

**INQUIRY INTO ACQUISITION OF LAND IN RELATION TO
MAJOR TRANSPORT PROJECTS**

Name: Name suppressed

Date Received: 23 March 2021

Partially
Confidential

11 March 2021

Dear Sir/Madam

**Submission to Western Sydney Draft Aerotropolis Precinct Plan-
November 2020**

Property Address

Rossmore NSW 2557 –

1. The owner of the above-named property is ourselves,
2. We have previously filed a submission to the Draft Western Sydney Aerotropolis prior draft plan on the 26 February 2020. We do not want to repeat the information in that submission and it is **attached** and forms part of this submission as that information is still accurate.
3. The current draft Western Sydney Draft Aerotropolis Precinct Plan has identified their land as Environment and Recreation.

Flooding

4. The issue for ush is that the current draft Western Sydney Draft Aerotropolis Precinct Plan does not address the issues we raised in our prior submission. The draft plan is based on outdated and incorrect information as the current flood plan has been in place by Liverpool Council since 2004 and it is that plan which is used in this draft study and identifies that their land is subject to flooding.
5. Since 2013 the state government acquired land from us a total of approximately 2 acres of our original holding for the major road widening of Bringelly Road and were unfairly compensated under the just terms act with a payout figure only half of the land value at the time. This work was completed in 2018 and included an extensive amount of flood mitigation work so that the effect is that not only is the road itself safe from being flooded but the adjoining land owned by us has now been mitigated against all flooding. In 2020 there was extensive flooding in Western Sydney areas of Austral; Hoxton Park, Cobbitty and even the bridge at Wallacia, yet Bringelly Road and our property

- Rossmore) was not impacted in any way by any flooding or excess water. The work carried out had clearly done its job to the point that their land is not liable to flooding.
6. We cannot access the flood design details of the work carried out adjoining their property but a view of that property shows that the State government has built a highly sophisticated and effective system to ensure water is able to be moved out of the area.
 7. Since the 2004 Liverpool flood plan, there has been significant work done to the adjacent area of their property. Liverpool Council acknowledges that the plans they hold are out of date and as a result last year commissioned a review of the area known as the Wianamatta South Creek Flood Study; our property is located in this area. We lodged a response to that study and a copy of that response is also **attached** and forms part of this submission. Council has not completed its review and at this point there is no date fixed when a final plan will be published but a draft plan clearly shows that the property is out of the flood. In our submission to the council, we have provided survey mapping and details of the location of the swale drain that was constructed with the road widening work and a flood plan from a private hydraulics engineer stating the land is not flood affected.
 8. Our concerns are that this draft plan now being considered, once set in concrete may not be reviewed for another 10 or 20 years or never and when the new plan by council shows that our land is no longer in flood prone area then the entire zoning now being identified is based on plans that are now 18 years old and out of date

The existing Land and Use

9. The Draft Western Sydney Aerotropolis identifies the land owned by us as Environment and Recreational purposes. The draft plan identifies precincts and objectives but then fails to reconcile itself to the fact that the land owned by us does not hold any environmental and recreational significance and/or use. There is no environmental/recreational significance on the land due to the following factors
10. When Bringelly Road was upgraded as part of that process trees were removed to allow for the road widening; to allow for swales and other drainage and flood mitigation works. The improvements to Bringelly Road removed any environmental and recreational aspects of the land.
11. The land adjoins a busy arterial road (four lanes with future plans for 6 lanes) which carries a lot of traffic and it certainly not conducive for recreational purposes.

12. The land has a residence and also has two large structures that are council approved with existing use rights. We operate our business from the site (with council approval) – it is a mechanical workshop and the other structure is used for agricultural purposes. This business has operated on this site for 16 years. How can the draft plan identify our land as a green space – maybe it is in the precinct but the draft plan fails to take into account the actual use and condition of the land. It is a combined residential and industrial use site.
13. It is noted that one of the objectives of the plan is to develop precincts but to also allow within those precincts' flexibility for development and land uses; and respect current land uses.
14. The land has no ridge lines; no landforms that can be enhanced and the land should have its current use respected and protected as mixed use of residential and commercial. This is keeping with the current nature of the land and its location to a busy thoroughfare.
15. This supports a mixed-use zone for the lot which does not impact on the overall plan for the surrounding area.
16. It is noted that the draft plan has as an aim the Wianamatta-South Creek Corridor as a natural core spine of blue and green infrastructure system. This landscape-led approach shifts the focus to a restorative and regenerative approach, improving ecological and hydrological systems, with integrated stormwater management. But such a plan needs flexibility to respect and permit for some parcels of land to be continued to be used as per current use and development.
17. The new council draft flood plan clearly identifies the property as out of the flood area.

Thank you for taking the time to read this submission we ask that consideration be given to this submission, we might only be a small landowner but the impact this will have on our livelihood and future will be devastating.

Yours Faithfully

Encls: