

**Orchard Hills  
Community Consultative Committee**

**Meeting No:** 3

**Date:** 27 July 2023, 6:30pm – 8 pm

**Location:** Online, Zoom

<b>Attendees</b>	
<p><b>Community members</b></p> <p>Diane Azzopardi (DA) Ajmair Chauhan (AC) Deborah Cutajar (DC) Don Feltis (DF) Tony Napoli (TN) Con Paphatzis (CP) Bree Wilson (BW) Ed Zussa (EZ) Christine Vella (CV)</p> <p><b>Independent Community Commissioner</b></p> <p>Professor Roberta Ryan, Independent Community Commissioner (RR)</p> <p>Kate Robinson, office of the Independent Community Commissioner (KR)</p> <p>Isa Crossland Stone, minute taker, office of the Independent Community Commissioner (ICS)</p>	<p><b>Government representatives</b></p> <p>Catherine Van Laeren, Executive Director, Western Parkland City, Department of Planning and Environment (DPE) (CVL)</p> <p>Fiona Duncan, Communications Manager, DPE (FD)</p> <p>Andrew Blackman, Senior Manager North, Western Parkland City, Transport for NSW (AB)</p> <p>Peter Gresser, Project Manager Interface, Sydney Metro (PGr)</p> <p><b>Other attendees</b></p> <p>Matthew Saunders, Finance and Rates team, Penrith City Council (MS)</p> <p>Abdul Cheema, City Planning Manager, Penrith City Council (AbCh)</p> <p>Lulu Ou, Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA) (LO)</p> <p>Anna Rynne, DITRDCA</p>
<p><b>Apologies</b></p> <p>Fernando Ortega, Western Sydney – Commercial Partnerships Manager, Sydney Water (FO)</p>	

Item	Description	Action
<b>1</b>	<b>Welcome - RR</b>	
	<p>RR welcomes the attendees to the meeting and introduces herself.</p> <p>RR explains that the Sydney Water update planned for this meeting has been deferred until the next CCC meeting, as FO is a last-minute apology.</p>	
<b>2</b>	<b>Minutes from previous meeting - RR</b>	
	<p>KR confirms that the minutes of the previous meeting were provided in draft to all attendees of that meeting and the final version has now been published.</p> <p>KR asks if any attendees have concerns about those minutes. No concerns are raised.</p> <p>Community attendees introduce themselves.</p> <p>AbCh introduces himself; he is Planning Manager at Penrith Council.</p> <p>LO introduces herself; she is a representative from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA). LO is part of the Community Engagement team at WSA. She explains that she is here to brief the CCC on the proposed fight path.</p> <p>MS introduces himself; he is the Rates Coordinator at Penrith Council. He is here tonight to present information on land rates.</p> <p>AB introduces himself; he is from TfNSW, where he is Senior Manager of the Northern section of the Western Sydney Community and Place branch.</p> <p>AB is taking the place of Justine Kinch (JK) on the CCC.</p> <p>FD introduces herself; she works in communications for the DPE.</p> <p>PG introduces himself; he is from TfNSW, where he belongs to the Projects Communications team for the WSA line.</p> <p>AR introduces herself; she is from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA). AR is here to support LO in her presentation.</p> <p>CVL introduces herself; she is the Executive Director for Western Parkland City at the DPE.</p>	

<b>3</b>	<b>Actions from previous meeting - KR</b>	
	<p>KR updates that all action items from the register have been completed or will be completed during this meeting through agenda items.</p> <p>KR asks for any questions.</p> <p>There are none at this time.</p>	
<b>4</b>	<b>Update: Newly released flight paths – LO</b>	
	<p>LO makes an Acknowledgement of country.</p> <p>LO presents on the proposed flight paths for the WSA, which were released last month on June 27, 2023.</p> <p>Following her presentation, LO encourages individual community members to reach out to her team for assistance with using the flight noise tool for their individual properties.</p> <p>LO welcomes any questions.</p> <p>AC says that he went to the flight path information session yesterday where he was given the impression that the Orchard Hills area will be significantly impacted by aircraft sound. There are estimated to be 50 flights which have an impact greater than 60 decibels (a very high threshold), and many with a lower-decibel impact.</p> <p>AC shares that he asked the presenter yesterday why they have concentrated so many flights around the ‘Green Corridor’. They will be disturbing a relatively densely-populated area and impact many residents.</p> <p>AC reports that the presenter agreed that this question is valid, and that they are open to community feedback such as this.</p> <p>AC encourages his fellow community members to submit comments on this point, in an attempt to have flights diverted from this key area.</p> <p>LO thanks AC and agrees that if community members have concerns or suggestions to provide feedback. Community members can provide feedback now to the team and are also encouraged to make a submission when the draft EIS is released.</p> <p>LO says that the flight design team aims to take community impact and sensitive locations into consideration, and this kind of feedback is very valuable as the design team may not have considered all sensitive locations.</p>	

	<p>CP says that unlike AC, his takeaway from LO's presentation was that Orchard Hills sat outside a lot of the main affected area. The defence establishment nearby has overhead flight restrictions, and therefore will act as a kind of 'barrier' for the Orchard Hills community.</p> <p>LO says yes, the proposed flight paths avoid Orchard Hills in the day and evening because the airspace is restricted, but the proposed flight paths will take advantage of the Defence establishment's airspace at night, when the restrictions are not in place. Therefore, there will be more flight noise at night over the area.</p> <p>BW asks whether there was any thought of the Sydney Kingsford Smith airport being the 24 hour airport and the WSA having an 11pm curfew, as opposed to the other way around. Sydney Airport is located in the city area where residents are more used to the noise. Around the WSA, residents are accustomed to a quieter lifestyle.</p> <p>LO says that the WSA has always been planned to operate 24 hours. LO also explains the two airports will be quite different in terms of operation. Sydney Airport handles a much greater volume of flights than the WSA will be handling especially in the initial years. The scale of operation may change for WSA when WSA hits absolute capacity and the second runway is required after 2050.</p> <p>BW asks if the government will subsidise homeowners who have to make sound-proofing property renovations. Erskine Park, for example, is seriously affected already and many landowners will need assistance with developing infrastructure.</p> <p>LO says the draft EIS (which will be released in late 2023) when published will include a draft noise insulation and property acquisition policy. The draft EIS will be exhibited and submissions will be accepted from community.</p> <p>RR reiterates that this discussion is ongoing, and LO will continue to be available for CCC discussion in future.</p>	
--	---	--

5	<b>Update: Orchard Hills draft rezoning plan – CVL</b>	
	<p>CVL updates that the DPE’s rezoning discussion paper initially released this year has received over 150 submissions. These submissions have provided a lot of insight, which will inform the DPE’s planning going forward.</p> <p>CVL notes that the DPE has commissioned some independent technical studies of the area. These are not yet finalised, but they will be available when they are.</p> <p>CVL says that the biggest issue they are facing currently is securing infrastructure provisions so that the land can be developed according to its new zoning. Namely, they need to ensure that water, sewer, electricity and roads are provided.</p> <p>In a large area such as Orchard Hills, coordination between different government agencies is challenging. The DPE is beginning to consult with each agency to work out how this can be best coordinated.</p> <p>CVL says that in coordinating infrastructure and this larger planning process, DPE aim to minimise rate increases. She explains that when land is rezoned, it can take years before its new value is realised. Securing the delivery of infrastructure and facilities is a key building block in a rezoning plan which avoids this problem.</p> <p>CVL says that they are considering staging the rezoning to align with infrastructure as it becomes available. This staging will likely originate from the metro station area. They can service it with water and sewer early on.</p> <p>The upcoming rezoning plan will deal only with the early stages of rezoning. They anticipate that they will go on exhibition later in 2023.</p> <p>As they are still consulting with other government agencies, CVL says that they are not yet able to provide a date.</p> <p>CVL acknowledges that the landowners in areas other than those involved in the ‘early stages’ will want to know about planning in their area. On this account, alongside the upcoming rezoning plan the DPE is working to provide an overall Structure Plan which will outline general intent for the future of the area, including land uses and where major roads will be located.</p> <p>CVL says that they are planning to come talk to the community of each precinct before they go on exhibition.</p> <p>RR says that the community is also welcome to approach her with questions.</p> <p>EZ expresses disappointment. He says that rates have already gone up significantly (in some cases they have tripled) based on</p>	

	<p>valuation. This has been happening for the last few years. Rate deferral involves interest on payments. Many homeowners are already struggling with this financial burden.</p> <p>EZ points out that this stage of the Orchard Hills development project has been very drawn-out, relative to many others.</p> <p>EZ says it is frustrating that the plan will be released late in the year, as the community was initially told it would be early in the year.</p> <p>DA and CV agree that this delay is disappointing.</p> <p>DA asks CVL to define the area around the metro station that will be involved in early-stage rezoning.</p> <p>CVL says that the boundary will be defined by the ability to service water, sewer and electricity. She says that she cannot define it at this stage. It will be more than just the main road. They would like to be able plan for as many houses as possible.</p> <p>CVL says that they are considering a few different options for staging. Each one comes with an associated cost. They will have to do an analysis of cost and of how many houses can be realised for that cost.</p> <p>CVL says that she recognises the community's disappointment regarding time delays. She assures the group that none of the previous work will go to waste, but rather will contribute to necessary assessments of infrastructure capacities so that they can exhibit with certainty.</p> <p>CV explains that she lives up the top of the area, closer to Wentworth Road and Northern Road. The community in that area is experiencing a lot of uncertainty waiting for the plan. Can CVL offer any clarity regarding expected timelines for staging?</p> <p>CVL says that she cannot provide any definitive information at this point. Staging will be tied to the Government's decisions to invest – the limited capacity for servicing homes means that the government has to make various budget decisions which will dictate which zoning is prioritised.</p> <p>CV asks if there are any areas of Orchard Hills that won't be rezoned but will remain rural?</p> <p>CVL says that the intention is to cover most of Orchard Hills. They are still working on this basis, and do not intend to change the boundaries. CVL says that they still need to go on exhibition and hear from the community before crystalising the area of the structural plan.</p> <p>CVL adds that part of the planning process involved identifying areas that did not want change. CVL says that The Vines is an</p>	
--	--	--

<p>area which is most in question about change. There was a large portion of landowners not in favour.</p> <p>BW says that from the perspective of her neighbours, the most concerning issue is the E2 Zone through the Cumberland Plain Conservation Plan (CPCP). Many properties are partially covered by the E2 Zone but are also within a 1km radius of the station. Will their land be rezoned? Will the trees on their land be removed?</p> <p>CVL says that the CPCP informs the development of Orchard Hills. They will not be looking to rezone this land for residential purposes, and this will inform the DPE's recommendation going forward.</p> <p>BW shares the example of one family whose land has predominantly been taken up by the E2 Zone. Their property value has also now risen to \$12 million. They are very limited in what they can do with their land, and are paying extremely high rates.</p> <p>RR asks CVL to discuss the process for reviewing CPCP on individual properties.</p> <p>CVL says that the CPCP team can be contacted to discuss what it means to have the CPCP on an individual lot. She says that there is an opportunity to review one's own land and its classification in the CPCP.</p> <p>CVL will provide KR with these contact details to distribute to the group.</p> <p>KR invites BW and all community members to share her contact number with impacted community members – KR can help them get in touch with the best contacts.</p> <p>RR tells BW that the CPCP process is further along than the development/rezoning plans.</p> <p>AC notes that CVL said that there was a lot of push back from people in The Vines regarding rezoning, which is a fragmented area. He disagrees with this blanket statement. It misrepresents the fact that there are a range of opinions, and a large number of landowners are not rejecting the process. He notes that a lot of The Vines is located very close to the station.</p> <p>CVL understands AC's note about a blanket representation.</p> <p>The fragmentation and high number of houses make it complex. CVL agrees that the area needs to be looked at more closely.</p> <p>AC says that he has looked at the Orchard Hills discussion paper. The flood map in the paper was very different to the flood study that AC had commissioned in 2022. What map is DPE using?</p>	<p>CVL to provide the contact details of the CPCP team. Landowners may use this avenue to investigate reviews of their individual properties.</p>
---	---

	<p>CVL says that there is a lot of work being done on flooding, especially since the major floods of the Hawkesbury catchment last year. At a state government level, flood planning is a major focus. There is a significant focus on climate change and its impacts on future flood events.</p> <p>The current official flood lines that are used in planning and DAs in the Penrith area are those that were adopted through Penrith Council. There is new flood information available which will be included in a range of flood work that is exhibited later this year.</p> <p>CVL clarifies that the DPE relies on external flood engineers to do flood work.</p> <p>AC raises the MPP flood event: in Orchard Hills, there are predicted to be small pockets of PMF, but evacuation routes seem to be less of an issue in this specific area than across Western Sydney more broadly.</p> <p>CVL agrees that all related issues will be looked into in detail. Evacuation is a primary issue in all areas. There is a change in flood behaviour as a result of climate change which will need to be accounted for clearly in flood studies going forward, and modelling for the '1 in 100' and 'PMF' flood events.</p> <p>CVL says that as the government makes rezoning plans going forward, changing flood policy will be a significant challenge. She notes that there is a lot of land in the Aerotropolis in the PMF which is part of the 'Green Corridor' area.</p> <p>CVL says that they will need to treat each area distinctly.</p> <p>CP asks about the stages of planning, which he understands to be a lack of government funding. Doesn't the marketplace drive investment? The government is more a regulator.</p> <p>CVL says that in some growth areas, there is a single large lead developer who will cover most of the costs of development. In Orchard Hills there is no lead developer as the area is fragmented and involves many landowners. In this situation, the government sets up a contributions plan.</p> <p>The challenge of a contributions plan is that it involves an upfront cost before development and is recouped afterwards. The contributions plan generally covers less than 50% of the total cost. This means that the government will pay a large portion of development, and therefore will have to identify costs and where the funds will come from.</p> <p>In instances like these, land is often rezoned far before the government can afford to pay for development. In this case, rezoning does not provide the expected opportunity.</p>	
--	--	--



	<p>EZ asks if it is possible for future meetings to include an assessment of what information is available to the DPE and what is still missing, in order to have a transparent view of the progress that is being made.</p> <p>RR says that the list of studies used by the DPE in their rezoning decisions will be made available in due course, when the rezoning is published.</p> <p>CV says that a lot of community members are apprehensive about the acquisition process. CV has had previous experience of the acquisition process, which was very difficult.</p> <p>CV asks if acquisitions will be kept to a minimum and if there will be large-scale acquisitions around the metro site.</p> <p>CVL says that they will be kept to a minimum. This is partially due to the cost to government of acquisition.</p> <p>There will be some acquisition so that necessary road widening and community infrastructure can be built to service the new residences. In the case of road widening particularly, it can be difficult to identify the amount of land necessary.</p> <p>CVL says that in the structure plan they will show some of the plans for community infrastructure and facilities.</p> <p>CV says that there is major community concern over the possibility that properties may be identified for acquisition but not actually acquired for long period of time, rendering land essentially useless for some homeowners. This limbo is frightening. CV asks that the DPE keep this in mind as they create their plans.</p> <p>DC says that she is disgusted by the postponement of the exhibition of the plan. This process involves the assets of families and communities. A whole community is being held in limbo as people deal with the disturbance of current development and also try to work out what to do with their land in future.</p> <p>AC agrees with DC that when land is earmarked for a potential development it is very difficult for the landowners.</p> <p>RR comments on the key issue of land rates – she is meeting with the Valuer General next week to discuss these concerns. It is important for landowners to know that the issue is being pursued.</p>	
--	--	--

6	<p><b>Briefing: TfNSW activities in Orchard Hills and process going Forward - AB</b></p>	
	<p>AB thanks the attendees for having him at the meeting.</p> <p>AB works in the Community and Place branch of TfNSW. His focus is on ensuring that community interests are represented. Penrith and the Hawkesbury are his main focuses.</p> <p>AB says that while rezoning is a process overseen by the DPE, TfNSW is closely involved. TfNSW is currently working with Penrith Council and DPE to develop future road networks. This involves figuring out form and function of roads to support the future transport network in the medium and long term.</p> <p>AB says he is not a technical expert but will generally follow up questions from CCC internally at TfNSW and report back.</p> <p>AB welcomes the community to contact him offline at any time with questions.</p> <p>TN raises the proposal of TfNSW and the Council for the North-South link road (a sub arterial or major collector road).</p> <p>The road is to be constructed along the existing O’Connell Street/O’Connell Lane from the Great Western Highway and to extend through the Orchard Hills North area with a bridge over the M4 Motorway to provide access to the proposed metro station at Orchard Hills South.</p> <p>This proposed North-South link road will be a 33.6-metre-wide road reserve (the proposed east west road) – a similar width to Gipps Street, St Marys which is a sub arterial road that currently goes from the Great Western Highway to M4/Lansdowne Road and past the proposed Orchard Hills Metro Station</p> <p>TN has viewed the Transport Management Plan prepared by SCT Consulting which is a traffic assessment report, and believes that it demonstrates that the North-South link road is not warranted at this point in time.</p> <p>He asks AB to follow up with the TfNSW network team to bring this matter forward and to prioritise it in the exhibition of the plans for the south side of Orchard Hills, providing more clarity around the planned location of the road. It is a matter which impacts the surrounding landowners, and in particular the station precinct area.</p> <p>AB says he is happy to follow this up internally with the planning team and asks TN to provide him with more information offline.</p>	<p>TN to provide AB with more information regarding his concerns about the proposed North-South link road. AB will follow up TN’s queries internally at TfNSW.</p>

7	<b>Briefing: Penrith City Council rates team – MS and NF</b>	
	<p>MS shares a presentation on Orchard Hills Council Rates on behalf of Penrith City Council.</p> <p>MS welcomes all attendees or other communities to contact him with questions via email.</p> <p>RR thanks MS for his presentation.</p> <p>DA asks: if there are a number of landowners who reject/challenge the updated values of their land, might these values be reviewed and rates postponed?</p> <p>RR says yes.</p> <p>DA asks if this also stands for landowners in Luddenham. Is it possible for Luddenham landowners to arrange a deferral under the same conditions i.e. if they are not acquired or developed within 5 years, their rates and interest are waived on a year-by-year basis?</p> <p>MS confirms that this is correct. He clarifies that deferral can be stopped at any time, as well. If the land is developed within the 5 years, the landowner must pay all postponed rates.</p> <p>DA says that this is clear. It seems that the better strategy is to defer the payment, as if development does not occur within the allotted time then the payment does not need to be made.</p> <p>MS agrees. He says that this decision lies with the owners. Deferral does include interest, but many owners choose to defer until they have cashflow available.</p> <p>MS clarifies that he is not offering financial advice.</p> <p>In relation to home values changing, MS says that the values are made by one set of valuers and may be reassessed by a second set of valuers. This second valuation may support or disagree with the original valuation. This may lead to an increase or decrease in values.</p> <p>KR asks MS about Council’s decision not to offer postponement of rates in Orchard Hills. Could this be reconsidered to give more choice to landowners who are in a challenging situation?</p> <p>MS says that postponement is a legislated process wherein postponed rates are based on the increased value following rezoning. Given that the land in Orchard Hills has not yet been rezoned, they do not offer postponement but only rate deferral.</p> <p>MS says that information on deferral will be made available in a letter to the community.</p>	

	MS will provide a copy of this letter to KR and RR for their files.	MS to provide KR and RR with a copy of the Council's informal community letter about land rate deferral.
<b>8</b>	<b>Update: Sydney Metro's activities in Orchard Hills - PG</b>	
	<p>PG updates that tunneling has started. There are tunnel boring machines (TBMs) at the southern end of the alignment heading from the airport business park to Aerotropolis.</p> <p>Last Monday, the first of two TBMs was launched from Orchard Hills to St Marys and will reach Orchard Hills next year. The TBMs will travel at 120m per week.</p> <p>On the Sydney Metro website, there is a resource pack that shows the routes of the TBMs. There is also a live tracker for the TBM's movements.</p> <p>On August 5<sup>th</sup> and 12<sup>th</sup>, the tunnelling contractor will be at the Orchard Hills station site to hold a community open day. Registration is open online, and can be accessed via a link in PG's slides.</p> <p>PG provides an update on the stabling and maintenance facility, the earthworks are now complete. The contractor who will build the facility will be on-site from August, but will not begin construction fully until later this year.</p> <p>PG says that the contractor will be door knocking to residents on either side of the alignment soon, to address any potential community disturbances in the coming months.</p>	
<b>9</b>	<b>Other Business - RR</b>	
	<p>EZ says that some residents are concerned about wildlife protection. He asks if there are any protection plans in the pipeline.</p> <p>RR has not heard of any wildlife protection plans. She will follow this up.</p> <p>RR acknowledges the disappointment and concerns raised by community in the postponement of the rezoning plan. She says that their questions are valuable as they encourage the issues to be brought forward. She reiterates that there is no definitive answer now, regarding either the timeline or particulars of the rezoning.</p> <p>CP says that this topic is the biggest of the agenda. Maybe, the government's delay is to the community's advantage. More time spent will ensure that this is done well and that there is community input throughout.</p>	RR to follow up EZ's question about wildlife protection plans for the Orchard Hills development.

<p>CP estimates that approximately 60% of residents want to move ahead.</p> <p>RR agrees that it is not in the community's interests to rezone prematurely.</p> <p>RR says that the figures of community interest/preferences are not always reliable, as there are so many ongoing conversations and new information is still emerging, and by extension opinions are changing. Community impacts, infrastructure provision, rezoning staging and budget are all part of this bigger conversation.</p> <p>BW asks about real estate valuations. When agents do a door knock, what is the presented price based on?</p> <p>RR I don't know – it depends on the context.</p> <p>RR notes that there is an NSW audit office report which is discussing the goal of improving acquisition processes for people.</p> <p>RR says that they are dealing with these issues in the Aerotropolis.</p> <p>RR is not an expert on the acquisition, but she says that it would be valuable to have some experts come to discuss the acquisition process with the CCC.</p> <p>KR will arrange this presentation.</p> <p>RR says that for the next meeting, the agencies will bring all the most updated studies and information to share with the group.</p> <p>AM asks for the flood study involved in the discussion paper to be provided at the next meeting.</p> <p>RR agrees to follow this up.</p> <p>Regarding the next meeting date, KR will be in touch with the group when she and RR have more information on agency progress and timing.</p> <p><b>Next meeting date: TBD</b></p>	<p>KR to arrange for an expert presentation to be made on the topic of acquisition at the next CCC meeting.</p> <p>RR and KR to arrange for the flood study which was the basis of the DPE discussion paper to be provided at the next CCC meeting.</p>
--	---