

21 December 2021

Jeffrey Peng
Senior Environmental Assessment Officer, Planning & Assessment
Department of Planning, Industry and Environment
Via email: jeffrey.peng@planning.nsw.gov.au

Dear Mr Peng,

Comments on the Request for Information Response Report - State Significant Development Application – No.275 Adams Road, Luddenham (SSD-104446)

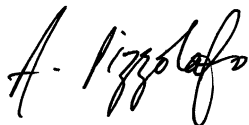
Thank you for the opportunity to comment on the Request for Information response report prepared by the proponent dated December 2021, for SSD -10446 for the Advanced Resource Recovery Centre (ARRC) at (Lot 3) No.275 Adams Road, Luddenham.

It is requested that the NSW Department of Planning, Industry and Environment consider the matters in **Attachment 1** when assessing the additional information provided by the Proponent.

In summary, the advice from the Planning Partnership remains generally consistent with the email provided to DPIE on the SSD on 15 July 2021. The main concern is the proposal is not a permitted land use within the subject zoning, as well as not meeting the objectives of the zone of the Agribusiness precinct as outlined in the Aerotropolis SEPP and Western Sydney Aerotropolis Plan.

I trust this information has been of assistance. If you have any more questions, please contact Lance Collison, Senior Planning Officer, Planning Partnership Office on 9860 1536 or via email at lance.collison@planning.nsw.gov.au.

Yours sincerely



Anthony Pizzolato
Manager, Western Sydney Planning Partnership

Attachment 1 – Detailed comments from Planning Partnership

Advice from the Planning Partnership on 15 July 2021 was as follows,

- *“The WSPP acknowledges the application was lodged prior to the WSA SEPP being in place.*
- *Therefore, the relevant provisions of the Western Sydney Aerotropolis Plan (WSAP) apply as this document sets out the strategic objectives and land uses for the Aerotropolis. It is important to note that under the WSAP, the site is identified as part Agribusiness and part Environment and Recreation. The WSPP is of the view the proposed development does not meet the strategic objectives of these zones, nor does it meet the broader strategic objectives contained in the WSAP. Of particular note is that relating to Aviation Safeguarding.*
- *Notwithstanding at the time of DA lodgement, it is noted the WSA SEPP discussion paper was available. As such, due consideration should be given to the following with regard to the proposal:*
 - *Objectives of the respective zones and whether the proposal satisfies these,*
 - *The relevant land use tables in terms of permissibility,*
 - *Part 3: Airport safeguard controls,*
 - *Clause 27: trees and vegetation in the E&R zone,*
 - *Clause 42: Development prior to a precinct plan and the criteria associated with this.”*

The request for information response report does thoroughly consider and address several of the points above particularly on pages 6 to 29 of the report.

However, the Partnership is still of the firm view the proposed use is not in keeping with the objectives and desired outcomes of the Agribusiness zone. Furthermore, the proposal is also contrary to the objectives of the precinct and of the Environment and Recreation zoning under the Aerotropolis SEPP and Western Sydney Aerotropolis Plan.

It is acknowledged that while the property is approximately 360m from the Enterprise zoning, that Elizabeth Drive will provide a significant separation between the Enterprise zoning to the north and Agribusiness zoning to the south (of Elizabeth Drive), which will have different characteristics. This justification provided by the Proponent is therefore not supported.

The Enterprise zoning is within the Northern Gateway precinct which is envisaged to have a different purpose and experience than the Agribusiness precinct given the differing desirable land uses as expressed in the Western Sydney Aerotropolis Plan.

The proposed development is defined as a 'Resource Recovery Facilities' being a non-permissible use in the Agribusiness zone under the Aerotropolis SEPP. This is also acknowledged on page 10 of the report.

It should also be noted several documents relating to planning for the Western Sydney Aerotropolis were on exhibition from 8 October 2021 until 5 November 2021. These include

- Western Sydney Aerotropolis Explanation of Intended Effect
- Luddenham Village Discussion Paper
- Western Sydney Aerotropolis Development Control Plan - Phase 2
- Draft Aviation Safeguarding Guidelines - Western Sydney Aerotropolis and surrounding areas
- Draft Recognise Country: Guidelines for Development in the Aerotropolis

While these documents are in draft form, it should be noted the request for information response report have not considered these documents. A review of submissions and edits to these documents listed above are well underway. A finalised Aerotropolis Precinct Plan and amendments to the Aerotropolis State Environmental Planning Policy is proposed to be finalised in early 2022.

It should also be noted these documents do not propose changes to the zonings or objectives of the precincts and the zonings of this site lies within and our concerns with non-compliances will likely remain. The documents do note there is a proposed water basin on the subject site.

--- END OF COMMENTS ---