

23 March 2021

Department of Planning, Infrastructure and Environment
Locked Bag 5022
Parramatta NSW 2124

Submitted via <https://www.planningportal.nsw.gov.au/WSAPP>

Re: Submission - Western Sydney Aerotropolis Draft Precinct Plans

The National Trust of Australia (NSW) [The Trust] is the state's peak body for the identification, conservation and protection of built cultural and natural heritage. We are a community-based organisation representing the interests of more than 22,000 individuals across NSW. The Trust has been advising, supporting and representing its members since 1945.

The Trust is pleased to make a submission regarding the Draft Western Sydney Aerotropolis Precinct Plans.

The Project

The Trust understands that the Western Sydney Aerotropolis project will go ahead - this is a predetermined outcome – however this does not negate the need to undertake due process for heritage management. The community expects that government should and will undertake thorough investigations and place appropriate weight to balancing the recommendations of those investigations.

Australia's natural and cultural heritage is a precious resource, and its sidelining is resulting in increased public scrutiny and community outrage as witnessed in the recent reactions to the destruction of Juukan Gorge in Western Australia.

The Trust's Position

The Trust does not support the Draft Western Sydney Aerotropolis Precinct Plan as it stands due to the preliminary nature of the heritage assessment that informs the Plan.

There are fundamental flaws in the Precinct Plan that we object to and they must be rectified. The Trust make the following objections to the Precinct Plan:

1. The Preliminary Heritage Assessment (a largely desktop study with little fieldwork or additional identification of potential sites) is not an adequate document to properly inform the design's high level strategic planning, such as the framework of major development, or to enable the design of appropriate development recommendations. We strongly object to the Precinct Plan relying on a Preliminary Heritage Assessment to inform the design of the development plans and to identify areas appropriate (or not) for development.
2. The Aboriginal stakeholders consulted during the Preliminary Heritage Assessment were abundantly clear on this deficiency and stated "*... that it is too early to comment with certainty on cultural values because the archaeological investigations have not taken place, and large parts of the landscape have not been extensively investigated during prior studies. Traditional owner and Land Council access to walk Country will be needed for subsequent stages of investigation.*" This has not been taken into account in the Precinct Plan's recommendations or framework.



3. The Preliminary Heritage Assessment does not consider the overall risk to the cumulative value of Western Sydney's heritage. A major concern noted several times in the Preliminary Heritage Assessment's consultation with Indigenous shareholders was the effect of the cumulative impact on the area. It is absolutely necessary for the cumulative impact of the Precinct development on the area's heritage significance to be appropriately assessed and acknowledged.
4. The Precinct Plan is fundamentally flawed by presenting heritage sensitivity mapping and recommendations regarding suitable heritage outcomes based only on the area's identified level of sensitivity from the Preliminary Assessment.
5. The Precinct Plan has developed a framework for development that outlines areas of land that can be developed without an adequate understanding of the extent of cultural significance of the place or the impact the development on this significance. The Trust is vehemently opposed to the Precinct Plan due to this deficiency. The approval process for the Precinct Plan should be paused until this deficiency is addressed and the Precinct Plan is altered based on the findings of a full Aboriginal Assessment.
6. The Preliminary Heritage Assessment and the Precinct Plan are inconsistent with the DCP and SEPP requirements for the area. The Development Control Plan (DCP) and the State Environmental Planning Policy (SEPP) both contain many requirements for the identification and management of the area's cultural heritage sites and their value, however, the Preliminary Heritage Assessment and the Precinct Plan that it informs contain numerous recommendations and frameworks that are inconsistent with the DCP and SEPP requirements.
7. It is our understanding that the land used for the ecological offsets of the project was previously used for an earlier project's offset and set aside as a conservation area. It is an extraordinary manipulation of the intent of the offsets process to offer the same piece of land more than once as the offset, effectively resulting in one of the project's offsets being null and its impact being high.

To address the above, the Trust make the following recommendations:

1. The Trust does not consider that the Preliminary Heritage Assessment contains adequate information to inform the Precinct Plan and recommends as an urgent priority a second stage, in-depth thorough Heritage Assessment should be commissioned. It should ensure that its scope allows for thorough consultation, site inspections, field survey and significance assessment.
2. In the absence of a detailed assessment that provides a sound basis for effective heritage management, good decision making and strategic planning is impossible. The Precinct Plan should not be adopted or approved until this in-depth Assessment is undertaken and the Precinct Plan should be appropriately amended to reflect the findings and recommendations of a full Heritage Assessment.

Jane Alexander

Advocacy Manager – National trust of Australia (NSW)