Charter of the Western City and Aerotropolis Authority

Pursuant to section 14 of the Western City and Aerotropolis Authority Act 2018
Contents

1. Visual summary of Objects, Functions and Priorities

2. Statutory and regulatory context
   - Statutory requirement for Charter
   - Corporate Plan for the Authority
   - Effective date of Charter
   - Review and amendment of Charter

3. Constitution, purpose and functions of the Authority
   - The Authority
   - Purpose of the Authority
   - Functions of the Authority
   - Area within which Authority may exercise functions

4. Priority Projects

5. Referral Decisions

Appendix 1 - Extract from section 3 of the Act
Charter of the Western City and Aerotropolis Authority

Visual summary of Objects, Functions and Priorities

**Objects**
- Community creation
- Job-intensive precincts
- Promoting investment
- Sustainability and innovative design
- Value sharing

**Functions**
- Intergovernment Collaboration
- Masterplanning
- Development
- Infrastructure Coordination
- Investment Attraction
- Infrastructure Funding
- Commercial Arrangements
- Consultancy Services
- Cultural and other Activities

**Economic Growth & Development of the Western Sydney Aerotropolis and Western City**

**Priority Projects**
- **Investment Attraction:** Hi-tech, advanced manufacturing, aero, tertiary, agri, logistics.
- **Infrastructure Coordination:** Sydney Metro Greater West, roads, utilities.
- **Infrastructure Coordination:** Developing value sharing arrangements.
- **Masterplanning:** Northern Gateway, Aerotropolis Core Agribusiness precinct.
- **Masterplanning:** Inputting into planning priorities for Penrith and St Mary’s.
- **Development:** Acquisition of Commonwealth land.
- **Development:** Agricultural Precinct and Port.
- **Development:** JVs, PDAs, and other arrangements.
1. **Statutory and regulatory context**

**Statutory requirement for Charter**

This document is the Charter of the Western City and Aerotropolis Authority *(Authority)* required by and adopted under section 14 of the *Western City and Aerotropolis Authority Act 2018* *(Act)*.

The Charter sets out the following content required under section 14(1):

<table>
<thead>
<tr>
<th>Section</th>
<th>Category</th>
<th>Mandatory charter requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>14(1)(a)</td>
<td>Priority Projects</td>
<td>The projects or other matters that are to be given priority by the Authority in exercising its functions.</td>
</tr>
<tr>
<td>14(1)(b)</td>
<td>Referral Decisions</td>
<td>The classes of decisions that are to be referred to the Minister before being made by the Authority.</td>
</tr>
</tbody>
</table>

**Corporate Plan for the Authority**

This Charter must be read in conjunction with the Authority’s Corporate Plan, as in force following adoption by the Minister *(Corporate Plan)*.

**Effective date of Charter**

Pursuant to section 14 of the Act, the Charter is effective upon Ministerial approval.

**Review and amendment of Charter**

The Charter can only be amended with Ministerial approval.

The Authority will review the Charter at least every 12 months.
2. **Constitution, purpose and functions of the Authority**

**The Authority**

The Authority is a statutory corporation established under the Act. The Act provides for the establishment of a Board of the Authority (Board) and the appointment of a Chief Executive Officer (CEO).

**Purpose of the Authority**

_Pursuant to its statutory objects in section 3 of the Act (see Appendix 1) and in accordance with the Corporate Plan, the Authority’s purpose is to encourage the economic growth and development of the Western Sydney Aerotropolis and the rest of the Western City by:_.

- creating communities which support business, and support and benefit from the Western Sydney Airport;
- creating job intensive precincts;
- promoting investment and sustainable development;
- facilitating the sharing of financial value;
- promoting value for money and efficiency in infrastructure delivery; and
- collaborating with Federal, State and Local Governments.

The Purpose of the Authority is further articulated in the Corporate Plan.

**Functions of the Authority**

The Authority’s purposes are achieved through the exercise of the functions set out in section 13 of the Act, which are summarised below:

<table>
<thead>
<tr>
<th>Section</th>
<th>Summary</th>
<th>Extract from Act¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>13(a)</td>
<td>Masterplanning</td>
<td>To prepare master plans for development within precincts, including identifying priorities relating to the design and location of that development.</td>
</tr>
<tr>
<td>13(b)</td>
<td>Development</td>
<td>To carry out development on its own behalf or on behalf of other persons or bodies.</td>
</tr>
<tr>
<td>13(c)</td>
<td>Infrastructure Coordination</td>
<td>To participate in the planning, funding, prioritisation and co-ordination of public infrastructure that is provided in association with the carrying out of development within precincts.</td>
</tr>
<tr>
<td>13(d)</td>
<td>Investment Attraction</td>
<td>To co-ordinate, secure and attract investment.</td>
</tr>
</tbody>
</table>

¹ If the functions section of the Act is amended following the adoption of this Charter, the amended section is to be read in place of the above extract.
The Authority has separately adopted a Board Policy and Procedures document which guides Board in the exercise of the Authority’s functions in accordance with the Act, applicable policies and frameworks.

Amongst other requirements, the Board Policy and Procedures require that in carrying out their responsibilities, members of the Board must comply with the Code of Conduct and associated polices adopted by the Authority.

**Area within which Authority may exercise functions**

Under section 13 of the Act, the Authority can only exercise its functions ‘in, or in relation to land in’ the ‘operational area’.

Section 13(4) clarifies that the Authority cannot exercise any of its functions in relation to the Western Sydney Airport.

The ‘operational area’ comprises the areas of land listed in column 1 of the table below, which are identified in the Schedule of the Act listed in column 2:

<table>
<thead>
<tr>
<th>Components of the ‘operational area’</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Western Sydney Aerotropolis’</td>
<td>1</td>
</tr>
<tr>
<td>‘Western City operational areas’</td>
<td>2</td>
</tr>
<tr>
<td>‘Local council requested operational areas’</td>
<td>3</td>
</tr>
</tbody>
</table>

Section 13(4) does not prevent the Authority’s required work of jointly collaborating with the Western Sydney Airport to achieve the object in section 3(a)(ii) of the Act of creating communities that ‘support, and benefit from, the development of the Western Sydney Airport’.

<table>
<thead>
<tr>
<th>13(e)</th>
<th>Infrastructure Funding</th>
<th>To develop and, if directed by the Minister, implement schemes for funding the provision of public infrastructure, facilities, places and services.</th>
</tr>
</thead>
<tbody>
<tr>
<td>13(f)</td>
<td>Cultural and other Activities</td>
<td>To promote, organise, manage, provide and conduct cultural, educational, commercial, transport, tourist and recreational activities and facilities.</td>
</tr>
<tr>
<td>13(g)</td>
<td>Consultancy Services</td>
<td>To provide consultancy and other services relating to the carrying out of development.</td>
</tr>
<tr>
<td>13(h)</td>
<td>Commercial Arrangements</td>
<td>To enter into joint ventures, project delivery agreements and other arrangements with landowners, developers, State and Commonwealth government agencies and local councils in the Western City.</td>
</tr>
<tr>
<td>13(i)</td>
<td>Intergovernmental Collaboration</td>
<td>To liaise and work collaboratively with State and Commonwealth government agencies and with local councils in the Western City in exercising its functions.</td>
</tr>
</tbody>
</table>
### 3. Priority Projects

The Authority’s Priority Projects are set out in the table below. The table must be read in conjunction with the Corporate Plan, which may provide further detail on Priority Projects, such as indicative timeframes and milestones.

<table>
<thead>
<tr>
<th>No.</th>
<th>Priority Project</th>
<th>Investment Attraction</th>
</tr>
</thead>
</table>
| 1   | Investment Attraction | The strategic attraction of local and offshore investment to, and in relation to, the operational area, through entry into memoranda of understanding and other agreements, with an initial primary focus on the following industries:  
  - high technology and advanced manufacturing;  
  - research and development;  
  - aerospace engineering;  
  - tertiary education;  
  - agricultural industries; and  
  - logistics.  
Investment attraction will be carried out in accordance with the Authority’s Commercial Governance Policy, as in force. |
| 2   | Infrastructure Coordination | Participating in the planning and co-ordination of public infrastructure required for the development of precincts within the operational area, and the operational area in general, including:  
  - the Sydney Metro Greater West project, including rail infrastructure requirements and station locations;  
  - road infrastructure, including road alignment planning and delivery, in and in relation to the operational area;  
  - water, sewerage, stormwater, and electricity infrastructure;  
  - all forms of social, sporting, justice, arts & culture infrastructure; and  
  - parks and public open space. |
| 3   | Masterplanning | Developing value sharing arrangements, including working with other agencies in relation to value sharing, and (subject to Ministerial direction) funding the provision of public infrastructure, facilities, places and services. |
| 4   | Masterplanning | Masterplanning the operational area, in coordination with the development of the Western Sydney Airport, commencing with three ‘Priority Precincts’, as detailed further in the Corporate Plan, as in force, being:  
  - the Northern Gateway;  
  - the Aerotropolis Core;  
  - the Agribusiness Precinct. |
Master planning will be co-ordinated with the work of the Planning Partnership Officer.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Inputting into the planning priorities for the Penrith and St Mary’s precinct, influencing the planning priorities of Liverpool, Campbelltown, and assisting where practical.</td>
</tr>
</tbody>
</table>

**Development**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Bringing the ‘Bringelly Land’ into the ownership / exclusive control of the Authority and initiating the Aerotropolis Core development within that land.</td>
</tr>
<tr>
<td>7</td>
<td>Development of the Agricultural Precinct and the supporting agricultural port to align with the commissioning timeline of the Western Sydney Airport.</td>
</tr>
<tr>
<td>8</td>
<td>Entry into joint ventures, project delivery agreements and other arrangements with landowners, developers, State and Commonwealth government agencies and local councils in the Western City in relation to the development of the operational area’.</td>
</tr>
</tbody>
</table>
4. **Referral Decisions**

The Authority will refer a decision in column 1 below (a ‘Referral Decision’) to the Minister where, in its opinion, the decision meets the threshold set out in the column 2 below.

<table>
<thead>
<tr>
<th>No.</th>
<th>Referral Decision</th>
<th>Threshold for referral</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A change to timeframes or milestones for the achievement of a Priority Project.</td>
<td>Change is significant.</td>
</tr>
<tr>
<td>2</td>
<td>A significant variation from the proposed land use character of a Priority Precinct.</td>
<td>Variation is significant.</td>
</tr>
<tr>
<td>3</td>
<td>A decision to terminate an executed commercial agreement.</td>
<td>The agreement was executed by the Premier or a Minister, or the investment partner is significant.</td>
</tr>
<tr>
<td>4</td>
<td>A decision or resolution that a Priority Project, or an element of a Priority Project, cannot be achieved or is impacted because of a decision (or proposed decision) of another agency.</td>
<td>The impact is significant.</td>
</tr>
<tr>
<td>5</td>
<td>Adoption of a final masterplan for a precinct, following consultation with the Minister.</td>
<td>When the finalised masterplan is ready for imminent publication, having consulted with the Minister.</td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Any additional Referral Decision set out in the Corporate Plan.</td>
<td>As set out in the Corporate Plan, if applicable.</td>
</tr>
</tbody>
</table>
Appendix 1
Extract from section 3 of the Act

3 Object of Act

The object of this Act is to encourage the economic growth and development of the Western Sydney Aerotropolis and the rest of the Western City, in particular:

(a) by creating active, vibrant and sustainable communities and locations that:

(i) support national and global business, and
(ii) support, and benefit from, the development of the Western Sydney Airport, and

(b) by supporting the creation of precincts that are focused on job intensive land uses and which include knowledge, industrial, educational, commercial, retail and mixed use precincts, and

(c) by promoting investment, and

(d) by promoting development that accords with best practice environmental and planning standards, is environmentally sustainable and applies innovative environmental building and public domain design, and

(e) by facilitating the sharing of financial value arising from, or associated with, the development of the operational area so as to offset the provision of public infrastructure, facilities, places and services, and

(f) by promoting the attainment of value for money and efficiency in the delivery of infrastructure, and

(g) by achieving optimal outcomes from the Authority working collaboratively with the Commonwealth and State governments and with local councils in the Western City.’