roads in Rossmore are unsafe, need repair or have drainage issues from flash flooding. The submission notes the contribution of Council rates to infrastructure and ongoing concern with the increase in residents and the continued state of roads.	The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets. Issues relating to Council rates should be forwarded to the relevant Council.
	Flooding and Stormwater Management and Infrastructure Delivery	The submission requests additional infrastructure to meet the proposed density, and prioritisation of works to waterways to manage flooding issues and water contamination.	See Section 4.4.12 Timing and Delivery of Infrastructure The Department has worked closely with State agencies and Councils to identify infrastructure requirements and to ensure consistency. Infrastructure planning is informed by a range of government plans and investment programs, including the Western Sydney Infrastructure Plan, the Greater Sydney Commission's Place-based Infrastructure Compact (PIC), and the Department's Precinct Planning. SIC funding will be prioritised to items that best meet the objectives, selection criteria, respond to community need and support growth.
	Development staging	The submission requests the staging of the relevant land in Kemps and Sough Creek is brought forward due to potential land use conflicts resulting in a delayed staging	There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
076	Zoning and FSR	The submission supports the removal of Environmental and Recreation zone to RU4 Primary Production Small Lots for land in the Wianamatta-South Creek and Rossmore precincts to allow for the continued operation of businesses in the	Noted. The provisions of the Aerotropolis SEPP will still remain as it relates to the protection of airport operations and transport corridors. The application of revised FSR controls in the Rossmore precinct is not suitable prior to detailed precinct planning investigations.

	<p>zone into the future. The submission considers future planning will be required for this area and requests a FSR is applied over the land to retain land value for developers.</p>	
<p>Flooding and Stormwater Management and Infrastructure Delivery</p>	<p>Unsupportive of the increase flood affectation other than the 1:100. Suggests stormwater management work should be completed across the precinct as there remain flooding issues across the suburb, particularly across the road network. Suggests further planning for Rossmore needs to consider infrastructure requirements to stormwater and road networks to mitigate risks to human life.</p>	<p>The location and extent of land required for Stormwater Infrastructure has been developed and rationalised by Sydney Water as part of the Stormwater and Integrated Water Cycle Management Plan. The Plan sets out a regional approach to water cycle management for the Aerotropolis. The strategy integrates and balances drinking water, wastewater, recycled water and harvested stormwater.</p> <p>The development of the plan has included an effort to locate Stormwater Infrastructure on lower lying land (within the flood fringe but outside the floodway) as much as possible in order to maximise economic benefit and reduce impacts on developable land.</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>
<p>Community Consultation Process / Transparency</p>	<p>The submission considers it is unclear how to interpret the documents on exhibition without the Precinct Plans. The submission advises discrepancies are acknowledged in the mapping.</p>	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p> <p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p>
<p>Acquisition and Community Consultation</p>	<p>The submission considers land required for transport corridors should be acquired at market rates. The submission notes</p>	<p>Regarding acquisition for road upgrades, transport corridors are strategic identified alignments and may change. As detailed design has not yet been completed it is not possible at this date to provide</p>

	Process /Transparency	there is no clear timing for the acquisition of land for transport corridors.	<p>any more definite information as to the likely requirement for any parts of the property.</p> <p>In some cases, it is envisaged that the detailed design of roads will be undertaken as part of the development process for larger sites. Concurrence provisions in the Aerotropolis SEPP allow TfNSW to manage this process.</p>
	Development staging and Zoning	Concern with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests to consider the rezoning of properties south of the Western road extension Link and no further open space to be provided given proximity to Rossmore Grange. The submission requests the staging is brought forward to ensure the rezoning of the land aligns with landowner expectations and demand for development in the area.	There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
077	Ground Truthing and Environmental Values	The submission raises concern the Department has not given appropriate weighting the field work undertaken to support submission made to the draft Precinct Plan, rather relying on desktop review to validate and justify the amendments proposed in the EIE. In particular concern is raised regarding the application of open space areas and the Environment and Recreation zone.	<p>For lands to be considered in the Environment and Recreation zoning they need to meet minimum canopy cover density and vegetation patch size requirements. If a vegetation patch is over the canopy cover density requirement, it is treated the same way as meeting the threshold and is considered in the Environment and Recreation zoning that meets the criteria for retention.</p> <p>The Department met with the landowner and their planning consultant and advised that desktop analysis was considered a valid method for assessing the site, provided by advice from the relevant technical experts for the projects. The Department identifies not all sites are field validated as access to the sites were subject to obtaining permission from landowners. This site was not validated,</p>

			and it is not a prerequisite for land to be identified as Environment and Recreation. However, subject to a peer review of the landowners submitted technical report, the open space was reduced.
	Zoning and Open Space (location / quantum)	The submission raises concern the subject site contains a disproportionate amount of land identified for Environment and Recreation and requests the removal of this from the site.	<p>The Department, in conjunction with Sydney Water notes the regional stormwater wetlands are a significant ecological constraint on the site. The developable portion of the site has been reduced due to the severance created as a result of the Environment and Recreation and stormwater lands.</p> <p>Sydney Water has confirmed, in addition to the peer review, that some stormwater land can be reduced.</p> <p>However, there are two scarred trees of high Aboriginal significance on the site which are to be retained and protected. The identified location for the stormwater detention basin cannot be moved as it is required to support the broader open space network. However, some other stormwater land can be moved to increase the efficiency of the developable area, whilst also enabling sufficient opportunities for drainage and environmental protection.</p>
	Acquisition	The submission seeks clarity on how the Land Reservation Acquisition map will be implemented in conjunction with the zoning of SP2 land.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
078	Zoning	The submission supports the rezoning from Environment and Recreation to RU4 Primary Production Small Lots.	Noted.
079	Zoning and Flooding and Stormwater Management	Considers the Stormwater Infrastructure at the rear of the property is excessive and should be reduced - suggests an area of 1 hectare is equitable.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone

	Acquisition	<p>More certainty is requested relating to acquisition processes and the terms of compensation to ensure landowners are not worse off. An acquiring authority should be advertised for community to comment on.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
080	Zoning	<p>Supports the rezoning from Environmental and Recreation to RU4 Primary Production Small Lots.</p>	<p>Noted.</p>
081	SEPP (instrument) and Master Plans	<p>The University has been undertaking detailed land capability and ground truthing investigations for the University land since 2016 and intends to prepare a Master Plan for the University land as envisaged under the planning and approval framework proposed for the Aerotropolis.</p> <p>The Statutory framework needs to make it clear of the process and outcomes being sought under the Master Plan process. Given the role of a Master Plan, it is important that it is flexible for development to be approved that is inconsistent with a Precinct Plan but is supported by a Master Plan. Provisions of the like should be included in the Aerotropolis SEPP.</p> <p>It is also requested that the Aerotropolis SEPP contains provisions that where a Master Plan allows a particular type of</p>	<p>As part of the SEPP EIE, a new clause has been included to outline the requirements and process for preparing a Master Plan where there are proposed inconsistencies with the Precinct Plan.</p> <p>Permissible land uses for each zone have been carefully considered against the objectives for each precinct as envisaged under the Western Sydney Aerotropolis Plan. Land zoning under the Aerotropolis SEPP has been informed by detailed studies, for example, flooding studies and ecological studies. For this reason, it is not appropriate to allow zone boundaries to shift in the absence of a formal process to amend the Aerotropolis SEPP.</p> <p>The Master Planning Guidelines have been published.</p>

		<p>development to be granted on any location in the land, but is contrary to its permissibility in the applied zoning, it can be used on another part of the land where criteria is met (i.e. meeting zone objectives, responsive to site conditions). The Aerotropolis SEPP should also consider flexibility to minor changes in zone boundaries.</p>	
082	Community Consultation Process / Transparency	<p>Referred to email sent regarding proposed changes. Identified health issues and attributed these to the changes in the area. Requests compassion when dealing with landowners.</p>	<p>The Department acknowledges that this has been a stressful process for many landowners within the Aerotropolis and seeks to provide certainty and clarity on planning matters. The Department continues to work with the Independent Community Commissioner who has made a number of recommendations to support smaller landowners and provide greater clarity and certainty. The recent exhibition period was set in consultation with the Independent Community Commissioner in an endeavour to provide certainty to the community, particularly about land needed for open space and stormwater purposes.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent.</p>
083	Zoning	<p>The landowner is requesting the removal of the Enterprise centre on the site due to another proposed Enterprise centre proximate to the other. It is considered its location is away from foot traffic and vehicle movement to make these places viable, the long term operation of the neighbouring Suez facility could create land use conflicts in the area and the future development of the Suez site for</p>	<p>The centres hierarchy as shown on the draft Precinct Plan, has been reviewed and the nominated centre on this land has been changed to a neighbourhood centre. The neighbourhood centre will still be zoned Enterprise and intended for employment uses. The site is nominated for a Neighbourhood Centre because it: contributes to equal distribution of centres throughout the precincts; is located adjacent to Badgerys Creek and can benefit from and provide opportunities for activation of the creek corridor; shares its boundary with a sub arterial road that connects Badgerys Creek and Northern</p>

		<p>open space will not generate high employment numbers. The commercial catchment is limited due to the consideration of other strategic centres.</p> <p>The submission requests the zone is removed, alignments of zones are consistent with lot boundaries where possible, ensure roads run along property boundaries and limit the burden of Stormwater Infrastructure in the site given the scale of this portion of the precinct. The submission considers a local centre is not an appropriate use on this site in its location and should be changed to an Enterprise zone. The submission supports the revisions in zoning related to SP2 Stormwater Infrastructure within the Environment and Recreation zone. The submission requests that with changes in the 'overlay' approach, no additional open space types and categories are proposed.</p>	<p>Gateway precincts; and, is well located north of Elizabeth Drive where a centre to service employees is required.</p> <p>The proposed zoning for the site under the Aerotropolis SEPP is aligned with the shared boundary between the Badgerys Creek precinct, that is zoned Enterprise, and Wianamatta-South Creek, that is zoned Environment and Recreation. The part of the site that is zoned Environment and Recreation is flood affected. Some land has been identified adjacent to the Suez facility to meet stormwater infrastructure needs. This has been identified in the Precinct Plan and included in the SEPP Land Reservation Acquisition Map but will not be zoned SP2.</p> <p>No changes are proposed to the amount of land required in the open space network as the amount of land is required as part of the regional stormwater system to allow development to meet waterway health objectives. The stormwater assets have been located to minimise impacts on ecological constraints.</p>
084	Zoning and Community Consultation Process /Transparency	<p>Support provided for the removal of Environment and Recreation zone to RU4 Primary Production Small Lots for land in the Wianamatta-South Creek and Rossmore precincts.</p> <p>The submission raises concerns regarding the Precinct Plans given they were not re exhibited with the EIE and presented in conjunction with the SEPP.</p>	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs.</p> <p>The Precinct Plan for the initial precincts, which has now been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p>

<p>Acquisition and FSR</p>	<p>The submission aims to seek flexible and fair acquisition opportunities to residents and seek clarity around future zoning and use.</p> <p>The submission states that residents are unsure what opportunities they will have to input into a future acquisition process. It requests flexible acquisition of entire properties and clarified timeframes on when acquisitions will occur. Submission requests acquisition of land to be paid at full market rate of the current zone (RU4 Primary Production Small Lots).</p> <p>The submission requests to have a feasibly developable FSR applied to Environment and Recreation zoned land. This would ensure land can be developable when selling.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone and Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
<p>Flooding and Stormwater Management</p>	<p>The submission does not support the increase in flood affectation other than the 1:100 flood level. Suggests stormwater management work should be completed across the precinct as there remain flooding issues across the suburb, particularly across the road network. Suggests further planning for Rossmore needs to consider infrastructure requirements to stormwater and road networks to mitigate risks to human life.</p> <p>The submission notes the current flood studies for Liverpool and Penrith require updating and the consideration of how development in other precincts will</p>	<p>The location and extent of land required for stormwater infrastructure within the initial precincts has been developed and rationalised by Sydney Water as part of the Stormwater and Integrated Water Cycle Management Plan. The Plan sets out a regional approach to water cycle management for the Aerotropolis. The strategy integrates and balances drinking water, wastewater, recycled water and harvested stormwater.</p> <p>The development of the plan has included an effort to locate Stormwater Infrastructure on lower lying land (within the flood fringe but outside the floodway) as much as possible in order to maximise economic benefit and reduce impacts on developable land.</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>

		influence later stages of the Rossmore precinct.	The update of Liverpool and Penrith Council's food studies are subject to the individual work program and processes of each Council.
	Development Staging and SEPP (instrument)	<p>The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests the staging is brought forward to ensure the rezoning of the land aligns with landowner expectations and demand for development in the area.</p> <p>The submission also requests provisions in the SEPP which allow inconsistency with a Precinct Plan when justified by a masterplan, among others.</p>	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.</p>
085	Zoning	Support for the changes in zoning in response to the reduction in open space and the retention of RU4 Primary Production Small Lots zoning in Rossmore.	Noted.
	Acquisition and Roads	<p>Concerns raised with the location of the 15th Avenue expansion, the severance created through the subject land and the timing and process of acquisition - it is unclear. There is not enough information about the amount of land to be acquired for roads.</p> <p>There is fear that they will not be adequately compensated for the acquisition of the land. and will create further financial instability.</p>	<p>The location of the Fifteenth Avenue corridor has not changed and balances the need for a direct connection to the Airport and Aerotropolis with associated property impacts.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>

		The Roads in the area require significant upgrade with street lighting and repairs to ensure there is greater safety and flooding issues are resolved.	
	Development staging	The submission raises concern with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests the staging is brought forward to ensure the rezoning of the land aligns with landowner expectations and demand for development in the area.	See Section 4.4.16 Initial and Non-Initial Precincts. The timing of precinct planning for the non-initial precincts will be determined by the timing of infrastructure provision and the amount and nature of development in adjoining areas. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Zoning and Acquisition	The submission supports the change in zoning back to RU4 Primary Production Small Lots. However, any land rezoned back to Environment and Recreation should be included for acquisition by the Government to not sterilise development	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
086	Recognise Country	Acknowledgement of the Darug people and their custodianship to the land	Noted.
	FSR and Property Valuation	The submission requests and FSR be applied to Environmental and recreational zones so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Noise (ANEC/ANEF)	The submission requests compensation is paid for the landowners impacted by ANEC 20 or above	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses

	Development staging	The submission requests the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging	See Section 4.4.16 Initial and Non-Initial Precincts.
087	Zoning and Property Valuation	The submission does not support the inclusion of Environment and Recreation zone due to impacts on property values.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities.	See Section 4.4.16 Initial and Non-Initial Precincts.
088	Zoning and Property Valuation	The submission supports the removal of open space zoning and has a desire for the land to be developed for the purposes of Mixed Use development for a future sale. The submission requests additional land to be rezoned for mixed use development potential.	The subject site is already zoned for mixed use development under the Aerotropolis SEPP. No changes are proposed to the zoning of this site in the final Precinct Plan. This land is no longer affected by open space or stormwater infrastructure.
089	Zoning	Support the removal of Environmental zoning to RU4 and hopes this zone will not be returned as there is no indication in the documents about future planning investigations for the area.	Noted.
	Flooding and Stormwater Management	Concern with the lack of transparency regarding the flood study, particularly regarding Kemps Creek. There is a need for further upgrade and clean-up of South Creek to reduce flood risks on roads.	See Section 4.4.14 Flooding and water cycle management.

	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. Request made to bring this forward (3-5 years).	See Section 4.4.16 Initial and Non-Initial Precincts. The timing of precinct planning for the non-initial precincts will be determined by the timing of infrastructure provision and the amount and nature of development in adjoining areas. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
090	Acquisition	The submission advises that their entire site needs to be acquired for Stormwater Infrastructure. The rationale for acquisition is unclear, given neighbour's land only requires 10%. Submission expresses concern that the land will be acquired then resold. The submission requests the land marked for acquisition be reconsidered and a portion of the land be left for the existing house and sheds. The timing of land acquisition is unclear, so they are unable to plan for if / when they need to move.	See Section 4.4.1 Land for Stormwater Infrastructure The whole site, including the basin and land adjacent to stormwater infrastructure, is needed to support the growth of the Aerotropolis. The allocation of basins on the site has been confirmed with Sydney Water and no changes are proposed. This amount of land (as well as that on adjoining lots) is part of the regional stormwater system to allow development to meet stormwater needs and waterway health objectives. Assets on this lot include wetlands as well as a significant portion of creek and riparian zone. The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Council Rates	Submission expresses concern that Council rates will increase.	Issues relating to Council rates should be forwarded to the relevant Council.
091	Acquisition and Zoning	Does not support the removal of the land from the Acquisition list and notes they land have been zoned Environment and Recreation. Prior to the rezoning, the	Section 4.4.3 Environment and Recreation Zone.

		land could be developed as RU4 Primary Production Small Lots zoned land.	
	FSR and Property Valuation	The submission requests that and FSR is applied to the Environment and Recreation portion of land to ensure the land could be developed and thereby maintain property values.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Development opportunities/DA Processes	The submission considers the land will be sterilised within the Environment and Recreation portion of land as it will not be required	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
092	Community Consultation Process /Transparency	Does not support the Precinct Plan. Does not consider the community have been listened to.	Noted. The Responding to the Issues Report - Part 2 outlines how the community have been listened to.
093	Zoning	The submissions request the extension of the Mixed-use zone to apply to their land. The land is within 800m of the proposed metro station and rapid bus corridor and is mainly unconstrained. Extending the Mixed Use zone to the properties west of Badgerys Creek Road will allow for Bradfield to be more centralised around the Metro (physically) an alignment with the intent of its location and zone. It is requested the other controls related to FSR and height of building also be extended to apply to this land. The land was previously identified as mixed use residential under the 2018 LUIP and it is unclear why it changed. The submission considers the inclusion of residential development will not	No changes were made to the applicable zoning under the SEPP EIE or as part of the review of the Precinct Plan. It is considered the land currently identified for mixed use in the relevant precincts is sufficient to ensure the effective use of infrastructure. Height of Building controls applies to all land zoned mixed use and enterprise under the revised Precinct Plan. Floor space ratio controls only applies to Mixed use land and in identified centres.

		compromise the operation of the Airport in a mixed use setting around a Metro station. Considers the Enterprise zoning is too restrictive and will sterilise the development of land.	
	Noise (ANEC/ANEF)	The land holding is not impacted by ANEC. Controls and is supported by the submission.	Noted.
	Community Consultation Process /Transparency	The Derwent Road and Badgerys Creek Road landowners' group has been working together for over 5 years to ensure the future of the Aerotropolis is not sterilised by land fragmentation and is developed in an orderly fashion	Noted. See Section 5.1 Aerotropolis SEPP.
094	Zoning and FSR	The submission supports the removal of the Environment and Recreation zones in Rossmore. The submission suggests an FSR be considered for affected areas within Environment and Recreation zones, which would increase value and ensure open space can still be delivered.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. Request made to bring this forward (3-5 years).	See Section 4.4.16 Initial and Non-Initial Precincts. The timing of precinct planning for the non-initial precincts will be determined by the timing of infrastructure provision and the amount and nature of development in adjoining areas. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.

	Roads and Property Valuation	The plans/timing to deliver the expansion of Western Road (from Masterfield and Bringelly Roads, through Elizabeth Drive, to 15th Avenue) aren't clear. The impacts of this expansion on property values aren't clear. Roads in Rossmore need upgrade due to poor amenity and safety concerns regarding flooding and lighting.	<p>The location of transport corridors is shown in the Aerotropolis SEPP, however there are no proposals to also rezone this land at this time. Where roads are required for acquisition, they are nominated on the Land Reservation Acquisition map.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>
	Flooding and Stormwater Management and Community Consultation Process /Transparency	<p>The submission raises concern regarding the consultation process and the release of information as they were unable to view the final Precinct Plans with the EIE. The submission identifies the limitations on time to read a large package.</p> <p>Residents are concerned about the lack of transparency regarding the flood studies and their implementation. There is a need for an authority to manage the upgrades to ensure land and roads are adversely impacted by flood water.</p>	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>See Section 4.4.14 Flooding and water cycle management</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>
095	FSR and Property Valuation	The submission requests FSR be applied to Environment and Recreational zones so the land is considered developable and equitable for residents in future sales.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>The timing of precinct planning for the non-initial precincts will be determined by the timing of infrastructure provision and the amount</p>

		opportunities. The submission requests made to bring this forward (3-5 years)	and nature of development in adjoining areas. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Flooding and Stormwater Management and Infrastructure Delivery	Identified key issues in the submission relating to the state of creeks and roads. Additional infrastructure was requested to meet the proposed density, but importantly, the state of waterways need to be looked at further to manage flooding issues and water contamination.	<p>The Department has worked closely with State agencies and councils to identify infrastructure requirements and to ensure consistency. Infrastructure planning is informed by a range of government plans and investment programs, including the Western Sydney Infrastructure Plan, the Greater Sydney Commission's Place-based Infrastructure Compact (PIC), and the Department's Precinct Planning.</p> <p>The remediation and management of waterways and local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets. Waterway health targets have been included in planning for the Aerotropolis to improve the overall health of waterways.</p>
	Zoning	Support noted for the change in Environment and Recreation zoning changes.	Noted.
096	Flooding and Stormwater Management and Zoning	The submission supports the open space network but does not support the identification of a large portion of land for stormwater purposes. The submission considers the land was 80% flood free at time of purchase and is above the 1:100 flood level. The plan identifies the middle section of the land is required which will create an access issue on the site which is unclear on how it is to be accessed.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		The submission notes they have tried to get in contact with the Department but have not received a response.	
097	Zoning and FSR	Support the removal of the Environment and Recreation zones in Rossmore. The submission requests to consider the benefits to include the remaining affected areas within Environment and Recreation zones with an FSR which can increase value and ensure open space can still be delivered.	See Section 4.4.3 Environment and Recreation Zone and 4.4.16 Initial and Non-Initial Precincts
	Development Staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests made to bring this forward (3-5 years).	See Section 4.4.16 Initial and Non-Initial Precincts. The timing of precinct planning for the non-initial precincts will be determined by the timing of infrastructure provision and the amount and nature of development in adjoining areas. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Roads and Property Valuation	It is unclear the plans or timing to deliver the expansion of Western Road from Masterfield road and Bringelly Road to 15 th avenue and through to Elizabeth Drive. It is not clear on the impacts with timing and property values. Roads in Rossmore need upgrade due to poor amenity and safety concerns regarding flooding and lighting.	The location of transport corridors is shown in the Aerotropolis SEPP, however there are no proposals to also rezone this land at this time. Where roads are required for acquisition, they are nominated on the Land Reservation Acquisition map. Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> . The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.

	<p>Flooding and Stormwater Management and Community Consultation Process /Transparency</p>	<p>Residents are concerned about the lack of transparency regarding the flood studies and its implementation. There is a need for an authority to manage the upgrades to ensure land and roads are adversely impacted by flood water.</p>	<p>See Section 4.4.14 Flooding and water cycle management.</p>
	<p>Community Consultation Process /Transparency</p>	<p>Concern regarding the consultation process and the release of information as they were unable to view the final Precinct Plans with the EIE and the limitations on time to read a large package.</p>	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent.</p> <p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p>
098	<p>FSR and Property Valuation</p>	<p>The submission requests and FSR be applied to Environment and Recreational zones so the land is considered developable and equitable for residents in future sales.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
	<p>Development Staging</p>	<p>The submission requests the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging</p>	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and</p>

			employment, and will ensure the success of the Aerotropolis as a whole.
	Acquisition and Noise (ANEC/ANEF)	The submission requests landowners affected by ANEC will receive adequate compensation.	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
099	Zoning and Flooding and Stormwater Management	<p>Land has been zoned Enterprise. Part of the land is for acquisition under Stormwater Infrastructure and part of the land is for Environment and Recreation. The submission seeks clarification on if the overlay is a rezoning and if it will affect the underlying zoning and its value.</p> <p>The submission requests a separate plan produced identifying the current zoning with the SP2 overlay in the final planning package. Concerned the land dedicated for each of the 2 zones is overly onerous and the reporting hasn't justified the final amount.</p>	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Development staging and Infrastructure Delivery	Looking to confirm when Luddenham Road will receive sewage infrastructure and the associated development timing.	See Section 4.4.12 Timing and Delivery of Infrastructure
100	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests made to bring this forward.	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>The timing of precinct planning for the non-initial precincts will be determined by the timing of infrastructure provision and the amount and nature of development in adjoining areas. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development</p>

			and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
101	Zoning and Property Valuation	The submission requests to remove the Environment and Recreation zoning from the site and the other properties in Rossmore. The zoning should apply to Rossmore Grange, as there is considered to be more than enough space to provide this land. It is requested the land is zoned another zone to enable development.	See Section 4.4.3 Environment and Recreation Zone
	Flooding and Stormwater Management	The submission considers drainage infrastructure is insufficient in Rossmore and Roads are of poor quality. Suggests Council complete further work to improve the current state.	The remediation and management of local waterways are a matter to be considered by the relevant Council and their program of works when maintaining existing assets.
	Roads and Acquisition	The submission notes a proposed road connecting Masterfield Road to Bringelly Road which takes up the back of this land. The submission seeks clarity on when the road will be delivered, and the details associated with Acquisition.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> . Where a future transport corridor has been identified, a concurrence clause was implemented as part of the SEPP Amendment in 2020.
102	Zoning and Development Staging	The submission supports the removal of Environment and Recreation zone back to RU4 Primary Production Small Lots. However, it is unclear about the future planning direction for the area and timing for any change.	See Section 4.4.3 Environment and Recreation Zone

	Acquisition	The submission requests that any land to be acquired in Rossmore, is purchased at market value surrounding properties are selling for.	The acquisition of land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
103,104,105,106,107,108,109,110	Open Space (location / quantum) and Zoning	The submission does not support the application and increase of green space/ SP2 Stormwater Infrastructure land on the property. The submission considers the open space study sought to rationalise and reduce open space, but it is contrary in its application to this land. The submission notes the subject site is not considered to be flood prone.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone.
	Acquisition	Suggests that the process for acquisition be finalised for when the Precinct Plans are due for release, be given the opportunity for land to be acquired for when it suits landowners and that the underlying value of land be provided at full market rates for Agribusiness.	The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
111	Community Consultation Process / Transparency	The submission raises concern that opportunities have not been provided to review the final precinct package prior to approval during this exhibition process. Specifically, the nature of changes made to the Precinct Plan and the exhibition of the EIE independent of one another.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The final legal instrument will be available on the NSW legislation website at the time of notification.</p>

		The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.
Acquisition	The submission supports the removal of the Environment and recreation zones in Rossmore. The submission notes residents are unclear on their opportunity and input into a future acquisition process. The submission requests flexible acquisition of entire properties, clarify timeframes on when acquisitions will be required, identify acquisition of land to be paid at full market rate and of the current zoned area. (RU4 Primary Production Small Lots).	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
FSR	The submission requests to have a FSR applied to ensure land can be developable when selling if the land is zoned Environmental and Recreation.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
Flooding and Stormwater Management	<p>Despite changes in zoning, the submission considers stormwater management work should be completed across the precinct as there remain flooding issues across the suburb, particularly across the road network. Further planning for Rossmore needs to consider infrastructure requirements to stormwater and road networks to mitigate risks to human life.</p> <p>The current flood studies for Liverpool and Penrith requires updating and the consideration of how development in</p>	See Section 4.4.16 Initial and Non-Initial Precincts and Section 4.4.14 Flooding and water cycle management.

		other precincts will influence later stages of the Rossmore precinct.	
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. The submission requests the staging is brought forward to ensure the rezoning of the land aligns with landowner expectations and demand for development in the area.	See Section 4.4.16 Initial and Non-Initial Precincts. There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Roads and Community Consultation Process / Transparency	The submission raises concern regarding uncertainty about the timing of when road corridors will be delivered and any future engagement with affected residents. The SEPP EIE is considered to not take into account the zoning of land which will be affected by the road expansions and suggests a Mixed use/ enterprise zone be applied and implemented in a timely manner, not 15 to 20 years.	See Section 4.4.12 Timing and Delivery of Infrastructure Roads across the Aerotropolis will be delivered over time as they are needed, and this will generally align with when land is suitable for development. Detailed discussions with landowners regarding ensuring access is maintained to properties will occur in the detailed design and delivery stage of new roads.
	Roads	The submission notes roads and infrastructure need to be fixed due to flash flooding and poor amenity issues, such as lighting.	The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.
112	SEPP (instrument)	The submission requests the wording of the written instrument(s) to be released for public comment prior to gazettal. The submission advised that the Department must delay the commencement of the instrument and invite targeted feedback from the development industry and	The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The

	<p>planning practitioners before it commences. This recommendation draws from former experience with the gazettal of the initial SEPP – i.e. design excellence and design competitions were not considered exhibited as part of the original EIE.</p>	<p>final legal instrument will be available on the NSW legislation website at the time of notification.</p>
<p>Development opportunities/DA Processes and Design Excellence</p>	<p>The submission considers the amendment package must respond to industry feedback regarding design competitions for certain types of development. The submission requests the exclusion of industrial development and warehouses from design excellence processes. It is considered these uses are inappropriate to run through the same process.</p>	<p>See Section 5.1.1 Design Excellence Provisions</p>
<p>Flooding and Stormwater Management and Zoning</p>	<p>The submission considers Stormwater Infrastructure must be flexible to allow the areas identified to be designed, refined, and developed in a manner that incorporates Connection to Country and airport safeguarding principles (wildlife attraction), whilst minimising development potential.</p> <p>Requests details be removed from statutory documents and be included in the DCP instead – This specifically relates to overlays of the location for Stormwater Infrastructure (as it is not considered a zone).</p> <p>Suggests opportunities be investigated for at site measures as Sydney Water's</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>

	water cycle model has not been tested as it relates to the Precinct.	
Acquisition and Development opportunities/DA Processes	Seeks clarity on the acquisition of Stormwater Infrastructure including details of the funding mechanism and whether this will result in an increase to exhibited local / state contribution rates. Suggests that critical infrastructure such as storm water design be confirmed at the DA stage.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space and Section 4.4.8 Special Infrastructure Contributions.
Aboriginal Heritage and Recognise Country	The submission supports the Connection to Country guidelines into future developments.	Noted.
Roads and Transport Corridors	The submission objects to the limiting of vehicle access into Western Sydney Airport from Pitt Street as it is an Arterial Road on the Transport Corridors Map and should enable vehicle and truck movements throughout the precinct.	<p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.</p> <p>Detailed consideration has been given to the alignment of transport corridors during the public exhibition and making of the Aerotropolis SEPP in 2020. The latest amendment proposes some project specific refinements, however, further adjustments to transport corridors are not proposed at this time.</p> <p>Corridor widths are sufficient to accommodate a full range of road uses. Detailed cross sections demonstrating this are shown in the final Precinct Plan.</p>
SEPP and Complying Development	The submission requests scope of complying development permitted in the Aerotropolis is requested to be expanded to include Part 5A Commercial and Industrial (New Buildings and Additions)	It has been considered that Part 5A of the Codes SEPP should not be 'switched on' within the Aerotropolis. Part 5A of the Codes SEPP provides a pathway for the construction of new commercial and industrial buildings as complying development. The master planning

	<p>Code of the Codes SEPP. The submission considers a commitment to allow complying development consistent with the Precinct Plan for industrial development under the changes being proposed under the Building Business Back Better Framework would send a significant positive message to the industry and provide significant boost to the early investment and activation of the Aerotropolis.</p>	<p>process offers the mechanism to unlock complying development in the Aerotropolis.</p>
<p>Matters relating to other Agencies</p>	<p>The submission notes the role of the Western Parkland City Authority should promote and facilitate investment and jobs on Government owned land and must not conflict with their increased role in the Precinct Plan process. The Authority must also ensure economic imperatives to promote investment and jobs are prioritised in the final Precinct Plan.</p>	<p>See Section 5.1 Aerotropolis SEPP</p>
<p>Master Plans and SEPP (Instrument)</p>	<p>Requests there are opportunities to amend a Precinct Plan for sites not subject to the masterplan process, and Governance processes are established to make changes.</p> <p>There is a need to outline how clause 4.6 will enable variations to the Precinct Plan prior to the making of the SEPP amendment. Suggests that the Department should consider an alternative requirement for development to demonstrate consistency with the objectives of the Precinct Plan. This</p>	<p>See Section 5.1 Aerotropolis SEPP</p>

		approach is supported by Liverpool City Council	
	Master Plan guidelines	The submission requests Master Plan guidelines be released as a matter of priority. The masterplan pathway must demonstrate best practice and incentives uptake from the development industry (i.e. to prioritise assessment timeframes).	See Section 5.1 Aerotropolis SEPP
	SEPP (instrument)	The submission notes the proposed clause requiring a masterplan to amend a Precinct Plan should not interfere with the operation of SSDA processes. The submission requests the proposed changes to the State and Regional Development SEPP do not proceed due to the impact created on development ordinarily classified as an SSD.	See Section 4.4.7 Amendments to SEPP (State and Regional Development) 2011
113	Zoning and Flooding and Stormwater Management	The land is one of several blocks that had been left zoned RU2, despite the remaining lots being rezoned IN1. The land is impacted by Environmental zone and is affected by the 1:100 flood for the majority of the lot. It appears that some of the lot(s) will be rezoned to IN1 because of the flooding issue over part of the land. The submission requests to make the whole lot IN1.	The subject land is in the Mamre Road precinct. Minor amendments have been made to the SEPP that applies to Mamre Road as part of the SEPP amendments, however, further amendments have not been incorporated at this time.
	Flooding and Stormwater Management and Ground Truthing	The submission outlines that flood maps are outdated and inaccurate and require ground truthing. An existing farm Dam in Kemps Creek is considered to be	See Section 4.4.14 Flooding and water cycle management.

		removed in the future which will again change the movement of storm water.	
	Access arrangements and Acquisition	An existing title for the land includes the ability for the landowners to travel on the neighbouring property and long the creek to access a bridge to cross to the other side. The introduction of the open space corridors disrupts this in place arrangement. If this corridor is not specifically for public access, there is no need to create an environment overlay which will disrupt the terms of the title. There is no need to acquire the creek land for open space so there is no need to alter the title arrangements.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
114	Environmental Values and Ground Truthing	The submission relates to land in Bringelly. A portion of the land is identified for acquisition for open space. There has been no ground truthing to validate the significance of the environmental qualities at the rear of the site (proposed for acquisition).	The Department's biodiversity consultant performed field validation where site access permission was granted. Letters were sent out to selected properties in August and September in 2020 to request site access and the selection of these sites was based on desktop analysis. Assessment of existing native vegetation does not require field validation. See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Property Valuation and Acquisition	The submission notes the land is in poor condition and wishes to know the intent of why the land is proposed for acquisition. The submission requests the acquitting authority assess the value the land would be acquired for based on the Enterprise zoning and when the	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .

		acquisition would take place. The submission requests a meeting is provided to outline this process and the implications/ value.	
115	Roads	The submission notes it is unclear why there is a need to extend the 40m road from Bringelly Road to the Western Road with Devonshire Road currently supporting the movement of vehicles.	<p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.</p> <p>The higher order transport network shown in the Aerotropolis SEPP is complemented by the Precinct Plan which shows how planned roads will connect into the wider network over time.</p>
	Acquisition and Community Consultation Process /Transparency	The submission notes there are no timeframes or details of acquisition. The map provided in all documents is not to scale or provides a clear location of what is to be acquired.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Property Valuation and Community Consultation Process / Transparency	Concern exists because of the impact to property values due to the potential major road and limited details. Final Precinct Plans are not included with the exhibited material and should be released for comment.	<p>The higher order transport network shown in the Aerotropolis SEPP is complemented by the Precinct Plan which shows how planned roads will connect into the wider network over time. The final Precinct Plan will be published with final planning package.</p> <p>Acquisition of land for transport projects occurs at the detailed design and delivery stage. With the exception of acquisitions for the M12, which is in its detailed design phase (lead by Transport for NSW), no specific proposals for land acquisition for transport infrastructure is proposed as part of this amendment to the SEPP.</p>
	Development opportunities / DA Processes	The timing for the delivery of the road creates concern and uncertainty for residents as they are unable to act on development opportunities (to build a	Land will not be required for transport corridors immediately and the private use of land can continue in accordance with local policies and relevant legislation noting there is a concurrence provision in the SEPP relating to transport corridors.

		dwelling house) until it is resolved or clearer.	
	Zoning and FSR	The submission supports the removal of Environment and Recreation zone back to RU4. The submission requests to include the land in a rezoning back to Environment and Recreation is to include FSR controls.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Roads and Infrastructure Delivery	Roads in Rossmore need upgrading to resolve lighting flooding and sustainable designs to improve access and safety for residents.	The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.
116	Zoning and Acquisition	The submission relates to land in Luddenham. It is noted the SEPP EIE outlines the land required for Stormwater Infrastructure and it is assumed the reservations are proposed to be zoned SP2 Infrastructure. Outlines the zoning will also carry with it, subsequent valuation for land acquisition purposes and be reflective of the limited development potential. If land is to be public/ community assets, it should be designated and acquired at fair value.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Open Space (location / quantum) and Flooding and Stormwater Management	The submission considers based on comparable examples, there is a need for an approximate 3 hectares of land for Stormwater Infrastructure and a wall to be delivered for the northern portion of the lot to detain water given the slope of the land. Based on comparable examples and the size of other catchments, it is considered the land is in excess to	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space. Consultation with Sydney Water confirmed the lot includes a portion of regional wetland and significant portions of creek and riparian zones and areas identified in the Cumberland Plain Conservation Plan. The Department considers no changes are required to the land.

		facilitate the detention of stormwater in this area.	
	Property Valuation	Raises concerns that the proposal to zone lands SP2 may inappropriately diminish its inherent capabilities and value. Suggests unconstrained, developable lands should not be designated SP2 Stormwater Infrastructure on a misguided premise they are required for drainage detention purposes.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space.
117	Zoning	The submission supports the rezoning of land back to RU4 Primary Production Small Lots.	Noted.
118	Zoning and Property Valuation	<p>The submission objects to the amount of land being proposed for acquisition for Stormwater Infrastructure. It limits development opportunities on the land to deter future buyers.</p> <p>The submission considers the imposition of Stormwater Infrastructure zoning will affect property valuation and it should be fair to that of the neighbouring land that isn't burdened by the infrastructure.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
	Community Consultation Process /Transparency	Raises concerns regarding uncertainty and doubts for the residents of the area and suggests there needs to be a guaranteed timeframe and process.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
119, 120	Zoning and Flooding and	The land is one of several blocks that had been left zoned RU2 Rural Landscape, despite the remaining lots	Certain lands were initially excluded from the rezoning of the Mamre Road Precinct, as at the timing of rezoning, they were identified within the Wianamatta-South Creek Precinct of the Western Sydney

	Stormwater Management	being rezoned IN1 General Industrial. The land is impacted by Environment and Recreation zoning and is affected by the 1:100 flood for the majority of the lot. It appears that some of the lot(s) will be rezoned to IN1 General Industrial because of the flooding issue over part of the land. The submission requests to make the whole lot IN1. The submission notes the demand for employment land and supports the intent of the SEPP EIE.	Aerotropolis. Post exhibition review of the draft Aerotropolis SEPP found that a portion of these lands were outside of the environmentally constrained areas and directly adjoined the Mamre Road Precinct. See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design. Land within the Aerotropolis that forms part of the Kemps Creek non-initial precinct has not been rezoned and therefore retains the zoning as per the Penrith LEP.
	Flooding and Stormwater Management and Ground Truthing	The submission outlines that flood maps are outdated and inaccurate and require ground truthing. An existing farm Dam in Kemps Creek is considered to be removed in the future which will again change the movement of storm water. It is considered unnecessary to acquire any land on the property as it is not considered to be flood prone.	See Section 4.4.14 Flooding and water cycle management.
121	Zoning	Support the removal of Environment and Recreation zoning to RU4 Primary Production Small Lots.	Noted.
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. Request made to bring this forward (3-5 years).	See Section 4.4.16 Initial and Non-Initial Precincts. There are no changes to the non-initial precincts of the Aerotropolis. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.

	Community Consultation Process /Transparency	The submission advises the documents released for the area are hard to understand and lack detail.	<p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The final legal instrument will be available on the NSW legislation website at the time of notification.</p> <p>The SEPP EIE was exhibited and supported by the Open Space Needs Assessment and Summary which outlines the rationale for the identification of the location and amount of open space land (including Stormwater Infrastructure) required in the precinct.</p>
122	Open Space (location/quantum)	The submission supports the reduction in open space applying to the site following feedback provided to the Precinct Plans exhibition in 2021.	Noted.
	Roads	The submission notes the transport corridors map has identified the arterial road location which now includes part of the land. It is unclear if the location of the road as mapped is correct as it abruptly ends with further are not earmarked for acquisition. The submission requests the road corridor is removed from mapping as there is insufficient information to support its location.	The Department have determined to remove the Whittaker Road alignment mapped in the Aerotropolis SEPP. The revised Precinct Plan map will show the correct alignment of Whittaker Road.
	Acquisition and Community Consultation Process /Transparency	Additional information is requested to be released to enable opportunities to review the impacts of the acquisition. It is requested that land is acquired at full market rates for mixed use as the land could be completely developed.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .

123	Acquisition	The submission notes the need to ensure land required for development is purchased equitably and fairly.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Development staging and Community Consultation Process /Transparency	The submission requests information about development staging is clear and outlined to the community in advance to ensure the delivery is understood widely.	There are no changes to the non-initial precincts of the Aerotropolis.
	Zoning	The submission supports the removal of Environment and Recreation zones to RU4 Primary Production Small Lots.	Noted.
124	Zoning and FSR	The submission supports the removal of Environment and Recreation zone back to RU4 Primary Production Small Lots. The submission requests to include the land in the Environment and Recreation zone in FSR controls.	Any application of development controls such as FSR in non-initial precincts can only occur after a detailed precinct planning process.
	Acquisition and Community Consultation Process /Transparency	The submission raises concerns regarding land acquired along Thompsons Creek believing it will sterilise development. The submission seeks clarity on why some land is proposed to be acquired and not others.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space Land proposed to be acquired within Thompons Creek remains unchanged to that as shown by the Aerotropolis SEPP that came into effect in October 2020
125	Open Space (location/quantum) and Flooding and Stormwater Management	The submission raises concerns for the amount of land designated for acquisition to provide for Stormwater Infrastructure. The submission considers if the land is not absolutely necessary for stormwater, the acquisition should not be required.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space

	<p>The submission requests the quantum of land required be reduced from 50% to 10%. The submission notes stormwater locations are based on outdated and incorrect flood studies.</p>	
<p>Property Valuation and Acquisition</p>	<p>Considers the land remaining after the land is acquired is useless, given developers will not be interested in 2 hectare lots. Notes the request to ensure land holds values and people are not worse off as a result of the acquisition process. The land is considered to be reduced in value as a result of this process. Suggests landowners are compensated so there is no impact resulting from the change.</p>	<p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>
<p>Flooding and Stormwater Management and Wildlife Strike</p>	<p>Suggests the delivery of a piped stormwater channel to align with mitigating airport safeguarding principles (wildlife strike).</p>	<p>The implementation and delivery of Stormwater Infrastructure and open space to support the precinct plans and broader Aerotropolis will seek to apply the principles associated with wildlife hazards. This includes further consultation with Western Sydney Airport at the development assessment stage which will consider the assessment of key criteria related to the water management measures, plant selection and certification from a suitable qualified ecologist. These criteria are also outlined in the Western Sydney Aerotropolis Wildlife Management & Assessment Report (Avisure, 2020).</p>
<p>Community Consultation Process /Transparency</p>	<p>The submission considers the split of the reduction of open space does not seem fair among landowners. The submission raises concern the proposed changes in the amount of land required for infrastructure it is no longer feasible to amalgamate parcels for sale.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space.</p>

126	Zoning and FSR	The submission seeks clarity on the application of the Environment and Recreation zone as the neighbours of the property are included for acquisition, but the subject site is not required. It is requested that the land has an FSR applied to the land to facilitate development opportunity and support the value of land.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Acquisition and Community Consultation Process /Transparency	The submission considers the land continued to be acquired along Thompsons Creek will sterilise development and it is unclear why some land is getting acquired and not others. It is requested that a fairer way is investigated as the land being acquired now has more certainty and this land no longer has a clear path forward.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space Land proposed to be acquired within Thompsons Creek remains unchanged to that as shown by the Aerotropolis SEPP that came into effect in October 2020
127	Zoning and Open Space (location/quantum)	The submission notes the land is identified as part Environment and Recreation zone affecting 43% of the property which is affecting the potential sale of the property. The submission considers there is a considerable amount of green space at Rossmore Grange which should be a better location for this zoning. The submission requests the removal of the Environment and Recreation zoning from this and the other properties.	See Section 4.4.3 Environment and Recreation Zone
	Zoning and FSR	The submission requests that the current and future Environment and recreation zones are included in the FSR controls to	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design

	<p>improve the value of land. It is also requested that another zoning is applied that promotes the development potential of future land.</p>	
<p>Flooding and Stormwater Management and Roads</p>	<p>The submission notes significant flooding issues in Rossmore exist because of the road network. The submission considers there is insufficient infrastructure for the road network to support safe travel and in the event of an emergency, people cannot exit properties safely.</p> <p>The submission requests Council complete further work in completing road upgrades as well as drainage management to reduce the risks associated with flooding.</p>	<p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets. Any such concerns should be directed to Council.</p>
<p>Community Consultation Process /Transparency and Roads</p>	<p>The submission raises concerns regarding the lack of information in relation to the major roads being delivered in the precinct with no timeframes or reports/study shown to take place. The submission details that requests have been made by the community to know more about the new road connecting Rossmore Avenue and Ramsay Road and it is requested to confirm if it is necessary or identify a review on its location.</p>	<p>The location of transport corridors is shown in the Aerotropolis SEPP, however there are no proposals to also rezone this land at this time.</p> <p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate the planned growth in the Aerotropolis over time.</p> <p>Further consideration of the detailed road network in Rossmore and other non-initial precincts will only occur at the detailed Precinct Planning and rezoning stage.</p>
<p>Community Consultation Process /Transparency</p>	<p>The submission seeks clarity on what the final Precinct Plans are and how submissions have been responded to. The submission considers it is unclear for</p>	<p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p>

		residents on how to make decisions related to their land.	
128	Zoning	The submission notes the land was originally identified as open space and a collector road. As part of the Precinct Plan exhibition, the land was noted in a submission to be unconstrained and suitable for development. The land has been changed in the SEPP EIE to now be mixed use with 1 quarter of the land as SP2 Stormwater Infrastructure. However, the acquisition map identifies the whole site is to be acquired as open space, which is contrary to the zoning.	The Department have met with the landowner and confirmed the eastern portion of the site is affected by a proposed drainage basin, with the remainder of the site required for open space purposes. The Department have investigated the removal or relocation of the drainage basin with Sydney Water who have confirmed it needs to be retained in its location. The land identified on the Land Reservation Acquisitions map is considered to be correct and the zoning is not intended to be changed from Mixed Use. See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space
	Acquisition	The submission notes there is no opposition to the acquisition of land however the timing, process and valuation is unclear. There is no information released on the acquisition. The submission requests that they be given the opportunity to be acquired at a time that suits them, and that this process should take no longer than a month from notice to settlement. The submission requests that the underlying value of land be acquired at full market rates for the Mixed Use zoning of the land.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
129	Community Consultation Process /Transparency	The submission advises that no contact was made to notify the Precinct Plan exhibition and the landowners were not aware their land was being acquired for Stormwater Infrastructure. The submission raises concern the land	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.

		proposed to be acquired will remove the income generated on the site in the market garden.	See Section 4.4.5 Provisions for previously permissible uses
	Property Valuation	The submission raises concerns that there will be a substantial impact on the value of the property as a result of the proposed changes and acquisition.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Zoning and Acquisition	Recommendations from a planning consultant included to reduce the extent of SP2 land to maximise development potential of the site, limited to the constrained land or the minimum viable intake, and the landowner be provided clarity around the acquisition structure, process and valuation methodology. In particular we require clarity that the extent of Enterprise land for the purposes of valuations aligns with the current zoning, not the zoning proposed in the EIE.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space The area identified for open space has been maintained, however has been re-categorised as being required for Stormwater Infrastructure. The site contains environmental lands, creeks and riparian areas, and is required to meet waterway health objectives. No changes are considered to be required at this time.
130	Zoning and Community Consultation Process /Transparency	The submission objects to the area identified as additional SP2 Stormwater Infrastructure land that was previously developable under the draft Precinct Plan. The Open Space Needs Study claims that the land required for Stormwater Infrastructure was appropriately sized. However, the supporting information has not been released for public review and comment. It is observed that none of the stormwater treatment reporting released to date models or sizes the proposed infrastructure to justify the volume of land	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space

		proposed for acquisition. The submission requests the removal of SP2 Stormwater Infrastructure zoning across the site.	
	Zoning and Wildlife Attraction Risk	The submission objects to the extent of land zoned Environment and Recreation on the property. It is not recommended a suitable solution to retain a farm dam given the safety requirements to keep it in operation, it does not provide water quality or detention benefits, it is not required from an ecological perspective and contributes towards wildlife strike risk. It is requested the zoning and mapping is amended to reflect this.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Acquisition and Property Valuation	The submission requests fair and equitable acquisition for the areas identified on the land to be acquired. The submission requests that the acquisition plan be amended to remove the requirements across the land. Requests the process is exhibited to provide transparency and a clear process to provide input. It is requested the underlying zone is used as the basis for determining the property value.	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
131	Zoning and Community Consultation Process /Transparency	The submission raises concerns regarding plans for open space and stormwater on the property, the limited information provided, and notification period was insufficient.	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.

	Zoning and Property Valuation	The submission raises concerns regarding impacts to property and value of the land due to proposed rezoning.	In some instances, land values have been considerably increased by the rezoning that has occurred under the Aerotropolis SEPP. The application of the Environment and Recreation zone largely reflects constrained land that had minimal development potential and therefore the value of the land would have reflected those constraints.
	Flooding and Stormwater Management	The submission requests to review the requirement for a water basin at the subject property and recommendation the neighbouring land including the drainage basin is located to the south be extended to meet the additional required water storage capacity. This would achieve a reduction in the private lots impacted by the infrastructure as identified by the Open Space needs study.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design. The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Environmental Values / Biodiversity Certification	The submission raises concerns regarding property being marked for vegetation and biodiversity when credits have already been secured for the removal of vegetation at the site.	See Section 4.4.14 Biodiversity.
	Existing Uses and Development opportunities / DA Processes	The submission requests certainty that all land currently gazetted and valued as Enterprise is retained so that the subject site can be sold and developed under the current Enterprise zoning.	Future DAs sought for land where the Aerotropolis SEPP applies, will be required to demonstrate consistency of the Aerotropolis SEPP and any other relevant legislation, including the permitted uses under the nominated zoning.
132	Acquisition and Flooding and Stormwater Management	The submission raises concerns regarding acquisition of the property to provide Stormwater Infrastructure. Recommendation to change the plans to connect the two stormwater drains from	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space Consultation with Sydney Water has confirmed the amount of land on this lot and the adjacent lots are required to meet waterway health objectives and provide trunk drainage. No further changes are

		<p>the existing underground pipes that are servicing the residential neighbours adjoining the property. The submission considers the proposed change has many benefits including promoting the health of the waterway and leaves land available for development. The submission requests to collaborate on solutions in order to achieve project priorities whilst reducing impacts to the property.</p>	<p>proposed to be made to the amount of Stormwater Infrastructure land on this lot.</p>
	<p>Open Space (location/quantum) and Non-Aboriginal Heritage</p>	<p>The submission raises concerns regarding open Space network links that are proposed to pass through a cemetery, a public school, Jamison Street and a fire station that is located on Wilmington reserve, impacts to heritage values and the character and history of the village.</p>	<p>The Department considers open space links are subject to future detail and consultation with community and detailed design stages within a development application. Heritage features will also remain a key consideration.</p>
	<p>Development opportunities/DA Processes</p>	<p>Comments regarding suitability of Adams Road for development to support the 24-hour operation of the airport. Suggestion of other potential uses for the subject site that would support the strategic objectives of the site as a global gateway.</p>	<p>The Precinct Plan responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis. Additional flexibility in areas such as the road network and through alternative development pathways such as Master Plans has also been incorporated into the planning framework.</p>
133	<p>Zoning and Property Valuation</p>	<p>The submission raises concerns regarding the Environment and Recreation zone in Rossmore and the impact to property values.</p> <p>Recommendation to remove the Environment and Recreation zoning and</p>	<p>See Section 4.4.3 Environment and Recreation Zone and Section 4.4.16 Initial and Non-Initial Precincts</p>

		<p>progress the redevelopment of Rossmore within the next 3-5 years.</p>	
<p>134</p>	<p>Zoning and Flooding and Stormwater Management</p>	<p>The submission objects to the extent of the area identified as SP2 Stormwater Infrastructure land. The submission notes only a small portion of the site is subject to flooding which does not align with the proposed SP2 land. The first order stream identified on site is not a natural watercourse and should not be maintained. The watercourse was constructed by the previous landowner to divert nuisance flows resulting from works on the neighbouring land to the south which has been a point of contention and raised in submissions to both Council and the department since 2012. Both the Sydney Water report and the Urban Design and Landscape Report advise that only 3rd order and 2nd order streams need to be kept within the aerotropolis. Development is now proposed across many first order stream areas. A road is proposed directly south of the site that will cut off most of the flows.</p> <p>The submission requests that SP2 Stormwater Infrastructure land be reduced to the extent of the certified land only. This ensures that the High Biodiversity Vegetation earmarked for retention remains</p> <p>The submission also recommends all water could be easily piped to increase the development land use at the site.</p>	<p>The area identified for open space has been maintained, however has been re-categorised as being required for Stormwater Infrastructure. The site contains environmental lands, creeks and riparian areas, and is required to meet waterway health objectives. No changes are considered to be required at this time.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p>

	<p>Stormwater detention quality and flow management zone proposed on edge of the property has not been accurately sized and could be reduced to avoid impacting otherwise developable land. Around 90% of the catchment is falls on neighbouring land which should ensure the reduction in pervious land assumption.</p> <p>The submission includes a recommendation to enter into an agreement to treat water quality and quantity within neighbouring lands to balance their contributions payable and significantly reduce acquisition costs for government. The submission recommends infrastructure water treatment devices be relocated off the site given they are located at the edge of the property.</p>	
Community Consultation Process /Transparency	The submission advises the owners of the property were not notified and have had sufficient opportunity to review and provide comment.	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.
Acquisition	<p>The submission raises concern the structure, process and valuations relating to acquisitions are unclear. The submission requests to seek fair, equitable valuation for any area that remains proposed for acquisition.</p> <p>Recommendation the process for acquisition is exhibited to provide clarity and give landowners the opportunity to</p>	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .

		<p>provide input into the acquisition process. The submission requests clarity/confirmation that land to be acquired will be valued as its current Enterprise zone not proposed zoning. Recommendation acquisition plans be amended to match the extent of constrained land.</p>	
135	Acquisition and Property Valuation	<p>The submission requests that the property is acquired as soon as possible due to proposed road corridor impacting saleability of property. The submission raises concern regarding lack of timeframe for acquisition. The submission also raises concern regarding the proposed zoning of corridor is deliberate intention to acquire the property at a lower rate. The submission seeks further clarification on why the road corridor and open space can't be moved 200m north to adjoining Government-owned land.</p>	<p>The site is identified as a location for the future road network. The Department has completed further detailed investigations on the location and requirements to support the road corridor and confirm it cannot be moved.</p>
	Zoning	<p>The submission raises concern regarding road corridor zoned as Enterprise rather than Mixed Use. Recommendation to rezone land as Mixed Use, to improve fairness and consistency of zoning with adjoining land. Recommendation to include residential accommodation (such as residential flat buildings and shop-top housing as an additional permitted use.</p>	<p>No significant changes to land use zones are proposed as part of the current amendment. See 5.1.4 Housekeeping amendments.</p>

	Environmental Values	The submission requests to retain 'existing certified land' status for the entire property as currently legislated.	See Section 4.4.13 Biodiversity.
	Open Space (location/quantum)	The submission raises concern regarding the reduction of Open Space on government land versus reduction on privately owned land. Recommendation to amend provision and location of open space to be contained within government land adjoining and would still meet objective for open space within 400-metre walking distance.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space The land is identified as containing environmental qualities to be retained as part of the nominated open space network in the final Precinct Plans. The Department has determined to retain the areas containing biodiversity to complement open space for active and passive recreational needs. The Government is proposing the acquisition of land to deliver the open space network. No further changes are considered to be required at this time.
136,137	Community Consultation Process /Transparency	The submission raises concern regarding process, lack of communication and transparency.	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.
	Zoning and Property Valuation	The submission raises concern Environment and Recreation zone has frozen the land and impacted property values. Request to remove Environment and Recreation zone. Property was rezoned based on outdated and old flood studies. Agree with the recommendation made by Commissioner Prof. Roberta Ryan to remove the Environment and Recreation and return the property to its original RU4 Primary Production Small Lots zoning in order to allow the land to be leased for agricultural uses or sale of the property at a fair market rate.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

	Development Staging	The submission raises concern regarding lack of clear planning for Rossmore and timeframes for future development recommendation to bring forward within the next 3-5 years.	See Section 4.4.16 Initial and Non-Initial Precincts. There are no proposed changes to the identified non-initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
138	Infrastructure Delivery and Acquisition	The submission raises concern regarding the lack of information provided to landowners impacted by proposed roads. The submission seeks clarification on timing, acquisition for land in Rossmore in relation to these major road upgrades.	Land will not be required for acquisition immediately and the private use of land can continue in accordance with local policies and relevant legislation, noting a concurrence clause was embedded within the SEPP in 2020 with Transport for NSW. Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.
	Zoning	Supports the removal of the Environment and Recreation zone. Agree with the recommendation made by Commissioner Prof. Roberta Ryan to remove the Environment and Recreation zoning and return the property to its original RU4 Primary Production Small Lots zoning.	Noted.
	Open Space FSR (location/quantum)	The submission raises concern regarding unnecessary provision of green space. Recommendation for future planning of these areas to be included in the floor to space ratio to ensure land is not sterilised.	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

	Development staging	The submission raises concern regarding the justification for the delayed timeframe for future development of Rossmore given current demand for property. Request for further clarification on this matter.	See Section 4.4.16 Initial and Non-Initial Precincts. There are no proposed changes to the identified non-initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
139	Development staging	The submission raises concern regarding lack of clear plans and timeline for Rossmore despite being part of the Aerotropolis. The submission outlines that it is unacceptable that surrounding suburbs are being developed including those further away from the core. Concerns exist regarding the inability to view the final Precinct Plans. The submission questions the reasoning that Rossmore's future is dependent upon the demand for the land. The submission requests to bring forward planning for Rossmore within 3-5 years.	See Section 4.4.16 Initial and Non-Initial Precincts. There are no proposed changes the identified non-initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole. The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.
	Zoning	The submission supports the removal of Environment and Recreation zone and the return to RU4 Primary Production Small Lots which will improve the value of the property and enable leasing of the property for agricultural use. The submission raises concern the property will be rezoned Environment and Recreation in the future.	Noted. Further planning and identification of new land zonings will be subject to future strategic planning for the areas retained as RU4 Primary Production Small Lots.

140	Zoning and Acquisition	<p>The submission raises concern regarding rezoning of RU4 land to Environment and Recreation zoning and impacts to development potential sterilisation of land and devaluing of property. The submission questions the application of the Environment and Recreation zone and the selection of properties chosen for acquisition. Thompson Creek residents 5 doors down also with Environment and Recreation zone acquisition versus those that will be rezoned Environment and Recreation and are not proposed for acquisition. The submission recommends all impacted land by Environment and Recreation zoning to be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved.</p>	<p>See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>There have been no changes to the proposal to acquire land within the Thompsons Creek corridor.</p>
141	Zoning and Open Space (location / quantum)	<p>The submission seeks clarification on the exact amount of land has been identified as Environment and Recreation.</p>	<p>See Section 2.2 Precinct Plan.</p>
	Flooding and Stormwater Management and Development opportunities / DA Processes	<p>The submission notes a portion of land is to be acquired for Stormwater Infrastructure. The submission raises concern that the dam in site has devalued the land which has been identified as recreation and environment rather than considered for development. The submission notes the dam was man made for agricultural purposes, not a natural watercourse and can be filled and used as developable land.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p>

142	Zoning and FSR	The submission is in support of landowners currently impacted by Environment and Recreation land. The submission considers that Kemps Creek will still have Environment and Recreation along the creek line in the future and hope that the Aerotropolis Core precinct would also apply to Kemps creek residents with a 1:100 flood affectation. The submission recommends that all Environment and Recreation land be included in the FSR (Floor to Space Ratio) for any future development.	As Kemps Creek is a non-initial precinct, detailed planning will be undertaken at a later date, with relevant planning controls applied to reflect the precinct plan at the time.
143	Zoning and FSR	The submission is in support of landowners currently impacted by Environment and Recreation land in the Aerotropolis core and the Wianamatta-South Creek precincts. The submission notes land will be reverted back to RU4 Primary Production Small Lots, however, is likely to be rezoned in 15 -20 years. The submission recommends that all Environment and Recreation land along the creek line be included in the FSR (Floor to Space Ratio) to benefit all parties.	See Section 4.4.3 Environment and Recreation Zone
144	Community Consultation Process / Transparency and Development staging	The submission does not support the community engagement process and approach to development staging.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>There are no proposed changes to the identified non-initial precinct. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and</p>

			implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Zoning and Open Space (location / quantum)	<p>The submission raises concern regarding the impact of the amount of open space being placed on small landowners rather than larger landowners. The community prefers to keep open space zoned Enterprise rather than SP2 Infrastructure for future acquisition purposes when and if its required.</p> <p>The submission questions if the zoning of SP2 Infrastructure land for stormwater and open space is to safeguard the airport site itself as it is significantly impacted by flooding. There is concern if it is also to protect the second runway and that the land has now been sterilised.</p>	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space
145	Flooding and Stormwater Management and Acquisition	<p>Objection to a portion of the land being acquired for Stormwater Infrastructure. The submission requests a 25% reduction in the amount of land for future acquisition for Stormwater Infrastructure. Submission includes an attachment flood report to support this.</p>	The Department have investigated the removal or relocation of the land identified for Stormwater Infrastructure with Sydney Water. This review has confirmed the amount of land (as well as the adjoining land) is required as part of the regional stormwater system to allow development to meet waterway health objectives. No change is considered to be required at this time.
	Open Space (location/quantum)	<p>The submission raises concerns regarding additional greenspace requirements on land in addition to land acquired for Stormwater Infrastructure. The submission requests to improve fairness by including any land acquired</p>	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.

		for acquisition within the greenspace calculation for FSR calculation with any remaining land left over.	
146	FSR and Zoning	Support the inclusion of FSR controls on the property.	See Section 4.4.11 Built form and urban design.
	Zoning and Noise (ANEC / ANEF)	The submission raises concerns of the timing it has taken to rezone the precinct and the changing of land within and outside of the precinct. Concerns the land should be zoned industrial because of the ANEC.	The Precinct Plans identify a number of development controls to meet the proposed increase in density and population. The identification of different land uses has been informed by the airport safeguarding principles to ensure development and airport operations are complementary and do not create adverse amenity impacts. Land uses permitted within noise contours are subject to the relevant provisions of the Aerotropolis SEPP.
147	Flooding and Stormwater Management and Acquisition	Objection to a portion of the land being acquired for Stormwater Infrastructure. The submission requests a 25% reduction in the amount of land for future acquisition for Stormwater Infrastructure. Submission includes an attachment flood report to support this.	See Section 4.4.1 Land for Stormwater Infrastructure. The Department have investigated the removal or relocation of the land identified for Stormwater Infrastructure with Sydney Water. This review confirmed the amount of land (as well as the adjoining land) is required as part of the regional stormwater system to allow development to meet waterway health objectives. Wetlands on this lot have been placed as much as possible on flood prone land but above the Wianamatta-South Creek floodway to avoid flood impacts and biodiversity. No change is considered to be required at this time.
148	Flooding and Stormwater Management and Acquisition	Objection to a portion of the land being acquired for Stormwater Infrastructure. The submission requests a 25% reduction in the amount of land for future acquisition for Stormwater Infrastructure. Submission includes an attachment flood report to support this.	The land is not identified as being required for the purposes of Stormwater Infrastructure or open space. No further changes are considered to be required at this time.
149	Open Space (location/quantum)	Request for information regarding the reduction of open space by 42% or more in other precincts but not Badgerys Creek	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space

	<p>Road. Notes that previous Precinct Plans designated 48.02% of the land as Open Space but now is designated Stormwater Infrastructure. Request for a reduction with no adverse impacts to adjoining land.</p>	<p>The land identified as open space has been reduced significantly as part of the Precinct Plan review process. The area along the eastern boundary is adjacent to stormwater land that is required to maintain the quality of the riparian corridor and the necessary open space area within the precinct. No further changes are considered to be required at this time.</p>
<p>Acquisition and Property Valuation</p>	<p>Concern regarding receipt of contradictory information regarding proposed zoning of land and property value. Communication with Commissioner indicated underlying Enterprise Zoning is unchanged, yet the SEPP EIE proposes land to be rezoned SP2 Stormwater Infrastructure with no certainty regarding the basis of valuation for future acquisition. The submission considers the zone change will result in a reduction of land value impacting 48% of the land.</p> <p>Concerns regarding lack of information regarding whether land will be acquired, timeframe and process. The submission notes various proposed transport links which are also proposed to impact their land holdings. Does not have faith that compassionate acquisition would receive true market value.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
<p>Development staging</p>	<p>Concern regarding lack of clear information on timeframes and development staging.</p>	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the identified non-initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of</p>

		each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
DCP and Wildlife Attraction Risk	<p>The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE. There are concerns the DCP does not address wildlife risk in the Aerotropolis.</p> <p>Stormwater infrastructure/ riparian corridors protection so close to the Airport is a wildlife risk. The submission recommends considering hard stormwater channels so that less land is require and to manage impacts to wildlife and insects and disease.</p> <p>The submission also considers the landscape design associated with the delivery of the M12 is contrary to the principles associated with mitigating wildlife attraction risks.</p>	<p>Noted. The Aerotropolis SEPP currently includes provisions to mitigate wildlife risk to airport operations.</p> <p>The implementation and delivery of stormwater infrastructure and open space to support the precinct will seek to apply the principles associated with wildlife hazards. This includes further consultation with Western Sydney Airport at the development assessment stage which will consider the assessment of key criteria related to the water management measures, plant selection and certification from a suitable qualified ecologist. These criteria are also outlined in the Western Sydney Aerotropolis Wildlife Management & Assessment Report (Avisure, 2020).</p> <p>The detailed design of major road corridors has been to date and will continue to be undertaken in accordance with airport safeguarding principles.</p>
Flooding and Stormwater Management	<p>The submission emphasises that water flow on the site is a transitory intermittent flowline at the rear of the property with dams and ponds unless there is heavy and continuous rainfall.</p>	<p>The location and extent of land required for stormwater infrastructure has been developed and rationalised by Sydney Water as part of the Stormwater and Integrated Water Cycle Management Plan. The Plan sets out a regional approach to water cycle management for the Aerotropolis. The strategy integrates and balances drinking water, wastewater, recycled water and harvested stormwater.</p> <p>The development of the plan has included an effort to locate stormwater infrastructure on lower lying land (within the flood fringe but outside the floodway) as much as possible in order to maximise economic benefit and reduce impacts on developable land.</p>
150	Zoning and Property Valuation	<p>Supports the removal the Environment and Recreation zones in Rossmore.</p> <p>See Section 4.4.3 Environment and Recreation Zone,</p>

	<p>Concerns regarding impact to property values, saleability, and development potential. The submission requests confirmation that the Environment and Recreation zone will be removed permanently as there are concerns it may be reintroduced at a later date.</p>	<p>Further planning and identification of new land zonings will be subject to future strategic planning for the non-initial precincts of the Aerotropolis.</p>
<p>Zoning and Development staging</p>	<p>The submission requests for information regarding the proposed timeframe to rezone Rossmore and for more certainty for residents and. The submission recommends properties are removed from the aerotropolis area rather than being impacted for another 15-20 years.</p> <p>The submission does not believe the reason for the delay being dependent upon demand given adjoining areas are developing at a fast rate and the shortage of housing. The submission requests to consider bringing forward rezoning of Rossmore/Kemps Creek.</p>	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the identified non-initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.</p>
<p>Flooding and Stormwater Management and Community Consultation Process /Transparency</p>	<p>Concerns regarding the availability of accurate and up to date flooding information. Notes 2020 Flood Study did not progress, and flood information has reverted back to 2008 Flood Map. Request for information on whether the 2020 flood map study will be reintroduced and whether landowners will have the opportunity to have their say and receive assurances. Concerns regarding flood studies being released post exhibition and lack of communication with residents. Concerns</p>	<p>See Section 4.4.14 Flooding and water cycle management.</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>

		and request for information regarding the calculation of land that has been identified as being in a flood zone. Comments regarding water flow and creek management.	
151	Zoning and Property Valuation	Supports the removal the Environment and Recreation zones in Rossmore. Concerns regarding impact to property values, saleability, and development potential. The submission requests confirmation that the Environment and Recreation zone will be removed permanently as there are concerns it may be reintroduced at a later date.	See Section 4.4.3 Environment and Recreation Zone and 4.4.16 Initial and Non-Initial Precincts. Further planning and identification of new land zonings will be subject to future strategic planning for the areas retained as RU4 Primary Production Small Lots.
	Zoning and Development staging	The submission requests for information regarding the proposed timeframe to rezone Rossmore and for more certainty for residents and. The submission recommends properties are removed from the aerotropolis area rather than being impacted for another 15-20 years. The submission does not believe the reason for the delay being dependent upon demand given adjoining areas are developing at a fast rate and the shortage of housing. The submission requests to consider bringing forward rezoning of Rossmore/Kemps Creek.	There are no proposed changes to the identified non-initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and employment, and will ensure the success of the Aerotropolis as a whole.
	Flooding and Stormwater Management and Community Consultation	Concerns regarding the availability of accurate and up to date flooding information. Notes 2020 Flood Study did not progress, and flood information has reverted back to 2008 Flood Map.	See Section 4.4.14 Flooding and water cycle management. The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.

	Process /Transparency	Request for information on whether the 2020 flood map study will be reintroduced and whether landowners will have the opportunity to have their say and receive assurances. Concerns regarding flood studies being released post exhibition and lack of communication with residents. Concerns and request for information regarding the calculation of land that has been identified as being in a flood zone. Comments regarding water flow and creek management.	
152	Community Consultation Process /Transparency	The submission rejects amendments to the Aerotropolis SEPP with reference to comments in previous draft submission dated 25/03/2021 to the Precinct Plans. The submission requests response to former submissions made. The submission considers that issues and questions formerly submitted have not been considered or addressed. The submission identifies concerns regarding Government accountability and impacts to landowners.	<p>The submissions made towards the exhibition of the Precinct Plans have been appropriately considered in the context of the changes made, and the changes made will be published as part of this finalisation package. The Department's 'Responding to the Issues' report, outlines the key themes raised during the public exhibition for the Precinct Plans.</p> <p>Individual submissions were reviewed by the Department's project team and adjustments were made to the Precinct Plan and the Aerotropolis SEPP which has informed the SEPP EIE relating to the SEPP amendment.</p>
	Acquisition and Property Valuation	The submission notes concern regarding the acquisition of prime industrial land at a lesser value.	The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Development opportunities/DA Processes	The submission references Liverpool Council maps identifying the site as a potential high-rise airport hotel site and	The Aerotropolis SEPP contains provisions which influence the maximum building height such as the obstacle limitation surface. Additional height controls are contained within the Precinct Plan.

		why the property does not cater for maximum heights.	
	Wildlife Attraction Risk	Recommendation to minimise wildlife attraction at the property rather than preserving high biodiversity value vegetation.	See Section 4.4.17 Aviation safeguarding and wildlife strike.
	Aboriginal Heritage	The submission considers the misuse of Aboriginal heritage sensitivity and heritage values on properties is incorrect.	See 4.4.18 Heritage
153	Zoning and FSR	<p>Submission supports the removal of Environment and Recreation zone along Wianamatta-South creek in Rossmore and Kemps Creek precincts. The impact of Environment and Recreation zoning on properties has had a significant impact to market value, sale possibility leading to significant losses for some residents.</p> <p>Notes Environment and Recreation and open space is likely to be part of future zoning for the area.</p> <p>Suggests the Department to include Environmental and recreation zones in FSR calculations.</p>	See Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Development staging and Community Consultation Process /Transparency	<p>Concern regarding the amended proposed timeframe to rezone Rossmore and lack of transparency for residents. Does not believe the reason for the delay being dependent upon demand.</p>	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p> <p>There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. This will ensure the realisation of each precinct is proportionate to the growth and demand for services, housing and</p>

		employment, and will ensure the success of the Aerotropolis as a whole.
	Zoning and Transport Corridors	<p>Concern regarding planned transport routes. Exhibition material fails to identify Rossmore as a main thoroughfare from Camden Valley to the Northern Road, Bringelly. Recommendation for Mixed Use / Enterprise zoning to be applied along Bringelly Road and the planned extension of Masterfield Road, Rossmore is reasonable.</p> <p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time. Complementary zoning to different road corridors is outlined in the Precinct Plans which consider the holistic impacts of integrating land use and transport to deliver positive amenity and place outcomes.</p> <p>The higher order transport network shown in the Aerotropolis SEPP is complemented by the Precinct Plan which shows how planned roads will connect into the wider network over time.</p>
	Flooding and Stormwater Management and Wianamatta-South Creek Corridor	<p>Opposes any recommendations made by Liverpool Council to make increases to the 1:100 flood. The submission notes Council's unanimous vote to suspend any new flood studies until such time as all mitigation work is completed along Wianamatta-South Creek (both Rossmore and Kelvin Park) and Kemps Creek area which will aid in the water and flood risk management issues faced by residents due to the lack of upgrades and maintenance to the waterway.</p> <p>See Section 4.4.14 Flooding and water cycle management.</p> <p>The remediation and management of local infrastructure is a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p>
154	Flooding and Stormwater Management	<p>Objection to property being developed for Stormwater Infrastructure. Notes 13.7 hectares from a total of 15.1 is proposed for Stormwater Infrastructure. Request to retain a minimum of 5 ha for private use.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>The Department has considered the request for some land to be retained for private use, or if there is a need to acquire the entire site to meet the requirements outlined under the Independent Community Commissioners Report.</p>

			<p>A comprehensive review of the stormwater and open space requirements at this location has confirmed the amount and location of the Stormwater Infrastructure is necessary to be retained as exhibited. This is because a large portion of land is required for regional stormwater assets, creeks and riparian zones. The proposed park also contributes to open space objectives and benchmarks and serves an important active transport and active open space purpose with its co-location with the nearby employment centre. The Department has determined it due to the significant area needed for the Open Space Network, that the whole site should be acquired as this also meets the Independent Community Commissioner recommendation.</p> <p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
155	<p>Flooding and Stormwater Management and Zoning</p>	<p>Considers the land required for stormwater is excessive and the location is at the highest point of the land. It is considered the land will be sterilised as a result of the SP2 land.</p>	<p>The Department notes the amount of land originally identified for Stormwater Infrastructure was reduced from what was previously exhibited as part of the exhibited draft Precinct Plan. Further review of the stormwater requirements at this site with Sydney Water confirmed the lot includes a portion of regional wetland and significant portions of creek and riparian zones and areas identified in the Cumberland Plain Conservation Plan. Therefore, there is no change to the area needed for stormwater infrastructure at this site.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p>
	<p>Ground Truthing</p>	<p>Considers there has been no ground truthing or reports provided to outline reasons why these decisions have been made.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space and Section 4.4.13 Biodiversity.</p> <p>The final technical studies supporting the Precinct Plan are released as part of the final planning package.</p>
	<p>Community Consultation</p>	<p>The submission is unclear of why this land is selected and not the neighbours</p>	<p>A key part of the landscape-led design approach for the Western Parkland City is to, where appropriate, repurpose or rebuild farm</p>

	Process / Transparency	land as well. The submission wishes to know the decision to why farm dams were determined to be suitable/ non suitable for retention.	<p>dams as water in the landscape features. The retention or replacement of farm dams is an important approach to preserving hydrologic characteristics of the local waterways.</p> <p>The location and extent of land required for Stormwater Infrastructure has been developed and rationalised as part of the <i>Stormwater and Integrated Water Cycle Management Study</i> (Sydney Water 2021). The Study sets out a regional approach to water cycle management for the Aerotropolis.</p> <p>A review of existing farm dams and recommendations for which dams to retain is included in the <i>Western Sydney Aerotropolis (Initial Precincts) Riparian Corridors Assessment</i> (Sydney Water, 2021).</p>
156	Community Consultation Process /Transparency	The land contains the Hubertus Country Club operated by Blacktown Workers Club. The ability to provide feedback on the changes to the Aerotropolis SEPP is difficult in the absence of the draft Precinct Plan. This creates issues with providing feedback on the DCP in particular as it is unclear of the proposed changes and the implications for development requirements on the site. Clarification of when the Precinct Plan will be released is sought, and the DCP should have been placed on exhibition after the Precinct Plans are released.	<p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis. The final Precinct Plan will be published with final planning package.</p> <p>The DCP will be finalised in 2022.</p>
	Zoning	The existing zoning map shows the site is part zoned Environment and Recreation but has been amended to be SP2 Infrastructure. The zoning bisects the site. Access and security are issues with the site's operation. The submission requests for clarity to be provided on the intent behind the proposed changes. It is	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design and Section 5.1.4 Housekeeping Amendments.</p>

		also unclear the operation of an overlay map rather than a zoning.	
	Acquisition	It is unclear if the zoning means it will be acquired in the short term and the purposes of this.	The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Existing Uses	Recommendation 15 of the Commissioners report outlines that additional permitted uses should be allowed for the existing uses on land where it will not impact the future airport operations and is prohibited under the SEPP. The submission requests that an APU for the Registered club be included in the SEPP.	The Department has considered that an additional permitted use can be applied to the site for the purposes of a 'registered club', given the low risk the ongoing operations of the club pose to the future of the Aerotropolis and in response to airport safeguarding principles.
	DCP	The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE.	Noted.
	Precinct Plan Exhibition	Attachments were also provided relating to the Precinct Plan exhibition. These matters related to the road network and the impact on the operation of the club and the importance of the existing dam on the site.	<p>The submissions made towards the exhibition of the draft Precinct Plan have been appropriately considered in the context of the changes made, and the changes made published as part of this finalisation package – see Appendix A – draft Precinct Plan Submissions Report. The Department's 'Responding to the Issues' report, outlines the key themes raised during the public exhibition for the draft Precinct Plan.</p> <p>Individual submissions were reviewed by the Department's project team and adjustments were made to the Precinct Plan and the Aerotropolis SEPP which has informed the SEPP EIE relating to the SEPP amendment.</p>
157	Existing Uses	The Workers Hubertus Country Club wish to be recognised with their role they	Noted. The Department has considered that an additional permitted use can be applied to the site for the purposes of a 'registered club',

		provide to supporting the community and ongoing viability of the precinct.	given the low risk the ongoing operations of the club pose to the future of the Aerotropolis and in response to airport safeguarding principles.
158	Community Consultation Process /Transparency	Advised that they were not contacted about the Precinct Plan exhibition and were not aware their land was being acquired for Stormwater Infrastructure. The submission identified there was not adequate notification of the proposal and they had no time to address the concerns. As there was inadequate time to comment, it is considered appropriate to seek modifications to the Aerotropolis SEPP and Precinct Plans.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The Department sent letters to each property owner potentially impacted by future acquisition of land for open space and stormwater infrastructure.</p>
	Property Valuation	The submission raises concerns that there will be a substantial impact on the value of the property as a result of the proposed changes and acquisition.	The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .
	Zoning and Acquisition	<p>The Precinct Plan originally identified the land as open space and now includes it as SP2 Stormwater Infrastructure. The amount of land included as SP2 appears to have increased from the Precinct Plan and now includes approximately 40% of the site where previously open space was approximately 5%.</p> <p>Recommendations from a planning consultant included to reduce the extent of SP2 land to maximise development potential of the site, limited to the constrained land or the minimum viable intake, and the landowner be provided clarity around the acquisition structure,</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>The Department reviewed the land required for Open Space and concluded that this area is required. No changes are considered to be required at this time.</p>

	<p>process and valuation methodology. In particular, the submission requires clarity that the extent of Enterprise land for the purposes of valuations aligns with the current zoning, not the zoning proposed in the EIE. It is requested the SP2 zoning be reduced to the extent of the non-certified land</p>	
<p>Flooding and Stormwater Management</p>	<p>The flooding extent of the site is not considered to align with the SP2 land but could be set based on the watercourse identified through the property. The Sydney Water report and the Urban Design and Landscape Report released with the Precinct Plans advised that only 3rd and 2nd order streams need to be kept and the stream running through the property is a 1st order stream. The Sydney Water report released with the draft Precinct Plans identifies a stormwater detention, quality, and flow management zone at the back of the property. This has not been accurately sized in the reporting to date and could be reduced to meet the intention of not impacting developable land where possible. It is requested the basin size is reduced.</p>	<p>The location and extent of land required for stormwater infrastructure has been developed and rationalised by Sydney Water as part of the Stormwater and Integrated Water Cycle Management Study. The Study sets out a regional approach to water cycle management for the Aerotropolis including options to integrate and balance drinking water, wastewater, recycled water and harvested stormwater.</p> <p>Stormwater infrastructure is in some cases located on lower lying land (within the flood fringe but outside the floodway) as much as possible in order to reduce impacts on developable land.</p> <p>The quantum of stormwater land has been sized to ensure stormwater infrastructure can deliver the waterway health objectives established by the NSW Government which have been designed to manage the fragile health of Wianamatta-South Creek by requiring outcomes for both water quality and stormwater quantity.</p> <p>There is no change proposed to the size or location of the proposed stormwater infrastructure on this property.</p>
<p>Aboriginal Heritage</p>	<p>The land is not considered to comprise of Aboriginal sensitive areas based on an extensive search of the Aboriginal Heritage Information Management System completed by the proponent. Given the amount of land disturbance and the information noted by Extent</p>	<p>A cultural heritage assessment was undertaken when preparing the Precinct Plan. This assessment identified areas of high and moderate Aboriginal heritage sensitivity, known Aboriginal heritage sites and objects and sites of archaeological significance across the Aerotropolis. Much of this information has been redacted due to the sensitivity involved. However, it is based on heritage assessments, Aboriginal Heritage Information Management System data,</p>

		Heritage, it is unlikely there would be any artefacts recovered on this site.	excavations and site investigations (where possible). Cultural values mapping was also undertaken with Aboriginal stakeholders to determine values across the Aerotropolis. The significance of waterways, ridgelines and remnant vegetation cannot be overstated. Many of these areas of Aboriginal significance are also linked to the landscape-led approach and waterway health objectives for the Aerotropolis more broadly.
159	DCP	The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE.	Noted.
	Community Consultation Process / Transparency and Development opportunities / DA Processes	<p>Request to provide another opportunity for industry engagement on the Precinct Plans which were not exhibited in this exhibition. Whilst it is understood that the Department has changed the focus of the Precinct Plans, which now contain less planning detail and that measures in the SEPP EIE reinforce the Aerotropolis SEPP as the principal planning document. Whilst it is supported, it does not give confidence that overall integration alignment will occur, and those previous issues raised about inconsistencies between planning documents and requests for further assessment have not been resolved.</p> <p>The submission is concerned the speed at which the finalisation is occurring will leave people in an unclear position about what people can and can't do, as well as requirements under the planning and SIC frameworks. The submission requests that the Department reconsider the timing to allow for further industry engagement</p>	<p>The Precinct Plan for the initial precincts, was revised to consider submissions received and provides greater certainty regarding the planning and design outcomes for the Aerotropolis. As a result, the number of requirements in the Precinct Plan are reduced and additional flexibility provided such as the road network and through alternative development pathways such as Master Plans.</p> <p>The submissions received during exhibition of the Precinct Plan have been appropriately considered, changes made are published as part of this finalisation package.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to the Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The final legal instrument will be available on the NSW legislation website at the time of notification.</p>

	<p>on key plans and the resolution of outstanding issues in order to not burden future stages (DA process).</p>	
<p>Flooding and Stormwater Management</p>	<p>The Department is recommended to release additional information to justify the proposed Stormwater Infrastructure for the Western Sydney Aerotropolis to assist applicants to address this in future development proposals. The stormwater treatment report does not size any infrastructure, particularly regarding water detention and filtration. However, the EIE rezones and allocates land for this purpose.</p> <p>The Open Space Needs Study claims a review of the Stormwater Infrastructure was completed and that the land required was appropriately sized; however, this information has not been released for public comment. There is concern the land allocated for stormwater treatment purposes is excessive and is not justified by a report. Without the justification, it will result in further constraints at the DA stage.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p>
<p>Acquisition and Infrastructure Delivery</p>	<p>Landowners and developers need confirmation on how land will be acquired, how the infrastructure will be delivered and the financial implications for the delivery of infrastructure.</p> <p>Supportive of the Aerotropolis subject to the coordinated roll out of infrastructure to give industry confidence that key</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p>

	<p>services will be provided to support development.</p> <p>Requests the Department to secure a regional water management authority to deliver the key regional blue and green infrastructure. It is also requested a funding mechanism is available to deliver this infrastructure.</p>	
Zoning and Infrastructure Delivery	<p>Notes the 42% in reduction identified for open space has resulted in significant change. The reverting to former land uses could create land use conflicts with new development and ongoing rural development and will impact on achieving the planning vision and infrastructure requirements for the area.</p>	<p>See Section 4.4.3 Environment and Recreation Zone. Council's assessment processes consider the impact and mitigation strategies associated with land use conflicts between rural and residential uses, as well as the future operations of the Western Sydney Airport.</p>
Existing Uses and Development opportunities/DA Processes	<p>The submission requests that the Department undertake a broader land use review of the Aerotropolis with a view to reduce potential land use conflicts arising from former open space land reverting to its original rural use and to maximise the opportunity for more developable land.</p>	<p>Parts of the Wianamatta-South Creek Precinct have reverted to a non-initial precinct and are now subject to the land's former rural zoning under the Liverpool LEP. Natural features (such a creek lines) have informed logical boundaries for this amendment to the Wianamatta South Creek Precinct.</p>
Aboriginal Heritage and Development opportunities/DA Processes	<p>The submission requests that the Department better integrate the Connection to Country principles into development and planning processes by providing further education to help better understand principles and guidelines. These principles could provide potential design and themed examples to better explain the overall intent of the Guideline.</p>	<p>See Section 4.4.15 Aboriginal engagement and Connecting with Country</p>

	<p>There is support for the Department to form a reference group as a platform to respond to development proposals without repeated referrals to local Aboriginal groups on an ad-hoc basis and Adopt a “whole of Precinct Connection to Country” which allows the outcomes to flow into unambiguous and pre-agreed guidelines for development in the DCP and Precinct Plans considered in the DA stage.</p> <p>There is concern the lack of guidance and obligation could result in uncertainty about the guidelines application, and the implications of development feasibility and design processes. Another concern exists around the weight the guideline is given at the DA stage and it isn’t clear on how Council’s will respond and assess development in conjunction with the guideline.</p> <p>There exists the potential for the conflicting processes to impact on the preservation of Country in conjunction with the Guidelines as there are often site requirements such as remediation of land, and biodiversity certification.</p>	
<p>Matters relating to other Agencies and Development opportunities/DA Processes</p>	<p>The submission notes that the Western Parkland City Authority has been given the ability to assess a Precinct Plan based on certain criteria and are concerned that this dual role could result in potential conflict between a developers’ rights and the rights of a delivery authority trying to execute their</p>	<p>Section 4.4 of the Finalisation Report provides clarification on the role of the Western Parkland City Authority.</p>

	<p>objective. For example, a referral could also create another assessment layer and added unnecessary complexity to the planning process. Requests that the Department remains as the principal agency responsible for the preparation of the Precinct Plans until further Governance arrangements are confirmed</p>	
<p>Design Excellence and SEPP (instrument)</p>	<p>Does not support the application of the clause for industrial type development. Provide an alternative option to clause 33 and 34 to prepare design guidelines rather than complete a design review panel or design competition. It is requested the Department undertake a further review of clause 33 and 34 to determine the value design completions will add to development and the value in using design guidelines to guide development, design, and delivery of industrial warehousing</p>	<p>See Section 5.1.1 Design excellence provisions.</p>
<p>Community Consultation Process /Transparency and Precinct Plan exhibition</p>	<p>Requests for the Department to respond to issues raised on the Precinct Plans submission and on the draft Aerotropolis SIC.</p>	<p>The submissions made towards the exhibition of the Precinct Plans have been appropriately considered in the context of the changes made, and the changes made will be published as part of this finalisation package. The Department's ‘Responding to the Issues’ report, outlines the key themes raised during the public exhibition for the Precinct Plans.</p> <p>The finalisation of the SIC was informed by the latest planning controls in consultation with state agencies, councils and community. The Aerotropolis planning package, SEPP and SIC were finalised as one framework for consistency and transparency and key issues summarised in Responding to the Issues – Part 2.</p>

SIC and LIC	<p>Based on updated feasibility, the submission requests the Department along with Liverpool and Penrith Councils review the Aerotropolis SIC and local contributions plans that are supported by industry through further consultation.</p> <p>The submission is concerned previous issues raised have not been addressed such as the proposed contribution rate, the applicable area, the matched infrastructure input and delivery plan and transitional arrangements. The review is also required to consider the local contributions charged which a rate was determined prior to the SIC being exhibited. It is recommended that a single rate be applied for contributions across the Aerotropolis which captures State and Local contributions</p>	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.8 Special Infrastructure Contributions.
Development opportunities/DA Processes	<p>The submission requests a unique planning approval process for the Aerotropolis which limits the number of Gateways and the role of single-issued referral agencies and assurance panel. Also requested is a simple pathway is created to achieve short term development outcomes. A revised process would mitigate conflict management issues and result in faster development assessments.</p>	The Master Planning Process introduces a Technical Assurance Panel process as a means of streamlining agency advice at the early stages of the development process. Refer to Master Planning Guidelines for further details.
Master Plan guidelines and	Request to include specific timeframes in the Master Planning guidelines and for the Department to review the Codes SEPP as part of the Master Planning	The Master Planning Guidelines have been published.

<p>Complying Development</p>	<p>guidelines. As the masterplan can unlock a complying development pathway, without proper engagement on the guidelines, it is concerned the development industry could be burdened by bespoke development requirements. Caution is advised on the timeframes completed for assessments reliant on referrals, panel processes and endorsement for the Minister. It is advised the masterplans are informed by the Codes Sepp rather than inform development that can occur under the Codes SEPP. It is advised that no longer than a 6-month approval process for masterplans are included in the guidelines</p>	
<p>SIC and Infrastructure Delivery</p>	<p>There is a concern about the delivery of the Aerotropolis which requires an integrated program of works to support the planning vision. There does not appear to be a clear scope to set up a framework for the sustained roll out of infrastructure beyond the Aerotropolis Core with money already allocated to Western Parkland City Authority.</p> <p>The use of a SIC to finance infrastructure needed is fraught with challenges due to the inability to obtain funds in the short term. This issue is further complicated as the SIC is not funding stormwater management including the proposed 189 stormwater detention items identified in the Western Sydney Aerotropolis Open Space Needs Study October 2021.</p>	<p>The Department has worked closely with state agencies and councils to identify infrastructure requirement and to ensure consistency. Infrastructure planning is informed by a range of government plans and investment programs.</p> <p>See Section 4.4.8 Special Infrastructure Contributions.</p> <p>The Western Parkland City Authority also has a role in coordinating infrastructure delivery for the Aerotropolis.</p>

		Supports an infrastructure delivery program with strong inter-agency buy-in, especially from TfNSW to derive integrated land use planning and infrastructure outcomes and to maximise growth potential over serviceability constraints and short-term cost benefit ratios. Requests the Department develop a strategy to deliver all infrastructure required to support the orderly and efficient development of the Aerotropolis.	
160 – Agency: Penrith City Council	Community Consultation Process / Transparency	Concerns raised regarding the changes to Precinct Plans would not be exhibited prior to finalisation. Council advocates for landowners to be able to provide further comment on the changes made to the Precinct Plan(s).	Noted. The changes in the Precinct Plan have responded directly to public submissions made in the exhibition period from 10 November 2020 to 12 March 2021 and the revised Open Space Network exhibited 8 October to 5 November 2021 including the Open Space Needs Study that provided clarity to landowners about changes proposed in the Precinct Plan relating to open space and stormwater requirements. Landowners have provided comment and attended community information events in relation to how their properties are affected by future open space needs.
	Zoning	Recommends land zoned for the purposes of open space should be identified in the relevant land use zone under the Aerotropolis SEPP with a zone aligned with the intent of RE1 Public Recreation. For example, SP2 Publicly Accessible Open Space, SP2 Local Open Space or SP2 Regional Open Space. Alternative zones or overlays are not supported as the identification of a relevant land use zone provides further certainty and clarity aligned with the intent of the control.	In response to community concern, the Department will not be rezoning land for open space or stormwater as SP2. This land is shown as an overlay on the Land Reservation Acquisition Map in the SEPP together with the nominated acquisition authority.

<p>Open Space (location / quantum) and Acquisition</p>	<p>Due to the revisions in open space, there are several parcels of land in the Northern Gateway Precinct which does not meet minimum block size controls. Similarly, some land bounded by the Outer Sydney Orbital Corridor will result in parcels that are not suitable for the intent of the proposed zone. This will mean properties are not able to be developed and will be sterilised unless future changes are proposed. Council requests the entirety of land failing to meet these controls are identified for acquisition.</p>	<p>Noted. A review of these areas of concern has been undertaken and adjustments made where required.</p>
<p>Development Staging and SEPP (instrument)</p>	<p>The staging of each precinct should allow for flexibility along defined boundaries and planning controls should apply equally across each precinct, despite delays in their implementation.</p>	<p>Precinct boundaries have been informed by logical physical boundaries, such as infrastructure corridors and waterways. A flexible approach to planning controls for land in non-initial precincts is not considered appropriate as it could result in unintended outcomes on land that is yet to go through a detailed Precinct Planning process.</p>
<p>Open Space (location / quantum)</p>	<p>Land identified as a Hilltop park in some locations and required to be delivered by Council are constrained by topography and will create challenges for public access. This limits the type of uses contained in each park and considers the delivery of this open space typology may not meet the anticipated vision to capture views and improve connections to Country.</p>	<p>The review of the open space network has resulted in a reduction in the size and scope of hilltop parks across the Aerotropolis. However, the establishment of the open space network over time will include some hilltop parks which are considered an essential element of meeting the Connection to Country objectives of capturing views and sightlines through the Aerotropolis.</p>
<p>Flooding and Stormwater Management and</p>	<p>In principle support is provided for a fully integrated water, wastewater, recycled water and trunk stormwater drainage</p>	<p>Noted. The implementation of stormwater infrastructure will be led by Sydney Water in the Aerotropolis. The amendment to the Aerotropolis SEPP identifies the relevant acquisition authority.</p>

<p>Infrastructure Delivery</p>	<p>system and requests the management of the delivery, servicing and maintenance is guided by a single regional authority. Further guidance should be provided on the role of Councils in supporting the delivery of servicing infrastructure and how conflicts are to be managed with council's existing policies for new stormwater systems.</p>	<p>The Department, including DPE Water has committed to continue to work with Council for the implementation of regional stormwater approach.</p>
<p>SIC and LIC</p>	<p>Uncertainties exist of what infrastructure proposed can be recovered through developer contributions. It is unclear the ability of a regional stormwater authority to obtain funding through a local contribution planning framework or the State Infrastructure Contribution.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p>
<p>Recognise Country / Aboriginal Heritage</p>	<p>Connecting with Country guidelines are unclear as to the weight Council is to give to the document as part of a development assessment. Development assessment processes should be updated in the documents to reflect the current adopted processes of each Council.</p> <p>Provisions in the guidelines should outline expectations to consult with Government Architect NSW should occur prior to lodgement of a development application.</p>	<p>Further work is to be undertaken with Councils and stakeholders on the Guidelines which will be finalised with the Draft Phase 2 DCP in 2022.</p> <p>The Guidelines will be given effect through the DCP and must also be considered as per requirement in the Aerotropolis SEPP and Precinct Plan.</p>
<p>Matters relating to other Agencies</p>	<p>Concerns exist about the role of the Western Parkland City Authority and the influence the agency will have in the approval of masterplans, despite a clear</p>	<p>Refer to Section 4.4 of the Finalisation Report for clarification on this matter.</p>

	intention of the authority to act as a developer in the precinct.	
SEPP (instrument)	The exhibited material does not clearly outline how minor amendments are to be made to Precinct Plans where they are minor, affect smaller landowners, and/ or align with the intent of the plan. Inconsistencies with the Precinct Plan should be able to be considered subject to a consideration of the underlying principles for each precinct and development's ability to justify the changes with minimal impact to the current and surrounding landowners.	The SEPP amendment has adopted a new clause similar to the objectives and function of clause 4.6. this is detailed in Section 4.4 of the Finalisation Report.
Key Sites	Outcomes for Sydney Science Park are unclear and should outline the intent of low density development outside of the 1.2km radius of the property. Further consideration of land use conflicts should be applied to the detailed planning for this area in terms of residential uses, in conjunction with science and research facilities. Appropriate densities should be sought to activate the Metro Station.	Additional low density residential uses are permitted within Sydney Science Park outside of the 1.2km radius of the Sydney Metro station and outside of ANEC 20. The additional uses provide a balanced approach and recognise that the Aerotropolis will grow in density overtime. Lower density residential uses have been purposely prohibited within 1.2km of the station to ensure a centre role is fulfilled and to maximise populations living in close proximity to public transport.
Existing Uses	In principle support is provided for the expansion of additional permitted uses and the increase in the boundary in Luddenham Village.	Noted.
Master Plan guidelines	Master planning guidelines are considered a critical element of the planning package and concerns exist that they have yet to be released by the	Noted. The Master Plan Guidelines have been published.

		Department for comment by Council or industry.	
	SIC	The Aerotropolis Contributions Plan needs to be finalised concurrently with the Precinct Plan finalisation to enable DAs to progress and be determined in a timely manner. As the SIC is yet to be finalised, it is important to finalise the infrastructure strategy as soon as possible to determine funding mechanisms, required amounts and the timing / processes to deliver infrastructure.	The SIC has been finalised with the planning package.
161	Open Space (location/quantum)	Concern regarding the identification of 55% of the land for the purposes of open space and believes it will decrease the land value and making it difficult to sell the property. Requests to move the open space land onto Government land which is considered to be more suitable. The submission notes a large portion of open space was removed from Government land in the recent changes in response to community feedback which makes the land more developable, however, it has not changed on this land. Government land is identified as having higher biodiversity value as per a report commissioned by the landowner. It is considered unfair that the neighbours land had the open space overlay removed and the same treatment not provided for their land.	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>The site forms a cluster of land identified to form a larger portion of open space in the precinct. Within the open space, the land is identified to contain important vegetation required to deliver the green and blue infrastructure. The allocation of open space will deliver on the needs of the community as it grows.</p> <p>A submission for this site was received during the exhibition of the Precinct Plan. The submission was peer reviewed by the Department’s biodiversity consultant and confirmed the open space land contains important vegetation. No changes are considered to be required at this time.</p>

	Roads	The submission notes the transport corridor in the original Precinct Plan was proposed on Government land and now been relocated to go through the neighbouring property. The submission recommends reverting back to the original Precinct Plan proposal on government land to enable landowners to combine lots and develop land to the Mixed Use zoning potential as intended.	<p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. The planned transport network, including the proposed road network, will accommodate planned growth in the Aerotropolis over time.</p> <p>Detailed consideration has been given to the alignment of transport corridors during the public exhibition and making of the Aerotropolis SEPP in 2020. The latest amendment proposes some project specific refinements, however, further adjustments to transport corridors are not proposed at this time.</p>
162	Open Space (location / quantum) and Flooding and Stormwater Management	Concerned for the amount of land designated for acquisition to provide for stormwater infrastructure. If the land is not absolutely necessary for stormwater, the acquisition shouldn't be required. Recommended it be reduced from 50% to 10%. Stormwater locations are based on outdated and incorrect flood studies. The land is considered to have increased from the original plan exhibited.	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>The Department has reviewed the overall amount and location of Stormwater Infrastructure land with Sydney Water. The Department confirms the amount of land identified is required to meet waterway health objectives. This lot also includes creeks and riparian zones which contributes to the delivery of the regional stormwater network. No changes are considered to be required at this time.</p>
	Property Valuation and Acquisition	The land remaining after the land is acquired is useless, as developers are not considered to be interested in 2 hectare lots. The submission notes the request to ensure land holds values and people are not worse off as a result of the acquisition process. The land is considered to be reduced in value as a result of this process. The submission notes the landowners should be compensated so there is no impact affected as a result of the change.	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>

	Flooding and Stormwater Management and Wildlife Strike	Additional options recommended is to deliver a piped stormwater channel. This would align with mitigating airport safeguarding principles (wildlife strike).	The implementation and delivery of Stormwater Infrastructure and open space will apply the principles associated with wildlife hazards. This includes further consultation with Western Sydney Airport at the development assessment stage to consider criteria related to the water management measures, plant selection and certification from a suitable qualified ecologist. These criteria are also outlined in the Western Sydney Aerotropolis Wildlife Management & Assessment Report (Avisure, 2020).
	Development	The equitable split of the reduction of open space does not seem fair among landowners. With changes in the amount of land required for infrastructure, Landowners are no longer able to feasibly amalgamate parcels to sell.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space.
163	Zoning and Floor Space Ratio	The submission considers the remaining Environment and Recreation land in the Aerotropolis Precinct Plans, at present, has no option of acquisition. If the current plan proceeds, this will result in significant financial disadvantage to the current landowners. Request that the Environmental and Recreation Zones all along Wianamatta-South Creek and the Aerotropolis be included in the FSR controls. This will allow for the land to be used by developers in a constructive manner and eventually allow full public access at no cost to the community and will ensure land isn't sterilised.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Noise (ANEC / ANEF) and Acquisition	The submission requests land impacted by ANEC are appropriately compensated.	This is not a matter for the current SEPP amendment as the ANEC requirements were embedded in the original SEPP amendment.

	Development staging	The submission requests the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging.	See Section 4.4.16 Initial and Non-Initial Precincts . The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. Rezoning of non-initial precincts will be reviewed to consider uptake in the initial precincts.
164	Zoning and Floor Space Ratio	The submission considers the remaining Environment and Recreation land in the Aerotropolis Precinct Plans, at present, has no option of acquisition. If the current plan proceeds, this will result in significant financial disadvantage to the current landowners. Request that the Environmental and Recreation Zones all along Wianamatta-South Creek and the Aerotropolis be included in the FSR controls. This will allow for the land to be used by developers in a constructive manner and eventually allow full public access at no cost to the community and will ensure land isn't sterilised.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design .
	Noise (ANEC / ANEF) and Acquisition	The submission requests land impacted by ANEC are appropriately compensated.	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
	Development staging	The submission requests the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging.	See Section 4.4.16 Initial and Non-Initial Precincts . There are no proposed changes to the staging of development aligned with the identified initial precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. Rezoning of non-initial precincts will be reviewed to consider uptake in the initial precincts.

165	Zoning and Floor Space Ratio	The submission considers the remaining Environment and Recreation land in the Aerotropolis Precinct Plans, at present, has no option of acquisition. If the current plan proceeds, this will result in significant financial disadvantage to the current landowners. Request that the Environmental and Recreation Zones all along Wianamatta-South Creek and the Aerotropolis be included in the FSR controls. This will allow for the land to be used by developers in a constructive manner and eventually allow full public access at no cost to the community and will ensure land isn't sterilised.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.
	Noise (ANEC / ANEF) and Acquisition	The submission requests land impacted by ANEC are appropriately compensated.	This is not a matter for the current SEPP amendment as the ANEF requirements were embedded in the original SEPP amendment. See section 4.4.5 Provisions for Previously permitted uses
	Development staging	The submission requests the staging of the relevant land in Kemps and South Creek is brought forward due to potential land use conflicts resulting in a delayed staging.	See Section 4.4.16 Initial and Non-Initial Precincts. The initial precincts were selected to ensure infrastructure is aligned with land released for development and the broader servicing and implementation plans for the area. Rezoning of non-initial precincts will be reviewed to consider uptake in the initial precincts. Council's assessment process considers the impact and mitigation strategies associated with land use conflicts between rural and residential uses, as well as the future operations of the Western Sydney Airport.
166	Zoning and Flooding and	The SEPP EIE proposes to re-zone part of the site SP2 Stormwater Infrastructure and earmarks this land for acquisition along with a portion of the site earmarked	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space.

<p>Stormwater Management</p>	<p>for a hilltop park open space. It is considered the SP2 stormwater location is in the wrong place and seeks to remove the area identified. The area of land identified as SP2 Stormwater infrastructure is not located within a watercourse and the site is not flood prone. The land identified is located on a natural ridgeline and its need for stormwater treatment is considered to have little upstream catchment and be inappropriate for water detention and treatment. It is recommended this is removed as it appears to be an error.</p>	
<p>Acquisition and Development opportunities / DA Processes</p>	<p>The submission seeks clarification regarding the process and timeframes for acquisition of the property. The submission requests the process is exhibited to provide opportunity for input into the acquisition process and to seek confirmation that the land will be valued at the underlying valuation of "Enterprise". The submission seeks to understand opportunities to offset development contributions with embellishment and dedication of open space areas as well as the associated processes.</p>	<p>The acquisition of the land will occur in accordance with the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
<p>Community Consultation Process /Transparency & Development</p>	<p>The submission requests that the Precinct Plans are exhibited prior to finalisation.</p>	<p>The final Precinct Plan responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p>

	opportunities/DA Processes		
	SEPP (instrument)	The submission seeks clarity regarding the assessment of Development Applications and how clause 4.6 will be assessed and implemented	As part of the SEPP amendment, new provisions have been added to Part 7 of the Aerotropolis SEPP to facilitate development that proposes minor inconsistencies with the Precinct Plan, where these inconsistencies can be justified.
167 – Agency: Transport for NSW	Development Staging and Infrastructure Delivery	Supports the staged development of the Aerotropolis to ensure essential transport and other infrastructure is in place prior to development being approved or constructed. There is importance to coordinate government funding and delivery to address priority State infrastructure.	Noted. The Department will work with other NSW Government Agencies and Council(s) to ensure the delivery of infrastructure is coordinated and supports the utilisation of State infrastructure.
	Master Plans	<p>The ability of masterplans to modify the Precinct Plan is of concern as it may impact the capacity of the transport network and the ability to implement the infrastructure. In addition, there needs to be oversight of the infrastructure requirements, phasing, funding and delivery across the whole of the Aerotropolis (looking cumulatively and determining staging of infrastructure and development).</p> <p>Requests that there is sufficient time to review the draft masterplan guidelines prior to their adoption, and subject to this review, TfNSW may seek a greater role in conjunction with the Western Parkland City Authority in reviewing changes to Precinct Plans and their cumulative</p>	<p>The Master Planning Guidelines have now been published.</p> <p>TfNSW will be a member of the Technical Assurance Panel and will have input in the Master Plans as they are formulated.</p>

	<p>impact on infrastructure and place outcomes in the area.</p> <p>It is requested the criteria to develop masterplans is flexible to enable the realignment and refinement of transport corridors subject to detailed site investigations.</p>	
Complying Development and Master Plans	<p>Whilst complying development can be 'switched on' via an approved masterplan, there is a need to consider the potential impacts of strata subdivision of residential and commercial developments as it may have further cost impacts associated with delivering transport corridors</p>	<p>Noted, this matter will be considered through the Technical Assurance Panel as master plans are formulated. .</p>
Traffic and Infrastructure Delivery	<p>Recommended that a regular review of development uptake and travel behaviour is undertaken against planned capacity to ensure that the right infrastructure is in place to serve the Aerotropolis as it develops.</p> <p>Consideration should be given to reviewing development/transport impact when the airport is well underway with the associated development.</p> <p>Recommends a review every 5 years of development uptake and travel behaviour against planned capacity to ensure that the right infrastructure is in place to serve the Aerotropolis as it develops.</p>	<p>Transport network and assumptions reviews are expected to form part of the overall reviews of the Aerotropolis planning framework which is expected to occur from time to time on an as needs basis.</p>

<p>Density and Housing (location / quantum)</p>	<p>There is no guidance for density around the Metro stations and there is concern low density development could occur resulting in an underutilisation of infrastructure.</p> <p>Request to consider if there are minimum density requirements considered around the metro stations (within 800m).</p> <p>The Aerotropolis SEPP amendment should also provide clarification with regard to how proposed additional permitted uses relate to the 3400 residential dwelling cap that currently applies to Sydney Science Park until a Precinct Plan is in force for the land.</p>	<p>Development densities around the metro stations will be guided by development standards such as building height and floor space ratio controls contained in the Aerotropolis Precinct Plan.</p> <p>Density controls are included for Luddenham station where single detached housing can only occur outside of a 1.2 km radius of the station. How the dwelling cap is distributed is a commercial arrangement between Sydney metro and the landowner, noting the underlying principle for the Luddenham Station precinct to deliver jobs and dwellings close to transport infrastructure.</p>
<p>Roads and Permitted Uses</p>	<p>Clarification is requested to be provided on the Airport/Freight/Industrial lands 24hour operation and impacts on sensitive land uses in mixed use areas.</p>	<p>Provisions on interfaces to sensitive land uses are detailed in the draft Phase 2 DCP where the following objectives are proposed:</p> <ul style="list-style-type: none"> • Create appropriate interfaces between uses. New development needs to consider the desired future character for the area and be responsible for providing appropriate interfaces going forward. • Ensure good design and planning occurs at the interface between existing and new major infrastructure and built form. <p>Orientate new development towards blue-green corridors to provide connection to Country, surveillance, and activation along the interface.</p>
<p>Existing Uses and Infrastructure Delivery</p>	<p>The new clause retaining land uses that were permissible prior to the commencement of the Aerotropolis SEPP need to be carefully considered as it relates to the impact of these uses (and</p>	<p>Noted. These considerations will be a matter for the development assessment stage.</p>

	<p>any timeframe for land use transition) on existing and future transport. Transport and other infrastructure needed to support the anticipated growth needs safeguarding and should be included as a key consideration by the consent authority when considering DAs. Potential land use conflicts also need consideration.</p>	
<p>Transport Corridors and Existing Uses</p>	<p>Mapping anomalies were noted as it related to consistency with the SEPP (Major Infrastructure Corridors) 2020 and existing land reservations previously included in the former Liverpool and Penrith Local Environmental Plans. The location of an existing detention basin for retention within the metro corridor is incorrect and should be amended.</p> <p>The additional permitted use map should also identify the metro station locations.</p>	<p>Noted. Maps have been corrected.</p>
<p>Environmental Values / Biodiversity Certification and Transport Corridors</p>	<p>It is unclear of the impact new biodiversity areas will have on transport corridors.</p>	<p>The Department confirms new biodiversity protection areas are not within transport corridors.</p>
<p>SEPP (instrument)</p>	<p>Clarification is required to identify if the proposed changes to SEPP (State and Regional Development) 2011 requiring consistency to be demonstrated with the Aerotropolis SEPP, includes demonstrating consistency with transport corridors.</p>	<p>The State Significant Development planning pathway will remain in place across the Aerotropolis. An amendment to the State and Regional Development SEPP requires that State Significant Development is consistent with the land use zone. This is considered an important amendment which will facilitate development in accordance with the Western Sydney Aerotropolis Plan. A detailed response is provided in the Finalisation Report.</p>

<p>Complying Development</p>	<p>Changes in complying development also needs to consider safeguarding of current and future transport, not just the matters outlined under the SEPP.</p> <p>Clarification is also requested on whether there are instances under where the SEPP (Exempt and Complying Development Codes) 2008 still apply – i.e. in special purposes zones.</p>	<p>The new Part of the SEPP that ‘switches on’ certain complying development codes under the SEPP, includes specific provisions that either:</p> <ul style="list-style-type: none"> • Exclude the application of the complying development pathway for development that would otherwise require Commonwealth consultations under Part 3 of the SEPP; or • Apply additional development controls for complying development to comply with airport safeguarding provisions that otherwise sit in the DCP.
<p>Active Transport</p>	<p>Support is provided for the location of the cycling network within open space corridors as it is consistent with the broader policy. However, this should be reviewed in the context of the reduction of open space.</p>	<p>Noted. The review of the open Space Network sought to retain riparian areas for parkland in order to contribute to these future walking and cycling connections.</p>
<p>Development Opportunities / DA Processes and Zoning</p>	<p>Clarification is requested on the number of DAs lodged before the commencement of the Aerotropolis SEPP that allowed subdivision in the ANEC 20 contour and above, and the associated land uses.</p> <p>In addition, any increase in development potential as a result of rezoning certain Environment and Recreation land to RU4 needs to be considered in terms of infrastructure.</p> <p>Any uplift could impact infrastructure requirements that need to be planned for prior to any rezoning occurring.</p>	<p>There are not a significant number of subdivision applications that would be captured by the proposed provision.</p> <p>The rezoning of land from Environment and Recreation to RU4 will not result in any meaningful increase in demand on infrastructure. The rezoning reverts to the zone that applied prior to the SEPP and do not present substantial opportunities for new development. The amendment in effect maintains the status quo for these areas until detailed Precinct Planning investigations can take place.</p>
<p>SEPP (instrument)</p>	<p>Cumulative impacts of multiple variations under the proposed ‘clause 4.6’ to enable variations to Precinct Plans need to be</p>	<p>Noted, as outlined in response to public submissions, minor variations sought to a Precinct Plan are will be included as a clause in the Aerotropolis SEPP as part of the finalisation of this planning</p>

	<p>understood and considered, particularly given each proposed variation could enable substantially more uplift in locations not anticipated.</p> <p>Requests to review the draft instrument and wording of the clause prior to finalisation.</p>	<p>package. Variations to a Precinct Plan will still be required to justify whether the inconsistency with a Precinct Plan is minor and does not result in any adverse impacts or unforeseen changes to the strategic intent of the relevant land.</p> <p>The wording of the draft clause will be made available on the NSW legislation website once notified.</p>
<p>Flooding and Stormwater Management</p>	<p>Concerned that making infrastructure exempt from the flooding provisions could enable development of social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes) to be permitted in flood prone land. This would be highly inappropriate as it would create a potential risk to life for occupants and to emergency service personnel during flood events.</p> <p>It is noted that there is council and stakeholder concern about the currency of flood studies in that location. It is recommended that the 'exemption' be deferred until those flood studies are updated and the evacuation impacts considered on a cumulative basis.</p> <p>Recommended that any amendment to the SEPP consider:</p> <ul style="list-style-type: none"> • the implications of the flood planning level and probable maximum flood level for development planning and flood evacuation (particularly of sensitive land uses including dwellings); and 	<p>Clause 26 of the Aerotropolis SEPP includes provisions whereby development consent cannot be granted to development involving earthworks in a floodway area or a flood storage area. The amendments to the SEPP exclude the need for public authorities to comply with these provisions when undertaking development for the purposes of public infrastructure. The intent of the amendment is to facilitate public works such footpaths and cycleways etc in public spaces.</p> <p>Clause 26(3) includes a variety of other development controls required to be considered by the consent authority prior to granting consent to development in a flood planning area or below the flood planning level. These provisions will continue to apply to works undertaken by public authorities so that flood planning risks are considered and managed.</p>

		<ul style="list-style-type: none"> the implications on the road network for evacuation capacity. 	
168	Zoning	The submission seeks clarity on the road network and servicing infrastructure. The submission notes land was originally proposed as open space and a submission was made to the Precinct Plan submission and identified the land was mostly unconstrained and suitable for development. The submission supports the proposed amendment noting this matter has been resolved with a Mixed Use zone and no further acquisition for open space.	Noted. See Section 4.4.12 Timing and Delivery of Infrastructure
	Community Consultation Process /Transparency and Roads	The submission notes the SEPP EIE confirms that extensive changes will be made to the road network. To enable this to be easily understood, the Precinct Plans need to be re-released to understand the impact of the changes. The submission recommends a servicing strategy should be released that considers the development of the site.	<p>The final Precinct Plan responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p> <p>The delivery of servicing infrastructure will be in accordance with the strategies of the relevant service providers and the staging of precincts.</p>
	Development opportunities/DA Processes	The submission seeks clarification on a number of matters including acquisition processes, how clause 4.6 variations will be assessed and implemented, and how Voluntary Planning Agreements and work in kind arrangements can be made.	<p>As outlined in response to public submissions, minor variations sought to a Precinct Plan are will be included as a clause in the Aerotropolis SEPP as part of the finalisation of this planning package. Variations to a Precinct Plan will still be required to justify whether the inconsistency with a Precinct Plan is minor and does not result in any adverse impacts or unforeseen changes to the strategic intent of the relevant land.</p> <p>The wording of the draft clause will be made available on the NSW legislation website once notified.</p>

			Existing processes to enter into Voluntary Planning Agreements or work in kind arrangements are consistent with processes established by the relevant consent authority.
	Aboriginal Heritage	The submission requests the Connection to Country guidelines be released for exhibition.	See Section 4.4.15 Aboriginal Engagement and connecting with Country
169	Zoning	The submission seeks clarity on the road network and servicing infrastructure. The submission supports the removal of open space at the subject site which has increased development yield.	<p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.</p> <p>Acquisition of land for transport projects occurs at the detailed design and delivery stage. With the exception of the M12, which is in its detailed design phase (lead by Transport for NSW), no specific proposals for land acquisition for transport infrastructure are proposed as part of this amendment to the SEPP.</p> <p>Roads and other infrastructure (such as water and sewer) across the Aerotropolis will be delivered over time as they are needed, and this will generally align with when land is suitable for development. Detailed discussions with landowners regarding ensuring access is maintained to properties will occur in the detailed design and delivery stages associated with infrastructure delivery.</p>
	Community Consultation Process / Transparency and Roads	The submission notes the SEPP EIE confirms that extensive changes will be made to the road network. To enable this to be easily understood, the Precinct Plans need to be re-released to understand the impact of the changes. The submission recommends a servicing strategy should be released that considers the development of the site.	The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis. See Section 4.4.12 Timing and Delivery of Infrastructure

	Development opportunities/DA Processes	The submission seeks clarification on a number of matters including acquisition processes, how DAs are assessed and how clause 4.6 will be assessed and implemented, and how VPA and work in kind arrangements can be made.	<p>As outlined in response to public submissions, minor variations sought to a Precinct Plan are will be included as a clause in the Aerotropolis SEPP as part of the finalisation of this planning package. Variations to a Precinct Plan will still be required to justify whether the inconsistency with a Precinct Plan is minor and does not result in any adverse impacts or unforeseen changes to the strategic intent of the relevant land.</p> <p>Existing processes to enter into Voluntary Planning Agreements or work in kind arrangements are consistent with processes established by the relevant consent authority.</p>
	Aboriginal Heritage	The submission requests the Connection to Country guidelines to be released for exhibition.	<p>See Section 4.4.15 Aboriginal Engagement and connecting with Country</p> <p>The draft Phase 2 DCP along with the supporting Guidelines will be finalised in 2022.</p>
170	Zoning	The submission requests the current zoning of the site does not change (93.7% as Enterprise and 6.3% as Environment and Recreation). Advice from the Department have advised an additional 20% of the land will be zoned for Special Infrastructure (140 approx.), on top of the Environment and Recreation zoned land. The submission requests that Stormwater Infrastructure land is moved onto the Airport site and on Federal land. This will eliminate the need for land acquisitions and should not impact the land of individual residents as there is enough land for the airport. If it is not moved onto Federal land, it should be moved onto the land of the larger developers who are not impacted in the same way. The submission requests the	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p> <p>The Department has reviewed the overall amount and location of Stormwater Infrastructure land with Sydney Water. The area identified for open space has been maintained, however has been re-categorised as being required for Stormwater Infrastructure. The site contains environmental lands, creeks and riparian areas, and is required to meet waterway health objectives. No changes are considered to be required at this time.</p>

		Stormwater Infrastructure zoning is not applied to the property.	
	Flooding and Stormwater Management and Community Consultation Process /Transparency	There is confusion as to why Stormwater Infrastructure is being raised now and not earlier in the process. It is also considered large corporations have not been impacted by Stormwater Infrastructure to the same extent of individual landowners. All landowners should be affected the same, rather than on an individual basis. Moving the stormwater land is considered to be financially beneficial for Government and landowners. The submission notes they were not made aware of the open space land on their property as part of the Precinct Plan exhibition. The maps provided for exhibition are difficult to read and are not accurate. The time made available for the public exhibition is insufficient and people have not been able to respond effectively in the timeframe.	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community. See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space
171	Zoning	The submission requests the current zoning of the site does not change (93.7% as Enterprise and 6.3% as Environment and Recreation). Advice from the Department have advised an additional 20% of the land will be zoned for Special Infrastructure (141 approx.), on top of the Environment and Recreation zoned land. The submission requests that Stormwater Infrastructure land is moved onto the Airport site and on Federal land. This will eliminate the	The Department has reviewed the overall amount and location of Stormwater Infrastructure land with Sydney Water. The area identified for open space has been maintained, however has been re-categorised as being required for Stormwater Infrastructure. The site contains environmental lands, creeks and riparian areas, and is required to meet waterway health objectives. No changes are considered to be required at this time. See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space

		<p>need for land acquisitions and should not impact the land of individual residents as there is enough land for the airport. If it is not moved onto Federal land, it should be moved onto the land of the larger developers who are not impacted in the same way. The submission requests the Stormwater Infrastructure zoning is not applied to the property.</p>	
	<p>Flooding and Stormwater Management and Community Consultation Process /Transparency</p>	<p>There is confusion as to why Stormwater Infrastructure is being raised now and not earlier in the process. It is also considered large corporations have not been impacted by Stormwater Infrastructure to the same extent of individual landowners. All landowners should be affected the same, rather than on an individual basis. Moving the stormwater land is considered to be financially beneficial for Government and landowners. The submission notes they were not made aware of the open space land on their property as part of the Precinct Plan exhibition. The maps provided for exhibition are difficult to read and are not accurate. The time made available for the public exhibition is insufficient and people have not been able to respond effectively in the timeframe.</p>	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space</p>
172	<p>Development opportunities/DA Processes</p>	<p>This submission relates to land in Badgerys Creek. The land is split between 2 priority precincts in the Aerotropolis and is considered only 30% can be developed. The proponent is</p>	<p>The State Significant Development planning pathway will remain in place across the Aerotropolis. An amendment to the State and Regional Development SEPP requires that State Significant Development is permissible in the land use zone. This is considered an important amendment which will facilitate development in</p>

	currently preparing an SSD for the site and as part of the SEARs, it is required to consider and address the relevant planning controls under the SEPP.	accordance with the Western Sydney Aerotropolis Plan. A detailed response is provided in the Finalisation Report.
Zoning	<p>Changes under the SEPP EIE identify the site for SP2 Stormwater Infrastructure. However, changes are proposed to be made in the finalisation of the precinct which will treat the SP2 Infrastructure zoning as an overlay rather than a change in zoning. Sydney water identified that the SP2 infrastructure zoning is part of a long-term strategy for the Aerotropolis and the NSW Government will appoint a stormwater authority for the Aerotropolis and an acquisition authority for stormwater. Detailed design is expected as development occurs of the next 10-20 years. The proponent objects to the inclusion of SP2 zoning over the site. The submission also objects the inclusion of the overlay over the site and requests the zoning is reverted to its previous stage (Enterprise and Environment and Recreation). Clarity is sought on the zoning changes related to the site as it was understood from Sydney Water that the overlay of the Stormwater Infrastructure may encroach the Enterprise zone and reduce development potential.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space, Section 4.4.3 Environment and Recreation Zone, Section 4.4.10 Lot Severance and 4.4.11 Built form and urban design.</p> <p>The area identified as open space within the Badgerys Creek precinct has been removed from the Enterprise zoning. The revised open space within the Wianamatta-South Creek precinct has been zoned for Environment and Recreation within flood prone land.</p> <p>The Department and Sydney Water completed a further review of the amount and location of land required for the drainage basin on the site, which is located within the Stormwater Infrastructure overlay. Sydney Water have confirmed significant stormwater assets are identified on this land to help development meet the waterway health objectives and stormwater targets via regional stormwater network scheme. The assets have been located on flood affected land to reduce impacts on development whilst also avoiding impacts the Wianamatta-South Creek floodway. The Department considers no further changes are required at this time.</p>
Acquisition	Objection is also raised to the proposed acquisition of the SP2 land by the, yet to be identified, water authority. Until	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space

		designs of the project are complete the landowner reserves the right to develop its land and if required, use this land for project stormwater management/water storage purposes.	
173	Acquisition and Property Valuation	Requests the property is purchased because of the road corridor on the transport corridors map. There is no timeline for acquisitions on the property. It is requested the land is included in the Land Reservation Acquisition map and acquire it urgently. It is considered the land was rezoned Enterprise to reduce the value rather than the adjacent Mixed Use zone to enable a lower rate for acquisition. It is considered the zone should be Mixed Use if the land is required for a road corridor. This should be reflected on the entirety of the road corridor. It is unclear why the corridor cannot be moved to Government owned land.	<p>The site is identified as a location for the future road network. The Department has completed further detailed investigations on the location and requirements to support the road corridor and confirms it cannot be moved.</p> <p>Acquisition of land for transport projects occurs at the detailed design and delivery stage. With the exception of the M12, which is in its detailed design phase (lead by Transport for NSW), no specific proposals for land acquisition for transport infrastructure are proposed as part of this amendment to the SEPP.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
	Zoning	Raises concerns regarding the road corridor zoned as Enterprise rather than mixed use and includes a recommendation to rezone land as Mixed Use, to improve fairness and consistency of zoning with adjoining land. The submission also recommends including residential accommodation (such as residential flat buildings and shop-top housing) as an additional permitted use.	<p>The higher order transport network shown in the Aerotropolis SEPP is complemented by the Precinct Plan which shows how planned roads will connect into the wider network over time.</p> <p>Complementary zoning to different road corridors is outlined in the Precinct Plans which consider the holistic impacts of integrating land use and transport to deliver positive amenity and place outcomes. The corresponding transport network has been designed to support the proposed uses consistent with the Precinct Plans.</p>

	Environmental Values / Biodiversity Certification	Requests the retention of the biodiversity certification for the entire property as per current legislation.	See Section 4.4.13 Biodiversity
	Open Space (location / quantum)	Raises concerns regarding the reduction of Open Space on government land versus reduction on privately owned land. Recommendation to amend provision and location of open space to be contained within government land adjoining and would still meet objective for open space within 400-metre walking distance.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space
174	Existing Uses and Zoning	The location of the proposed open space network will impact the operation of the business on the site. The submission identifies consideration hasn't been given to the continued operation of the transport business. The submission objects to the identified open space zoning for the site as it will rely on existing use rights and limit their ability to expand. The objectives of the Enterprise zones do not refer to environmentally sensitive land, providing open space for works and visitors to the envisaged business hub or providing incompatible uses. The zone also does not permit residential accommodation, meaning people are unlikely to live where the catchment to open space is proposed on the property and will be difficult to access from the Mixed Use zone. There are significant amounts of open space	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space Section 4.4.5 Provisions for previously permissible uses

	proposed elsewhere and it is recommended that this is relocated.	
Acquisition and Zoning	The SEPP Mapping for the site is inconsistent; specifically, the Land Acquisition Map and the Land Zoning Map provide different outcomes for the site. It is requested either map is amended to reflect the actual intent, either to remove the property from the Land Reservation Acquisition map, or to amend the zoning to reflect the intent of public space as RE1 zoned land, not Enterprise land. The zoning of the site and requirements for acquisition is perceived as Council double dipping as they have the potential to acquire the land and then rezone the land once purchased.	Any inconsistencies between mapping have been resolved in the finalisation of the package. See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space.
Environmental Values	It is noted that subject site, nor the adjoining properties have been mapped as having High Biodiversity Value on the associated SEPP Mapping, yet is being acquired to retain areas containing high biodiversity value. It is unclear of the benefit of including proposed clause 18A in the SEPP as it is perceived to allow public authorities to clear native vegetation with minimal approvals. It is unsure the public benefits associated. If the land is requested to acquire the land for biodiversity reasons, it is recommended the land being acquired is altered to only acquire those with identified vegetation.	The Department confirms the subject site and the neighbouring properties have been ground truthed by the Department's biodiversity consultant. Whilst the site is not identified as containing matters of environmental significance, the land provides a context for the retention of a network of open space by connecting existing biodiversity on neighbouring and surrounding lands. The land identified for retention forms a broader park where existing biodiversity is considered to complement open space for active and passive recreational needs. See Section 4.4.13 Biodiversity.

175	Open Space (location / quantum) and Community Consultation Process / Transparency	Notes no position on the precise location or quantum of open space has been provided and this decision is best made by local authorities in partnership with local communities. The submission supports the recommendations of the community commissioner and advocates for their adoption. This relates to stronger community engagement processes, clearly identifying land for acquisition and managing community expectations through this process of acquisition and delivery of open space. Support is provided to the principle of a garden city and increased connectivity in open space.	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community. See Section 4.4.2 Land for Open Space .
	PIC and Infrastructure Delivery	The PIC is supported as the best approach to infrastructure delivery. Recommends the exhibition of a costed and funded infrastructure, sequencing plan, and associated governance arrangements.	Noted. The finalisation of the SIC was informed by the latest planning controls in consultation with state agencies, councils and community. The Aerotropolis planning package, SEPP and SIC were finalised as one framework for consistency and transparency. See Section 4.4.8 Special Infrastructure Contributions Further information on the SIC including contribution rates, applicable area and infrastructure schedule can be found on the Department's website.
176	Open Space (location / quantum) and Acquisition	The submission raises concerns about the amount of SP2 Stormwater Infrastructure required for the property. The submission considers the amount required is excessive and does not relate to an appropriate water catchment as it is on the high side of Elizabeth Drive. The submission seeks to clarify why there is less land being acquired on the southern	See Section 4.4.1 Land for Stormwater Infrastructure

		properties. The submission seeks to identify Who will be acquiring the land and the land should be paid at full market prices and at the current zoning of enterprise.	
	Ground Truthing and Flooding and Stormwater Management	The submission considers the location of stormwater land has not been ground truthed as the property contains a second order stream leading to manmade dams and there is no evidence on the land that the stream would exist. It is considered the land does not met retention requirements outlined in the Alluvium report and their retention is inconsistent with the wildlife buffer zone.	A comprehensive assessment has been undertaken on the required stormwater infrastructure and open space land previously exhibited under the draft Precinct Plan. See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space
	Access arrangements	The location is not suitable as it will potentially remove their access.	Detailed discussions between the acquisition authority and landowners will occur as part of the acquisition, detailed design and delivery stage of infrastructure to ensure access arrangements can be maintained, despite changes in ownership.
177	Zoning and Property Valuation	Support provided for the removal of Environment and Recreation zoning, replaced with RU4 Primary Production Small Lots zoning. However, the land still remains difficult to sell because there is confusion in the removal of this zoning. It is considered the land has become sterilised.	See Section 4.4.3 Environment and Recreation Zone
	FSR	It is recommended FSR controls are applied to ensure the land can be considered developable despite any environment and recreation zoning.	Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones or for Rural purposes is not considered appropriate.

	Infrastructure Delivery and Infrastructure Staging and Sequencing	Upgrades to infrastructure are required in the area, particularly in regard to sewer and stormwater. There needs to be mitigation of flooding and water quality issues that have been created as part of this process. Infrastructure should also be staged to ensure development is supported. Examples have been demonstrated with Bringelly Road and the new Western Road.	The remediation and management of local waterways are a matter to be considered by the relevant Council and their program of works when maintaining existing assets. Regarding the staging of infrastructure, see Section 4.4.12 Timing and Infrastructure Delivery .
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. Request made to bring this forward (3-5 years).	See Section 4.4.16 Initial and Non-Initial Precincts .
178 – Agency: Water NSW	Acquisition	Requested confirmation of the land owned by Water NSW that is also required for acquisition.	See Section 4.4.1 Land for Stormwater Infrastructure
	Infrastructure Delivery and Flooding and Stormwater Management	It is important to ensure the Warragamba Pipelines Corridor is protected from potential impacts of development and increased flooding risks arising from upstream developments. Concerns regarding changes in land uses and open space along the corridor. The absence of a flood study or updated stormwater modelling has resulted in confusion on the implications of the reductions in open space and the downstream implications for the corridor. Proposed changes have the potential to increase water volumes, velocities and	Concurrence provisions are already included in the Aerotropolis SEPP (Part 4) to ensure advice is provided to outlining suitable measures to protect the Warragamba Pipelines Corridor.

	flows entering the Corridor or exacerbate flows and flood risk associated with South Creek – which could also result in a risk of pipe failure.	
Zoning	<p>The submission does not support the changes in zoning in the Wianamatta-South Creek Precinct. The Precinct has an important role in stormwater management and flood mitigation, and in reducing water volumes and flood impacts on the Warragamba Pipelines where they traverse South Creek immediately downstream of the Aerotropolis. It is requested land is appropriately zoned for Stormwater Infrastructure and applied under the Land Reservation Acquisition map.</p> <p>Uncertainties related to the acquisition of stormwater and open space land could result in ongoing issues of management and maintenance.</p>	<p>Noted. It is acknowledged the precinct has an important role in retaining provision for flood mitigation. However, the areas where the Environment and Recreation zoning are removed will continue to be protected under the flooding provisions of the Liverpool LEP 2008.</p> <p>The intent of the ‘overlay’ applied for Stormwater Infrastructure is to ensure land is suitably identified as stormwater infrastructure. Despite the differences between a zone and an overlay, the practical application is similar. Land identified as stormwater infrastructure in the overlay is identified on the Land Reservation Acquisition map which enables the acquisition authority to acquire the land when required and as per the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>The relevant acquisition authority is responsible for ensuring the regular maintenance and management of stormwater land.</p>
Flooding and Stormwater Management	Concerns regarding the lack of information available such as a flood study or stormwater management study (or equivalent) showing the implications of the proposed zoning changes and their implications as they relate to overland flow and stormwater management.	See Section 4.4.14 Flooding and water cycle management.
Infrastructure Delivery	Further consideration should be given to the wording of enabling works to be completed by public authorities below the flood planning level to ensure the protection of the buffer area to the	Clause 30 of the Aerotropolis SEPP applies to land identified on the Warragamba Pipelines Map. Exemptions are only considered under clause 26(4).

	Warragamba Pipeline Corridor and manage flood risk associated with earthworks activities.	
Environmental Values / Biodiversity Certification	Notes proposal to allow vegetation clearing by public authorities for public utilities without consent. The relationship between Cumberland Plain Conservation Plan and the High Biodiversity Value Areas map remains unclear and should be further considered prior to finalisation of this amendment.	The Cumberland Plain Conservation Plan has informed the high biodiversity values map. The Cumberland Plain Conservation Plan package will be finalised in 2022 and any necessary amendments to zoning or development controls under the Aerotropolis SEPP will be made at this time.
Complying Development	Recommends complying development provisions should not apply to lands below the flood planning level and the demolition code to not be applied to contaminated lands.	SEPP (Exempt and Complying Development Codes) 2008 includes provisions relating to whether complying development can or cannot be undertaken on land below the flood planning level.
Master Plans	The submission supports the requirement for Master Plans to be aligned with Precinct Plans and the ability for amendments to be made. It is recommended masterplans proposed for areas within 25m of the Warragamba pipeline seek concurrence with Water NSW.	Consultation with Water NSW for Master Plans will be through the Technical Assurance Panel.
Existing Uses	Concerns regarding enabling previously Permitted Uses. Allowing on-going permissibility of land uses under current zoning arrangements could adversely affect the ability of the Environment and Recreation Zone in the Wianamatta-South Creek Precinct to provide effective stormwater management, flood mitigation and open space. Ongoing rural uses may	Previously permissible uses will be subject to all other development controls contained with Aerotropolis planning framework. See Section 4.4.5 Provisions for Previously Permissible Uses

		also conflict with the ability of this land to mitigate stormwater flows from the Aerotropolis as other surrounding adjoining Precincts are developed.	
	SEPP (instrument)	Recommends the provisions related to State Significant Developments is expanded to require applications to consider the provisions of any relevant or approved Precinct Plan applying to the site and any impact on the Warragamba Pipeline Corridor.	State Significant Development will be required to consider the Aerotropolis SEPP and the Precinct Plans. See Section 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011)
179	Zoning	Object to rezoning of subject property and adjoining neighbour to Environment and Recreation in the middle of an Agribusiness Precinct. The submission raises concerns zone will completely eliminate commercial investment opportunities for the two selected landowners. Notes a comparison of permitted uses for Environment and Recreation zone and Agribusiness to demonstrate limitations placed on the subject site in comparison to adjoining land holders. The submission requests to allow some commercial capability at the site by allowing some agribusiness uses. Notes the site is optimally positioned to contribute to Agribusiness precinct vision, no watercourses or flooding affectations and surrounding vegetation has been assessed as low-moderate quality regrowth	See Section 4.4.13 Biodiversity
	Noise (ANEC / ANEF) and	The submission notes that in addition to limited development opportunities of the	Noted. The Precinct Plans support a range different land uses that has been informed by the airport safeguarding principles to ensure

	Development opportunities / DA Processes	Environment and Recreation zone, the site has been identified as having several development restrictions due to ANEC. Agribusiness usages can be less sensitive to noise.	development and airport operations are complementary and do not create adverse amenity impacts. Land uses permitted within noise contours are subject to the relevant provisions of the Aerotropolis SEPP.
	Community Consultation Process / Transparency	Refers to multiple submissions and a long history of trying to reason with the Department. The submission commends the 'Responding To The Issues' report in capturing the concerns of residents and the importance of the Community Commissioners work. The submission requests for DCP terms to have a Glossary.	Noted. See Section 7.1 Finalisation of Phase 2 DCP.
	DCP and Roads	The submission requests transport corridor widths at minimum, must provide for wide footpaths, cycle lanes on both sides of roadway, one parking lane on both sides of roadway, two traffic lanes in each direction, median strip. Commercial vehicles and passenger vehicles operate differently and need separation, emergency vehicles shouldn't be stuck on single lane roads in traffic.	Corridor widths are sufficient to accommodate a full range of road uses. Detailed cross sections demonstrating this are shown in the final Precinct Plan.
	Open Space and Acquisition (location / quantum)	The submission supports the scaling back of the open space network which removes the threat of compulsory acquisition for the property.	Noted. See Section 4.4.2 Land for Open Space.
180	Open Space (location / quantum) and	The submission notes the subject site was zoned Enterprise under Aerotropolis SEPP in October 2020 and is located in Aerotropolis core. The SEPP EIE	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space The Department confirms the subject site and the neighbouring properties have been ground truthed by the Department's

	Acquisition	<p>identifies ¾ of the site is proposed to be acquired for an open space network. The submission raises concern the acquisition of land containing poor quality vegetation without any investigation to determine the significance of the vegetation.</p> <p>The submission requests that further investigation of the existing flora onsite is undertaken to clarify the intention to include the site as part of the open space network. The submission notes the site was planned for employment and business uses and is not constrained by flood or high biodiversity value in the Aerotropolis SEPP. The submission raises concerns with the value of which the land will be acquired for. The submission requests confirmation of appropriate compensation assessing the value of the land on the basis that the allotment is zoned Enterprise.</p>	<p>biodiversity consultant. Whilst the site is not identified as containing matters of environmental significance, the land provides a context for the retention of a network of open space by connecting existing biodiversity on the neighbouring and adjoining lands. The land identified for retention forms a broader park where existing biodiversity is considered to complement open space for active and passive recreational needs.</p> <p>See Section 4.4.13 Biodiversity.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
181 – Agency: Western Sydney Airport	SEPP (instrument)	<p>Recommendation to update the boundary of Western Sydney International airport to reflect the administrative boundary of the site and commonwealth owned land.</p> <p>Clarification is requested on if the removal of Obstacle Limitation surface Maps will be removed as part of the housekeeping amendments to the Aerotropolis SEPP.</p> <p>Requests to remove Commonwealth land from the stormwater infrastructure network acquisition map.</p>	<p>Any change to the boundary of the Western Sydney International Airport that is embedded in the SEPP is required to proceed through the plan-making process, including an exhibited EIE. This can be amended in future updates, if required. Similarly, there are no proposed changes to the Obstacle Limitation Surface map at this time.</p> <p>The stormwater land is not located on Commonwealth land.</p>

<p>Existing Uses</p>	<p>Clarity is requested on the enabling of previously permitted uses and the weight given to airport safeguarding in development assessment.</p> <p>Confirmation required that clause 5 of the Aerotropolis SEPP will also apply to the DAs made under the Liverpool and Penrith Local environmental Land where previously permitted uses are requested to be retained.</p> <p>Concern raised regarding the lack of minimum lot size provisions which creates a risk that land outside the ANEC 20 contour can be subdivided to facilitate additional residential development above what is anticipated in the Precinct Plans.</p> <p>Any new noise sensitive uses constructed under part 2 as it relates to the enabling of previously permitted uses may require further consideration of noise amelioration measures on development, pre or post construction.</p> <p>It is requested the draft instrument is made available for review prior to finalisation.</p>	<p>Part 3 of the Aerotropolis SEPP, will apply to all DAs, including those lodged under the previously permissible uses clause.</p> <p>The provisions to allow previously permissible uses (See Section 4.4.5 Provisions for previously permissible uses) do not impact on the prohibition of noise sensitive uses and applicable controls within the ANEC 20 contour or higher.</p> <p>Clause 19 of the Aerotropolis SEPP outlines the criteria to enable development affected by land identified within the ANEC 20 contour or higher. This clause outlines the types of noise sensitive development which requiring consistency with additional criteria under the SEPP.</p> <p>The EIE outlined the intent of the proposed amendments to the Aerotropolis SEPP and will inform the legal drafting the legal drafting of the amended SEPP which will be available upon publication.</p>
<p>Wildlife Attraction Risk and Flooding and Stormwater Management</p>	<p>Wildlife attraction risk remains a prevalent issue within the planning around the airport, including the retention of water bodies surrounding the precinct. No new water bodies should not be identified within the 13km wildlife buffer zone until further assessments are</p>	<p>Noted. See Section 4.4.17 Aviation safeguarding and wildlife strike.</p> <p>It is necessary that stormwater be managed appropriately. During detailed design of the regional stormwater network further consultation will be undertaken with Western Sydney Airport.</p>

	<p>prepared and reviewed by Western Sydney Airport.</p>	
<p>Noise (ANEC / ANEF) and Development Opportunities / DA processes</p>	<p>Confirmation is required on:</p> <ul style="list-style-type: none"> • whether the provisions to enable development in the ANEC / ANEF 20 contour and above will apply to applications previously withdrawn or determined, allowing lodgement of subdivision applications; • how many additional applications could be approved under the proposed clause; • where subdivisions would likely be located; and • how aviation safeguarding measures would be enforced. <p>Additional clarity is requested on if complying development would be allowed for the retained previously permitted uses, subject to airport safeguarding measures and part 3 of SEPP (Exempt and Complying Development Codes) 2008 is intended to override the permissibility as it relates to complying development. Additional residential development is not supported to be achieved through complying development pathways.</p> <p>The inclusion of noise sensitive uses, including residential development, is not supported in being permissible under the Aerotropolis SEPP.</p>	<p>Development consent may be granted for subdivision applications lodged prior to the commencement of the Aerotropolis SEPP. The Department acknowledges that additional lots may be created, however, this is unlikely to result in a significant amount of development uplift.</p> <p>Complying development codes for a previously permissible use are restricted to the complying development codes 'switched on' by the Aerotropolis SEPP that is codes that were available under the former zoning but not the new zoning, will not be available and development application will be required for such works.</p> <p>The Complying Development Codes enabled for land within the Aerotropolis do not permit additional residential floor space as complying development.</p> <p>Noise sensitive uses are permissible in parts of the Aerotropolis outside the ANEC 20 contour. This includes areas of mixed use where a range of noise sensitive uses including residential are permitted. No change is proposed to this and the request is not supported.</p>

<p>Complying Development</p>	<p>Future reviews of SEPP (Exempt and Complying Development Codes) 2008 should have consideration to the impact of noise sensitive development in conjunction with the Aerotropolis SEPP, the lighting provisions and wildlife attraction protocols.</p> <p>The alterations of existing buildings should also be required to consider airport safeguarding principles.</p>	<p>Noted. This is a consideration for potential future changes to SEPP (Exempt and Complying Development Codes) 2008 where relevant.</p>
<p>Matters relating to other Agencies</p>	<p>It is requested that Western Sydney Airport retains an active role to provide comment on draft Precinct Plans and the need for referral requirements to ensure airport safeguarding is maintained, regardless of the role of the Western Parkland City Authority.</p>	<p>Noted. The Precinct Plans have been finalised as part of this finalisation package. Western Sydney Airport will continue to play a role in the review of amendments to the Precinct Plan through the masterplan process.</p> <p>Referral requirements as per the provisions of the Aerotropolis SEPP are not proposed to be changed as part of this SEPP amendment.</p>
<p>SEPP (instrument)</p>	<p>Airport safeguarding principles must be maintained regardless of the implementation of a provision to support the variation of development standards as it relates to precinct plans.</p> <p>It is essential that any inconsistency of a masterplan with a Precinct Plan does not compromise airport safeguarding principles.</p>	<p>Noted. Any amendment to the Precinct Plan through the Master Plan process must be consistent with the airport safeguarding principles in order to ensure a 'better' outcome is being delivered under that process.</p>
<p>Density and Housing (quantum / location)</p>	<p>The overall density cap proposed for Sydney Science Park is advised to not be increased.</p> <p>Confirmation is required to confirm the amendment to the Aerotropolis SEPP is</p>	<p>The 3,400 dwelling cap for Sydney Science Park has been carried over from the existing Penrith City Council Local Environmental Plan applying to the Sydney Science Park site, which includes planning agreements. The Aerotropolis SEPP maintains the 3,400 dwelling cap.</p>

		<p>not seeking to increase the amount of mixed use zoning.</p> <p>The intensification of residential development in Luddenham village as a result of the additional permitted uses could result in poor amenity and social outcomes for future residents and visitors.</p>	<p>The objection is noted and as a consequence the finalisation of the Luddenham Village Plan and significant changes to the planning controls have been deferred to allow further investigation. See Section 4.4.4 Luddenham Village.</p>
	SEPP (instrument)	<p>It is requested further provisions are included which ensures airport safeguarding principles are applicable to State Significant Development applications.</p>	<p>SEPP (State and Regional Development) 2011 has been amended so that development will not be regarded as State Significant Development if it is prohibited under the Aerotropolis SEPP.</p> <p>For State Significant Development applications, any safeguarding provisions contained within the Aerotropolis SEPP can inform the assessment process, including the Secretary's Environmental Assessment Requirements issued for a State Significant Development.</p>
182	Zoning and Flooding and Stormwater Management	<p>Objection to proposal for Stormwater Infrastructure on the property. Notes property was previously 85.5% mixed use which was supported. The submission raises concern the amendment will impact value and saleability. Recommendation to relocate infrastructure or scaled back to avoid landowners being adversely impacted. The submission requests finalisation of plans to improve certainty for landowners.</p>	<p>The Department confirms the land required for Stormwater Infrastructure/ open space has been reduced following the exhibition of the Precinct Plans. The Department has further investigated the possibility to reduce the land identified for Stormwater Infrastructure with Sydney Water. Sydney Water has confirmed this lot includes a portion of regional wetland and significant portions of creek and riparian zones. Wetlands have also been positioned to protect riparian zones. The land required for Stormwater Infrastructure has been reduced as much as possible and no further changes are considered to be required at this time.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure.</p>
183	Zoning and Development staging	<p>Support the removal of Environment and Recreation zoning on property. Considers the removal of this zoning will result in an uplift in value and utilisation of the land. There remain concerns</p>	<p>Noted. Further planning and identification of new land zonings will be subject to future strategic planning for the areas retained as RU4 Primary Production Small Lots.</p> <p>See Section 4.4.16 Initial and Non-Initial Precincts.</p>

		regarding lack of planning and delayed staging of Rossmore.	
184	Roads and Acquisition	The submission raises concern the upgrade of Elizabeth Drive and the Eastern Ring which border the site may impact access and functionality of the subject property. The submission requests to ensure access to the site via Martin Road to preserve functionality and ease of access to the site. The submission requests certainty regarding any land required for acquisition for key roads to be included in the SEPP amendment. WSPP and TfNSW must urgently engage with the affected land holders on the design and planning phase for the Eastern Ring Road to resolve any discrepancy from the strategic design and detail design of this major arterial road.	<p>The upgrades to Elizabeth Drive and the Eastern Ring Road are subject to further detailed investigations by TfNSW as part of the design of these future roads.</p> <p>With regard to the Eastern Ring Road, the proposed corridor is a strategic alignment and may change. As detailed design has not yet been completed it is not possible at this date to provide any more definite information as to the likely requirement for any parts of the property.</p> <p>Once the alignment is finalised, an assessment process will be undertaken, including opportunities for affected landowners and community to have their say.</p>
	Development opportunities / DA Processes	The submission raises concern the current proposal will limit development possibilities. The submission supports the expansion of complying development and request to be expanded to include commercial development to facilitate investment and early activation of the Aerotropolis. Request for further clarification on clause 4.6 will enable variations to the Precinct Plan to be exhibited prior to gazettal. Recommendation to adopt a requirement for development to be consistent with the objectives of the Precinct Plan.	<p>As outlined in response to public submissions, minor variations sought to a Precinct Plan are will be included as a clause in the Aerotropolis SEPP as part of the finalisation of this planning package.</p> <p>See Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan.</p>

<p>SEPP (instrument) and Design Excellence</p>	<p>The submission recommends amending current design excellence requirement to exclude certain types of development that require specific designs to suit end user functionality e.g. motor vehicle showrooms and related land uses, which may trigger design review / competitions but do not require or benefit from a design excellence outcome. Note that the design excellence requirement was not in the original SEPP EIE for the Aerotropolis SEPP, appearing only in the final version.</p> <p>Recommendation to include a sub clause e.g. A design excellence review / An architectural design competition is not required if the consent authority or planning secretary is satisfied that it would be unreasonable or unnecessary in the circumstances of the development.</p>	<p>Design competition requirements will continue to apply to some infrastructure types, such as where a building exceeds 40 meters in height (or 12 storeys) and/or where a development meets the criteria to be considered by a design review panel and consideration of design excellence provisions.</p> <p>See Section 5.1.1 Design Excellence Provisions.</p>
<p>SEPP (instrument) and Precinct Plans</p>	<p>Notes amendment requiring referral of Draft Precinct Plan involving 'defined matters' to the Western Parkland City Authority. The submission raises concerns regarding potential conflict of interest with role to attract investment and opportunity and masterplan Government owned land.</p>	<p>The Authority has adopted a governance structure which separate its development and planning functions. See Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan for clarification of the role of Western Parkland City Authority.</p>
<p>Master Plans</p>	<p>The submission supports proposed amendments to the Master Plan Pathway for sites less than 100ha and changes to ownership requirements although notes this would still be difficult to achieve unless amalgamation with adjoining sites</p>	<p>The SEPP has been amended to remove the requirement for 100 hectares and the requirement for at least 70% of land to be owned by one person. The criteria for eligibility to undertake a Master Plan is now specified in the Master Plan Guidelines.</p> <p>See Section 5.1.2 Release of the Master Plan Guidelines.</p>

		owned by Western Sydney Airport and containing SP2 Stormwater Infrastructure is considered.	
	Recognise Country	The submission supports the implementation of the new Connection to Country framework and view this as a positive element to be integrated into the planning controls for the Aerotropolis.	Noted. The draft guidelines will be a matter of consideration under the SEPP as an interim solution. However, when the DCP is made, there will be a need to amend the SEPP to remove reference to the Guidelines.
	Precinct Plan Exhibition	The submission identifies that no response was made in relation to the proposed amalgamation plan applicable to the Badgerys Creek Precinct and the requirement to amalgamate sites to a minimum 5ha. This matter should be addressed as a matter of priority to ensure certainty for development of lots that are less than 5ha.	See Section 4.4.11 Built form and urban design.
	DCP	Raises comments on the DCP which will be considered following the finalisation of the SEPP EIE.	Noted. See Section 7.1 Finalisation of Phase 2 DCP.
185	Community Consultation Process / Transparency and Development opportunities / DA Processes	Raises concerns regarding potential impacts of proposed amendments on exchanged contracts for the property and the lack of information available on staging and delivery of road network and development.	Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time. See Section 4.4.12 Timing and Infrastructure Delivery

186	Zoning	<p>Notes that previous submissions have been considered with some of the land being retained for Agribusiness, however, is still significantly impacted and fragmented by a series of varying uses including Stormwater Infrastructure, open space, Environment and Recreation and Agribusiness zones. The submission questions the rational regarding the location of open space proposed at the property and its ability to meet open space network objectives. The submission requests to rationalise these infrastructure / open space areas rather than cutting the land into smaller parcels. A site visit is requested.</p>	<p>The Department notes a significant amount of land identified for open space has been significantly reduced. A review of the submission and consultation with Sydney Water and the Department's Urban Designers on this project confirm the site is a large and highly constrained site.</p> <p>See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space.</p>
	Open Space (location/quantum)	<p>The submission considers proposed open space such as the linear park along north eastern boundary (adjoining retail hub of Luddenham village) does not meet function or have connectivity with other open space.</p> <p>The submission questions the need for the linear park along Northern Road given the significant amount of land proposed for Stormwater Infrastructure and the provision of open space surrounding infrastructure to be delivered in this zone. The submission notes the site has no vegetation or biodiversity value. The submission raises concern the linear park will cut off road access to the remaining Agribusiness land and does</p>	<p>See Sections 4.4.2 Land for Open Space and 4.4.15 Aboriginal Engagement and Connection with Country</p>

		<p>not achieve orderly and economic use and development of land.</p> <p>The submission highlights missed opportunity to create an appropriate linkage of open space with the drainage system located to the east of the Luddenham Village through most of this land is vegetated. This option is considered more logical and proactive than the proposed open space impacting the subject property.</p> <p>Recommendation to address scenic and cultural values along the Northern road and achieve landscaping/open space through appropriate development control standards which would allow separation and setbacks of built form.</p> <p>Recommendation to provide a small pocket park opposite retail hub as a “viewing platform” for scenic views.</p>	
	Acquisition	<p>The submission raises concern the acquisition map does not reflect all land that needs to be acquired. The submission requests acquisition strategy be made public with values typical of a local contributions plan.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure.</p> <p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
187	Zoning and Community Consultation Process / Transparency	<p>The submission raises concerns regarding huge amount of privately owned land rezoned from RU4 to Environment and Recreation. Notes Spouse’s property along Wianamatta-South Creek has been zoned 100% Environment and Recreation rendering the property sterile and worthless.</p>	<p>See Section 4.4.3 Environment and Recreation Zone.</p>

		Concern regarding lack of transparency on plans for impacted areas with no plans for acquisition. Full support for Environment and Recreation being removed and RU4 Primary Production Small Lots is reinstated.	
	Development Staging and Infrastructure Staging and Sequencing	The submission raises concerns regarding Rossmore's delayed development given its proximity to the airport. Concern regarding investment and maintenance in infrastructure despite development surrounding and proximity to the airport. Recommendation to bring forward rezoning within 5 years.	There are no proposed changes to the staging of development aligned with the identified initial precincts. See Section 4.4.12 Timing and Infrastructure Delivery.
	Wianamatta South Creek Corridor	The submission raises concerns regarding state of the Creek and lack of improvement works and maintenance to date.	The remediation and management of local waterways are a matter to be considered by the relevant Council and their program of works when maintaining existing assets.
	FSR	Recommendation for Rossmore and Wianamatta-South Creek to be included in FSR to ensure land is appropriately utilised.	Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.
188	Zoning	Raises concerns regarding excessive amount of privately owned land rezoned from RU4 Primary Production Small Lots to Environment and Recreation. Full support for Environment and Recreation being removed and RU4 Primary Production Small Lots reinstated.	See Section 4.4.3 Environment and Recreation Zone.
	FSR	Recommendation for Rossmore and Wianamatta-South Creek to be included	Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified

		in FSR to ensure land is appropriately utilised.	for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.
	Development staging and Infrastructure Staging and Sequencing	Objects to Rossmore’s timeframe for development given its proximity to the airport. Notes high demand for new housing, business, and infrastructure within Rossmore to support and add greater value to aerotropolis.	There are no proposed changes to the staging of development aligned with the identified initial precincts. See Section 4.4.12 Timing and Infrastructure Delivery.
189	Open Space (location/quantum) and Acquisition	Raises concerns regarding excessive amount of proposed open space on the site. Support proposed amendment to reduce overall open space across the Aerotropolis however concerned that no reduction is proposed for the subject site. Notes the vegetation on the site has been assessed as heavily disturbed with little ecological value and overland waterflow is located to the southern boundary. The submission requests to remove open space from the centre of the site.	The southern portion of land identified for open space contains important biodiversity and riparian corridors and is surrounded by other open space land. The collection of each parcel is required to deliver the required green and blue infrastructure for the precinct and the strategic location of each site ensure greater access to open space for the growing population. See Section 4.4.2 Land for Open Space
	Roads	The submission raises concerns proposed road network is highly inefficient as it connects between Mersey Road and Derwent Road. The submission requests proposed new road follow the boundary alignment of properties to the west 67 and 73 Mersey Road to achieve a better road network.	Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.
190	Community Consultation Process	The submission raises concerns regarding the lack of information / clarity on proposed amendments to the multiple	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition

<p>/Transparency and Precinct Plan exhibition</p>	<p>SEPPs and the potential unintended consequences of proceeding with the gazettal of amended instruments in the absence of a detailed review by landowners and/or other major stakeholders.</p> <p>Reference is made to consultation processes for the Housing SEPP where a 'public consultation draft' of the written instrument was exhibited after significant feedback was received regarding the EIE which helped to identify major issues with the wording of relevant clauses which would have had substantial impacts on future development.</p> <p>The submission raises concern the new / amended clauses in the Aerotropolis SEPP and SEPP (State and Regional Development) 2011 are likely to have significant implications.</p> <p>The submission requests draft written instruments to be publicly exhibited. Concerns the Complete planning package not being exhibited given the links/relationships between the documents. Concerns regarding inability to interpret the proposed changes in the absence of the final Precinct Plans. Additional concerns exist that no clear details have been provided on how Draft Precinct Plan submissions have been incorporated into the proposed SEPP amendments and uncertain if previous submission has been considered as no feedback has been provided.</p>	<p>period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The final legal instrument will be available on the NSW legislation website at the time of notification.</p>
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<p>Zoning and Development opportunities / DA Processes</p>	<p>The submission raises concerns that the proposed amendments in response to Precinct Plan submissions have resulted in less flexible planning outcomes - e.g. fixed locations for Stormwater Infrastructure and riparian corridors that have not been ground truthed. The submission recommends deciding the final locations at DA stage following detailed site investigations.</p>	<p>See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.13 Biodiversity.</p>
<p>Design Excellence</p>	<p>The submission raises concerns regarding the design excellence clauses within the Aerotropolis SEPP. The submission recommends clause 33 be amended to ensure it only applies in appropriate developments that include a design component. Similarly, clause 34 is requested to be amended to recognise the significant differences between different building typologies and where there is a clear and compelling reason to hold a competitive design process - e.g. Industrial/warehouse developments.</p>	<p>See Section 5.1.1 Design Excellence Provisions.</p>
<p>Acquisition and Open Space (location/quantum)</p>	<p>Objects to proposed amendments regarding zoning and acquisition due to the significant impacts on the potential future development of the land. The submission raises concerns regarding lack of consideration for the retention of Duncan's Creek reservoir which is perceived to provide a better outcome for the site by protecting biodiversity values and connections, preserving scenic and cultural values, providing accessible</p>	<p>The Department considers from further review of the submissions that Sydney Water have provided planned stormwater assets based on the assumptions that Lake Duncan would be substantially retained.</p> <p>See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space.</p>

	<p>open space, and aligns with Recognise Country. Recommendation to retain and enhance existing reservoir.</p>	
<p>Flooding and Stormwater Management and Acquisition</p>	<p>Raises concern the 90% fraction impervious used to calculate basin sizes is overly conservative and should be reduced so that basins do not take up more land than is required.</p> <p>The submission considers the size of SP2 Stormwater Infrastructure zoned land to be acquired is excessive. Even allowing for an additional 25% of land for curtilage, the land proposed to be acquired is more than double what appears to be required. Basin locations do not consider the removal of the Duncan's Creek Reservoir.</p> <p>The submission advises if reservoir is to be removed, the basin location should be further downstream closer to the creek line not half-way up the catchment. The submission recommends retention of Duncan's Creek and 1-2ha of water quality basins maximises the amount of land available for employment and an improved urban design outcome, while providing an identical water management outcome.</p>	<p>The Department considers from further review of the submissions that Sydney Water have provided planned stormwater assets based on the assumptions that Lake Duncan would be substantially retained. As determined through the planning process, the lake will be used to store treated stormwater prior to reuse. This helps to reduce the upstream stormwater asset sizes. See Section 4.4.1 Land for Stormwater Infrastructure.</p>
<p>Noise (ANEC/ANEF)</p>	<p>The submission requested consideration be given to the potential for additional land use activities (e.g. child care centres) to be accommodated within the proposed service centre in the northern part of the site, addressing likely future</p>	<p>Permissibility of land uses on a site are determined by the Aerotropolis SEPP. In addition, the SEPP also provides a precautionary approach to aircraft noise controls, particularly noise sensitive development (including centre based childcare facilities) within the ANEC/ANEF 20 and above controls was taken.</p>

	<p>demand for social infrastructure in accordance with the Precinct Plan. This land is located within the ANEC/ANEF 20+ Contour, however, it is considered these uses will support the Agribusiness Precinct and the potential acoustic impacts can be appropriately managed to avoid any unacceptable outcomes for the future occupants.</p> <p>It is also requested further information is provided regarding the proposed new clause impacting the Building Restricted Area and any associated assessment requirements.</p>	<p>As such, no intensification of noise sensitive development will be permitted within the ANEC 20 and above contours.</p>
DCP	<p>The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE.</p>	<p>Noted. See Section 7.1 Finalisation of Phase 2 DCP.</p>
SEPP (instrument) and Precinct Plans	<p>The submission raises concerns regarding amendment to Aerotropolis SEPP regarding making amending Precinct Plans and development variations. Lack of clarity on how to interpret defined matters. The submission requests further information and a copy of written instrument to understand potential implications of proposed amendments.</p> <p>Further clarity is required on how Master Plans fit within the planning framework and whether they will be utilised to facilitate complying development and/or to facilitate updates to Precinct Plans.</p>	<p>See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and Section 5.1.2 Release of the Masterplan Guidelines.</p>

SEPP (instrument)	<p>The submission raises concerns regarding the proposed change to State Environmental Planning Policy (State and Regional Development) 2011. Request for clarification of new proposed wording and how the clause will apply to differing development typologies which are currently deemed to be SSD under the SRD SEPP. Notes critical flexibility provided by the SEPP and its ability to facilitate development in a timely manner to support the Aerotropolis. No changes are considered appropriate or necessary to the SRD SEPP which would preclude a comprehensive assessment in accordance with the current controls.</p>	<p>The State Significant Development planning pathway will remain in place across the Aerotropolis. See Section 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011).</p>
Acquisition and Development opportunities / DA Processes	<p>Introduction of land acquisition is supported however the entire lot is proposed to be acquired. The submission requests to retain as much of the site as possible. The submission raises concerns acquisition has been broadly applied. The submission questions the justification for proposed acquisition of the entire site given lack of a detailed investigation. Proposed acquisition will impact ability to develop land fairly. Suggestion that 50% of the site could be developed for urban purposes leaving other 50% low lying land for Stormwater Infrastructure. The submission requests further details surrounding the regional stormwater network planned to service the Aerotropolis. The submission</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure.</p>

		requests to revise extent of land required for stormwater needs.	
	FSR	Suggestion if entire lot is sterilised then acquired land should be included in the developable area calculations of the urban zoned land to offset loss of developable area to the landowners and provide a fairer development outcome.	<p>Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.</p> <p>The Precinct Plan includes a transferrable FSR mechanism for blocks with both mixed use and environment and recreation zone to encourage the environment and recreation zoned land to become parkland in the future. See Section 4.4.10 Lot severance</p>
192	Zoning and Open Space (location / quantum)	The submission supports the removal of the Environment and Recreation zone all along the Wianamatta-South Creek and adjoining properties in Rossmore.	Noted. See Section 4.4.3 Environment and Recreation Zone .
	FSR	The submission requests that the Environment and Recreation zones for the Wianamatta South Creek precinct, Rossmore and the Aerotropolis are included in the FSR to allow landowners opportunity to sell land for a fair price closer to their true value.	Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design .
	Wianamatta-South Creek Corridor	The submission raises concerns regarding plans that improve one side of the creek and not the other.	In response to the Community Commissioner's recommendations and ongoing public feedback, some land along the boundary of the Wianamatta-South Creek Precinct has been reverted to its former rural zoning. This land ('or side of the creek') is now considered 'non-initial' and it's rezoning will be considered as part of future strategic planning for the area.

		<p>Future enhancement of Wianamatta-South Creek is a key objective in the Western City District Plan and Sydney Water’s Stormwater and Integrated Water Cycle Management Plan.</p> <p>See Sections 4.4.3 Environment and Recreation Zone and 4.4.16 Initial and Non-Initial Precincts.</p>
Development staging	<p>The submission requests that the Wianamatta-South Creek Precinct and Rossmore be considered for rezoning within 5 years. Questions rational for leaving it out and waiting 15-20 years given proximity to aerotropolis and surrounding rapid growth.</p>	<p>See Section 4.4.16 Initial and Non-Initial Precincts.</p>
Community Consultation Process / Transparency	<p>The submission raises concerns regarding the lack of clear information on what future developments are planned for subject site and uncertainty for landowners.</p>	<p>Permissibility of land uses on a site are determined by the Aerotropolis SEPP. In some instances, the Precinct Plans provide further detail of the intended development types, uses and densities anticipated for the different precincts of the Aerotropolis where applicable.</p>
Flooding and Stormwater Management and Property Valuation	<p>Objection to the property being proposed as 1:100 flood affectation despite evidence land along the creek is not a major flood risk. Concerns regarding devaluing of property. Considers proper clearing, improved roads, gutters, proper maintenance, draining and cleaning of the creek will assist in managing flood risk and water management.</p>	<p>See Section 4.4.14 Flooding and Water Cycle Management.</p>
193	<p>Zoning and Open Space (location / quantum)</p>	<p>The submission supports the reduction of open space and the introduction of the SP2 Stormwater Infrastructure zone.</p> <p>Noted. See Section 4.4.1 Land for Stormwater Infrastructure.</p>

	Acquisition and Development opportunities / DA Processes	<p>Notes the introduction of land acquisition is supported, however there are concerns regarding the removal of the site's road access handle. The submission also considers the proposed acquisition will impact ability to develop land fairly and suggests that 50% of the access handle be removed from acquisition to allow development for urban purposes.</p> <p>The submission requests for further details surrounding the regional stormwater network planned to service the Aerotropolis and to revise the extent of land required for stormwater needs.</p>	<p>The Department notes the area of open space has been reduced as part of the review of the Precinct Plans. The access to the site via the access handle is affected by the neighbouring stormwater land. Access arrangements to maintain landowners' access to the site will be subject to future discussions with Sydney Water and will be negotiated subject to the timing to deliver Stormwater Infrastructure and the status/ delivery of the internal precinct road network.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure.</p>
194	Development opportunities / DA Processes	Submission notes the unique opportunity the collective landholdings provide to drive and accelerate investment in employment uses in the Aerotropolis core. Expresses goal to ensure uses are operational as quickly as possible to maximise significant economic and jobs growth in Western Sydney.	Noted. See Section 4.4.12 Timing and Infrastructure Delivery
	SEPP (instrument) and Community Consultation Process / Transparency	The submission raises concerns regarding the lack of detail around wording of proposed clauses and amendments to SEPP. The wording of the written instrument is requested to be released for public comment prior to gazettal or delay to allow for targeted industry feedback. The submission requests acknowledgement and a detailed response to the submission for the draft Precinct Plan and technical	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The</p>

	<p>studies and reports provided in relation to this site.</p>	<p>final legal instrument will be available on the NSW legislation website at the time of notification.</p>
<p>Ground Truthing and Environmental Values / Biodiversity Certification</p>	<p>The submission raises concerns regarding the lack of evidence-based investigations and whether map amendments will reflect existing conditions and future needs to support the delivery of the aerotropolis.</p> <ul style="list-style-type: none"> • Recommendation for ground truthing and revisiting of first principles. • Recommendation to establish first principles for the sites before locking away road alignments and open space corridors. <p>The submission requests to revisit the spatial extent of Open Space Network and acquisition to enable ground truthing and coordination with the Transport Corridors map.</p> <p>Notes the Environment and Recreation zone plays an integral role in delivering natural amenities and improving biodiversity within the aerotropolis. The submission raises concerns regarding proposal for additional Environment and Recreation zone areas to be protected with no evidence or rational provided. Concerns sites have bio-certification and no ground truthing to verify areas contain environmental conservation value. Recommendation to revisit, ground truth and consolidate Environment and Recreation land for protection.</p>	<p>Detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.</p> <p>Refer to Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space and 4.4.13 Biodiversity.</p>

	<p>The submission raises concern that open space and transport corridors proposed significantly diminish the development feasibility and potential design and placemaking outcomes across the three major sites.</p>	
Precinct Plans	<p>The submission recommends for a more detailed structure plan which is more site specific to provide greater certainty on the planning and design outcomes within sites. The submission includes an alternative 'shovel ready' structure plan to be considered.</p>	<p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis. We have reduced the number of requirements in the Precinct Plan and included additional flexibility in areas such as the road network and through alternative development pathways such as master plans. See Section 4.4.12 Timing and Infrastructure Delivery.</p>
Open Space (location / quantum) and Transport Corridors	<p>The submission also raises concerns regarding road alignment and major intersections causing issues in relation to lot design configuration. Transport Corridors should be revisited to avoid lot severance and align with cadastral boundaries particularly where it severely impacts on the development feasibility of lots. The submission recommends to:</p> <ul style="list-style-type: none"> realign the Eastern Ring Road, Fifteenth Avenue, the Aerotropolis Connector and the Green Link as per the 'Shovel Ready' Structure plan contained within the submission-align the Eastern Ring Road to create more feasible lot configurations across the sites which maximise lot efficiency and reduce land resumption cost. 	<p>The location of the 15th Avenue Corridor has not changed from the exhibition of the Precinct Plan and balances the need for a direct connection to the Airport and Aerotropolis with associated property impacts.</p> <p>Further consideration of the detailed road network in Rossmore and other non-initial precincts will only occur at the detailed Precinct Planning and rezoning stage.</p> <p>The location of lower order roads is not shown in the Aerotropolis SEPP. These are shown indicatively in the Precinct Plans which are being amended and finalised as part of this package.</p> <p>As noted above, detailed transport planning and modelling has been undertaken to support the rezoning and Precinct Planning process. These show that the planned transport network, including the planned road network, will be able to accommodate planned growth in the Aerotropolis over time.</p> <p>See Sections 4.4.9 Traffic and Transport/Roads, 4.4.10 Lot Severance, 4.4.11 Built form and urban design and 4.4.12 Timing and Infrastructure Delivery.</p>

	<ul style="list-style-type: none"> • realign Fifteenth Avenue to directly connect into the Eastern Ring Road to reinforce the significance of this corridor as a direct link between Liverpool CBD and the Aerotropolis Core. • realign the Aerotropolis Connector to follow the cadastral boundary and avoid lot severance. • remove the East West Connection to avoid high volumes of industrial traffic in Rossmore and impacts to riparian corridors; and • realign the East West Connection along the southern boundary of the PG site to facilitate early access into the southern portion of the sites. 	
<p>Zoning and Flooding and Stormwater Management</p>	<p>The submission raises major concerns regarding the extensive quantum of land designated for Stormwater Infrastructure including the rational and extent of shapes mapped within acquisition map. SP2 Stormwater Infrastructure zones are considered a significant impediment for the development of large format industrial development.</p> <p>The submission recommends removing drainage and open space from draft Precinct plan and address this in the development application stage. The submission requests for SP2 Stormwater Infrastructure zone to allow flexibility and</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure.</p>

	<p>incorporate Connection to Country principles whilst minimising impacts to development potential of key development sites. The submission also requests to maintain flexibility through SSDA process for partly prohibited development to determine final size and location of infrastructure including low risk development within 1:100 flood levels provided there is no impact on existing flood conditions.</p>	
Zoning	<p>The submission suggests there are more opportunities for more intensive urban development including the extension of Mixed Use zones and residential development where possible under the ANEC controls. Continuous interface with South Creek creates opportunity for creek-oriented place-based outcomes including the orientation of development towards the creek, waterfront activities, connectivity with waterfront and creek catchment.</p>	<p>Permissibility of land uses on a site are determined by the Aerotropolis SEPP. The Precinct Plan provides further detail of how a site can be developed, to align with the Aerotropolis SEPP, which reinforces the strategic objectives of the Western Sydney Aerotropolis Plan, noting a strong focus on employment to support the Aerotropolis more broadly.</p>
Design Excellence	<p>The submission raises concern the EIE amendment has failed to consider industry feedback regarding the appropriateness of requiring a design competition for certain types of development - e.g. Industrial, warehousing etc.</p>	<p>See Section 5.1.1 Design Excellence Provisions</p>
Recognise Country	<p>Support the principles, however controls should be implemented as design</p>	<p>The draft guidelines will be a matter of consideration under the SEPP.</p>

	guidelines not as a requirement across all sites.	
Complying Development	The submission supports the expansion of complying development consistent with Precinct Plans proposed under the Building business Back Better Framework.	Noted. The Master Planning process can unlock the complying development pathway for certain development under the Aerotropolis. See Section 5.1.2 Release of the Master Plan Guidelines .
Matters relating to other Agencies	The submission raises concerns regarding role of Western Parkland City Authority and the delivery of economic imperatives to promote investment and jobs.	The Authority has adopted a governance structure which separate its development and planning functions. Refer to Section 4.4 of the Finalisation Report for clarification of the role of Western Parkland City Authority.
Master Plans	<p>The submission identifies the need for a Master Plan to amend a Precinct Plan is inconsistent with the proposed use of clause 4.6 to vary a Precinct Plan. The submission raises concern the Master Plan Guidelines have not yet been released.</p> <p>Further clarification is required on how Master Plans fit within the planning framework including criteria for Master Plans that vary from a Precinct Plan. The submission raises concern regarding the ability and mechanisms available to challenge Precinct Plans. The submission requests wording of clause amendments to be exhibited prior to finalisation.</p> <p>The submission requests the Department and the Planning Partnership need to work with landowners and developers on</p>	See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and 5.1.2 Release of the Master Plan Guidelines .

		proponent-led Master Plans and incorporate industry feedback to deliver the collective vision for the Aerotropolis.	
	SEPP (instrument)	Amendments to State significant development are not supported and will impact upon delivery of development that would usually be classified as SSD. Recommendation to reconsider amendments to allow flexibility and alternate pathway. The submission requests further information regarding wording of clause to understand how it will apply to development typologies.	The State Significant Development planning pathway will remain in place across the Aerotropolis. An amendment to the SEPP (State and Regional Development) 2011 requires that State Significant Development is permissible in the land use zone. See Section 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011)
195	Acquisition	The submission requests that only the land zoned Environment and Recreation zone be acquired, and that all Agribusiness zoned land be not acquired. The requested reduction in acquisition is in line with the overall percentage reductions across the Aerotropolis and will still enable sufficient Stormwater Infrastructure to be provided along with suitable open space.	The land identified as Environment and Recreation zoning in the Agribusiness precinct has been retained to be consistent the land identified under the Cumberland Plain Conservation Plan. Following the Department's review of submission, no further changes are proposed to this land. See Section 4.4.1 Land for Stormwater Infrastructure.
	Recognise Country	Agrees with the principles of recognising country and recognises the importance of Connecting to Country.	Noted. See Section 4.4.15 Aboriginal Engagement and Connection with Country.
	Zoning and Flooding and Stormwater Management	Query on Open Space as identified as SP2 -Stormwater Infrastructure. Identification of SP2 Stormwater zones is considered an inflexible approach. Not all of the land allocation will be needed for Stormwater Infrastructure, so the zone	See Section 4.4.1 Land for Stormwater Infrastructure.

	label is perceived as false and contradicts the Environmental Planning and Assessment Act. Recommendation to address Stormwater Infrastructure at future DA Stages. Environment and Recreation zone land uses should have been stated in detail in the EIE. Concern Environment and Recreation zone is being lost to SP2	
Development staging and Acquisition	The submission raises concerns regarding the transition phase and maintaining access to water supplies until landholdings are acquired / developed. The cost to build dams should also be considered.	The Land will not be required for acquisition immediately and the private use of land can continue in accordance with local policies and relevant legislation however a concurrence provisions has been included in the Aerotropolis SEPP for stormwater land. See Section 4.4.12 Timing and Infrastructure Delivery.
Zoning and Open Space (location / quantum)	Query as to why the site is identified as being within the Western Economic Corridor and is now being acquired for open space network. Recommendation for open Space areas required be positioned in areas identified in as the previous Metropolitan Rural Area locations of the Western City District Plan not within land to be developed as WEC.	See Section 4.4.2 Land for Open Space.
Flooding and Stormwater Management	Notes site is a flood free site with former flood studies undertaken. The submission requests ground truthing of creek lines should occur to all areas.	See Section 4.4.14 Flooding and Water Cycle Management.
Wildlife Attraction Risk	The submission raises concerns regarding wildlife attraction close to airport and request to have the expansion of wetlands reconsidered.	See Section 4.4.17 Aviation Safeguarding and Wildlife Strike.

	Density	The submission requests further clarity on densities and planning controls applicable to Agribusiness zoned land adjoining acquired open space.	See 4.4.11 Built form and urban design . Where building controls have not been applied by the Precinct Plan to land within the Agribusiness zone, the Phase 2 DCP will provide development controls to guide development.
196	SEPP (instrument) and Complying Development	The EIE discusses amendments to buffer areas under cl1.19l(i) of the codes SEPP which is supported. the Department are also supported for bringing in a new part/ provisions applying to complying development in the SEPP. Clarification needs to be provided regarding the 'previously permissible development' on a site via the non-standard zoning of land. i.e. how would it be outlined on a planning certificate for complying development to be permissible. How would it be able to clearly identify the former zoning of the site and the associated permissibility at the time of change? The issue relies on the interpretation of historical instruments. Part 3 Housing Code of Appendix G outlines controls limiting the increase in floor space. The inability to increase the floor space defeats the purpose of complying development as it is inclined that alterations and additions result in an increased floor space.	See 4.4.5 Provisions for previously permissible uses
	Community Consultation Process /Transparency	The submission notes it is necessary for all stakeholders to have the opportunity to see how draft legislation is worded and how clauses intend to be implemented.	The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . The exhibition

			<p>period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs. Upon consideration of submissions, the intent of the amendments is refined, and legal drafting is undertaken to implement that intent. The final legal instrument will be available on the NSW legislation website at the time of notification.</p>
	SEPP (instrument)	Other SEPPs are requested to be considered to be updated in terms of complying development in the future in relation to the interworking's of each SEPP and the Aerotropolis SEPP.	Noted. Different SEPPs are reviewed by the relevant policy teams in the Department. The Department will consider the interrelationships between each SEPP in future amendments as they apply to each SEPP.
197	Open Space (location/quantum) and Flooding and Stormwater Management	The submission raises concerns for the amount of land designated for acquisition to provide for Stormwater Infrastructure. If the land is not absolutely necessary for stormwater, the acquisition shouldn't be required. The submission recommended it be reduced from 50% to 10%. Stormwater locations are based on outdated and incorrect flood studies.	See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.14 Flooding and Water Cycle Management
	Property Valuation and Acquisition	The land remaining after the land is acquired is useless, as developers are not considered to be interested in 2 hectare lots. The submission notes the request to ensure land holds values and people are not worse off as a result of the acquisition process. The land is considered to be reduced in value as a result of this process. The submission notes the landowners should be	Noted. Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .

		compensated so there is no impact affected as a result of the change.	
	Flooding and Stormwater Management and Wildlife Strike	Additional options recommended is to deliver a piped stormwater Chanel. This would align with mitigating airport safeguarding principles (wildlife strike).	Noted. See Section 4.4.17 Aviation Safeguarding and Wildlife Strike
	Community Consultation Process /Transparency	The equitable split of the reduction of open space does not seem fair among landowners. With changes in the amount of land required for infrastructure, Landowners are no longer able to feasibly amalgamate parcels to sell.	See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.14 Flooding and Water Cycle Management
198	Zoning and Ground Truthing	Land was originally zoned Environment and Recreation for a creek which is advised is not present. The land has now been zoned for Stormwater Infrastructure and it is considered there has been insufficient reporting released to justify the amount of land identified. Advised no ground truthing has been carried out and the amount identified is excessive.	See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space
	Infrastructure Delivery	The submission requests there is a process in place for developers to build and dedicate Stormwater Infrastructure as an offset to development contributions which will resolve some acquisition cash flow issues. A process could be put in place to allow developers to offset impervious Floor Space requirements with Environment and Recreation and open space land. This would facilitate more financially viable warehouse and manufacturing facilities while adding	See Sections 4.4.8 Special Infrastructure Contributions and 4.4.12 Timing and Infrastructure Delivery

		value to the Environment and Recreation and open space land further reducing the offset for riparian corridors if the land was not acquired by an authority.	
	Community Consultation Process / Transparency	The open space needs study that notes a review of the Stormwater Infrastructure was completed and that the land required for Stormwater Infrastructure was appropriately sized. This information has not been released for public review and comment.	See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space
199	Open Space (location / quantum) and Environmental Values / Biodiversity certification	<p>The submission relates to land at Luddenham and Greendale. The submission supports the removal of open space. The submission notes that there are errors and inaccuracies in the mapping of the site. Approximately 2.5 hectares of land is zoned for open space, but it is cleared land originally intended for farmland. The submission notes the area originally identified as containing Cumberland Plain Woodland has been expanded what was an originally small area on the site without justification.</p> <p>Whilst the need to deliver open space in the future is identified, it should be flexible to promote the orderly and economic use and development of land to complement future development.</p> <p>It is requested the open space network is ground truthed as demonstrated in the report details provided and is flexible to complement future development.</p>	See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space and 4.4.13 Biodiversity.

200	Design Excellence and SEPP (instrument)	The submission does not support clause 34 as it will negatively impact the feasibility and functionality of future developments in the area. It is requested these provisions are removed. There is concern about the level of prescription and design outcome expectations for the Aerotropolis. To attract investment and deliver new jobs, it is critical that design requirements are removed from application for employment, industrial or urban services land. It is recommended Precinct Plans are reviewed further to ensure that design considerations and design excellence does not deter development of employment zoned land	See Section 5.1.1 Design Excellence Provisions
	SEPP (instrument) and Master Plans	The submission raises concerns regarding the lack of clarity on approval paths for development inconsistent with Precinct and Master Plans and the extent of development to be covered by the SEPP (Exempt and Complying Development Codes) 2008. The submission considers the requirements for varying a development standard for the Aerotropolis SEPP are linked to proposed amendments to clause 4.6 of the Standard Instrument LEP. However, not knowing the detail of changes to clause 4.6 could compromise investment decisions by current and future developers. The submission seeks clarity on the detailed amendments to clause 4.6 is provided before the instrument is	See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and 5.1.2 Release of the Master Plan Guidelines.

		drafted to ensure the operation of clauses are clear.	
	Community Consultation Process /Transparency	The submission requests further engagement with industry to confirm the appropriateness of the instrument, particularly, clause 4.6 of the Standard LEP and clause 34 of the Aerotropolis SEPP.	Noted. See Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan
	Complying Development and Development opportunities/DA Processes	The submission considers complying development pathways should be made available wherever possible in the Aerotropolis, covering the greatest range of development that is consistent with Precinct Plans and Master Plans. Exclusions from the Codes SEPP should only be applied in the context of a legitimate risk to “airport safeguarding” and operations. It is requested that provisions relating to complying development are further reviewed to explore all opportunities for complying development	The complying development provisions for the Aerotropolis allow a broad range of development types. Part 5A of the Codes SEPP has not been switched on as it allows development for new commercial / industrial floor space. See also Section 5.1.2 Release of Master Plan Guidelines.
201	Property Valuation	The submission suggests the subject land has not been deemed suitable for future publicly accessible open space and therefore no avenue exists in the future to recover value/ receive compensation. The submission raises concerns regarding the value of Environment and Recreation and the collective changes associated with the aerotropolis resulting in a downturn in the value of the land.	In some instances, land values have been considerably increased by the rezoning that has occurred under the Aerotropolis SEPP. The application of the Environment and Recreation zone largely reflects constrained land that had minimal development potential and therefore the value of the land would have reflected those constraints. See Section 4.4.2 Land for Open Space.

<p>SIC</p>	<p>The submission raises concerns regarding lack of detail in the SIC provides regarding mechanisms for valuation of environmental or recreational land that is not likely to provide a reasonable return as a Biodiversity Offset.</p> <p>The submission expresses that landowners are entitled to just compensation for the loss in land value due to the proposed re-zoning to Environment and Recreation. The submission recommends that landowners are provided with fully resolved plans for land valuation and acquisition prior to finalisation and adoption of the draft planning package, either as a stand-alone document or as an addition to an amended SIC Plan.</p>	<p>The finalisation of the SIC was informed by the latest planning controls in consultation with state agencies, councils and community. The Aerotropolis planning package, SEPP and SIC were finalised as one framework for consistency and transparency.</p> <p>See Section 4.4.8 Special Infrastructure Contributions</p>
<p>Environmental Values and Ground Truthing</p>	<p>The submission advises the subject site does not display sufficient ecological or recreational value to be zoned as Environment and Recreation. The submission refers to a former assessment of the Cumberland Plain Woodland on the site which concludes it is of poor condition and reduced biodiversity value due to lack of connectivity to other vegetation. The submission seeks clarity on the criteria used to determine the rezoning of the subject site Environment and Recreation given most of the land is currently cleared. The submission raises concerns regarding lack of ground truthing carried</p>	<p>See Sections 4.4.2 Land for Open Space and Section 4.4.13 Biodiversity.</p>

	<p>out by the Department or a review of specialist reports submitted to the Department which inform the zoning applied.</p>	
<p>Zoning and Open Space (location / quantum)</p>	<p>The submission notes the subject site comprises land that is up to 50% cleared with no ecological value and is not flood affected, only supporting 1st and 2nd order streams.</p> <p>The submission suggests the land would support the delivery of the Agribusiness precinct through regional transport links, protection of biodiversity values and could effectively manage wildlife risk in its location and positioning to flight paths and airport safety (wildlife strike). Potential ecological values of the subject property would remain protected through legislation and planning controls under an Agribusiness zone and it is recommended the zoning is changed.</p> <p>The submission requests the agribusiness zone be applied to the site in its entirety or reduce the open space land to include a split zone with the agribusiness zoning.</p>	<p>See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space, Section 4.4.13 Biodiversity and 4.4.17 Aviation Safeguarding and Wildlife Strike</p>
<p>Existing Uses</p>	<p>The submission suggests the expanded approach to existing use rights can only be considered as an interim arrangement as the surrounding land will progress with the airport as it develops, and the remaining rural uses will be left behind and require further amendments in the future.</p>	<p>See Section 4.4.5 Provisions for previously permissible uses.</p>

	Community Consultation Process /Transparency	The submission seeks clarity on whether expert submissions on biodiversity value will be reviewed by Government commissioned ecological experts prior to finalisation of the Precinct Plans and the SEPP and if so, why this has not been communicated to landowners.	Noted. Any submissions that included an expert report relating to biodiversity was considered and reviewed by the Department’s consultants prior to the finalisation of the Precinct Plan. See Section 4.4.13 Biodiversity.
202 – Agency: Sydney Metro	Environmental Values / Biodiversity Certification and Permitted Uses	<p>The changes proposed to meet biodiversity certification requirements is supported as it does not affect Sydney Metro.</p> <p>The proposed changes to permissible uses are unlikely to affect the 400m zone around Metro stations and it is considered they do not hinder the creation of the Aerotropolis, however, would not be supported within the 800m walking catchment of Metro stations with the intent to promote a walkable, transit orientated development.</p> <p>It is also important that complying development does not risk the delivery of the vision for the aerotropolis and is not considered an appropriate mechanism for land within the 800m walking catchment.</p>	Noted.
	Master Plans	Whilst the master planning process applies to most land holdings within 400m of the identified metro station locations, it is considered the application of this process should expand to the broader 800m catchment to ensure	Sydney Metro’s request to be on the Technical Assurance Panel can be considered when each panel is constituted. Sydney Metro will be consulted as part of the master planning process. See Section 5.1.2 Release of Master Plan Guidelines.

		<p>broader city shaping benefits of the metro could be realised.</p> <p>Sydney Metro have requested to be part of the panel involved in assessing master plans to ensure the use of infrastructure is efficient and aligned with the vision for transport delivery in the area.</p>	
	Matters relating to other Agencies	<p>Sydney Metro is required to be consulted as part of development within 400m of a metro station location. However, it is considered this area is increased to the 800m walking catchment.</p>	<p>Clause 29 of the Aerotropolis SEPP requires that DAs with a CIV of greater than \$200,000 and within 400m of a station are referred to Sydney Metro for advice.</p> <p>It is not considered appropriate or necessary to extend the application of the clause to an 800m radius. Sydney Metro have been part of the development of the Precinct Plan through the work undertaken by the Planning Partnership, relevant considerations in relation to the 800m catchment have been addressed as part of the Precinct Planning Process.</p>
	Housing (location / quantum)	<p>Single dwellings, semi-detached dwellings and dual occupancies are not supported within 1.2km of a metro station at Sydney Science Park. Clarity is requested as to how the SEPP will apply the 3,400 residential dwelling cap to the around the Sydney Science Park and the need to review the cap to ensure development yields are appropriate for the infrastructure proposed for the area.</p>	<p>Noted, lower density housing is not permitted within 1.2km of a metro station at Sydney Science Park. The 3,400 dwelling cap for Sydney Science Park has been carried over from the existing provisions of the Penrith Local Environmental Plan and associated planning agreements. Any proposal to review the 3,400 dwelling cap for Sydney Science Park will be subject to a master planning process which would involve a revisiting and renegotiation of existing planning agreements.</p>
203	Zoning	<p>The submission supports the removal of Environmental and Recreation zone to RU4 for land in the Wianamatta-South Creek and Rossmore precincts. The submission continues to oppose the future zoning of the site to Environment and Recreation as the independent</p>	<p>Noted.</p> <p>See Sections 4.4.3 Environment and Recreation Zone and 4.4.16 Initial and Non-Initial Precincts.</p>

	<p>studies prepared have identified the land is developable land. Initial precincts like Rossmore is recommended to be rezoned to allow for both R4 and R3 zoning to promote greater density, as long as its supported by infrastructure.</p>	
<p>Flooding and Stormwater Management and Infrastructure Delivery</p>	<p>The submission supports the installation of stormwater and flood mitigation work to manage flooding issues across the suburb, particularly across the road network. The submission considers further planning for Rossmore needs to consider infrastructure requirements to stormwater and road networks to mitigate risks to human life. This includes upgrades for water causeways, easements, lighting, and drainage. The submission does not support the draft flood study for the precinct that was suspended by Council.</p>	<p>The remediation and management of local waterways are a matter to be considered by the relevant Council and their program of works when maintaining existing assets.</p> <p>See Sections 4.4.12 Timing and Infrastructure Delivery, 4.4.14 Flooding and Water Cycle Management and 4.4.16 Initial and Non-Initial Precincts.</p>
<p>Community Consultation Process /Transparency and Roads</p>	<p>The submission notes the expansion of the Western Road through privately owned land in Rossmore and Kemps Creek does not include timeframes for acquisition or zoning. It is requested the maps are either removed or clarity is sought on the relevant processes on acquisition and zoning.</p>	<p>The upgrade to Western Road is subject to further detailed investigations by TfNSW as part of the design of these future roads.</p> <p>The proposed corridor at this stage is a strategic alignment and may change. As detailed design has not yet been completed it is not possible at this date to provide any more definite information as to the likely requirement for any parts of the property.</p> <p>Once the alignment is finalised, an assessment process will be undertaken, including opportunities for affected landowners and community to have their say.</p>
<p>Acquisition and Community Consultation</p>	<p>The submission recommends the acquisition of properties for stormwater mitigation work should be at market rates and should not burden existing residents.</p>	<p>Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>

	Process / Transparency	The submission raises concerns there is no clear timing on acquisition processes.	See Section 4.4.1 Land for Stormwater Infrastructure
	Development staging	The submission raises concerns with the staging of the Rossmore precinct and the inability to act on development opportunities. Request the staging is brought forward to ensure the rezoning of the land aligns with landowner expectations and demand for development in the area.	The Department does not support brining forward rezoning of non-initial precincts. See Section 4.4.16 Initial and Non-Initial Precincts
	FSR and Property Valuation	The submission supports the inclusion of FSR controls for the site to ensure land can be developable and sold at market rates	Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.
204	DCP	The submission raised comments on the DCP which will be considered following the finalisation of the SEPP EIE. Request that the Department accept ongoing feedback from the development industry in relation to the draft DCP. In the interim it will be important to allow flexibility in the assessment to allow reasonable alternative solutions.	Noted. See Section 7.1 Finalisation of Phase 2 DCP.
	Community Consultation Process /Transparency	The submission welcomes any further opportunities to participate in any future targeted industry engagement and reference groups to bring forward valuable insights as Department as planning continues for the Aerotropolis.	Noted.

<p>Precinct Plan exhibition</p>	<p>The submission outlines comments related to the Precinct Plan exhibition previously considered by the Department including:</p> <ul style="list-style-type: none">• Reducing the detail and ensuring the Precinct Plan has a clear and consistent focus;• concerns related to the statutory weight of Precinct Plans and impacts on development flexibility;• requesting the release of Master Plan guidelines to better understand the process;• concerns of the cumulative impact of controls would disincentivise warehouse and logistics facilities to locate in the area and the impact of detailed site coverage controls on net developable area for industrial, warehouse and logistics facilities;• the impact of a reduced net developable area on the SIC;• the importance of Government commitment in encouraging modal shifts to public transport;• concerns related to site amalgamation requirements, and• the need for more detail regarding infrastructure timing and out of sequence development.	<p>Noted. The Responding to the Issues Report - Part 2 outlines how the community have been listened to.</p> <p>The submissions made towards the exhibition of the draft Precinct Plan have been appropriately considered in the context of the changes made, and the changes made published as part of this finalisation package – see Appendix A – draft Precinct Plan Submissions Report. The Department’s ‘Responding to the Issues’ report, outlines the key themes raised during the public exhibition for the draft Precinct Plan.</p> <p>Individual submissions were reviewed by the Department’s project team and adjustments were made to the Precinct Plan and the Aerotropolis SEPP which has informed the SEPP EIE relating to the SEPP amendment.</p>
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	<p>The submission requests that the Department further consider the hierarchy of planning policies, including removing the restrictive requirements from the Precinct Plan and accommodate the finer grain detail within the Phase 2 DCP. The submission considers without the revised Precinct Plans meaningful comments cannot be provided and it is not possible to confirm what controls and diagrams will remain in that document and whether any of the above controls would be duplicated.</p>	
<p>Zoning and Acquisition</p>	<p>The relevant acquisition authority is yet to be identified and there is a lack of detail around the ownership/funding requirements for the acquisition of open space and Stormwater Infrastructure. This is a concern as SIC and LIC frameworks are yet to be finalised.</p> <p>Rather than a fixed SP2 Zone, the submission recommends that an indicative basin plan be included in the DCP which can be applied flexibly, subject to the objectives of the control being achieved. This would also allow for appropriate site-specific technical investigations to be undertaken. A regional approach will ensure that development sites are not unduly sterilised to provide significant areas for evaporative ponds and detention basins.</p>	<p>See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space and 4.4.8 Special Infrastructure Contributions.</p>

<p>Master Plans and Precinct Plans</p>	<p>The SEPP EIE acknowledges that the Aerotropolis SEPP is silent on how a Precinct Plan may be amended. The SEPP EIE also acknowledges the considerable feedback received regarding flexibility in the Aerotropolis SEPP to consider minor inconsistencies with a Precinct Plan or Master Plan. The submission notes concern about the practicability and legality of utilising clause 4.6 of the Standard Instrument LEP for this purpose. A Precinct Plan is not an EPI under the Act and alternative approach is requested</p> <p>Whilst the submission supports better planning outcomes, the criteria to amend a Precinct Plan must also ensure that a Master Plan can challenge technical aspects of both the Aerotropolis SEPP and the Precinct Plan such as flood extents, riparian corridors and biodiversity resulting from detailed site investigations.</p> <p>A Master Plan must also be able to be openly challenge the layout, configuration, and feasibility of the Precinct Plan, noting that the draft Precinct Plans were not tested for their capacity, urban design, or engineering feasibility</p>	<p>See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and 5.1.2 Release of the Master Plan Guidelines.</p>
<p>Complying Development and SEPP (instrument)</p>	<p>The submission raises concerns around the approach to complying development within its previous Precinct Plan submission and noted that it would be</p>	<p>Part 5A of the Codes SEPP has not been switched on as it allows development for new commercial / industrial floor space. The Aerotropolis planning framework seeks to ensure that building design considers important design aspects such as design excellence and</p>

	<p>more transparent and practical to have the relevant sections of SEPP (Exempt and Complying Development Codes) 2008 apply to the Aerotropolis as base controls for employment and residential development.</p> <p>The Master Plan process could then provide alternative site-specific outcomes where appropriate. The omission of provisions related to Part 5A of the Codes SEPP will limit the scope of new warehousing completed under complying development. The Aerotropolis provides the Department a significant opportunity to showcase the success of implementing new complying development controls under the Building Business Back Better Framework and, by doing so, provide significant flexibility, reduced development costs and the continued growth of this asset class to achieve early activation of the Aerotropolis.</p>	<p>Connection to Country. It is also important that infrastructure demand and servicing is considered for new floor space. Additional complying development pathways are available through the Master Planning process for eligible development sites. See Section 5.1.2 Release of the Master Plan Guidelines.</p>
SEPP (instrument)	<p>The submission raises concerns regarding the statutory planning framework provided by SEPP (State and Regional Development) 2011 and section 4.38(3) of the EPA Act to enable consent to be granted to SSDA 'that may be incompatible with the objectives and strategic intent of a particular land use zone'.</p> <p>It indicates an SSDA is proposed in areas within the Western Sydney Airport which are not compatible with the vision</p>	<p>See Section 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011).</p>

	<p>set out in the Western Sydney Airport Plan and the Aerotropolis SEPP. The introduction of a new clause under the SEPP will require SSDAs to apply the provisions of the Aerotropolis SEPP if they apply. It is considered crucial that the flexibility of SEPP (State and Regional Development) 2011 is maintained and does not preclude a comprehensive assessment of the proposal in accordance with the planning framework.</p> <p>It is considered the current provisions in Clause 4.38(3) of the SRD SEPP are entirely appropriate to enable 'ground truthing' of the riparian corridors under the Environment and Recreation Zone and the proposed stormwater management infrastructure under the proposed SP2 Infrastructure Zones. The existing clause provides an appropriate level of flexibility to enable a merit-based assessment and a superior planning outcome based on a detailed analysis of the site opportunities and constraints.</p>	
<p>Design Excellence and Development opportunities/DA Processes</p>	<p>The SEPP EIE is silent on any amendment to Clause 34 Design Excellence Competitions. This is a significant missed opportunity to amend a clause. The submission supports high quality design and has experience in design excellence processes including formal and informal architectural design competitions, and design review panels. However, the design excellence</p>	<p>Design competition requirements will continue to apply to some infrastructure types, such as where a building exceeds 40 meters in height (or 12 storeys) and/or where a development meets the criteria to be considered by a design review panel and consideration of design excellence provisions. See Section 5.1.1 Design Excellence Provisions.</p>

	<p>requirements in the Aerotropolis SEPP are considered overly onerous and unnecessary for the Enterprise and Agribusiness zones and associated uses. The blanket application of these requirements based on CIV, without regard for the type and scale of development is not supported as it will add considerable time and expense to the approval process. A preferred approach would be for the consent authority to be satisfied that any development achieves design excellence, as has been standard practice through the development of Western Sydney's employment areas. Any triggers for design competitions and design excellence review panel processes should be more limited in order to achieve a balanced outcome. It is recommended the clause is amended.</p>	
<p>Aboriginal Heritage</p>	<p>The submission considers the EIE, draft DCP and Recognise Country Guideline as positive steps forward to recognising Indigenous culture in the built environment. The submission recommends that the \$20 million threshold requiring applicants to undertake certain assessments/engagement be reviewed and the timing requirements of those required to provide comments.</p>	<p>Noted. The draft guidelines will be a matter of consideration under the SEPP. However, when the DCP is made, it will need to amend the Aerotropolis SEPP to alter the relevant clause to put the final guidelines as a matter of consideration.</p>

<p>Flooding and Stormwater Management and Community Consultation Process / Transparency</p>	<p>Given the more extensive requirements included in the draft Precinct Plan (including requirement for any soil disturbed to be restored to its original soil horizon), the submission is concerned that the bulk of requirements relating to undisturbed soils (including the undisturbed soil map) will remain within the revised Precinct Plan. Previous concern around the requirement re: no Stormwater Infrastructure being located within the undisturbed soil network appears to have been clarified via the extensive areas required for Stormwater Infrastructure within the EIE and Open Space Needs Study.</p>	<p>The proposed undisturbed soil network has been removed from the Precinct Plan with deep soil requirements being included in the Phase 2 Draft DCP.</p> <p>See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space and Section 7.1 Finalisation of Phase 2 DCP.</p>
<p>Environmental Values/biodiversity certification</p>	<p>The submission recommends the Precinct Plans be amended to provide direction on the approval process for development that proceeds in advance of the Cumberland Plain Conservation Plan. The submission suggests co-ordination is required with the finalisation of the Cumberland Plain Conservation Plan to ensure that the anticipated local infrastructure required to services development in the Precincts is able to be delivered within conservation areas without impact to Council or developers, similar to the existing Growth Centres Biodiversity Certification.</p>	<p>See Section 4.4.13 Biodiversity</p>
<p>SIC</p>	<p>The submission recommends the Department consider the cost implications in the SIC, and quantum of</p>	<p>The finalisation of the SIC was informed by the latest planning controls in consultation with state agencies, councils and community.</p>

	<p>the conservation offsets, borne by development in the Aerotropolis to ensure it is not unfairly burdened by offsetting biodiversity impacts in other external release areas and infrastructure projects. The submission notes it is unclear as to whether permeable areas count towards net developable area and whether the SIC will be payable on an increased area of land that does not generate revenue compared to other employment areas. The submission considers the current documents do not clearly outline the impact of controls on net developable area, in conjunction with Stormwater Infrastructure.</p>	<p>The Aerotropolis planning package, SEPP and SIC were finalised as one framework for consistency and transparency.</p> <p>See Section 4.4.8 Special Infrastructure Contributions</p>
<p>Wildlife Strike</p>	<p>The submission considers it is critical that the framework and controls around wildlife hazards are clear and unambiguous to give certainty to future development, particularly in relation to open space and stormwater requirements</p>	<p>The implementation and delivery of stormwater infrastructure and open space to support the precinct will seek to apply the principles associated with wildlife hazards. This includes further consultation with Western Sydney Airport at the development assessment stage which will consider the assessment of key criteria related to the water management measures, plant selection and certification from a suitable qualified ecologist. These criteria are also outlined in the Western Sydney Aerotropolis Wildlife Management & Assessment Report (Avisure, 2020).</p> <p>See Section 4.4.17 Aviation Safeguarding and Wildlife Strike</p>
<p>Community Consultation Process /Transparency</p>	<p>The submission raises concerns that it is not possible to provide comment on a number of matters without the revised Precinct Plan.</p>	<p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis.</p> <p>The Precinct Plans as amended will not be made available for an additional exhibition period or public comment in order to ensure the finalisation of the package is not further delayed.</p>

			The Responding to the Issues Report - Part 2 outlines how the community have been listened to.
205	Acquisition and Property Valuation	<p>The submission relates to land in Bringelly. The submission raises concern regarding the scale of change proposed for the Aerotropolis and the saleability of the subject site now that it has been identified for open space. The submission expresses concern the proposal will result in hardship for small residential landowners that are unable to sell their land due to its designation for a future public purpose. The submission notes to initiate the Just Terms Compensation Act, they need to provide an argument for hardship because of the delayed acquisition of the land and the owner will incur costs to initiate the request.</p> <p>It is also requested that the Valuer-General would refrain from issuing updated valuations for any land that is designated for a future public purpose under the Precinct Plan.</p>	Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> . Also refer to Section 4.4.2 Land for Open Space
	Council Rates	The submission requests that affected landowners are entitled to reimbursement of their reasonable costs associated with making an application for owner-initiated acquisition and/or postponement of rates.	<p>Noted. Where land is identified for acquisition, property values and processes will be determined as per established processes under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. This may also include any reasonable landowner costs incurred as a result of property acquisition.</p> <p>Issues relating to Council rates should be forwarded to the relevant Council.</p>

206	Property Valuation	<p>The submission suggests the subject land has not been deemed suitable for future publicly accessible open space and therefore no avenue exists in the future to recover value/ receive compensation. The submission raises concerns regarding the value of Environment and Recreation and the collective changes associated with the Aerotropolis resulting in a downturn in the value of the land.</p>	<p>See Sections 4.4.2 Land for Open Space and 4.4.3 Environment and Recreation Zone.</p>
	SIC and Property Value	<p>The submission raises concerns regarding the lack of detail in the SIC provides regarding mechanisms for valuation of environmental or recreational land that is not likely to provide a reasonable return as a Biodiversity Offset.</p> <p>The submission expresses that landowners are entitled to just compensation for the loss in land value due to the proposed re-zoning to Environment and Recreation. The submission recommends that landowners are provided with fully resolved plans for land valuation and acquisition prior to finalisation and adoption of the draft planning package, either as a stand-alone document or as an addition to an amended SIC Plan.</p>	<p>The finalisation of the SIC was informed by the latest planning controls in consultation with state agencies, councils and community. The Aerotropolis planning package, SEPP and SIC were finalised as one framework for consistency and transparency.</p> <p>See Section 4.4.8 Special Infrastructure Contributions</p> <p>The revised open space within the Wianamatta-South Creek precinct has been zoned for Environment and Recreation within existing flood prone land or land that has been identified with existing biodiversity values.</p>
	Environmental Values / Biodiversity	<p>The submission advises the subject site does not display sufficient ecological or recreational value to be zoned as Environment and Recreation. The</p>	<p>See Sections 4.4.2 Land for Open Space and 4.4.13 Biodiversity</p>

<p>Certification and Ground Truthing</p>	<p>submission refers to a former assessment of the Cumberland Plain woodland on the site which concludes it is of poor condition and reduced biodiversity value due to lack of connectivity to other vegetation. The submission seeks clarity on the criteria used to determine the rezoning of the subject site Environment and Recreation given most of the land is currently cleared. The submission raises concerns regarding lack of ground truthing carried out by the Department or a review of specialist reports submitted to the Department which inform the zoning applied.</p>	
<p>Zoning and Open Space (location / quantum)</p>	<p>The submission notes the subject site comprises land that is up to 50% cleared with no ecological value and is not flood affected, only supporting 1st and 2nd order streams.</p> <p>The submission suggests the land would support the delivery of the Agribusiness precinct through regional transport links, protection of biodiversity values and could effectively manage wildlife risk in its location and positioning to flight paths and airport safety (wildlife strike). Potential ecological values of the subject property would remain protected through legislation and planning controls under an Agribusiness zone and it is recommended the zoning is changed. The submission requests the agribusiness zone be applied to the site</p>	<p>See Sections 4.4.2 Land for Open Space, 4.4.13 Biodiversity and 4.4.14 Flooding and Water Cycle Management.</p>

		in its entirety or reduce the open space land to include a split zone with the agribusiness zoning.	
	Existing Uses	The submission suggests the expanded approach to existing use rights can only be considered as an interim arrangement as the surrounding land will progress with the airport as it develops, and the remaining rural uses will be left behind and require further amendments in the future.	Noted. See Section 4.4.5 Provisions for previously permissible uses.
	Community Consultation Process / Transparency	The submission seeks clarity on whether expert submissions on biodiversity value will be reviewed by Government commissioned ecological experts prior to finalisation of the Precinct Plans and the SEPP and if so, why this has not been communicated to landowners.	Noted. Any submissions that included an expert report relating to biodiversity was considered and reviewed by the Department's consultants prior to the finalisation of the Precinct Plan. See Section 4.4.13 Biodiversity.
207	Zoning and Flooding and Stormwater Management	The submission expresses concern that the land contains a large portion of Environment and Recreation zone despite the Responding to the issues report. The submission notes that the zone appears to be defined by the 1% AEP affectations and the flood study has not considered the removal of Kemps Creek Dam which is influencing the flooding impact as advised by Sydney Water. The submission requests that the Environment and Recreation land is reduced in size and limited to the Riparian area.	See Sections 4.4.3 Environment and Recreation Zone, 4.4.13 Biodiversity and 4.4.14 Flooding and Water Cycle Management.

	Development opportunities/DA Processes and Zoning	The submission notes that Sydney Water is currently proposing a Sewer Treatment Plant. The submission raises concern regarding potential odour impacts resulting from the proposed treatment plant and the prevailing southerly winds causing a land use conflict and rendering the Environment and Recreation zone unsuitable for recreational purposes. The submission suggests an industrial zoning would be more suitable.	Noted. The issue of odour is matter for consideration during the assessment of the proposed Upper South Creek Advanced Water Recycling Centre. Regarding land use zoning, it is noted the site for the Upper South Creek Advanced Water Recycling Centre is within Kemps Creek, being a non-initial precinct. Under the Western Sydney Aerotropolis Plan, Kemps Creek has been identified for flexible employment purposes. With the exception of the Wianamatta-South Creek Precinct.
208	Precinct Plans	The submission expressed concerns that regarding the overly prescriptive and fine grain planning controls which disincentivise investment in the Aerotropolis.	The Precinct Plan has been amended following the exhibition period, to respond to industry and landowners concerns that the level of detail would be too onerous. A number of aspects in the Precinct Plans have since been reduced or moved to the DCP where appropriate. See Sections 2.2 Precinct Plan and 7.1 Finalisation of Phase 2 DCP.
	Community Consultation Process / Transparency and SEPP (instrument)	The submission recommends the Department undertakes targeted industry group or landowner consultation prior to gazettal of the amended SEPP to identify any drafting errors or to clarify the intent is correct. The submission supports the reduction in open space and the rationale provided behind each. It is proposed the Aerotropolis SEPP is amended once further work is completed or information is made available to reduce initial open space corridors following detailed design exercises. This however is subject to engagement with landowners. It is also requested the drafting of the instrument is consulted on to understand the	Noted. The Responding to the Issues Report - Part 2 outlines how the community have been listened to. Also see Sections 4.4.2 Land for Open Space and 5.1.2 Release of the Master Plan Guidelines.

	process and preparation of Master Planning guidelines	
Development opportunities/DA Processes	The submission raised concerns regarding the impact of referral requirements relating to airport safeguarding. The submission recommends the Planning Delivery Unit are involved to reach an agreement with relevant federal agencies and Western Sydney Airport around response timeframes and the Aerotropolis SEPP provides for a 'deemed concurrence' if a response is not provided within 40 days. This should also form part of the next iteration of the City Deal.	Noted. Refer to the EP& A Regulations and Aerotropolis SEPP for relevant concurrence requirements.
Master Plans	The submission suggests without the opportunity to vary and depart from the draft Precinct Plans, land use within the Aerotropolis may not realise its productive potential, and decisions will be made on the current studies that are shown to have insufficient ground-truthing and practical application. The submission notes the Minister's consideration of criteria to endorse a Precinct Plan, it is unclear why there are 2 criteria for the assessment.	See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and 5.1.2 Release of the Master Plan Guidelines . Also refer to the Aerotropolis SEPP – Part 7: Precinct Plans and Master Plans.
Matters relating to other Agencies	The submission raised concerns regarding the function of the Western Parkland City Authority and balancing of their role as a developer. The submission requests that the Western Parkland City Authority regularly communicates and updates industry on how it manages its	Noted. The Authority has adopted a governance structure which separate its development and planning functions. Refer to Section 4.4 of the Finalisation Report for clarification of the role of Western Parkland City Authority.

	<p>separate roles as developer and coordinator of infrastructure, along with supporting principles, practices, and policies.</p>	
SEPP (instrument) and Complying Development	<p>The submission expressed raised concerns regarding the proposal to restrict State Significant Development within the Aerotropolis. The submission requests the amendments do not proceed and recommends that master planning and Precinct Plans with complying development pathways be proposed as an alternative to an SSD.</p>	<p>See Sections 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011) and 5.1.2 Release of the Master Plan Guidelines.</p>
SEPP (instrument)	<p>The submission expressed interest in opportunities to pursue more minor alterations through a truncated Master Planning approach, potentially inclusive of a Clause 4.6 (or equivalent) mechanism. The submission recommends the SEPP amendment ensures that the 4.6 (or equivalent) extends to Precinct Plans reflecting the apparent intention of the SEPP EIE.</p>	<p>See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and 5.1.2 Release of the Master Plan Guidelines.</p>
Design Excellence	<p>The submission requests that the Department adopts an approach to exempt warehousing, freight transport, cold storage, and general industrial development from architectural design competitions. It is also requested landowners are engaged on a suitable approach through design review panels in clause 33.</p>	<p>Design competition requirements will continue to apply to some infrastructure types, such as where a building exceeds 40 meters in height (or 12 storeys) and/or where a development meets the criteria to be considered by a design review panel and consideration of design excellence provisions.</p> <p>See Section 5.1.1 Design Excellence Provisions.</p>

<p>209 – Agency: Sydney Water</p>	<p>Zoning and Flooding and Stormwater Management</p>	<p>Supports the identification of land for stormwater management as zoned SP2 Stormwater Infrastructure. Despite the rezoning of land back to RU4 Primary Production Small lots, there is a need to ensure it does not compromise overall waterway health outcomes for the catchment.</p> <p>It is recommended where land is required for stormwater infrastructure, it is zoned accordingly as SP2 Infrastructure rather than the use of an overlay.</p>	<p>Further consultation with Sydney Water has confirmed the intent of the ‘overlay’ applied for Stormwater Infrastructure and outlines the land is still identified on the Land Reservation Acquisition map.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure.</p>
	<p>Acquisition and Flooding and Stormwater Management</p>	<p>A stormwater management authority needs to be appointed to ensure the coordination and acquisition of assets in the Aerotropolis.</p> <p>The inclusion of landform stormwater infrastructure as an overlay creates a degree of ambiguity of the process, timing and intent for the acquisition of land. The overlay suggests land can be negotiated as by landowners as the amount of land required to deliver stormwater infrastructure, however, the location of stormwater basins and the overall network is primarily located on constrained land.</p> <p>The acquisition of land where varied in one location must be compensated in other areas to ensure the servicing of the overall network is efficient.</p> <p>Clarity is requested on how much land is identified for stormwater management</p>	<p>Sydney Water have been appointed as the stormwater management authority.</p> <p>Further consultation with Sydney Water has confirmed the intent of the ‘overlay’ applied for Stormwater Infrastructure and outlines the land is still identified on the Land Reservation Acquisition map.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure.</p>

	<p>and if the reduction of open space has also impacted the growth forecasts for infrastructure planning purposes.</p>	
<p>Flooding and Stormwater Management</p>	<p>The use of recycled water is a key element of the water cycle management strategy. It is requested the Aerotropolis SEPP includes a reference to require connections to recycled water sources as per existing examples used in other SEPPs.</p> <p>Other clauses should be inserted into the Aerotropolis SEPP to require development to consider the stormwater management and water sensitive urban design as part of the iterative design process.</p>	<p>It is not proposed to amend the Aerotropolis SEPP to mandate development to connect to a recycled water network. The draft Phase 2 DCP includes provisions for development to connect to a recycled water network that is planned and available.</p> <p>Relevant stormwater management provisions to support the regional approach to stormwater management developed by Sydney Water is provided in the final Precinct Plan and draft Phase 2 DCP, where relevant. See Sections 4.4.14 Flooding and Water Cycle Management and Section 7.1 Finalisation of Phase 2 DCP.</p>
<p>SEPP (instrument) and Complying Development</p>	<p>Concerns exist regarding the approval pathways for complying development and those approved under an accelerated pathway could generate issues that result in uses requiring higher than anticipated water demand. Clarification or assurance is required the notification of the water authority prior to development consent is issued to mitigate infrastructure servicing issues and supply planning delays.</p> <p>Clarity is requested on how the masterplan process will be competed in accordance with existing State Significant Development processes.</p>	<p>Noted. Sydney Water will be part of the Technical Assurance Panel process for Master Plans. By virtue of the complying development codes that have been 'switched on' for land within the Aerotropolis, any complying development undertaken outside of the Master Planning Process, is minor in nature and is not likely to result in additional floor space.</p>

	Master Plans and Complying Development	The relationship between the complying development pathway and masterplan process needs to be clarified and the master plan guidelines are reviewed to ensure stormwater land is protected in the process.	See Section 5.1.2 Release of the Master Plan Guidelines.
	Key Sites and Zoning	The zoning and land use maps are requested to be updated to show the integrated water recycling hub at Sydney Science Park as SP2 Stormwater with an appropriate land use for a recycled water facility.	Further consultation with Sydney Water has confirmed the identification of this use on the relevant maps is not required at this stage. The Precinct Plan does, however, identify the integrated water recycling hub at Sydney Science Park.
210	Zoning and Development opportunities/DA Processes	<p>The submission relates to land Bringelly formerly identified as Enterprise zone and now zoned SP2 Stormwater Infrastructure. The submission raises concerns that SP2 Stormwater Infrastructure zone will result in considerable ramifications for the future commercial viability of the Site, including sterilisation of the site's development potential, limit future development in relation to the Aerotropolis SEPP and the achievement of economic and employment objectives envisaged for the Precinct.</p> <p>The submission notes concern regarding fairness relating to the rationale for rezoning the subject site given adjoining land zoned is zoned Enterprise. The submission recommends further investigations and consultation be undertaken by the relevant public authorities to confirm and identify why the</p>	<p>The Department have investigated the opportunities for reducing the area of stormwater basins on the subject site(s). As part of the review of Precinct Plans, no change has been proposed to be made. See Section 4.4.1 Land for Stormwater Infrastructure</p>

	<p>site is suitable for the proposed characterisation as SP2 Stormwater Infrastructure. The submission recommends the zoning is amended to reflect the original Enterprise zoning.</p>	
<p>Acquisition and Community Consultation / transparency</p>	<p>The submission objects to the proposed acquisition of land at the subject site required to facilitate SP2 Stormwater Infrastructure as it will prohibit any future development other than that permissible under the SP2 Infrastructure zone. The submission raises concerns regarding the lack of consultation undertaken on behalf of the public authorities to advise the landowners of the potential to compulsorily acquire the land.</p>	<p>See Section 4.4.1 Land for Stormwater Infrastructure</p>
<p>Roads and Zoning</p>	<p>The submission notes the site is located in close proximity to existing and future planned transport infrastructure which includes arterial roads, such as the Eastern Ring Road, which provides regional and freight accessibility as demonstrated by the street hierarchy and network plans exhibited under the SEPP EIE in November 2020.</p> <p>The submission suggests the site's 8ha land size, direct connections to the Airport and surrounding road infrastructure network offers a strategic opportunity to the Aerotropolis Core and is suitable to form part of the Neighbourhood hub. The submission recommends that the location and extent of the mapped area is revised to include</p>	<p>Noted. However, the subject site has been identified for stormwater purposes. See Section 4.4.1 Land for Stormwater Infrastructure.</p>

		<p>the Site in the 'neighbourhood hub' to ensure the precinct is able to fulfil its required contribution to the Aerotropolis Core and remain consistent with the mapping under the WSA SEPP, including the realisation of the Site's potential development outcomes able to achieved.</p>	
211	Zoning and FSR	<p>The submission objects to the rezoning the subject site from RU4 Primary Production Small Lots to Environment and Recreation and raises concerns the zoning will sterilise land and devalue the property. The submission seeks clarification on the rational for selection of Environment and Recreation properties proposed for acquisition given residents 5 doors impacted by Environment and Recreation zone will be acquired and the subject property has not been identified for acquisition. The submission requests all impacted land by Environment and Recreation zoning to be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved.</p>	<p>The EIE outlines that in response to the Independent Community Commissioner's recommendations to consider the rationalisation of Environment and Recreation zoned land and the views of affected landowners, it is proposed to replace the Environment and Recreation land use zone for a portion of land south of Elizabeth Drive, along the eastern edge of Wianamatta-South Creek and the entirety of Kemps Creek with the original RU4 Primary Production Small Lots under the Liverpool Local Environmental Plan 2008. However, the provisions of the Aerotropolis SEPP will still remain as it relates to the protection of airport operations and transport corridors.</p> <p>In some instances, land values have been considerably increased by the rezoning that has occurred under the Aerotropolis SEPP. The application of the Environment and Recreation zone largely reflects constrained land that had minimal development potential and therefore the value of the land would have reflected those constraints.</p> <p>Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.</p>
212	Zoning and FSR	<p>The submission objects to the rezoning the subject site from RU4 Primary Production Small Lots to Environment and Recreation and raises concerns the zoning will sterilise land and devalue the</p>	<p>Land within the Wianamatta-South Creek precinct has been zoned for Environment and Recreation purposes that is either within existing flood prone land or land that has been identified with existing biodiversity values.</p>

		<p>property. The submission seeks clarification on the rational for selection of Environment and Recreation properties proposed for acquisition given residents 5 doors impacted by Environment and Recreation zone will be acquired and the subject property has not been identified for acquisition. The submission requests all impacted land by Environment and Recreation zoning to be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved.</p>	<p>Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.</p>
213	Zoning and FSR	<p>The submission objects to the rezoning the subject site from RU4 Primary Production Small Lots to Environment and Recreation and raises concerns the zoning will sterilise land and devalue the property. The submission seeks clarification on the rational for selection of Environment and Recreation properties proposed for acquisition given residents 5 doors impacted by Environment and Recreation zone will be acquired and the subject property has not been identified for acquisition. The submission requests all impacted land by Environment and Recreation zoning to be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved.</p>	<p>Land within the Wianamatta-South Creek precinct has been zoned for Environment and Recreation purposes that is either within existing flood prone land or land that has been identified with existing biodiversity values.</p> <p>Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.</p>
214	Zoning and FSR	<p>The submission objects to the rezoning the subject site from RU4 Primary Production Small Lots to Environment and Recreation and raises concerns the</p>	<p>Land within the Wianamatta-South Creek precinct has been zoned for Environment and Recreation purposes that is either within</p>

		<p>zoning will sterilise land and devalue the property. The submission seeks clarification on the rational for selection of Environment and Recreation properties proposed for acquisition given residents 5 doors impacted by Environment and Recreation zone will be acquired and the subject property has not been identified for acquisition. The submission requests all impacted land by Environment and Recreation zoning to be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved.</p>	<p>existing flood prone land or land that has been identified with existing biodiversity values.</p> <p>Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.</p>
215	Zoning and FSR	<p>The submission objects to the rezoning the subject site from RU4 Primary Production Small Lots to Environment and Recreation and raises concerns the zoning will sterilise land and devalue the property. The submission seeks clarification on the rational for selection of Environment and Recreation properties proposed for acquisition given residents 5 doors impacted by Environment and Recreation zone will be acquired and the subject property has not been identified for acquisition. The submission requests all impacted land by Environment and Recreation zoning to be included in FSR calculations to ensure a win/win situation for all parties and ensure the vision for South Creek is achieved.</p>	<p>Land within the Wianamatta-South Creek precinct has been zoned for Environment and Recreation purposes that is either within existing flood prone land or land that has been identified with existing biodiversity values.</p> <p>Development controls such as FSR apply to the Mixed Use zone in the Precinct Plan. The application of FSR controls on land identified for Environment and Recreation zones is not considered appropriate to apply broadly across each precinct in the Aerotropolis. See Section 4.4.11 Built form and urban design.</p>
216	Development opportunities / DA	<p>The submission identifies barriers in the SSDA process which do not allow for flexibility in addressing zoning anomalies.</p>	<p>The State Significant Development planning pathway will remain in place across the Aerotropolis.</p>

<p>Processes and SEPP (instrument)</p>	<p>The submission considers the requirements for design excellence will negatively impact project feasibilities for large scale industrial and logistics precincts and discourages in stakeholder consultation. SSDAs provide a reasonable alternative to amending a Precinct Plan for those sites not subject to the Master Plan process where field validation of key issues is required by the SEARs. The SSDA process (including the use of s4.38(3) partly prohibited development) must not be watered down for relevant development within the Aerotropolis. The proposed clause requiring a masterplan to amend a Precinct Plan should not interfere with the operation of SSDA processes proposed changes to the State and Regional Development SEPP are requested to not proceed due to the impact created on development ordinarily classified as an SSDA and there are existing provisions which allow for ground truthing and proposed management of stormwater as a merit based assessment approach. With uncertainties remaining about the masterplan pathway, the SSDA approvals pathway is requested to be retained.</p>	<p>See Sections 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011) and Section 5.1.1 Design Excellence Provisions.</p>
<p>Community Consultation Process / Transparency</p>	<p>The submission is concerned that the program for finalisation of the Precinct Plans and other documents does not allow re-exhibition of the total planning package. The submission agrees the finalisation of the planning framework</p>	<p>Noted. The Responding to the Issues Report - Part 2 outlines how the community have been listened to.</p> <p>The submissions made towards the exhibition of the draft Precinct Plan have been appropriately considered in the context of the changes made, and the changes made published as part of this</p>

	<p>needs to be expedited to allow delivery of finished buildings prior to 2026, but they need confidence that there is scope to reconsider the framework holistically and finesse it where warranted. Innovative outcomes need more consultation with key stakeholders. Flexibility is important to allow development to respond to key issues as they arise and to facilitate better long-term outcomes.</p> <p>There are concerns unexpected changes in the Precinct Plans could further impact development outcomes. Examples are outlined in relation to added requirements from the Cumberland Plain Conservation Plan, the design competition requirements for anything above CIV \$40 million and the EIE references changed zoning to overlays but does not define the clear location and the permissibility is uncertain.</p>	<p>finalisation package – see Appendix A – draft Precinct Plan Submissions Report. The Department’s ‘Responding to the Issues’ report, outlines the key themes raised during the public exhibition for the draft Precinct Plan.</p> <p>Individual submissions were reviewed by the Department’s project team and adjustments were made to the Precinct Plan and the Aerotropolis SEPP which has informed the SEPP EIE relating to the SEPP amendment.</p> <p>Also refer to Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan.</p>
SEPP (instrument)	<p>The submission notes concern the inability to complete minor variations under typical clause 4.6 approaches will mean development cannot effectively meet end user needs. Detail as to the wording of how clause 4.6 will be applied must be provided and exhibited prior to its finalisation and gazettal to understand the implications. A simpler way would be to adopt a requirement development to be consistent with the objectives of the Precinct Plan.</p>	<p>See Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan.</p>

<p>Environmental Values / Biodiversity certification and SEPP (instrument)</p>	<p>The SEPP EIE does not outline an amendment to the Cumberland Plain Conservation Plan. The central Environment and Recreation zone on the site does not comprise of Cumberland Plain Woodland, however, was advised that the Environment and Recreation zoned land was informed by the Cumberland Plain Conservation Plan. Evidence has been provided by the proponent which outlines the above and it does not hold biodiversity value. Request that the proposed Aerotropolis SEPP amendment must contemplate amendments to the Cumberland Plain Conservation Plan where these areas have been appropriately field validated. Not to do so would undermine the integrity of the plan and require unnecessary additional assessments under the Biodiversity Conservation Act 2016 for these uncertified areas.</p>	<p>Noted. Any submissions that included an expert report relating to biodiversity was considered and reviewed by the Department’s consultants prior to the finalisation of the Precinct Plan.</p> <p>See Section 4.4.13 Biodiversity.</p> <p>The Precinct Plans have been made in close consultation with the Department’s project team developing the Cumberland Plain Conservation Plan. Once the Cumberland Plain Conservation Plan is finalised, this may result in changes to land zoned Environment and Recreation for the purposes in alignment with the plan. Where this occurs, the Aerotropolis SEPP will be amended. to reflect the zone boundary change and landowners will be notified.</p>
<p>Flooding and Stormwater Management</p>	<p>The submission requests amendments to Stormwater Infrastructure and Environment and Recreation zones to reflect the ground truthing undertaken for the site to 1:100 flood planning levels as per the Wianamatta-South creek flood study. The rationalisation of the zone in relation to the site is not consistent with the findings of the Independent Community Commissioners Report to rationalise the zoning. This should be changed as the information provided by the proponent outlines the flooding extent</p>	<p>The Department has explored opportunities to reduce the amount or location of stormwater land with Sydney Water. Sydney Water confirmed the site includes various creek lines and regional wetlands which allow development to achieve waterway health objectives as well as stormwater targets.</p> <p>See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.14 Flooding and Water Cycle Management.</p>

	and environmental significance of the land has been validated.	
Zoning and Development opportunities/DA Processes	Objects to the area of land identified for Stormwater Infrastructure being zoned SP2 or an overlay for the land in the SEPP. It is requested the SP2 Zone must be flexible to allow these areas to be properly investigated, designed, refined and developed in a manner that incorporates Connection to Country principles whilst also minimising the impact upon developable areas of key development sites. The land is not identified as a riparian corridor, is not affected by the 1:100-year flood and does not meet the definition of a river to be included in this zoning/overlay. The Open Space Needs Study also states that Stormwater Infrastructure has been located on land already identified for open space to limit impact on developable land however, in many cases the additional open space areas identified within the Precinct Plan already impacted developable land beyond the gazetted Environment and Recreation zone boundaries. Limiting developable area not only impacts sound planning outcomes but would also impact on any contributions based off net developable area.	The Department has explored opportunities to reduce the amount or location of stormwater land with Sydney Water. Sydney Water confirmed the site includes various creek lines and regional wetlands which allow development to achieve waterway health objectives as well as stormwater targets. See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space and 4.4.14 Flooding and Water Cycle Management.
Infrastructure Delivery and Flooding and	The submission notes requirements and detailed designs for infrastructure and drainage should be confirmed at the DA stage and it is recommended it is	See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.14 Flooding and Water Cycle Management, 4.4.17 Aviation

Stormwater Management	removed from the Precinct Plan and stormwater locations are located within the DCP. The location of the proposed infrastructure does not deliver an efficient block structure or road layout that allows for orderly development. A standard pit and pipe approach are considered a potential approach which can support the desired intent of the stormwater approach. The location of wetlands and detention basins conflict with airport safeguarding principles. Sydney waters approach is yet to be tested, costed, and won't be realised in the short to medium term.	Safeguarding and Wildlife Strike and Section 7.1 Finalisation of Phase 2 DCP.
Recognise Country	The submission supports the implementation of the Guideline and incorporation of Connection to Country principles into any future development.	Noted. See 4.4.15 Aboriginal Engagement and Connection with Country
Development opportunities/DA Processes	Part of the site is affected by the building restricted area and any development within the area is required to be referred to the commonwealth agency. The wording and operation of the proposed clause must not unreasonably impact on future employment related land uses within the Building Restricted Area	<p>The SEPP EIE outlines that a new clause will be included in the Aerotropolis SEPP to require a consent authority to seek confirmation from the relevant Commonwealth body that the development will not impact on the communication, navigation and surveillance facilities within an identified area, to be known as the Building Restricted Area.</p> <p>The wording of the draft clause will be made available on the NSW legislation website once notified.</p>
Outer Sydney Orbital corridor	The submission supports any reduction to or removal of the OSO corridor	<p>Noted. The Outer Sydney Orbital corridor is under investigation and any future changes will be subject to further detailed design and appropriate consultation with affected land owners and the community.</p> <p>See Section 4.4.9 Traffic and Transport/Roads.</p>

<p>Complying Development</p>	<p>A commitment to allow complying development consistent with the Precinct Plan for industrial development under the changes being proposed under the Building Business Back Better Framework would provide confidence and be a significant boost to investment and activation. Provisions relating to Part 5A of the codes SEPP should be included in the Aerotropolis SEPP to promote new warehouse development under complying development.</p>	<p>The complying development provisions for the Aerotropolis allow a broad range of development types. Part 5A of the Codes SEPP has not been switched on as it allows development for new commercial / industrial floor space.</p> <p>Additional complying development pathways are available through the Master Planning process for eligible development sites. See Section 5.1.2 Release of the Master Plan Guidelines.</p>
<p>Matters relating to other Agencies</p>	<p>The role of the Western Parkland City Authority in the process of approving a masterplan is unclear and it is unclear on the power reserved to make recommendations or an amendment. The role of the Western Parkland City Authority to promote and facilitate investment and jobs on Govt owned land must not conflict with its increased role in the Precinct Plan process. The Western Parkland City Authority must ensure that economic imperatives to promote investment and jobs intensive land uses is prioritised in the final Precinct Plan.</p>	<p>The Authority has adopted a governance structure which separate its development and planning functions. Refer to Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan</p>
<p>Master Plans and Master Plan guidelines</p>	<p>The submission notes there must be other opportunities to amend a Precinct Plan for sites that are not subject able to use the Master Plan process. Master Plan guidelines must be released as a matter of priority per the Independent Community Commissioners Report.</p>	<p>See Sections 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan and Section 5.1.2 Release of the Master Plan Guidelines.</p> <p>Opportunities to delivery development through the complying development pathway will be established through the Master Planning process for a particular development site.</p>

		<p>The submission considers Master Plan pathways must be a compelling process for industry and not cause further delays to the development process. A Master Plan must confer development consent, i.e. a legal basis to undertake development that can stand alongside a concept development consent. A Master Plan should either grant consent or provide a fast track approval process for early works and site preparation to facilitate the complying development pathway. Criteria to assess inconsistencies with a Precinct Plan must include the ability to undertake technical investigations to challenge the Aerotropolis SEPP and Precinct Plan including baseline environmental constraints, urban design layout and feasibility.</p>	
	Acquisition	<p>The EIE does not identify who is the relevant acquisition authority for the land, the process, or how the acquisition will be funded.</p>	<p>Noted. The release of the final package will identify the relevant acquisition authority.</p>
	Development Proposal	<p>A submission to request an amendment to the SEPP concurrent with the SSD for the site was also provided for consideration.</p>	<p>Noted. The Aerotropolis SEPP and Precinct Plan will not be amended.</p>
217 – Agency: Fairfield Council	Noise (ANEC / ANEF)	<p>Fairfield Council’s submission requested further consideration of the matters identified as out of scope as stated in Section 3.2.</p>	<p>The Western Sydney International (Nancy-Bird Walton) Airport (Western Sydney Airport) will operate 24 hours a day with a significant number of flight movements occurring at night. In order to protect the amenity of the community and safeguard the 24-hour operations of the Western Sydney Airport, a precautionary approach</p>

		<p>The submission requests changes are made to the Aerotropolis SEPP which enable development to occur within the ANEC 20 contour and above (including subdivision and residential development), subject to a detailed development assessment and meeting specific criteria under the Australian Standard 2021 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction and the implementation of noise mitigation measures associated with an appropriate acoustic report.</p> <p>Fairfield City Council have prepared their own Aircraft Noise Strategy to support and enable development opportunities within noise sensitive areas. The strategy identifies inconsistencies in the Aerotropolis SEPP in conjunction with existing planning policies for development around airfields.</p>	<p>has been implemented to limit the number of residents exposed to aircraft noise impacts, particularly throughout the night.</p> <p>In preparing planning controls for the Western Sydney Aerotropolis and surrounding areas, a decision was made that new noise sensitive development will be prohibited within the ANEC/ANEF 20 and above contours. These aircraft noise requirements extend beyond the Aerotropolis into surrounding areas, including Horsley Park. This means that no new residential development is allowed in these areas, including dwellings, dual occupancies, secondary dwellings such as granny flats, and subdivisions for residential development.</p> <p>Both the SEPP and the Western Sydney Aerotropolis Plan (the Plan) clarify that in existing residential areas or on land already approved for residential development, the ability to construct dwellings will not be removed. This is reflected in clause 19(4) of the SEPP.</p> <p>Additionally, renovations to existing houses or extensions will still be allowed, subject to appropriate noise mitigation management measures being implemented.</p> <p>The recent exhibition did not propose any changes to the planning controls for land within the noise effected areas and as the protection of the 24/7 airport operation is an important objective of planning for the Aerotropolis, the existing controls will be retained.</p>
218	Precinct Plans and Zoning	<p>Advocates for subject site to be included in the employment area/Northern gateway precinct. Cites that current plans indicate the site will be split by road adjustments - removing a dam in the process and rendering a shed inoperable. Cites difficulties of continued farming in the midst of an otherwise industrial and commercial environment. Advocates that site is flat, well connected, unaffected by noise, Environment and Recreation restrictions,</p>	<p>The Precinct Plans and the Aerotropolis SEPP identify appropriate zoning and controls to respond to a number of social, environmental and economic factors. The Precinct Plans identify the types of development that can occur in the Agribusiness Precinct.</p> <p>Furthermore, the location of sites within certain precincts was determined during the finalisation of the Western Sydney Aerotropolis Plan.</p>

		is undervalued and would be the best position for logistics and freight, petrol station, food outlets and others. Suggests that developers are confused as to what can be done in the Agribusiness precinct.	
219	Flooding and Stormwater Management and Acquisition	The submission objects to the acquisition of a portion of the subject site for Stormwater Infrastructure and requests a 25% reduction in the amount of land earmarked. Asserts that the greenspace requirements and FSR calculation methods for the rest of the site are unfair. Advocates for stormwater land to count as greenspace for FSR purposes.	<p>The Department has undertaken a review of the land required for Stormwater Infrastructure in consultation with the Department's urban designers for the project and Sydney Water.</p> <p>See Sections 4.4.1 Land for Stormwater Infrastructure and 4.4.2 Land for Open Space.</p> <p>The application of FSR controls is not considered appropriate to apply broadly across each precinct in the Aerotropolis. Development controls such as FSR has been applied across the Aerotropolis to be consistent with the development outcomes shown in the Precinct Plans. Also refer to Section 4.4.11 Built form and urban design.</p>
220	SEPP (instrument) and Community Consultation Process / Transparency	The submission requests wording of instruments be released for comment prior to gazettal or commencement.	<p>The Department has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>. The exhibition period was set in consultation with the Community Commissioner in an endeavour to provide certainty to the community.</p> <p>The exhibited EIE outlined the intended outcome of the proposed amendments to Aerotropolis SEPP. This approach is consistent with amendments to Local Environmental Plans and other SEPPs</p>
	Flooding and Stormwater Management and Ground Truthing	The submission requests detailed and up to date flood and water assessments (including up to date cadastre boundaries) are completed and exhibited and areas earmarked for stormwater and associated open space be included in a non-statutory instrument. The submission also requests that any stormwater	<p>The Department has utilised adopted flood studies from both Penrith and Liverpool Council to inform the planning of the Aerotropolis, including the location of Stormwater Infrastructure to support Sydney Water's Stormwater and Integrated Water Cycle Management Plan.</p> <p>See Sections 4.4.1 Land for Stormwater Infrastructure, 4.4.2 Land for Open Space and 4.4.14 Flooding and Water Cycle Management.</p>

	constraints in the final package be flexible to allow case by case investigation and ground truthing at the development stage. The submission expresses a strong objection to the large areas designated for stormwater which go above and beyond what is required under the Water Management Act 2000.	
Non-Aboriginal Heritage and Aboriginal Heritage	The submission supports the objective to retain and recognise heritage, but requests to revisit proposed heritage items which no longer carry heritage significance.	<p>The Aerotropolis SEPP includes a list of heritage items. Additional potential (unlisted) heritage items have been identified in the Precinct Plan and draft Phase 2 DCP. These potential items were identified through a heritage assessment undertaken during the preparation of the Precinct Plan. The Precinct Plan and DCP includes guidance for confirming the significance of these potential items and they will be further assessed at the development stage.</p> <p>The Precinct Plan includes requirements to ensure that heritage is appropriately managed when undertaking development. The construction of future parks and active transport links located near heritage items will be subject to future detail.</p> <p>See Sections 4.4.18 Heritage and 7.1 Finalisation of Phase 2 DCP.</p>
Precinct Plans	The submission recommends Precinct Plans should be flexible and not overly prescriptive.	<p>The Precinct Plan for the initial precincts, which has been released, responds to submissions received and provides greater certainty as to the planning and design outcomes for the Aerotropolis. We have reduced the number of requirements in the Precinct Plan and included additional flexibility in areas such as the road network and through alternative development pathways such as master plans.</p> <p>Also see Section 4.4.6 Amending a Precinct Plan and Minor Inconsistencies with a Precinct Plan.</p>
SEPP (instrument)	The submission raised concerns regarding the proposed changes to the SEPP (State and Regional Development)	Noted and not supported. See Section 4.4.7 Amendments to State Environmental Planning Policy (State and Regional Development 2011).

		2011 and requests that they are abandoned given they will unnecessarily impact on the delivery of development that would ordinarily be classified as SSDA.	
	Acquisition and Property Valuation	The submission expressed concerns regarding the use of zoning to reduce acquisition costs and provides legal advice on the matter. The submission advises that land acquired for excess open space and Stormwater Infrastructure should be valued according to the zoning that would otherwise have been applied. The submission recommends that land acquisition for roads should be flexible and subject to detailed design. The submission seeks clarity on the funding mechanism for acquisition including any potential increase to exhibited rates.	Land acquisition processes including valuations will be in accordance with the Land Acquisition (Just Terms Compensation) Act. Also refer to Section 4.4.1 Land for Stormwater Infrastructure and Section 4.4.2 Land for Open Space.
	Wildlife Attraction Risk	The submission identifies conflicts between the requirement for Stormwater Infrastructure and detention basins and the requirements to safeguard airport operations and minimise wildlife attraction and bird strike.	Noted. The implementation and delivery of stormwater infrastructure and open space to support the precinct will seek to apply the principles associated with wildlife hazards. This includes further consultation with Western Sydney Airport at the development assessment stage which will consider the assessment of key criteria related to the water management measures, plant selection and certification from a suitable qualified ecologist. These criteria are also outlined in the Western Sydney Aerotropolis Wildlife Management & Assessment Report (Avisure, 2020). See Section 4.4.17 Aviation Safeguarding and Wildlife Strike.
221	Flooding and Stormwater	The submission advocates for the open space overlay to remain as open space and not be changed to SP2 Stormwater	See Section 4.4.1 Land for Stormwater Infrastructure and Section 4.4.2 Land for Open Space.

	Management and Zoning	Infrastructure until it is acquired for Stormwater Infrastructure in the future. The submission notes that the open space overlay for acquisition was not brought to the group's attention during committee meetings organised by Western Sydney Planning Partnership and that the discussion focused on open space acquisition in Thompsons Creek in Bringelly.	
	Non-Aboriginal Heritage	Submission requests the Badgerys Creek name be retained in some form.	Noted.
222 – Agency: Department of Primary Industries (Biodiversity and Food Safety Branch)	SEPP (instrument)	<p>Requests the Department undertakes a biosecurity risk management plan outlining details including:</p> <ul style="list-style-type: none"> • The introduction, presence, spread or increase of a: <ul style="list-style-type: none"> ○ Pest or disease of plants; ○ Pest animal; ○ Weed; ○ Pest or disease of animals, and • Animals, animal products becoming chemically affected. <p>The report should also consider risks and strategies to prevent, eliminate or minimise the risks, with consideration given to the <i>Biosecurity Risk Management in Land Use Planning and Development Guide</i>.</p>	<p>Consideration will be given to the <i>Biosecurity Risk Management in Land Use Planning and Development Guide</i> in the finalisation of the Phase 2 DCP.</p> <p>See Section 7.1 Finalisation of Phase 2 DCP.</p>

<p>223 – Agency: Department of Primary Industries (Fisheries)</p>	<p>SEPP (instrument)</p>	<p>Considers that the proposed changes under the SEPP EIE will not adversely affect critical habitat or threatened species populations, or ecological communities or their habitats as listed under the <i>Fisheries Management Act 1994</i>.</p>	<p>Noted.</p>
<p>224</p>	<p>Zoning</p>	<p>Request for the zoning of the property to be reverted to what it was prior to the changes in open space. Considers the changes are more significant than what was originally exhibited and is a loss of development potential.</p>	<p>The Department has completed further review of the land with Sydney Water with the intent to reduce the amount of land required if possible.</p> <p>See Section 4.4.1 Land for Stormwater Infrastructure and Section 4.4.2 Land for Open Space.</p>
	<p>Acquisition</p>	<p>More certainty is requested relating to acquisition processes and the terms of compensation to ensure landowners are not worse off.</p>	<p>Land acquisition processes including valuations will be in accordance with the Land Acquisition (Just Terms Compensation) Act.</p> <p>The release of the final package will identify the relevant acquisition authority.</p>

3 Submissions made to the Luddenham Village Discussion Paper

Submission ID	Issues raised (theme)	Summary	Response from DPE
001	Density and Development Staging	Submission suggests development should start from the centre of the precinct with higher density residential.	In relation to residential development and density, the development of the Luddenham Village Plan will need to consider a number of factors including aircraft noise impact and servicing requirements. Further consultation is required with the community, government agencies and stakeholders to ensure an appropriate planning outcome is achieved for Luddenham Village.
	Roads	Submission states the old Northern Road needs to be upgraded to support the vision.	The Luddenham Village Interim Strategy includes a concept public domain plan, including upgrades to the Old Northern Road. See Luddenham Village Interim Strategy – pages 22-23.
	Water and Sewer and Infrastructure Delivery	Submission suggests existing local infrastructure is inadequate to meet the vision under the plan (sewer and services). Submission identifies support to develop the site for housing and employment but suggests it is unviable due to the lack of infrastructure.	Service providers are progressing with planning to provide services to Luddenham Village by 2026. We will work with service providers to confirm services in the final plan. See Luddenham Village Interim Strategy – page 13.
002	Open Space	Submission requests that the park planned for the site be located adjacent to either the north or south side of the two existing homes so that the homes can remain. The new locations proposed can still meet the rationale for the Open Space Needs Study Report because: the site is within walking distance of Luddenham Village, it will continue to activate the city centre, and it has the ability to support potential future growth in the Village outside noise affected areas. The stated intent of the site zoning is to allow for additional permitted uses and residential uses, so it	This request has been supported. The location of the new local park near the intersection of Park Road and the Old Northern Road has been moved north to allow for the existing homes to be retained. See Luddenham Village Interim Strategy – pages 22-23.

		would be beneficial to retain the existing homes and relocate the park.	
	Noise (ANEC/ANEF)	Submission is unsure why the ANEC 20 is applied to the property when the current topography plays a role as a natural sound barrier.	The Western Sydney Airport Environmental Impact Statement 2016, prepared by the Commonwealth Government, used a number of noise measuring tools to describe the level of noise exposure predicted for indicative flight paths for the airport. As such, an ANEC was produced for Western Sydney Airport. See Luddenham Village Interim Strategy – page 14.
003	Community Facilities and Schools and Subdivision / Block	Submission requests to locate a new high school on Campbell Street adjacent to the showground (map provided within submission). Submission suggests this request is aligned with the intention of three Local State Members to deliver a new high school in the Aerotropolis. The high school would service a large catchment area for the future population. Letters from the Ministers have been attached, which support the inclusion of a high school in the Aerotropolis. Some land with significant views to the Blue Mountains could accommodate larger housing blocks in the north west areas (outside the precinct boundary).	The delivery of a new school is not proposed at this stage. Investigation of appropriate social infrastructure will be undertaken though the development of the Luddenham Village Plan.
	Housing and Typologies	Submission suggests that the shortfall in housing created by the recommended school location could be provided beyond the precinct boundary. This land would still be located within 800m of the shops and would include land in the Agribusiness precinct. Alternative precincts could be considered for other housing locations. Land on the eastern side of the precinct bounding the "additional permitted use" area (north) could be suitable for medium density housing (terraces).	Given Luddenham Village's proximity to the Airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF. DPE will work closely with the community and stakeholders to ensure the best planning outcome for Luddenham Village. Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan,

			however, will be subject to constraints associated with airport safeguarding principles.
004	General	Submission expresses support for Scenario 4 and suggests it is the best option for the future of Luddenham.	Noted. See Luddenham Village Interim Strategy – page 16.
005	General	Submission expresses support for Scenario 4 and suggests it is the best option for the future of Luddenham.	Noted. See Luddenham Village Interim Strategy – page 16.
006 – Agency: Department of Primary Industries	Housing (location / quantum) and Loss of Agricultural Land	Scenario 4 is not supported due to the loss of agricultural land. The submission considers other significant urban release areas in the Greater Sydney Region are capable of providing housing without compromising the viability of rural land. If additional housing is considered necessary, it is recommended additional density is sought in the boundary to protect the outer lying rural land.	Noted. The retention of agricultural land will be explored through the development of the Luddenham Village Plan and its ability to provide a strong economic support within the Agribusiness precinct and to leverage the proximity to Western Sydney Airport. DPE will work closely with the community and stakeholders to ensure the best planning outcome for Luddenham Village is produced. See Luddenham Village Interim Strategy – page 15.
	Roads and Loss of Agricultural Land	As transport infrastructure is developed to service the Aerotropolis, rural land has the potential to be more productive and service the workers of the area. Any further loss of agribusiness or agricultural production land is not supported.	An Interim Strategy has been released which is based on the uses that were outlined in the Draft Explanation of Intended Effects (EIE). These uses are not in conflict with the Agribusiness precinct. As the final plan is developed and the expansion of residential uses is explored, the interaction between potential residential areas and Agribusiness would be managed through careful consideration of development requirements and airport safeguarding. These requirements would be outlined in the final Precinct Plan and Development Control Plan (DCP). These documents will provide guidance on how the relationship between the spaces should be considered. See Luddenham Village Interim Strategy – page 15.

007	General	Submission expresses support for Scenario 4.	Noted. See Luddenham Village Interim Strategy – page 16.
008	General	Submission expresses support for Scenario 3. Envisions the future of the Village being an enhanced version of the existing character, built on existing draw cards rather than replicating other larger places. Supports the use of Evandale in Tasmania as a model.	Noted. DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village. See Luddenham Village Interim Strategy – page 16.
	Roads and Acquisition	Submission expresses strong objection to the extension of Jamison Street through the subject property and to the widening of Adams Road. Submission describes 6+ years spent challenging the compensation amount received from TfNSW for the already acquired land. Submission states the proposed re-zoning for agribusiness is further and significantly devaluing subject land. Submission endorses the proposed parks where the private owners are fully compensated for the loss of their land at the developable land rate rather than the lower agribusiness, stormwater, or open space rate.	The potential extension of Jamison St will be considered in further detail during the preparation of the final Luddenham Village Plan. The proposed width of Adams Road, west of The Northern Road, has been reduced as part of the final Precinct Plan. The acquisition of land for transport projects occurs at the detailed design and delivery stage. With the exception of acquisitions for the M12, which is in its detailed design phase (lead by Transport for NSW), no specific proposals for land acquisition for transport infrastructure is proposed as part of this amendment to the SEPP. Any acquisition of land will be undertaken in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> . There are existing processes under this Act which outline the provisions for acquisitions and the rate at which land is purchased.
	General	Submission expresses support for extended village boundary and advocates that the boundary closely follows the roadways around its perimeter to eliminate split zonings and isolated land parcels.	Noted. This boundary shown within the EIE is an interim step until the Luddenham Village Plan can be finalised. The EIE boundary for the village is closely aligned with the previous R2, R5 and RU5 zoned land under the Liverpool and Penrith Local Environmental Plans. A potential expanded boundary is shown in the Luddenham Village

		<p>Interim Strategy. However, this is subject to further consideration in the development of the Luddenham Village Plan.</p> <p>See Luddenham Village Interim Strategy – page 18.</p>
Permitted Uses and Noise (ANEC/ANEF)	<p>Submission objects to the prohibition of residential development within the ANEC noise contours and asserts that such prohibition is unjustified in light of the potential for future developments in noise attenuation and aeronautical technology. Asserts that such matters should be assessed at the DA stage and not be subject to a blanket ban.</p>	<p>All homes located within the ANEC 20 contour will be able to remain and will not be required to leave their homes or businesses.</p> <p>Subject to development application approval, people will still be able to undertake home renovations, extensions and new construction of homes on existing approved residential lots, as long as internal noise levels meet the aircraft noise protection standards. However, landowners will not be able to subdivide their property for residential purposes, build a dual occupancy, or secondary dwellings within the ANEC 20 contour.</p> <p>The limitation of residential development in ANEC contours is to align with established airport safeguarding principles and to ensure amenity and public health is protected in line with future development and airport operations.</p>
Existing Uses	<p>Submission is supportive of existing uses on the subject land.</p>	<p>Noted.</p>
Permitted Uses and Noise (ANEC/ANEF)	<p>Submission advocates for the extended permissible uses for the subject land in the ANEF/ANEC zones proposed in Scenarios 2-4, such as dwellings, dual occupancies, secondary dwellings, registered clubs, hotel and motel accommodation, serviced apartments and any their high-level uses.</p>	<p>In order to safeguard the 24-hour operations of the airport and protect the amenity of the community, no intensification of noise sensitive development will be permitted within the ANEC 20 and above contours.</p> <p>Additional permitted uses within Luddenham Village such as dwellings, dual occupancies and secondary dwellings will only be permitted outside the ANEC 20 and above contours and within the Luddenham Village boundary as per the Aerotropolis SEPP.</p>

		See Luddenham Village Interim Strategy – pages 14 & 16.
Community Consultation Process / Transparency and Aboriginal Heritage	Submission expresses complaints about the quality of maps and difficulty understanding and interpreting them, symbols on the maps obscuring details of interest to landowners. Requests more detailed maps are provided. Suggests renaming / labelling of "Future entry from airport" to "Village Gateway" or similar. Supports appropriate naming of roads etc with names relevant to the local area and combined with appropriate Indigenous names.	DPE notes the concerns raised in public submissions and will endeavour to provide maps, labelling and communication channels that are satisfactory to the community and stakeholders moving forward.
General	Submission advocates for a "quadruple bottom-line" of society, environment, culture, economics.	Detailed planning for Luddenham Village will continue to evaluate and leverage the key elements of place that contribute to the local character, sustainability performance of the area, the local economy and heritage.
Non Aboriginal Heritage and Aboriginal Heritage	Submission expresses support for the protection and integration of the historic heart (including heritage buildings, rural vistas, local character, close knit community) of the village into the future. Identifies specific examples of buildings and spaces that are key to heritage character. Identifies ecological and agricultural education opportunities (e.g. related to integrated wetlands and their importance to Indigenous and colonial culture). Supports integrating Indigenous heritage where appropriate and possible.	Protection and celebration of heritage is considered a main objective of the Luddenham Village work being undertaken. Initiatives supporting this objective will be reflected in the development of the Luddenham Village Plan. See Luddenham Village Interim Strategy – pages 11, 22.
Housing (location / quantum)	Submission expresses concern that future residential development may adversely affect the operations of the Showground or other historic buildings. Advocates that this disruption is not allowed to happen and that the public school be able to continue operating into the future.	Given Luddenham Village's proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.

		<p>DPE will work closely with the community and stakeholders to ensure the best planning outcome for Luddenham Village.</p> <p>The conservation and activation of heritage items and local character elements will be considered as part of the development of the Luddenham Village Plan.</p>
	Water and Sewer and Community facilities and Schools	<p>Submission expresses support for sewerage connections and community infrastructure in public spaces such as seating, toilets and parking.</p> <p>Service providers are progressing with planning to provide services to Luddenham Village by 2026. We will work with service providers to confirm services in the final plan.</p> <p>See Luddenham Village Interim Strategy – page 13.</p>
	Community Consultation Process / Transparency and SEPP	<p>Submission advocates for the village plan to be exhibited prior to finalisation, and for it to be given weight via the SEPP and DCP.</p> <p>A Luddenham Village Interim Strategy has been developed that captures the community and stakeholder feedback from the workshops held in October 2021. This interim strategy also identifies further work that needs to be undertaken to address stakeholder concerns in the development of the final Luddenham Village Plan.</p> <p>The Luddenham Village Plan and subsequent refinements will be publicly exhibited for community feedback and input.</p>
009	Community Consultation Process /Transparency and DCP	<p>Submission expresses concerns about the sequencing of exhibited documents and the impact on the ability to make detailed comments during exhibition. Submission is particularly concerned about misaligned or contradicting information and has a strong focus on the DCP.</p> <p>DPE has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The Luddenham Village Plan and any subsequent refinements will be publicly exhibited for community feedback and input.</p>
	General	<p>Submission considers the suite of documents "a step forward" to ensure the success of the agribusiness zone.</p> <p>Noted.</p>

	SEPP and Permitted Uses	Submission notes that the subject site is currently in use as a Registered Club. Registered Clubs are now a prohibited use, so the existing club now relies on existing use rights. Submission requests the subject land be included in Schedule 1 Additional Permitted Uses of the SEPP for the purposes of a Registered Club.	<p>The amendments to the Aerotropolis SEPP include registered clubs as an additional permitted use within Luddenham Village. This was exhibited as part of the SEPP EIE.</p> <p>Existing use rights also apply to Luddenham Village and DPE's guide to existing use rights intends to provide clarity to landowners, business operators and community stakeholders on the continued operation of land uses despite changes made by the Aerotropolis SEPP.</p> <p>See Luddenham Village Interim Strategy – page 16.</p>
010	General	Submission expresses strong support for Scenario 4 and strong objection to Scenarios 1 and 2. Submission describes "a strong pent-up motivation to see the township grow" among the community. Submission supports urban growth and 'everything that goes with it'.	<p>Given Luddenham Village's proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village.</p> <p>See Luddenham Village Interim Strategy – page 16.</p>
	Non Aboriginal Heritage	Submission cites the non-Aboriginal heritage values of the town as key aspects which make it special and to be preserved and celebrated. Includes a list of specific sites to be protected and maintained.	<p>Protection and celebration of heritage is considered a main objective of the Luddenham Village work being undertaken. Initiatives supporting this objective will be reflected in the development of the Luddenham Village Plan.</p> <p>See Luddenham Village Interim Strategy – pages 11, 22.</p>
	Community facilities and Schools	Submission expresses strong support for additional community facilities, including a secondary school, swimming pool, rugby field, parks, additional medical practices as well as community facilities in general.	<p>Investigation of appropriate social and community infrastructure will be undertaken in finalising the Luddenham Village Plan.</p>

	Housing (location / quantum)	Submission expresses strong support for population growth within the town (including diverse forms of permanent and visitor housing to accommodate).	<p>Noted. Given Luddenham Village’s proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.</p>
	Social and cultural infrastructure	Submission notes the lack of a definition for "Cultural Activities" within the exhibited documents, but cites a definition found online. Submission expresses support for all forms of cultural activity - noting that it would be demand (and therefore) population driven. Submission expresses a desire for a real tourist attraction in the area.	DPE will engage with the community and local councils to explore cultural and tourism options for Luddenham Village in the Luddenham Village Plan.
011	General	Submission expresses strong support for Scenario 4 and strong objection to Scenarios 1 and 2. Submission describes "a strong pent-up motivation to see the township grow" among the community. Submission supports urban growth and 'everything that goes with it'.	<p>Given Luddenham Village’s proximity to the Airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village.</p> <p>See Luddenham Village Interim Strategy – page 16.</p>
	Non Aboriginal Heritage	Submission cites the non-Aboriginal heritage values of the town as key aspects which make it special and to be preserved and celebrated. Includes a list of specific sites to be protected and maintained.	Protection and celebration of heritage is considered a main objective of the Luddenham Village work being undertaken. Initiatives supporting this objective will be reflected in the development of the Luddenham Village Plan.

	Community facilities and Schools	Submission expresses strong support for additional community facilities, including a secondary school, swimming pool, rugby field, parks, additional medical practices as well as community facilities in general.	Investigation of appropriate social and community infrastructure will be undertaken in finalising the Luddenham Village Plan.
	Housing (location / quantum)	Submission expresses strong support for population growth within the town (including diverse forms of permanent and visitor housing to accommodate).	Noted. Given Luddenham Village's proximity to the Airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF. Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.
	Social and cultural infrastructure	Submission notes the lack of a definition for "Cultural Activities" within the exhibited documents, but cites a definition found online. Submission expresses support for all forms of cultural activity - noting that it would be demand (and therefore) population driven. Submission expresses a desire for a real tourist attraction in the area.	DPE will engage with the community and local councils to explore cultural and tourism options for Luddenham Village in the development of the final Luddenham Village Plan.
012	General	Submission highlights the 'gateway' function of the town relative to the airport and would like to see unique and clever ways to make the town memorable. Expresses support for lots of cafes and restaurants on main street.	Detailed planning for Luddenham Village will continue to evaluate and leverage the key elements of place that contribute to the local character, sustainability performance of the area, the local economy and heritage.
013	Housing	Submission expresses support for increased residential population. Suggests a mix of residential densities (primarily larger lots / lower densities) on the western side, higher density (e.g. terrace houses) on the eastern side).	Given Luddenham Village's proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.

		Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.
Noise (ANEC/ANEF) and Existing Uses	Submission questions how / why it is that current residents are not allowed to build new houses on their ANEC 20 land (with noise mitigation measures) but they are allowed to keep living in the zone in their current houses without these measures/features.	<p>All homes located within the ANEC 20 contour will be able to remain and will not be required to leave their homes.</p> <p>Subject to development application approval, people will still be able to undertake home renovations, extensions and new construction of homes on existing approved residential lots, if internal noise levels meet the aircraft noise protection standards. However, landowners will not be able to subdivide their property for residential purposes, build a dual occupancy, or secondary dwellings within the ANEC 20 contour.</p> <p>The limitation of residential development in ANEC contours is to align with established airport safeguarding principles and to ensure amenity and public health is protected in line with future development and airport operations.</p>
Building Height	Submission expresses a desire for Obstacle Limitation Surface (OLS) levels within the village to match the Agribusiness zone, because of potential to block views of the mountains.	The OLS refers to protected airspace above / around an airport and is regulated under the Airports Act 1996. The building height and street layout controls contained within in the Aerotropolis Precinct Plan have taken the OLS and other factors such as heritage, views and vistas into account.
014	Community Consultation Process /Transparency	<p>Submission expresses concern about access to information and the consultation / exhibition being limited to digital format. Has been unable to gain alternate access via the 1800 number and relied on a family member to circulate several hard copies of the exhibition material.</p> <p>DPE has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>DPE notes the concerns raised in public submissions and will endeavour to provide maps, comments and communication channels that are satisfactory to the community and stakeholders moving forward.</p>

General	Submission suggests that comparisons with Hahndorf, Berry, Evansdale and a by-pass are all inappropriate. Submission considers “Old Northern Road” a better name than “Campbell Street”.	Noted. DPE will review the appropriateness of the case studies presented in the discussion paper
Environmental Values/biodiversity certification	Submission describes the airport "and all that goes with it" as an "environmental tragedy". Advocates for protection of native flora and fauna / habitats as much as is still possible. Submission highlights a specific pre-existing area within the township as a recommended area for protection.	A significant amount of land has been identified for open space and environmental conservation as part of the final Precinct Plan. DPE supports the inclusion of sustainable design principles and relevant provisions are included in the Aerotropolis planning framework.
Permitted Uses	Submission objects to the proposed market space as it would damage the existing successful markets.	Resolution of land use conflicts will be carefully considered in the formulation of the Luddenham Village Plan. The preservation and activation of heritage items and local character elements will be considered as part of the development of the Luddenham Village Plan.
Open Space	Submission recommends inclusion of a skateboard park and suggests a location.	Investigation of appropriate social and community infrastructure will be undertaken in finalising the Luddenham Village Plan.
General	Submission refutes the premise of Scenario’s 1 and 2 that the existing size and makeup of Luddenham is not sustainable.	Noted.
Noise (ANEC / ANEF)	Scenarios 2, 3 and 4: Submission notes that any new commercial buildings (hotels and clubs as suggested) would require excellent sound proofing to keep airplane noise out and loud music in.	The allocation of appropriate land uses within noise affected areas and associated noise mitigation measures will be carefully considered in the final Luddenham Village Plan.
Environmental Values / biodiversity	Scenarios 3 and 4: Submission advocates for beautiful and sustainable design of new housing.	Appropriate development controls for Luddenham Village will be developed as the Luddenham Village Plan is progressed.

	certification and Design Excellence	Suggests a combination of fire retardant deciduous trees and native trees for habitat.	
	Community facilities and Schools	Scenarios 2, 3 and 4: Submission notes that there is no mention of aged care in any of the proposals and advocates for an (environmentally sensitive and well designed) over 55's facility.	Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.
015	Community Consultation Process /Transparency and DCP	Submission expresses concerns about the sequencing of exhibited documents and the impact on the ability to make detailed comments during exhibition. Submission is particularly concerned about misaligned or contradicting information and has a strong focus on the DCP.	DPE has exhibited the amendments outlined under the SEPP EIE in accordance with the statutory requirements of the <i>Environmental Planning and Assessment Act 1979</i> . DPE notes the concerns raised in public submissions and will endeavour to provide maps, comments and communication channels that are satisfactory to the community and stakeholders. The Luddenham Village Plan and any subsequent refinements will be publicly exhibited for community feedback and input.
	General	Submission considers the suite of documents "a step forward" to ensure the success of the agribusiness zone.	Noted.
	SEPP and Permitted Uses	Submission notes that the subject site is currently in use as a Registered Club. Registered Clubs are now a prohibited use, so the existing club now relies on existing use rights. Submission requests the subject land be included in Schedule 1 Additional Permitted Uses of the SEPP for the purposes of a Registered Club.	Registered clubs are proposed to be included as an additional permitted use within Luddenham Village, which was exhibited as part of the SEPP EIE. Existing use rights also apply to Luddenham Village and the DPE's guide to existing use rights intends to provide clarity to landowners, business operators and community stakeholders on the continued operation of land uses despite changes made by the Aerotropolis SEPP.
016	General	Submission expresses support for Scenario 4.	Noted.

	Active Transport and Community facilities and schools	Submission is supportive of including active transport connections, public domain upgrades to make the streetscape safe for pedestrians and cyclists, connective parks and open spaces. Recommends the final plan includes details of how active transport connections will be safely integrated with local schools. Notes a lack of proposed upgrades to public transport (nor how upgraded public transport would be integrated with local schools).	A transport plan will be undertaken as part of the development of the Luddenham Village Plan.
	Community Consultation Process /Transparency	Submission expresses an interest in further discussion prior to the plans being finalised.	A Luddenham Village Interim Strategy has been developed that captures the community and stakeholder feedback from the workshops held in October 2021. This interim strategy also identifies the further work needed to be undertaken to address the concerns raised and allow the development of the Luddenham Village Plan. The Luddenham Village Plan and any subsequent refinements will be publicly exhibited for community feedback and input.
017	General	Submission describes Scenario 4 as "a logical mixed-use extension of Luddenham Village" which expands amenity and servicing, while ensuring the Western Parkland City will be resilient and adaptable into the future. Suggests it accelerates a world class agribusiness precinct and revitalises the heritage Luddenham Village.	DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village. The conservation and activation of heritage items and local character elements will be considered in the development of the final Luddenham Village Plan.
	Community facilities and schools	Submission suggests that no further schools are needed to support Scenario 4.	The delivery of a new school is not proposed at this stage. Investigation of appropriate community infrastructure will be undertaken in finalising the Luddenham Village Plan.
	Non Aboriginal Heritage	Submission suggests that Scenario 4 compliments the heritage.	Protection and celebration of heritage is considered a main objective of the Luddenham Village work being undertaken.

		Initiatives supporting this objective will be reflected in the development of the Luddenham Village Plan.
SEPP and Development opportunities / DA Processes	Submission suggests that Scenario 4 "avoids triggering future planning proposals" and avoids creating unnecessary process.	<p>Noted. Given Luddenham Village's proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.</p> <p>The Luddenham Village Plan and any subsequent refinements will be publicly exhibited for community feedback and input.</p>
Building height	Submission suggests that height controls for agribusiness need to be clarified and recommends considering 30-40m.	Further iterations of the Luddenham Village Plan will aim to support the development typologies envisioned as part of the anticipated growth through other complementary development controls such as building height and floor space ratio.
Key sites	Submission recommends the 20Ha Intensive Food Production Area be removed due to unnecessary restrictions it places on development.	DPE will continue to explore these development opportunities with the community through the development of the Luddenham Village Plan.
Permitted uses	Submission seeks further clarity on interface between Luddenham Village and surrounding agribusiness uses.	Resolution of land use conflicts and the allocation of appropriate land uses around the ANEC contours will be carefully considered in the formulation of the Luddenham Village Plan.
Flooding and Stormwater Management	Submission requests proposed undisturbed soil network be removed and allowances for dams be added.	The proposed undisturbed soil network has been removed from the Precinct Plan with deep soil requirements being included in the Phase 2 Draft DCP.

			<p>A key part of the landscape-led design approach for the Western Parkland City is to, where appropriate, repurpose or rebuild farm dams as water in the landscape features. The retention or replacement of farm dams is an important approach to preserving hydrologic characteristics of the local waterways.</p>
018 – Agency: Penrith City Council	General	<p>Support for the future sustainability and viability of Luddenham Village in consultation with the community.</p> <p>Future iterations of the scenarios should outline the planning controls and expected urban form of the town centre to aid in community understanding of what is likely to change (this would include controls such as floor space ratio).</p>	<p>Noted. Further work will be undertaken with Council and other stakeholders in the development of the Luddenham Village Plan. The final plan will look to incorporate planning controls and a contribution plan. This will undergo exhibition prior to finalisation.</p> <p>See Luddenham Village Interim Strategy – page 13.</p>
	General	<p>Further analysis is required to:</p> <ul style="list-style-type: none"> • Outline the role of Luddenham Village in conjunction with neighbouring centres; • Demonstrate the potential commercial opportunities (in particular, tourist land uses) and the agribusiness activities in the precinct – i.e. its integration with the public domain, land use mix and urban form; • Precedents with a comparable context (i.e. villages close to international airports); • Demonstrate connections to wastewater and key services to facilitate the proposed growth, noting the timing of other agencies to deliver infrastructure is approximately 10 years away; • Identify the necessity or requirements for developer contributions to fund public domain works and/or public open space based on the selected growth scenario; and 	<p>Noted. The Luddenham Village Interim Strategy outlines the further work that will need to be undertaken in the development of the Luddenham Village Plan. DPE will continue to work with Council to address these comments.</p> <p>See Luddenham Village Interim Strategy – page 13.</p>

		<ul style="list-style-type: none"> Outline how the plan will be implemented to deliver required public domain and public open space works, and the arrangements to coordinate delivery between two Councils. 	
019	Existing Uses and Permitted Uses	Submission suggests that the local community feels as though rezoning the existing village as an Agribusiness precinct has undermined value and has created confusion regarding what they can and cannot do. Submission suggests that Agribusiness and / or other industrial uses should instead be placed under the flight path and that existing residences outside the noise contours should remain unchanged.	<p>The Aerotropolis Planning Package outlines the relevant zoning, built form controls and the road network to achieve the intended vision of the Aerotropolis precincts. Each precinct is supported by the provisions of the Aerotropolis SEPP and the DCP. Development opportunities are to respond to the Aerotropolis Planning Framework as a whole and as relevant to the subject land use.</p> <p>Land uses permitted within noise contours are subject to the relevant aircraft noise provisions of the Aerotropolis SEPP. The Agribusiness zone permits a broad range of land uses as per the Aerotropolis SEPP. Existing use rights also apply to Luddenham Village and DPE’s guide to existing use rights intends to provide clarity to landowners, business operators and community stakeholders on the continued operation of land uses despite changes made by the Aerotropolis SEPP.</p>
	General	Submission suggests that the expansion of the Luddenham Village area has decreased the available land in the agribusiness precinct. Therefore, the agribusiness precinct boundary needs to be expanded further west under the flight path. Suggested map attached.	<p>Changes to the Agribusiness precinct boundary are not supported.</p> <p>The Aerotropolis SEPP has been amended to reflect the Luddenham Village boundary in the exhibited EIE. This is an interim step until the Luddenham Village Plan can be finalised. The updated boundary is closely aligned with the previous R2, R5 and RU5 zoned land under the Liverpool and Penrith Local Environmental Plans.</p>
020	Key Sites and Open Space	Submission expresses particular objection to the linear park proposed on the subject site running the length of The Northern Road. The submission notes such a park would have little functional merit and that the benefits could be just as easily achieved with	The new public park towards the southern end of Luddenham Village, identified in the EIE, has been reconfigured to respond to submissions. The park now provides improved linkages across the broader open space

	<p>good design controls and a small pocket park and viewing platform. Submission proposes an alternative linear park location which would link other parks together within the Village.</p>	<p>network. However, the quantum of land has not been reduced.</p> <p>The Open Space Needs Study provides a detailed explanation of the matters that were considered in identifying areas for open space. The open space quantum has been determined based on a number of considerations including alignment of open space and waterways, protection of high biodiversity land and consistency with the relevant strategic framework, social infrastructure needs assessment, landscape led approach for the Aerotropolis and the Draft Greener Places Guide.</p>
<p>Loss of agricultural land and Water and Sewer</p>	<p>Submission states that the subject site is significantly fragmented by zoning controls, including Agribusiness, Stormwater Infrastructure and open space. Asserts that this fragmentation significantly undermines the usability of the large site.</p>	<p>In consultation with Sydney Water, the areas required for stormwater infrastructure are considered vital to the delivery and functionality of the Aerotropolis and the broader stormwater network. The identification of land for the purposes of stormwater infrastructure have been carefully considered as to their location, any present land constraints and the impact on the network as a whole.</p> <p>Site specific requests to reduce, relocate or amend the land identified for stormwater infrastructure have been considered on their merits and any amendments will be reflected in the final Precinct Plans made as part of this finalisation.</p> <p>Land will not be required for Stormwater Infrastructure and open space immediately and the private use of land can continue in accordance with local policies and relevant legislation, however, a concurrence provisions has been included in the Aerotropolis SEPP for stormwater land.</p>
<p>Acquisition</p>	<p>Submission expresses concern that there is no clear funding mechanism available to support the intention to acquire land. Suggests that some land is missing from the acquisition map. Requests a Contributions Plan or equivalent.</p>	<p>Acquisition of land will be undertaken in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>. There are existing processes under this Act which outline the provisions for acquisitions and the rate at which land is purchased.</p>

			The relevant local contributions plan(s) for Luddenham Village will be updated upon the finalisation of the Luddenham Village Plan.
	Community Consultation Process /Transparency and Ground Truthing	Submission expresses concern that these documents have been prepared with no site visits to the subject site.	DPE and associated service providers have extensive experience with Luddenham Village. The Discussion Paper is the first step in preparing the Luddenham Village Plan. Subsequent refinements and development of the plan will be publicly exhibited for community feedback and input.
021 – Agency: Western Sydney Airport	Community Consultation Process / Transparency and Existing Uses	<p>The exhibited plans are inconsistent with the original guidelines established for the Aerotropolis and have the potential to be contrary to the safeguarding principles which underpin the Aerotropolis SEPP.</p> <p>Scenario 3 and 4 will result in an increase in residential density which create risks associated with land use conflicts due to the proximity to the airport. Future models should consider how to respect the rural character of the area and deliver alternatives to housing (i.e. retail and hospitality uses). Despite noise mitigation measures within the ANEC 20 contour, land outside of this area is not required to incorporate these measures which will set a precedent for surrounding land and result in poor outcomes for residents and visitors.</p> <p>Scenario 2 is recommended to proceed subject to flexibility in residential density in the precinct.</p>	<p>Given Luddenham Village's proximity to the Airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>DPE will work closely with the community and stakeholders to ensure the best planning outcome for Luddenham Village.</p> <p>See Luddenham Village Interim Strategy – page 14.</p>
	General	The case studies provided to not represent similar conditions to Luddenham village, i.e. a small rural town adjacent to a 24 hour operational international airport. Future case studies should consider operating hours, air traffic movements and annual passenger projections and associated movements. These	Noted. Further work will be undertaken with Council and other stakeholders in the development of the Luddenham Village Plan. DPE acknowledges the need to consider the unique location in proximity to the airport and the amenity considerations for residents and visitors.

		elements as critical as they influence the amenity of the village for residents and visitors.	
	Community Consultation Process /Transparency	Further consultation is required with agencies, local Councils and other stakeholders as a way to determine an appropriate balance of growth, whilst protecting airport operations.	The Luddenham Village Discussion Paper is considered an initial step in the planning process for the local centre. The release of an Interim Strategy and ongoing development of the plan will include engagement with community, councils, agencies and other stakeholders, which will address key matters in planning for the village, balanced with protecting airport operations.
	Noise (ANEC / ANEF)	Any future development surrounding the Airport should be advised of the potential impacts associated with noise (i.e. through the issue of planning certificates).	Noted, this issue will be explored further through the development of the Luddenham Village Plan and engagement with local Councils.
022	General and Community Consultation Process /Transparency	Submission notes a total of ten references to a new club or clubs for the area and seeks recognition of the existing Club and its role (past, present and future) in supporting the village. Seeks involvement in any future plans for the Village.	Registered clubs will be included as an additional permitted use within Luddenham Village. This was exhibited as part of the SEPP EIE.
023	General	<p>Submission expresses support for Scenario 4. Describes "a strong pent-up motivation to see the township grow" among the community. Submission can be described as supporting urban growth and everything that goes with it. Objects to the idea that the Agribusiness precinct is the only future for the area.</p> <p>Supports Scenario 4, regards Scenario 3 as the possible alternative, suggests Scenarios 1 and 2 be discarded "as they will provide no future for the township, for the Aerotropolis, nor for the Western Sydney International Airport".</p>	<p>Given Luddenham Village's proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village.</p>

Non Aboriginal Heritage	Scenario 4: Submission cites the non-Aboriginal heritage values of the town as key aspects which make it special and to be preserved and celebrated. Mentions multigenerational local history of many current families. Includes a list of specific sites recommended to be protected and maintained.	Protection and celebration of heritage is considered a main objective of the Luddenham Village work being undertaken. Initiatives supporting this objective will be reflected in the development of the Luddenham Village Plan. See Luddenham Village Interim Strategy – page 11.
Community facilities and Schools	Submission expresses strong support for additional community facilities, including a secondary school, swimming pool, rugby field, parks, additional medical practices as well as community facilities in general.	Investigation of appropriate community infrastructure will be undertaken in finalising the Luddenham Village Plan.
Housing (location / quantum)	Submission expresses strong support for population growth within the town (including diverse forms of permanent and visitor housing to accommodate).	Noted. Given Luddenham Village’s proximity to the Airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF. Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.
Social and cultural infrastructure	Submission notes the lack of a definition for "Cultural Activities" within the exhibited documents, but cites a definition found online. Submission expresses support for all forms of cultural activity - noting that it would be demand (and therefore) population driven. Submission expresses a desire for a real tourist attraction in the area.	DPE will engage with the community and local councils to explore tourism options for Luddenham Village in the Luddenham Village Plan.
General	Submission suggests Dutch case studies are inappropriate.	Noted, case studies will be reviewed for appropriateness.

024	SEPP	Submission suggests the subject site should be included in the Luddenham Village Boundary and Additional Permitted Uses zone.	<p>The Aerotropolis SEPP has been amended to reflect the boundary in the exhibited EIE. This is an interim step until the Luddenham Village Plan can be finalised.</p> <p>The updated boundary is closely aligned with the previous R2, R5 and RU5 zoned land under the Liverpool and Penrith Local Environmental Plans.</p>
025	General and Community Consultation Process /Transparency	Submission expresses support for Scenario 4 because it will improve services, facilities and housing and allow her to continue living in the area. Expresses gratitude for opportunity to make comments.	Noted. DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village.
	Roads	Scenario 4: Submission notes that a sub-arterial road is proposed along the eastern boundary of the subject site (possibly downgraded under Scenario 4). Submission proposes that the centre of the road be positioned on the boundary to better distribute responsibility among road users.	Detailed design for the road network will be considered in the formulation of the Luddenham Village Plan.
	Flooding and Stormwater Management and Zoning	Scenario 4: Submission notes that the subject site still contains a significant amount of land zoned for Stormwater Infrastructure. The submission expresses concern that this creates a disproportionate drainage burden. Requests the zoning be removed and alternative engineering solutions be found. Requests a single zoning for the entire site for Residential and Mixed Uses.	See Section 4.4.1 Land for Stormwater Infrastructure, Section 4.4.2 Land for Open space.
026 – Agency: Transport for NSW (TfNSW)	Development Opportunities / DA Processes	The submission notes the development scenarios need to be understood in terms of traffic, transport and infrastructure requirements prior to future development uplift. The changes should be considered inclusive of their cumulative impacts associated with the additional permitted uses and the	Noted. A Transport Plan may be required to help inform the final Luddenham Village Plan.

		impacts on the planned/ unplanned road network upgrades.	
	Active Transport	<p>The proposed network for walking and cycling should be reflected in the planning of the precinct and any indicative layout plan. Other key cycling links should also be shown on the plans and the network should be in accordance with Transport report prepared.</p> <p>The ambition for a safe and convenient cycling network for should be embedded in the principles for the precinct. This should be supported by intents to improve the public domain outcomes along the road network and reinforce the prominence of the green and blue grid.</p>	<p>The Interim Strategy highlights the proposed walking and cycling network in the Concept Public Domain Plan and design principles. This will be further developed as the final Luddenham Village Plan is prepared.</p> <p>See Luddenham Village Interim Strategy – pages 23-25.</p>
027 – Agency: Environmental Protection Authority	Permitted Uses and Noise (ANEC / ANEF)	The discussion paper only includes consideration of noise impacts as it relates to the ANEC / ANEF contours. Future planning for Luddenham village should consider the impacts associated with land use conflicts as they relate to noise and the impact of major transport on residential and mixed use settings.	DPE acknowledges there are a number of factors to consider when planning for the future of Luddenham Village, including potential land use conflict and other noise factors. This has been considered in the development of the Interim Strategy and will be considered further in the preparation of the Luddenham Village Plan.
028 – Agency: Liverpool City Council	Housing (location / quantum) and Zoning	<p>The submission is concerned with the potential residential amenity impacts associated with agribusiness uses where residential development is increased.</p> <p>Considers the broader agribusiness zone is not appropriate for Luddenham village and it should be more appropriately zoned under business and residential zones.</p>	<p>Noted. Given Luddenham Village’s proximity to the airport and ANEC contours, any proposed residential intensification within Luddenham Village (as shown in scenarios 3 and 4) will be carefully considered and assessed against the final flight paths and associated ANEF.</p> <p>Strategies to deliver different residential typologies will be considered in the next stage of the Luddenham Village Plan, however, will be subject to constraints associated with airport safeguarding principles.</p> <p>See Luddenham Village Interim Strategy – page 13.</p>

	Infrastructure Delivery and LIC	<p>Concerns how the proposed increase in population and development will be serviced by infrastructure in conjunction with the timing proposed by other agencies.</p> <p>An appropriate contributions plan must be delivered to account for the increase in development, population and monetary requirements to fund additional infrastructure.</p>	<p>A servicing and utilities plan and a contributions plan will be prepared to inform the Luddenham Village Plan. DPE will work with councils and service providers to ensure the implementation of utilities and other infrastructure is delivered proportionate to development.</p> <p>See Luddenham Village Interim Strategy – page 13.</p>
	Density and Community Consultation Process / Transparency	<p>Increased densities are likely to impact the current character of the village and need to be considered in identifying appropriate density controls and housing in the right location.</p> <p>Requests further identification of planning controls are produced for new noise sensitive areas and to guide development and associated design measures.</p> <p>Community expectations and ambitions for the area are to be carefully considered in the future detailed plans for the village.</p>	<p>Noted. Further work will be undertaken with Council and other stakeholders in the development of the final Luddenham Village Plan. This will include detailed planning controls.</p> <p>See Luddenham Village Interim Strategy – page 13.</p>
029	General and Density	<p>Submission expresses a desire to see Luddenham retain its village atmosphere and not "turn into another Oran Park with house on top of one another". Would like residential development to be sensitive to existing village and community and offer something different and more sustainable than other developments in the west.</p>	<p>DPE will work closely with the community and other stakeholders to ensure further refinement to the scenarios proposed are completed and deliver the best planning outcome for Luddenham Village.</p> <p>A high-level vision for Luddenham Village is included within the Luddenham Village Interim Strategy – see page 21.</p>
	Council Rates	<p>Submission expresses concern that changes in zoning and land value are increasing rates and having a negative impact on the community.</p>	<p>Issues relating to Council rates should be forwarded to the relevant Council.</p>
	Community Consultation	<p>Submission suggests that the changing maps over the course of the project have been confusing. Notes that Department officers have been very helpful in</p>	<p>DPE notes the concerns raised in public submissions and will endeavour to provide maps, comments and</p>

	Process /Transparency	arranging hardcopies and expresses thanks for his assistance.	communication channels that are satisfactory to the community and stakeholders moving forward.
030	SEPP	Expresses concern regarding the proposed use of Clause 4.6 as mechanism to vary the Precinct Plans. Clause 4.6 variation requests are technical documents relating to development standards backed by a (growing and complex) body of case law. Submission strongly recommends a site specific clause be introduced into the SEPP that includes relevant considerations for the consent authority assessing applications that propose variations to the Precinct Plans.	As outlined in response to submissions for the SEPP EIE, whilst drafted with similar intent to clause 4.6 of the Standard Instrument, the new provisions under Part 7 of the Aerotropolis SEPP have been tailored for the Aerotropolis to facilitate development that proposes minor inconsistencies with the Precinct Plan.
	Acquisition	<p>Submission notes that the land is identified as a heritage item and contains an existing church which seeks to evolve with the community. Notes that the land is identified for open space but is not identified on the Land Reservation Acquisition Map. Submission suggests this is either an error or an injustice, which must be addressed in the final plan either way. The church does not object to the principle of the vegetated land becoming a park, however, does not wish for the land where the church is located to be acquired.</p> <p>Submission states current planning controls seek to restrict the potential expansion of the church but consider that there is no need to dedicate this land for public purpose. Submission requests the planning controls be reviewed to either: remove the open space designation, or identify the land on the acquisition map, or expand the site's capacity to deliver the open space through offsets provided in increased development.</p>	<p>The existing Anglican church property is not identified for acquisition as part of the Luddenham Village Interim Strategy or the Agribusiness Precinct Plan. The Interim Strategy clearly shows the church property as privately owned. In addition, the church property is not identified for acquisition within the Land Reservation Acquisition Map in the Aerotropolis SEPP.</p> <p>See Luddenham Village Interim Strategy – page 23.</p>

031 – Agency: Endeavour Energy	General	Support is provided for the growth of Luddenham Village and there is existing capability to expand the existing assets in the surrounding area to provide servicing for future development.	Noted. DPE will continue to engage and coordinate with service and utilities providers as part of the broader implementation of infrastructure for the precinct. See Luddenham Village Interim Strategy – page 16.
032 – Agency: Sydney Water	General and Development Staging	Requests the need for updated projections for the anticipated dwellings and jobs in the precinct, based on the selected scenario to effectively plan for future servicing in the precinct. Appropriate development staging information is also required to understand timeframes for the implementation of the relevant plan.	DPE is committed to working with Sydney Water to effectively plan for future servicing. A servicing and utilities plan will be developed to inform the final Luddenham Village Plan. This will include input from key stakeholders such as Sydney Water and energy providers to align with the broader delivery strategies of each respective agency. See Luddenham Village Interim Strategy – page 16.