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PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE

Western Sydney Science Park and Aerotropolis developments

Report 4

April 2025



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Public Accountability and Works Committee

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Chair: Abigail Boyd MLC



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Terms of reference

1. That the Public Accountability and Works Committee inquire into and report on the impacts of the Sydney Science Park and the Aerotropolis developments on Western Sydney, including:
 - (a) the impacts of these developments on planning, land use, public works, employment, the environment and transport
 - (b) lessons for current government policy in relation to these developments and Western Sydney more broadly
 - (c) any other related matter.
 - (d) That the Committee report by 13 December 2024.

The terms of reference for the inquiry were self-referred by the committee on 21 June 2024.¹

The committee resolved to extend the reporting date on 16 September 2024 and 25 March 2025.²

¹ *Minutes*, NSW Legislative Council, 6 August 2024, pp 1353-1354.

² *Minutes*, NSW Legislative Council, 18 September 2024, p 1520 and *Minutes*, NSW Legislative Council, 25 March 2025, p 2210.

Committee details

Committee members

Ms Abigail Boyd MLC	The Greens	<i>Chair</i>
Hon Scott Farlow MLC	Liberal Party	<i>Deputy Chair</i>
Hon Mark Buttigieg MLC	Australian Labor Party	
Hon Sarah Kaine MLC	Australian Labor Party	
Hon Mark Latham MLC	Independent	
Hon Rachel Merton MLC*	Liberal Party	
Hon Peter Primrose MLC	Australian Labor Party	

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* The Hon Rachel Merton MLC substituted for the Hon Bronnie Taylor MLC from 21 June 2024 until 16 September 2024. The Hon Rachel Merton MLC substituted for the Hon Sarah Mitchell MLC from 24 September 2024 for the duration of the inquiry.

Secretariat

Daniel Whiteman/Anthony Hanna, Principal Council Officers

Margaret Pollard, Senior Council Officer

Samantha Jeffery, Administration Officer

Merve Sarikaya, Graduate Officer

Tina Higgins, Director

Chair's foreword

Development of the Western Sydney International Airport and surrounding Aerotropolis has been touted as a once-in-a-generation investment opportunity for Western Sydney, with the potential to achieve far-reaching benefits. Much has been made of the promise these developments hold, seen by many as catalytic and transformational, with the potential to change the face of Western Sydney.

Of course, the headline narrative on benefits has been focussed on the development's economic and jobs-generating potential, considered instrumental in attracting commercial activity to the area and, in turn, generating high quality, knowledge-based jobs in areas like scientific research, innovation, health, education, logistics and defence. But looking more broadly, planning and development of the Aerotropolis is a rare place-making opportunity to transform land use into an appropriate mix of industry and commerce, residential, urban amenity, new transport connections, open space and parklands, and environmental conservation.

Key to enabling this vision is significant large-scale investment in transport infrastructure, which has the potential to deliver much needed connectivity in what is a historically under-serviced and disadvantaged part of Sydney largely reliant on the use of private vehicles. Evidence before this important inquiry, however, painted a picture of the broader Western Sydney developments as being very much a two-speed affair: while the new Western Sydney International Airport is progressing at pace, on track to open in 2026, much of the surrounding development in the Aerotropolis precincts appeared to the committee to have not kept pace, suffering delays owing to a range of factors identified in this report. This was borne out by what the committee observed on its visit to Western Sydney in August 2024 – a first-hand observation of the disconnect between planning and delivery, between vision and reality, between what is supported by the new planning controls/re-zonings and what has actually been delivered on the ground.

Sadly for some of Western Sydney, the much-vaunted promises of jobs, infrastructure and new transport connections are still an unrealised mirage. Even where transport infrastructure commitments have been funded, prioritised and are in the delivery pipeline – for instance, the Sydney Metro-Western Sydney Airport line – it was clear to the committee that the benefits are not equitably spread within the region, with many growth communities to the south and southwest still waiting for subsequent commitments to be prioritised for funding and delivery.

Access to transport being the significant equity issue it is, the committee has recommended that the NSW Government prioritise the delivery of two commuter transport commitments: first, extension of the North-South Rail Link from Leppington and Macarthur and the Western Sydney International Airport via Bradfield; second, implementation of a rapid bus service between metropolitan areas and the Western Sydney International Airport.

Other types of infrastructure to either enable redevelopment of rural land or support the new airport's operations, emerged from the evidence as requiring sustained, well-coordinated and concerted action from the NSW Government on a priority basis. Whether it's delivering water servicing/connections to re-zoned land, upgrading local roads to support future demand, delivering a dedicated fuel pipeline or investigating freight rail options – there was little in the evidence to re-assure the committee that this work is on track, nor appropriately prioritised or sequenced. The committee has therefore made a number of considered recommendations with the aim of generating better traction on many of these infrastructure commitments including, importantly, for the government to expedite delivery of water infrastructure within the Aerotropolis, to avoid any further backlog of development applications that cannot be assessed by Councils.

Planning, financing and delivering a development on the scale of the Aerotropolis is understandably complex involving many players and all tiers of government, with Bradfield City being the first major city built in over 100 years. Being several years in, there is an opportunity and responsibility for government to not repeat the failures and strategic missteps of the past. When processes and policies are not serving the best interests of the people of NSW, government has an obligation to listen, learn from past shortcomings and make processes more responsive to the needs of those most affected. Nowhere is this more illustrative than in the evidence we received about land acquisitions in Western Sydney. While some progress has been made since the 2021 Upper House inquiry into compulsory acquisitions for major transport projects, there is clearly a lot more to do especially in relation to the most vulnerable landowners within the Aerotropolis. To this end, the committee has called on the government to implement a centralised approach to land acquisitions, providing affected landowners with a 'front door' to the government. Further, the committee has identified a pressing need for improved agency coordination and communication to ensure adequate planning and funding is committed to land acquisitions, not only across the Aerotropolis, but also more broadly across the State.

Issues surrounding the planning and delivery of Sydney Science Park forms another significant focus of this report. The site was re-zoned for development in 2016 and yet at the time of the committee's visit, it was still a mostly rural landscape with, rather absurdly: a waste-water recycling facility with no users to connect to it and no wastewater to recycle; and a metro station in advanced stages of construction which will service a non-existent need when it opens in the near future.

The Integrated Water Recycling Hub has been delivered by means of an out-of-sequence commercial agreement between the developer and Sydney Water at a time when sewer services have not been connected to the vast majority of the Aerotropolis, resulting in stalled development applications. There was also cogent evidence before the committee casting into doubt the developer's future intentions for the site, particularly in relation to several petitions to modify planning controls, conditions of approval and dwelling caps. Noting these attempts, the committee has made two important recommendations aimed at ensuring the Sydney Science Park development delivers on its promised vision and does not become another housing estate.

I would like to thank all the stakeholders who contributed to this inquiry, both through submissions and evidence at hearings. I also thank members of this committee for their input and collaboration, with a commitment to ensure that Western Sydney is best supported to evolve into a connected and well-planned region. Thank you also to the secretariat for their ongoing work in supporting this important inquiry. I commend this report to the House.

Ms Abigail Boyd MLC
Committee Chair

Recommendations

- Recommendation 1** **36**
 That the NSW Government prioritise the delivery of the extensions of the North-South Rail Link from the Aerotropolis to Leppington and Macarthur.
- Recommendation 2** **37**
 That the NSW Government ensure a reliable and connected rapid bus service is implemented for commuters to travel between metropolitan areas and the Western Sydney International Airport.
- Recommendation 3** **38**
 That the NSW Government, in line with the commitments made under the *NSW Freight and Ports Plan 2018-2023*, and in collaboration with other relevant parties, expedite the planning, funding and delivery of a dedicated fuel pipeline to service the Western Sydney International Airport.
- Recommendation 4** **38**
 That the NSW Government progress plans for freight rail infrastructure in Western Sydney to be developed, to facilitate the transportation of goods to and from the Western Sydney International Airport and surrounding area.
- Recommendation 5** **38**
 That the NSW Government ensure other supporting road infrastructure in the Aerotropolis is upgraded, to ensure greater connectivity and safety when key infrastructure is delivered.
- Recommendation 6** **38**
 That the NSW Government bring forward the reclassification of relevant local roads to state roads, to align with the development of the Aerotropolis and reduce the financial burden on local councils to develop and maintain the infrastructure.
- Recommendation 7** **63**
 That the NSW Government, potentially through the role of the Infrastructure Coordinator General, ensure that water infrastructure development is expedited in the Aerotropolis, to minimise further delays and allow for land development to be unlocked.
- Recommendation 8** **64**
 That the NSW Government consider an approach to better coordinate plans with local councils for infrastructure development, by:
- adopting a centralised government contact for the planning associated within local government areas, including any future land use plans
 - facilitating forward funding to allow for the financing of infrastructure prior to its expected delivery, through additional funding sources, contribution planning or other agreements.
- Recommendation 9** **64**
 That the NSW Government ensure that the eventual industry mix of the Aerotropolis aligns closely to the *NSW Industry Policy*, with a diversity of job opportunities for local communities.

- Recommendation 10** 64
That the NSW Government implement a mechanism to ensure greater industry involvement in the planning and construction of the Aerotropolis, to address safety, working conditions and other concerns in a timely manner.
- Recommendation 11** 65
That the NSW Government expedite its review of the *Land Acquisition (Just Terms Compensation) Act 1991 NSW*, ensuring consideration of:
- constraints caused by 'public purpose' requirements and undervaluation being eliminated, resulting from specifications within the Cumberland Plain Conservation Plan and
 - having a centralised approach to land acquisitions, potentially through the Office of Strategic Lands, providing landowners with a 'front door' to the government and improved agency co-ordination and communication.
- Recommendation 12** 65
That the NSW Government ensure more funding is provided to agencies for hardship acquisitions related to the development of the Aerotropolis.
- Recommendation 13** 65
That the NSW Government, upon noise contour identifications being identified for the Western Sydney International Airport, expedite its planning opportunities for Luddenham village, ensuring residents have clarity about the impacts of the Aerotropolis on their land.
- Recommendation 14** 90
That, in the interests of full transparency in government decision making, the NSW Government publicly release the *Sydney Metro Western Sydney Airport (SM-WSA) Final Business Case*.
- Recommendation 15** 91
That the NSW Government, through its relevant planning authorities, continues to ensure all planning instruments, controls and approvals for Sydney Science Park support the overarching objective of delivering well-paid, knowledge-based jobs for the communities of Greater Western Sydney.
- Recommendation 16** 91
That the NSW Government ensure the integrity of the Celestino Sydney Science Park development approval is maintained for science and industry-related employment purposes, rather than a new large housing estate, by the consideration of legislating the current approvals (meaning only the Parliament can alter then in future), that is, for:
- a 3,400 dwellings cap
 - gross floor area limits corresponding to certain dwelling numbers (as per the Planning Minister's answer to Question No. 2892 on the Legislative Council Notice Paper), and
 - a retail gross floor area limit of 30,000 metres squared.
- Recommendation 17** 92
That the NSW Government commission an independent review of Sydney Water's accelerated servicing model for private developers, with a view to:

- evaluating whether it delivers value to the public
- evaluating the impact of accelerated services on Sydney Water's ability to deliver priorities identified through its Annual Growth Servicing Plan
- weighing up risks and liabilities to the NSW Government arising from accelerated service agreements.

Recommendation 18

92

That the NSW Government publicly release:

- the commercial agreement between Celestino and Sydney Water for all water servicing works at Sydney Science Park, including the Integrated Water Recycling Hub
- any subsequent agreements, variations, extensions or negotiations concerning cost overruns in its delivery, initial and ongoing maintenance costs, and any other relevant expenses for the Integrated Water Recycling Hub at Sydney Science Park.

Conduct of inquiry

The terms of reference for the inquiry were self-referred by the committee on 21 June 2024.

The committee received 15 submissions.

The committee held two public hearings at Parliament House in Sydney.

The committee also conducted one site visit to the Western Sydney International Airport Experience Centre, Bradfield, and the Sydney Science Park and received a briefing by government representatives through the Bradfield Development Authority.

Inquiry related documents are available on the committee's website, including submissions, hearing transcripts, tabled documents and answers to questions on notice.

Chapter 1 Overview of the Sydney Science Park and Aerotropolis developments

The Sydney Science Park and Aerotropolis developments are part of a broad vision for developing Greater Western Sydney. This chapter provides background information about the planning and delivery of both developments, including a timeline showing key stages and relevant planning instruments.

The Western Sydney Aerotropolis

- 1.1** As noted by the NSW Government, Western Sydney is evolving at an unprecedented pace. A significant level of growth will centre on the Aerotropolis, which is expected to deliver 200,000 new jobs and become a high-skills jobs hub across a number of industries, including aerospace and defence, manufacturing, healthcare, freight and logistics, agribusiness and education and research.³
- 1.2** The Western Sydney Aerotropolis is a 11,200-hectare growth area within the Penrith and Liverpool local government areas, centred around the Western Sydney International (Nancy-Bird Walton) Airport. The Western Sydney Airport is expected to open in 2026 and will service domestic, international and freight flights 24 hours a day.⁴

The Aerotropolis precincts

- 1.3** The *Western Sydney Aerotropolis Precinct Plan* (May 2023) applies to five initial precincts within the Western Sydney Aerotropolis. These are: Aerotropolis Core, Agribusiness (excluding Luddenham Village), Badgerys Creek, Northern Gateway and Wianamatta-South Creek.⁵ This can be seen in Figure 1 on the next page.
- 1.4** Planning for the remaining precincts within the Aerotropolis area will be undertaken at a later stage.⁶
- 1.5** Each of the initial precincts in the Aerotropolis has a different vision and objective. The Aerotropolis Core is a dense urban precinct being planned around the Aerotropolis Metro

³ Submission 14, NSW Government, p 4.

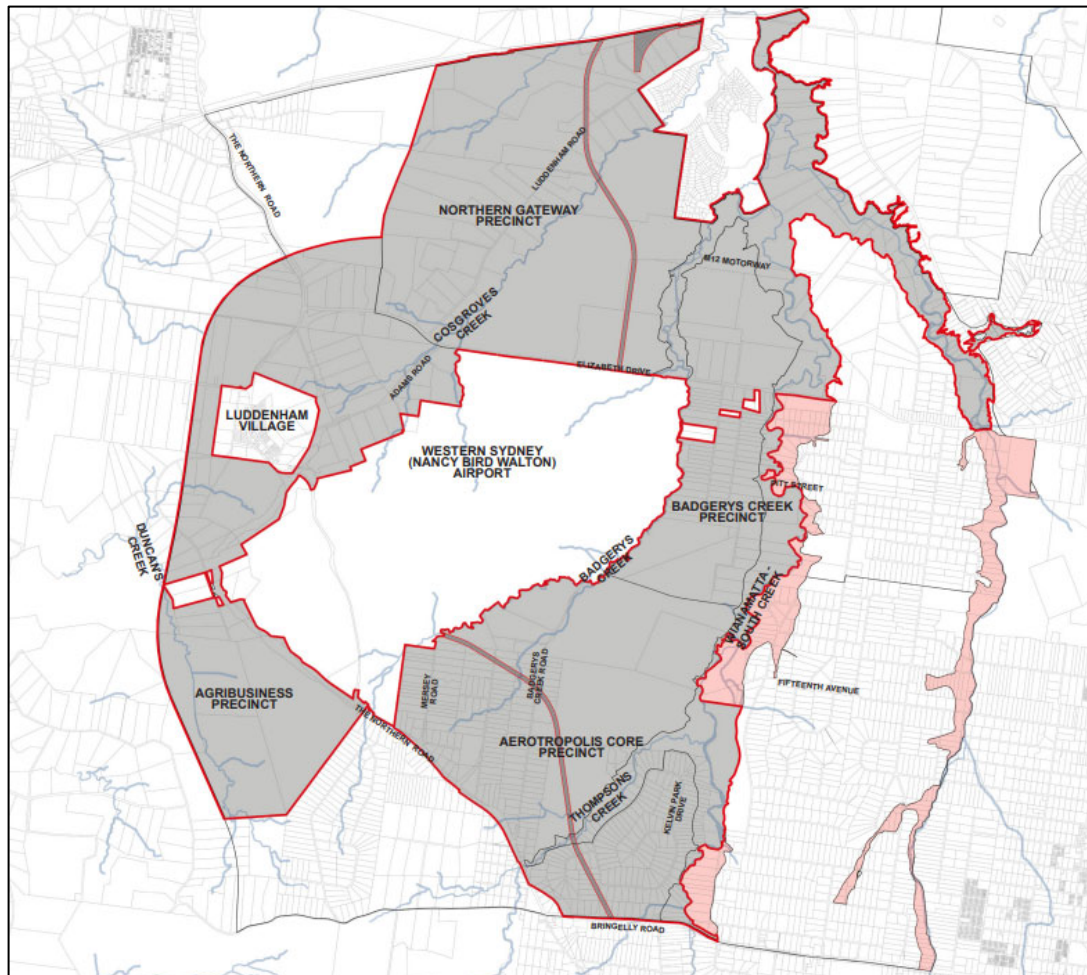
⁴ Western Sydney International Airport Corporation, *The Airport*, <https://westernsydney.com.au/the-airport>.

⁵ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 5, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

⁶ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 5, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

Station and the Wianamatta-South Creek Corridor system. It aims to accommodate 50,000 to 60,000 jobs, leveraging the economic impact of the nearby Airport.⁷

Figure 1 Land Application Map



Source: NSW Government, *Western Sydney Aerotropolis Precinct Plan*, May 2023, p 6.

- 1.6** The metropolitan centre within the Aerotropolis Core precinct will focus on advanced manufacturing, research and development, professional services, creative industries and science, technology, engineering and mathematics focused educational facilities. It will also facilitate aerospace and defence industries.⁸
- 1.7** While the land use focus for this precinct is on employment and economic development, the Aerotropolis Core will also include residential development in areas not significantly affected

⁷ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 10, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

⁸ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 10, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

by aircraft noise. The aim is for this to be within walking distance of the Metro station and other public transport, with close proximity to creeks and open spaces.⁹

1.8 Bradfield City, a 114-hectare urban development project, is also located within the Aerotropolis Core. According to the NSW Government, it will be the first major city built in over 100 years.¹⁰ The Bradfield City Masterplan, a framework outlining how the centre will be planned and used, approved by the Minister for Planning and Public Spaces, sets out the key features of the Bradfield City Centre, including:

- First Nations cultural values guiding planting, materials, art, lighting, signage and language
- more than 30 per cent of the city to be open space, including a 2-hectare Central Park and a 2.2km Green Loop
- 40 per cent tree canopy cover and 80 per cent roof garden coverage or bio-solar systems to address urban heat, and
- 2 million square meters of gross-floor area for development, including space for over 80 buildings, up to 15 storeys high.¹¹

1.9 The *Bradfield City Center Master Plan* will guide the delivery of:

- up to 10,000 dwellings
- more than 20,000 jobs
- over 2 million square meters of mixed-use gross floor area
- more than 36 hectares of open space and green space
- a high level of connectivity and transport links with the city centre located within 400m of the Bradfield Metro station.¹²

1.10 The Advanced Manufacturing Readiness Facility, which the committee saw during its site visit to the Aerotropolis region, also sits within Bradfield City Centre in the Aerotropolis Core precinct, and will offer shared facilities with advanced technology, expertise, training and networks. Stage 1 of the facility is due to open in line with the First Building, scheduled for completion in 2024.¹³

⁹ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 10, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

¹⁰ Submission 14, NSW Government, p 9.

¹¹ Submission 14, NSW Government, p 12.

¹² NSW Government, *Bradfield City Centre Master Plan*, <https://pp.planningportal.nsw.gov.au/draftplans/made-and-finalised/bradfield-city-centre-master-plan>.

¹³ NSW Government, *Delivering Bradfield City Centre*, <https://www.wpca.sydney/our-work/delivering-the-bradfield-city-centre/#:~:text=First%20Building,->

- 1.11** The Advanced Manufacturing Readiness Facility will offer specialised technology and personnel experienced in the advanced manufacturing specialities including additive manufacturing, advanced composites, engineering design, factory digitisation, manufacturing automation, metrology and inspection, precision machining and quality assurance.¹⁴
- 1.12** Another precinct in the Aerotropolis is the Badgerys Creek precinct, which will support the new Western Sydney International Airport operations and will be connected to the Aerotropolis Core metropolitan centre to the south and the Northern Gateway to the north-west. This precinct will include higher order employment-focused technology, advanced manufacturing and industry uses with the opportunity for between 9,000 to 11,000 jobs. This precinct adjoins the Western Sydney International Airport with access to Elizabeth Drive and the M12 Motorway, and is not suitable for residential development due to aircraft noise.¹⁵
- 1.13** The Wianamatta-South Creek Initial precinct in the Aerotropolis is located within the broader Wianamatta-South Creek Corridor. It will develop as an interconnected blue-green network that comprises privately owned land, parks, sporting fields, waterways, walking trails and community facilities. As there are some environmental constraints in this precinct, including flooding, it will provide for a mix of land uses that are compatible with the environmental characteristics.¹⁶
- 1.14** There is also the Northern Gateway precinct, which will link the Western Sydney International Airport with the metropolitan cluster. It will be an employment precinct that will provide skilled employment and business opportunities north of the Airport, with supporting residential areas where land is not severely affected by aircraft noise.¹⁷
- 1.15** Residential mixed-use development of medium and higher density is being planned within the walking catchment around the Luddenham Metro Station in this precinct.¹⁸ The Sydney Science Park development – the focus of chapter 4 – also sits within this precinct.

Project%20status%3A%20Under&text=It%27s%20the%20start%20of%20a,scheduled%20for%20completion%20in%202024.

- ¹⁴ NSW Government, Delivering Bradfield City Centre, <https://www.wpca.sydney/our-work/delivering-the-bradfield-city-centre/#:~:text=First%20Building,-Project%20status%3A%20Under&text=It%27s%20the%20start%20of%20a,scheduled%20for%20completion%20in%202024>.
- ¹⁵ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 11, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.
- ¹⁶ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 12, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.
- ¹⁷ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 12, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.
- ¹⁸ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 12, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

- 1.16** Another key precinct in the Aerotropolis is the Agribusiness precinct, which is on the western edge of the Western Sydney Airport, surrounded by the proposed Outer Sydney Orbital. This precinct will offer key access points to the Airport, allowing the development of agribusiness uses which could include logistics, air freight, integrated intensive production, food innovation, fresh product and pharmaceuticals.¹⁹
- 1.17** Near the Northern Gateway precinct is Mamre Road, which in 2020 was rezoned to provide 850 hectares of industrial land which can support 5,200 construction jobs and 17,000 ongoing jobs when fully developed.²⁰
- 1.18** According to the NSW Government, the Mamre Road and Aerotropolis precincts will provide 'crucial industrial land for Sydney, which has one of the lowest industrial vacancy rates in the world at around 2 per cent'.²¹

Transport links within the Aerotropolis

- 1.19** Alongside the plans to develop the precincts within the Aerotropolis is planning for a connected network of transport infrastructure. This includes:
- planning for the Outer Sydney Orbital, a corridor located between Marsden Park in the north and the Hume Motorway near Menangle in the South. This will cater for a mix of transport modes including a motorway and freight rail and passenger rail line. Stage 1 of this corridor will connect with the Western Sydney Airport and the Agribusiness Precinct.²²
 - planning for a full North South Rail Link and South West extensions, which will support the Western Sydney International Airport.²³
- 1.20** The Sydney Metro – Western Sydney Airport line will also connect communities and travellers to the Airport and growing region. It will include stations at Bradfield City Centre, the Western Sydney Airport, Luddenham, Orchard Hills and St Marys.²⁴ The Western Sydney Airport Metro link can be seen in Figure 2 below.

¹⁹ NSW Government, *Western Sydney Aerotropolis Precinct Plan* (May 2023), p 13, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

²⁰ NSW Government, Mamre Road Precinct in the Western Sydney Employment Area, <https://www.planningportal.nsw.gov.au/draftplans/exhibition/mamre-road>.

²¹ Submission 14, NSW Government, p 12.

²² Transport for NSW, Outer Sydney Orbital Stage 1 (16 July 2024), <https://www.transport.nsw.gov.au/corridors/oso>.

²³ Commonwealth of Australia, *Western Sydney City Deal* (March 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal.pdf>.

²⁴ Submission 14, NSW Government, p 14.

- 1.21 The Sydney Metro – Western Sydney Airport project has State and Commonwealth government funding of \$5.5 billion over four years, and is expected to be in service from 2026, in time for the opening of the Western Sydney International Airport.²⁵
- 1.22 Stakeholder views on this project are detailed in chapter 2.

Figure 2 Sydney Metro – Western Sydney Airport



Source: Sydney Metro, <https://www.sydnymetro.info/westernsydneyairportline>

- 1.23 A range of other road and transport projects which are related to the Aerotropolis are also underway, including the Northern Road and Bringelly Road upgrades, the M12 Motorway and new bus services and associated infrastructure.²⁶
- 1.24 Under the Western Sydney City Deal, the NSW Government also committed to establishing rapid bus services from the metropolitan centres of Penrith, Liverpool and Campbelltown to

²⁵ Submission 14, NSW Government, p 17.

²⁶ Submission 14, NSW Government, p 26.

the Western Sydney International Airport and to the Badgerys Creek Aerotropolis, before it opens in 2026.²⁷

Key steps and plans for the Aerotropolis development

1.25 The following table sets out the key actions and planning instruments developed as part of the Aerotropolis project.

August 2018	The <i>Western Sydney Aerotropolis – Draft Land Use Infrastructure Implementation Plan Stage 1: Initial Precincts</i> was prepared as a growth area plan, identifying a proposed transport corridor also running through the Aerotropolis for Sydney Metro. ²⁸
Late 2018	The Western Sydney Planning Partnership was established as part of the Western Sydney City Deal, to coordinate planning for the Western Parkland City (now referred to as the Bradfield Development Authority). ²⁹
December 2019	The <i>Draft Western Sydney Aerotropolis Plan</i> , the <i>State Environment Planning Policy (Western Sydney Aerotropolis) 2020 Discussion Paper</i> and <i>Western Sydney Aerotropolis Draft Development Control Plan (Phase 1)</i> were placed on public exhibition. ³⁰
September 2020	The <i>Western Sydney Aerotropolis Plan</i> sets out the vision, objectives and planning framework for the Aerotropolis. This outlined land uses and the initial precincts, providing more detail around infrastructure, the road network and proposed metro stations and parks. ³¹
October 2020	The <i>State Environmental Planning Policy (Western Sydney Aerotropolis) 2020</i> was approved by the former Minister for Planning, setting out how land in the initial precincts was to be rezoned, along with transport corridors and protections for environmental conservation land. ³²
June 2020	The Mamre Road precinct rezoning was finalised by the former Minister for Planning. ³³
June 2021	The <i>Mamre Road Development Control Plan</i> was finalised, building on the findings of the 2020 rezoning process. It provided the details of the road network

²⁷ Commonwealth of Australia, *Western Sydney City Deal – Implementation Plan* (December 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal-implementation-plan.pdf>.

²⁸ Submission 14, NSW Government, p 9.

²⁹ Submission 14, NSW Government, p 9.

³⁰ Submission 14, NSW Government, p 10.

³¹ Submission 14, NSW Government, p 10.

³² Submission 14, NSW Government, p 10.

³³ Submission 14, NSW Government, p 27.

	required for the fill development of the precinct, along with detailed building and design controls. ³⁴
July 2021	The former Minister for Planning and Public Spaces approved the carrying out of the Critical State Significant Infrastructure project 10051 Sydney Metro Western Sydney Airport. ³⁵
November 2021	The <i>Mamre Road Precinct Development Control Plan</i> was adopted. ³⁶
March 2022	The <i>Western Sydney Aerotropolis Precinct Plan</i> was established to provide key development controls to guide development across the Aerotropolis. This plan included details such as heights, floor space ratios and the location of open space and stormwater infrastructure. ³⁷ The plan was published in May 2023. ³⁸
September 2022	The former Minister for Planning granted consent for the first building in Bradfield. ³⁹
Between 2022 and 2023	The Bradfield Development Authority (formerly known as the Western City Parkland Authority), developed the draft Bradfield Master Plan through extensive collaboration with a Technical Assurance Panel. ⁴⁰
Between 5 February and 4 March 2024	The <i>Bradfield Master Plan</i> went on public exhibition. The Master Plan is expected to inform all future development in Bradfield city Centre. ⁴¹
June 2024	The current Commonwealth and NSW Governments announced joint funding for the \$1 billion Mamre Road Stage 2 Upgrade. ⁴²
12 June 2024	Infrastructure NSW was appointed to coordinate infrastructure to support housing, energy and freight, logistics and employment priorities around the Aerotropolis. The work will be led by Mr Tom Gellibrand, Chief Executive, Infrastructure NSW. ⁴³

³⁴ Submission 14, NSW Government, p 8.

³⁵ Submission 14, NSW Government, p 27.

³⁶ Submission 14, NSW Government, p 27.

³⁷ Submission 14, NSW Government p 10.

³⁸ NSW Government – Department of Planning and Environment, *Western Sydney Aerotropolis Precinct Plan* (May 2023), <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>.

³⁹ Submission 14, NSW Government, p 11.

⁴⁰ Submission 14, NSW Government, p 11.

⁴¹ Submission 14, NSW Government, p 11.

⁴² Submission 14, NSW Government, p 28.

⁴³ Media release, The Premier, Deputy Premier, Minister for Planning and Public Spaces, 'Infrastructure NSW set to tackle roadblocks in delivering critical infrastructure', 12 June 2024.

July 2024	Six State Significant Development applications and two local development applications have been approved for the Mamre Road precinct. ⁴⁴
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The Western Sydney Science Park

- 1.26** The Western Sydney Science Park (Sydney Science Park hereafter) is a 287 hectare site at 565-609 Luddenham Road, Luddenham, in Western Sydney, located in the Northern Gateway precinct of the Aerotropolis.⁴⁵
- 1.27** It is a proposed mixed-use development envisaged as a specialised employment centre with some residential developments that are less affected by aircraft noise. It aims to attract professionals and new business and investment to Western Sydney 'through good design and amenity, diversity, high-connectivity and transport accessibility and environmental outcomes'.⁴⁶
- 1.28** The Sydney Science Park was described in evidence as 'a mixed-use city with jobs in research, education and health sectors' integrated with new dwellings and open space.⁴⁷
- 1.29** The original development proponent was E.J. Cooper and Son Pty Ltd, a wholly owned subsidiary of Baiada Poultry Pty Ltd which owns recognised poultry brands including Steggles and Lilydale. Celestino was formed in approximately 2014 as the property development arm of Baiada Poultry Pty Ltd, becoming the proponent for Sydney Science Park.⁴⁸
- 1.30** Planning for the Sydney Science Park commenced in 2011.⁴⁹
- 1.31** The Sydney Science Park planning controls anticipate the creation of 12,200 jobs and 3,400 dwellings.⁵⁰
- 1.32** The Sydney Science Park site in Luddenham is shown in Figure 3 below.

⁴⁴ Submission 14, NSW Government, p 8.

⁴⁵ Submission 14, NSW Government, p 5; Penrith City Council and E.J. Cooper and Son Pty Ltd, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 8.

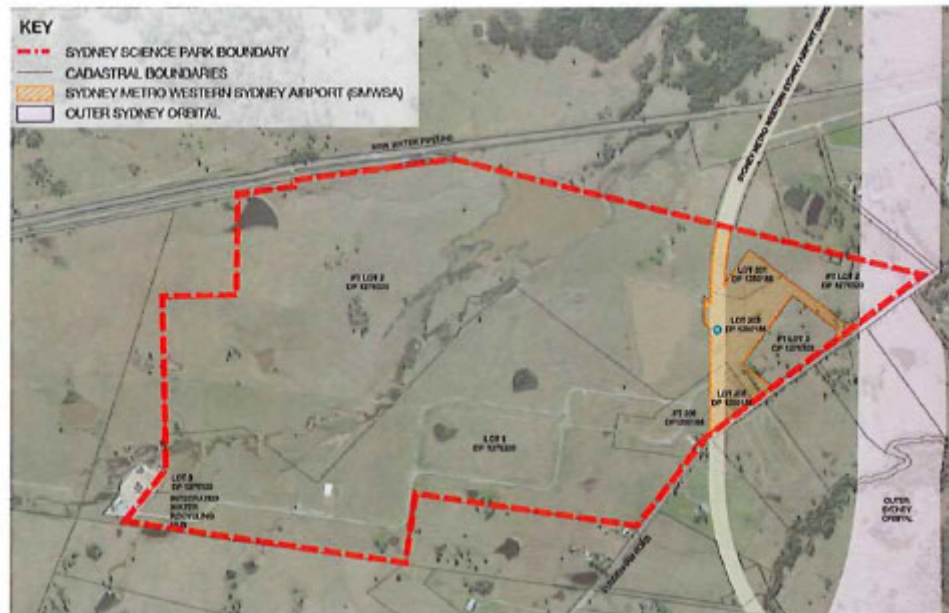
⁴⁶ Submission 14, NSW Government, p 5.

⁴⁷ Submission 14, NSW Government, p 5; Evidence, Mr Matthew Scard, Chief Executive Officer, Celestino, 31 October 2024, p 17.

⁴⁸ Evidence, Mr Matthew Scard, Chief Executive Officer, Celestino, 31 October 2024, p 17; Submission 8, Celestino, p 4; Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 10, <https://www.planningportal.nsw.gov.au/ppr/lep-decision/penrith-lep-2010-amendment-no8-proposed-sydney-science-park-proposal-rezone-565-609-luddenham-road-luddenham-ru2-part-b7-b4-and-re1>; Answers to questions on notice, Penrith City Council, 29 November 2024, p 1.

⁴⁹ Submission 8, Celestino, p 1.

⁵⁰ Submission 14, NSW Government, p 5.

Figure 3 Sydney Science Park Land

Submission 8, Celestino, p 2.

- 1.33** In July 2021 the Minister for Planning and Public Spaces approved the construction of the Luddenham Metro Station which will service the Sydney Science Park and support the Sydney Metro Western Sydney Airport project.⁵¹
- 1.34** To date, Celestino has not commenced development of any homes or businesses within the Sydney Science Park.⁵² Celestino has, however, entered into a delivery agreement with Sydney Water in 2020 for an onsite treatment hub to deliver water and wastewater services, including construction of an in-precinct Integrated Water Recycling hub delivering recycled water.⁵³ The Integrated Water Recycling Hub was funded by Celestino and completed by late 2024.⁵⁴
- 1.35** Progress to date with the development, including delivery of water infrastructure to Sydney Science Park, is examined in chapter 4.

Planning process timeline for the Sydney Science Park development

- 1.36** The following table sets out the planning process timeline for the Sydney Science Park project.

⁵¹ Submission 14, NSW Government, p 5.

⁵² Submission 14, NSW Government, p 5.

⁵³ Submission 6, Sydney Water Corporation, pp 2-3.

⁵⁴ Evidence, Mrs Charlotte Alexander, Head of Growth and Development, Sydney Water Corporation, 16 September 2024, p 13.

December 2013	E.J. Cooper and Son Pty Ltd applied to amend the Penrith Local Environment Plan 2010 to rezone the land of the Sydney Science Park. ⁵⁵
3 February 2014	Penrith City Council endorsed the Sydney Science Park planning proposal for submission to the Department of Planning for Gateway determination. ⁵⁶
18 June 2014	The Department issued a Gateway determination to allow the proposal to proceed to public exhibition phase. ⁵⁷
9 July 2015	The Gateway was altered at Penrith City Council's request to amend the staging of residential and employment generating land uses. ⁵⁸
Between 16 November and 14 December 2015	The planning proposal was publicly exhibited with the draft Voluntary Planning Agreement and site-specific Development Control Plan. ⁵⁹
14 March 2016	Penrith City Council resolved to support the Sydney Science Park Planning Proposal and submit it to the Department for finalisation. ⁶⁰
9 September 2016	A Voluntary Planning Agreement was executed between Penrith City Council and Celestino Development Sydney Science Park Pty Ltd. ⁶¹
27 October 2016	The Planning Proposal was finalised and was capable of delivering 12,200 jobs and 3,400 dwellings. Specifically, it included the development of 565-609 Luddenham Road, Luddenham enabling the following development: <ul style="list-style-type: none"> • 340,000 m² of research and development floor space • 100,000m² of education floor space and associated student accommodation • 30,000m² of retail floor space for a town centre, and • a primary school site, roads, open space and supporting infrastructure.⁶²
June 2020	The former NSW Government announced that a Sydney Metro station will be located at Luddenham, within the Sydney Science Park. ⁶³

⁵⁵ Submission 14, NSW Government, p 27.

⁵⁶ Submission 14, NSW Government, p 27.

⁵⁷ Submission 14, NSW Government, p 6.

⁵⁸ Submission 14, NSW Government, p 6.

⁵⁹ Submission 14, NSW Government, p 7.

⁶⁰ Submission 14, NSW Government, p 7.

⁶¹ Submission 14, NSW Government, p 7.

⁶² Submission 14, NSW Government, p 7.

⁶³ Submission 8, Celestino, p 3.

11 September 2020	The Penrith Local Environmental Plan 2010 transferred zoning of the Sydney Science Park site to the State Environmental Planning Policy (Western Sydney Aerotropolis)(2020) keeping the existing provisions. ⁶⁴
May 2023	The <i>Western Sydney Aerotropolis Plan – Amendment 1</i> approved by a delegate for the current Minister for Planning, changed building height, floor space ratio and lot size controls for parts of the Sydney Science Park site. ⁶⁵

⁶⁴ Submission 14, NSW Government, p 8.

⁶⁵ Submission 14, NSW Government, p 28.

Chapter 2 Transport infrastructure planning and investment for the Aerotropolis

This chapter considers the approach to planning and the delivery of transport infrastructure across the Aerotropolis. First, it turns to concerns relating to the operation and connectivity of the North-South Rail Link metro line. It then considers road upgrades and maintenance of road infrastructure throughout the Aerotropolis. The chapter then examines concerns relating to the serviceability of the rapid bus network, before turning to the impacts of freight on current and planned roads. The chapter concludes by addressing safety concerns and development challenges presented by the lack of a dedicated fuel pipeline to the Western Sydney International Airport, ahead of its opening in 2026.

Transport infrastructure for the Aerotropolis: Key commitments

- 2.1** The delivery of transport infrastructure is essential to creating reliable and connected links to the Aerotropolis and Western Sydney International Airport. In order to facilitate the anticipated growth, the NSW and Commonwealth Governments have invested \$20 billion for the advancement of critical transport infrastructure, including infrastructure that 'will connect the Aerotropolis to Greater Parramatta and the Sydney Harbour CBD'.⁶⁶
- 2.2** As noted in chapter 1, key transport infrastructure commitments and recommendations related to transport developments in the Aerotropolis were considered in several plans, including the:
- *Western Sydney City Deal* – which provides joint commitments from the Commonwealth and NSW governments, such as the delivery of stage one of the North-South Rail Link (metro line) from St Marys to the Western Sydney International Airport and Bradfield. It also considers the commitment to investigate a full North-South Rail Link to surrounding areas. It further addresses the establishment of a rapid bus service from key Western Sydney city centres to the Western Sydney International Airport and Bradfield.⁶⁷
 - *Western Sydney Aerotropolis Plan* – which outlines the statutory mechanisms to implement the vision and objectives of transport networks and services required to connect the Aerotropolis for community and industry needs. This includes objectives for transport infrastructure that 'directly link people and goods to the wider network'.⁶⁸
 - *NSW Freight and Ports Plan 2018-2023* – which highlights significant goals relative to New South Wales, but also Western Sydney and the Aerotropolis specifically, including

⁶⁶ Submission 14, NSW Government p 4.

⁶⁷ Commonwealth of Australia, *Western Sydney City Deal* (March 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal.pdf>.

⁶⁸ Submission 14, NSW Government, p 4; NSW Government, *Western Sydney Aerotropolis Plan* (September 2020), pp 35-36, [https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/00-Western+Sydney+Aerotropolis/000-Final+Planning+Package/Final+Documents/Western+Sydney+Aerotropolis+Plan+2020+\(Low+Res+Part+1+of+2\).pdf](https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/00-Western+Sydney+Aerotropolis/000-Final+Planning+Package/Final+Documents/Western+Sydney+Aerotropolis+Plan+2020+(Low+Res+Part+1+of+2).pdf).

the delivery of a fuel pipeline, consideration for a Western Sydney Freight Line, and the creation of a freight precinct at the Western Sydney International Airport.⁶⁹

- *Bradfield Master Plan* – which specifies plans for bus, road and metro interchanges to connect workers, and visitors to the rest of Greater Sydney, including through the Western Sydney International Airport.⁷⁰

2.3 As outlined in chapter 1, the *Western Sydney City Deal* aims to realise a 30 minute Western Parkland City, with delivery of the first stage of the development of the North-South Rail Link from St Marys to the Western Sydney International Airport and Aerotropolis.⁷¹

2.4 Further, the *Western Sydney City Deal* notes that the NSW Government will protect suitable corridors for future rail connections in Western Sydney, establishing the planning for stage 2 of the North-South Rail Link. Both the NSW and Commonwealth Governments were to contribute \$50 million each to a business case process, in consultation with local government. This includes the investigation of integrated transport and delivery options for a full North-South Rail Link from Schofields to Macarthur and a South-West Rail Link to connect Leppington to the Western Sydney Airport through an interchange at the Aerotropolis.⁷²

2.5 Together, these plans and agreements laid out the commitments and future direction for transport infrastructure investment within the Aerotropolis and Western Parkland City across different modes of transport. The extent to which these commitments have been honoured (or delivered in a timely way) were considered throughout the inquiry by the committee, and will be outlined in this chapter.

2.6 In the following section, the committee turns its attention to the different views advanced in evidence about the drivers, merits and benefits of some of the transport infrastructure planning decisions that have been made, starting with the decision to invest in a north-south metro line, namely the Sydney Metro-Western Sydney Airport project.

Investment in metro and rail connections

2.7 Delivering on commitments made in the *Western Sydney City Deal*, the Sydney Metro-Western Sydney Airport project was approved in 2021 following a business case by the former NSW Government, namely the *Sydney Metro Western Sydney Airport (SM-WSA) Final Business Case*.⁷³

⁶⁹ Transport for NSW, *NSW Freight and Ports Plan 2018-2023* (December 2018), pp 63-66, https://www.transport.nsw.gov.au/system/files/media/documents/2018/TNSW%20Freight%20and%20Ports%20Plan%202018-2023_0.pdf.

⁷⁰ NSW Government – Bradfield Development Authority, *Master Plan* (2024), <https://www.wPCA.sydney/our-work/delivering-the-bradfield-city-centre/master-plan/>.

⁷¹ Commonwealth of Australia, *Western Sydney City Deal* (December 2018), p 10, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal.pdf>.

⁷² Commonwealth of Australia, *Western Sydney City Deal – Implementation Plan* (December 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal-implementation-plan.pdf>.

⁷³ Submission 14, NSW Government, p 5; Answers to questions on notice, Sydney Metro, 28 November 2024, p 2.

- 2.8** This has resulted in the development of a metro line to service the Western Sydney International Airport at a cost of \$11 billion, shared by both the Commonwealth and New South Wales governments.⁷⁴ Under construction at the time of the inquiry, stage 1 of this project will see stations at:
- St Marys
 - Orchard Hills
 - Luddenham (where the Sydney Science Park is located)
 - Airport Business Park (located at Western Sydney International Airport)
 - Airport Terminal (located at Western Sydney International Airport)
 - Aerotropolis (Bradfield).⁷⁵
- 2.9** Major construction works, including station excavation, commenced in late 2022.⁷⁶

Concerns about connectivity

- 2.10** While the metro line is currently being built and work is being undertaken to protect future transport corridors, the decision to prioritise a north-south metro connection from Bradfield to St Marys was not unconditionally supported in inquiry evidence, with some suggesting the project's first stage will not deliver connectivity benefits where they are most needed.
- 2.11** For example, representatives of Camden Council and Liverpool City Council shared concerns relating to the connectivity of public transport to and from the Aerotropolis, suggesting stage 1 of the metro will have limited benefit for the growing communities south and south-east of the Aerotropolis in their respective local government areas.
- 2.12** Mr Mark Hannan, Manager of City Planning, Liverpool City Council, noted the 'bugbear' of existing plans is that there is a 'lack of connectivity to the east and the south-west, south-eastern and south'. He contended that both Liverpool and Camden have missed out, advocating for rail links to be extended from Bradfield to Leppington and/or Macarthur:

The connectivity for the heavy rail extension, whether it be a metro service or a heavy rail from Bradfield to Leppington or from Bradfield to Macarthur, again, those are essential services that, if delivered, we can really turbocharge the land use around those precincts and again connect the south-west to the aerotropolis.⁷⁷

⁷⁴ Submission 14, NSW Government, p 26; Commonwealth of Australia, *Western Sydney City Deal* (December 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal.pdf>.

⁷⁵ Submission 14, NSW Government, p 14; Evidence, Ms Angela Jeffery, Head of Project Delivery Sydney Metro, 31 October 2024, p 37.

⁷⁶ Submission 14, NSW Government, p 14.

⁷⁷ Evidence, Mr Mark Hannan, Manager – City Planning, Liverpool City Council, 16 September 2024, p 5.

- 2.13** In demonstrating the need for further connectivity through rail infrastructure, Mr Hannan took issue with an incorrect assumption or 'furphy', being that people in Western Sydney do not want to use public transport and would prefer to drive to their place of work. Dispelling this assumption, Mr Hannan referred the committee to work travel data collected for planning for the South-West Rail Link extension proposal, data indicating there is a willingness for residents within the local government area to utilise trains to commute to work. This data included the following usage uptake:
- Edmonson Park - an increase from 10.5 per cent in 2011 to 18.8 per cent in 2016
 - Leppington – an increase of 2.7 per cent in 2011 to 9.1 per cent in 2016.⁷⁸
- 2.14** Along similar lines, Mr Hannan advised the committee that Austral, being 'a mere 10 kilometres as the crow flies' from the Western Sydney International Airport was impacted by a 'severe lack of transport connectivity and zero realistic alternatives to private vehicle transport', which impacts the enablement of the 30 minute city vision within the *Western Sydney City Deal*.⁷⁹
- 2.15** These sentiments were echoed by Mr Andrew Carfield, General Manager of Camden Council. In evidence to the committee, Mr Carfield highlighted the lack of rail services for Camden, the fastest growing local government area in Australia, with its 135,000 residents set to reach more than 250,000 residents over the next 10 to 15 years. Referring to this lack of access to rail services, Mr Carfield considered it a 'huge equity question', impacting the movement and commute times of Camden's residents and also the ability to attract jobs-generating investment to the area.⁸⁰
- 2.16** With that in mind, Mr Carfield welcomed investment in stage 1 of the Sydney Metro-Western Sydney Airport line, while calling for 'significant investment in public transport' for the residents of Camden to provide access to the opportunities the Western Sydney Airport and Sydney Science Park will bring to the area. For Mr Carfield, this significant investment was in the form of a commitment from both State and Commonwealth governments to fund and deliver metro or rail connections from the new Airport and Bradfield to Oran Park, Narellan, Macarthur, and an east-west connection from Glenfield and Leppington to Bradfield.⁸¹
- 2.17** Mr Carfield was encouraged that some greenfield land releases within the Camden local government area 'have preserved corridors for public transport investment'. However, he stressed the importance of those transport investment decisions, suggesting there is a finite window in the development cycle:

... there will be a significant opportunity that's lost if the investment decisions are not taken early enough in the development cycle because, without commitment to fund and build the rail connections and the new stations in our local government area, in not too long into our future we'll see those areas already being developed.⁸²

⁷⁸ Evidence, Mr Hannan, 16 September 2024, p 7.

⁷⁹ Evidence, Mr Hannan, 16 September 2024, p 2.

⁸⁰ Evidence, Mr Andrew Carfield, General Manager, Camden Council, 16 September 2024, pp 3 and 6.

⁸¹ Evidence, Mr Carfield, 16 September 2024, p 3.

⁸² Evidence, Mr Carfield, 16 September 2024, pp 6-7.

- 2.18** Further, Mr Carfield stated that there was a 'rare opportunity' to plan of the 'north-south and east-west metro connected in a coordinated, timely, cost-effective way', in order to 'support the fastest growing region in Sydney'.⁸³

Operating hours and access to the Sydney Metro-Western Sydney Airport line

- 2.19** When it opens in 2026, the Sydney Metro-Western Sydney Airport will operate approximately 20 hours a day with an overnight maintenance period, during which bus services will replace trains. Initial operating hours will be 4:30 am to midnight Sunday to Thursday, and 4:30 am to 1:00 am Friday and Saturday.⁸⁴ This is despite the WSIA operating on a 24 hour basis.

- 2.20** Ms Angela Jeffery, Head of Project Delivery, Sydney Metro, advised that the closure period was necessary for maintenance to ensure a high reliability of service, consistent with the approach to maintenance on the North-West metro line. She explained:

The four-hour maintenance period will make sure that we are delivering that high reliability. There will be interconnections with the T1 line at St Marys, so we will work with the timetabling to make sure that that's a seamless transition and work with the provision of bus services for the four hours overnight to make sure that people can still move around Western Sydney and access the airport in that maintenance period.⁸⁵

- 2.21** Sydney Metro also specified that the North-South Rail Link, which forms stage 1 of the metro line to the Western Sydney International Airport, will be aligned to timetabled Sydney Trains services, with a junction at St Marys.⁸⁶ Refer to Figure 2 in chapter 1 for an overview of this metro line.

- 2.22** Ms Jeffery also pointed to the maintenance shut-down period as being consistent with the approach taken to the Heathrow airport service. She stated that there will be a 'replacement service for the four hours where that absolutely critical maintenance needs to occur to underpin that reliability and the safe metro that's offered for the 20 hours'.⁸⁷

- 2.23** In this regard, the committee considered the impact of the junction of the metro being located at St Marys, and the need for passengers to change to heavy rail services to commute further out of the Airport and Aerotropolis region, across a 24 hour period.

- 2.24** Mr Carfield of Camden Council offered his views on this issue, noting that the junction at St Mary's would be difficult to access for residents located along Camden Valley Way, the Northern Road, Oran Park, Catherine Fields, Willowdale and Gledswood Hills and for those residents to make use of the metro to get to their place of employment.⁸⁸

⁸³ Evidence, Mr Carfield, 16 September 2024, p 3.

⁸⁴ Answers to questions on notice, Sydney Metro, 28 November 2024, p 5.

⁸⁵ Answers to questions on notice, Sydney Metro, 28 November 2024, p 5; Evidence, Ms Jeffery, 31 October 2024, p 34.

⁸⁶ Answers to questions on notice, Sydney Metro, 29 November 2024, p 5.

⁸⁷ Evidence, Ms Jeffery, 31 October 2024, pp 34-35.

⁸⁸ Evidence, Mr Hannan, 16 September 2024, p 9.

- 2.25** In response to questioning as to where passengers arriving or departing at the Western Sydney International Airport are to go, given the metro will not be operating on a 24 hour basis from the Western Sydney International Airport, Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council, outlined that the Council’s preference would be that the line was operating 24/7, although she acknowledged that this is not what is being planned.⁸⁹
- 2.26** Further, Ms Powell of Penrith City Council explained that transformation will occur at St Marys, with a 'whole range of hospitality tourism opportunities in St Marys for people arriving at the airport'.⁹⁰
- 2.27** Ms Powell added that while such developments do not currently exist, the Council is working on a master plan to 'bring forward that transformation' to support the uplift to St Marys, facilitating passengers landing at the Western Sydney International Airport. Further, Ms Powell noted that as St Marys would be a junction between the metro line and Western T1 heavy rail line, there would also be 'broader opportunities for people to move through other parts of the city from there'.⁹¹

Economic assessment of the Sydney Metro-Western Sydney Airport line

- 2.28** While the final business case remains cabinet-in-confidence, Sydney Metro drew the committee's attention to Infrastructure NSW's *Final Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*.⁹²
- 2.29** The committee examined the project's estimated benefits as part of a benefit-to-cost-ratio (BCR) calculation, with the BCR given as 0.75 excluding wider economic benefits and 0.82 including wider economic benefits.⁹³ A BCR of greater than one indicates a project's benefits outweigh its costs.⁹⁴
- 2.30** Despite the BCR for Sydney Metro-Western Sydney Airport being less than one, Infrastructure NSW considered the overall case for a six-station alignment from Bradfield to St Marys to be 'comprehensive' and presenting 'a strong case for investment' in the context of the broader planning and city-shaping priorities of the Aerotropolis and Western Sydney International Airport.⁹⁵

⁸⁹ Evidence, Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council, 31 October 2024, p 5.

⁹⁰ Evidence, Ms Powell, 31 October 2024, p 5.

⁹¹ Evidence, Ms Powell, 31 October 2024, p 5.

⁹² Infrastructure NSW, *Final Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport* (November 2020), https://www.infrastructure.nsw.gov.au/media/fcgpdzcr/insw-business-case-evaluation-summary_sydney-metro-western-sydney-airport.pdf.

⁹³ Infrastructure NSW, *Final Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, (November 2020), p 16.

⁹⁴ NSW Treasury, *TPG23-08: NSW Government Guide to Cost Benefit Analyses*, February 2023, p 97.

⁹⁵ Infrastructure NSW, *Final Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, November 2020, p 18.

2.31 This assessment was further justified by acknowledging that its 'benefits realisation' horizon is much further into the future than the short to medium term transport needs of the Western Parkland City:

It was also recognised that the project does not meet a current short to medium term transport need. The Final Business Case, demonstrated strategic merit and achieved a benefit-cost-ratio (BCR) of 0.75 (or 0.82 when including wider economic benefits). This BCR should be considered in the context of the project being a long-term city-shaping initiative, with benefits taking a long lead time to become manifest.⁹⁶

2.32 Infrastructure NSW's economic assessment of the project was at odds with Infrastructure Australia's business case evaluation summary, as considered throughout the committee's inquiry.

2.33 Briefly, Infrastructure Australia called into question the project's merits, concluding that, while there is a need to provide public transport access to the new airport and across Western Sydney, 'the proponents business case does not provide sufficient evidence that the proposed project is the best solution'.⁹⁷

2.34 Infrastructure Australia's assessment noted that the capital cost of the project outweighs its benefits while suggesting that the proponent's quantification of benefits appeared to have been overestimated.⁹⁸

2.35 Infrastructure Australia highlighted a 2018 rail scoping study which investigated two additional rail connections for the Western Parkland City, being:

- an east-west connection from the Aerotropolis to Greater Parramatta
- a south-west connection from the Aerotropolis to Leppington.⁹⁹

2.36 According to Infrastructure Australia, the 2018 scoping study showed that alternative rail connections from the Western Parkland City could potentially perform better than the north-south rail link from an economic, social and environmental perspective.¹⁰⁰

2.37 Recognising the differing opinions on the selection of the Sydney Metro-Western Sydney Airport, the committee explored the rationale behind investment in that route, instead of a heavy rail connection from Leppington, taking evidence from the Hon Stuart Ayres, former

⁹⁶ Infrastructure NSW, *Final Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, November 2020, p 18.

⁹⁷ Infrastructure Australia, *Project Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, February 2021, p 1. [Accessed online at <https://www.infrastructureaustralia.gov.au/projects/sydney-metro-western-sydney-airport>].

⁹⁸ Infrastructure Australia, *Project Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, February 2021, p 1.

⁹⁹ Infrastructure Australia, *Project Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, February 2021, p 3. The 2018 scoping study was also referred to in testimony from the Hon Stuart Ayres. See: Evidence, the Hon Stuart Ayres, Chief Executive Officer, Urban Development Institute of Australia (NSW) and Former Minister for Western Sydney, 31 October 2024, p 64.

¹⁰⁰ Infrastructure Australia, *Project Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, February 2021, p 3.

Minister for Western Sydney and the Hon Rob Stokes, former Minister for Planning and Public Spaces.

2.38 When directly asked about the benefit to cost ratio of the North-South Rail Link, Mr Ayres acknowledged he was an 'outspoken advocate' for the corridor, noting that 'Western Sydney needed a transport connection that allowed Western Sydney to be connected'.¹⁰¹

2.39 Mr Ayres justified the selection of a north-south metro link, as opposed to an extension of train services from Leppington to the Aerotropolis, saying that a step-change was needed from the default idea of travelling out of the west and into the east of the city. He explained:

For one line that makes no future north-south connections—I think that would be a terrible public policy decision. I genuinely believe that if we do not create north-south rail connections that allow communities in the south-west to benefit from the airport and the aerotropolis investment, and existing suburbs to connect through the airport into the Penrith greater area and on to the north-west, while leveraging existing infrastructure—surely we get to a point in time where the idea of travelling east-west as this mechanism for public transport in Western Sydney has to stop. Then you allow communities in Western Sydney to grow in their own spaces and create places people can call home and jobs closer to where they live.¹⁰²

2.40 In response to questioning about the peak loading capacity of the North-South Rail Link metro, suggested to be 11 per cent, Mr Ayres told the committee the first stage of the metro project paves the way for future governments to extend the corridor between Bradfield and Leppington and also further south to take in suburbs like Oran Park. He remarked:

... There is an obvious opportunity to extend that corridor between Bradfield and Leppington. I'd strongly advocate for the conversion of the south-west line to a metro service to make for a more efficient use of that rail service. There is an opportunity to extend that from Bradfield South to Macarthur. You can pick up suburbs like Oran Park when you do that, and that creates great opportunities in the deeper south-west, in the Wollondilly communities, to be able to access better transport. I think everyone has seen the raging success of Metro North West, so the ability to connect St Marys through to Tallawong would be a completion of that. That's pretty much what the future rail needs study identified as the best pathway forward.¹⁰³

2.41 In this regard, the committee noted evidence from Sydney Metro that the Western Sydney metro line would be able to transport 'up to around 7,740 passengers each hour in each direction' with '12 trains per hour, a train every five minutes in the peak and a train every 10 minutes off peak'.¹⁰⁴

2.42 Mr Ayres noted that there were many factors considered in relation to the selection of the North-South connection from St Marys instead of an extension of the rail line from Leppington, stating:

¹⁰¹ Evidence, Mr Ayres, 31 October 2024, p 65.

¹⁰² Evidence, Mr Ayres, 31 October 2024, p 66.

¹⁰³ Evidence, Mr Ayres, 31 October 2024, p 65.

¹⁰⁴ Answers to questions on notice, Sydney Metro, 28 November 2024, p 6.

...it's well known, that the benefit-cost ratio for the shorter line [from Leppington] was a higher number...[but]...there were many other factors that were determined in the decision around where to start what is the first stage of a long-term commitment around rail in Western Sydney.¹⁰⁵

- 2.43** To further underscore the project's merits, Mr Ayres asserted that the former government's decision saved the taxpayers \$5.5 billion dollars as a result of the funding arrangements with the Commonwealth, suggesting that taxpayers would have been worse off if the less expensive option was selected and co-funded on a dollar-for-dollar basis:

It was an \$11 billion line, and half of that money was paid for by the Commonwealth. We just saved the New South Wales taxpayers \$5.5 billion. If we applied your approach here and we split the shorter amount of money in half with the Commonwealth and we had to fill this longer section of the line in today's dollars, then the bill for the New South Wales taxpayer between Bradfield and St Marys would be substantially higher. I think you've just made a really great argument for how we saved the New South Wales taxpayers and the new Government billions and billions of dollars of infrastructure money that can be redeployed into other important public uses.¹⁰⁶

- 2.44** In contrast to evidence from Mr Ayres, Mr Stokes was of the opinion that a rail link from Leppington was a preferable route to connect the new airport to the existing network, saying he was 'a bit surprised' when the final route was chosen. He reasoned, however, that the north-south metro was chosen for its *future* – as opposed to its present utility:

I think that was a preferable route, and I think the cost-benefit analysis will demonstrate that the route [from St Marys] was chosen for its utility in 20 years time and not its utility today because not very many people are going to use the train. Nevertheless, a decision had to be made. I was a bit surprised when the particular route that was chosen was chosen. But, nevertheless, there were only two options. You could connect from the south-west or you could connect from the north. They were the two places you could come from.¹⁰⁷

- 2.45** Adding weight to role of Commonwealth funding in influencing the chosen route, Mr Stokes noted that the Commonwealth Government contributed funding towards half of the metro line along its proposed route, highlighting that '[t]heir view as to whether it connected from the north or the south was pretty significant, given their funding commitment towards it'.¹⁰⁸

- 2.46** In response to questions on notice, Transport for NSW stated that the Western Sydney Rail Needs Study noted that the rail line from Leppington via the Aerotropolis to the Western Sydney International Airport was not 'preferred by the Scoping Study as a direct link to Western Sydney Airport'. It was reported that this study did however suggest that '[i]n the long term, a North-South Link and East-West Link [would] provide more benefits than an extension of the existing line to the airport'.¹⁰⁹

¹⁰⁵ Evidence, Mr Ayres, 31 October 2024, p 65.

¹⁰⁶ Evidence, Mr Ayres, 31 October 2024, p 65.

¹⁰⁷ Evidence, The Hon Rob Stokes, former Minister for Planning and Public Spaces, 31 October 2024, p 56.

¹⁰⁸ Evidence, Mr Stokes, 31 October 2024, p 62.

¹⁰⁹ Answers to questions on notice, Transport for NSW, 29 November 2024, p 6.

- 2.47 Sydney Metro also confirmed that the preparation of a land use report by external consultants helped inform the decisions of the *Sydney Metro Western Sydney Airport (SM-WSA) Final Business Case*, including the location for stations.¹¹⁰

Potential extensions and future transport corridors

- 2.48 There was overwhelming support in inquiry evidence for future extensions of transport corridors across both rail and road transport. Evidence from a range of inquiry participants identified the need for additional significant investment in transport infrastructure in Western Sydney, looking beyond the first phase projects that were already in the funding and delivery pipeline for the Aerotropolis opening in 2026.
- 2.49 As noted earlier, the *Western Sydney City Deal* set out a commitment to investigate options for a full North South Rail Link, including 'from Schofields to Macarthur and a South West Rail Link to connect Leppington to the Western Sydney Airport via an interchange at the Badgerys Creek Aerotropolis'.¹¹¹
- 2.50 In this context, several inquiry participants raised concerns that despite the delivery of phase one of the North-South Rail Link, residents further to the south of the Aerotropolis and Western Sydney International Airport were disconnected. To this end, the committee heard calls for either an extension to the existing metro rail infrastructure, or an extension of the heavy rail line from Bradfield to Leppington, to accommodate Western Sydney as it continues to grow.
- 2.51 Mr Hannan of Liverpool City Council submitted that successive governments have been too focussed on creating connections to and from the Aerotropolis from the north and north-east of the precinct at the expense of investigating connectivity to growth regions in the east and south-east:

...the focus of successive governments ... has been on connectivity infrastructure to and from the aerotropolis primarily from the north and north-east of the precinct, with very little investment committed to improving connectivity east to Liverpool, south-east to Leppington and Edmondson Park, and south to Camden, Campbelltown and Wollondilly.¹¹²

- 2.52 Mr Carfield noted these new rail connections are listed as high priorities within the Western Sydney Transport Infrastructure Panel's Independent Panel's Report, prepared in April 2023.¹¹³
- 2.53 Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council, outlined the Council's support for an extension to connecting railway lines, noting that there is a 'whole host of other

¹¹⁰ Answers to questions on notice, Sydney Metro, 28 November 2024, p 2.

¹¹¹ Commonwealth of Australia, *Western Sydney City Deal* (December 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal.pdf>.

¹¹² Evidence, Mr Hannan, 16 September 2024, p 2.

¹¹³ Evidence, Mr Carfield, 16 September 2024, p 3.

road and rail connections needed'.¹¹⁴ She also stressed that the Council had advocated for a full length North-South Rail Link connection within Western Sydney linking 'north to Tallawong and south to Campbelltown and Macarthur'.¹¹⁵

- 2.54** EcoTransit Sydney – a community-based public transport advocacy group – was a vocal advocate for the extension of the heavy rail line from Leppington to the Western Sydney International Airport and Aerotropolis. One of its members, Mr Roydon Ng, gave evidence that this missing piece of infrastructure would reduce 'travel times and has the real ability to reduce road congestion as the Western Sydney Parklands region grows'.¹¹⁶
- 2.55** According to Mr Simon Hunter, Chief Transport Planner, Transport for NSW, the Western Sydney Rail Needs Scoping Study recommended 'both the extension of a link from the south-west rail link as it is now and a north-south metro spine'.¹¹⁷ He added that both options were currently being investigated and subject to business cases.¹¹⁸
- 2.56** As to the planning and early decision making for future rail or metro corridors, Mr Carfield, Camden Council, noted the benefits of reserving undeveloped land, emphasising the challenges of progressing transport infrastructure on land once it had been developed:

... the stretch of land between Oran Park and Bradfield and the aerotropolis, which is largely undeveloped, there is a great opportunity now to get the planning right to ensure that we're making good, cost-effective decisions and that we're not having to revisit and retrofit infrastructure into existing areas. In the area that's south of Oran Park, so between Oran Park and Narellan, a lot of that area is now being built and it will require tunnelling and other alternatives that are more expensive to deliver that infrastructure. We would want to ensure that the work that's done now in our fast-growing parts of Camden north of Oran Park are done in a sequenced and well-planned way.¹¹⁹

- 2.57** When asked whether consideration has been given to the possible extension of the Leppington line to the Aerotropolis Badgerys Creek, Mr Tom Gellibrand, Chief Executive, Infrastructure NSW, advised that there are options to extend the rail line, 'be it metro or heavy rail from Bradfield through to Leppington as well as St Marys through to Tallawong', with this being subject to business cases currently on foot.¹²⁰
- 2.58** Ms Natalie Camilleri, Executive Director – Strategy and Development, Bradfield Development Authority, told the committee that a decision had not yet been made on whether 'the extension to Leppington [from the Aerotropolis] will be above ground or below ground or, in fact, even the mode—whether it will be metro or heavy rail'.¹²¹ Ms Camilleri

¹¹⁴ Evidence, Ms Powell, 31 October 2024, p 10.

¹¹⁵ Evidence, Ms Powell, 31 October 2024, p 4.

¹¹⁶ Mr Roydon Ng, Member, EcoTransit Sydney, 16 September 2024, p 45.

¹¹⁷ Evidence, Mr Simon Hunter, Chief Transport Planner, Transport for NSW, 31 October 2024, p 39.

¹¹⁸ Evidence, Mr Hunter, 31 October 2024, p 39.

¹¹⁹ Evidence, Mr Carfield, 16 September 2024, p 8.

¹²⁰ Evidence, Mr Tom Gellibrand, Chief Executive, Infrastructure NSW, 31 October 2024, p 49.

¹²¹ Evidence, Ms Natalie Camilleri, Executive Director – Strategy and Development, Bradfield Development Authority, 31 October 2024, p 52.

advised that through the approved Bradfield Master Plan process, 'a 60-metre-wide corridor through our site [Bradfield] and beyond' had been retained'.¹²²

- 2.59** The Bradfield Development Authority confirmed that this corridor reservation included around 40,000 square metres of protected land. Further, the Authority illustrated that if this corridor was instead a mixed-use zone, consistent with developments within the Bradfield City Centre, a further gross floor area of approximately 150,000 square metres could be utilised.¹²³
- 2.60** The issue of surface corridor reservation was raised with the Hon Stuart Ayres, Chief Executive Officer, Urban Development Institute of Australia (NSW) and former Minister for Western Sydney, as the committee wanted to understand the significance of the land reservation and lost commercial and employment opportunities. Mr Ayres stated that he didn't 'know why you would need to have a surface reservation', suggesting this option was 'an impediment to the best possible urban outcome in a future location where we always aspire to have jobs and greater densities'.¹²⁴
- 2.61** Plans for the extension of rail links were also discussed with Ms Angela Jeffery, Head of Project Delivery, Sydney Metro, who informed the committee that the State and Commonwealth governments had allocated \$100 million to consider an extension of the Aerotropolis line to the existing Leppington station, and further to Campbelltown and Macarthur. Ms Jeffery noted that a business case is being developed and will consider both heavy rail and metro options, ready for government consideration sometime in 2025-26.¹²⁵
- 2.62** Depending on the rail extension from Bradfield being an above or below ground solution, the Authority confirmed that the corridor would be reviewed, with the Bradfield Master City Plan then revised.¹²⁶
- 2.63** Other inquiry participants advocated for the extension of a heavy rail line from Leppington to the Western Sydney International Airport, instead of terminating at the junction at Bradfield, where the metro line is currently being constructed.
- 2.64** For example, Mr Roydon Ng, Member, EcoTransit Sydney, stated that a heavy rail line from Leppington to Western Sydney International Airport was critical for creating an efficient transport network. He added that a heavy rail line would provide a 'high-capacity link integrated with the aerotropolis/Bradfield to the wider Sydney Trains area, including Parramatta, Central station and Sydney airport'.¹²⁷
- 2.65** His colleague, Mr Matthew Doherty, Executive Member, EcoTransit Sydney, suggested that if the Western Sydney International Airport was connected to the existing heavy rail system, there would be options for commuters to access the wider network, noting that '[s]ystem-wide resilience is a really essential aspect', should a breakdown of the metro occur.¹²⁸

¹²² Evidence, Ms Camilleri, 31 October 2024, p 53.

¹²³ Answers to questions on notice, Bradfield Development Authority, 29 November 2024, p 4.

¹²⁴ Evidence, Mr Ayres, 31 October 2024, p 70.

¹²⁵ Evidence, Ms Jeffery, Sydney Metro, 31 October 2024, p 42.

¹²⁶ Answers to questions on notice, Bradfield Development Authority, 29 November 2024, p 4.

¹²⁷ Mr Ng, 16 September 2024, p 45.

¹²⁸ Evidence, Mr Matthew Doherty, Executive Member, EcoTransit Sydney, 16 September 2024, p 45.

- 2.66** Mr Doherty also contended that it would be 'highly unusual' to have no heavy rail going to the Western Sydney International Airport. He stated that it would not be unreasonable to have a 'metro in conjunction with heavy rail, but to have no heavy rail connection would be unusual'.¹²⁹

Road infrastructure

- 2.67** With the new Western Sydney International Airport slated to open in 2026, the current condition and capacity of the surrounding road network formed a significant line of inquiry. The committee heard that some roads within or connecting to the Aerotropolis are still rural roads, requiring uplift to support Western Sydney as it continues to grow.

- 2.68** For example, Mr Mark Hannan, Liverpool City Council told the committee that many of the roads within the Aerotropolis are rural roads, pointing out their limitations in terms of safety, drainage and lighting, and suitability for heavy vehicle movements:

...the majority of the aerotropolis is currently serviced by rural roads that generally do not provide road shoulders, kerb and gutter, formal drainage or footpaths for lighting, nor are they suitable for the larger vehicles anticipated to service the future precinct.¹³⁰

- 2.69** Mr Hannan noted that some of the roads identified in the Precinct Plan for the Aerotropolis were currently local roads, and that this presented issues in terms of funding and road construction. He advised that the Council had been 'pushing the State—Transport for NSW—for a long time to reclassify those roads as State roads and take over ownership of those roads'.¹³¹

- 2.70** Mr Hannan also noted challenges associated with preserving future road corridors, and how local roads would intersect with these developments.¹³²

- 2.71** Raising similar concerns, Professor Roberta Ryan, Independent Community Commissioner of the Aerotropolis and Orchard Hills, suggested that of the road infrastructure around the Aerotropolis, '[m]any of these roads are in such terrible condition'.¹³³

- 2.72** Responding to these concerns, the NSW Government and other inquiry participants pointed to the significant funding that has been committed to upgrade existing roads surrounding the new airport, including specific road upgrades that are in the infrastructure pipeline.

- 2.73** For example, Mr Ross Gove, Western Sydney Regional Director, Property Council of Australia, noted recent road infrastructure funding to facilitate upgrades and supported the \$2 billion in State and Commonwealth funding for Elizabeth Drive and Mamre Road and some exploratory work on the Badgerys Creek Road south. He added that these enabling roads

¹²⁹ Evidence, Mr Doherty, 16 September 2024, p 48.

¹³⁰ Evidence, Mr Hannan, 16 September 2024, p 2.

¹³¹ Evidence, Mr Hannan, 16 September 2024, p 7.

¹³² Evidence, Mr Hannan, 16 September 2024, pp 7.

¹³³ Evidence, Professor Roberta Ryan, Independent Community Commissioner of the Aerotropolis and Orchard Hills, 31 October 2024, p 13.

lacked kerb and guttering and were not designed for regular larger trucks and need to be upgraded.¹³⁴

2.74 Mr Simon Hunter, Transport for NSW, also highlighted that there is Commonwealth and State government funding in the current budget which will deliver important upgrades to Elizabeth Drive and Mamre Road over the coming years. In particular, Mr Hunter noted that these upgrades 'will build on the existing infrastructure and services that are or are nearly completed, including Bringelly Road, the Northern Road, the M12 and the M7-M12 interchange'.¹³⁵

2.75 In its submission, the NSW Government advised that the current road projects under construction and due for delivery are:

- the upgrade to Bringelly Road (completed in 2019)
- the Northern Road upgrade (completed in 2022)
- M12 motorway (under construction)
- M7 widening upgrade, inclusive of the M7/M12 interchange (under construction)
- Mamre Road (stages 1 and 2 – planned for delivery)
- Elizabeth Road upgrade of priority sections (in planning)
- Fifteenth Avenue – Liverpool to Airport Transport Corridor (in planning)
- Southern Link Road (under investigation)
- Eastern Ring Road and Badgery's Creek Road (in planning).¹³⁶

2.76 In terms of the Mamre Road enhancements, Ms Justine Kinch, Director – Western Sydney Aerotropolis, Transport for NSW, informed the committee that the upgrades will be delivered in two stages:

- between the M4 motorway and Erskine Park Road – where early works have commenced, with major works commencing in 2025
- from Erskine Park Road to Kerrs Roads – with joint Commonwealth and NSW Government funding received, but procurement and delivery has yet to commence.¹³⁷

2.77 Further, Ms Kinch, advised that longer term planning for Kerrs Road south to Mamre Road will be to connect north-south to Devonshire Road. However, she added the early or interim works on safety and access were likely.¹³⁸

¹³⁴ Evidence, Mr Ross Grove, Western Sydney Regional Director, Property Council of Australia, 16 September 2024, p 29.

¹³⁵ Evidence, Mr Hunter, 31 October 2024, p 32.

¹³⁶ Submission 14, NSW Government, pp 26.

¹³⁷ Evidence, Ms Justine Kinch, Director – Western Sydney Aerotropolis Transport for NSW, 31 October 2024, p 42.

¹³⁸ Evidence, Ms Kinch, 31 October 2024, p 42.

- 2.78** Ms Kinch added that \$50 million has also been allocated to progress the planning work for upgrades to Fifteenth Avenue.¹³⁹ Mr Gellibrand, Infrastructure NSW, added that this work will include further analysis, business cases and designs, highlighting that Transport for NSW were determining the final configuration of the road.¹⁴⁰
- 2.79** In this context, Mr Gellibrand noted that to 'fix up Fifteenth Avenue property is quite a substantial task' due to:
- ...powerlines that go alongside it that would need to be relocated. There's a lot of assessment that needs to go into how and where you would do that, and how much it would cost. It will be progressively updated. But, again, the Government priority was to at least do some work and start to improve that road for people in that part of Sydney so that it improves the opportunities for them to get to the airport. They're not going to get a final solution at the day of opening, but the objective is to try to improve their access to the airport.¹⁴¹
- 2.80** Ms Kinch added that a strategic business case was being finalised for works at the eastern end of Fifteenth Avenue, near Hoxton Park Road. Further, Ms Kinch advised the committee that this is in addition to further funding for the Avenue, which is also considered in a strategic business case, for works to the western end, of Fifteen Avenue which adjoins Bradfield. She summarised that this will allow for the planning works for the entire road corridor along Fifteenth Avenue to be completed.¹⁴²
- 2.81** Ms Kinch also highlighted that while there is no definite date as to when these projects will be delivered, a strategic business case for seven key Aerotropolis precinct roads had been completed. Further, she noted that joint Commonwealth and State funding had been received for the final business case for 'Badgerys Creek Road South and the Eastern Ring Road, which together form that north-south corridor east of the airport'.¹⁴³
- 2.82** Looking beyond these developments, Ms Kinch also addressed transport infrastructure priorities in the areas of Macarthur, Camden, Wollondilly and Campbelltown, with Transport for NSW commencing a program to set 'really clear priorities in place around transport infrastructure and trying to look at the connections needed to connect the area to itself, but also through to the aerotropolis and also the Illawarra'.¹⁴⁴
- 2.83** The committee also considered road safety, noting the impacts to existing infrastructure and precincts resulting from the current development and construction works.
- 2.84** Mr Andrew Jackson, Penrith City Council, presented concerns for the safety of Elizabeth Drive and Mamre Road, given that it will be impacted by the development of new road infrastructure. He specifically noted that there are limited off-ramps to and from the M12, pre-empting that it will primarily serve as 'almost an access road straight into the airport from

¹³⁹ Evidence, Ms Kinch, 31 October 2024, p 41.

¹⁴⁰ Evidence, Mr Gellibrand, 31 October 2024, p 55.

¹⁴¹ Evidence, Mr Gellibrand, 31 October 2024, pp 54-55.

¹⁴² Evidence, Ms Kinch, 31 October 2024, p 41.

¹⁴³ Evidence, Ms Kinch, 31 October 2024, p 42.

¹⁴⁴ Evidence, Ms Kinch, 31 October 2024, p 42.

the M7.' As a consequence, he suggested that Luddenham Road, Mamre Road and Elizabeth Drive will therefore be required to do the 'heavy lifting'. He told the committee that in order to address these 'huge safety concerns', the Council will work with the government on the identified 'hotspots'.¹⁴⁵

- 2.85** Ms Kinch acknowledged that there has also been some safety concerns raised around schools in the Mamre Road Precinct. She highlighted that a number of parties including Penrith City Council, Transport for NSW, Department of Planning, Housing and Infrastructure and the Community Commissioner for the Western Sydney Aerotropolis and Orchard Hills were working on mechanisms to address these concerns, through improved monitoring, compliance verifications, signage and road line markings to ensure road users better understand speed limits and the like.¹⁴⁶

Rapid bus services

- 2.86** One of the key commitments under the *Western Sydney City Deal* was for the NSW Government to establish rapid bus services 'from the metropolitan centres of Penrith, Liverpool and Campbelltown to Western Sydney Airport before it opens in 2026, and to the Aerotropolis'.¹⁴⁷

- 2.87** Inquiry participants raised concerns about this commitment, given the time for the bus journey would exceed the government's broader aim for 30 minute cities, particularly for Campbelltown and Liverpool residents who wish to commute to and from the Aerotropolis. Indeed, Mr Mark Hannan, Manager – City Planning, Liverpool City Council, highlighted to the committee that the journey for residents of Campbelltown and Liverpool would far exceed this 30 minute timeframe:

While communities north and north-east of the precinct will be able to access the airport and aerotropolis via the M12 and the Sydney Metro Western Sydney Airport in 2026, the residents of Campbelltown and Liverpool will have a new bus service with anticipated travel times of 66 and 67 minutes respectively. These travel times are hardly rapid and nowhere near the 30-minute city originally envisaged in the Western Sydney City Deal.¹⁴⁸

- 2.88** Mr Hannan also highlighted how the new bus services would operate between 5.00 a.m. and 10.00 p.m. each day, despite servicing 'an airport and surrounding precinct that will operate 24 hours a day, seven days a week'. He stated that this represents a 'disconnect between aspiration and reality'.¹⁴⁹

¹⁴⁵ Evidence, Mr Andrew Jackson, Director, Planning and Regulatory Services, Penrith City Council, 31 October 2024, p 5.

¹⁴⁶ Evidence, Ms Kinch, 31 October 2024, p 43.

¹⁴⁷ Commonwealth of Australia, *Western Sydney City Deal – Implementation Plan* (December 2018), p 11, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal-implementation-plan.pdf>.

¹⁴⁸ Evidence, Mr Hannan, 16 September 2024, p 2.

¹⁴⁹ Evidence, Mr Hannan, 16 September 2024, p 2.

- 2.89** Mr Hannan also noted that the Council has been pushing for the rapid bus corridor that follows Fifteenth Avenue to be reclassified as a State Road as the 'corridor width is insufficient to be able to accommodate a future rapid bus transport corridor'.¹⁵⁰
- 2.90** Mr Andrew Jackson, Director – Planning and Regulatory Services, Penrith City Council, also raised a concern about the plans for rapid buses not having progressed in the manner Council expected, noting that the commitment for this service was for both the construction and operational phases of the Aerotropolis. He stated:
- I think it's probably fair to say that hasn't progressed as we would've liked. There was a commitment that rapid bus would be available to the airport ahead of opening to support workers getting to the site et cetera. From our perspective, that's something that benefits the entire Western Sydney, and where there has been a gap.¹⁵¹
- 2.91** In terms of when rapid bus connections may start to service Penrith, Ms Powell, Penrith City Council, outlined that the rapid bus connection to the Western Sydney Airport was in a planning phase and that Council did not have a timeframe for delivery. She noted that getting early access to a rapid bus service was important 'so as to not entrench vehicle-based behaviours and facilitate alternative behaviours'.¹⁵²
- 2.92** Mr Andrew Carfield, General Manager, Camden Council, also stressed the importance of having a rapid bus service connecting Campbelltown, Narellan, Oran Park and the Aerotropolis, describing it as a 'high-priority action', and important as an interim service to support the opening of the airport in 2026.¹⁵³
- 2.93** Mr Matt Threlkeld, Executive Director, BusNSW, suggested that frequent and reliable bus services were required to best connect the areas surrounding the Aerotropolis and reduce reliance on cars. He gave evidence that:
- BusNSW supports ...frequent and reliable bus services supported by dedicated bus lanes and transit corridors connecting key hubs such as Liverpool, Campbelltown and Penrith to Western Sydney international airport and the science park—this will provide commuters and travellers with convenient public transport options, reducing reliance on cars and easing congestion around the airport and surrounding areas.¹⁵⁴
- 2.94** Mr Daniel Peric, Research and Policy Officer, 'Transport Workers' Union of NSW, also highlighted concerns around the current shortage of bus drivers. In this context, Mr Peric argued the need to 'look at the underlying issues that are contributing to the bus driver shortage'.¹⁵⁵

¹⁵⁰ Evidence, Mr Hannan, 16 September 2024, p 8.

¹⁵¹ Evidence, Mr Jackson, 31 October 2024, p 4.

¹⁵² Evidence, Ms Powell, 31 October 2024, p 5.

¹⁵³ Evidence, Mr Carfield, 16 September 2024, p 3.

¹⁵⁴ Evidence, Mr Matt Threlkeld, Executive Director, BusNSW, 16 September 2024, p 42.

¹⁵⁵ Evidence, Mr Daniel Peric, Research and Policy Officer, 'Transport Workers' Union of NSW, 16 September 2024, p 32.

- 2.95** Other issues raised by inquiry participants indicated that factors contributing to the bus driver shortage include:
- infrastructure considerations including road conditions
 - poor condition of bus driver amenities and facilities, contributed to by a lack of funding
 - rate of pay and incentives
 - downward pressure from bus operators onto bus drivers, in bids to offer lower tendering prices
 - consultation practices between the NSW Government and the 'Transport Workers' Union of NSW.¹⁵⁶

Impact of freight transportation on local roads

- 2.96** Several inquiry participants raised concerns about freight transportation and infrastructure, including the lack of a freight rail line to the Aerotropolis and the impact of freight transportation on local roads.

- 2.97** Mr Andrew Carfield, General Manager, Camden Council, highlighted that freight transportation occurs using roads like the Northern Road, Appin Road and the Hume Highway. He noted that these are the same roads being used for other traffic:

While we have commuter and certainly employment-based travel patterns for all of our residents using those same roads, we then have a freight system that's going to be entirely reliant on those same roads.¹⁵⁷

- 2.98** Mr Carfield contended that there will be challenges, particularly with use of the Northern Road and other parts of the road network, 'where there just is no spare capacity'. He emphasised the importance of making investments in public transport infrastructure to support freight movement by roads.¹⁵⁸

- 2.99** Mr Mark Hannan, Manager – City Planning, Liverpool City Council, held similar concerns, noting that the impacts of freight transportation will include 'construction traffic on top of local traffic, plus freight operations that are already in play'.¹⁵⁹

- 2.100** Mr Luke Oste, Coordinator - City Planning, Liverpool City Council, also discussed the impacts of increased traffic on rural and local roads, including freight transportation. He noted the size and complexity of the development, and the impact of heavy vehicles using local roads maintained by councils:

...the challenge we're finding at the moment, especially for the rural roads, is this humungous area that is being constructed currently has trucks running up and down

¹⁵⁶ Evidence, Mr Peric, 16 September 2024, p 32; Submission 4, 'Transport Workers' Union of NSW, pp 5 – 7.

¹⁵⁷ Evidence, Mr Carfield, 16 September 2024, p 9.

¹⁵⁸ Evidence, Mr Carfield, 16 September 2024, p 9.

¹⁵⁹ Evidence, Mr Hannan, 16 September 2024, p 9.

local roads that are maintained by council and are not of a standard to withhold the kind of trucks that are using them and the quantity of vehicles that are using them. That's a huge challenge and is not a problem that's going to go away anytime soon.¹⁶⁰

- 2.101** Mr Oste added that upgrades to those roads can only occur when councils receive funds from development. He stated: 'The entire system operates in a way where, for local infrastructure at least, we can only build those local roads after the development is in place, the construction has occurred and the roads have been really badly damaged because of that'.¹⁶¹
- 2.102** Mr Hannan noted that upgrading of rural roads to accommodate freight vehicles includes considerations of different pavement and design. He stated that the 'cost is a lot more than what would normally be maintained in terms of a basic local road service in a rural property'.¹⁶²
- 2.103** Mr Ross Grove, Western Sydney Regional Director, Property Council of Australia, also raised a concern about the capacity of the local road network to provide for freight transportation. He noted that there is 'a lack of road capacity to provide for B-doubles, trucks, the necessary freight movements of warehousing and logistics, to those employment lands', referencing the industrial property on Mamre Road.¹⁶³
- 2.104** Some inquiry participants shared their views on the merits of a freight rail system, to assist with the transportation of goods to and from the Aerotropolis.
- 2.105** Mr Luke Oste, Liverpool City Council, noted that the Council supported the extension of a freight rail line to the Aerotropolis, suggesting it be joined along with the extension down to Leppington, Edmondson Park and through to Glenfield. Mr Oste noted that 'that hasn't eventuated', adding that 'there has been high-level plans, but it is complicated'.¹⁶⁴
- 2.106** Mr Roydon Ng, Member, EcoTransit Sydney, also discussed the proposal for a freight rail line. Based on his understanding, a freight rail line was 'proposed to meet at just north of the airport business park, around Luddenham', then connecting near Yennora, which then 'links into Leightonfield, Villawood yard'.¹⁶⁵
- 2.107** Mr Ng also put forward his views on a Western Sydney freight bypass line, suggesting it could be integrated in with 'heavy rail, double-deck, just south of Bradfield station'. He also noted it could then run along the shared heavy rail passenger and freight alignment south of the Aerotropolis towards Oran Park and Narellan.¹⁶⁶

¹⁶⁰ Evidence, Mr Luke Oste, Coordinator – City Planning, Liverpool City Council, 16 September 2024, p 9.

¹⁶¹ Evidence, Mr Oste, 16 September 2024, p 9.

¹⁶² Evidence, Mr Hannan, 16 September 2024, p 9.

¹⁶³ Evidence, Mr Grove, 16 September 2024, p 25.

¹⁶⁴ Evidence, Mr Oste, 16 September, p 8.

¹⁶⁵ Evidence, Mr Ng, 16 September 2024, 48.

¹⁶⁶ Evidence, Mr Ng, 16 September 2024, p 48.

- 2.108** The committee explored Transport for NSW's plans for a freight rail link, noting that the NSW Government was to consider a Western Sydney Freight Line in the *NSW Freight and Ports Plan 2018-2023*.¹⁶⁷
- 2.109** The committee learnt that the *NSW Freight and Ports Plan 2018-2023* identifies objectives for consideration by the NSW Government, including a focus for the delivery of freight rail services. The Plan highlights the trend that as the 'population and rail patronage continues to grow, so too will competition for access to the shared rail network'.¹⁶⁸
- 2.110** Mr Hunter, Transport for NSW, advised the committee that the NSW Government was 'investigating the development and delivery of an intermodal terminal and a Western Sydney freight line to connect to that Mamre Road precinct as part of the future planning for how we move goods around the city'. In terms of progress, Mr Hunter advised that funding was provided for a strategic business case which has now been developed.¹⁶⁹
- 2.111** In answers to questions on notice, Transport for NSW confirmed that the Western Parkland City Blueprint released in September 2022 suggested that the expected operational date for the Western Sydney Freight Line would be 2036. The committee was further advised that the business case, funded jointly by the State and Commonwealth governments, will provide further information on the timing for delivery of the freight rail line.¹⁷⁰

Lack of a dedicated fuel pipeline to the Western Sydney International Airport

- 2.112** One of the key issues examined by the committee during this inquiry was the lack of a dedicated fuel pipeline to the new Western Sydney International Airport, and the impacts of aviation fuel needing to be trucked in when the Airport opens in 2026, including the impacts of this also on road infrastructure.
- 2.113** Ms Kylie Powell, Director Futures and Strategy, Penrith City Council, highlighted that the Council has made several representations on the issue of development of a dedicated fuel line. She stated: 'There's no doubt that there are significant limitations in terms of the existing infrastructure, and there's a step change required in terms of the infrastructure required to support the ultimate operations of the airport'.¹⁷¹
- 2.114** Mr Andrew Jackson, Director, Planning and Regulatory Services, also at Penrith City Council, explained that as there is already significant road infrastructure upgrades required for the Aerotropolis, the trucking of fuel on roads may exacerbate road and safety issues. He stated: 'We need that upgrade to road infrastructure, and the sooner that investment occurs, the better'.¹⁷²

¹⁶⁷ Transport for NSW, *NSW Freight and Ports Plan 2018-2024* (2018), p 34, <https://www.transport.nsw.gov.au/projects/strategy/nsw-freight-and-ports-plan>

¹⁶⁸ Transport for NSW, *NSW Freight and Ports Plan 2018-2024* (2018), p 34, <https://www.transport.nsw.gov.au/projects/strategy/nsw-freight-and-ports-plan>

¹⁶⁹ Evidence, Mr Hunter, 31 October 2024, p 40.

¹⁷⁰ Answers to questions on notice, Transport for NSW, 29 November 2024, pp 7-8.

¹⁷¹ Evidence, Ms Powell, 31 October 2024, p 3.

¹⁷² Evidence, Mr Jackson, 31 October 2024, p 4.

- 2.115** The committee questioned representatives from Transport for NSW as to what extent consideration has been given to the construction of a fuel pipeline and the plans for trucking in fuel once the Airport opens.
- 2.116** Ms Justine Kinch, Director – Western Sydney Aerotropolis, Transport for NSW, advised the committee that fuel will be trucked in in the initial phases by road, and that Transport for NSW will work with the Western Sydney Airport Corporation to make sure roads are as safe as possible once the routes are known:
- We don't yet know where the fuel supplies will be coming from, but we'll be using our standard requirements for moving heavy vehicles through the precinct and beyond. Once we've got more confirmation on where that fuel's coming from, we'll work with the airport on those routes to make sure that they are as safe as possible.¹⁷³
- 2.117** Mr Tom Gellibrand, Chief Executive, Infrastructure NSW, also confirmed that when the Western Sydney International Airport opens the fuel would be trucked in and then stored onsite.¹⁷⁴
- 2.118** Transport for NSW noted that by 2030, it was anticipated that 43 B-double fuel tanker trucks would be required each day to supply fuel to the Western Sydney International Airport.¹⁷⁵
- 2.119** Noting the potential impacts of trucking fuel in on local roads, representatives were asked about the route that would be used by fuel trucks and the responsibilities associated with road upgrades and maintenance. Mr Gellibrand explained that the completed Northern Road upgrade, in addition to the M12 and M7 and Elizabeth Drive upgrades would be key roads 'going in east-west as well as north-south directions, [that] would be available for consideration to transport fuel'.¹⁷⁶
- 2.120** On the issue of upgrades and maintenance, Ms Justine Kinch, Director – Western Sydney Aerotropolis, Transport for NSW, also confirmed that all of the major freight roads, like Northern Road, Bringelly Road, and the M12 motorway, will be completed ahead of the airport opening. She stated: 'All of those roads are new and will help facilitate the movement of the fuel'. Ms Kinch acknowledged, however, that the supporting road network will also depend on the route.¹⁷⁷
- 2.121** Mr Simon Hunter, Chief Transport Planner, Transport for NSW, while acknowledging that the transportation of fuel 'is currently dominated by roads in New South Wales', noted that 'pipelines have proven to [be] quite an effective route for transporting fuel from import terminals to inland depots'.¹⁷⁸
- 2.122** On this point, the committee noted that investigation of a Western Sydney Fuel Pipeline was an action listed in the *NSW Freight and Ports Plan 2018-2024*. The aim of this action was to

¹⁷³ Evidence, Ms Kinch, 31 October 2024, p 34.

¹⁷⁴ Evidence, Mr Gellibrand, 31 October 2024, p 50.

¹⁷⁵ Answers to questions on notice, Transport for NSW, 29 November 2024, p 10.

¹⁷⁶ Evidence, Mr Gellibrand, 31 October 2024, p 50.

¹⁷⁷ Evidence, Ms Kinch, 31 October 2024, p 34.

¹⁷⁸ Evidence, Mr Hunter, 31 October 2024, p 33.

reduce the need for dangerous goods to be moved by road and consider options for transporting other bulk liquids.¹⁷⁹

2.123 Mr Simon Hunter, Chief Transport Planner, Transport for NSW, outlined that Transport for NSW has been working with the Western Sydney Airport Corporation and 'identified a shortlist of available fuel pipeline alignments', while aiming to 'minimise the impact of construction on the community and environment'.¹⁸⁰ In answers to questions on notice, Transport for NSW noted that it had commissioned a Western Sydney Strategic Fuel Pipeline study in 2022, which investigated the provision of pipelines for both aviation and automotive fuels to the Western Sydney International Airport. It noted that this study was provided to the Western Sydney Airport Corporation.¹⁸¹

2.124 Transport for NSW also informed the committee of the Western Sydney International Airport's *Review of Aviation Fuel Supply Options* (May 2023), which noted that the Western Sydney Airport Corporation has upgraded roads connecting to the Airport's fuel storage and receiving facility to the Northern Road, with the Airport instigating a market engagement process to design, construct and operate a fuel pipeline to the Airport.¹⁸² Mr Hunter spoke about this at a hearing, pledging Transport for NSW's continued support for this project:

...in April 2023, Western Sydney airport ran an expressions of interest process to provide the opportunity for bona fide interested parties to express their interest in the design, construction and operation of a fuel pipeline from a fuel terminal to an existing New South Wales port. Transport for NSW is available to continue to support the Western Sydney Airport Co on that, and we've provided our inputs to help inform their decision-making around the potential alignments of those pipelines.

¹⁸³

2.125 This did not entirely accord with evidence from the Western Sydney Airport Corporation. With representatives of the Corporation being unable to attend the hearing, the committee wrote to the Corporation to ask for written information about the plans for a fuel pipeline. In response to this correspondence, the Corporation maintained that the provision of fuel to the airport's boundary was not its responsibility. Notwithstanding this view, the Corporation expressed its willingness to work with the NSW Government on options for the construction of a fuel pipeline. It stated that it was 'working collaboratively with the NSW Government on options for the construction of a fuel pipeline'.¹⁸⁴

2.126 In terms of whether a fuel pipeline is commercially viable and at what stage, the Western Sydney Airport Corporation forecast that demand will grow and reach commercial viability in the early years of the airport's operation:

¹⁷⁹ Transport for NSW, *NSW Freight and Ports Plan 2018-2023* (2018), p 65, <https://www.transport.nsw.gov.au/projects/strategy/nsw-freight-and-ports-plan>; Evidence, Mr Hunter, 31 October 2024, p 33.

¹⁸⁰ Evidence, Mr Hunter, 31 October 2024, p 33.

¹⁸¹ Answers to questions on notice, Transport for NSW, 29 November 2024, pp 2-3.

¹⁸² Answers to questions on notice, Transport for NSW, 29 November 2024, pp 2-3.

¹⁸³ Evidence, Mr Hunter, 31 October 2024, p 33.

¹⁸⁴ Correspondence from Ms Catherine Payne, General Manager External Affairs and Communication, Western Sydney Airport Corporation, 4 December 2024.

Based on the current forecasts, WSI considers that demand for an aviation fuel pipeline to the airport will grow and reach commercial viability for a commercial supplier of fuel, or a fuel pipeline operator, in the airport's early years of operation. Or earlier if NSW delivers a multi-fuel pipeline to Western Sydney.¹⁸⁵

- 2.127** The Western Sydney Airport Corporation noted that it is seeking the NSW Government to 'take a coordinated approach to the identification and protection of suitable pipeline corridor(s) from potential ports to the airport before the optimal routes are compromised by competing development activity'.¹⁸⁶
- 2.128** In terms of the potential route for the pipeline, the Western Sydney Airport Corporation stated that it 'understands that the NSW Government has identified potential pipeline routes, and the majority are established or could be established using publicly held land'.¹⁸⁷
- 2.129** Mr Gellibrand, Infrastructure NSW, highlighted that in the absence of a known route for the transportation of aviation fuel, surrounding infrastructure would be advanced, 'not knowing exactly where it is, so there may need to be an adjustment in the future if a pipeline was to cross a road'.¹⁸⁸ However, Mr Gellibrand outlined that Transport for NSW is currently 'looking at the particulars of the route'.¹⁸⁹
- 2.130** Further, Mr Gellibrand added that there are methods to allow the development of a fuel pipeline where surrounding infrastructure had already advanced. Mr Gellibrand suggested that where suitably elevated, it was also possible to build 'bridging structures over roads' and 'if it's already in the ground, you can actually underbore through drilling under roads'.¹⁹⁰

Committee comment

- 2.131** The committee acknowledges the work underway to deliver new transport infrastructure and necessary upgrades for the Aerotropolis and Western Sydney International Airport, although it is concerned that these enhancements are not keeping pace with the rapid growth expected in the region, resulting in pressures to the existing network.
- 2.132** While the committee is encouraged by some of the progress that has been made in accordance with the Western Sydney City Deal, we are concerned that other commitments have not been prioritised and progressed in pace with the delivery of a new and emerging city.
- 2.133** In this context, the committee acknowledges that developing transport infrastructure for a new city, one that is four and a half times the size of the City of Sydney central business

¹⁸⁵ Correspondence from Ms Catherine Payne, General Manager External Affairs and Communication, Western Sydney Airport Corporation, 4 December 2024.

¹⁸⁶ Correspondence from Ms Catherine Payne, General Manager External Affairs and Communication, Western Sydney Airport Corporation, 4 December 2024.

¹⁸⁷ Correspondence from Ms Catherine Payne, General Manager External Affairs and Communication, Western Sydney Airport Corporation, 4 December 2024.

¹⁸⁸ Evidence, Mr Gellibrand, 31 October 2024, p 51.

¹⁸⁹ Evidence, Mr Gellibrand, 31 October 2024, p 50.

¹⁹⁰ Evidence, Mr Gellibrand, 31 October 2024, p 51.

district, is understandably complex. That being said, if it is correctly planned, coordinated and delivered by governments, transport infrastructure can be an enabler for growth and prosperity for the Aerotropolis and Greater Sydney more broadly.

- 2.134** In the committee's view, it is clear that some local government areas have benefited more from the commitments in the Western Sydney City Deal than others. It's concerning that the Penrith local government area gets to reap the significant early benefits from stage 1 of the North-South Rail Link, while the Camden and Liverpool local government areas will be without a rail connection to the Aerotropolis and the Sydney Science Park when the airport opens in 2026. These areas are both home to growing communities and have faced historical public transport disadvantage.
- 2.135** The committee therefore urges the NSW Government to honour and prioritise the stage 2 commitment to investigate the extension of the North-South Rail Link to Macarthur and south east to Leppington. The selection of stations and alignment must be subject to close and meaningful consultation with all relevant stakeholders, including Camden and Liverpool City Councils. There should also be transparent decision making in relation to this investment to ensure the development and services benefit the greatest commuter need.
- 2.136** The committee is also concerned about the metro line not operating for the full 24 hours, and the fact that commuters will need to switch to a heavy rail junction at St Marys, when travelling out of the new Western Sydney International Airport. The committee is particularly concerned that there is a disconnect between perception and reality - being how the junction at St Marys will effectively operate and whether commuters will actually want to use it, due to the inconvenience for commuters changing between public transport services to reach their destination. The committee also notes the lack of development at St Marys and feels this may be another contributing factor to a lack of patronage of the metro line.
- 2.137** In this context, the committee agrees with the concerns raised by stakeholders that there are gaps in the planning, funding and the delivery of transport infrastructure to the Aerotropolis, which will undeniably limit the connectivity of people travelling to and from the region. The committee is concerned that many people across Western Sydney and other areas will not be able to move between their homes and places of employment easily by public transport, which if Western Sydney is to become a leading region for growth in employment opportunities, is of significant concern.

Recommendation 1

That the NSW Government prioritise the delivery of the extensions of the North-South Rail Link from the Aerotropolis to Leppington and Macarthur.

- 2.138** The committee is also deeply troubled by the NSW Government's failure to deliver on its commitments of a 30 minute city, with the slow rollout of the proposed rapid bus network. Rapid buses are meant to move people quickly from metropolitan centres such as Penrith, Liverpool and Campbelltown to the Western Sydney International Airport and the Aerotropolis, both during construction and after the Aerotropolis is completed.
- 2.139** The committee acknowledges that for residents of the Liverpool LGA, the 'rapid bus' service will actually take commuters over an hour to reach the Western Sydney International Airport.
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This is a far cry from the Greater Sydney planning vision in which most residents live within 30 minutes of their jobs, education, services and recreation. The committee is further concerned by the absence of bus corridors to adequately facilitate this service and the impact of bus driver shortages, which will no doubt place pressure on whether the commitments for rapid bus services under the Western Sydney City Deal can be achieved.

Recommendation 2

That the NSW Government ensure a reliable and connected rapid bus service is implemented for commuters to travel between metropolitan areas and the Western Sydney International Airport.

- 2.140** In terms of the lack of a dedicated fuel pipeline to the Western Sydney International Airport, the committee found it challenging to get clear answers as to who has responsibility for the development and construction of this line, or a proposed timeline. Indeed, given the Airport is set to open in 2026, the committee is dismayed by the lack of progress on this piece of infrastructure, given it has been discussed by governments for years.
- 2.141** While Transport for NSW advised the committee that the Western Sydney Airport Corporation was leading market engagement efforts in the design, construction and operation of a fuel pipeline from the terminal to an existing port, the response the committee received from the Corporation was at odds with this position. The Corporation noted it is not their responsibility to provide for the fuel pipeline to the airport boundary, although it noted it would work with Transport for NSW on options for its construction. While the committee learnt that a shortlist of alignment options has been prepared by Transport for NSW, the evidence on this issue in general, was confusing and gave the committee no confidence plans would progress.
- 2.142** Indeed, given the absence of a fuel line, which will likely be for many years after the new Airport opens, the committee holds significant concerns for the safety of road users and infrastructure, given the impacts of trucking fuel into the Western Sydney International Airport. It is unacceptable that there is no freight rail plan to connect the airport to other freight and logistics infrastructure, with instead a continued reliance on trucks being used to carry freights from ports. This is particularly unacceptable when the government has apparently committed to net zero targets, which will be harder to meet when we keep assuming freight will travel on trucks to and from new infrastructure like the new airport.
- 2.143** In the committee's view, a fuel pipeline, and a freight rail line, are essential infrastructure that would support the Aerotropolis and new Airport's operations. The government should prioritise efforts to ensure that freight rail lines are adequately scoped, funded and delivered in its infrastructure planning, preferably ahead of key industry precincts, including the Mamre Road development.
- 2.144** Failure to progress plans in this area may mean retrospectively adding them, which would seem an unusual approach given the disruption it would undoubtedly cause on the other infrastructure we are currently planning and constructing, in addition to the additional financial burden.

Recommendation 3

That the NSW Government, in line with the commitments made under the *NSW Freight and Ports Plan 2018-2023*, and in collaboration with other relevant parties, expedite the planning, funding and delivery of a dedicated fuel pipeline to service the Western Sydney International Airport.

Recommendation 4

That the NSW Government progress plans for freight rail infrastructure in Western Sydney to be developed, to facilitate the transportation of goods to and from the Western Sydney International Airport and surrounding area.

- 2.145** The committee is also concerned about the sequencing, pace and timeliness of road upgrades in the Aerotropolis region. While it is pleasing to see that certain upgrades are currently underway and others in planning, such as stages 1 and 2 of Mamre Road, Fifteenth Avenue and the Elizabeth Drive upgrades, we are troubled that many roads in the area that are still rural roads, without the required enhancements needed to support the Aerotropolis as it is constructed and continues to grow. The committee heard that this is inhibiting local councils to adequately fund some road infrastructure, given their reliance on contribution planning funds to be generated, while waiting for state reclassification to occur.
- 2.146** To this end, the committee feels that the pressure placed on local councils to develop and maintain connecting road infrastructure, which is subject to delayed reclassification, to be an unfair burden to pass on to impacted councils and residents, requiring more action from the government.
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Recommendation 5

That the NSW Government ensure other supporting road infrastructure in the Aerotropolis is upgraded, to ensure greater connectivity and safety when key infrastructure is delivered.

Recommendation 6

That the NSW Government bring forward the reclassification of relevant local roads to state roads, to align with the development of the Aerotropolis and reduce the financial burden on local councils to develop and maintain the infrastructure.

Chapter 3 Opportunities and challenges in the delivery of the Aerotropolis

While the last chapter focused on transport infrastructure and investment for the Aerotropolis, this chapter considers other opportunities and challenges associated with developing the Aerotropolis, including its capacity to create employment opportunities and the impact of delays to water infrastructure, along with land acquisition processes. The chapter also explores concerns relating to the future of Luddenham village, before turning to broader lessons learnt in terms of Aerotropolis planning, co-ordination and delivery.

Benefits of the Aerotropolis for Western Sydney

- 3.1 As noted in previous chapters, the Aerotropolis in Western Sydney is set to be Australia's next major city, with the *Western Sydney City Deal* setting out key commitments made by the Commonwealth and NSW Governments, and local councils to contribute to its delivery.
- 3.2 The *Western Sydney City Deal Implementation Plan* includes a vision for the Western Sydney Aerotropolis to be a 'future-focused city that is highly connected, innovative and liveable'. It also includes objectives for delivering public transport, creating jobs, and education opportunities, enhancing livability, while also establishing innovative housing.¹⁹¹ In fact, the Aerotropolis is anticipated to be 'one of the biggest urban development projects ever undertaken in Australia and it is the first major city to be built in Australia in over 100 years'.¹⁹²
- 3.3 For many inquiry participants, including those based in Western Sydney, the Aerotropolis held significant promise to generate a range of benefits for their communities. This included both economic benefits as well as wider non-economic opportunities such as enhancing amenity, livability and recreation through best practice urban design and planning, with the potential to position Western Sydney as an innovative industrial hub and a highly desirable place to live, work and play.
- 3.4 Mr Mark Hannan, Manager – City Planning, Liverpool City Council, stated that the development of the Western Sydney Aerotropolis and Western Sydney International Airport 'should be [a] great cause for celebration and deliver wide ranging benefits not only for Liverpool but also the Western Parkland City'.¹⁹³
- 3.5 Mr Andrew Carfield, General Manager, Camden Council, shared a similar view, noting the council's 'keen interest' around access to new employment opportunities which are anticipated to be created within the community.¹⁹⁴

¹⁹¹ Commonwealth of Australia, *Western Sydney City Deal – Implementation Plan* (December 2018), p 8, <https://www.infrastructure.gov.au/sites/default/files/migrated/cities/city-deals/western-sydney/files/western-sydney-city-deal-implementation-plan.pdf>.

¹⁹² Submission 14, NSW Government, p 9.

¹⁹³ Evidence, Mr Mark Hannan, Manager – City Planning, Liverpool City Council, 16 September 2024, p 2.

¹⁹⁴ Evidence, Mr Andrew Carfield, General Manager, Camden Council, 16 September 2024, p 3.

- 3.6** Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council stated that both the Western Sydney International Airport and Aerotropolis would play a 'vital role' in 'land use, tourism and economic development of the region'.¹⁹⁵ Her colleague, Mr Andrew Jackson, Director – Planning and Regulatory Services, Penrith City Council, added that the Council's support for the Western Sydney International Airport looked to the opportunities presented to Penrith and Western Sydney more broadly, on the basis there is 'adequate investment in the infrastructure needed to activate the airport and the aerotropolis as well as mitigating impacts appropriately'.¹⁹⁶
- 3.7** Like other stakeholders, Business Western Sydney also highlighted its support for the Aerotropolis, reflecting on its 'focus of green spaces, sustainable building practices and state-of-the-art infrastructure', establishing Western Sydney as a 'leader in sustainable urban development'.¹⁹⁷
- 3.8** The Hon Rob Stokes, former Minister for Planning and Public Spaces, also noted that the development of the Aerotropolis was seen as an opportunity to link 'a polycentric network of cities', such as 'Penrith and Liverpool and Campbelltown, with Bradfield in the middle, with some other significant areas like Blacktown and others'. He also noted the economic and employment opportunities brought about by the new Western Sydney International Airport:

We saw the opportunity of the new airport to attract more economic activity and more jobs in Western Sydney. A lot of the grand plan of government was to do what we could to build the infrastructure to unlock those employment opportunities.¹⁹⁸

Growth in employment opportunities for Western Sydney

- 3.9** Noting that Western Sydney faces employment inequality, with high population growth and many commuting for work, the NSW Government noted that the Aerotropolis presents significant economic development and employment opportunities for the region.¹⁹⁹
- 3.10** According to NSW Government estimates, the Aerotropolis has the potential to deliver up to 200,000 jobs, including in the aerospace, defence, manufacturing, healthcare, freight and logistics, education and research and agribusiness industries – with full activation of the Aerotropolis expected to take more than 30 years.²⁰⁰

¹⁹⁵ Evidence, Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council, 31 October 2024, p 2.

¹⁹⁶ Evidence, Mr Andrew Jackson, Director – Planning and Regulatory Services, Penrith City Council, 31 October 2024, pp 2-3.

¹⁹⁷ Submission 5, Business Western Sydney, p 3.

¹⁹⁸ Evidence, The Hon Rob Stokes, former Minister for Planning and Public Spaces, 31 October 2024, p 58.

¹⁹⁹ Submission 14, NSW Government, p 11.

²⁰⁰ Submission 14, NSW Government, p 4; Evidence, Ms Monica Gibson, Deputy Secretary – Planning, Land Use Strategy, Housing and Infrastructure, Department of Planning, Housing and Infrastructure, 31 October 2024, p 45.

- 3.11** Many inquiry participants were positive about the growth in employment opportunities expected for Western Sydney, including Liverpool, Penrith and Camden City Councils, who all noted the benefits of job growth for their residents.
- 3.12** Mr Mark Hannan, Manager – City Planning, Liverpool City Council, told the committee that if the developments are correctly planned, the Liverpool local government area 'has the most to gain from these catalytic infrastructure initiatives, with the promise of an international gateway and up to 200,000 new jobs'. He also noted that the Liverpool local government area has the most to lose, 'should the aerotropolis fail to deliver on the vision'.²⁰¹
- 3.13** Mr Hannan explained that the developing growth precincts of Leppington North and Austral will have a future population of 54,000 people and over time should 'evolve into the employment engine room of the aerotropolis, supplying the future workforce for the precinct'.²⁰²
- 3.14** Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council also welcomed the growth in job opportunities arising as a result of the development of the Aerotropolis. Ms Powell noted the 'creation of jobs closer to home' is critical, given 55 per cent of the population in Penrith leave the area every day for work.²⁰³
- 3.15** Ms Powell told the committee that the Penrith local government area is home to 220,000 people, with only 84,000 local jobs and 115,000 employed residents. She stated that the 'ratio of jobs to local working residents is 0.8, less than one job per working-aged person'.²⁰⁴
- 3.16** While Ms Powell acknowledged that some locations have been 'slower than we might have anticipated in terms of jobs being delivered', such as Mamre Road and the Sydney Science Park, she pointed to other locations in Penrith which have been important in generating jobs, such as the Nepean Hospital and 'the quarter' in the area through Western Sydney University.²⁰⁵
- 3.17** Camden Council also noted the potential growth in employment opportunities for Camden residents, particularly given its population is significantly growing compared to other local government areas.
- 3.18** Mr Andrew Carfield, General Manager, Camden Council, noted that as at the last census in 2021, residents living in the Camden area grew by 49 per cent. In the next 10 to 15 years, Mr Carfield highlighted that the population in the Camden area is expected to 'double in size to more than 250,000 residents'.²⁰⁶
- 3.19** Mr Carfield observed that the Camden community 'has the fastest growing jobs deficit in the Western Parkland City and broader region'. In terms of jobs growth compared to population

²⁰¹ Evidence, Mr Hannan, 16 September 2024, p 2.

²⁰² Evidence, Mr Hannan, 16 September 2024, p 2.

²⁰³ Evidence, Ms Powell, 31 October 2024, p 3.

²⁰⁴ Evidence, Ms Powell, 31 October 2024, p 2.

²⁰⁵ Evidence, Ms Powell, 31 October 2024, p 10.

²⁰⁶ Evidence, Mr Carfield, 16 September 2024, p 3.

growth, he noted that 'Camden is lagging at a rate of 12 per cent, which is significantly higher than other local government areas across the Sydney region'.²⁰⁷

- 3.20** Mr Carfield explained that due to the unavailability of public transport in the Camden Council area, only two percent of the workforce utilise public transport to travel to work, despite 66 per cent of the workforce leaving the local government area every day for work. Mr Carfield stated: 'That's a really big problem for us, looking forward'.²⁰⁸
- 3.21** Mr Carfield added that the types of developments that will generate jobs and have better connections into the labour market were 'better serviced by public transport'. He also stressed that until further investment is made into 'new metro and rail stations, we are unlikely to get the same scale of jobs generating local investment opportunities'.²⁰⁹
- 3.22** Mr Stokes, former Minister for Planning and Public Spaces, also emphasised that the building of infrastructure is key to unlocking employment opportunities.²¹⁰ Evidence on the development of transport infrastructure, including the challenges and impacts on the delivery of the Aerotropolis, is detailed in chapter 2.

Focus on defence manufacturing and technology industries

- 3.23** In looking to the future potential for new jobs to be created in Western Sydney, the committee was not only interested in the number of new jobs that could potentially be created but also the types of jobs and industries that will likely have a presence, particularly within Bradfield City, and related to the defence manufacturing and technology industries.
- 3.24** Reflecting on community sentiment about the prospect of job growth in weapons manufacturing and technology or defence, Ms Powell of Penrith City Council acknowledged that diversity in employment is important, but also emphasised the need for jobs to be close to home. She added: '...we are really aware that that diversity is required, so there's a whole range of target sectors that we would seek to pursue in terms of that job generation'.²¹¹
- 3.25** Ms Powell noted that Penrith City Council's Economic Development Strategy focused on job growth in the health and education sectors as 'the two largest sectors likely to deliver those jobs'. She added that the Council was 'open-minded about the range of sectors and industries that may contribute to those jobs [which are] required', acknowledging that 'It's a huge task'.²¹²
- 3.26** Her colleague, Mr Andrew Jackson, also emphasised that given the size of the Aerotropolis, its likely a range of commerce opportunities will be created across different industries and it would be unrealistic to assume one particular industry will take precedence:

²⁰⁷ Evidence, Mr Carfield, 16 September 2024, p 3.

²⁰⁸ Evidence, Mr Carfield, 16 September 2024, pp 5-6.

²⁰⁹ Evidence, Mr Carfield, 16 September 2024, p 6.

²¹⁰ Evidence, Mr Rob Stokes, 31 October 2024, p 58.

²¹¹ Evidence, Ms Powell, 31 October 2024, p 3.

²¹² Evidence, Ms Powell, 31 October 2024, p 3.

... the aerotropolis itself—it's 11,000 hectares. It's unrealistic to think that there will be a single industry that takes up that significant footprint. While the industries that you've mentioned will be part, hopefully, of the future of the aerotropolis in Western Sydney... we are building a new city, and it takes a lot of industries and commerce to do that.²¹³

- 3.27** In this context, the committee noted that the Bradfield Development Authority is leading the development of Bradfield City, focusing on investment attraction and economic opportunities for the benefit of the Aerotropolis and wider region. The Advanced Manufacturing Readiness Facility sits within this precinct.²¹⁴
- 3.28** The Advanced Manufacturing Readiness Facility is wholly owned by the Bradfield Development Authority, described in evidence as being 'designed to be a shared services, industry and innovation accelerator for the region'.²¹⁵
- 3.29** Mr Ken Morrison, Chief Executive Officer, Bradfield Development Authority, told the committee that the master plan for Bradfield City aims at creating a new city, which will provide for 20,000 jobs.²¹⁶ When asked whether the Authority has a focus on investment in defence weapons manufacturing, Mr Morrison replied: 'Certainly it's one of the focuses. We have our overall advance manufacturing focus; defence and aerospace is one of those. So it's certainly a focus'.²¹⁷
- 3.30** The Bradfield Development Authority confirmed that it had entered into 38 memorandums of understanding with industry partners, providing a list of these agreements to the committee. The information the Authority provided set out the scope of collaboration with each organisation, which for many involved exploring opportunities in relation to the Advanced Manufacturing Readiness Facility or the potential to participate in job skills and capability development. The Bradfield Development Authority stated that not all of the Memoranda of Understanding contemplate investment or location within the Bradfield City Centre area.²¹⁸
- 3.31** The committee noted, in particular, that Memoranda of Understanding had been entered into with the following organisations:
- Australian Space Agency
 - BAE Systems
 - Coles Group Limited
 - Droneshield Limited
 - Hitachi Australia Pty Ltd

²¹³ Evidence, Mr Jackson, 31 October 2024, p 3.

²¹⁴ Evidence, Mr Ken Morrison, Chief Executive Officer, Bradfield Development Authority, 31 October 2024, p 47.

²¹⁵ Evidence, Mr Morrison, 31 October 2024, p 47.

²¹⁶ Evidence, Mr Morrison, 31 October 2024, p 44.

²¹⁷ Evidence, Mr Morrison, 31 October 2024, p 46.

²¹⁸ Answers to questions on notice Bradfield Development Authority, 29 November 2024, pp 4-13.

- Mitsubishi Heavy Industries Ltd
- National Space Innovation Hub
- Romar Engineering Pty Ltd
- Samsung SDS
- Sheffield Advanced Manufacturing Research Centre
- Urban Renaissance Agency.²¹⁹

3.32 Mr Morrison advised that Hitachi also has a lease within the Advanced Manufacturing Readiness Facility building at Bradfield.²²⁰

3.33 The committee was told that this facility will open in early 2025. Mr Morrison added that a marketing campaign to promote the second building will commence in 2025.²²¹ He outlined that Bradfield was moving from a planning to a delivery phase, with the Bradfield Development Authority 'now at the point where, for those companies or other companies or future perspective companies, that we can be taking that interest and providing the opportunity to locate in Bradfield'.²²²

3.34 Following confirmation that one of its Ministerially-appointed board members is also a non-Executive Director at BAE Systems, the committee also sought to explore whether this particular appointment to the Bradfield Development Authority board has resulted in undue influence on the future mix of industries at Bradfield City Centre.²²³

3.35 Mr Morrison gave evidence that Air Chief Marshal Mark Binskin – also the former Chief of the Defence Force – is a highly valued member of the Authority's board, bringing 'enormous experience' and knowledge in defence to help guide the Authority's focus on that sector:

...he brings enormous experience to his role within the Authority, which is highly valued. I think he obviously brings that knowledge and gravitas to the board, as do our other board members, and, in relation to defence which helps guide the Authority as we're focusing on that sector.²²⁴

3.36 Noting that Mr Binskin is also a non-executive director with BAE systems, one of the companies the Bradfield Development Authority has entered into a memorandum of understanding with, the committee also considered how conflicts of interest are managed by the Authority and probity processes.

²¹⁹ Answers to questions on notice Bradfield Development Authority, 29 November 2024, pp 9-14.

²²⁰ Evidence, Mr Morrison, 31 October 2024, p 47.

²²¹ Evidence, Mr Morrison, 31 October 2024, p 47.

²²² Evidence, Mr Morrison, 31 October 2024, p 47.

²²³ Evidence, Mr Morrison, 31 October 2024, pp 45-46.

²²⁴ Evidence, Mr Morrison, 31 October 2024, p 46.

3.37 Mr Morrison told the committee that probity issues on the Board are managed appropriately, including perceived and actual conflicts of interest. He noted that the Board 'makes collective decisions'.²²⁵ In answers to questions on notice, the Authority advised that:

Mr Binskin's position at BAE Systems is Non-Executive Director Defence and National Security, but this role does not denote that he is a member of BAE System's board and he has never been a member of their Board... Mr Binskin has declared his interest in BAE Systems to the Authority and recuses himself from any discussion which occur at the Board relating to BAE Systems in line with the Authority's probity policies and practices of managing conflicts which may arise within the Board.²²⁶

3.38 The Bradfield Development Authority also advised that the 'focus on defence and aerospace sectors is well established and is set out in multiple strategies and governance frameworks'.²²⁷

Water, sewerage and stormwater infrastructure

3.39 One of the key concerns raised by stakeholders in this inquiry were delays related to water and stormwater infrastructure development in the Aerotropolis, along with the impact of stormwater contributions on developers.

3.40 In this context, the committee noted that that Sydney Water Corporation was appointed as the Regional Stormwater Authority responsible for the management of stormwater services within the initial Aerotropolis precincts and Mamre Road development area in 2022.²²⁸

3.41 Sydney Water Corporation outlined that the integrated water system in the initial precincts in the Aerotropolis will be the largest stormwater harvesting scheme in Australia, with Sydney Water required in its function as the Regional Stormwater Authority to:

...deliver, manage, and maintain the regional stormwater network alongside our drinking water, wastewater, and recycled water networks, in partnership with Penrith City and Liverpool City councils.²²⁹

3.42 It also noted the scale of infrastructure investment required to uplift service capacity to meet growth in the Western Sydney Area. In its submission, Sydney Water Corporation highlighted that the population of Western Sydney is expected to 'double by 2056 ... [to] over 2 million people'. It also stated that it was 'focussed on the future needs of the region by investing in water, wastewater and stormwater management infrastructure'.²³⁰

3.43 In its submission, the NSW Government advised that the Western Sydney Aerotropolis Precinct Plan was established to provide key development controls to guide development across the Aerotropolis, including stormwater infrastructure. It also noted the unique nature

²²⁵ Evidence, Mr Morrison, 31 October 2024, pp 45-46.

²²⁶ Answers to questions on notice Bradfield Development Authority, 29 November 2024, p 1.

²²⁷ Answers to questions on notice Bradfield Development Authority, 29 November 2024, p 1.

²²⁸ Submission 6, Sydney Water Corporation, p 2, Evidence, Ms Charlotte Alexander, Head of Growth and Development, Sydney Water Corporation, 16 September 2024, p 22.

²²⁹ Submission 6, Sydney Water Corporation, p 2.

²³⁰ Submission 6, Sydney Water Corporation, p 1.

of the Aerotropolis Growth Area, given the scale of the development and the fact there is enhanced waterway health targets set out in the Aerotropolis Development Control Plan to protect the local waterways including Wianamatta-South Creek.²³¹

- 3.44** Further, the NSW Government explained that planning for the Aerotropolis has also been guided by careful consideration of the potential flooding impacts from, and mitigating impacts to, the Wianamatta-South Creek, including development of layers of protective flooding related policies and strategies.²³²

Delays to water infrastructure delivery

- 3.45** One of the key issues raised by stakeholders were the delays associated with connecting water and sewerage services to residential, rural and business areas in the Aerotropolis region, and the impact of this on land development.
- 3.46** Mr Mark Hannan, Liverpool City Council, acknowledged that Sydney Water Corporation are currently rolling out their program, which is 'scheduled for the next two to three years', however, he expressed concern that 'their program is well and truly behind' in the Aerotropolis.²³³
- 3.47** Mr Hannan added that the Council is unable to 'determine a development application within the Aerotropolis until they have a sewer connection and a potable water connection'. He noted that '...at this point in time a lot of those sites don't have that'.²³⁴
- 3.48** Professor Roberta Ryan, Independent Community Commissioner for the Aerotropolis and Orchid Hills, also expressed concern that for a majority of the Aerotropolis, water and sewerage services are not connected. She explained that under the current approach to delivery of these services, larger developers are required to forward fund these services. Alternatively, if the approach is to wait for Sydney Water Corporation to rollout water and the sewer services, Professor Ryan identified that the rollout of water and sewer infrastructure is 'according to how many DAs [development applications] they get'. Professor Ryan stated that in her opinion, the approach is the 'wrong way around, and... prohibits or gets in the way of moving this precinct forward'.²³⁵
- 3.49** The Hon Stuart Ayres, Chief Executive Officer, Urban Development Institute of Australia (NSW) and former Minister for Western Sydney, argued that the investments made within the Aerotropolis over the last seven years has 'set the preconditions for future investments by government in enabling infrastructure and stormwater facilities'. However, Mr Ayres noted

²³¹ Submission 14, NSW Government, pp 10 and 20.

²³² Submission 14, NSW Government, p 19.

²³³ Evidence, Mr Hannan, 16 September 2024, p 3.

²³⁴ Evidence, Mr Hannan, 16 September 2024, p 3.

²³⁵ Evidence, Professor Roberta Ryan, Independent Community Commissioner for the Aerotropolis and Orchid Hills, 31 October 2024, p 15.

that this was 'probably the single biggest impediment right now for a number of developers in industrial states'.²³⁶

3.50 The committee was advised that there are accelerated pathways for developers to facilitate the delivery of these services. Mrs Charlotte Alexander, Head of Growth and Development, Sydney Water Corporation, explained that via a commercial agreement, developers:

...may negotiate agreements with Sydney Water for accelerated servicing, with the developer taking on the financial risk of the development being delayed or not [being] successful in attracting customers.²³⁷

3.51 This type of pathway was used for Celestino in terms of the development of the Integrated Water Recycling Hub at the Sydney Science Park, as discussed in chapter 4.

3.52 Sydney Water Corporation acknowledged that it was 'committed to supporting Western Sydney's sustainable growth' and investing in new assets and networks to secure water and wastewater services. It also noted its investment through the Long Term Capital and Operational Plan, by ensuring the supply of water, building resilience in the network and maintaining aged assets.²³⁸

3.53 Mr Tom Gellibrand, Chief Executive, Infrastructure NSW, reported that his agency is working closely with Sydney Water Corporation to ensure they understand the imperative of rolling out water and wastewater infrastructure effectively. Mr Gellibrand added that Infrastructure NSW has worked to persuade Sydney Water Corporation 'to look at fast-tracking, look at alternatives, look at refinements to their designs to make sure that they [stormwater services] can be deployed as quickly as possible'.²³⁹

Impact of stormwater infrastructure charges

3.54 Some inquiry participants also gave evidence on the recent re-introduction of infrastructure contributions by Sydney Water Corporation to help cover the cost of providing infrastructure to new developments.²⁴⁰ There was a concern that these charges are impacting development and investment interest in the Aerotropolis.

3.55 The committee was informed by Sydney Water Corporation that this measure followed recommendations from the NSW Productivity Infrastructure Contributions Review, to ensure developers make a fair contribution towards new infrastructure, keeping customer bills affordable. From December 2023, the Independent Pricing and Regulatory Tribunal registered infrastructure contribution prices for Sydney Water, which led to a gradual reintroduction from July 2024, with full implementation expected by July 2026.²⁴¹

²³⁶ Evidence, The Hon Stuart Ayres, Chief Executive Officer, Urban Development Institute of Australia (NSW) and former Minister for Western Sydney, 31 October 2024, p 71.

²³⁷ Evidence, Mrs Alexander, 16 September 2024, p 13.

²³⁸ Submission 6, Sydney Water Corporation, p 1.

²³⁹ Evidence, Mr Tom Gellibrand, Chief Executive, Infrastructure NSW, 31 October 2024, pp 48-49.

²⁴⁰ Submission 6, Sydney Water Corporation, p 2.

²⁴¹ Submission 6, Sydney Water Corporation, p 2.

3.56 Mr Ross Grove, Property Council of Australia, asserted that the current pricing of developer contributions is prohibitively expensive, undermining the viability of proposed developments, creating much uncertainty for developers and acting as an impediment to the development of industrial land. He stated:

....we are currently in an IPART [Independent Pricing and Regulatory Tribunal] process discussing a stormwater plan which is too expensive and one which, if adopted, will prohibit the delivery of those employment lands. I think the conversation has been quite frustrated. We haven't had a lot of certainty. The market has moved on price assumptions which don't exist, so our capacity to deliver industrial land in that precinct—but we're expecting a similar pricing plan now that we've seen this signal across the aerotropolis.²⁴²

3.57 Ms Esther Cheong, Director, Atlas Economics, advised the committee that her consultancy firm was engaged by the Mamre Road Landowners Group to assess feasibility, given Sydney Water had announced a \$1.3 million stormwater charge would be applicable, per hectare.²⁴³

3.58 Ms Cheong gave evidence that the final stormwater charge for their client was more than five times what has ever been required, and that additional requirements imposed by Sydney Water would result in a sterilisation of a significant proportion of their land:

After the stormwater charge added to everything else, it meant that development number one had to pay more than \$2 million per hectare in contributions. This was more than five times anything that has ever been required. Development was also required to set aside land onsite for interim waterway measures until such time Sydney Water's regional waterway system was up. So that meant a sterilisation of land, and only about 40 per cent of the site could be developed for a period of time until such time that the regional system was up.²⁴⁴

3.59 Ms Cheong added that a lack of integration between land use and infrastructure planning had resulted in unexpected stormwater charges which was 'thwarting investment and movement at the Mamre Road precinct' and that this is an issue 'not just for the aerotropolis but for the billions of dollars of investment already committed and also for Sydney's economic sustainability more broadly', given industrial land shortages.²⁴⁵

3.60 Reflecting on the stormwater strategy currently subject to an Independent Pricing and Regulatory Tribunal review process, Mr Gellibrand suggested that Sydney Water Corporation are looking to modify their approach, to reduce the amount of land they need to capture and hold water in around the Aerotropolis precincts. He stated that this will 'reduce their property acquisition and some of their costs', potentially leading to lower costs.²⁴⁶

²⁴² Evidence, Mr Ross Grove, Western Sydney Regional Director, Property Council of Australia, 16 September 2024, p 26.

²⁴³ Evidence, Ms Esther Cheong, Director, Atlas Economics, 16 September 2024, p 25.

²⁴⁴ Evidence, Ms Cheong, 16 September 2024, p 25.

²⁴⁵ Evidence, Ms Cheong, 16 September 2024, p 26.

²⁴⁶ Evidence, Mr Gellibrand, 31 October 2024, p 54.

- 3.61** Mr Gellibrand stated that 'the developer charges that were originally foreshadowed are likely to be reduced as well, which is great. That will support development out there'.²⁴⁷

Acquisition of land for development

- 3.62** Land in the Aerotropolis region can be acquired by certain authorities, including the Planning Ministerial Corporation, who is the delegated acquisition authority in the Aerotropolis Core under the *State Environmental Planning Policy (Precincts – Western Parkland City)* 2021, and in some circumstances, Sydney Water.²⁴⁸
- 3.63** This section brings together inquiry participants' views on the effectiveness and impact of acquisition processes related to the Aerotropolis, particularly in light of the outcomes of the 2021 Legislative Council inquiry into the acquisition of land in relation to major transport projects. This inquiry made 10 recommendations to government to improve the land acquisition process.²⁴⁹
- 3.64** In this inquiry, the committee heard from Professor Roberta Ryan, who was appointed as the Independent Community Commissioner in May 2021, with the purpose of advocating for landowners living in the Western Sydney Aerotropolis region.
- 3.65** In 2021, Professor Ryan published her Independent Community Commissioner report entitled, *Recommendations for a fair and equitable way forward for small landowners in the Western Sydney Aerotropolis*.²⁵⁰ Professor Ryan confirmed that all 40 recommendations were accepted in full 'noting a small number would be subject to available funding'.²⁵¹
- 3.66** Professor Ryan advised that of these recommendations, 37 had been either addressed or work was ongoing. However, she did note there are a number of unresolved problems which 'continue to have major consequences for the community, and for the overall achievement of the objectives for the Aerotropolis'.²⁵²
- 3.67** Professor Ryan highlighted a number of issues facing landowners in the Aerotropolis region, including:
- agency coordination for infrastructure delivery

²⁴⁷ Evidence, Mr Gellibrand, 31 October 2024, p 54.

²⁴⁸ Submission 14, NSW Government, pp 17-18.

²⁴⁹ Portfolio Committee No 6 – Transport, NSW Legislative Council, *Acquisition of land in relation to major transport projects* (2021), <https://www.parliament.nsw.gov.au/lcdocs/inquiries/2698/Report%20No.%2017%20-%20PC6%20-%20Acquisition%20of%20land%20inquiry.pdf>.

²⁵⁰ Professor Roberta Ryan, *Recommendations for a fair and equitable way forward for small landowners in the Western Sydney Aerotropolis* (August 2021), <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-report-independent-community-commissioner.pdf>.

²⁵¹ Submission 13, Professor Roberta Ryan, p 1.

²⁵² Submission 13, Professor Roberta Ryan, p 2.

- acquisitions being undertaken by multiple acquiring authorities, which can be challenging for landowners to navigate without a central contact point
- the amenity and safety of roads in the Aerotropolis region
- ungazetted corridors, with landowners having to wait significant periods of time to know if their land will be acquired
- the impact of rezoning initial Aerotropolis precincts on surrounding areas.²⁵³

3.68 One of the issues Professor Ryan elaborated on was the impact of the Cumberland Plain Conservation Plan on land values, a policy introduced by the state and federal government to protect vulnerable vegetation and biodiversity. Essentially, the Cumberland Plain Conservation Plan is aimed at ensuring the balance is right between providing urban development and protecting Western Sydney's biodiversity.²⁵⁴

3.69 Professor Ryan contended that the impacts of this Plan on small landowners were not adequately considered, leading to some disparity in land values, given the impact of the Plan on a property was treated as a constraint, similar to a flooding affectation.²⁵⁵

3.70 According to Professor Ryan, this has resulted in a 'significant reduction in the value of their land while neighbours who may have cleared their property over the years are able to benefit from upzoned land values'.²⁵⁶ She noted the sentiment of impacted landowners within the area, highlighting the financial constraints to landowners and the ultimate consequence of creating isolated lots in the near future:

Many of these landowners feel stuck. Their land is their greatest asset. With the CPCP being treated as a constraint rather than an asset, they cannot afford to accept the land value acquisition offer from the Government. Soon they will be living on isolated lots in an industrial zone very close to a 24/7 international airport. This also leads to many isolated lots, without management planning or funding in place to protect the biodiversity. This outcome will not lead to sustainable bio-diversity preservation.²⁵⁷

3.71 Professor Ryan outlined the distress many landowners are experiencing as a result of this impact. She called for landowners to be compensated fairly and at market value.²⁵⁸

3.72 Professor Ryan also told the committee she has advocated for a 'compassionate acquisition' process to address the impacts of the Plan faced by landowners. She added that there was a list of 20 prioritised landowners to be considered and a successful budget bid for funding had been made, with the process currently underway.²⁵⁹

²⁵³ Submission 13, Professor Roberta Ryan, pp 3-10.

²⁵⁴ NSW Government, *Cumberland Plain Conservation Plan* (2022), <https://www.planning.nsw.gov.au/policy-and-legislation/strategic-conservation-planning/cumberland-plain-conservation-plan/about-the-plan>.

²⁵⁵ Submission 13, Professor Roberta Ryan, p 7.

²⁵⁶ Submission 13, Professor Roberta Ryan, p 7.

²⁵⁷ Submission 13, Professor Roberta Ryan, p 7.

²⁵⁸ Submission 13, Professor Roberta Ryan, p 7.

²⁵⁹ Evidence, Professor Ryan, 31 October 2024, p 17.

- 3.73** Noting the support her office provides to landowners in hardship, Professor Ryan described the process as being complicated, with a requirement for 'lots of paperwork'. She also expressed concerns about funding, saying there was an absence of funding for hardship acquisitions with some agencies being unable to progress acquisitions despite landowners meeting hardship criteria.²⁶⁰
- 3.74** Professor Ryan also noted that some hardship acquisitions processes 'are regularly taking longer than the 90 days stipulated in the Act' to be assessed.²⁶¹
- 3.75** The committee also considered the impact of the recent Land and Environment Court decision in *Goldmate Property Luddenham No. 1 v Transport for NSW* (2024). According to Professor Ryan, the outcome of this ruling was that the whole of the Aerotropolis is now defined as being for a 'public purpose' pursuant to the 'public purpose' provisions in the *Land Acquisition (Just Terms Compensation) Act 1991*.²⁶² This has purportedly resulted in the valuation of properties reverting to their original rural zoning, creating an imbalance in property values between properties which are encumbered for a 'public purpose' and those which are not.²⁶³
- 3.76** At a hearing in October 2024, Professor Ryan noted that a number of acquisitions were delayed awaiting the outcome of the case, resulting in landowners being 'offered the value of the land at the pre-zoned land prices'.²⁶⁴
- 3.77** Professor Ryan highlighted that the community is feeling distressed about the impact of the Goldmate decision, and that this, coupled with other issues like the Outer Sydney Orbital not being gazetted, is leading to 'people being offered grossly unfair values for their properties'. While she noted that the Goldmate decision is being appealed, she stated that 'the agencies are now moving quite rapidly to make offers to people because they're taking advantage'. She suggested that this was 'quite a deliberative move'.²⁶⁵
- 3.78** The committee noted that Goldmate Property has lodged an appeal to the decision, although the case will likely take some time to progress through the Land and Environment Court.²⁶⁶
- 3.79** As to whether acquisition processes are being managed appropriately and sensitively by agencies, given the outcomes of the previous Upper House inquiry into land acquisition, the committee was informed that there are still concerns in this area. Professor Ryan pointed to some case studies in her submission and highlighted that some 'people are in extreme, serious distress' and 'they just keep being asked for more documents and being spoken to'.²⁶⁷

²⁶⁰ Evidence, Professor Ryan, 31 October 2024, pp 14 and 16.

²⁶¹ Submission 13, Professor Roberta Ryan, p 3.

²⁶² Evidence, Professor Ryan, 31 October 2024, p 13.

²⁶³ Submission 13, Professor Roberta Ryan, p 5.

²⁶⁴ Evidence, Professor Ryan, 31 October 2024, p 13.

²⁶⁵ Evidence, Professor Ryan, 31 October 2024, p 13.

²⁶⁶ See also: Correspondence from Professor Roberta Ryan, Independent Community Commissioner of the Western Sydney Aerotropolis and Orchard Hills, attaching a factsheet, entitled 'Background: Goldmate decision and implications for small landowners in the Aerotropolis', dated October 2024.

²⁶⁷ Evidence, Professor Ryan, 31 October 2024, p 13.

- 3.80** In its submission, the NSW Government acknowledged the need for clearer land acquisition processes, pointing to the current review process being undertaken into land acquisition practices, following on from a recommendation of the prior Upper House inquiry. The NSW Government noted that this review has included public consultation, with a discussion paper, entitled *A review of land acquisition in NSW*, being prepared.²⁶⁸

Planning concerns for Luddenham village

- 3.81** One of the communities facing ongoing uncertainty is the village of Luddenham, which sits within two local government areas – Penrith and Liverpool – and is very close to the Aerotropolis.²⁶⁹ Chapter 1 provides a map defining the boundary of Luddenham village (see Figure 1).

- 3.82** The committee heard how Luddenham has not been rezoned yet due to noise corridors for the new airport needing to be finalised. Professor Ryan described Luddenham village as a 'white patch on the map', noting that many people still live there and are being impacted by confusion between government agencies at State and Commonwealth level as to who is responsible for the decision-making around the future of Luddenham village.²⁷⁰ Emphasising the uncertainty that this has caused, she stated:

You have this historic village, where many people still live, on the boundary of the airport—you can see the airport from there—which remains a white patch on the map and remains unzoned.²⁷¹

- 3.83** Ms Kylie Powell, from Penrith City Council, stated that Luddenham Village 'has been left behind', observing that 'the planning framework and the planning future for Luddenham does need to be resolved'.²⁷²

- 3.84** Ms Powell, told the committee that Penrith Council was on record regarding the uncertainty around planning for Luddenham village, having made a number of prior submissions to government.²⁷³ Council had urged government to prioritise setting a clear vision for Luddenham which would, in turn, determine the planning framework:

What is the future for Luddenham town centre moving forward...What is the joint vision for that town centre?...the planning framework and the planning future for Luddenham does need to be resolved.²⁷⁴

²⁶⁸ Submission 14, NSW Government, p 18; See also: NSW Government, *A review of land acquisition in NSW* (March 2024), <https://www.planning.nsw.gov.au/policy-and-legislation/under-review-and-new-policy-and-legislation/land-acquisition-review#review-process>.

²⁶⁹ Evidence, Ms Powell, 31 October 2024, p 4; NSW Department of Planning, *Luddenham Village Discussion Paper*, October 2021, p 7, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/luddenham-village-discussion-paper.pdf>.

²⁷⁰ Evidence, Professor Ryan, 31 October 2024, p 16.

²⁷¹ Evidence, Professor Ryan, 31 October 2024, p 16.

²⁷² Evidence, Ms Powell, 31 October, 2024, p 4.

²⁷³ Evidence, Ms Powell, 31 October 2024, p 4.

²⁷⁴ Evidence, Ms Powell, 31 October 2024, p 4.

- 3.85** The committee questioned stakeholders about the future plans for Luddenham, including consultation that has taken place and details of when the noise corridor may be finalised.
- 3.86** Professor Ryan had recommended a visioning and planning process that would:
- develop the evidence base which guides an understanding of the population scale and housing required to ensure its viability as a village with the key services including schools and retail services
 - inform the Precinct Plans to determine where best to locate future populations to minimise any noise impacts from the operation of the airport.²⁷⁵
- 3.87** In this regard, the committee noted that the NSW Department of Planning, Industry and Environment had commenced work towards a Luddenham Village Plan that would 'define the strategic vision for the Village'.²⁷⁶ A discussion paper was developed and community and stakeholder engagement workshops held.²⁷⁷ Through that process it became evident that a number of issues would need resolution before the village plan could be finalised, so only an Interim Strategy was developed.²⁷⁸
- 3.88** Ms Monica Gibson, Deputy Secretary, Planning, Land Use, Strategy, Housing and Infrastructure, NSW Department of Planning, Housing and Infrastructure, told the committee that the noise contours influence what land use is permissible, and which uses are inappropriate, not encouraged and not allowed to be intensified inside the contour.²⁷⁹ Ms Gibson stated that Luddenham Village is very close to the airport, and the department was concerned about the impact on existing residents and 'not creating impacts on new residents as a result of noise from a 24-hour operating airport'.²⁸⁰
- 3.89** Ms Gibson advised that there is also uncertainty around sewer servicing to the village.²⁸¹ Clarification around the issues related to sewer servicing, as well as the noise contours – which will help determine potential land uses inside and outside the noise contour – will allow planning to progress.
- 3.90** Ms Gibson said that liaison by the NSW Department of Planning, Housing and Infrastructure with the Commonwealth indicated that the noise contours would be finalised in 2025.²⁸²

²⁷⁵ Professor Roberta Ryan, *Recommendations for a fair and equitable way forward for small landowners in the Western Sydney Aerotropolis*, 6 August 2021, NSW Department of Planning, Independent Community Commissioner, p 20, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-report-independent-community-commissioner.pdf>.

²⁷⁶ NSW Department of Planning, Industry and Environment, *Aerotropolis – Responding to the Issues*, October 2021, pp 4 and 28, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/aerotropolis-responding-to-the-issues.pdf>;

²⁷⁷ NSW Department of Planning, *Luddenham Village Interim Strategy*, 2022, p 10, <https://www.planning.nsw.gov.au/sites/default/files/2023-03/luddenham-village-interim-strategy.pdf>

²⁷⁸ Evidence, Ms Gibson, 31 October 2024, p 53.

²⁷⁹ Evidence, Ms Gibson, 31 October 2024, p 53.

²⁸⁰ Evidence, Ms Gibson, 31 October 2024, p 53.

²⁸¹ Evidence, Ms Gibson, 31 October 2024, p 53.

²⁸² Evidence, Ms Gibson, 31 October 2024, p 53.

However, Ms Gibson also conveyed her understanding that the uncertainty is challenging for the community:

I appreciate this it is a very difficult situation for the current residents and landowners there, with this uncertainty, and we've had some discussions with the Commonwealth to accelerate their time frame and accelerate their consideration on behalf of the community that's there.²⁸³

Delivering on the vision for Western Sydney

- 3.91** This section turns to considerations around the timing and pacing of development within the Aerotropolis, including any potential delays to delivery, and their underlying causes and the lessons learnt. In this regard, the committee considered the extent to which development within the broader Aerotropolis precinct has kept pace with the construction of the Western Sydney International Airport, which is scheduled to open in 2026.
- 3.92** According to the NSW Government, the Aerotropolis is 'on track to become a thriving economic centre', creating new jobs and a high skills jobs hub in the research, education, agribusiness, freight and logistics, healthcare, manufacturing and defence and aerospace industries.²⁸⁴
- 3.93** The NSW Government noted that, to support the development of the Aerotropolis, an investment of \$20 billion has been made by both the New South Wales and Commonwealth governments to assist with the delivery of critical transport infrastructure. To date, \$8.7 billion is noted in the planning pipeline, generating 80,000 jobs, both in the construction phase and on an ongoing basis.²⁸⁵
- 3.94** Indeed, Ms Gibson stated that the full activation of the Aerotropolis was a long-term plan, requiring more than 30 years for full activation. Noting that some planning instruments have been implemented and others are underway, Ms Gibson stated that the six initial precincts could provide up to 120,000 jobs and 35,000 residents.²⁸⁶

Project delivery and delays

- 3.95** Stakeholders raised concerns about the delays in delivering key infrastructure within the Aerotropolis, including a lack of supporting water, sewerage and stormwater infrastructure.
- 3.96** While this issue was covered earlier in the chapter, stakeholders gave evidence about how this is impacting broader development progress. For example, Liverpool City Council noted Council's inability to determine a backlog of development applications for its local government area, attributing this wholly to Sydney Water's delayed servicing of lots for

²⁸³ Evidence, Ms Gibson, 31 October 2024, p 53.

²⁸⁴ Submission 14, NSW Government, p 4.

²⁸⁵ Submission 14, NSW Government, p 4.

²⁸⁶ Evidence, Ms Gibson, 31 October 2024, p 45; Correspondence from Ms Monica Gibson, Deputy Secretary – Planning, Land Use Strategy, Housing and Infrastructure, Department of Planning, Housing and Infrastructure, to Chair, 5 December 2024.

potable water and sewerage. The Council added that the development in the Aerotropolis would be delayed until such infrastructure was provided.²⁸⁷

- 3.97** The NSW Government contended that 'sustained investment' in infrastructure, including water, sewerage and stormwater takes place over time. In this context, the NSW Government indicated that a 'holistic approach to the staging and sequencing of infrastructure is considered to optimise development', including with land development.²⁸⁸
- 3.98** In addition to hold-ups caused by water infrastructure, funding for local councils emerged in evidence as another contributing factor to development delays in the Aerotropolis precinct. For example, Liverpool City Council outlined that pursuant to the Aerotropolis Contributions Plan 2024, the Council 'has no forward funding to enable the construction of local roads and associated infrastructure (e.g. bridges, culverts, etc.) until sufficient funds are collected'.²⁸⁹
- 3.99** On the issue of funding for local roads, the Council stressed that under the Contributions Plan, necessary funding for local roads will take many years to accumulate and will create development delays for lots serviced by roads 'funded under the Contributions Plan unless additional funding sources are made available to Local Government in the interim'.²⁹⁰
- 3.100** Liverpool City Council noted that dedicated funding sources must be established at the commencement of a project, ensuring that the infrastructure, including 'roads, the water, wastewater utilities, public transport, schools, open space for the precinct'. Mr Hannan added that the infrastructure should be 'delivered in advance of the development renewal occurring'.²⁹¹
- 3.101** Mr Carfield, of Camden Council, highlighted that the Council would like to see funds moved forward for planning approvals, to deliver new rail connections from 'Macarthur through to the aerotropolis, as well as that east-west connection from Glenfield and Leppington through to the aerotropolis'.²⁹²
- 3.102** As an alternative to government funding for infrastructure development, Liverpool City Council noted its concerns for a reliance on the market, through private developers to deliver road infrastructure, suggesting that this approach is 'problematic' and creates delays:
- ...this...either result[s] in bottlenecks to development (i.e. waiting for suitable local roads to connect new development to) or will result in the deficient provision of public roads until all lots are developed.²⁹³
- 3.103** In its submission, the NSW Government noted that as the development of the Aerotropolis progresses, more certainty around mechanisms for funding for key infrastructure will remain a

²⁸⁷ Submission 10, Liverpool City Council, p 5; Evidence, Mr Hannan, 16 September 2024, p 3.

²⁸⁸ Submission 14, NSW Government, pp 12-13.

²⁸⁹ Submission 10, Liverpool City Council, p 8.

²⁹⁰ Submission 10, Liverpool City Council, p 8.

²⁹¹ Submission 10, Liverpool City Council, p 2; Mr Hannan, 16 September 2024, p 3.

²⁹² Mr Carfield, 16 September 2024, p 6.

²⁹³ Submission 10, Liverpool City Council, p 9.

'focal point of negotiation'. Examples of such funding were noted to be through additional government funding, contributions plans and planning agreements.²⁹⁴

- 3.104** Elsewhere in evidence, the land acquisition process was identified as being a further contributing factor to development delays. The adequacy of land acquisition processes more broadly was discussed earlier in this chapter.
- 3.105** Professor Roberta Ryan, Independent Community Commissioner of the Western Sydney Aerotropolis and Orchard Hills, suggested that the acquisition process is unsatisfactory, stating that more than one agency may 'want parts of people's land at different times'.²⁹⁵
- 3.106** To address this issue, Professor Roberta Ryan recommended that the Office of Strategic Lands act as a 'government front door' to 'drive that acquisition process for whoever [the agency] needs to go first'. Further, Professor Ryan also recommended that the government acquire 'all the land that's earmarked for acquisition, or potentially the whole site'.²⁹⁶
- 3.107** In reference to her proposed recommendation above, Professor Ryan told the committee that a pilot program had been adopted for centralised acquisition practices for a small number of landowners, however 'the application of this is not yet widespread'.²⁹⁷
- 3.108** Professor Ryan contended that the delays in precinct delivery were not based on coordination alone, but are also owing in part to the lack of funding for government agencies to acquire land. Professor Ryan gave evidence that a common reason she hears from government agencies about their lack of progress in gazetting corridors, is a lack of funding:
- ...When you speak, as I do, to these government agencies and you say, "Why haven't you gazetted the corridor? Why can't you progress this person's acquisition with respect to their circumstances because they clearly meet the hardship requirements?", the answer is, "We don't have the funding".²⁹⁸
- 3.109** Mr Hannan, from Liverpool City Council, suggested that funding mechanisms should be established to 'recoup costs for land acquisition and infrastructure provision should form part of the rezoning process'. Mr Hannan contended that this would allow for costs and profits involved in the development to be 'apportioned equitably'.²⁹⁹
- 3.110** As was noted in paragraph 3.62, there is more than one authority who can acquire land in the Aerotropolis simultaneously. The NSW Government noted the impacts to landowners where land acquisitions are managed by more than one authority, acknowledging that a centralised approach would be beneficial, and would result in:
- efficiencies in resource allocation and reduced administration costs

²⁹⁴ Submission 14, NSW Government, p 17.

²⁹⁵ Evidence, Professor Ryan, 31 October 2024, p 12.

²⁹⁶ Evidence, Professor Ryan, 31 October 2024, p 12.

²⁹⁷ Evidence, Professor Ryan, 31 October 2024, p 12.

²⁹⁸ Evidence, Professor Ryan, 31 October 2024, p 14.

²⁹⁹ Evidence, Mr Hannan, 16 September 2024, p 3.

- consistency in negotiation and interpretation of the *Land Acquisition (Just Terms Compensation) Act 1991* for land acquisition and hardship claims
- centralised decision-making, accountability, oversight, risk management and transparency within the land acquisition process.³⁰⁰

Lessons learnt

- 3.111** For some inquiry participants, the timing and coordination of infrastructure planning and delivery within the Aerotropolis was seen to be inadequate, yielding important lessons for future consideration by governments.
- 3.112** For example, Mr Mark Hannan, Liverpool City Council, suggested that lessons be drawn from the practice of rezoning land and developing infrastructure, noting that rezoning of land should 'progress(ed) in tandem with the infrastructure rollout rather than being released in totality and waiting for infrastructure to catch up'.³⁰¹
- 3.113** Mr Hannan also suggested that the government should 'lead the acquisition of land required for critical infrastructure and essential infrastructure'.³⁰²
- 3.114** In its submission, Liverpool City Council recommended that land use rezoning should not occur 'until service and infrastructure plans at the State and Local-level are established'.³⁰³
- 3.115** Other inquiry participants – such as BusNSW and the Hon Rob Stokes, former Minister for Planning and Public Spaces – raised similar issues about timing and delivery, specifically in relation to transport infrastructure.
- 3.116** BusNSW noted that there had been a 'reigning philosophy' in planning, development and land use over many decades which had been 'providing communities with residential housing before public transport is available'. It contended that this has contributed to housing developments 'lacking the infrastructure required to meet future public transport needs'.³⁰⁴
- 3.117** Mr Stokes remarked that in his former capacity as a Minister, he felt that Transport for NSW was leading land use planning before the Department of Planning and Public Spaces were involved, noting that:

...I was always seeking to try and assert the planning role over Transport. But often it was the case—and this might be one of the learnings out of this process—that Planning needs to get in ahead of these processes and not follow in afterward once Transport has already made decisions. Because, ultimately, we know that planning and land use and land values follow transport decisions, and so a lot of those decisions were made before Planning even really got involved.³⁰⁵

³⁰⁰ Submission 14, NSW Government, p 18.

³⁰¹ Evidence, Mr Hannan, 16 September 2024, p 2.

³⁰² Evidence, Mr Hannan, 16 September 2024, p 3.

³⁰³ Submission 10, Liverpool City Council, p 2.

³⁰⁴ Submission 9, BusNSW, p 7.

³⁰⁵ Evidence, Mr Stokes, 31 October 2024, p 56.

- 3.118** However, Mr Simon Hunter, Chief Transport Planner, Transport for NSW, highlighted with Western Sydney 'evolving at an unprecedented rate', there was an awareness by Transport for NSW that 'corresponding development for our transport infrastructure network and the services on that network are crucial to realising the vision for this area'.³⁰⁶
- 3.119** Mr Hunter also outlined the importance and commitment to land use and transport planning, suggesting that a long-term plan of the Government will activate the Aerotropolis, along with stakeholders including other government agencies and communities.³⁰⁷

Adequacy of communication, engagement and consultation

- 3.120** Inquiry participants also shared their views on the delays to or absence of communication between relevant government agencies and local councils in relation to planning and delivery of infrastructure within the Aerotropolis and surrounding areas.
- 3.121** Mr Hannan suggested that engagement between the council, the former Western Parkland City Authority and Transport for NSW had been 'on an ad hoc and arms-length basis', whereas engagement with the now Department of Planning, Housing and Infrastructure was 'quite good'.³⁰⁸
- 3.122** Mr Hannan reported that there had been some initial communication with the newly formed Bradfield Development Authority, although this was at an executive level as had yet to filter down to other officers.³⁰⁹ He told the committee that Liverpool City Council has been proactive in attempts to engage with relevant agencies.³¹⁰
- 3.123** Mr Hannan suggested that he would be supportive of dealing with a 'front of house' instead of individual government agencies when engaging on matters concerning local governments.³¹¹
- 3.124** Mr Carfield also noted that other conversations had been occurring between Camden Council and other levels of government through a tripartite forum around the commitments of the Western City Deal concerning growth, public transport and other infrastructure, noting this includes:

...councils across the parkland city region, State Government agencies and Federal Government agencies, to look at the commitments that were listed through the city deal and what progress is being made against those commitments to date.³¹²

- 3.125** Union groups also offered their views on the adequacy of communication and consultation from the various NSW Government agencies involved in delivering the Aerotropolis and its enabling infrastructure.

³⁰⁶ Evidence, Mr Simon Hunter, Chief Transport Planner, Transport for NSW, 31 October 2024, p 32.

³⁰⁷ Evidence, Mr Hunter, 31 October 2024, p 32.

³⁰⁸ Evidence, Mr Hannan, 16 September 2024, p 5.

³⁰⁹ Evidence, Mr Hannan, 16 September 2024, p 7.

³¹⁰ Evidence, Mr Hannan, 16 September 2024, p 5.

³¹¹ Evidence, Mr Hannan, 16 September 2024, p 7.

³¹² Evidence, Mr Carfield, 16 September 2024, p 5.

- 3.126** For example, Mr Con Tsiakoulas, Compliance Officer, Plumbing and Pipe Trades Employees Union, stated that while consultation is improving, he highlighted the importance of early consultation, specially referring to 'infrastructure that we have never seen before in our lives being installed'.³¹³
- 3.127** Mr Tsiakoulas added that consultation with those responsible for supplying services and building the Aerotropolis 'should have happened the moment we broke dirt a few years ago' – and had that happened, 'we would be well ahead of the game now'.³¹⁴
- 3.128** In a similar context, Mr Daniel Peric, Research and Policy Officer, Transport Workers' Union of NSW, highlighted concerns around the adequacy of consultation with both the union and relevant entity, when planning for the movement of freight in the Aerotropolis. He added that as a result, no dangerous good vehicles could park at the truck marshalling area at Port Botany, confirming that 'dangerous goods drivers fail or struggle to actually comply with their requirements, by heavy vehicle national laws, to manage their fatigue'.³¹⁵
- 3.129** In its submission, the Transport Workers' Union of NSW advocated for further consultation between the NSW Government, the union and other related parties, in the context of ensuring 'safe and fair conditions for all transport workers'.³¹⁶
- 3.130** In its submission, the NSW Government noted that it would work collaboratively with a broad range of stakeholders to 'ensure the successful delivery of Australia's premier new growth area'.³¹⁷

Recent measures to improve co-ordination and delivery

- 3.131** Evidence before the committee drew attention to a number of more recent measures implemented by the current NSW Government with a view to improving coordination and alignment between the various government agencies, jurisdictions and delivery partners.
- 3.132** In its submission, the NSW Government highlighted that in conjunction with commitments under the Western Sydney City Deal, the Western Sydney Planning Partnership was formed to include the Department of Planning and applicable local councils, holding the responsibility of achieving 'better alignment between growth and enabling infrastructure'.³¹⁸
- 3.133** The committee also considered the role of the Infrastructure Coordinator General, within Infrastructure NSW, noting the focus on aligning infrastructure development and delivery across the Western Sydney Aerotropolis. The committee noted that in June 2024, the Premier announced that the government had considered concerns regarding 'delays to the delivery of

³¹³ Evidence, Mr Con Tsiakoulas, Compliance Officer, Plumbing and Pipe Trades Employees Union, 16 September 2024, p 35.

³¹⁴ Evidence, Mr Tsiakoulas, 16 September 2024, p 35.

³¹⁵ Evidence, Mr Daniel Peric, Research and Policy Officer, Transport Workers' Union of NSW, 16 September 2024, p 35.

³¹⁶ Submission 4, Transport Workers' Union of NSW, p 4.

³¹⁷ Submission 14, NSW Government, p 5.

³¹⁸ Submission 14, NSW Government, p 10.

essential infrastructure exacerbated by a lack of coordination' and appointed Mr Tom Gellibrand to the role of Infrastructure Coordinator General. The remit of his responsibility is to 'coordinate infrastructure to support housing, energy, and freight, logistics and employment priorities around the Aerotropolis'.³¹⁹

- 3.134** Professor Ryan, Independent Community Commissioner for the Western Sydney Aerotropolis and Orchid Hills welcomed the involvement of Infrastructure NSW, stating that the Government is 'making some serious moves to address that issue with respect to the role of INSW [Infrastructure NSW] in that coordination space and, as you say, getting a better grip on what the picture is'.³²⁰
- 3.135** Mr Gellibrand, Chief Executive, Infrastructure NSW, highlighted that it is also now the role of Infrastructure NSW to coordinate development amongst key agencies, such as Sydney Water Corporation. Mr Gellibrand added that this involves advancing plans for infrastructure, by working with agencies 'to basically persuade them to look at fast-tracking...[and making] refinements to their designs to make sure that they can be deployed as quickly as possible'.³²¹
- 3.136** For example, Mr Gellibrand said that this included works to Badgerys Creek Road and Mamre Road, which were already developed, not requiring 'elaborate business cases', but rather needing upgrading, as the development demand was there, and requiring for parties to 'get on and build it'.³²²
- 3.137** Under the remit of its new function, Mr Gellibrand highlighted that Infrastructure NSW has been developing 'a sector plan for the aerotropolis in collaboration with other key government agencies', which aims to provide more clarity and certainty for infrastructure prioritisation and supporting employment and economic growth, noting this will:

...build on the existing New South Wales Government strategies and plans to support orderly development in and around the airport and within the aerotropolis, the objectives being to provide certainty to industry, the community and other levels of government on the Government's investment pipeline and the infrastructure priorities to maximise job creation and economic growth.³²³

- 3.138** In its submission, the NSW Government noted that the Sector Plan, which was due for completion by the end of 2024, will look to the type, location and timing of water and transport infrastructure to:
- enhance certainty of servicing and infrastructure investment
 - assist with development and deliver economic growth

³¹⁹ Media release, NSW Government, 'Infrastructure NSW set to tackle roadblocks in delivering critical infrastructure', 12 June 2024, <https://www.nsw.gov.au/media-releases/infrastructure-nsw-set-to-tackle-roadblocks-delivering-critical-infrastructure#:~:text=This%20work%2C%20to%20be%20led,employment%20priorities%20around%20the%20Aerotropolis.>

³²⁰ Evidence, Professor Ryan, 31 October 2024, p 15.

³²¹ Evidence, Mr Gellibrand, 31 October 2024, p 49.

³²² Evidence, Mr Gellibrand, 31 October 2024, p 48.

³²³ Evidence, Mr Gellibrand, 31 October 2024, p 44.

- recognise opportunities for expedited project delivery.³²⁴

3.139 In the context of cross-agency coordination, inquiry participants emphasised the importance of coordination amongst NSW Government agencies, the Commonwealth Government and other corporations to facilitate the delivery of infrastructure across the Western Sydney Aerotropolis.

3.140 Professor Roberta Ryan, the Independent Community Commissioner for the Western Sydney Aerotropolis and Orchid Hills, stated that a clear priority for Infrastructure NSW will be to 'move rapidly to coordinate cross-agency infrastructure delivery and associated communication to landowners and the market'.³²⁵

3.141 Professor Ryan also expressed the view that there had been a 'lack of capacity for the governments to work in a way that was coordinated and responded to the needs of this particular community'. She noted, however, that this had 'come a long way' since she was initially appointed as the Independent Community Commissioner. She added that there was still work to do 'particularly from the point of view of the smaller landowners'.³²⁶

3.142 Mr Ken Morrison, Chief Executive Officer, Bradfield Development Authority, also highlighted efforts of collaboration amongst government agencies and government corporations, noting that the work to deliver the Bradfield City Centre and the Aerotropolis more broadly is completed in conjunction with:

- Infrastructure NSW – responsible for infrastructure coordination
- Department of Planning, Housing and Infrastructure (formally Department of Planning, Industry and Environment) – now responsible for State-led planning
- Western Sydney Airport Corporation and other infrastructure providers.³²⁷

3.143 Ms Gibson, Department of Planning, Housing and Infrastructure, also indicated that her department had 'worked closely with councils, other State agencies, the Commonwealth Government and local landowners and stakeholders', which included work on the Western Sydney City Deal and the Western Sydney Planning Partnership. She added that that the State Environmental Planning Policy and the Western Sydney Aerotropolis Precinct Plan form 'the statutory planning framework for the aerotropolis, giving effect to Sydney's regional plan and the district plan for the western city'.³²⁸

Committee comment

3.144 With Western Sydney evolving at a rapid pace, the Aerotropolis has become key to creating more homes, jobs and better transport connections throughout greater Sydney. As the development of this city is the first in Australia for over a century, the committee understands

³²⁴ Submission 14, NSW Government, pp 15-16.

³²⁵ Submission 13, Professor Roberta Ryan, p 6.

³²⁶ Evidence, Professor Ryan, 31 October 2024, p 11.

³²⁷ Evidence, Mr Morrison, 31 October 2024, p 44.

³²⁸ Evidence, Ms Gibson, 31 October 2024, p 45.

that the development is significantly complex, involving layers of infrastructure development and co-ordination. That being said, it is clear there are lessons to be learnt from the Aerotropolis development to date.

- 3.145** In the committee's view, and as numerous stakeholders have highlighted, the rate of infrastructure progress and delivery within and surrounding the Aerotropolis is concerning, and the sequencing and co-ordination of planning and work has been problematic. On its site visit, the committee could see construction was well advanced for the Advanced Manufacturing Readiness Facility in Bradfield, yet other key infrastructure that will define and shape the region around it is clearly lacking. With the Western Sydney International Airport and the metro North-South Rail Link due to open in 2026, the committee questions the timing, sequencing and pace of work being undertaken, and questions whether more could have been done to stage the development in a manner conducive to those who will work, play and travel to the area.
- 3.146** While the committee was encouraged by the appointment of the Infrastructure Coordinator General in June 2024, who is focused on expediting the serviceability and delivery of necessary infrastructure within the Aerotropolis and across the State, it believes that further efforts need to be made to address delays with key infrastructure, particularly in terms water connections, including potable water and sewer.
- 3.147** In the committee's view, planning and development of water infrastructure in the Aerotropolis should have occurred in advance of plans for other infrastructure in the area, avoiding bottlenecks in development applications progressing and other delays. While we recognise that the area is unique, and that there have been flooding impacts to work through, among other issues, it is deeply troubling that failures in this area are delaying broader progress with the Aerotropolis region.

Recommendation 7

That the NSW Government, potentially through the role of the Infrastructure Coordinator General, ensure that water infrastructure development is expedited in the Aerotropolis, to minimise further delays and allow for land development to be unlocked.

- 3.148** The committee is also concerned about pathways for private developers to advance water infrastructure with Sydney Water, at the developer's cost, and questions whether these pathways come at an opportunity cost to other work in the pipeline. The Integrated Water Recycling Hub up and running in the middle of a greenfield site at the Sydney Science Park is at odds with the fact that some homes and other areas in the Aerotropolis simply lack basic water or sewer connections. The committee makes other comments and a recommendation on this in chapter 4.
- 3.149** In terms of local councils delivering necessary infrastructure, the committee heard the concerns of local councils, particularly relating to their capacity to raise planning and development issues with applicable government agencies. The committee was also worried by the inability of councils to fund necessary infrastructure due to funding constraints. While the committee acknowledges that there is an established contributions plan process, it considers

that further consideration should be made to accommodate the delivery of infrastructure which will support the Aerotropolis precincts and surrounding areas.

Recommendation 8

That the NSW Government consider an approach to better coordinate plans with local councils for infrastructure development, by:

- adopting a centralised government contact for the planning associated within local government areas, including any future land use plans
 - facilitating forward funding to allow for the financing of infrastructure prior to its expected delivery, through additional funding sources, contribution planning or other agreements.
-

3.150 The committee is also concerned as to whether there will be sufficient diversity of jobs in the Aerotropolis. Clearly there is a focus on jobs in the defence manufacturing industry, but will there be other viable industries with the capacity to deliver on job growth commitments? In the committee's view, a range of jobs is essential in creating a thriving Aerotropolis city, including those that would boost local manufacturing and those in the teaching, health and green energy sectors, to name a few. There are risks associated with a future reliance on the weapons industry for jobs for the Penrith community, and as such, the committee makes the following recommendation.

Recommendation 9

That the NSW Government ensure that the eventual industry mix of the Aerotropolis aligns closely to the *NSW Industry Policy*, with a diversity of job opportunities for local communities.

3.151 The committee also heard that there was a lack of coordination between the government and union groups, resulting in concerns around safety and working conditions, and the movement of freight across the Aerotropolis. Given this, the committee recommends that greater industry involvement should take place in the planning and construction of the Aerotropolis, as outlined by the recommendation below.

Recommendation 10

That the NSW Government implement a mechanism to ensure greater industry involvement in the planning and construction of the Aerotropolis, to address safety, working conditions and other concerns in a timely manner.

3.152 Land acquisitions processes were also a concern for stakeholders during this inquiry, which is disappointing considering the important recommendations made by the previous Upper House inquiry. While the committee is encouraged that the NSW Government is undertaking

a review of the Land Acquisition (Just Terms Compensation) Act 1991, the committee heard continued concerns about a lack of co-ordination and communication, resulting in long and complicated processes that negatively impact landowners.

- 3.153** Noting the feedback by the Independent Community Commissioner, the committee is deeply concerned that hardship acquisitions are being delayed and lack the necessary funding. It is time for the needs and interests of landowners to be addressed, and as such, we urge the NSW Government to provide more funding for hardship acquisitions, and to ensure delays with this process for landowners are minimised.

Recommendation 11

That the NSW Government expedite its review of the *Land Acquisition (Just Terms Compensation) Act 1991 NSW*, ensuring consideration of:

- constraints caused by 'public purpose' requirements and undervaluation being eliminated, resulting from specifications within the Cumberland Plain Conservation Plan and
- having a centralised approach to land acquisitions, potentially through the Office of Strategic Lands, providing landowners with a 'front door' to the government and improved agency co-ordination and communication.

Recommendation 12

That the NSW Government ensure more funding is provided to agencies for hardship acquisitions related to the development of the Aerotropolis.

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- 3.154** For residents in Luddenham village, the committee acknowledges that planning in the area is being delayed by noise contour identifications for the new Western Sydney International Airport. Once these issues are resolved, the committee urges the NSW Government to expedite its planning for Luddenham Village, ensuring residents have clarity about the impact of development and how plans will connect with the broader Aerotropolis vision.

Recommendation 13

That the NSW Government, upon noise contour identifications being identified for the Western Sydney International Airport, expedite its planning opportunities for Luddenham village, ensuring residents have clarity about the impacts of the Aerotropolis on their land.

Chapter 4 Issues surrounding the planning and delivery of Sydney Science Park

This chapter probes issues surrounding the planning and delivery of the Western Sydney Science Park (hereafter, Sydney Science Park) at Luddenham, a proposed development inseparable from the broader statutory planning for the Aerotropolis. Starting with an overview of Celestino's original vision, the chapter charts several key developments that have occurred since the site was rezoned for development in 2016, including evidence on proposed modifications to the original concept and the impact of State-led Aerotropolis planning processes. This is followed by consideration of the project's delays and its future viability given the NSW Government's plans for Bradfield City Centre. The discussion concludes by examining questions surrounding the planning and delivery of water and rail infrastructure for the Sydney Science Park.

Sydney Science Park: The original vision

- 4.1** To appreciate the history and evolution of Sydney Science Park – being the critical context for the probity and integrity questions tested in evidence before the committee – it is first necessary to understand the original planning proposal and vision for Celestino's flagship development in Western Sydney.
- 4.2** The first planning proposal to re-zone Celestino's landholding – referred to in evidence throughout the inquiry – characterised Sydney Science Park as an opportunity to cluster leading science-based businesses, tertiary institutions, and research and development providers in one location to advance innovation across areas of food security, energy and health.³²⁹
- 4.3** In essence, the original Sydney Science Park proposal comprised:
- 340,000 square metres of research and development floor space
 - 100,000 square metres of educational floor space and associated student accommodation
 - a town centre comprising up to 30,000 square metres of retail space
 - 3,400 dwellings
 - a primary school site
 - new roads and infrastructure
 - landscaping, open space, sporting fields and parks.³³⁰
- 4.4** Sydney Science Park was touted as a jobs boon for Western Sydney, providing highly skilled, knowledge-based jobs within the Western Parkland City.³³¹ As highlighted in chapter 3,

³²⁹ Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 8, <https://www.planningportal.nsw.gov.au/ppr/lep-decision/penrith-lep-2010-amendment-no8-proposed-sydney-science-park-proposal-rezone-565-609-luddenham-road-luddenham-ru2-part-b7-b4-and-re1>.

³³⁰ Submission 8, Celestino, p 1.

Penrith City Council labelled it a 'transformative and catalytic' opportunity for economic growth in the region, having the potential to provide much-needed high-end jobs close to home for Penrith's growing population.³³²

- 4.5** According to the original planning proposal, Sydney Science Park was forecast to generate 12,200 jobs in the fields of scientific research and development, education and support services.³³³
- 4.6** The first stage of the development was proposed to include Baiada's new Food Science Laboratories and Research Facility, trumpeted as delivering 200 jobs in 2016.³³⁴
- 4.7** The development's residential component was envisaged to provide a mix of housing types to meet the needs of future workers, students and residents.³³⁵ The original proposal foreshadowed 3,400 dwellings with an indicative mix of dwelling types detailed in Table 1 below.³³⁶

Table 1 Indicative mix of dwelling types: Sydney Science Park³³⁷

DWELLING TYPE	NUMBER
Detached dwellings	300
Terrace/townhouse	1,200
Residential apartments	1,500
Student dwellings	400
TOTAL	3,400

The original Planning Proposal for Sydney Science Park

- 4.8** Concept and development planning for Sydney Science Park has a complicated history dating back to 2011.³³⁸ Following on from the overview information in chapter 1, this section provides a detailed chronology of the planning process.

³³¹ Submission 8, Celestino, p 2; Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 9.

³³² Evidence, Ms Kylie Powell, Director, Futures and Strategy, Penrith City Council, 31 October 2024, p. 2.

³³³ Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, pp 9 and 52. See also: Evidence, Ms Powell, 31 October 2024, p 2.

³³⁴ Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, pp 8 and 11.

³³⁵ Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 61.

³³⁶ Evidence, Mr Matthew Scard, Chief Executive Officer, Celestino, 31 October 2024, p 24; Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 62.

³³⁷ Penrith City Council, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 62.

³³⁸ Submission 8, Celestino, p 1.

- 4.9** Celestino's predecessor acquired the Sydney Science Park landholding in 2010.³³⁹ Initial planning commenced in 2011.³⁴⁰
- 4.10** As noted in chapter 1, in 2013, the proponent lodged a Planning Proposal with Penrith City Council to amend the Penrith Local Environment Plan (LEP) 2010. The proposed amendments sought to enact relevant planning controls – such as land use zoning, minimum lot size, maximum building heights and floor space ratio – to enable delivery of the Sydney Science Park vision as set out at paragraph 4.3 above.³⁴¹
- 4.11** This proposed a change in permissible land use from R2 Rural Landscape to a mix of B7 Business Park, B4 Mixed Use, RE1 Public Recreation and SP2 Infrastructure.³⁴²
- 4.12** In 2014, Penrith City Council endorsed the planning proposal for submission to the then NSW Department of Planning and Environment – in this instance, the plan-making authority for Celestino's proposed amendments to the Penrith LEP. In the same year, the Department issued a Gateway determination allowing the proposal to proceed to public exhibition.³⁴³
- 4.13** Following various amendments – including a staging condition proposed by Penrith City Council at the Gateway determination stage – the Planning Proposal was finalised and notified by the Department in 2016, bringing the new planning controls for Celestino's landholding into force. The subject site was thus rezoned from R2 Rural Landscape to B7 Business Park, B4 Mixed Use and RE1 Public Recreation, giving Celestino the green light to commence development of Sydney Science Park subject to further planning approvals/development assessment for each of the project's key stages and precincts.³⁴⁴
- 4.14** As part of the finalisation for the initial Planning Proposal, two key conditions were identified in evidence before the committee:
- a dwelling cap of 3,400 dwellings was placed on the B4 Mixed Use component of the site to ensure alignment with the Western Sydney Employment Area Structure Plan, which identified that employment use should be the primary focus of the site³⁴⁵
 - a staging trigger for the development of residential and employment-generating land uses requiring 10,000 square metres of commercial, jobs-generating floor space to be delivered before one dwelling could be built.³⁴⁶
- 4.15** In questioning before the committee, Mr Andrew Jackson, Penrith City Council's Director of Planning and Regulatory Services, explained the rationale for the staging requirements, telling

³³⁹ Evidence, Mr Scard, 31 October 2024, p 17.

³⁴⁰ Submission 8, Celestino, p 1.

³⁴¹ Evidence, Mr Scard, 31 October 2024, p 17; Submission 14, NSW Government, p 6.

³⁴² Submission 14, NSW Government, p 6.

³⁴³ Submission 14, NSW Government, pp 6 and 7.

³⁴⁴ Submission 14, NSW Government, p 7.

³⁴⁵ Submission 14, NSW Government, p 7.

³⁴⁶ Evidence, Mr Scard, 31 October 2024, p 24; Submission 14, NSW Government, p 6; Evidence, Mr Andrew Jackson, Director, Planning and Regulatory Services, Penrith City Council, 31 October 2024, p 8; Evidence, Ms Powell, 31 October 2024, p 9.

the committee '[it] was important to Council, because we did not want it to become a Trojan Horse for residential development, hence why we require commercial to occur before any residential'.³⁴⁷

- 4.16 Celestino has subsequently made representations to the NSW Government to have this condition amended to make it possible to develop both commercial and residential floor space at the same time, as will be discussed further below.³⁴⁸

Key developments since the original Planning Proposal

- 4.17 This section outlines the key developments and proposed modifications since the original Sydney Science Park Planning Proposal was determined in 2016, starting with the broader statutory planning processes for the Aerotropolis and concluding with an examination of Celestino's petitions to increase the number of permissible dwellings.

Broader statutory planning processes and implications for Celestino's development

- 4.18 As noted above, Sydney Science Park sits within the Northern Gateway precinct of the Aerotropolis. As highlighted in evidence to the committee, since the original Sydney Science Park proposal, the Aerotropolis itself has been subject to a much broader statutory planning process led by the NSW Government. This broader planning work has sought to set appropriate controls to deliver the optimal mix of, *inter alia*, land uses, densities, urban amenity, open space, conservation and place-making, and enabling infrastructure on an Aerotropolis-wide level.
- 4.19 This section provides a summary of the State-led planning processes and how they potentially intersect with – or otherwise have a bearing on – Sydney Science Park's original vision and planning controls enacted in 2016.
- 4.20 Key NSW Government planning processes and instruments cited in evidence are summarised in Table 2 below.

Table 2 Summary of key planning processes and instruments

PROPOSAL/PLANNING INSTRUMENT	SUMMARY
<i>Stage 1 Aerotropolis Land Use and Infrastructure Plan</i>	One of the first steps taken by the NSW Government to plan and rezone the entire Aerotropolis. Released for comment by the NSW Government in 2018 to inform land use planning and other matters. ³⁴⁹
<i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>	Commenced in September 2020, re-zoned the initial precincts of the Aerotropolis and absorbed the Sydney Science Park zoning from the Penrith LEP. ³⁵⁰

³⁴⁷ Evidence, Mr Jackson, 31 October 2024, p 8.

³⁴⁸ Evidence, Mr Scard, 31 October 2024, p 24.

³⁴⁹ Submission 8, Celestino, p 2; Answers to questions on notice, Celestino, 6 December 2024, pp 6-7.

³⁵⁰ Submission 8, Celestino, p 2; Submission 14, NSW Government, p 8.

<i>Western Sydney Aerotropolis Plan</i>	Establishes the planning framework for the Western Sydney Aerotropolis and its ten precincts. This designated the Northern Gateway precinct – home to Sydney Science Park – as a precinct to create skilled employment and business opportunities as well as housing. ³⁵¹
<i>Western Sydney Aerotropolis Precinct Plan</i>	Published in May 2023, made under the <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> , applies to an initial five of the ten Aerotropolis precincts including the Northern Gateway, used to assess development applications on land to which it applies. ³⁵² According to Celestino, this expanded the constraints for housing typologies within Sydney Science Park, constraints which Celestino successfully overturned by application to the NSW Government. ³⁵³

- 4.21** From a planning perspective, Sydney Science Park went from being a specialised centre established under the Part 7 provisions of the Penrith LEP to being subsumed within the broader planning regime for the Aerotropolis. The NSW Government's re-zoning timeline notes that, from the end of 2020, development controls for Sydney Science Park such as maximum building height and floor space ratio have been determined through Aerotropolis planning instruments.³⁵⁴
- 4.22** In evidence to the committee, Celestino pointed to these various statutory planning processes as bringing 'many changes in the legislative planning framework' since their land was initially rezoned in 2016.³⁵⁵
- 4.23** In his opening statement at a hearing, Mr Matthew Scard, Celestino's Chief Executive Officer, sought to impress upon the committee the implications of this broader planning process for the Sydney Science Park development. In particular, Mr Scard spoke of the State-led Aerotropolis planning process as being plagued by lengthy delays and as giving rise to several complexities and uncertainties for Celestino's development:

In August 2018, the New South Wales Government, on its own initiative, started a separate rezoning process as part of the planning of the aerotropolis. This was the beginning of significant complications and time delays. We could not act on our development approvals obtained since 2016, and council was reluctant to issue new approvals, knowing that changes to our planning controls were coming. By 2021, there was still no end in sight to the aerotropolis planning process. At this time, we asked government to help save our project and include our current master plan or

³⁵¹ Submission 8, Celestino, p 3.

³⁵² NSW Department of Planning and Environment, *Western Sydney Aerotropolis Precinct Plan* (May 2023), pp 5 and 7; Submission 8, Celestino, p 3.

³⁵³ Submission 8, Celestino, p 3.

³⁵⁴ Submission 14, NSW Government, p 8.

³⁵⁵ Submission 8, Celestino, p 3.

even exclude Sydney Science Park from the aerotropolis planning so we could act on our 2016 rezoning. This request was ignored.³⁵⁶

4.24 According to Mr Scard, once completed, the State-led Aerotropolis planning process resulted in new planning controls for the Sydney Science Park site, effectively overriding the controls and approvals from 2016. Purportedly, the new controls meant Celestino could only utilise 25 per cent of their land, were deemed 'extremely costly' and raised questions about the project's viability/feasibility, prompting Celestino to 'rethink the project and start again'.³⁵⁷

4.25 The NSW Government reported that the key reasons cited by the developer for construction delays are:

- the 'plan' is almost a decade old and requires review in light of the many changes to the Aerotropolis planning framework since the initial rezoning, including re-consideration of the Sydney Science Park's role in the city centre's hierarchy vis-à-vis Bradfield City Centre; and
- the requirement to deliver a significant amount of jobs-generating floor space ahead of any homes on the site poses challenges for the project's feasibility.³⁵⁸

4.26 When questioned about ongoing delays to the delivery of the knowledge-based jobs, Penrith City Council placed the onus on Celestino, asserting that the planning framework for Sydney Science Park has been in place for some time and Council cannot compel or obligate a proponent to come forward with an application to commence construction. Council stressed that, once the zonings and planning framework have been set, 'the actual undertaking of development is in [Celestino's] hands'.³⁵⁹

4.27 Similarly, commenting on potential impediments, the Hon Rob Stokes, former Minister for Planning and Public Spaces, observed there are variables outside government's control which can have a bearing on a project's viability after it has been given the opportunity to proceed through the planning system. He explained:

What you should do is look at the public interest, balance the submissions that come in, in terms of your responsibilities under the Act, and provide opportunities based on public need. Whether people take up those opportunities, whether the market changes or interest rates change, or whether capital requirements change, that's completely outside of your control. As planning Minister, you provide the context for people to hopefully make the highest and best economic use of their land, in line with the principles of sustainable development. If they do or not is really out of your control.³⁶⁰

4.28 Adding to this evidence, Mr Stokes also alluded to the basic infrastructure requirements that must be in place before a parcel of greenfield land can be developed, namely '...utilities to get

³⁵⁶ Evidence, Mr Scard, 31 October 2024, p 17.

³⁵⁷ Evidence, Mr Scard, 31 October 2024, p 17.

³⁵⁸ Submission 14, NSW Government, p 6.

³⁵⁹ Evidence, Ms Powell, 31 October 2024, p 6; Evidence, Mr Jackson, 31 October 2024, p 7.

³⁶⁰ Evidence, Hon Rob Stokes, former Minister for Planning and Public Spaces, 31 October 2024, p 60.

the power, get the roads, get the rail and all those sorts of things. You can't necessarily develop in advance of the utilities that are there to support the land use'.³⁶¹

- 4.29** Further issues surrounding development delays and the viability of Sydney Science Park within the new Aerotropolis planning landscape, are considered in detail below from paragraph 4.42.

Celestino's requests to increase the number of permissible dwellings

- 4.30** A significant line of inquiry sought to clarify what representations had been made by Celestino since 2016 to increase the number of permissible dwellings at Sydney Science Park.
- 4.31** Understanding the precise nature of Celestino's submission to the former NSW Government exercised a considerable proportion of the committee's deliberations, with various references to uplift proposals relating to the original curtilage that was the subject of the 2014 Planning Proposal (287 hectares) as well as, ostensibly, proposals for a more encompassing parcel of land.³⁶²
- 4.32** In response to material obtained by the Legislative Council under Standing Order 52, Mr Matthew Scard of Celestino acknowledged the occurrence of a meeting between Celestino and the State's planning officials, approximately two years after Celestino's landholding was rezoned in 2016, at which Celestino made submissions to increase the cap on dwellings from 3,400 to 30,000.³⁶³
- 4.33** Mr Scard told the committee the meeting was in relation to Celestino's public submission to the stage 1 Aerotropolis Land Use and Infrastructure Plan. According to Mr Scard, the submission for 30,000 dwellings was for a much larger curtilage encompassing the 287 hectares of Sydney Science Park plus additional connecting landholdings – described in evidence as 'our whole landholding, which is 490 hectares'.³⁶⁴
- 4.34** In what appeared to the committee to be a separate instance unrelated to the stage 1 Aerotropolis Land Use and Infrastructure Plan, Mr Scard also referred to another Celestino submission in 2021 representing 'an assessment of the development controls on the Sydney Science Park land' which placed the housing potential somewhere in the vicinity of 20,000 or 30,000 dwellings.³⁶⁵
- 4.35** Roughly coinciding with this time, Celestino confirmed that on 7 June 2021, Mr Scard and Mr Camilleri met with Mr Brett Witworth, then a Deputy Secretary within the Department of Planning, Industry and Environment, to express Celestino's concerns with the draft Aerotropolis Precinct Plan and its implications for Sydney Science Park.³⁶⁶ Among the concerns raised at this meeting, Celestino took issue with:

³⁶¹ Evidence, Mr Stokes, 31 October 2024, p 60.

³⁶² See for example: Evidence, Mr Scard, 31 October 2024, pp 17-18; Answers to supplementary questions, Celestino, 6 December 2024, pp 12-13.

³⁶³ Evidence, Mr Scard, 31 October 2024, p 22.

³⁶⁴ Evidence, Mr Scard, 31 October 2024, pp 22 and 23.

³⁶⁵ Evidence, Mr Scard, 31 October 2024, p 24.

³⁶⁶ Answers to supplementary questions, Celestino, 6 December 2024, p 12.

- the lack of recognition of Sydney Science Park's pre-existing approved planning controls
- proposed changes to the built form planning controls which would prohibit detached dwellings being built at Sydney Science Park, considered by Celestino to jeopardise the viability of the development
- the potential for new/proposed controls to undermine Celestino's existing commercial agreements, such as its agreement with Sydney Water
- contemplated changes to controls that would purportedly require Celestino to develop 47,500 square metres of non-residential development before being allowed to develop 750 residential dwellings, said to cost Celestino an additional \$93 million.³⁶⁷

4.36 Reference to the various extents of Celestino landholdings and their uplift representations to the former NSW Government left the committee with some uncertainty about this issue. Based on Celestino's testimony alone, the committee was unable to resolve whether, as a matter of fact, Celestino has ever made uplift representations specifically for the original 287 hectares bound by the Sydney Science Park curtilage, as defined in the Planning Proposal notified in 2016.

4.37 In answers to questions on notice, Celestino referred again to their submission to the stage 1 Aerotropolis Land Use and Infrastructure Implementation Plan (LUIIP), reiterating that their petition to increase the dwelling cap from 3,400 to 30,000 and adjust maximum building heights was for a proposed amalgamation of Sydney Science Park land and adjacent Celestino lots, made in the context of potentially different planning controls contemplated through that planning process:

Part of Celestino's submission to the [Land Use and Infrastructure Implementation Plan] was that if Sydney Science Park and the adjacent landholdings owned by Celestino were amalgamated and included in the Aerotropolis, then Celestino felt it to highlight to the NSW Government that we believed our total landholding capacity was significant enough for them to consider the dwelling and retail caps be lifted to 30,000 and 130,000sqm respectively, as well as height increases. It is important to note that the total size of the landholdings the subject of our LUIIP submission was 490 hectares, and the submission was made in the context of potentially all new planning controls to those in the Penrith Local Environmental Plan (being the instrument governing the 2016 rezoning approval). Sydney Science Park comprised only 287 hectares of the LUIIP submission.³⁶⁸

4.38 Dismissing suggestions Sydney Science Park will end up being primarily a housing estate that will never deliver on its jobs promises, Celestino submitted that it has always been approved for residential dwelling purposes so people can live near their work, and that they have 'never sought to walk back any employment-generating activity'.³⁶⁹ Creating knowledge-based jobs, Celestino asserted, remains a cornerstone of the vision for Sydney Science Park.³⁷⁰

³⁶⁷ Answers to supplementary questions, 6 December 2024, p 13.

³⁶⁸ Answers to questions on notice, Celestino, 6 December 2024, p 7.

³⁶⁹ Answers to questions on notice, Celestino, 6 December 2024, p 8.

³⁷⁰ Answers to questions on notice, Celestino, 6 December 2024, p 8.

- 4.39** Importantly to note, the former NSW Government did not act on Celestino's 2018 submission for 30,000 dwellings as part of the stage 1 Aerotropolis Land Use and Infrastructure Plan.³⁷¹
- 4.40** When questioned about Celestino's density uplift submissions, Penrith City Council placed on record its position on the ongoing appropriateness of the Sydney Science Park planning controls resolved in 2016, suggesting they were relevant based on the parameters that existed when the determination was made, but may now need to be revisited:
- Council is very aware that Celestino have a view around those planning controls. Council's position is that those planning controls were put in place for a reason at the time. That reason was about ensuring a balance between residential and non-residential development. In the fullness of time, with a metro station on the site, those controls perhaps are no longer fit for purpose. However, it's our view that there needs to be an evidence-based process undertaken to explore and determine what an alternate set of planning controls ought to look like.³⁷²
- 4.41** Adding to these remarks, Council emphasised that, should the planning controls be revisited, delivery of jobs should still remain the overarching objective of Sydney Science Park and an appropriate balance between jobs and residential should be maintained.³⁷³

Construction of Sydney Science Park to date

- 4.42** To date, Celestino has not yet commenced development of any homes or businesses on the Sydney Science Park site.³⁷⁴
- 4.43** Penrith City Council reported that, notwithstanding some 'lead in' infrastructure works, there had been no development 'out of the ground' at Sydney Science Park. This was current at the time of the committee's final hearing for the inquiry in October 2024, some eight years after the Celestino landholding was rezoned for development.³⁷⁵
- 4.44** Indeed, the only construction that the committee saw during its site visit to the Sydney Science Park was the Integrated Water Recycling Hub, which is further discussed at paragraph 4.75. The committee viewed first hand a portion of the landholding which still appeared to be rural land.
- 4.45** This is despite Celestino declaring they are 'not far off \$100 million that we have poured into [the site], including the Sydney Water treatment plant'.³⁷⁶
- 4.46** While differing views were covered above in paragraphs 4.25 to 4.29 in relation to the causes of delay, based on the broader statutory planning process for the Aerotropolis, this section

³⁷¹ Answers to questions on notice, Celestino, 6 December 2024, p 8.

³⁷² Evidence, Ms Powell, 31 October 2024, p 6.

³⁷³ Evidence, Ms Powell, 31 October 2024, p 8.

³⁷⁴ Submission 14, NSW Government, p 5.

³⁷⁵ Evidence, Ms Powell, 31 October 2024, p 6.

³⁷⁶ Evidence, Mr John Camilleri, Chairman, Baiada Group, 31 October 2024, p 29.

considers other relevant questions raised in evidence as contributing to Celestino's failure to break ground for the commercial and/or residential developments, or as otherwise casting doubt on Sydney Science Park's future delivery.

Relocation of the Baiada Poultry Group's head office to Sydney Science Park

- 4.47** As highlighted in chapter 1, the development proponent for Sydney Science Park, namely Celestino, is an entity within the Baiada group of companies, which also owns recognised poultry brands including Steggle and Lilydale.
- 4.48** The first stage of the Sydney Science Park development was proposed to include Baiada's new Food Science Laboratories and Research Facility.³⁷⁷
- 4.49** Construction of the new facility was slated to commence in a number of years ago, comprising:
- a commercial veterinary and food laboratory
 - an animal research facility
 - a training centre including lecture theatre and meeting rooms
 - an analytical training centre including a high tech instrument centre for research and training
 - a commercial manufacturing facility including manufacture of vaccines and related products
 - a commercial human pathology centre.³⁷⁸
- 4.50** At the time of the committee's inquiry, this new facility had not been realised, with the Chairman of the Baiada Group, Mr Camilleri, attributing this to the broader Aerotropolis planning processes. He reasoned '[w]e haven't been able to build anything on science park until the Aerotropolis planning was finished'.³⁷⁹ According to Mr Camilleri, from 2018 to 2022, the proposal has been 'frozen' or 'on hold'.³⁸⁰
- 4.51** Despite this evidence, Mr Camilleri sought to dispel any suggestions that the relocation of the Baiada head office was a disingenuous commitment or 'idle promise'.³⁸¹ Implying it could still be a future possibility, he advised the committee that if Baiada's existing corporate footprint continues on its growth trajectory, 'it's not out of the question that one day it could be at

³⁷⁷ Penrith City Council and E.J. Cooper and Son Pty Ltd, *Planning proposal: Sydney science park*, Volume 1, March 2014, pp 8 and 11.

³⁷⁸ Penrith City Council and E.J. Cooper and Son Pty Ltd, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 11.

³⁷⁹ Evidence, Mr Camilleri, 31 October 2024, p 23.

³⁸⁰ Evidence, Mr Camilleri, 31 October 2024, p 22.

³⁸¹ Evidence, Mr Camilleri, 31 October 2024, p 22.

[Sydney Science Park] because a lot of our staff live in Western Sydney, so it actually suits us'.³⁸²

- 4.52 Mr Scard confirmed there was a development application for the proposed Food Science Laboratories and Research Facility but was unable to confirm exactly when it was made.³⁸³

Celestino's capacity to deliver

- 4.53 In the course of the inquiry, questions were also raised about Celestino's capacity to deliver the Sydney Science Park development, including whether it has the necessary expertise and record to fulfil the scale and complexity of the proposal.
- 4.54 In seeking to demonstrate their property development credentials, Celestino placed considerable emphasis on a master planned community in Box Hill (New South Wales) known as the Gables, which Celestino commenced in 2015-16 before selling to Stockland in March 2020.³⁸⁴
- 4.55 When Celestino sold the undeveloped portion of the project to Stockland, the site was approved for a total of 4,100 dwellings (developed and undeveloped). The undeveloped portion sold to Stockland was equivalent to approximately 2,608 residential lot yield.³⁸⁵
- 4.56 The sale price to Stockland for the yet-to-be developed portion of the Gables was \$415 million. At the time of the transaction, the end value for the entire Gables development, once fully developed and sold or leased, was estimated to be \$4 billion.³⁸⁶
- 4.57 Importantly, Celestino's development at the Gables did not pre-date the original proposal for Sydney Science Park.³⁸⁷
- 4.58 Reasons why Celestino sold the development to Stockland, instead of seeing it through to completion by developing the remaining lots, were not canvassed throughout the inquiry.

Ongoing viability of the Sydney Science Park proposal alongside Bradfield City Centre

- 4.59 The original vision for Sydney Science Park received planning approval at a time when much of the planning and city-shaping for its broader setting – the Aerotropolis and its various precincts – had not yet been envisioned by the NSW Government.
- 4.60 With the statutory planning for the Aerotropolis now reaching maturity, the inquiry provided an opportunity to reflect on Sydney Science Park's relationship with other precincts and major

³⁸² Evidence, Mr Camilleri, 31 October 2024, p 22.

³⁸³ Evidence, Mr Scard, 31 October 2024, p 24.

³⁸⁴ Evidence, Mr Scard, 31 October 2024, p 18; Answers to questions on notice, Celestino, 6 December 2024, p 2.

³⁸⁵ Answers to questions on notice, Celestino, 6 December 2024, p 2.

³⁸⁶ Answers to questions on notice, Celestino, 6 December 2024, p 2.

³⁸⁷ Evidence, Mr Scard, 31 October 2024, p 18.

cities within the Aerotropolis, including any challenges this may pose for the ongoing relevance and viability of the original concept – evidence which forms the main focus of this section of the report.

4.61 Relevant to this issue, the committee heard suggestions by Celestino that the NSW Government has appropriated the Sydney Science Park concept, applying it to its vision for Bradfield City Centre which is described in detail in chapter 3.

4.62 For example, Mr Camilleri of the Baiada Group expressed concerns about the NSW Government's plans for Bradfield and the prospect of Sydney Science Park having to compete with that future development.³⁸⁸ Bolstering this evidence, Mr Camilleri cited a public statement indicating the then Greater Sydney Commission copied their concept:

We'd be more concerned with what the Government's doing at Bradfield because, I think, as they stated publicly a few years ago, the Greater Sydney Commission thought that the Sydney Science Park was a great concept, and they have copied it. I think they are on record saying that. We don't get excited about having to compete with the State Government because we certainly don't have the pockets that they have. That, in itself, has made us rethink our plans.³⁸⁹

4.63 While he conceded some rethinking was now necessary, Mr Camilleri underscored that the Baiada Group still believes in the Sydney Science Park vision and that, where other developers may have walked away, they remain committed to proceeding with the development.³⁹⁰ Importantly, this reassurance came with the caveat that:

...it might be a smaller amount of science now, given whatever Bradfield and the government are going to do there. CSIRO were with us, on board, fully on. Whatever happened there? They will be at Bradfield now. That's done and dusted.³⁹¹

4.64 Mr Camilleri's evidence accorded with that of the Hon Rob Stokes, former Minister for Planning and Public Spaces, who was invited to reflect on the state of affairs surrounding Sydney Science Park and its delayed delivery. In his view, what appeared to be a replication of the Sydney Science Park concept at Bradfield – 'a great mixed-use development with education, science, resi and commercial all in one spot' – was a relevant factor in understanding the history of, and challenges surrounding, the development.³⁹² Mr Stokes reasoned:

From what I could observe, I think that the authority...saw what had been done at Sydney Science Park and said, "Let's do that at Bradfield." I think in many ways a lot of what was planned at Sydney Science Park is ending up being delivered at Bradfield. Is there enough potential over time for those uses to emerge in both those spots? Absolutely, but you can't do it all at once because, again, there is only limited population and only limited investment. It will take time. I would imagine that the

³⁸⁸ Evidence, Mr Camilleri, 31 October 2024, p 29.

³⁸⁹ Evidence, Mr Camilleri, 31 October 2024, p 29.

³⁹⁰ Evidence, Mr Camilleri, 31 October 2024, p 29.

³⁹¹ Evidence, Mr Camilleri, 31 October 2024, p 29.

³⁹² Evidence, Mr Stokes, 31 October 2024, p 57.

Sydney Science Park people would have been frustrated, in one sense, that a lot of the planning they had done was being replicated by the authority down at Bradfield.³⁹³

- 4.65** Mr Stokes saw considerable risk to Celestino in their proposal being inherently replicable. Notwithstanding that risk, he was of the view that the Sydney Science Park is 'still a good idea whose time will come, but because the development of Bradfield's just got in front of it, I think it'll take a lot more time'.³⁹⁴
- 4.66** Understanding the future viability of the Sydney Science Park concept and the plans for Bradfield City Centre led the committee to also consider the status of Celestino's agreements and/or Memoranda of Understanding with former State and Federal government agencies and other organisations across science, technology, health, research and education.
- 4.67** This included entities such as ANSTO, Westmead Medical Precinct, Macquarie University, University of NSW, NEC, Powerhouse Museum, Centre for Organic Research and Education, and the Nepean Blue Mountains Local Health District, among others.³⁹⁵
- 4.68** Additionally, Celestino had secured a partnership agreement with the Catholic Education Diocese of Parramatta for a future STEM school at Sydney Science Park.³⁹⁶
- 4.69** One particular arrangement to receive government funding was the Sydney Science Park Urban Living Lab, a commercial partnership between Celestino (cash and in-kind contribution of 70 per cent) and CSIRO (in-kind contribution of 30 per cent). The Urban Living Lab successfully applied for a government grant to establish an arboretum at Sydney Science Park. The grant application process was conditional upon Celestino contributing its own funding to the project.³⁹⁷
- 4.70** Establishment of the arboretum did not proceed due to – in Celestino's view – 'the delays caused by the NSW Government's Aerotropolis Precinct Planning'.³⁹⁸ The grant funding was reallocated to another location.³⁹⁹
- 4.71** With the exception of the Urban Living Lab program, Celestino informed the committee that 'all those MOUs – sadly for us as well – have been paused or lost, and we need to reinvigorate them once we have certainty in our future project'.⁴⁰⁰
- 4.72** In December 2024, following the committee's final hearing, Celestino initiated the first step of a State Significant Development Application for 'Concept Proposal and Stage 1 Development and Works' at Sydney Science Park. Among the scope of work subject to this application is:

³⁹³ Evidence, Mr Stokes, 31 October 2024, p 57.

³⁹⁴ Evidence, Mr Stokes, 31 October 2024, p 59.

³⁹⁵ Answers to questions on notice, Celestino, 6 December 2024, p 10.

³⁹⁶ Evidence, Mr Camilleri, 31 October 2024, p 28.

³⁹⁷ Answers to questions on notice, Celestino, 6 December 2024, p 9.

³⁹⁸ Evidence, Mr Scard, 31 October 2024, p 28; Answers to questions on notice, Celestino, 6 December 2024, p 9.

³⁹⁹ Answers to questions on notice, Celestino, 6 December 2024, p 9.

⁴⁰⁰ Evidence, Mr Scard, 31 October 2024, p 29.

- subdivision of ten lots, on-lot works, infrastructure, and landscaping
- estate works across the western portion of the land fronting Luddenham Road and the Luddenham Metro Station, comprising site preparation and earthworks, public domain works (footpaths), and internal reticulation of services and utilities.⁴⁰¹

Infrastructure planning and delivery for Sydney Science Park

- 4.73** Infrastructure planning decisions for Sydney Science Park also formed a significant focus in inquiry evidence. This highlighted the complexities and interdependencies between planning and delivery of essential infrastructure and the delivery of city-shaping development to unlock the economic potential of greenfield precincts.
- 4.74** In this next section, the committee examines issues surrounding, first, the delivery of water infrastructure for Sydney Science Park and, second, transport planning decisions affecting the development. Evidence before the committee raised probity and integrity concerns in relation to government decision making, including questions about potential influence by private interests – issues the committee tested in its questioning of witnesses.

Water infrastructure

- 4.75** As noted earlier, on the committee's visit to the Sydney Science Park site, one of the few embellishments to an otherwise rural landscape members observed was the Integrated Water Recycling Hub.
- 4.76** Construction of the facility commenced in August 2021 and was set for completion at the end of 2024.⁴⁰²
- 4.77** The Integrated Water Recycling Hub was described in evidence as first-of-a-kind infrastructure, setting a new standard and serving as a potential model for future projects in Western Sydney.⁴⁰³
- 4.78** Once operational, it will provide recycled wastewater for use in toilets, washing machines and other non-potable purposes.⁴⁰⁴ It is forecast to produce 1.2 million litres of recycled water per day, with the capacity to expand to 2.4 million litres.⁴⁰⁵
- 4.79** Of particular interest to the committee were the commercial arrangements for delivering this piece of infrastructure to Sydney Science Park, specifically the interplay between private

⁴⁰¹ Willowtree Planning and Celestino Developments SSP Pty Ltd, *Request for Secretary's Environmental Assessment Requirements: Concept Proposal and Stage 1 Development Works - Sydney Science Park*, 4 December 2024, <https://www.planningportal.nsw.gov.au/major-projects/projects/sydney-science-park-ssd-1>.

⁴⁰² Evidence, Mrs Alexander, 16 September 2024, p 13.

⁴⁰³ Submission 6, Sydney Water Corporation, p 3; Evidence, Mrs Alexander, 16 September 2024, p 13.

⁴⁰⁴ Submission 8, Celestino, p 3.

⁴⁰⁵ Evidence, Mrs Charlotte Alexander, Head of Growth and Development, Sydney Water Corporation, 16 September 2024, p 13.

financing, private developer interests and the servicing priorities of a State-owned utilities corporation governed by a public charter.

- 4.80** The Integrated Water Recycling Hub is being delivered through an accelerated services commercial agreement between Sydney Water and Celestino negotiated in 2020.⁴⁰⁶ As flagged in chapter 3, this pathway of accelerated services, enables water infrastructure to be delivered 'out of sequence' or ahead of the timeframes published in Sydney Water's Annual Growth Servicing Plan.⁴⁰⁷
- 4.81** For the Sydney Science Park, this has meant Celestino 'forward funding' water and wastewater services in order to bring them forward much sooner than Sydney Water would have otherwise serviced the site.⁴⁰⁸
- 4.82** The predicted total cost of the project over its 30-year lifecycle was reported to be \$200 million.⁴⁰⁹
- 4.83** In evidence to the committee, Sydney Water's Head of Growth and Development, namely Mrs Charlotte Alexander, underscored that their partnership with Celestino is not unusual or unique, but is one of several similar partnerships across Sydney Water's area of operation.⁴¹⁰
- 4.84** Accelerated service arrangements tailored for private developments are governed by rules set by Sydney Water.⁴¹¹
- 4.85** According to Mrs Alexander, one of the key benefits of these commercial arrangements is that they insulate Sydney Water from development risk. She explained that, by putting up the initial financing for the infrastructure, the developer takes on the initial financial risk of the development being delayed or not successful in attracting customers.⁴¹²
- 4.86** In questioning Sydney Water witnesses, one of the committee's priorities was to ascertain precisely how much the Sydney Water-Celestino commercial agreement is costing taxpayers. The committee heard on at least two occasions that the agreement was entered into on the basis that it would be at no cost to government.⁴¹³
- 4.87** Interrogating this evidence further, an important distinction emerged between two classes of Sydney Science Park infrastructure being accelerated through the Celestino agreement:
- **enhanced servicing:** infrastructure deemed to be above and beyond what Sydney Water would normally deliver, being the Integrated Water Recycling Hub

⁴⁰⁶ Submission 6, Sydney Water Corporation, pp 2 and 3.

⁴⁰⁷ Evidence, Mrs Alexander, 16 September 2024, p 13; Submission 8, Celestino, p 3.

⁴⁰⁸ Evidence, Mrs Alexander, 16 September 2024, p 13.

⁴⁰⁹ Evidence, Mrs Alexander, 16 September 2024, p 13.

⁴¹⁰ Evidence, Mrs Alexander, 16 September 2024, p 13.

⁴¹¹ Evidence, Mrs Kate Miles, Head of System Planning and Land Acquisition, Sydney Water Corporation, 16 September 2024, p 16.

⁴¹² Evidence, Mrs Alexander, 16 September 2024, p 13.

⁴¹³ Evidence, Mrs Alexander, 16 September 2024, pp 15 and 16.

- **standard servicing:** standard water infrastructure for the Sydney Science Park site, with construction costs to be re-imbursed by Sydney Water at a later date.⁴¹⁴

- 4.88** As an enhanced service, the cost of the Integrated Water Recycling Hub is to be borne by Celestino with no reimbursement by Sydney Water. As part of the negotiated agreement, there was a price agreed for delivery of this facility and Celestino is paying the entire cost through milestone payments to Sydney Water. This includes covering Sydney Water's cash outlays for the forecast cost of the facility and bearing the risk of forward funding.⁴¹⁵
- 4.89** Infrastructure delivered through this commercial arrangement will ultimately be owned by Sydney Water, with some of it being re-imbursed and some of it handed over to Sydney Water free of charge.⁴¹⁶
- 4.90** Following assertions the Integrated Water Recycling Hub would be cost-neutral to government, Sydney Water conceded there may be some limited exposure associated with cost overruns and also expenses incurred by placing the facility into maintenance mode because there is currently no wastewater to recycle and no customers to connect to it.⁴¹⁷ Mrs Kate Miles, Head of System Planning and Land Acquisition, Sydney Water Corporation, told the committee that liability for these costs is to be negotiated between Sydney Water and Celestino.⁴¹⁸
- 4.91** As previously noted, at the time of the committee's first hearing, the Integrated Water Recycling Hub had been mostly completed with no users to connect to it – and no firm development timeframe for the promised dwellings and commercial floor space at Sydney Science Park. This prompted some scrutiny of Sydney Water's decision-making processes, especially around servicing priorities and the allocation of finite Sydney Water resources to infrastructure development and delivery within its area of operation.
- 4.92** In its defence, Sydney Water highlighted that projects subject to an accelerated services agreement must still go through their internal governance process including economic assessment. This was in response to the committee's enquiries about Sydney Water's due diligence responsibilities to ensure it is not tying up organisational capacity in 'ghost' developments that have poor prospects of ever being delivered, even where capital infrastructure works are initially bankrolled by private financing.⁴¹⁹
- 4.93** In their answers to questions on notice, Sydney Water reported that their due diligence for the Celestino agreement was informed by specialised assessment and advice from independent consultants. This independent advice was reported to include matters such as 'the Science Park economic assessment model and likely regulatory treatment, regulatory advice, financial modelling and taxation advice'.⁴²⁰ These assessments were funded by Sydney Water.⁴²¹

⁴¹⁴ Evidence, Mrs Alexander, 16 September 2024, p 16.

⁴¹⁵ Evidence, Mrs Alexander, 16 September 2024, p 19.

⁴¹⁶ Evidence, Mrs Alexander, 16 September 2024, p 15; Evidence, Mrs Miles, 16 September 2024, p 17.

⁴¹⁷ Evidence, Mrs Alexander, 16 September 2024, p 21.

⁴¹⁸ Evidence, Mrs Miles, 16 September 2024, p 21.

⁴¹⁹ Evidence, Mrs Miles, 16 September 2024, pp 17 and 18.

⁴²⁰ Answers to questions on notice, Sydney Water, 15 October 2024, p 2.

4.94 Furthermore, Sydney Water sought to downplay any implied opportunity costs associated with its accelerated servicing of Sydney Science Park, dismissing suggestions it impacted its ability to service projects on their business-as-usual schedule:

In terms of resourcing, no, and in this particular example there were no concerns around resourcing this project alongside other projects. We did not defer other work as a result of the Sydney Science Park project. These kinds of arrangements are very common across our area of operations. We've got several other agreements of a similar nature.⁴²²

4.95 Assertions that accelerated services for Celestino and/or other private developers come with nil opportunity costs, were repeated elsewhere in evidence from Sydney Water witnesses.⁴²³

4.96 Changing perspective slightly, Mrs Miles of Sydney Water was asked to comment on the supply chain difficulties and workforce pressures being faced more broadly in the construction sector, and whether by accelerating services for Sydney Science Park, this exacerbates the difficulties in procuring materials and labour for other projects. In her response, Mrs Miles said this was a 'limited' opportunity cost owing to the unique nature of the Integrated Water Recycling Hub:

I think I would say that it would be a limited opportunity cost because the nature of that project, particularly that integrated water hub, is we don't do a lot of those all over the place. It's not like we were planning to build one over here and we've taken resources and worked on the Celestino one instead. I also think a lot of the work that requires Sydney Water staff effort was already done prior to the last couple of years, when supply chain issues have really become more of an issue and our capital program has ramped up. So, yes, maybe there's some opportunity cost, but I wouldn't say that it's substantial.⁴²⁴

Transport infrastructure at Sydney Science Park

4.97 Transport infrastructure planning decisions have been tied closely to the broader planning processes for the Aerotropolis and Western Sydney International Airport. The State's transport authorities have been tasked with delivering the enabling infrastructure needed to support connections between the new airport and Sydney's existing transport infrastructure and to realise the vision of Australia's first new major city to be built in 100 years.⁴²⁵

4.98 In the course of the inquiry, some of the transport planning decisions were examined closely by the committee, given the location and alignment of new transport infrastructure would benefit Celestino and its development of the Sydney Science Park.

⁴²¹ Answers to questions on notice, Sydney Water, 15 October 2024, p 2.

⁴²² Evidence, Mrs Miles, 16 September 2024, p 14.

⁴²³ See, for example: Evidence, Mrs Alexander, 16 September 2024, p 15; Evidence, Mrs Miles, 16 September 2024, p 19.

⁴²⁴ Evidence, Mrs Miles, 16 September 2024, p 20.

⁴²⁵ Submission 14, NSW Government, p 9.

- 4.99** In this section, the committee explores evidence relating to, first, the location of the Luddenham station at Sydney Science Park on the Bradfield to St Marys metro line and, second, the route alignment of the Outer Sydney Orbital.

Location of the Luddenham Metro Station at Sydney Science Park

- 4.100** As noted in chapter 1, in June 2020, the former NSW Government announced a metro station would be located at Luddenham within the Sydney Science Park. Approximately two years later, the former NSW Government compulsorily acquired 15 hectares of land from Celestino for this purpose.⁴²⁶
- 4.101** The Sydney Science Park station is on the new Sydney Metro-Western Sydney Airport line, under construction at the time of the inquiry. This new line was described as 'the transport spine for Greater Western Sydney, connecting communities and travellers to the [Western Sydney International Airport] and growing region'.⁴²⁷
- 4.102** As outlined in chapter 3, the metro will operate approximately 20 hours a day with an overnight maintenance period, during which bus services will replace trains.⁴²⁸
- 4.103** The project was approved in 2021 and major construction works, including station excavation, commenced in late 2022.⁴²⁹ The route alignment and station locations are shown in Figure 2 in chapter 1.
- 4.104** Selection of the recommended alignment and station locations followed an options analysis and business case process undertaken by Sydney Metro, assisted by a consultant team of Cox, Mecone, LUTI and JLL.⁴³⁰
- 4.105** Independently assured by Infrastructure NSW, the *Sydney Metro Western Sydney Airport (SM-WSA) Final Business Case* recommended to government the alignment and station locations shown at Figure 2 in chapter 1 – that is, connecting the Western Sydney International Airport to Sydney's existing network via the T1 Western Line at St Marys. This was subsequently approved by Cabinet and funded for delivery/construction.⁴³¹
- 4.106** As highlighted in chapter 2, the benefit-to-cost-ratio (BCR) of the Sydney Metro-Western Sydney Airport was assessed as 0.75 excluding wider economic benefits and 0.82 including wider economic benefits, and there have been conflicting economic assessments of the project's benefits.⁴³²

⁴²⁶ Submission 8, Celestino, p 3.

⁴²⁷ Submission 14, NSW Government, p 14.

⁴²⁸ Evidence, Ms Angela Jeffery, Head of Project Delivery, Sydney Metro, 31 October 2024, p 34.

⁴²⁹ Submission 14, NSW Government, p 14.

⁴³⁰ Answers to questions on notice, Sydney Metro, 28 November 2024, p 2.

⁴³¹ Evidence, Mr Simon Hunter, Chief Transport Planner, Transport for NSW, 31 October 2024, p 38; Evidence, Ms Jeffery, pp 36-38; Answers to questions on notice, Sydney Metro, 28 November 2024, p 2.

⁴³² Infrastructure NSW, *Final Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, November 2020, p 16; Infrastructure Australia, *Project Business Case Evaluation Summary: Sydney Metro-Western Sydney Airport*, February 2021.

- 4.107** The selection of the north-south metro connection with a BCR of less than one has resulted in a metro station for Sydney Science Park and, as a consequence, a significant uplift in the value of Celestino's land. In light of these circumstances, the committee's questioning canvassed what representations Celestino has made to the NSW Government about the chosen rail alignment and siting of Luddenham station.
- 4.108** Under examination by the committee, Mr John Camilleri of the Baiada Group denied lobbying the former State government as early as 2011, 2012 or 2013 about the location of Luddenham station, saying specifically:
- he did not recall meeting the Hon Gladys Berejiklian either as former Minister for Transport or former Premier
 - he was 'very doubtful' anyone else from Celestino lobbied the State government during the time period in question
 - he did not personally ('not myself') lobby the Hon Stuart Ayres in his former capacity as Minister for Western Sydney
 - he stated 'I didn't make any personal representations or lobbying to government to get a train station on our site'.⁴³³
- 4.109** Mr Camilleri's testimony was corroborated by the Hon Stuart Ayres, former Minister for Western Sydney and at the time of the inquiry, Chief Executive Officer for the Urban Development Institute of Australia (NSW).
- 4.110** Mr Ayres confirmed that, during his time as Minister for Western Sydney, he met Mr Camilleri 'in lots of locations' but denied ever having a formal meeting with him about train station locations.⁴³⁴ Mr Ayres gave evidence that:
- I have no doubt I met with him a number of times, but not always about the science park and not always in a formal setting. My only recollection of meeting with John was him attending what you might describe as a briefing, where representatives from Celestino spoke about what their future plans were for the Sydney Science Park.⁴³⁵
- 4.111** Furthermore, Mr Ayres took exception to suggestions the rail alignment and station locations were 'designed by relationships between myself or any other member of the Government that I was a part of', regarding them as a 'fairly significant bite and attack on a whole lot of people's reputations'.⁴³⁶
- 4.112** As an 'outspoken advocate' for the north-south corridor, Mr Ayres submitted he had no formal role in the selection of train station locations.⁴³⁷

⁴³³ Evidence, Mr Camilleri, 31 October 2024, p 19 and 20.

⁴³⁴ Evidence, Hon Stuart Ayres, former Minister for Western Sydney and Chief Executive Officer, Urban Development Institute of Australia (NSW), 31 October 2024, p 64.

⁴³⁵ Evidence, Mr Ayres, 31 October 2024, p 65.

⁴³⁶ Evidence, Mr Ayres, 31 October 2024, p 66.

⁴³⁷ Evidence, Mr Ayres, 31 October 2024, p 66.

- 4.113** Adding further nuance to the repeated denials about lobbying in 2011, 2012 and 2013 was critical evidence on the role of the Western Sydney Rail Alliance. This was an alliance of stakeholders in Western Sydney advocating for rail infrastructure in the area. It included representatives of: Campbelltown City Council; Liverpool City Council; Penrith City Council; Medich Corporation; Defence; Housing Australia; Ingham Property; Lendlease; Perich Group; Celestino; the Committee for Sydney; Twin Creeks Gold and Country Club; University of Sydney; and the Western Sydney Leadership Dialogue.⁴³⁸
- 4.114** Mr Camilleri advised the committee that the Western Sydney Rail Alliance was partly funded by Celestino.⁴³⁹
- 4.115** Mr Ayres gave evidence that, through the Western Sydney Rail Alliance, Celestino's former Chief Executive Officer, Mr John Vassallo, was active in engaging with members of Parliament about the north-south rail connection:
- Through that Western Sydney Rail Alliance—John Vassallo was the CEO, I think, at the time of a lot of this work. He definitely engaged with a lot of members of Parliament around the need for a rail line to track the north-south corridor, which later became a big part of the future rail needs study. Definitely through that, representatives like John Vassallo engaged with me around train lines but not train station sites.⁴⁴⁰
- 4.116** Underscoring this subtle distinction, Celestino reiterated that the Western Sydney Rail Alliance lobbied for a north-south rail link but did not advocate for specific train stations.⁴⁴¹
- 4.117** Celestino representatives also advised the committee that it retains Taylor Street Advisory to lobby on its behalf.⁴⁴² When asked by the committee whether the Western Sydney Rail Alliance, Taylor Street Advisory or any other entities engaged by Celestino, had lobbied the former NSW Government for certain rail infrastructure outcomes, Mr Scard and Mr Camilleri agreed that would be a fair assumption to make.⁴⁴³
- 4.118** Separate to the Western Sydney Rail Alliance, Celestino confirmed that 'dialogue was had with Government' when the Sydney Science Park master plan was under consideration and in response to several planning proposals from 2012-13 which put forward options for rail and road transport corridors.⁴⁴⁴
- 4.119** Following the announcement of the Sydney Metro-Western Sydney Airport in 2018, Celestino also made an Unsolicited Proposal to the former NSW Government about a metro station at

⁴³⁸ Answers to questions on notice, Celestino, 6 December 2024, p 5.

⁴³⁹ Evidence, Mr Camilleri, 31 October 2024, p 21.

⁴⁴⁰ Evidence, Mr Ayres, 31 October 2024, p 64.

⁴⁴¹ Answers to questions on notice, Celestino, 6 December 2024, p 5; Evidence, Mr Camilleri, 31 October 2024, p 21.

⁴⁴² Evidence, Mr Camilleri, 31 October 2024, p 20.

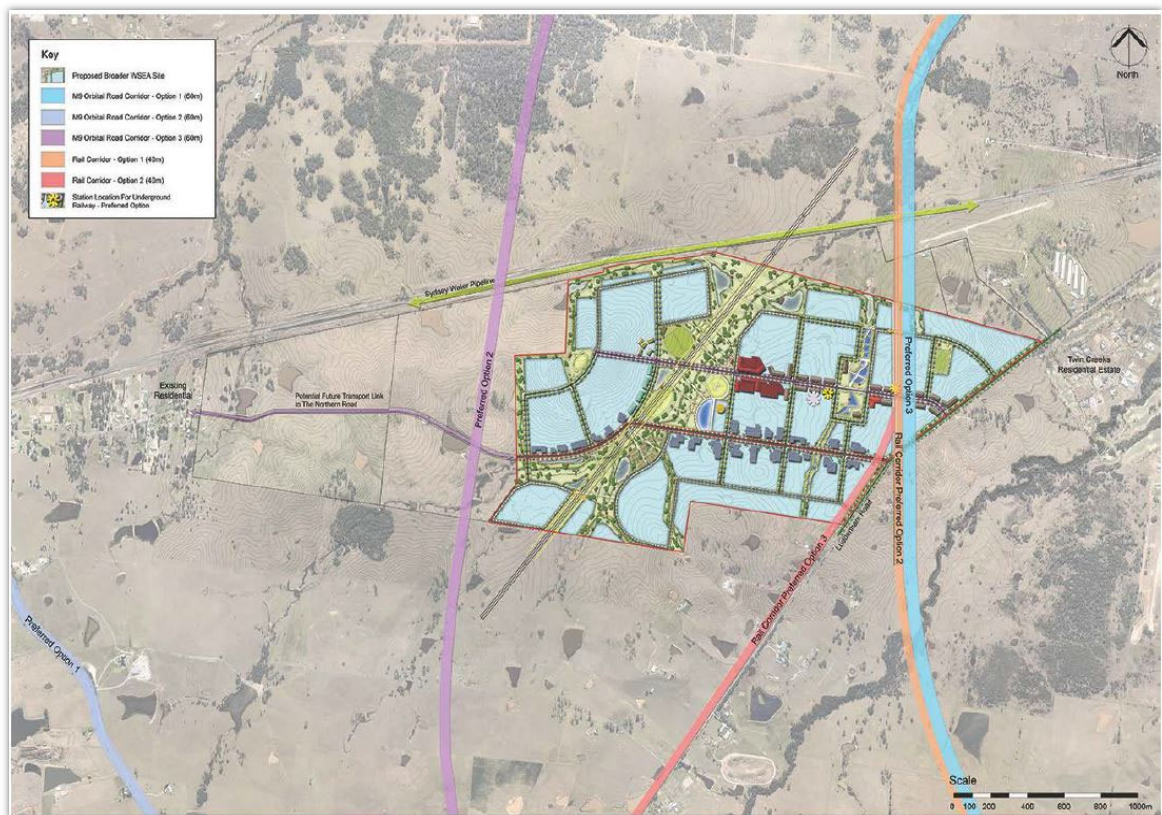
⁴⁴³ Evidence, Mr Camilleri, 31 October 2024, p 20; Evidence, Mr Scard, 31 October 2024.

⁴⁴⁴ Answers to questions on notice, Celestino, 6 December 2024, p 4.

Sydney Science Park. The former NSW Government did not proceed with the proposal, citing as part of its reasons for refusal that it did not satisfy several assessment criteria.⁴⁴⁵

- 4.120 Notwithstanding this evidence, the committee noted that Celestino's preferred corridor alignments and station locations were pre-empted in their original Planning Proposal for Sydney Science Park dated 2014, several years before the former NSW Government committed to the north-south Sydney Metro-Western Sydney Airport and specific station locations. These are shown in Figure 2 in chapter 1.

Figure 4 Preferred transport corridor options for Sydney Science Park



Source: Penrith City Council and E.J. Cooper and Son Pty Ltd, *Planning proposal: Sydney science park, Volume 1, March 2014, p 75.*

Alignment of the Outer Sydney Orbital

- 4.121 As noted in chapter 1, the Outer Sydney Orbital is a corridor reservation catering for a future mix of transport modes, including a motorway, a freight rail line and a passenger rail line.⁴⁴⁶
- 4.122 While various alignments had been under consideration, planning for the Outer Sydney Orbital had potential implications for the layout and master planning for Sydney Science Park, with some options cutting through the site.⁴⁴⁷

⁴⁴⁵ Answers to questions on notice, Celestino, 6 December 2024, pp 4 and 5.

⁴⁴⁶ Submission 14, NSW Government, p 13.

⁴⁴⁷ Submission 14, NSW Government, p 13; Answers to questions on notice, Penrith City Council, 29 November 2024, p 2.

- 4.123** When the original Sydney Science Park Planning Proposal went on public exhibition, Transport for NSW was still refining the route of the Outer Sydney Orbital.⁴⁴⁸
- 4.124** The original Planning Proposal expressed a preference for alignment options that run wholly outside Sydney Science Park 'to enable better urban design and a cohesive science park'.⁴⁴⁹ This is reflected in Figure 4 above, showing Preferred Options 1 and 2 running to the west of Sydney Science Park with no touch points or intersections.
- 4.125** In 2015, Urbis made a submission to the Outer Sydney Orbital Corridor Preservation Study on behalf of Celestino. According to Celestino, the submission advocated for an alignment west of Sydney Science Park on one of their adjacent landholdings – as an alternative to an alignment that would traverse or cut through Sydney Science Park.⁴⁵⁰
- 4.126** From mid-2015 to mid-2016, Celestino also made similar representations to Transport for NSW, Mr Ray Williams MP, the Hon Marise Payne and Mrs Tanya Davies MP, advocating for alignment that would be more favourable for their plans at Sydney Science Park.⁴⁵¹ At the time, Celestino deemed that 'material damage' would be done to Sydney Science Park if Transport for NSW's proposed alignment remained.⁴⁵²
- 4.127** Transport for NSW was responsible for determining the final route of the Outer Sydney Orbital following public exhibition and feedback. Transport for NSW's Chief Transport Planner, Mr Simon Hunter, told the committee there were a number of changes to the corridor alignment.⁴⁵³
- 4.128** According to Mr Hunter, the most significant factor in this decision-making process was the need to co-locate the Outer Sydney Orbital with the M12 Motorway to reduce the overall land requirement for both projects:

The collocation with the M12 Motorway, as I understand it, was one of the biggest factors in the decision because the option that had previously gone through the Sydney Science Park was not compatible with the M12 Motorway ... My understanding is that, to address the incompatibility between the two projects that had arisen, the Outer Sydney Orbital alignment was changed to interchange with the M12 at its current interchange point, north of the airport, and then use the M12 between the M12 and the Northern Road as part of the alignment. This change significantly reduced the overall land requirement and will lower the future cost of delivering that project.⁴⁵⁴

⁴⁴⁸ Submission 14, NSW Government, p 13.

⁴⁴⁹ Penrith City Council and E.J. Cooper and Son Pty Ltd, *Planning proposal: Sydney science park*, Volume 1, March 2014, p 74.

⁴⁵⁰ Answers to questions on notice, Celestino, 6 December 2024, p 9.

⁴⁵¹ Answers to questions on notice, Celestino, 6 December 2024, p 9.

⁴⁵² Answers to questions on notice, Celestino, 6 December 2024, p 9.

⁴⁵³ Evidence, Mr Hunter, 31 October 2024, p 36.

⁴⁵⁴ Evidence, Mr Hunter, 31 October 2024, p 36.

Committee comment

- 4.129** There can be little question that Celestino has benefited from the former NSW Government's transport planning/corridor alignment decisions to connect the Western Sydney International Airport. The committee holds this to be incontrovertible fact rather than contested opinion. Selection of the north-south metro rail connection from Bradfield to St Marys with a BCR of less than one, has delivered Celestino a metro station on their Sydney Science Park site – at the time of writing an undeveloped rural landscape with no sign of the knowledge-based jobs, workers, residents or thriving research and development community promised by Celestino's grand vision. Concerningly for the committee, Expenditure Review Committee approval of the north-south connection for government investment went against expert independent assessment from Infrastructure Australia and was contrary to economic analysis that a south-west connection via the T2 Leppington and Inner West Line would have been less costly and would have performed better. Against this advice, selection of the north-south metro option delivered Celestino a significant windfall in the value of their land. The committee notes the south-west Leppington option would not have delivered the same result for Celestino.
- 4.130** Similarly, changes to Transport for NSW's proposed alignment of the Outer Sydney Orbital resulted in a final corridor reservation that is more favourable for Celestino's land, their plans for Sydney Science Park and their financial interests. Evidence before the committee placed this beyond doubt.
- 4.131** While the committee has little doubt Celestino benefited from these decisions, what is more difficult to establish from the evidence is whether these decisions were unduly influenced by Celestino's private interests.
- 4.132** The committee heard repeated denials from Mr Camilleri about anyone from Celestino or the Baiada Group lobbying – *personally or directly* – the former NSW Government for a station at Sydney Science Park. In a similar vein, government witnesses, including the former Minister for Western Sydney, were emphatic that the selection of the north-south metro project was subject to a rigorous and independently-assured business case and would deliver the greatest benefit for Western Sydney from the options considered.
- 4.133** Selection of station locations along the Sydney Metro-Western Sydney Airport – we heard from government – were based on considerations such as topography, geotechnical information, job creation and provision of the greatest service catchment for present and future communities. If the committee is to accept this evidence at face value, then we must accept there were no extraneous or improper factors influencing the decisions that delivered a metro station to Celestino which will service a non-existent need when it opens in 2026.
- 4.134** The committee's attempts to establish in evidence which meetings were taken, what was discussed and what if any lobbying had occurred, were somewhat unsuccessful. At least to some extent, establishing the facts was hampered by carefully chosen language from some of the witnesses best placed to shed light on this issue. The committee accepts that this may not have been a deliberate attempt to confound or evade accountability, but it nonetheless adds a lack of transparency around the process. This was exacerbated by the fact that some of the key players involved in meetings about Sydney Science Park during the time in question have moved on.

- 4.135** Nevertheless, it is clear to the committee that Celestino has indeed made representations to government about future rail connections in Western Sydney. It is of little consequence whether this was done through direct lobbying of the former NSW Government, through the Western Sydney Rail Alliance (which it partially funded) or through a paid third-party lobbyist/proxy. By paying a third-party lobbyist or multi-organisation alliance to do its bidding, Celestino and former NSW Government decision makers could maintain the appearance of arms-length decision-making. In the committee's opinion, these interests and relationships are not good for public confidence in government decision making and our democracy. For the average person, the fact that the final decision on the north-south rail connection and Outer Sydney Orbital corridor delivered Celestino significant windfalls after some petitioning for those outcomes, does not seem to pass the pub test. Having considered the balance of evidence, the committee still has unanswered questions about the probity and integrity of these decisions. Noting that, we make the following recommendation below.

Recommendation 14

That, in the interests of full transparency in government decision making, the NSW Government publicly release the *Sydney Metro Western Sydney Airport (SM-WSA) Final Business Case*.

- 4.136** Transport infrastructure planning decisions should be made in the interests of the people of New South Wales, and not to benefit private developers. Decisions should be based on the greatest community need including in current and future growth areas within the Sydney Basin and with a view to addressing historical transport disadvantage across the city. Investment decisions should be guided by the end goal of achieving a network that moves passengers and freight around in a safe, efficient and reliable way.
- 4.137** The troubled state of affairs surrounding the Sydney Science Park development is also of concern to the committee. The growing communities of Greater Western Sydney were promised 12,200 high quality, knowledge-based jobs to address the historical concentration of high-paying opportunities in Sydney's east. Some eight years after the site was re-zoned for development, and despite their big promises, Celestino has delivered little more than a water recycling facility that has no present utility and will go into non-operational maintenance mode for the foreseeable future.
- 4.138** The committee is troubled by evidence of Celestino's attempts to increase the dwelling cap from 3,400 to up to 30,000, while noting some of these proposals were for an extent of land greater than the Sydney Science Park site. That these proposals have been refused by the NSW Government does little to allay concerns. In the committee's view, along with Celestino's attempt to abolish the staging trigger, they are a very clear statement of intent for the Sydney Science Park site. Adding to this is their failed commitment to relocate the Baiada Group's Food Science Laboratories and Research Facility to Sydney Science Park, another cause to question Celestino's true intentions for the site. The committee joins with Penrith City Council in seeking to ensure jobs-generating commercial development remains the primary focus of Sydney Science Park, and that any further submissions to amend or modify planning controls, approvals or conditions should be considered in the context of this overarching imperative. We therefore call on the NSW Government to use all the levers at its disposal through the planning system to support delivery of that objective.

Recommendation 15

That the NSW Government, through its relevant planning authorities, continues to ensure all planning instruments, controls and approvals for Sydney Science Park support the overarching objective of delivering well-paid, knowledge-based jobs for the communities of Greater Western Sydney.

Recommendation 16

That the NSW Government ensure the integrity of the Celestino Sydney Science Park development approval is maintained for science and industry-related employment purposes, rather than a new large housing estate, by the consideration of legislating the current approvals (meaning only the Parliament can alter then in future), that is, for:

- a 3,400 dwellings cap
 - gross floor area limits corresponding to certain dwelling numbers (as per the Planning Minister's answer to Question No. 2892 on the Legislative Council Notice Paper), and
 - a retail gross floor area limit of 30,000 metres squared.
-

- 4.139** Equally confusing to the committee is the first-of-a-kind Integrated Water Recycling Hub at Sydney Science Park, standing as an isolated monument to the priority service private developers can receive from Sydney Water when they pay for accelerated services. This state-of-the-art infrastructure has been delivered ahead of schedule, with no users to connect to it and no wastewater to recycle. The facility will be placed in sleep mode for the foreseeable future, potentially incurring maintenance costs to the NSW Government.
- 4.140** In the committee's opinion, there is something clearly wrong with a system that accelerates a water recycling facility on a vacant paddock for a private developer with no present or immediately foreseeable utility, while other precincts in Western Sydney are without basic stormwater and sewerage infrastructure. Hearing that many lots within the Aerotropolis are not yet serviced by sewer or potable water as a result of Sydney Water delays – and that trucked sewerage will be a first-stage requirement for some of the development within the Aerotropolis – casts this anomaly into sharp relief.
- 4.141** The committee has concerns more generally about Sydney Water's accelerated services model, allowing private developers to effectively jump the queue and add to supply chain and workforce challenges for other infrastructure delivery projects. As a state-owned utility provider with a public charter, Sydney Water's servicing priorities should be in no way shaped or influenced by a private developer's capacity to pay. For full transparency on the final cost to the NSW Government of the Integrated Water Recycling Hub at Sydney Science Park, including cost overruns and ongoing maintenance, the committee calls for the release of the commercial agreement between Celestino and Sydney Water as well as any subsequent negotiations around cost overruns and maintenance expenses. It also calls for an independent review of Sydney Water's accelerated servicing model for private developers.

Recommendation 17

That the NSW Government commission an independent review of Sydney Water's accelerated servicing model for private developers, with a view to:

- evaluating whether it delivers value to the public
- evaluating the impact of accelerated services on Sydney Water's ability to deliver priorities identified through its Annual Growth Servicing Plan
- weighing up risks and liabilities to the NSW Government arising from accelerated service agreements.

Recommendation 18

That the NSW Government publicly release:

- the commercial agreement between Celestino and Sydney Water for all water servicing works at Sydney Science Park, including the Integrated Water Recycling Hub
 - any subsequent agreements, variations, extensions or negotiations concerning cost overruns in its delivery, initial and ongoing maintenance costs, and any other relevant expenses for the Integrated Water Recycling Hub at Sydney Science Park.
-

Appendix 1 Submissions

No.	Author
1	EcoTransit Sydney
2	Name suppressed
3	NSW Plumbing Trades Employees Union and Plumbing Industry Climate Action Centre
4	Transport Workers' Union of New South Wales
5	Business Western Sydney
6	Sydney Water Corporation
7	Western Sydney Leadership Dialogue
8	Celestino
9	Bus NSW
10	Liverpool City Council
11	Property Council of Australia
12	The Hon. Angus Taylor MP
13	Professor Roberta Ryan
14	NSW Government
15	NSW Aboriginal Land Council

Appendix 2 Witnesses at hearings

Date	Name	Position and Organisation
Monday, 16 September 2024 Preston Stanley Room Parliament House, Sydney	Mr Mark Hannan	Manager, City Planning, Liverpool City Council
	Mr Luke Oste	Coordinator, City Planning, Liverpool City Council
	Mr Andrew Carfield	General Manager, Camden Council
	Mrs Nicole Magurren	Director Planning & Environment, Camden Council
	Mrs Charlotte Alexander	Head of Growth and Development, Sydney Water Corporation
	Mrs Kate Miles	Head of System Planning and Land Acquisition, Sydney Water Corporation
	Mr Ross Grove	Western Sydney Regional Director, Property Council of Australia
	Ms Esther Cheong	Director, Atlas Economics
	Mr Daniel Peric	Research & Policy Official, Transport Workers Union of NSW
	Mr Theo Samartzopoulos	Secretary, Plumbing and Pipe Trades Employees Union
	Mr Con Tsiakoulas	Compliance Officer, Plumbing and Pipe Trades Employees Union
	Mr Matt Threlkeld	Executive Director, Bus NSW
	Mr John King	President, Bus NSW
	Mr Matthew Doherty	Committee Member, EcoTransit Sydney
Mr Roydon Ng	Member, EcoTransit Sydney	
Thursday 31 October 2024 Macquarie Room Parliament House, Sydney	Mr Andrew Jackson	Director, Planning and Regulatory Services, Penrith City Council
	Ms Kylie Powell	Director, Futures and Strategy, Penrith City Council
	Professor Roberta Ryan	Independent Community Commissioner for the Western Sydney Aerotropolis and Orchard Hills
	Mr Matthew Scard	Chief Executive Officer, Celestino
	Mr John Camilleri	Chairman, Baiada Group
	Ms Justine Kinch	Director Western Sydney Aerotropolis, Transport for NSW
	Mr Simon Hunter	Chief Transport Planner, Transport for NSW

Date	Name	Position and Organisation
	Ms Angela Jeffery	Head of Project Delivery, Sydney Metro
	Mr Ken Morrison	Chief Executive Officer, Bradfield Development Authority
	Ms Natalie Camilleri	Executive Director, Strategy & Development, Bradfield Development Authority
	Mr Tom Gellibrand	Chief Executive, Infrastructure NSW
	Mr Said Hirsh	Head of Strategy, Planning and Innovation, Infrastructure NSW
	Ms Monica Gibson	Deputy Secretary, Planning, Land Use and Strategy, Department of Planning, Housing and Infrastructure
	Hon Rob Stokes	Former Minister for Planning and Public Spaces
	Hon Stuart Ayres	Chief Executive Officer, Urban Development Institute of Australia (NSW) / Former Minister for Western Sydney

Appendix 3 Minutes

Minutes no. 25

Friday 21 June 2024

Public Accountability and Works Committee

Room 1043, Parliament House, Sydney at 2.02 pm

1. Members present

Ms Boyd, *Chair*

Mr Farlow, *Deputy Chair*

Mr Buttigieg (via videoconference)

Dr Kaine (via videoconference)

Mr Latham (via videoconference)

Mr Primrose (via videoconference)

2. Apologies

Ms Merton (substituting for Mrs Taylor for the duration of the inquiry into Western Sydney Science Park and Aerotropolis developments)

3. Draft minutes

Resolved, on the motion of Mr Farlow: That minutes no. 22, 23 and 24 be confirmed.

4. Correspondence

The committee noted the following items of correspondence received:

- 20 June 2024 – Email from Mr Cooper Gannon, Whip's Adviser, Office of the Hon. Chris Rath MLC, advising the committee that the Hon. Rachel Merton MLC will substitute for the Hon. Bronnie Taylor MLC for the duration of the inquiry into Western Sydney Science Park and Aerotropolis developments.

5. Consideration of terms of reference

The Chair tabled a letter proposing the following terms of reference:

1. That the Public Accountability and Works Committee inquire into and report on the impacts of the Sydney Science Park and the Aerotropolis developments on Western Sydney, including:
 - (a) the impacts of these developments on planning, land use, public works, employment, the environment and transport
 - (b) lessons for current government policy in relation to these developments and Western Sydney more broadly
 - (c) any other related matter.
2. That the Committee report by 13 December 2024.

Resolved, on the motion of Mr Primrose: That the committee adopt the terms of reference.

6. Conduct of the inquiry into Western Sydney Science Park and Aerotropolis developments

6.1 Closing date for submissions

Resolved, on the motion of Mr Buttigieg: That the closing date for submissions be Friday 2 August 2024.

6.2 Stakeholder list

Resolved, on the motion of Mr Buttigieg: That:

- the secretariat circulate to members the Chair's proposed list of stakeholders to be invited to make a submission

- members have two days from when the Chair's proposed list is circulated to make amendments or nominate additional stakeholders
- the committee agree to the stakeholder list by email, unless a meeting of the committee is required to resolve any disagreement.

6.3 Approach to submissions

Resolved, on the motion of Dr Kaine: That, to enable significant efficiencies for members and the secretariat while maintaining the integrity of how submissions are treated, in the event that 50 or more individual submissions are received, the committee may adopt the following approach to processing short submissions:

- All submissions from individuals 250 words or less in length will:
 - have an individual submission number, and be published with the author's name or as name suppressed, or kept confidential, according to the author's request
 - be reviewed by the secretariat for adverse mention and sensitive/identifying information, in accordance with practice
 - be channelled into one single document to be published on the inquiry website.
- All other submissions will be processed and published as normal.

6.4 Hearing dates and site visits

Resolved, on the motion of Mr Buttigieg: That the committee hold a site visit/briefing before the hearings, and two hearings (and a reserve hearing date) in September and October 2024, the dates of which are to be determined by the Chair after consultation with members regarding their availability.

7. Other business

8. Adjournment

The committee adjourned at 2.08 pm, until Wednesday 31 July 2024, 9.00 am, Room 1043, Parliament House (Private briefing with NSW Building Commissioner - Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020)).

Holly Rivas Perdomo
Committee Clerk

Minutes no. 27

Friday 23 August 2024

Public Accountability and Works Committee

Bradfield Development Authority, 50 Belmore Street, Penrith, 11.15 am

1. Members present

Ms Boyd, *Chair*

Mr Farlow

Ms Merton

Mr Nanva (substituting for Dr Kaine)

Mr Primrose

2. Apologies

Mr Buttigieg

3. Inquiry into Western Sydney Science Park and Aerotropolis developments

The committee received a private briefing from representatives from key government agencies involved in the developments, including representatives from:

- Bradfield Development Authority
- Transport for NSW and Sydney Metro
- Infrastructure NSW
- Department of Planning, Housing and Infrastructure.

Mr Nanva left the meeting.

The committee had a briefing with representatives from the Western Sydney Airport Corporation at the Western Sydney International Airport Experience Centre.

The committee then toured the Western Sydney Science Park development with representatives from Celestino.

Ms Boyd left the meeting.

The committee briefly toured the site of Bradfield's Advanced Manufacturing Research Facility.

4. **Adjournment**

The committee adjourned at 2.50 pm until Monday 2 September 2024, Macquarie Room (First hearing – Inquiry into the Western Sydney Science Park and Aerotropolis developments).

Margaret Pollard / Tina Higgins

Committee Clerk

Minutes no. 28

Monday 16 September 2024

Public Accountability and Works Committee

Preston Stanley Room, Parliament House, Sydney at 9:01am

1. **Members present**

Ms Boyd, *Chair*

Mr Farlow, *Deputy Chair*

Mr Buttigieg

Dr Kaine

Mr Latham

Ms Merton

Mr Primrose (via videoconference)

2. **Previous minutes**

Resolved, on the motion of Mr Farlow: That draft minutes nos. 26 and 27 be confirmed.

3. **Correspondence**

The committee noted the following items of correspondence:

Received

- 20 June 2024 – Email from Mr Cooper Gannon, Whip's Adviser, to secretariat advising that the Hon. Rachel Merton will substitute for the Hon. Bronnie Taylor for the duration of the Western Sydney Science Park and Aerotropolis developments inquiry
- 15 August 2024 – Email from Ms Rebecca Baxendale, Senior Department Liaison Officer, Office of the Premier, providing the Government's response to the report into the Appointments of Josh Murray as Secretary of Transport for NSW and Emma Watts as NSW Cross-Border Commissioner and Senior Executives and Department Liaison Officers in 2023
- 20 August 2024 – Email from Mr Max Kennedy, Whip's Adviser, to secretariat advising that the Hon. Bob Nanva will substitute for the Hon. Sarah Kaine for the site visit on 23 August 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments

- 20 August 2024 – Email from Mr James Fisher, Director, Bradfield Development Authority, to secretariat advising of access restrictions to the Western Sydney Science Park and Aerotropolis developments, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 27 August 2024 – Email from Ms Lauren Nicholls, Head of Policy & Analysis, Western Sydney Leadership Dialogue, to secretariat, advising that the Western Sydney Leadership Dialogue declines the invitation to give evidence at the hearing on 2 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 26 August 2024 – Email from Ms Lynda Savage, Government Relations Advisor, Sydney Water Corporation, to secretariat, requesting for their appearance to be moved to another hearing date, for the inquiry into the Western Sydney Science Park and Aerotropolis developments
- 28 August 2024 – Email from Mr Peter Wood, Head of Development Services, Penrith City Council, to secretariat, declining the invitation to attend the hearing on 2 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 28 August 2024 – Email from Ms Kate Robinson to secretariat, advising that Professor Ryan is unable to attend a hearing on 2 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 28 August 2024 – Email from Ms Lisa Tonna, Executive Assistant, Department of Infrastructure, Transport, Regional Development, Communications and the Arts, to committee, advising that the Department will not be attending the hearing on 2 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 6 September 2024 – Email from Mr Canio Fierravanti, Director – Government and Community Relations, University of Wollongong, to secretariat, advising that University of Wollongong declines the invitation to give evidence at the hearing on 20 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 6 September 2024 – Email from Mr Duncan Challen, General Manager – Business Development, Celestino, to secretariat, advising that Celestino declines the invitation to give evidence at the hearing on 20 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 9 September 2024 – Email from Ms Rochelle Dobson, Legal Secretary, Australian Manufacturing Workers Union, to secretariat, advising that Australian Manufacturing Workers Union declines the invitation to give evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 9 September 2024 – Email from Mr Robin Schuck, Director – Government Relations, University of New South Wales, to secretariat, advising that University of New South Wales declines the invitation to give evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 9 September 2024 – Email from Ms Fiona Bastian, Head of Government Relations, University of Newcastle, to secretariat, advising that University of Newcastle declines the invitation to give evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 9 September 2024 – Email from Ms Kate Robinson to secretariat, advising that Professor Ryan is unable to attend a hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 10 September 2024 – Email from Mr William Gibaud OBE, Head of Government Relations, BAE Systems, to secretariat, advising that BAE Systems declines the invitation to give evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 10 September 2024 – Email from Mr Jack Steele, Government Engagement, CSIRO, to secretariat, advising that CSIRO declines the invitation to give evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 10 September 2024 – Email from Ms Maree Oliver, Principal Executive Assistant, Western Sydney University, to secretariat, advising that Western Sydney University declines the invitation to give

evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.

- 10 September 2024 – Email from Mr James Fisher, Director Agribusiness, Bradfield Development Authority, to secretariat, providing a copy of questions recorded and the presentation from the site visit held on 23 August 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 12 September 2024 – Email from Ms Helen Alexander, Senior Operations and Governance Officer, Australian Space Agency, to secretariat, advising that Australian Space Agency declines the invitation to give evidence at the hearing on 16 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 12 September 2024 – Email from Ms Ali Nelson-Watt, Ministerial and Parliamentary Services, Infrastructure NSW, to secretariat, requesting to attend a later hearing for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 12 September 2024 – Email from Ms Amy van den Nieuwenhof, Senior Policy Officer, Department of Planning, Housing and Infrastructure, to secretariat, requesting the department to attend at a later hearing and alongside Bradfield Development Authority, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.

Sent

- 31 July 2024 – Email from the secretariat, to Ms Vicki Kimber, Sydney Metro, advising that correspondence from Sydney Metro to the committee, received on 18 July 2024, regarding the consulting services report has been published, for the Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020.

4. Inquiry into the Western Sydney Science Park and Aerotropolis Developments

4.1 Public submissions

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submissions nos. 1 and 3-15.

4.2 Partially confidential submission

Resolved, on the motion of Mr Buttigieg: That the committee authorise the publication of submission no. 2, except for names and identifying information, which should be kept confidential, as per the request of the author.

4.3 Sequence of questions

Resolved, on the motion of Mr Buttigieg: That the allocation of questions to be asked at today's hearing be left in the hands of the Chair.

4.4 Public hearing

Witnesses and the public were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Mr Mark Hannan, Manager, City Planning, Liverpool City Council
- Mr Luke Oste, Coordinator, City Planning, Liverpool City Council
- Mr Andrew Carfield, General Manager, Camden Council
- Mrs Nicole Magurran, Director Planning & Environment, Camden Council.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mrs Charlotte Alexander, Head of Growth and Development, Sydney Water Corporation
- Mrs Kate Miles, Head of System Planning and Land Acquisition, Sydney Water Corporation.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Ross Grove, Western Sydney Regional Director, Property Council of Australia
- Ms Esther Cheong, Director, Atlas Economics

The evidence concluded and the witnesses withdrew.

Dr Kaine left the meeting.

Mr Farlow left the meeting.

The public hearing was adjourned.

4.5 Election of Deputy Chair

In the absence of Mr Farlow, the Chair called for nominations for Deputy Chair for the remainder of the hearing.

Resolved, on the motion of Mr Buttigieg: That Ms Merton be elected as Deputy Chair for the remainder of the hearing on 16 September 2024.

There being no further nominations, the Chair declared Ms Merton elected Deputy Chair for the remainder of the hearing on 16 September 2024.

4.6 Public hearing (continued)

Witnesses and the public were readmitted.

The following witnesses were sworn and examined:

- Mr Daniel Peric, Research & Policy, Transport Workers Union of NSW
- Mr Con Tsiakoulas, Compliance Officer, Plumbing and Pipe Trades Employees Union.

The evidence concluded and the witnesses withdrew.

Dr Kaine rejoined the meeting.

The following witnesses were sworn and examined:

- Mr Matt Threlkeld, Executive Director, Bus NSW
- Mr John King, President, Bus NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Matthew Doherty, Committee Member, EcoTransit Sydney
- Mr Roydon Ng, Member, EcoTransit Sydney.

Mr Roydon Ng tendered the following document:

- Newspaper article entitled "'Quickest, cheapest' way to boost Sydney's train services', *Sydney Morning Herald*, 13 March 2019.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 3:15pm.

4.7 Tendered documents

Resolved, on the motion of Mr Buttigieg: That the committee accept the following document tendered by Mr Roydon Ng during the public hearing:

- Matt O'Sullivan, 'Quickest, cheapest' way to boost Sydney's train services', *Sydney Morning Herald*, 13 March 2019.

4.8 Further hearing dates and witnesses

The committee noted that several witnesses have declined, including for the hearing date of 20 September.

Resolved, on the motion of Mr Buttigieg: That the hearing on 20 September be vacated and the next hearing be held on Thursday 31 October 2024.

Resolved on the motion of Mr Buttigieg: That the committee have the opportunity to outline issues likely to be raised with government witnesses, to assist them with preparation for their appearance at the hearing on Thursday 31 October 2024.

Resolved on the motion of Mr Buttigieg: That for the next hearing on Thursday 31 October 2024:

- the Chair to write to Penrith City Council and Celestino to re-issue the witness invitations, noting the committee's powers to issue a summons if the witness declines or there is no response
- the following government agencies be invited to attend as panels:
 - Transport for NSW and Sydney Metro
 - Bradfield Development Authority, Infrastructure NSW and Department of Planning, Housing and Infrastructure
- Ms Gladys Berejiklian, Mr Andrew Constance, Mr Stuart Ayres and Mr Rob Stokes be invited to attend.

4.9 Extension of reporting date

Resolved, on the motion of Mr Buttigieg: That the reporting date be extended to the end of February 2025.

5. Adjournment

The committee adjourned at 3:36pm, until 9.00am Thursday 31 October 2024 (second public hearing for the Aerotropolis inquiry).

Daniel Whiteman
Committee Clerk

Minutes no. 30

Wednesday 16 October 2024

Public Accountability and Works Committee

Members Lounge, Parliament House, Sydney at 12.28 pm

1. Members present

Ms Boyd, Chair

Mr Farlow, *Deputy Chair*

Dr Kaine

Mr Latham

Ms Merton

Mr Primrose

Mr Buttigieg

2. Previous minutes

Resolved, on the motion of Dr Kaine: That minutes nos. 28 and 29 be confirmed.

3. Correspondence

The committee noted the following items of correspondence:

Received

- 12 September 2024 – Email from Ms Amy Van Den Nieuwenhof, Senior Policy Officer, Cabinet Strategy & Coordination, Office of the Secretary, Department of Planning, Housing and Infrastructure, to secretariat, requesting to attend the public hearing on 31 October rather than 20 September, for the inquiry into the Western Sydney Science Park and Aerotropolis developments (*previously circulated*).
- 12 September 2024 – Email from Ms Ali Nelson-Watt, Ministerial and Parliamentary Services, Corporate Services, Infrastructure NSW, to secretariat, requesting to attend public hearing on 31

October than the 20 September, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.

- 13 September 2024 – Email from Ms Inga David, Director, Office of the Chief Executive, Bradfield Development Authority, to secretariat, requesting to attend the public hearing on 31 October rather than 20 September, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 13 September 2024 – Email from Mr Mitch Dudley, Manager Parliamentary Services, Transport for NSW, to secretariat, requesting that Transport and Sydney Metro attend the public hearing on 31 October rather than 20 September, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 16 September 2024 – Email from Mr David Mackay, Deputy Secretary, Regions, Cities and Territories, Department of Infrastructure, Transport, Regional Development, Communications and the Arts, to secretariat, advising that the Department of Infrastructure, Transport, Regional Development, Communications and the Arts declines the invitation to give evidence at the hearing on 20 September 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 26 September 2024 – Letter from Mr Matthew Scard, Chief Executive Officer, Celestino, to secretariat, advising that Celestino declines the reissued invitation to give evidence at the hearing on 31 October 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.
- 4 October 2024 – Email from Ms Gladys Berejiklian, former NSW Premier, to secretariat, declining the invitation to give evidence at the hearing on 31 October 2024, for the inquiry into the Western Sydney Science Park and Aerotropolis developments.

4. Inquiry into Western Sydney Science Park and Aerotropolis developments

The committee noted that Celestino had been invited to give evidence at the hearing on 16 September and the upcoming hearing on 31 October and had declined.

Resolved, on the motion of Mr Buttigieg: That the Chair write to Mr Matthew Scard, Chief Executive Officer of Celestino:

- re-issuing the invitation for Celestino to appear at the hearing on Thursday 31 October 2024 and also requesting the attendance of Mr John Camilleri, Director to appear alongside Mr Scard
- noting that if a decline is received again, that under the authority of s 4(2) of the *Parliamentary Evidence Act 1901*, the committee has resolved to issue a summons to Mr Scard and Mr Camilleri to attend and give evidence before the committee on Thursday 31 October 2024 at 10:45 am.

5. Adjournment

The committee adjourned at 12.44 pm until 9.15 am Thursday 31 October 2024, Macquarie Room, Parliament House, Sydney (second hearing of the inquiry into Western Sydney Science Park and Aerotropolis developments).

Mr Daniel Whiteman
Committee Clerk

Minutes no. 31

Thursday 31 October 2024

Public Accountability and Works Committee

Macquarie Room, Parliament House, Sydney at 9.17 am

1. Members present

Ms Boyd, *Chair*

Mr Farlow, *Deputy Chair* (from 9.23 am)

Mr Buttigieg

Dr Kaine (from 3:30 pm)

Mr Latham (from 9.29 am)

Ms Merton

Mr Primrose (via videoconference)

2. Previous minutes

Resolved, on the motion of Mr Buttigieg: That minutes no. 30 be confirmed.

3. Correspondence

The committee noted the following items of correspondence:

Received

- 26 September 2024 – Email from Mr Daniel Peric, Research and Policy Official, Transport Workers Unions NSW, to the secretariat providing answers to questions on notice and requesting clarifications to the transcript from the public hearing on 16 September 2024.
- 27 September 2024 – Email from Mr Roydon Ng, Member, EcoTransit, to the secretariat providing answers to questions on notice
- 1 October 2024 – Email from Mr Mark Hannan, Manager City Planning, Liverpool Council, to the secretariat providing answers to questions on notice
- 14 October 2024 – Email from Mr Ross Grove, Western Sydney Regional Director, Property Council of Australia, to the secretariat providing answers to questions on notice.
- 15 October 2024 – Email from Ms Lynda Savage, Government Relations Advisor, Sydney Water Corporation to the secretariat providing answers to questions on notice
- 21 October 2024 – Email from Mr Matthew Scard, Chief Executive Officer, Celestino to the secretariat, advising of his attendance, along with Mr John Camilleri, Director, Celestino, for the hearing on 31 October 2024 for the inquiry into the Western Sydney Aerotropolis and Sydney Science Park developments
- 24 October 2024 – Email from Mr Matthew Scard, Chief Executive Officer, Celestino to the secretariat, requesting his attendance along with Mr John Camilleri, Director, Celestino, at the time originally allocated at the hearing on 31 October 2024 for the inquiry into the Western Sydney Aerotropolis and Sydney Science Park developments.
- 24 October 2024 – Email from Mr Matthew Scard, Chief Executive Officer, Celestino to the secretariat, acknowledging the correct time of his attendance, along with Mr John Camilleri, Director, Celestino, at the hearing on 31 October 2024 for the inquiry into the Western Sydney Aerotropolis and Sydney Science Park developments.

Sent:

- 16 October 2024 – Letter from Chair to Mr Matthew Scard, Chief Executive Officer, Celestino, re-issuing the invitation for Celestino to give evidence and specifically requesting Mr Scard and Mr John Camilleri, Director, Celestino, appear at the hearing on 31 October 2024, for the inquiry into the Western Sydney Aerotropolis and Sydney Science Park developments.

4. Inquiry into Western Sydney Science Park and Aerotropolis developments

4.1 Answers to questions on notice

The committee noted that the following questions on notice were published by the committee clerk under the authorisation of the resolution appointing the committee:

- Transport Workers Union of NSW, received on 26 September 2024
- EcoTransit, received on 27 September 2024
- Liverpool City Council, received on 1 October 2024
- Property Council of Australia, received on 14 October 2024
- Sydney Water Corporation, received on 15 October 2024.

4.2 Transcript correction

Resolved on the motion of Ms Merton: That the Committee authorise publication of correspondence from:

- Mr Daniel Peric, Transport Workers Union NSW, clarifying his evidence on 16 September 2024, received on 26 September 2024 on the inquiry webpage
- the insertion of footnotes in the transcript on 16 September 2024, noting that correspondence clarifying evidence had been received and providing a hyperlink to the published correspondence.

4.3 Sequence of questions

The committee noted that the allocation of questioning time for the hearing would be left in the hands of the Chair.

4.4 Public hearing

Witnesses and the public were admitted at 9.30 am.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Mr Andrew Jackson, Director, Planning and Regulatory Services, Penrith City Council
- Ms Kylie Powell, Director, Futures and Strategy, Penrith City Council.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Professor Roberta Ryan, Independent Community Commissioner for the Western Sydney Aerotropolis and Orchard Hills.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Matthew Scard, Chief Executive Officer, Celestino
- Mr John Camilleri, Director, Celestino.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Justine Kinch, Director, Western Sydney Aerotropolis, Transport for NSW
- Mr Simon Hunter, Chief Transport Planner, Transport for NSW
- Ms Angela Jeffery, Head of Project Delivery, Sydney Metro.

The evidence concluded and the witnesses withdrew.

Mr Buttigieg left the meeting.

The following witnesses were sworn and examined:

- Ken Morrison, Chief Executive Officer, Bradfield Development Authority
- Ms Natalie Camilleri, Executive Director, Strategy & Development, Bradfield Development Authority
- Mr Tom Gellibrand, Chief Executive, Infrastructure NSW
- Mr Said Hirsh, Head of Strategy, Planning and Innovation, Infrastructure NSW
- Ms Monica Gibson, Deputy Secretary, Planning, Land Use and Strategy, Department of Planning, Housing and Infrastructure.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Hon Rob Stokes, Professor, Macquarie Law School, Macquarie University / Former Minister for Planning and Public Spaces.

Dr Kaine joined the meeting.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Hon Stuart Ayres, Chief Executive Officer, Urban Development Institute of Australia (NSW) / Former Minister for Western Sydney.

The evidence concluded and the witness withdrew.

5. Adjournment

The committee adjourned at 4.24 pm, *sine die*.

Daniel Whiteman
Committee Clerk

Minutes no. 33

Friday 14 February 2025

Public Accountability and Works Committee

Jubilee Room, Parliament House, Sydney at 10.02 am

1. Members present

Ms Boyd, *Chair*

Mr Buttigieg

Dr Kaine

Mr Latham

Ms Mitchell

Mr Primrose

Mr Rath (substituting for Mr Farlow for the duration of the inquiry into the Integrity, efficacy, and value for money of the Local Small Commitments Allocation process)

2. Previous minutes

Resolved, on the motion of Mr Latham: That minutes no. 32 be confirmed.

3. Correspondence

The committee noted the following items of correspondence for the Inquiry into Western Sydney Science Park and Aerotropolis developments:

Received:

- 28 November 2024 – Email from Ms Vicki Kimber, on behalf of Ms Angela Jeffery, Head of Project Delivery, Sydney Metro, to the secretariat providing answers to questions on notice and supplementary questions
- 29 November 2024 – Email from Ms Phillipa Gately, on behalf of Ms Monica Gibson, Deputy Secretary – Planning, Land Use Strategy, Housing and Infrastructure, Department of Planning, Housing and Infrastructure, to the secretariat providing answers to supplementary questions
- 29 November 2024 – Email from Ms Phillipa Gately, on behalf of Mr Ken Morrison, Chief Executive Officer and Ms Natalie Camilleri, Executive Director – Strategy and Development, Bradfield Development Authority, to the secretariat providing answers to questions on notice and supplementary questions
- 29 November 2024 – Email from Ms Anju Sharma, on behalf of Ms Justine Kinch, Director – Western Sydney Aerotropolis and Mr Simon Hunter, Chief Transport Planner, Transport for NSW, to the secretariat providing answers to questions on notice and supplementary questions
- 29 November 2024 – Email from Mr Tom Gellibrand, Chief Executive and Mr Said Hirsh, Head of Strategy, Planning and Innovation, Infrastructure NSW, to the secretariat providing answers to questions on notice and supplementary questions
- 29 November 2024 – Email from Ms Alison Vernon, Executive Assistant on behalf of Mr Andrew Jackson, Director – Planning and Regulatory Services, and Ms Kylie Powell, Director – Futures and Strategy, Penrith City Council, to the secretariat providing answers to questions on notice

- 3 December 2024 – Email from Ms Kate Robinson, on behalf of Professor Roberta Ryan, Community Commissioner for the Western Sydney Aerotropolis and Orchard Hills, providing additional information to the committee
- 3 December 2024 – Email from Stuart Hamilton, Accountability Round Table, to secretariat, declining offer to make a submission
- 4 December 2024 – Letter from Ms Catherine Payne, General Manager External Affairs and Communication, Western Sydney Airport Corporation, to the secretariat providing a response in relation to the Chair's letter dated 19 November 2024
- 5 December 2024 – Letter from Ms Monica Gibson, Deputy Secretary – Planning, Land Use Strategy, Housing and Infrastructure, Department of Planning, Housing and Infrastructure, requesting a clarification to the transcript from the public hearing on 31 October 2024
- 6 December 2024 – Email from Mr Duncan Challen, General Manager Business Development, Celestino, to the secretariat providing answers to questions on notice and supplementary questions
- 11 February 2025 – Email from Renee O'Kane, Chief of Staff to the Auditor-General, Audit NSW, to the secretariat advising of Auditor-General's unavailability for the hearing on 14 February 2025, and providing alternative witnesses
- 11 February 2025 – Email from Renee O'Kane, Chief of Staff to the Auditor-General, Audit NSW, to the secretariat providing further alternative witness for the hearing on 14 February 2025.

The committee noted the following items of correspondence for the inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process:

Received

- 25 November 2024 – Email from Cooper Gannon, Whip's Adviser, Office of the Hon. Chris Rath MLC, to secretariat, advising the Mr Rath will substitute for Mr Farlow for the duration of the LSCA inquiry
- 6 January 2025 – Email from Chaitanya Tadikonda, Senior Coordinator Infrastructure Services, City of Ryde, to secretariat, requesting an extension to the submission deadline
- 7 February 2025 – Email from Mr Lewis Rangott, Executive Director, Corruption Prevention, NSW Independent Commission Against Corruption, to the secretariat, declining the invitation to appear at a hearing for the LSCA inquiry on 14 February 2025
- 11 February 2025 – Letter from Mr Warren Kirby MP, Member for Riverstone, to secretariat, declining the invitation to appear at a hearing for the LSCA inquiry on 14 February 2025
- 11 February 2025 – Email from Ms Suzanne Lawrence, Senior Electorate Officer, Riverstone, to secretariat, declining the invitation to appear at a hearing for the LSCA inquiry on 14 February 2025.

Sent

- 9 January 2024 – Email from secretariat to Chaitanya Tadikonda, Senior Coordinator Infrastructure Services, City of Ryde, advising of extension until 12 February 2025.

The committee noted the following items of correspondence for the inquiry into the Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020:

Received

- 30 November 2024 – Letter from the Hon Anoulack Chanthivong MP, Minister for Better Regulation and Fair Trading, Minister for Industry and Trade, Minister for Innovation, Science and Technology, Minister for Building, and Minister for Corrections, to the committee proposing to further brief the committee on the findings of the public consultation for the draft building reforms in early 2025 to assist the committee's review of the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020

4. Inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process

4.1 Public submissions

The committee noted the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submissions nos. 1 -3, 5 - 8, 10 – 11.

Resolved, on the motion of Mr Buttigieg: That submission no. 9 be published.

4.2 Confidential submissions

Resolved, on the motion of Mr Buttigieg: That the committee keep submission no. 4 confidential.

4.3 Election of a deputy chair

The Chair called for nominations for the Deputy Chair.

Ms Mitchell moved: That Mr Rath be elected Chair of the committee.

There being no further nominations, the Chair declared Mr Rath elected Deputy Chair.

5. Inquiry into Western Sydney Science Park and Aerotropolis developments

5.1 Change to reporting date

The committee noted that it agreed via email on 25 November 2024 for the reporting date of the Western Sydney Science Park and Aerotropolis developments inquiry to be extended to 28 March 2025.

5.2 Answers to questions on notice and supplementary questions

The committee noted that the following answers to questions on notice were published by the committee clerk under the authorisation of the resolution appointing the committee:

- Sydney Metro, received on 28 November 2024
- Penrith City Council, received on 29 November 2024
- Infrastructure NSW, received on 29 November 2024
- Transport for NSW, received on 29 November 2024
- Bradfield Development Authority, received on 29 November 2024
- Department of Planning, Housing and Infrastructure, received on 29 November 2024
- Celestino, received on 6 December 2024.

5.3 Transcript corrections

Resolved, on the motion of Mr Latham: That the committee authorise the insertion of a footnote on page 45 of the transcript from 31 October 2024, clarifying evidence of Ms Gibson, as per correspondence received on 5 December 2024.

6. Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020

The committee discussed the correspondence from Minister Chanthivong regarding a second private briefing with the committee to discuss the findings of the public consultation for the draft building reforms, dated 30 November 2024. His office has suggested the dates in April.

The committee agreed to arrange the briefing via email, with the secretariat to recirculate the Minister's suggested dates.

7. Integrity, efficacy, and value for money of the Local Small Commitments Allocation process (continued)

7.1 Public hearing

Resolved, on the motion of Ms Mitchell: That the sequence of questions is to alternate between opposition, crossbench and government members, in that order, with equal time allocated to each.

Witnesses and the public were admitted at 10.16 am.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Louise Farrell, Manager, City Projects, Bayside Council
- Ms Samantha Guthleben, Executive Manager, Office of the General Manager, Bayside Council.

The evidence concluded and the witnesses withdrew.

The following witness was examined:

- Mr Ray Williams MP, Member for Kellyville.

The evidence concluded and the witness withdrew.

The following witness was examined:

- Ms Kobi Shetty MP, Member for Balmain.

The evidence concluded and the witness withdrew.

The following witnesses were sworn and examined:

- Ms Simone Walker, Deputy Secretary, Corporate Services, NSW Premier's Department
- Ms Allison Morgan, Executive Director, Grant Program Office, NSW Premier's Department.

Mr Rath tabled the email from Ms Morgan to Mr Mehan, dated Friday July 19, 2024, regarding LSCA grant program weekly report.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Claudia Migotto, Deputy Auditor-General for NSW, Audit Office NSW
- Assistant Auditor-General, Performance Audit, Audit Office NSW
- Assistant Auditor-General, Financial Audit, Audit Office nSW

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 3.42 pm.

8. **Tendered documents**

Resolved, on the motion of Mr Rath: That the committee accept and publish the document tabled by Mr Rath, 'Email from Ms Morgan to Mr Mehan, dated Friday July 19, 2024, regarding LSCA grant program weekly report'.

9. **Other business**

Resolved, on the motion of Ms Mitchell: That the committee members email the Chair and secretariat with proposed witnesses for the next LSCA public hearings by 5pm Monday 17 February 2025. Dr Kaine noted that she will be an apology for the next meeting (Monday 24 March 2025).

10. **Adjournment**

The committee adjourned at 3.50 pm, until Monday, 24 March 2025 (report deliberative and public hearing).

Verity Smith

Committee Clerk

Minutes no. 35

Monday 24 March 2025

Public Accountability and Works Committee

Macquarie Room, Parliament House, Sydney, 8.32 am

1. **Members present**

Ms Boyd, *Chair*

Mr Rath, *Deputy Chair*

Mr Buttigieg

Mrs Mitchell (from 8.41 am)

Mr Primrose

Ms Suvaal (substituting for Dr Kaine)

2. Apologies

Mr Latham

3. Previous minutes

Resolved, on the motion of Mr Rath: that draft minutes no. 34 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received

- 11 March 2025 – Email from Ms Julie Morris, Executive Support Officer, NSW Electoral Commission, to secretariat, offering Hon. Arthur Emmett AO KC to appear alongside Commissioner Rachel McCallum and Mr Hugo Bergeron Executive Director, Funding Disclosure and Compliance, NSW Electoral Commission, at the hearing on 24 March 2025, for the inquiry into the integrity, efficacy and value for money of the Local Small Commitments Allocation process
- 14 March 2025 – Email from Ms Philippa Scott, Councillor, Leichardt Ward, to secretariat, advising that she is unavailable to attend the hearing 24 March 2025, for the inquiry into the integrity, efficacy and value for money of the Local Small Commitments Allocation process
- 14 March 2025 – Email and attachment from Mr Keiren Ash to secretariat, advising that he can appear by videoconference only early on 24 March 2025 due to travel commitments, for the inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process
- 16 March 2025 – Email from Ms Philippa Scott, Councillor, Leichardt, to secretariat, advising that she can appear at the hearing on 24 March 2025 and requesting to appear via videoconference, for the inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process
- 17 March 2025 – Email from Ms Julie Priest, Acting Economic Development Manager Strategy, Community, Planning and Environment, Port Macquarie-Hastings Council, to secretariat, advising that Port Macquarie-Hastings Council has declined the invitation to attend the hearing on 28 March 2025, for the inquiry into the integrity, efficacy and value for money of the Local Small Commitments Allocation process
- 19 March 2025 – Email from Ms Janine Carr, Acting Executive Officer to the Chief Executive Officer, Executive Services, City of Ryde, to secretariat, advising that Mr Wayne Rylands, Mr Trenton Brown, and Ms Sophie Lara-Watson are unable to attend the hearing on 28 March, for the inquiry into the integrity, efficacy and value for money of the Local Small Commitments Allocation process
- 21 March 2025 – Email from Ms Catherine Wall, Senior Electorate Officer for David Mehan MP, The Entrance Electorate Office, to secretariat, advising that Mr David Mehan MP is no longer able to attend the hearing on 24 March 2025, for the inquiry into the integrity, efficacy and value for money of the Local Small Commitments Allocation process.

Sent

- 14 March 2025 – Letter from the Chair to Ms Suzanne Lawrence, Senior Electorate Officer, Riverstone Electorate Officer, inviting Ms Lawrence to make a submission, for the inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process.

5. Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020**5.1 Extension of reporting date and confirmed briefing with Minister Chanthivong**

Committee noted that it agreed via email on 4 November 2024 to extend the reporting date for the review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020 to the end of March 2025 to accommodate Minister Chantivong's request for a second briefing.

At the committee's last meeting, the committee resolved to hold a second briefing with Minister Chantivong on a date to be confirmed in April. The briefing was confirmed by email for Thursday 3 April 2025 at 11.00 am.

Resolved, on the motion of Mr Buttigieg: That the reporting date be extended to 30 June 2025.

6. Inquiry into Western Sydney Science Park and Aerotropolis developments

6.1 Consideration of the Chair's Final Report

The committee agreed by email on 22 March 2025 to postpone consideration of the Chair's Final Report until Friday 28 March 2025.

Resolved, on the motion of Mr Buttigieg: That the committee table the final report by Friday 4 April 2025.

7. Inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process

7.1 Public submission

Resolved, on the motion of Mr Primrose: That the committee authorise the publication of submission no. 12, as per the request of the author.

7.2 Witnesses appearing on the 24 March 2025

The committee noted that Ms Cherie Burton was served with a summons on 18 March 2025, in accordance with the committee's previous resolution.

The committee noted that it agreed via email for:

- Mr Keiren Ash and Ms Philippa Scott to not be served with a summons to give evidence on 24 March 2025, given they agreed to appear and advised the committee that a summons was not necessary
- Ms Kate McGrath to be given the option of not being served with a summons, if she is appearing on a voluntary basis
- the secretariat to liaise with other witnesses who have not been served with a summons yet to ascertain whether they are willing to appear voluntarily, such that service of the summons is not required.

The committee noted that Ms Kate McGrath, Witness A and Ms Ashvini Ambihapahar verbally agreed to give evidence without the need for serving a summons.

Resolved, on the motion of Mr Buttigieg: That the details of the in camera witness be redacted from all relevant minutes.

7.3 Answers to questions on notice and supplementary questions

The committee noted that the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice and supplementary questions (including one attachment) from Ms Simone Walker, Deputy Secretary, Corporate Services, and Ms Alison Morgan, Executive Director, Grant Program Office, NSW Premiers Department, received 17 March 2025
- answers to questions on notice and supplementary questions (excluding the two attachments) from Ms Kobi Shetty, MP, received 17 March 2025
- answers to questions on notice and supplementary questions from Bayside Council and appendices (excluding Appendix C and D), received 13 March 2025
- answers to questions on notice and supplementary questions from The Audit Office, received 11 March 2025.

Resolved, on the motion of Mr Buttigieg: That the committee authorise the publication of Appendix C and D to Bayside Council's answers to questions on notice and supplementary questions, except for identifying and/or sensitive information, which is to remain confidential, as per the recommendation of the secretariat.

Resolved, on the motion of Mr Rath: That the committee authorise the publication of answers to supplementary questions from Mr Ray Williams MP, Member for Kellyville.

Resolved, on the motion of Mr Buttigieg: That the committee authorise the publication of the attachments to Ms Kobi Shetty MP's answers the questions on notice and supplementary questions, except for identifying and/or sensitive information, which is to remain confidential, as per the recommendation of the secretariat.

7.4 Public hearing

The committee noted the sequence of questions is to alternate between opposition, crossbench and government members, with equal time allocated to each.

Witnesses and the public were admitted at 8.45 am.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Philippa Scott, 2023 Labor Candidate, Balmain (via videoconference)
- Mr Kieren Ash, 2023 Labor Campaign Manager, Balmain (via videoconference).

The evidence concluded and the witnesses withdrew.

The public hearing adjourned.

The media and public withdrew.

7.5 *In camera* hearing

The committee noted that it had agreed to take evidence in camera from Witness A.

The committee proceeded to take in camera evidence.

Persons present other than the committee: Tina Higgins, Verity Smith, Samie Jeffery, Gerard Rajakariar, Suzanne Mendra, Joe Ellis, Simon Lovell, and Pat Stevens.

The following witness was sworn and examined:

- Witness A (via videoconference).

The evidence concluded and the witness withdrew.

7.6 Public hearing

Witnesses, the public and media were re-admitted at 12.17 pm.

The following witnesses were sworn and examined:

- Ms Kate McGrath, 2023 Labor Candidate, Tamworth
- Cr Joshua Black, 2023 Candidate, Dubbo (via videoconference)
- Ms Ashvini Ambihaipahar, 2023 Labor Candidate, Oatley.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Cherie Burton, Director, Caucus Liaison Unit, Premier's Office.

Mrs Mitchell tabled three documents including:

- a document titled 'Photo of written edits to email from Alison Morgan to Damian O'Connor', dated 12 February 2024,
- an untitled and undated document showing a table of allocated expenditure for Sydney Local Small commitments
- a print out from the Local Small Commitments Allocation Program website showing approved grants for Sydney, dated 25 February 2025.

The evidence concluded and the witness withdrew.

The following witnesses were sworn and examined:

- Mr Heath Jess, Managing Director, Procurement Co (via videoconference)
- Mr Michael Batiste, Principal Consultant, Procurement Co (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Rachel McCallum, NSW Electoral Commissioner
- Hon. Arthur Emmett AO KC, Chair, NSW Electoral Commission
- Mr Hugo Bergeron, Executive Director, Funding Disclosure and Compliance, NSW Electoral Commission.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Ms Lyndal Howison, 2023 Labor Candidate, Ryde.

Ms Lyndal Howison tabled an undated letter from herself to the Chairperson of the Korean Community of Commerce in the City of Ryde.

Mr Buttigieg tabled printouts of social media posts by Mr Robert Dwyer MP on 26 February and 12 March.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Mr Geoffrey Watson SC, Barrister and Director, Centre for Public Integrity.

The evidence concluded and the witness withdrew.

The public hearing concluded at 5.54 pm.

7.7 Tended documents

Resolved, on the motion of Mrs Mitchell: That the committee accept and publish the documents tabled by Mrs Mitchell:

- a document titled 'Photo of written edits to email from Alison Morgan to Damian O'Connor', dated 12 February 2024,
- an untitled and undated document showing a table of allocated expenditure for Sydney Local Small commitments
- a print out from the Local Small Commitments Allocation Program website showing approved grants for Sydney, dated 25 February 2025.

Resolved, on the motion of Ms Suvaal: That the committee accept and publish the undated letter from Ms Howison to the Korean Community of Commerce in the City of Ryde, tabled by Ms Lyndal Howison, with the exception of identifying information which is to be redacted and kept confidential by the committee.

Resolved, on the motion of Mr Buttigieg: That the committee accept and publish the printouts of social media posts by Robert Dwyer MP on 26 February and 12 March, tabled by Mr Buttigieg.

7.8 Witness list 28 March 2025

Resolved, on the motion of Mr Buttigieg: That the committee:

- invite Ms Zoi Flannery/Gamble to attend and give evidence before the committee on 28 March 2025
- allow the witness to appear *in camera*
- redact the witness's details from all relevant minutes.

Mr Buttigieg moved: That the committee invite Mr Chris Stone, State Director, NSW Liberal Party, to attend and give evidence before the committee on 28 March 2025.

Question put.

The committee divided

Ayes: Mr Buttigieg, Mr Primrose, Ms Suvaal

- Noes: Ms Boyd, Mrs Mitchell, Mr Rath

Question resolved in the negative on the casting vote of the Chair.

Resolved, on the motion of Mr Buttigieg: That the committee invite Mr Bob Nanva MLC and Mr Dominic Ofner, General Secretary, NSW Labor, to give evidence before the committee in a panel from 11.15 am to 12.15 pm, and Mr John Graham MLC to appear from 12.15pm to 1.00pm.

8. Adjournment

The committee adjourned at 6.04 pm, until Friday 28 March at 9.00 am (Western Sydney Science Park and Aerotropolis Development report deliberative)

Verity Smith

Committee Clerk

Draft minutes no. 36

Friday 28 March 2025

Public Accountability and Works Committee

Jubilee Room, Parliament House, Sydney at 9.03 am

1. Members present

Ms Boyd, *Chair*

Mr Farlow, *Deputy Chair for Western Sydney Science Park and Aerotropolis developments inquiry, and the Review into the Design and Building Practitioners Act 2020 and the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020* (via videoconference)

Mr Rath, *Deputy Chair for the inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process* (from 11.08 am)

Mr Buttigieg

Dr Kaine

Mr Latham

Mrs Mitchell (from 9.07 am)

Mr Primrose

2. Previous minutes

Resolved, on the motion of Mr Buttigieg: That draft minutes no. 35 be confirmed.

3. Inquiry into Western Sydney Science Park and Aerotropolis developments

3.1 Letter from Western Sydney Airport Corporation

Resolved, on the motion of Mr Buttigieg: That correspondence from Ms Catherine Payne, General Manager External Affairs and Communication, Western Sydney Airport Corporation, to the Committee on 4 December 2024 be published.

3.2 Consideration of the Chair's Final Report

Resolved, on the motion of Mr Buttigieg: That:

- Paragraph 1.25 be amended by:
 - a) inserting 'former' before 'Minister for Planning' (four times)
 - b) inserting 'current' before 'Commonwealth and NSW Governments announced joint funding for the \$1 billion Mamre Road Stage 2 Upgrade'.

- Paragraphs 1.36, 4.31, 4.36, 4.39, 4.100 (twice), 4.108, 4.117, 4.119 (twice) and 4.120 be amended by inserting 'former' before 'NSW/State Government'.
- Paragraph 1.36 be amended by inserting 'current' before 'the Minister for Planning, changing building height, floor space ratio and lot size'.
- Paragraph 2.7 be amended by deleting 'NSW Government business case' and inserting instead 'business case by the former NSW Government'.
- Recommendation 12 be amended by omitting 'planning and' before 'development of the Aerotropolis'.

Resolved, on the motion of Mr Buttigieg that paragraph 3.33 be amended by deleting 'Mr Morrison added that a second building will also commence construction in early 2025 and inserting instead 'Mr Morrison added that a marketing campaign to promote the second building will commence in 2025'.

Moved by Mr Latham: That the following new recommendation be inserted after Recommendation 15:

'Recommendation x

That the Government ensure that the integrity of the Celestino Sydney Science Park development approval is maintained for science and industry-related employment purposes, rather than a new large housing estate, by the consideration of legislating the current approvals (meaning only the Parliament can alter them in the future), that is, for:

- a) a 3,400 dwellings cap
- b) gross floor area limits corresponding to certain dwelling numbers (as per the Planning Minister's answer to Question No. 2892 on the Legislative Council Notice Paper), and
- c) a retail gross floor area limit of 30,000 metres squared.'

Question put.

The committee divided.

Ayes: Ms Boyd, Mr Buttigieg, Dr Kaine, Mr Latham, Mr Primrose.

Noes: Mr Farlow, Mrs Mitchell.

Question resolved in the affirmative.

Resolved, on the motion of Buttigieg: That:

- the draft report as amended be the report of the committee and that the committee present the report to the House
- the committee secretariat correct any typographical, grammatical and formatting errors prior to tabling
- the committee secretariat be authorised to update any committee comments where necessary to reflect changes to recommendations or new recommendations resolved by the committee
- dissenting statements be provided to the secretariat within 24 hours after receipt of the draft minutes of the meeting
- the secretariat table the report at 11am on Wednesday 2 April 2025
- the Chair advise the secretariat and members if they intend to hold a press conference, and if so, the date and time.

4. **Inquiry into the Integrity, efficacy, and value for money of the Local Small Commitments Allocation process**

4.1 **Status of correspondence to and from Witness A**

Resolved, on the motion of Mrs Michell: That the committee keep the following correspondence to and from Witness A confidential, as per the recommendation of the secretariat, to maintain the witness's anonymity:

- 3 March 2025 – Email from Witness A to secretariat declining invitation to appear at 24 March hearing

- 11 March 2025 – Email from Witness A to secretariat declining the Chair's re-invitation to appear at 24 March hearing
- 7 March 2025 – Letter from the Chair to Witness A reissuing the invitation to appear on 24 March, and noting the power to issue a summons.

4.2 Public Hearing

The committee noted the sequence of questions is to alternate between opposition, crossbench and government members, with equal time allocated to each.

The public and media were admitted at 11.15 am.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Hon Bob Nanva MLC was admitted and examined on his former oath.

Mr Dominic Ofner was sworn and examined.

The evidence concluded and the witnesses withdrew.

Hon John Graham MLC, Special Minister of State, Minister of Roads, Minister for the Arts, Minister for Music and the Night-time Economy, was admitted and examined on his former oath.

The evidence concluded and the witness withdrew.

The public hearing concluded at 1.07 pm.

4.3 Publication of documents from Ms Zoi Flannery

The committee noted correspondence provided by Ms Zoi Flannery:

- 28 March 2025 – Email from Ms Zoi Flannery, Former P&C President, Leichhardt Public School, to the secretariat, providing statement, email chain from Mr Kieren Ash and Ms Philippa Scott, and undated Facebook post from Ms Philippa Scott.

Resolved, on the motion of Mr Rath: That the committee accept and publish the following correspondence from Ms Zoi Flannery, except for identifying and/or sensitive information, which is to remain confidential, as per the suggestion of the secretariat:

- 28 March 2025 – Email from Ms Zoi Flannery, Former P&C President, Leichhardt Public School, to the secretariat, providing statement, email chain from Mr Kieren Ash and Ms Philippa Scott, and undated Facebook post from Ms Philippa Scott.

4.4 Further activity of the inquiry

Resolved, on the motion of Mr Rath: That the secretariat, by email:

- canvass member availability for a further hearing after the federal election,
- seek member's suggestions for witnesses to be called at the further hearing.

5. Adjournment

The committee adjourned at 1.14 pm, *sine die*.

Verity Smith / Daniel Whiteman
Committee Clerk

