

Ms Tanya Davies MP  
Member for Mulgoa  
PO Box 316  
St Clair, NSW 2759

Dear Tanya

**Western Sydney Aerotropolis Planning Package**

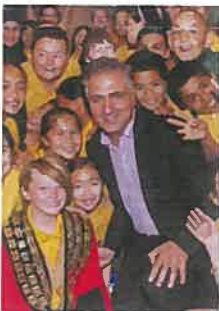
I refer to your letter to residents dated 6 October regarding the Western Sydney Aerotropolis Planning Package. You claim your letter "...will provide further clarity and important information...", however, I need to correct a number of points you have made.

Firstly, in reference to the development restrictions imposed by the SEPP within the ANEC 20+ contour in Horsley Park, you state that Fairfield City Council "... identified these development restrictions when it exhibited the Fairfield Rural Lands Urban Investigation Area (UIA)". That is not correct.

In 2018 Council exhibited a range of different structure plan options for the future of the UIA in order to stimulate discussion in the local community and involve residents in its future planning. In response to community feedback, Council resolved in April 2019 that the area affected by the ANEC 20+ noise contour should remain for rural residential style living. Council not only resolved to maintain the existing residential permissibility for dwelling houses, secondary dwellings and dual occupancies that had been allowed for many years, but in fact it resolved for an increase in density through a change in minimum subdivision size from 2 acres to 1 acre.

I remain strongly of the view that the SEPP has gone too far in the development restrictions it has imposed in the ANEC 20+ area in Horsley Park which will not be affected by aircraft noise until the second runway is built sometime beyond 2060! The restrictions go beyond the provisions of *Australian Standard AS 2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction*, which states that houses that include appropriate noise attenuation measures are acceptable within the ANEC 20-25 contour. In particular, I believe that residents with lots that have subdivision potential (many of whom planned to have their children build homes on the land) should be able to realise their dream.

Your letter to residents also states "*For those areas outside the ANEC 20 contour ..... the Federal Government have determined that controls must be*



*imposed to increase building standards to minimise noise impacts.” My advice is that the Commonwealth agencies have not required noise controls outside the ANEC 20 contour. The Commonwealth position is consistent with the abovementioned Australian Standard which does not require noise attenuation in residential buildings outside the ANEC/ANEF 20 contour.*

The NSW government has included this control in the SEPP without any justification despite the fact that it will result in costly noise attenuation treatments for houses and other buildings that are outside the ANEC contours. Whether a home owner follows a guide for noise attenuation measures or chooses alternative treatments that are validated by an acoustic report, the outcome will be higher building costs. I can only assume that your government is of the view that the financial success of the airport is a higher priority than financial impacts on residents.

You state in your letter that a similar approach has been used in other locations. In the case of South Jerrabomberra, I understand that building treatments are required in a new housing release area that is partly within and partly outside the ANEF area around the airport. This is a different circumstance to the provision in the Aerotropolis SEPP.

In the case of Victoria Road Marrickville, I understand that the NSW Government allowed the rezoning of industrial land in the 20-30 ANEF for residential flat buildings based on an aircraft noise strategy that required noise attenuation measures in the buildings. Yet another example of the different standards and treatment that is being applied to the residents near the Western Sydney Airport compared to Kingsford-Smith Airport.

Rather than South Jerrabomberra and Marrickville being used as examples for building treatments to reduce noise beyond the ANEC contours, they are in fact examples of why subdivision and housing with appropriate noise attenuation should be permitted within the ANEC 20 contour.

I trust that you will reconsider the arguments in your letter and join me in advocating to DPIE for changes to the SEPP to reinstate the rights of our local residents, especially the long-held rights of a number of Horsley Park residents to subdivide their property and build a house.

Our local community deserves no less.

Yours sincerely



**Frank Carbone**  
**Mayor of Fairfield City**

23 October 2020