

**Western Sydney Aerotropolis
Community Consultative Committee**

Meeting No: 4

Date: 1 February 2022, 6:30 – 8:30pm

Venue: Zoom

Attendees	
<p>Community members</p> <p>Sam Aloï Helen Anderson Paul Buhac Rob Heffernan Joe Herceg Carleen Markuse Roger Moss Ross Murphy Paul Taglioli Diana Vukovic Wayne Willmington</p>	<p>Independent Chair</p> <p>Professor Roberta Ryan, Independent Community Commissioner Kate Robinson – office of the Commissioner</p> <p>Minute taker</p> <p>Georgia Peters, office of the Independent Community Commissioner</p> <p>Apologies</p> <p>Lina Kakish, A/Manager City Planning, Liverpool City Council</p>
<p>Non-community members</p> <p>Natasha Borgia, City Planning Manager, Penrith City Council</p> <p>Catherine Van Laeren, Executive Director, Western Parkland City, Department of Planning, Industry and Environment (DPIE)</p> <p>Christine Gough Director, Central (Western) Greater Sydney, Place and Infrastructure DPIE</p> <p>Justine Kinch, City Director for Western Sydney Parkland, Transport for NSW</p> <p>Wendy Carlson, Precinct Place Manager, Western Parkland City Authority</p>	<p>Sascha Vukmerica, community member</p> <p>Gabriella Condello, community member</p>

<p>INVITED AS GUESTS FOR PART OF THE MEETING</p> <p>Raema Melverton, Director Stakeholder Engagement and Economic Recovery, DPIE</p> <p>Jonathon Schipp, Executive Director, Planning System Policy, DPIE</p> <p>Kate Speare, Director Infrastructure Funding Policy, DPIE</p> <p>Scott Mackillop, Chief Corporate Affairs Officer, Western Sydney Airport</p> <p>Katy Hannouch, General Manager Community Engagement and Partnerships, Western Sydney Airport</p> <p>Tim Nairne, Senior External Affairs Advisor, Western Sydney Airport</p>	
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Item	Description	Action
1	Welcome	
	<p>RR welcomes everyone to the meeting, wishes everyone a Happy New Year.</p> <p>RR asks people if they have anything to add to the agenda and non-community members introductions.</p>	
2	Minutes and actions	
	<p>Actions from previous meeting:</p> <p>LK emailed overview of the progress of repairs on Western Road and the electrical high voltage conduit installation on Cross St and Western Rd. RM noted that this advice was not accurate. RM responds to the update provided on Western Rd, saying that the road is nowhere near “reasonable condition”. RM says that they are not doing repairs, they are digging up the road and that there is electricity work to be done.</p> <p>RM says that motorbikes can’t use Western Rd and that cars are swerving to avoid the work.</p> <p>JK provided an update on TfNSW actions (see section 4).</p>	<p>RM to take photos of the road</p> <p>LK to follow up on the condition of Western Rd</p>

	Department of Planning provided information about land value contributions in this meeting (see section 3).	
3	Update from Department of Planning	
	<p>1. Land value contributions</p> <p>JS and KS provide presentation on reforms in the planning system following the NSW Productivity Commission recommendations.</p> <p>KS highlights that the proposed plan seeks to minimising funding gaps for Councils. KS stresses that this proposal will not apply to land which has already been rezoned.</p> <p>CM says that this proposal will shift the obligation from the developer to the landowner. CM is worried that if the development falls through, the burden is on the landowner.</p> <p>CM highlights the lack of engagement with landowners and asks where the landowners were in the NSW Productivity Commission's inquiry.</p> <p>JS says he cannot speak on how the inquiry was undertaken. He says that these landowner payments are not intended to benefit developers, they are intended to benefit Council. JS says that this process is important for communities, who often cannot benefit from public land since land prices are so high.</p> <p>JS says that meetings, such as this one, are going to be important in this process. Obligations on landowners will not occur before lengthy community discussions take place.</p> <p>CM asks which landowners have been involved in discussions about this proposal. She says that her community's awareness on this issue is low. She says that the community missed the opportunity to write submissions for the inquiry as the process was misleading. She emphasises the importance of community knowledge on these issues.</p> <p>JS says that this is not the end of the conversation and that detailed community consultation is a part of the ongoing process.</p> <p>CM responds that landowners cannot simply refuse to be rezoned, and that when this happens, the fees will apply.</p> <p>JS clarifies that these fees apply when the land is sold to developers.</p>	

PT says that the NSW Government and local Councils are raking in profits from stamp duties, taxes and council rates while landowners are left behind. He says that Council is not transparent about the land they buy, which is problematic since they are using taxpayer money.

JH says that given the mounting burdens on landowners, i.e., capital gains tax and what the Department is currently proposing, people will not sell their land. JH asks about the 20% rate demanded in the current proposal.

JS says that a 20% rate is the cap and that the rate is most likely going to be around 9-14% based on the case studies published as part of the exhibition. The rate is contingent on a variety of factors, which makes it difficult to say with any certainty what rate will apply.

KS discusses land acquisition cost and expects this to be factored into land prices. She reiterates that it cannot be said with certainty what this is and is currently in conversation about how this charge will work with current land prices.

JH seeks clarification on the rates for developers, which he puts at around 1%.

KS clarifies that 1% is a s7.12 type plan levied as a percentage of construction cost and s7.11 plans based on a bottom-up build of infrastructure needs and costs. In greenfield areas, the s7.11 rates are more likely to equate to 8-9% if levied as an s7.12 in the areas relevant to the group.

CM asks how many landowners were present in the working group mentioned in the DPIE report.

JS responds that there are no landowner groups and reiterates that the passing of legislation does not mean there will be an immediate responsibility on landowners. He says that what they are working on is a tool for Council so that they can get in touch with communities to implement the proposal.

RR recognises the importance of CM's concern about getting landowners involved before it is too late.

	<p>2. Precinct Plans</p> <p>RR introduces CG and explains to the group that the changes in Ministers and government recently has seen restructuring that is delaying the changes which impact this group.</p> <p>CVL provides the group with the following update:</p> <ul style="list-style-type: none"> - Master plan guidelines were published on 24.12.2021. <p>CLV says that this was published before the changes made to government. She says that these guidelines were approved by the Secretary. However, the next stages require the involvement of various Ministers, including the Minister for Water, Minister for Planning and others.</p> <p>CVL says that this process with the Ministers has not commenced yet and that it will be a lengthy process but that it is a high priority.</p> <p>CVL says that involvement in technical assurance panels to co-design the process is important. She says the priority is disseminating information to the community and providing certainty.</p> <p>CVL says she cannot provide a timeline or dates at this point.</p>	
4	Update from Transport NSW	
	<p>JK from Transport NSW provides the following updates:</p> <ul style="list-style-type: none"> - Elizabeth Drive: They are in concept design phase for the upgrade, and there is no funding beyond this initial concept design phase. TfNSW is aware of the issues and they are being considered in the Concept Design for Elizabeth Drive. - Devonshire Intersection: Design work is in process for the intersection. Interim solutions are being considered for the intersection – but the project is currently not funded beyond concept design. <p>JK responds to comments made about road safety and the increased use of trucks.</p> <p>She says that Transport has contacted Road Safety officers in Penrith and Liverpool. Liverpool is meeting tomorrow, while a Penrith meeting still needs to be set up. Council is keen to work with Transport on investigating the issues raised, JK will report any updates back to the group.</p>	

	<p>JK tells the group that the increased presence of trucks will be an issue for years given the increased development. Transport is aware of this.</p> <p>JK shares the Be Truck Aware campaign is being considered for the aerotropolis area, it requires collaboration with the freight/trucking industry. Signage is another strategy that can be implemented but only works when the location is identified as an issue. The ask of the group is to provide specific information back to Transport on locations of incident and examples of the issues.</p> <p>Transport’s Safety team is working closely with WSA to address cumulative impacts of the construction activities for WSA, Metro and M12. JK can keep the group updated. Noting that there is also land development construction activities.</p> <p>RM shares that local residents are collecting data about road incidents on Devonshire Rd and Western Rd.</p> <p>RM distributed information ahead of the meeting concerning these incidents. He found that since 1.11.2021 there have been 3 motor incidents at Western Rd x Elizabeth Drive and 4 incidents at Devonshire Rd x Elizabeth Drive.</p> <p>RM says that views are obscured on Western Rd from the East.</p> <p>RR says that the community is hearing reports which JK is not hearing and is not reflected in the data she has access to.</p>	<p>RM to provide these community reports to JK.</p>
5	Update from Western Sydney Airport – Scott MacKillop	
	<p>RR welcomes WSA and introduces SM, TN and KH.</p> <p>The group discusses Luddenham Village.</p> <p>WW shares the sentiment of the community:</p> <ul style="list-style-type: none"> - Residents feel like there was a lack of community involvement in the discussion. - There is a lack of trust and community members feel as though they have been “stabbed in the back”. - In December, locals intended to block the entrance to the airport. - There is media interest in these stories. - Community members are unjustly blaming WW for this upset. 	

- The community feels that “without new homes Luddenham will die” and that the WSA resistance to this development makes it appear as though WSA wants the suburb to die.

RR recognises the pressure WW is under in the community and says that it is not WW’s job to be mitigating this pressure.

SM says that he values the open dialogue established with WW. Regarding the development of Luddenham, SM says that WSA supports a strong future for the suburb yet can’t support the level of residential intensification proposed in the discussion paper. SM says that the community will benefit from the economic advantages of the proximity of the airport and WSA is committed to ensuring this can be achieved in a sustainable way which protects future generations

SM noted WSA will join any community forum they are invited to attend. RR says that in the future she will be inviting WSA to these meetings, noting it has been difficult previously due to the meeting’s full agendas.

SM says that WSA made a submission to the discussion paper and believes that the airport is acting with transparency since their submission will be made publicly available in accordance with the Department of Planning’s consultation process.

SM says that WSA can’t support the high levels of residential intensification proposed in Luddenham Village due to the operational impacts and loss of local amenity residents will be exposed to living next door to a 24/7 international airport. Set to become the largest gateway to Australia around 2040. WSA’s position is considering the present and future community of Luddenham and how many people will be exposed to these noise impacts.

SM comments on the “develop or die” sentiment held by the community and says he is not aware of any economic analysis on which this view is formed. SM says that the community deserves a rigorous study which considers alternatives to achieve a sustainable future and takes into account the economic benefits of their position to WSA.

WW asks why the WSA has a different position to Bradfield: Why isn’t the WSA objecting to the developments taking place there?

SM replies that they have only been asked to comment on the contents of the Luddenham Village discussion paper.

	<p>PT asks where the 2km exclusion zone mentioned in the last meeting is measured from? PT understood that there would be no residential development occurring 2km from the airport but seeks clarification on whether this is measured from the border of the airport or elsewhere.</p> <p>RR does not recall the mention of a 2km exclusion zone from the last meeting.</p> <p>CVL says there are controls regarding wildlife but similarly cannot recollect the 2km exclusion zone discussion. She says that there was a precautionary approach about Bradfield’s residential intensification in respect to its proximity to the airport, which was supported by WSA at the time.</p> <p>DV asks WSA why they have not been transparent about their activities on Badgerys Creek. She says that the water pipeline and sandbags there are blocking the creek which will cause flooding in the event of rain.</p> <p>KH responded that WSA processes have an embedded community consultation process where a notification should have been distributed to residents.</p> <p>DV asks about the water complex on Lawson Rd. She says that she has been asking this question for 4 years and has got no clear response. KM / SM committed to immediately investigate DV’s concerns.</p> <p>CM asks SM whether the airport’s objection to the residential intensification plan has been made public.</p> <p>SM replies that the submission will be made public by the Department of Planning.</p> <p>CVL concurs with the above and says once the package is complete, the submissions made will be public.</p> <p>RR summarises that the feeling in the community is that the treatment of Luddenham is different from other neighbouring suburbs like Bradfield. The community wants to know why they are receiving different treatment.</p> <p>WW claims that he has heard members of the Department say that the second airport runway will not be built. He shares that</p>	<p>RR seeks further clarification on the 2km exclusion zone – CVL</p> <p>KH/SM and DV to set up a one-on-one discussion about these issues.</p>
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	<p>community members treat WW as if he is playing on the WSA's team.</p> <p>WW wants WSA to withdraw their submission.</p> <p>SM reiterates that he wants to be involved in these community meetings in an ongoing capacity to keep the dialogue open.</p>	
6	Community Participation Plan – Prof. Ryan	
	<p>RR provides her recommendations concerning a Community Participation Plan (CPP).</p> <p>CPP is used in order to make explicit the expectations that communities have about how governments and organisations engage with them. RR says this mechanism will help planning processes engage with community members.</p> <p>RR outlines the role of the CCC in her plan including engagement in areas such as infrastructure delivery, state significant developments (SSDs), engagement with information brokers, engagement with information advisors for utilities and other things.</p> <p>RR says that the barriers to community participation she has noted include a lack of coordination, understanding and alignment.</p>	<p>KR to provide CPP slide pack to CCC</p>
7	Community Consultative Committee operations – Prof. Ryan	
	The group agrees to meeting once a month on Tuesdays.	
8	Other business – Prof. Ryan	
	<p>SA raises a concern he heard from a friend in Austral concerning the value of land. Council has written to his friend to pay for his property with a value that is one third of the price a neighbouring property sold for. SA says that this is a question of equity and fairness.</p> <p>RR recognises this difficulty and says that work is being done to ensure acquisition value is at the value of land. RR says that the work done on stormwater and biodiversity is done at a precinct level here at the Aerotropolis is to prevent any after-the-event issues.</p> <p>RR says that SA's concerns will be addressed in the planning package.</p>	

	<p>CM adds that she had heard along the grapevine that the ABC could be interested in doing a story on the Land Value Contribution Levy. The Community believes it to be a capital gains tax, although it is not formally recognised as such.</p> <p>NB of the Penrith Council says they are doing a submission to Council in late February regarding the need to understand land value arrangements. Her understanding is that it is an opt-in process and that if the Council does not opt-in it the fees will not apply. Whether the Council opts in is dependent on extensive community consultation.</p> <p>JH asks if Council was to opt-in, would there be an adjustment of the contributions for development.</p> <p>NB responds that she is still developing her understanding of the process and is unable to give a definitive answer. She says that there is a lot of analysis required before this is implemented and that it may take years. She reiterates that for the areas which are already zoned, it would not apply.</p>	
9	Next meeting	
	<ul style="list-style-type: none"> - WSA to be invited to community consultation meetings. - Liverpool Council to provide a briefing on the condition of roads. - Flooding to be discussed – invite the relevant person from Liverpool Council. 	