

Protection of transport corridors in Western Sydney

Discussion Paper on the proposed State
Environmental Planning Policy to protect
Western Sydney Corridors

March 2018



Introduction

Transport for NSW has released four recommended corridors in Western Sydney for future transport infrastructure to support the growing population of Western Sydney. These include the Outer Sydney Orbital (Stage One), Bells Line of Road-Castlereagh Connection, North South Rail Line/South West Rail Link extension and part of the Western Sydney Freight Line. The population growth of Western Sydney combined with the development of the planned Western Sydney Airport at Badgerys Creek, requires the early identification and protection of land for the delivery of this future transport infrastructure to enable Western Sydney to be a productive, liveable and sustainable city.

The process for setting aside land for future construction of major infrastructure, such as motorways or railway lines, is known as corridor protection. Corridor protection provides land so that major infrastructure can be delivered when and where it is required and prevents the future transport being encroached upon by unsuitable land uses.

Protecting the four corridors, as identified by Transport for NSW, from incompatible land uses is proposed to be achieved through a State Environmental Planning Policy (SEPP), an environmental planning

instrument that addresses matters of State or regional environmental planning significance.

As required under section 3.30 of the Environmental Planning and Assessment Act 1979 (the Act), this Discussion Paper explains the intended effects of the proposed protection of transport corridors in Western Sydney (referred to as the proposed SEPP).

About the proposed SEPP

The proposed SEPP will:

- identify infrastructure corridors to be protected and the land that will be affected
- reserve land within these corridors for infrastructure purposes through the rezoning of land, and identify it as a reserved infrastructure corridor
- change the planning controls that apply to land within the corridors, including identifying development that will be permissible within the corridor
- maintain the structural integrity of the land for future infrastructure by requiring additional consideration for certain excavation works on adjacent land.



- guide development on land surrounding the corridors.

Identifying and protecting land now for future infrastructure does not mean the land will be acquired immediately. Landowners and residents who live within the reserved infrastructure corridors can continue with current uses and currently permitted development can continue, subject to development consent and, more than likely, some additional considerations for new development.

Western Sydney Corridors

The corridors to be protected under the proposed SEPP are:

- the Outer Sydney Orbital (Stage One) corridor from the Hume Highway at Menangle to Box Hill in the North West Growth Area, which will ultimately provide for a motorway and freight line to connect the Illawarra and Central Coast via Western Sydney Airport (Hawkesbury, The Hills, Blacktown, Penrith, Liverpool, Camden and Wollondilly local government areas)
- the North South Rail Line corridor, which will provide for a passenger train line from Macarthur to St Marys and the extension of the South West Rail Link passenger rail from Leppington to North Bringelly (Blacktown, Penrith, Liverpool, Camden and Campbelltown local government areas)
- the Bells Line of Road – Castlereagh Connection corridor, which will provide for a future motorway connection from the M7 Motorway near the North West Growth Area to Kurrajong Heights (Hawkesbury and Penrith local government areas)
- part of the Western Sydney Freight Line corridor, which will ultimately provide for a freight rail line connecting Port Botany to the future Outer Sydney Orbital via the Southern Sydney Freight Line (Penrith and Fairfield local government areas).

Transport for NSW is consulting with landowners, local communities, councils and stakeholders on the recommended alignment of these corridors in Western Sydney. Details of the recommended corridors are available from www.transport.nsw.gov.au/corridors. The

corridor alignments will be finalised by Transport for NSW after consultation has concluded.

The protection of these corridors:

- enables cost efficient delivery of infrastructure
- supports effective strategic planning of new communities
- minimises disruption to future communities
- prevents urban development from encroaching on the corridor
- assists the viability of the future infrastructure by protecting the land needed for its delivery.

About this Discussion Paper

This Discussion Paper sets out the proposed SEPP which will protect the Western Sydney corridors so that people can provide feedback and comment on the proposed changes to development assessments and controls in and adjacent to the corridors. Part A describes the corridors and provides the rationale for their protection. Part B explains the objectives and the intended effect of the proposed SEPP.

The Discussion Paper also details next steps and provides a map of the land proposed by Transport for NSW to be reserved for future infrastructure.

Feedback is invited on this discussion paper during the exhibition period, by attending a community information session or by making a submission at www.transport.nsw.gov.au/corridors.

Part A

Protecting land for future infrastructure

Western Sydney's future infrastructure needs

Western Sydney will be home to around 1.5 million people by 2036¹. A Western Parkland City will emerge, offering a diversity of residential development. Both the economic catalyst of the Western Sydney Airport and a growing freight task in NSW are anticipated to contribute to significant jobs growth in Western Sydney.

This growth and change requires an efficient and integrated transport and infrastructure network.

Residential growth

Five growth areas – Western Sydney Airport, North West, South West, Greater Macarthur and Wilton – are identified as land release areas that are forecast to provide more than 227,000 new homes by 2036. NSW Government is also investigating a potential growth area from Greater Penrith to Eastern Creek.

These growth areas will evolve into vibrant, sustainable and liveable neighbourhoods that support community well-being and offer high-quality local centres and facilities. The NSW Government is investing in transport networks to connect people from home to work and that move essential goods.

Western Sydney Airport

Western Sydney Airport's construction is expected to create approximately 9,000 direct jobs². By the time it reaches its full planned potential, the Airport will offer more than 60,000 direct jobs by 2063³.

For this influx of employment to bring as many benefits to as many people and businesses as possible, early connections to and from the Airport to other parts of Greater Sydney and to regional NSW are essential. Increased freight movements will also see a need for stronger connections to Port Botany, industrial areas, and logistic lands at Wetherill Park to support Western Sydney Airport's operations.

The NSW Government is planning for improvements and additions to Greater Sydney's motorway network and the passenger and freight rail networks to support the Airport's commercial operations and to connect workers to jobs.

NSW freight task

The volume of freight movements in Greater Sydney is expected to double over the next 40 years, with regional NSW's freight task expected to increase by 25 per cent over this same period⁴.

¹ Greater Sydney Commission, 2018, Western City District Plan

² Commonwealth of Australia, NSW Government, 2017, Discussion Paper: Western Sydney Rail Needs Scoping Study

³ Commonwealth of Australia, NSW Government, 2017, Discussion Paper: Western Sydney Rail Needs Scoping Study

⁴ Transport for NSW, 2017, NSW Draft Freight and Ports Plan.



Connectivity between the State's three main ports— Port Botany, Port Kembla and Port of Newcastle – and to the wider freight network will facilitate quick, safe and cost effective freight movements.

Rail freight currently shares the passenger rail network in much of Greater Sydney; this restricts its operational capacity. Freight networks also face encroachment from surrounding land uses, such as residential uses, that are incompatible with the freight uses.

The NSW Government's planned infrastructure investment and management will work to separate freight from passenger movements in congested corridors, especially near trade gateways such as ports and airports.

Corridor protection

The proposed SEPP will protect land identified by Transport NSW so that major infrastructure is in place at the right time for the people and businesses who will live, work and travel in Western Sydney in the future.

Protecting these corridors aligns with the integrated suite of land use and transport planning released in late 2017. The *Greater Sydney Region Plan*,

Western City District Plan, *Central City District Plan* and *Future Transport Strategy 2056* consider these corridors in the context of growth across Greater Sydney and in regional NSW, particularly in terms of a vision for Greater Sydney as a metropolis of three cities – with the Western Parkland City a major residential, commercial, employment and lifestyle hub for residents.

Further information on the Western Sydney corridors is available at transport.nsw.gov.au/corridors.

Transport for NSW will monitor demand created for rail passenger activity and road and rail freight to determine when the potential future infrastructure is required.

As land in Western Sydney faces increasing demand from urban development it is essential to act now and protect land for future transport infrastructure from further development.

The availability of land for infrastructure influences if or when infrastructure can be delivered. The cost of acquiring land is a considerable component of the cost of the infrastructure, and the lack of appropriate land can result in suboptimal corridor alignments⁵ or construction solutions that become cost prohibitive⁶.

⁵ Infrastructure Australia, 2017, Corridor Protection

⁶ Productivity Commission, 2014, Public Infrastructure Inquiry Report

Early corridor protection avoids these issues - giving certainty to the community and landowners, minimising disruption and making best uses of public land uses.

The protection of these infrastructure corridors enables future transport network connections from Western Sydney Airport and other key gateways, such as Port Botany. They will connect residential areas and strategic centres such as Liverpool, Campbelltown, Penrith and St Marys and will inform future planning decisions. Although the infrastructure may not be needed for some time, protection will enable strategic land use planning to respond to the future projects and avoid or minimise additional property, environmental and community impacts.

assessment. A strategic environmental assessment explains the rationale for the recommended corridor and must consider social, economic and environmental impacts.

A detailed environmental impact assessment is then required at project delivery stage.

Transport for NSW has released the draft strategic environmental assessments for the Western Sydney corridors and a summary of those draft assessments. These are available from www.transport.nsw.gov.au/corridors.

Strategic environmental assessments

The Planning Guideline for Major Infrastructure Corridors provides guidance on:

- the information needed to support protection of an infrastructure corridor
- the approach to protecting corridors
- the planning tools that can be used to protect corridors

The Guideline is available from: <http://www.planning.nsw.gov.au/Policy-and-Legislation/Infrastructure/Infrastructure-Corridors>

The Guideline requires proposals to protect a corridor under the Act to be supported by a strategic environmental



Part B

About the proposed SEPP

Purpose

The proposed SEPP will identify land required for the future delivery of major infrastructure projects in Western Sydney and reserve that land for a public purpose, under clause 26(1)(c) of the Act. The land proposed by Transport for NSW to be reserved by the SEPP is identified in Attachment A of this Discussion Paper.

Once the corridors are finalised by Transport for NSW and the SEPP is made, land will be rezoned to SP2 Infrastructure – Reserved Infrastructure Corridor and new planning controls will apply. This will ensure that new development does not inhibit the delivery of the major infrastructure required in the future.

In doing so, the proposed SEPP will establish a land use planning framework that:

- identifies land for future infrastructure projects, which balances the opportunities

and benefits of infrastructure development with environmental and land use impacts

- maintains appropriate land uses within the reserved infrastructure corridors
- manages development within the vicinity of the corridors so that future delivery of infrastructure is not compromised and supportive land uses are encouraged, for example, locating freight-related services close to future freight infrastructure corridors
- introduce measures to mitigate early the potential impacts of the future infrastructure on surrounding development
- identifies the land acquisition authority for land in the reserved infrastructure corridors.

Proposed effects

Land zoning

Land within the Western Sydney corridors is to be rezoned to SP2 Infrastructure – Reserved Infrastructure Corridor, as shown in the attachment and available in greater detail online at www.transport.nsw.gov.au/corridors.

Permissible land uses

Under the proposed SEPP, currently permissible development activity within the reserved infrastructure corridors will continue to be permitted. For example, if the current zoning allows the construction of single dwellings, this will remain permissible after the corridor is rezoned to SP2 Infrastructure – Reserved Infrastructure Corridor. Other uses may also be permitted if they are compatible with the surrounding land uses and do not impact on the future delivery of the infrastructure.

New development will be subject to a development application to determine:

- if the proposal was permissible on the land prior to its rezoning, or
- if the proposal is consistent with the objectives of the adjacent land use zonings.

The consent authority must also consider whether the proposed development will compromise, restrict or otherwise prevent the future use of the land for infrastructure.

The proposed SEPP will require any development over a capital investment value of \$200,000 per lot to be subject to approval from Transport for NSW and the consent authority. In providing a concurrence, Transport for NSW must consider:

- the nature of the proposed development; and
- the timing of the proposed development in relation to construction of the transport infrastructure; and

- the potential additional costs to the delivery of the intended infrastructure due to the proposed development.

Prohibited development

The proposed SEPP will not allow further subdivision of land within the corridors as this is likely to hinder infrastructure delivery. However, changes to property boundaries such as minor corrections to boundary alignments, will still be permitted within and adjacent to the reserved infrastructure corridors if Transport for NSW confirms that the changes will not result in any additional landowners being affected by the corridor. Proposed boundary alignment corrections are to be referred to Transport for NSW for comment.

Under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, land reserved for a public purpose, such as a reserved infrastructure corridor, cannot be developed as complying development as it is exempt from the General Housing Code, Rural House Code and the Commercial and Industrial (New Buildings and Additions) Code. In this regard, new development on land within the corridors will require a development application.

Excavation within and adjacent to the corridors

To protect land in reserved infrastructure corridors, the proposed SEPP will require the relevant planning authority to refer to Transport for NSW any development that involves the penetration of ground to a depth of two or more metres below the existing ground level on land:

- a. within a reserved infrastructure corridor or
- b. within 25 metres, measured horizontally, of a reserved infrastructure corridor.

Transport for NSW must consider the potential impingement of the proposed development on the potential structural integrity of the future infrastructure. If



appropriate, Transport for NSW may include conditions for excavation, similar to those in effect through the State Environmental Planning Policy (Infrastructure) 2007 for rail corridors.

Surrounding land uses

As well as the proposed SEPP, additional guidance on appropriate land use surrounding the corridors will be provided, more likely through a Direction under section 9.1 of the Act. This will make sure that potential impacts from the future infrastructure are considered when new land uses are being planned adjacent to the corridors – meaning that future infrastructure integrates with its surrounds.

Mitigation of potential future noise impacts

To address potential future noise impacts, the assessment of proposals to rezone land surrounding the corridor to a more intense uses such as from low density residential to medium density residential, must consider the future transport infrastructure and apply appropriate noise mitigation measures such as acoustic treatments and best practice room layout and building orientation. The Department of Planning and Environment will consult with local councils, the community and relevant stakeholders regarding this requirement as it is developed.

Strategic land use planning

Strategic planning for land surrounding the corridors will intend to consider the potential future infrastructure and locate compatible land uses to support operations and capitalise on its servicing capacity. For example, industrial land uses should be located near future freight rail infrastructure and residential development near future passenger rail infrastructure.

This will minimise impacts on the community and retain the viability of the corridors for future use.

Other issues

Identification of the land acquisition authority

Land within the Western Sydney corridors will need to be acquired at some point in the future. When gazetted, the proposed SEPP will include a land acquisition map that identifies the land to be acquired. A land acquisition authority will also be nominated.

Compliance with the National Parks and Wildlife Act 1974

The recommended Outer Sydney Orbital (Stage One) corridor transverses the Wianamatta Regional Park. Should any corridor alignment pass through any regional park, the necessary steps will be taken for the purposes of revocation of the relevant land.

Relationship to existing environmental plans and policies

The proposed SEPP will supersede controls and land use zones stipulated in other SEPPs, such as that for the Sydney Growth Centres and relevant local environmental plans.

Have your say

For further information regarding the recommended corridor alignments by Transport for NSW, please visit the website at www.transport.nsw.gov.au/corridors.

You can provide feedback on this Discussion Paper in the following ways:

- Make an online submission at www.transport.nsw.gov.au/corridors

- Or email:

corridors@transport.nsw.gov.au

- Or write to:

Corridor Investigation Office
Transport for NSW
PO Box K659
Haymarket NSW 1240

Published submissions will include your name and the organisation on whose behalf you may be writing. Contact details such as email and postal addresses, and telephone numbers are not published. The Department of Planning and Environment reserve the right to not publish selected submissions (in full or part).

Please read the privacy statement available on the Department's website, <http://www.planning.nsw.gov.au/Privacy>

For more information

- For further information please visit the website at www.transport.nsw.gov.au/corridors or phone 1800 837 511.
- If you require translation assistance, please call 131 450.

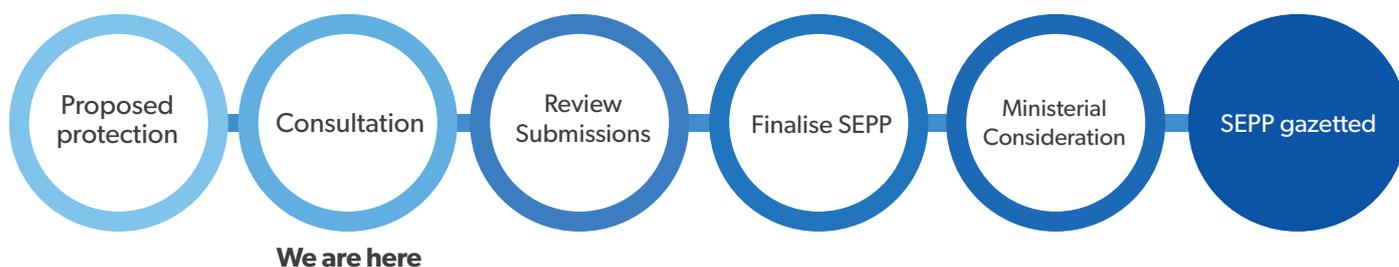
Next Steps

This Discussion Paper presents the protections proposed for Transport for NSW's recommended corridors in Western Sydney. It is designed to support the consultation process and is being released for public comment alongside detailed information from Transport for NSW about the recommended corridors.

You are invited to provide feedback on this Discussion Paper during the exhibition period, by attending a community information session or by making a submission.

The Department of Planning and Environment will review all submissions on the Discussion Paper made during the consultation process. This feedback will inform the preparation of the SEPP, which will be presented to the Minister for Planning for consideration after Transport for NSW determines the final corridor alignments.

It is anticipated that a final SEPP will be gazetted in 2018.



Attachments

Proposed land application map

Detailed maps of the recommended corridors can be viewed online at www.transport.nsw.gov.au/corridors

Environmental Planning and Assessment Act 1979

Western Sydney Recommended Corridors

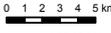
Land Application Map - Attachment A

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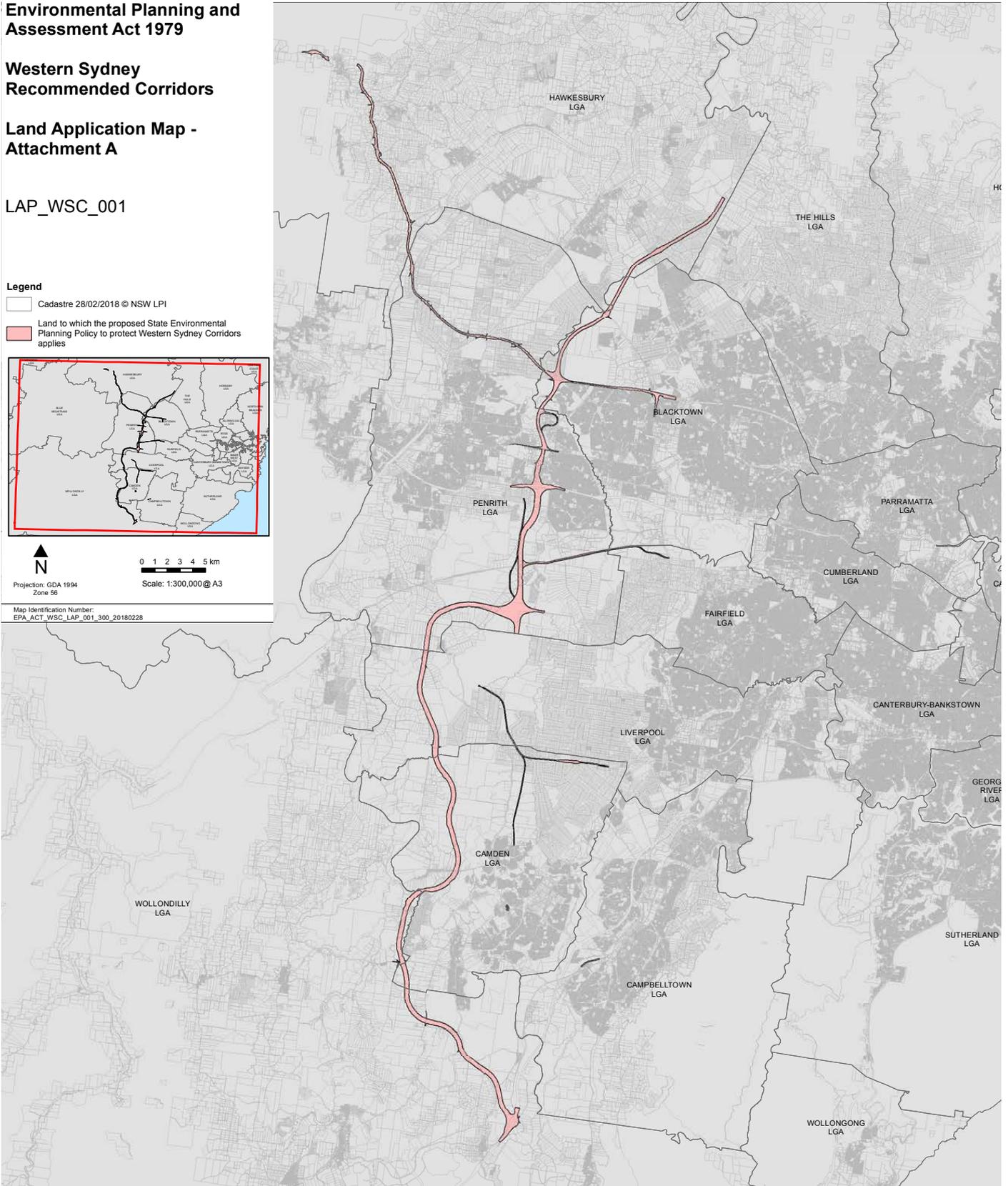
Legend

-  Cadastre 28/02/2018 © NSW LPI
-  Land to which the proposed State Environmental Planning Policy to protect Western Sydney Corridors applies



 Projection: GDA 1994 Zone 56
 Scale: 1:300,000 @ A3

Map Identification Number:
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transport.nsw.gov.au

Tel 1800 837 511

Email corridors@transport.nsw.gov.au

PO Box K659 Haymarket 1240

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