

Review of Environmental Factors

Panorama Temporary Open Space

11 April 2025



Contents

Document Status	6
Determination	7
Statement of Compliance	8
Author Declaration	10
Conflict of Interest	10
Abbreviations	12
Executive Summary	14
The Proposal	14
Objectives	14
Options considered	15
Site Details	15
Planning Approval Pathway & Statutory Consultation Requirements	15
Environmental impacts	15
Justification and conclusion	16
1 Introduction	17
1.1 Proposal background	17
1.2 Site location	18
1.3 Purpose of this REF	20
2 Site analysis and description	21
2.1 The site and locality	21
2.1.1 Existing development	23
2.1.2 Site considerations and constraints	25
2.2 Surrounding development	27
3 Proposed Development, need and alternatives	29
3.1 The Proposal	29
Play area	29
Kick around area	30
Activation Area	30
Landscaping	31
Retaining Walls	31
Connectivity & Access	31
3.1.1 Options Considered	31

3.1.2	Preferred Option Justification.....	32
3.2	Construction Activities	32
3.3	Ancillary Facilities	33
4	Statutory framework.....	35
4.1	Planning Approval Pathway	35
4.2	Environmental Planning and Assessment Act, 1979	35
4.3	Environmental Planning and Assessment Regulation, 2000	35
4.4	State Environmental Planning Policies	35
4.4.1	Western Parkland City SEPP	36
4.4.2	Resilience and Hazards SEPP	36
4.4.3	Transport & Infrastructure SEPP	36
4.5	State Environmental Planning Policy (Precincts - Western Parkland City) 2021.....	37
4.5.1	1 WPC SEPP – Appendix 8 North Wilton Precinct Plan	39
	Aims of Precinct Plan	39
	Clause 2.2 Zoning of land to which Precinct Plan applies.....	40
4.6	Wilton Growth Area Development Control Plan.....	40
5	Statutory consultation and stakeholder engagement.....	44
5.1	Government agency and other stakeholder engagement	44
6	Environmental Impact Assessment	50
6.1	Identification of issues	50
6.1.1	Soils and geology	50
6.1.2	Hazardous materials and contamination.....	51
6.1.3	Hydrology, flooding and water quality	51
6.1.4	Ecology	51
6.1.5	Bushfire prone land.....	52
6.1.6	Traffic, access and parking	53
6.1.7	Noise and vibration.....	54
6.1.8	Air quality and energy	54
6.1.9	European heritage.....	55
6.1.10	Indigenous heritage	55
6.1.11	Visual amenity	56
6.1.12	Land uses and services	56
6.1.13	Waste generation	57
6.1.14	Cumulative impacts	57

6.2	Impact Assessment.....	58
6.2.1	Environmental Planning and Assessment Act, 1979 considerations	58
6.2.2	Environmental Planning and Assessment Regulation, 2021 considerations	58
6.3	Commonwealth Environment Protection and Biodiversity Conservation, Act.....	61
6.4	Summary of impacts.....	62
7	Justification for the activity	63
7.1	Ecologically Sustainable Development (ESD).....	63
8	Mitigation measures	65

List of figures

Figure 1 Aerial photograph of the site	18
Figure 2 Site location	22
Figure 3 Aerial photograph of the site	23
Figure 4 Site photos – View looking north from driveway access to lots	24
Figure 5 Site photos – View looking south-west from Harvest Way.....	24
Figure 6 Site photos – View looking north from Harvest Way	25
Figure 7 Site photo – View Looking North	25
Figure 8 Site photos – Aerial of the site & surrounds	27
Figure 9 Site photos – Adjacent housing on Clemont Street	27
Figure 10 Site photos – Adjoining Demonstration Home and Stage 1 Permanent Local Park.....	28
Figure 11 Play Area Detail	30
Figure 12 Site Zoning	40

List of tables

Table 1 Section 10.7 Planning Certificate	26
Table 2 Project timeframes and construction activities.....	32
Table 3 Assessment on Consistency with WPC SEPP Aims for Sydney Region Growth Centres	37
Table 4 Assessment of Consistency with Clause 1.2 Aims	39
Table 5 Assessment of Consistency Relevant DCP Controls.....	41
Table 6 Transport and Infrastructure SEPP Consultation	44
Table 7 Notification of carrying out certain development without consent (Transport and Infrastructure SEPP).....	46
Table 8 Soils and Geology.....	50
Table 9 Hazardous materials and contamination.....	51
Table 10 Hydrology, flooding and water quality	51
Table 11 Ecology.....	51
Table 12 Bushfire prone land	52
Table 13 Traffic, access and parking	53

Table 14 | Noise and vibration..... 54

Table 15 | Soils and Geology 54

Table 16 | European heritage.....55

Table 17 | Indigenous heritage55

Table 18 | Visual amenity 56

Table 19 | Land uses and services..... 56

Table 20 | Waste generation57

Table 21 | Cumulative impacts.....57

Table 22 | Matters for consideration under section 5.5 of the EP&A Act58

Table 23 | Matters for consideration under section 170 and 171 of the EP&A Regulation.....58

Table 24 | National Environmental Significance Checklist61

Table 25 | Mitigation Measures 65

Table 26 | Approved documentation..... 68

Document Status

Version	Date	Author	Reviewed by:	Approved by:
Draft	3 March 2025	PN	D+P	NM
Final	11 April 2025	PN	D+P	NM

Determination

Having regard to the Review of Environmental Factors for this project addressing matters under Division 5.1 of the Environmental Planning and Assessment Act 1979 and all supporting technical documentation, I determine that the activity proceed as described below and subject to the identified requirements set out in Section 8 of this document.

Signature:

Name: Alex Wendler (or delegate's name)

Position: Chief Executive Officer (or delegate's position)
Landcom

Date:

Statement of Compliance

Project	Panorama, North Wilton Temporary Open Space
Property	6, 8 & 10 Harvest Way, Wilton Lots 1119, 1120 & 1121 in DP1289197
Local Government Area	Wollondilly Shire Council
Landowner/s	Landcom
Proposed Activity	Construction and Operation of a Temporary Open Space

Landcom has proposed the above activity under the provisions of the Transport and Infrastructure SEPP which requires determination under Division 5.1 of the EP&A Act.

This Statement of Compliance relates to the Review of Environmental Factors (REF) prepared by Design+Planning for the above activity.

The REF has identified the following matters:

- is by Landcom, and
- is permissible without consent under an applicable environmental planning instrument.

Notification in accordance with Sections 2.10 of the T&I SEPP are not required in this instance as the activity does not require approval by council or a public authority and does not impact any public assets.

Notwithstanding the above, Wollondilly Shire Council was notified of the intention to carry out the development as a matter of courtesy and desire to ensure that Council is kept informed of works occurring within the site. Additionally, lot owners were notified as part of the consultation process, providing information on the proposal and opportunity to provide feedback.

On 3 December 2024 Landcom gave written notice of the intention to carry out the development to the following stakeholders, and invited feedback to be provided within 21 days:

- Wollondilly Shire Council; and
- The owners of the adjoining land.

As outlined in Section 5 of the REF, no feedback was provided as part of the consultation process.

The REF has considered the requirements of other environmental planning instruments

An assessment of compliance with Appendix 8 North Wilton Precinct of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the WPC SEPP) is included in the REF (Section 4.5).

The activity Complies, where relevant, with the WPC SEPP. An assessment of compliance with the Wilton Growth Area Development Control Plan 2021 (WGA DCP 2021) is included in the REF (Section 4.6).

The activity is generally consistent, where relevant, with the key design consideration of the DCP. The Design Review Panel has considered the activity and supports the proposed departures from key design related controls in the WGA DCP.

Pursuant to Section 5.5 of *the EP&A Act 1979*, the REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the activity.

The factors to be taken into account pursuant to clause 170 of the *EP&A Regulation 2000* have been fully considered in the REF in determining the likely impact of the activity on the environment and measures to mitigate potential impacts and cumulative impacts associated with the activity have been identified.

As demonstrated in the completed checklists at Section 6 of the REF, the activity will not have significant effects on the environment or threatened species and as a result, an Environmental Impact Statement is not required before the activity can be determined.

The activity will not have any significant impacts on matters of national significance including impacts on Commonwealth land, listed threatened species, migratory species protected under international agreements, national heritage places, world heritage properties, or Ramsar wetlands of international importance. Accordingly, an approval under the EPBC Act is not required.

As detailed in the REF any approvals, authorisations or notifications which are required under other Acts before the development can be carried out have been obtained or, where applicable, have been included in the recommended identified requirements.

The proposed activity is development that can be carried out by or on behalf of Landcom as 'development without consent' under the provisions of the T&I SEPP. Having regard to the matters addressed in the REF, I am of the opinion that the activity has planning merit.

Author Declaration

This Review of Environmental Factors (REF) has been prepared for Landcom and assesses the potential environmental impacts which could arise from the temporary open space at 6, 8 and 10 Harvest Way, Wilton.

This REF has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), the *Environmental Planning and Assessment Regulation, 2000* (EP&A Regulation) and State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP).

This REF provides a true and fair review of the activity in relation to its likely impact on the environment. It addresses to the fullest extent possible, all the factors listed in clause 170 of the EP&A Regulation and the *Commonwealth Environmental Protection and Biodiversity Conservation Act, 1999* (EPBC Act).

On the basis of the information presented in this REF it is concluded that by adopting the recommended mitigation measures it is unlikely there would be any significant environmental impacts associated with the activity. Consequently, an Environmental Impact Statement (EIS) is not required.

Signature:



Name: Peter Naidovski

Position: Principal Planner

Company: Design+Planning (ABN: 62 600 535 653)

Date: 2 April 2025

Conflict of Interest

I Peter Naidovski of Design+Planning being the Independent Statutory Planner appointed by Landcom to prepare this Review of Environmental Factors (REF), declare that I have no actual or perceived conflict of interest in relation to any aspect of the project.

Signature:



Name: Peter Naidovski

Position: Principal Planner

Signature:

A handwritten signature in black ink, appearing to be 'PDP', is written over a light gray rectangular background.

Company: Design+Planning (ABN: 62 600 535 653)

Date: 2 April 2025

Abbreviations

Abbreviation	Description
AEC	Area of Environmental Concern
AHD	Australian Height Datum
AHIP	Aboriginal Heritage Impact Permit
AHIMs	Aboriginal Heritage Information Management System
AMG	Australian Map Grid
BC Act 2016	Biodiversity Conservation Act, 2016
BC Act 2017	Biodiversity Conservation Act, 2017
BC Regulation	Biodiversity Conservation Regulation, 2017
BAM	Biodiversity Assessment Method
CA	Certifying Authority
CEO	Chief Executive Officer
CM Act	Coastal Management Act, 2016
CMP	Construction Management Plan
CRA	Conservation Risk Assessment
DPC	Department of Premier and Cabinet
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EES	Environment, Energy and Science
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act, 1979
EP&A Regulation	Environmental Planning and Assessment Regulation, 2000
EPBC Act (Cwth)	Environment Protection and Biodiversity Conservation Act, 1999

Abbreviation	Description
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
FM Act	Fisheries Management Act, 1994
Ha	Hectares
HHIMS	Historic Heritage Information Management System
LEP	Local Environmental Plan
LGA	Local Government Area
MNES	Matters of National Environmental Significance
NPW Act	National Parks and Wildlife Act, 1974
NPW Regulation	National Parks and Wildlife Regulation, 2009
NT Act (Cth)	Commonwealth Native Title Act, 1993
PCMP	Preliminary Construction Management Plan
POEO Act	Protection of the Environment Operations Act, 1997
Proponent	Landcom
REF	Review of Environmental Factors
RF Act	Rural Fires Act, 1997
RFS	Rural Fire Service
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement
WM Act	Water Management Act, 2000

Executive Summary

The Proposal

The proposal seeks to deliver a temporary open space area adjacent to the approved Sales Centre and Demonstration Home for use by the broader community. The open space will serve a number of purposes, including providing a gathering space for new residents, a space where prospective purchases can use during visits to the Sales Centre and Demonstration Home, and as a community space where events can be held.

The space will cater for a range of activities, including:

- a play area or “playground”, with a large sail shade
- a kick around area
- a food truck or activation area
- a community garden
- a stage space – to be used by music bands, for moonlight cinema, yoga classes, etc.

The park will be connected through a path network that provides equal access to the park.

The operation of the park will be temporary, with the cessation of its use to be aligned with the Sales Centre and Demonstration home. At the end of its useful life for the project either for community development or sales purpose, the site will be remediated to be sold as individual lots. Landscaping has been designed to ensure that minimal disturbance to established trees is achieved, preserving landscaping to further improve the amenity of lots 1119, 1120 1121. Ownership of the site during the temporary park will remain under Landcom, with maintenance and management of the site to be the responsibility of Landcom.

While open space has been planned within the first Neighbourhood of the North Wilton Precinct, delivery of these spaces will take time as the development of stages progresses. With this in mind, Landcom has sought to provide amenity to incoming residents as soon as possible. This will provide new residents with a usable space that provides the opportunity for various activities for a range of age groups.

Furthermore, with the adjacent Sales Office and Demonstration Home, the space will be available for prospective residents to use during their visit, highlighting Landcom’s commitment to providing quality community spaces.

The space will also provide the opportunity to be used for community events, by either Landcom or Council, that will foster community cohesion and connection.

Objectives

The objectives of the proposal are to provide a usable space for incoming residents while delivery of planned open space is being undertaken, provide a space showcasing Landcom’s commitment to the delivery of quality usable spaces, provision of a space that can be used to hold community events

Options considered

A number of options have been considered in the development of the final scheme. The initial option considered comprised of a smaller foot print park, with a children's play area. While this option was well connected to the Sales Office and Demonstration Home, it did not provide the opportunity to hold community events. As a result, the area of the open space was expanded to the area subject to this REF. A number of design iterations have been undertaken to ensure that the layout of the space meets Landcom's desire to provide a space for new residents, as well as a space that showcases Landcom's commitment to delivery on amenity and fostering community connection. A significant design exercise has been undertaken to ensure that the space is accessible and provides opportunities for a number of activities.

Site Details

The site is located at 6, 8 & 10 Harvest Way, Wilton (known as Lots 1119, 1120 & 1121 in DP1289197). The site is located to the west of a planned permanent open space, Sales office and Demonstration Home and to the east of residential lots that front Clemont Street. The site has a frontage to Harvest Way, as well as the approved permanent open space. The site has been cleared and readied for development as part of the Stage 1 development consent, including the construction of an access handle across the lots. The access handle will be utilised as part of the temporary open space.

Planning Approval Pathway & Statutory Consultation Requirements

Division 5.1 of the *EP&A Act 1979* enables Landcom, as a public authority, to assess the environmental impact of certain activities. These activities are defined as development 'permitted without consent' in an Environmental Planning Instrument (EPI), in this case the T&I SEPP. Specifically, Division 12 Parks and other public reserves, Section 2.73 Development permitted without consent, sub section (3)(ii) is the relevant part of the T&I SEPP that the temporary open space falls under.

The statutory consultation requirements under the T&I SEPP were not applicable in this instance, as no public assets were proposed to be impacted. Notwithstanding, Landcom notified Wollondilly Shire Council and met with them to discuss the proposal. Their verbal feedback was supportive. Furthermore, Landcom engaged with Council's Community Development officers and considered their recommendations regarding bike parking, bins, and storage for furniture. This advice was offered based on their experience rather than as a requirement.

Neighbouring lot owners were also notified, either during the sales process or via a letter, with a comprehensive report outlining the project and the key points relating to the plan of management. No comments or feedback was received. As part of the plan of management Landcom will continue to engage with the temporary park's direct neighbours to ensure any activity, event, activation, limits its impacts.

Environmental impacts

The site has undergone extensive disturbance as part of the approved subdivision it sits within. This has included site and road grading works to deliver a site that is suitable for development. No trees or other vegetation is located within the site. Landscaping proposed as part of the

delivery of the open space will introduce a variety of native species plantings, including trees and shrubs. Plantings, particularly trees, will be specifically located within the site to correspond with the lot boundaries and assumed build areas of future housing. This will ensure that these trees can remain once the site is no longer required as open space.

Justification and conclusion

This Review of Environmental Factors (REF) has been prepared by Design+Planning on behalf of the Landcom to assess the potential environmental impacts that could arise from the proposed delivery of a temporary open space within the first stage of the Panorama development.

This proposal exclusively relates to specific works including minor site grading, installation of retaining walls, installation of play equipment, landscaping and the installation of a path network. This REF identifies that the proposed activity can be carried out under provisions of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP), with specific reference to clauses 2.3(3), 2.7(1), which enables the proposed services the proposed activity to be undertaken as 'Development without Consent'. This REF considers the requirement of Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979), as well as clauses 170 and 171 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

This REF has examined and taken into account to the fullest extent possible all matters affecting, or likely to affect, the environment by reason of the proposed activity. As discussed in detail in this report, the proposal will not result in any significant or long-term impact. The potential impacts identified can be reasonably mitigated and where necessary managed through the adoption of suitable site practices and adherence to accepted industry standards.

As outlined in this REF, the proposed activity can be justified on the following grounds:

- It responds to the need for a community space for incoming residents and visitors to the Sales Office and Demonstration Home;
- It generally complies with, or is consistent with all relevant legislation, plans and policies;
- It has considered all potential impacts and has minimal environmental impacts; and
- It recommends adoption of adequate mitigation measures to address any resultant impacts.

The environmental impacts of the proposal are not likely to be significant. On this basis, it is recommended that Landcom determine the proposed activity in accordance with Part 5 of the *EP&A Act 1979* and subject to the adoption and implementation of mitigation measures identified within this report.

1 Introduction

This Review of Environmental Factors (REF) has been prepared for Landcom and assesses the potential environmental impacts which could arise from the development of a temporary open space within the approved Stage 1 development area.

This REF has been prepared in accordance with the relevant provisions of the EP&A Act 1979, the Environmental Planning and Assessment Regulation 2000 (the Regulation) and State Environmental Planning Policy (Transport and Infrastructure 2021 (the T&I SEPP).

On the basis of the consideration of key environmental aspects and the information presented in this REF, it is concluded that it is unlikely that there would be significant environmental impacts associated with the proposal.

1.1 Proposal background

The project aims to create a temporary open space on land next to the approved Sales Centre and Sustainable Demonstration Home. Located within approved Stage 1 of the Panorama development, the site for the temporary park has undergone site grading associated with the Stage 1 approval. Additional site works, including minor grading works, will be required to facilitate the delivery of the various components of the open space.

The open space will offer a place for new residents to gather and for prospective residents to enjoy while visiting the Sales Centre and Demonstration Home.

The open space will include:

- a play area or “playground”, with a large sail shade
- a kick around area
- a food truck or activation area
- a community garden
- a stage space – to be used by music bands, for moonlight cinema, yoga classes, etc.

Extensive landscaping and planting will create a green and lush environment around these areas and buffer any potential noise or disturbance to neighbouring lots. The temporary park, like the demonstration home and the sales centre, will be enclosed with rural-type fences and gates, complemented by hedges. It will have water service, recycled water for irrigation, waterproof general power outlets, and 3-phase outlets to support food preparation by occasional food trucks, a bubbler, bike racks, and bins. Sun umbrellas, chairs, and tables will be available for events and stored in the sales centre garage when not in use. The park will be connected seamlessly to the demonstration home and sales centre car park, as well as broader land use activities through the pedestrian network of the the Stage 1 development area.

1.2 Site location

The site is located within the approved Stage 1 development area of Landcom's Panorama development. The site is situated at 6, 8 & 10 Harvest Way, Wilton (known as Lots 1119, 1120 & 1121 in DP1289197). The site is located to the west of a planned permanent open space, Sales office and Demonstration Home and to the east of residential lots that front Clemont Street.

Figure 1 | Aerial photograph of the site



The site is prominently located at the entry to the Stage 1 area with frontage to the stage's entry road, Harvest Way. The site is also adjacent to the approved permanent opens space to its west.

1.3 Purpose of this REF

This Review of Environmental Factors (REF) has been prepared by Design+Planning on behalf of Landcom to determine the environmental impacts of the proposed temporary open space at 6, 8 & 10 Harvest Way, Wilton. For the purposes of these works, Landcom is the proponent and the determining authority under Division 5.1 of the EP&A Act.

The purpose of the REF is to describe the proposal, to document the likely impacts of the proposal on the environment and to detail protective measures to be implemented to mitigate impacts.

Landcom is the determining authority for the project under Division 5 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). Landcom is a public authority under NSW planning legislation (see Schedule 1 section 3(e) of the *Environmental Planning and Assessment Regulation, 2021* (EP&A Regulation)).

The description of the proposed works and associated environmental impacts have been undertaken in the context of clauses 170 and 171(2) of the EPA Regulation and the Australian Government's *Environment Protection and Biodiversity Conservation Act, 1999* (EPBC Act).

The assessment contained within the REF has been prepared having regard to:

- whether the proposed activity is likely to have a significant impact on the environment and therefore the necessity for an EIS to be prepared and approval to be sought from the Minister for Planning under Division 5.1 of the EP&A Act; and
- whether the proposed activity is likely to significantly affect threatened species, populations, ecological communities or their habitats, and therefore require a Species Impact Statement (SIS) and/or Biodiversity Development Assessment Report (BDAR); and
- the potential for the proposal to significantly impact Matters of National Environmental Significance (MNES) on Commonwealth land and the need to make a referral to the Australian Government Department of Environment and Energy for a decision by the Commonwealth Minister for the Environment on whether assessment and approval is required under the EPBC Act.

This REF helps to fulfil the requirements of section 5.5 of the EP&A Act, which requires that Landcom examines, and takes into account to the fullest extent possible, all matters affecting, or likely to affect, the environment by reason of the proposed activity.

2 Site analysis and description

2.1 The site and locality

The site is located within the approved Stage 1 development area of Landcom's Panorama development, with the site itself wholly owned by Landcom. The site is situated at 6, 8 & 10 Harvest Way, Wilton (known as Lots 1119, 1120 & 1121 in DP1289197). Site grading works undertaken as part of the Stage 1 approval have created a site area that gently slopes down from south-west to north-west. Having undergone site works, including site grading, the installation of roads and infrastructure, the subject site does not contain any vegetation. Furthermore, lots within the Stage 1 area are currently being sold to market, with the development of housing occurring at the time of writing this REF.

The site is located to the west of a planned permanent open space, Sales office and Demonstration Home and to the east of residential lots that front Clemont Street.

The Stage 1 area forms part of the North Wilton Precinct, which is a major component of the Wilton Growth Area (WGA), located on the southern extent of identified urban growth in south west Sydney. The Precinct is located on the interchange with the Hume Highway, which provides connection to the major metropolitan road network throughout Sydney, and Picton Road which provides a direct connection to Wollongong and Port Kembla to the south-east. The Hume Motorway connects to the Southern Highlands, Canberra and Melbourne to the southwest.

The Stage 1 development area also forms part of the first Neighbourhood of the Panorama development. The Stage 1 area is characterised by a high ridgeline that runs south to north, with gentler, undulating topography towards the north of the Stage 1.

Figure 2 | Site location



Figure 3 | Aerial photograph of the site



2.1.1 Existing development

The site has been subject to works that were approved under the Stage 1 approval. These works have included:

- site grading to create development ready lots;
- installation of access driveway to service Lots 1119, 1120 & 1121;
- installation of stormwater infrastructure along the rear boundary of the subject lots; and
- installation of servicing infrastructure within the road reserve, including water, sewer, electricity and communications

As noted previously, lots within this area are currently being sold to market, with a number of dwellings currently being constructed within the Stage 1 area.

Figure 4 | Site photos - View looking north from driveway access to lots



Figure 5 | Site photos - View looking south-west from Harvest Way



Figure 6 | Site photos – View looking north from Harvest Way



Figure 7 | Site photo – View Looking North



2.1.2 Site considerations and constraints

Section 10.7 Planning Certificates were obtained for each of the lots, with the certificate number and date of issue provided below:

- Lot 1119 Certificate No. 00090676, dated 4 March 2025;
- Lot 1120 Certificate No. 00090675, dated 4 March 2025;

- Lot 1119 Certificate No. 00090679, dated 4 March 2025.

Each certificate confirms that the site is located within the Urban Development Zone under State Environmental Planning Policy (Precincts – Western City Parklands) 2021. Table 1 below provides a summary of the key affections for each lot.

Table 1 | Section 10.7 Planning Certificate

Affectation	Lot 1119		Lot 1120		Lot 1121	
	Yes	No				
Critical habitat	x	✓	x	✓	x	✓
Conservation area	x	✓	x	✓	x	✓
Item of environmental heritage	x	✓	x	✓	x	✓
Affected by section 38 or 39 of the Coastal Management Act 2016 (CM Act)	x	✓	x	✓	x	✓
Proclaimed to be in a mine subsidence district	✓	x	✓	x	✓	x
Affected by a road widening or road realignment	x	✓	x	✓	x	✓
Affected by a planning agreement	x	✓	x	✓	x	✓
Affected by a policy that restricts development of land due to the likelihood of landslip	x	✓	x	✓	x	✓
Affected by bushfire , tidal inundation, subsidence, acid sulphate or any other risk	✓	x	✓	x	✓	x
Affected by any acquisition of land provision	x	✓	x	✓	x	✓
Biodiversity certified land or subject to any bio-banking agreement or property vegetation plan	✓	x	✓	x	✓	x
Significantly contaminated	x	✓	x	✓	x	✓
Subject to flood related development controls	x	✓	x	✓	x	✓

2.2 Surrounding development

As noted previously, lots within this area are currently being sold to market. There are a number of dwellings currently being constructed within the Stage 1 area. Additionally, the Sales Office and Demonstration Home are currently being built.

While the Stage 1 open space to the north of the site is currently in its pre development state with existing trees within the open space retained. An active development application for its embellishment is being considered by Council. Its embellishment includes additional landscaping and installation of the local footpath and share path network, providing connectivity to the broader Neighbourhood.

Figure 8 | Site photos – Aerial of the site & surrounds



Figure 9 | Site photos – Adjacent housing on Clemont Street



Figure 10 | Site photos – Adjoining Demonstration Home and Stage 1 Permanent Local Park



3 Proposed Development, need and alternatives

The proposal is to deliver a temporary open space within the Stage 1 development area that provides the that provides the incoming community with a gathering space, while also providing prospective purchases with the opportunity to use the space while they are visiting the Sales Centre and Demonstration Home.

Broadly, the objectives of the proposal are:

- Community Cohesion – A space for community events, with the provision of spaces for utilisation by food trucks and other forms of entertainment.
- Active Community – A space where new residents can enjoy the activities within it, including the children’s playground and kick-about space.
- Delivering on the vision – A space where visitors to the Sales Office and Demonstration Home can enjoy and experience the vision for the Panorama development.

3.1 The Proposal

The temporary open space comprises a number of elements, as detailed below.

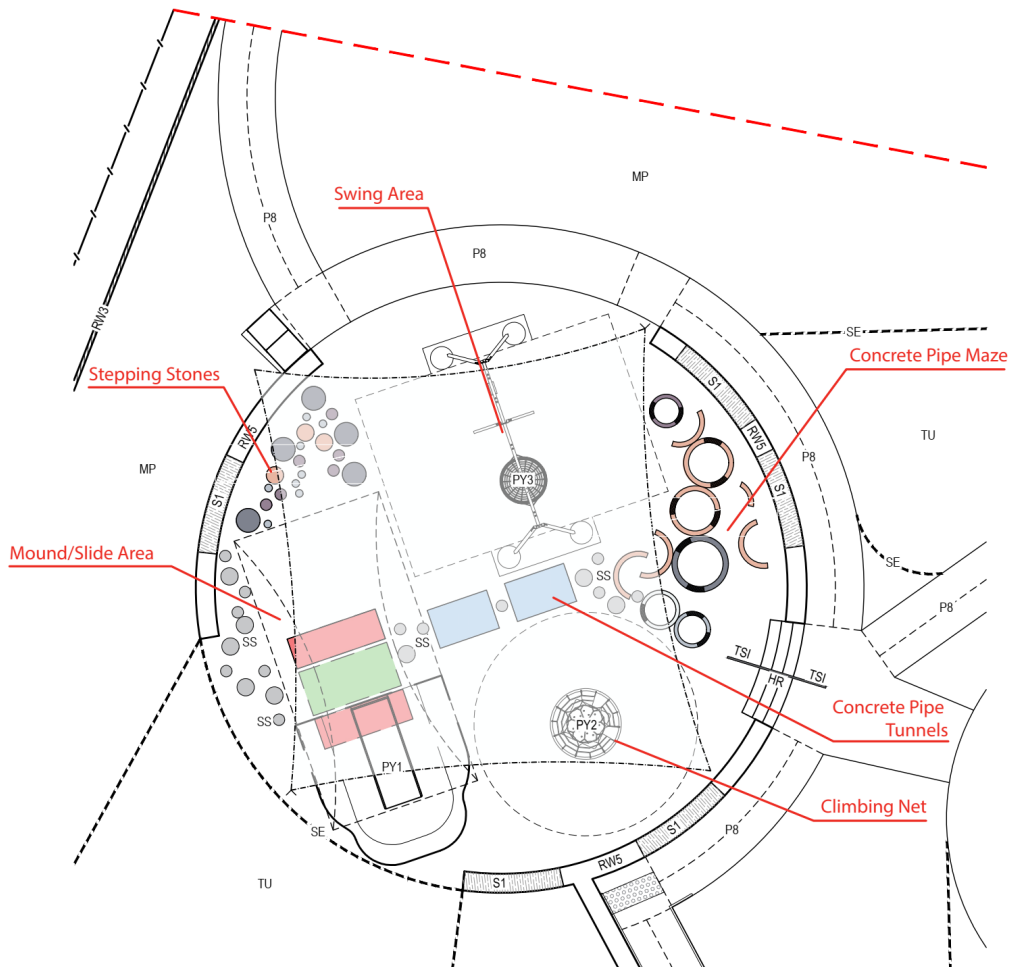
Play area

The play area comprises a variety of equipment and experiences for a range of age groups and abilities. The play area will include the following:

- Recycling unused concrete culverts from the site, the play area will comprise a variety of activities, including:
 - A mound/slide area
 - Concrete Pipe Maze (upright concrete pipes)
 - Concrete Pipe Tunnels
- A swing incorporating a junior swing nest seat
- Climbing net structure
- Stepping stone area

The play area will be covered by a shade sail, providing sun protection throughout the day.

The play equipment design has been certified by a specialist certifier to ensure that the its installation is in accordance with relevant standards..



The kick around, located to the south of the play area, provides a space where informal play can occur. The space is approximately 27m in width and will be turfed, providing a space where residents can partake in ball sports.

The activation area is centrally located between the playground and kick-around space. The intent of the area is to provide a space where community events can be held. The space has been designed to be able to accommodate food trucks and coffee carts, as well as a seating area during their operation. Access to the space will be via the access handle off Harvest Way, which will be controlled by the installation of a gate.

have the relevant licences and approvals to operate prior to being approved to utilise the space. Licences and approvals requirements are outlined in the Plan of Management and in section 3.3 of this REF

Landscaping

Landscaping will comprise a variety of shrub and tree plants across the open space. Given the temporary nature of the space, trees will be planted within part of the site that would facilitate their retention once the space is no longer required. Planting along the western and northern boundaries of the site (i.e. those adjoining future residences) will be mass planted providing a landscape buffer between the residential lots and the temporary open space.

The space will also be fenced, with a rural style fence proposed along the Harvest Way and permanent open space frontages. A lockable gate at the access handle will ensure that vehicular access is controlled and limited during community/organised events.

Retaining Walls

In order to create a space that is accessible, a number of retaining walls are required to be installed. These are primarily located on the western and southern boundaries. These retaining walls have been located and designed to be a permanent feature, with the future residential activity on the site being able to use these spaces, and plantings as part of the building design.

Additional retaining with the site has also been introduced around the spaces through the use of sandstone gabion walls. These areas of retaining will be removed once the site is no longer required as open space.

Connectivity & Access

The temporary open space has been designed to seamlessly connect with the Sales Office and Demonstration Home, as well as the broader pedestrian network. Within the open space, an accessible pathway is provided from the Sales Centre car Park, which runs along the rear of the Demonstration Home. A separate path also links from the front of the Demonstration Home to the open space.

The design and location of the path network has been driven by ensuring the main path network complies with the *Disability Discrimination Act 1992* (DDA). This includes 1:20 paths that connect from the Sales Office and Demonstration Home car park and the Demonstration Home to the play area. Additionally, the path surrounding the play area is also designed at 1:20. The path from the play area to the stage has been designed at 1:14. This provides equitable access to the various activities in the park.

There are multiple access points to the open space, including two from the Sales Centre and Demonstration Home. Additionally, access from Harvest Way, via two pedestrian gates, is also available. The pedestrian gates will not be locked, however they will provide additional safety for uses of the space.

3.1.1 Options Considered

Describe all options and alternatives.

The following alternatives to the proposed improvement works are considered below:

1. Do nothing; or
2. Locate the use elsewhere.

Do Nothing

The do-nothing approach involves no works and allowing the site to be developed as residential housing. This option is undesirable as it represents a loss of the opportunity to provide a space that can foster community cohesion and connectivity. While the permanent open space will provide opportunities for play and gathering, the embellishment of these spaces will be delivered at a later date. Additionally, the temporary open space also affords the opportunity to host community events and promote additional activation that is a considerable benefit to the community. This is particularly important as uses and activities that can be undertaken within the temporary open space are unlikely to be available in the short to medium term.

Locate the use elsewhere

Locating the use elsewhere is not possible as there is no other location with the potential to provide the extent of community benefit proposed, representing a loss of the same opportunities identified under the 'Do Nothing' approach.

3.1.2 Preferred Option Justification

The temporary open space is strategically located within the first Neighbourhood of the Panorama development. Not only is the site located adjacent to Landcom's approved Saled Centre and Demonstration Home, the site is prominently positioned at the entry of the Stage 1 development area. Its location ensures that the accessibility to the temporary open space by residents of all the stages of the Neighbourhood is possible. Although temporary, its location adjacent to the Sales Centre and Demonstration Home also demonstrates Landcom's commitment to the provision of a well-connected, amenity filled development.

Landcom's decision to deliver a multi-use temporary open space early in the development of Panorama will ensure that access to open space is provided to the site's first residents. It will serve as the community's focal space in the short to medium term and foster community cohesion and pride.

3.2 Construction Activities

Table 2 | Project timeframes and construction activities

Factor	Proposal
Commencement Date	April 2025
Work Duration/Methodology	<ul style="list-style-type: none">• Temporary Park delivery phase 1 - earthworks, civil, landscaping: June 2025• Temporary Park delivery phase 2 - play equipment, taller trees: June - July 2025
Work Hours and Duration/Construction	<ul style="list-style-type: none">• Monday - Friday: 7am to 6pm

Factor	Proposal
	<ul style="list-style-type: none"> • Saturday: 8am to 1pm • Sunday and public holidays: no work
Plant Equipment	Typical plant equipment will be used to facilitate the construction of the open space, including excavators. The excavators will be used to undertake site grading works that will facilitate delivery of the open space.
Earthworks	Minor earthworks will be undertaken as part of the works to deliver the open space. The earthworks will include site grading that will facilitate the delivery of the play area, 'entertainment' area and the kick around space.
Source and Quantity of Materials	Materials, including sandstone blocks or gabion walls, concrete blocks, play equipment and landscaping (including trees, plants, chairs, tables, umbrellas) will be used. Further details is provided in the Landscape Package.
Traffic Management and Access	Traffic will be managed in accordance with the Construction Environmental Management Plan (CEMP) required to be prepared ahead of works commencing. The traffic and access will be managed by the site manager and will include managing the worker parking as well as material delivery.

3.3 Ancillary Facilities

As identified previously in this REF, the space will also include an Activity Area that can accommodate temporary retail, such as food trucks, coffee carts, and the like, during community events. The occasional and temporary retail use of this space is exempt under subdivision 27A Mobile food and drink outlets of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

The food truck owners and operators will have to demonstrate they have the relevant licences and approvals to operate:

- NSW Food Authority Registration: food truck businesses need to comply with food safety standards.
- Local Council permit for street trading or operating on private land – as required
- Food Safety Supervisor (FSS) Certificate – as required, if handling unpackaged, hazardous food.

- Vehicle Registration (RMS) and Insurance (third-party property damage insurance and public and product liability insurance, each with coverage of at least \$10 million.)
- Health Inspections: food trucks will need to pass a health inspection conducted by the local council's Environmental Health Officers (EHOs).
- Trade Waste Permit: If food truck generates trade waste, need a permit from Sydney Water. Note: food trucks will have their own integrated grease trap in the truck. They will not be permitted to use sewer unless they demonstrate that the relevant Sydney Water standards are met before discharging.
- Operational Plan of Management: demonstrating how food trucks will manage food safety, waste disposal, and other operational aspects.

4 Statutory framework

4.1 Planning Approval Pathway

Division 5.1 of the *EP&A Act 1979* states that if an EPI provides that development may be carried out without the need for development consent, a person may carry the development out, in accordance with the EPI, on land to which the provision applies. However, the environmental assessment of the development is required under Division 5.1 of the *EP&A Act 1979*.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) aims to make infrastructure delivery more efficient and environmentally responsible across the State. Pursuant to section 2.73 of the T&I SEPP, development for the purposes of recreation areas and recreation facilities (outdoor) can be undertaken as development without consent.

The site is zoned Urban Development Zone under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the WPC SEPP). The Urban Development zone is a prescribed zone under the T&I SEPP.

The proposal involves development of the site as a temporary open space (i.e. recreation area) which is classified as development without consent as proposed activity is consistent with clause 2.73 of the T&I SEPP.

Further to this, Division 12 also includes exempt development provisions. *Section 2.74 Exempt Development* enables the construction of play equipment, walking tracks, temporary structures and fencing.

4.2 Environmental Planning and Assessment Act, 1979

Section 5.5 of the EP&A Act requires determining authorities, when assessing activities under Division 5.1, to examine and take into account to the fullest extent possible all matters affecting, or likely to affect the environment by reason of that activity.

Section 7 of this REF includes an assessment of the proposed activity against the requirements of section 5.5 of the EPA Act.

4.3 Environmental Planning and Assessment Regulation, 2000

Clause 171(2) of the *EP&A Regulation* provides a list of factors that must be taken into account for an environmental assessment under Division 5.1 of the *EP&A Act 1979*. These requirements are considered at section 6 of this REF

4.4 State Environmental Planning Policies

The following SEPPs are relevant to the site and the proposed:

- State Environmental Planning Policy (Precincts – Western Parkland City) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

4.4.1 Western Parkland City SEPP

The WPC SEPP supports the development of land identified by the State. The North Wilton Precinct is identified as a Growth Area under the WPC SEPP, with provisions under Appendix 8 of the SEPP guiding its development. Consideration of Appendix 8, and relevant provisions is provided at Section 4.5 of this REF.

4.4.2 Resilience and Hazards SEPP

Section 4.6 – ‘Contamination and remediation is to be considered in determining development applications, a consent authority must consider whether the land subject of a development application is contaminated and, if the land is contaminated, be satisfied that the land is suitable in its contaminated state for the use proposed.

As part of the Stage 1 application, the site has undergone site grading works as part of the approved works under the Stage 1 approval. This has included to removal of known contaminants, as well as unexpected finds. As part of the registration of the subject lots, it was confirmed that the site is free of contaminants.

In this regard, the site is suitable for the proposed development.

4.4.3 Transport & Infrastructure SEPP

The proposed development of the site for the purposes as an open space (temporary) can be carried out as ‘Development without Consent’, if they are undertaken by or on behalf of a public authority. Landcom is a public authority for the purposes of this SEPP and so the following provisions are applicable:

- Under Division 12 Parks and other public reserves
 - Under Section 2.73(3) development for the purposes of ‘*recreation areas and recreation facilities (outdoor), but not including grandstands*’ can be undertaken without consent.
 - Under Section 2.74 the construction of play equipment, walking tracks, installation of bins and seating, erection of temporary structures, shade structures and fencing is exempt development

As Landcom is a public authority for the purpose of the T&I SEPP, the land is in a prescribed zone and the development of the site as open space (i.e. recreation area) can be carried out as development without consent, while the installation and maintenance of items such as play equipment, walking tracks, installation of bins and seating, erection of temporary structures, shade structures and fencing can be carried out as exempt development.

Therefore, development consent under Part 4 of the EP&A Act 1979 is not required. Instead, the proposal is required to be assessed as an ‘activity’ in accordance with Part 5 of the EP&A Act 1979. This provides that the determining authority for an activity must take into account to the fullest extent possible all matters affecting or likely to affect the environment before undertaking the activity itself or granting an approval enabling the activity to proceed.

For this proposal, the Landcom is both the proponent and the determining authority under Part 5 of the *EP&A Act 1979*. This REF will assist the Landcom in meeting its obligations prior to deciding whether to proceed with the proposal.

4.5 State Environmental Planning Policy (Precincts - Western Parkland City) 2021

The *WPC SEPP* coordinates release areas within the North-West and South-West Sydney Metropolitan Region.

The site is located within the North Wilton Precinct, with the *WPC SEPP* being the primary Environmental Planning Instrument applying to the site.

Clause 2 - Aims of Policy

Clause 3.1 of the *WPC SEPP* provides the aims that guide the release of land, land use planning and future development within the Growth Centres. Consistency with relevant aims of the *WPC SEPP* is outlined in the table below:

Table 3 | Assessment on Consistency with WPC SEPP Aims for Sydney Region Growth Centres

Aim	Response	Consistency
a) to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre and the Wilton Growth Area,	This proposal seeks approval for the use of land as temporary open space.	Yes
b) to enable the Minister from time to time to designate land in growth centres as ready for release for development	The North Wilton Precinct forms a substantial portion of the Wilton Growth Area, which has been designated as a Growth Area.	Yes
c) to provide for comprehensive planning for growth centres,	The proposed development of the site is temporary in nature and provides for amenity and activities that can be utilised by the incoming residential population and visitors to the Sales Centre and Demonstration Home. The proposed development maintains the structural integrity and design principles adopted in the North Wilton Precinct Structure Plan.	Yes

Aim	Response	Consistency
d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,	The proposal seeks to provide a high-quality open space, accessible to the future community and providing a space where the community can gather and undertake leisure activities.	Yes
e) to provide controls for the sustainability of land in growth centres that has conservation value,	The site is located adjacent to land (i.e. the permeant open space) which has been sited and designed to retain existing vegetation with the Stage 1 area. The delivery of the temporary open space will not impact the retention of this vegetation.	Yes
f) to provide for orderly and economic provision of infrastructure in and to the growth centres,	The site is well serviced by roads and pedestrian/cycle paths as part of the approved Stage 1 development.	Yes
g) to provide development controls in order to protect the health of the waterways in those growth centres,	Appropriate measures as part of the Stage development approval have been implemented to ensure that development with Stage 1, including the subject site protect the health of adjoining waterways during and following construction.	Yes
h) to protect and enhance land with natural and cultural heritage,	The site does not contain any natural or cultural heritage.	Yes
i) to provide land use and development controls that will contribute to conservation of biodiversity.	The North Wilton Precinct includes a significant area zoned for conservation. These areas are not in proximity to the site. Furthermore, under the Cumberland Plain Conservation Plan (CPCP), the site is within the area identified as 'urban capable' and is bio-certified under the CPCP.	Yes

4.5.1 1 WPC SEPP – Appendix 8 North Wilton Precinct Plan

Appendix 8 – North Wilton Precinct Plan of the *WPC SEPP* contains the zoning and key development standards and provisions for development within the North Wilton Precinct.

This section addresses the key requirements of the North Wilton Precinct Plan.

Aims of Precinct Plan

Clause 1.2 of the Precinct Plan provides the aims that guide the development of the North Wilton Precinct within the Growth Centres. Consistency with relevant aims of Clause 1.2 is outlined below:

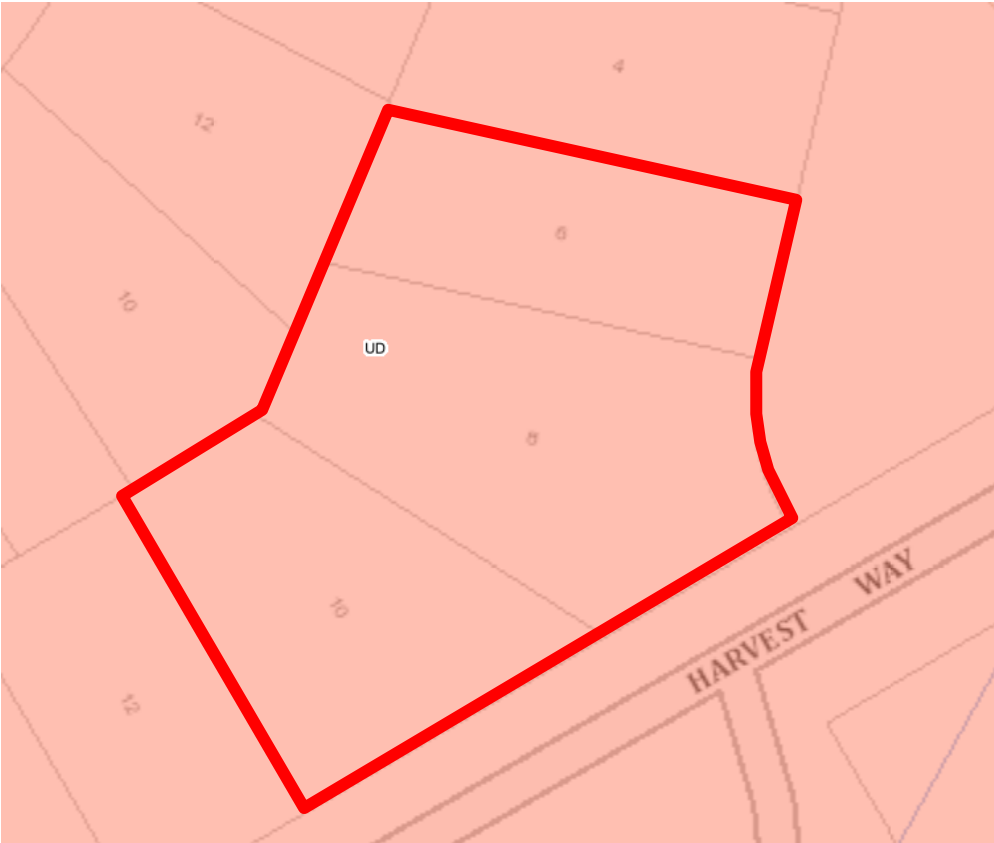
Table 4 | Assessment of Consistency with Clause 1.2 Aims

Aim	Response	Consistency
a. to rezone land to allow for development to occur in the manner envisaged by the North Wilton structure plans	The proposed development has been designed to be consistent with the North Wilton Structure Plan.	Yes
b. to deliver housing choice and affordability by accommodating a wide range of residential dwelling types that cater for housing diversity,	The site is within an approved subdivision development that will deliver more homes in the Sydney Region. the activity is temporary, with the site to be returned ready for residential development once the useful life of the space is finished.	Yes
c. to guide the bulk and scale of future development within the North Wilton Precinct consistent with the North Wilton structure plans	Not Applicable.	N/A
d. to protect and enhance conservation areas and areas of significant native vegetation and habitat, as well as to establish development controls that require the impact of development on native flora and fauna (including koalas) to be assessed,	The proposed development is to be undertaken on land that is biodiversity certified under the Cumberland Plain Conservation Plan, and will have minimal biodiversity impacts as the site has been cleared for agricultural purposes for many decades.	Yes
e. to rezone land to allow for retail and commercial uses to meet the needs of future residents of the North Wilton Precinct	This proposal does not contain retail or commercial uses.	N/A

Clause 2.2 Zoning of land to which Precinct Plan applies

The subject site of this Development Application is zoned UD Urban Development *WPC SEPP 2021* as shown on the Wilton Growth Area Land Zoning Map. While the LEP specifies development with and without consent in the respective zones and the land use table (in which recreation facilities as proposed are permissible), these provisions are superseded by the application of T&I SEPP.

Figure 12 | Site Zoning



4.6 Wilton Growth Area Development Control Plan

CONTROL	COMMENT	COMPLIANCE
8.1 SUSTAINABILITY		
8.1.2.1 Tree Canopy Cover		
1. Tree retention after subdivision is encouraged. Mature trees should be retained and incorporated into the subdivision and public domain design and retained to contribute to the mature tree canopy cover in the neighbourhood, to provide visually interesting streetscapes, improve public amenity, improve air quality, and enhance tree	No vegetation is located on the site.	N/A

CONTROL	COMMENT	COMPLIANCE
canopy cover.		
2. Appropriate plant species are to be selected for the site conditions with consideration given to trees providing shade in summer and allowing sunlight in winter, or to provide habitat.	The Landscape Package incorporates additional tree and shrub planting, comprising native plant species that have been selected from the Council's species list.	Yes

8.1.2.5 Active Transport

- | | | |
|--|--|-----|
| 1. The Neighbourhood Plan must demonstrate how bus routes and bus movements are to be accommodated for each stage of the development. | Not Applicable for this application. | N/A |
| 2. Cycle paths and cycling networks should be provided throughout the development linking throughout the various stages of the development. | Not Applicable for this application. | N/A |
| 3. Development is to demonstrate how it maximises opportunity to use modes of transport other than the private motor vehicle. This includes (but is not limited to) easy access to, and useful design of, the network of shared pathways, the provision of public transport routes and public transport services and facilities. | The landscape design for the open space areas incorporates a network of pedestrian pathways paths that directly link to the broader active transport network of the Neighbourhood. | Yes |

The Wilton Growth Area Development Control Plan in August 2021. The table below comprises an assessment of the proposed open space against the relevant sections and controls contained in the Wilton DCP has been undertaken.

Table 5 | Assessment of Consistency Relevant DCP Controls

8.2 SMART PLACES

- | | | |
|--|---|------------|
| <p>1. Development will address the principles contained in the Code for Smart Communities (October 2018), Smart Cities Council and Council's Smart Shire Strategy.</p> | <p>The North Wilton Precinct is being designed as a 6-Star Green Star Community. The initiatives identified to ensure that the Precinct becomes a sustainable, well connected (both physically and technologically) and prosperous community have been incorporated in the design, as well as the delivery of the initial stages of the project. While these initiatives will be implemented as the precinct is being developed, they have not been considered appropriate for this proposal and the open space is temporary.</p> | <p>N/A</p> |
| <p>7. Installation of the following is to be considered in parks and open space areas:</p> <ul style="list-style-type: none"> i. Smart lighting to key park spaces and where such spaces may be used at night-time for active uses, ensure lighting is adequate for active and passive uses; ii. A dedicated internet/fibre connection point; iii. A public Wi-Fi network sufficient to attain coverage of the whole park; iv. Bluetooth speakers with free access to the speakers within the community's parks, particularly in proximity to the basketball court/youth spaces; v. Security cameras at key locations with parks to ensure coverage of primary movement and play zones; vi. Smart bins' to park areas with capacity rubbish bin sensors vii. 'Smart park furniture' to park areas which includes USB charging capacity and potentially Wi-Fi connectivity, if not otherwise provided within the park elsewhere; viii. Electric vehicle charging points/poles immediately adjoining the park space (on road if no dedicated off-road parking is proposed); and ix. Digital display screen, linked to a Council accessible network to share key community information, data and activities. | <p>As noted above, the incorporation of 'smart' features in the landscape design has not been considered as the open space is temporary and adjacent to the permeant open space that will include such features.</p> | <p>N/A</p> |

5 Statutory consultation and stakeholder engagement

Clause 2.1 of the T&I SEPP sets out the consultation requirements for development that is identified as being 'development without consent'.

An assessment of the requirement is provided below in Table 3.

5.1 Government agency and other stakeholder engagement

Table 3 below provides an assessment of the consultation requirements under clause 2.10 of the T&I SEPP

Table 6 | Transport and Infrastructure SEPP Consultation

Division 1 Consultation Requirements	Yes	No
2.10 Consultation with councils—development with impacts on council-related infrastructure or services		
Will the activity:		
(a) Potentially have a substantial impact on stormwater management services provided by the Council?	x	✓
(b) Be likely to generate traffic that will strain the capacity of the road system in the LGA?	x	✓
(c) Involve connection to, and have a substantial impact on, the capacity of any part of a sewerage system owned by Council?	x	✓
(d) Involve connection to and use a substantial volume of water from any part of a water supply system owned by Council?	x	✓
(e) Involve the installation of a temporary structure on, or enclosing of, a public place that is under the Council's management or control that is likely to cause a disruption to pedestrian or vehicular traffic that is not minor or inconsequential?	x	✓
(f) Involve the excavation that is not minor or inconsequential of the surface of, or a footpath adjacent to, a road for which the Council is the roads authority under the <i>Roads Act 1993</i> (if the public authority that is carrying out the development, or on whose behalf it is being carried out, is not responsible for the maintenance of the road or footpath).	x	✓
2.11 Consultation with councils—development with impacts on local heritage		
Is the activity likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item, in a way that is more than minor or inconsequential?	x	✓
If yes to the above, has:	x	✓
(a) an assessment of the impact been prepared, and		
(b) a copy of the Heritage Impact Statement and a scope of works been provided to the Council, and		
(c) any response received from the council considered?		
2.12 Consultation with councils—development with impacts on flood liable land		

Division 1 Consultation Requirements	Yes	No
Will the works be located on flood liable land and will they alter flooding patterns more than to a minor extent?	x	✓
If yes to the above, has:	x	✓
(a) written notice been given to council of the intention to carry out the development (together with a scope of works), and		
(b) any response received from the council considered?		
2.13 Consultation with State Emergency Service—development with impacts on flood liable land		
Is the activity located on flood liable land and greater than minor alterations or additions to, or the demolition of, a building, emergency works or routine maintenance?	x	✓
If yes to the above, has:	x	✓
(a) written notice been given to the SES of the intention to carry out the development (together with a scope of works), and		
(b) any response received from the council considered?		
2.14 Consultation with councils—development with impacts on certain land within the coastal zone		✓
Is the activity on land that is within a coastal vulnerability area and is inconsistent with a certified coastal management program that applies to that land?	x	✓
If yes to the above, has:	x	✓
(a) written notice been given to the council of the intention to carry out the development, and		
(b) any response received from the council considered?		
2.15 Consultation with authorities other than councils		
Will the activity be located:	x	✓
(a) adjacent to land reserved under the <i>National Parks and Wildlife Act 1974</i> or to land acquired under Part 11 of that Act?	x	✓
If yes, has the Biodiversity and Conservation Division been given written notice of the intention to carry out the development (together with a scope of works)?	x	✓
(b) on land in Zone C1 National Parks and Nature Reserves or in a land use zone that is equivalent to that zone, other than land reserved under the <i>National Parks and Wildlife Act 1974</i> ?	x	✓
If yes, has the Biodiversity and Conservation Division been given written notice of the intention to carry out the development (together with a scope of works)?	x	✓
(c) In association with development comprising a fixed or floating structure in or over navigable waters?	x	✓
If yes, has Transport for NSW been given written notice of the intention to carry out the development (together with a scope of works)?	x	✓

Division 1 Consultation Requirements	Yes	No
(d) In association with development that may increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map?	x	✓
If yes, has the Director of the Observatory been given written notice of the intention to carry out the development (together with a scope of works)? Note. The dark sky region is land within 200 kilometres of the Siding Spring Observatory.	x	✓
(e) development on defence communications facility buffer land within the meaning of clause 5.15 of the Standard Instrument?	x	✓
If yes, has the Secretary of the Commonwealth Department of Defence been given written notice of the intention to carry out the development (together with a scope of works)? Note. Defence communications facility buffer land is located around the defence communications facility near Morundah. See the Defence Communications Facility Buffer Map referred to in clause 5.15 of Lockhart Local Environmental Plan 2012, Narrandera Local Environmental Plan 2013 and Urana Local Environmental Plan 2011.	x	✓
(f) development on land in a mine subsidence district within the meaning of the <i>Mine Subsidence Compensation Act 1961</i> ?	✓	x
If yes, has the Mine Subsidence Board been given written notice of the intention to carry out the development (together with a scope of works)?	x	✓
(g) development on, or reasonably likely to have an impact on, a part of the Willandra Lakes Region World Heritage Property?	x	✓
If yes, has the World Heritage Advisory Committee and Heritage NSW been given written notice of the intention to carry out the development (together with a scope of works)?	x	✓
(h) development within a Western City operational area specified in the Western Parkland City Authority Act 2018, Schedule 2 with a capital investment value of \$30 million or more?	x	✓
If yes, has the Western Parkland City Authority constituted under that Act been given written notice of the intention to carry out the development (together with a scope of works)?	x	✓

Table 7 | Notification of carrying out certain development without consent (Transport and Infrastructure SEPP)

Notification of carrying out certain development without consent	Yes	No
Is the proposed activity:		

Notification of carrying out certain development without consent	Yes	No
(a) for the purpose of a new or existing electricity substation of any voltage (including any associated yard, control building or building for housing plant) pursuant to clause 245, and	x	✓
If yes, has written notice of the intention to carry out the development to each of the following been issued?	x	✓
(a) the council for the area in which the relevant land is located, and		
(b) the occupiers of any adjoining land.		

The site is located within the Wilton Mine Subsidence District. However, Subsidence Advisory NSW (SANSW) has not been given written notice of the intention to carry out the development. The rationale to this approach is detailed below:

- SANSW has issued an order under section 24 of the *Coal Mine Subsidence Compensation Act 2017*, which allows certain low-risk development applications that adhere to the relevant Surface Development Guideline to be assessed either by a registered certifier or by the local council, bypassing the need for a separate assessment by SANSW.
- The Surface Development Guideline 6 applies to the Wilton Mine Subsidence District. Guideline 6 applies to properties likely to be undermined in the future with subsidence-induced ground movements. It should be noted that the mining lease over the North Wilton Precinct was extinguished at the time the Precinct was rezoned. As such, no mining has or will occur under the Precinct. The proposed temporary open space is not only considered to be low risk, Guideline 6 does not identify specific requirements that are applicable to the works within the open space.
- SA NSW provides a list of exempt development that does not require approval under Section 22 of the *Mine Subsidence Compensation Act 1961*. The list of exempt development includes the following structures that will be located within the open space:
 - o Driveways and hard stand spaces
 - o Fences
 - o Playgrounds
 - o Retaining walls

Accordingly, written notice to SANSW of the intention to carry out the development has not been undertaken

The proposed development will have no significant impact on Council's infrastructure or the infrastructure by other service providers or Government Agencies. Notwithstanding, Landcom notified Council, via a letter, with draft plans and a detailed project presentation. Additionally, Landcom staff met with staff from Council's Assessment Team, who were supportive of the proposal. Additionally, Landcom liaised with Council's Community Development officers and noted and included their feedback on a number of matters that were raised including bike parking, bins and storage for furniture.

Council was provided ample time to provide formal written comment, (November to February) with formal notification sent on 3 December 2024, however there has been no formal response received to date. Accordingly, this consultation period has closed.

In addition to the above, adjoining neighbours to the temporary open space were also notified, including:

- Purchased Lots: Lots 1111, 1122, 1125 were already sold and as such, information was sent to the owners, including an indicative plan and Plan of Management. At the time the notification letters were sent to the owners, these lots were vacant. Since then,

development is occurring within the Stage 1 area, one of the notified lots now occupied with the development's first resident. No feedback or response were received as part of the notification process.

- Lots 1114, 1115, 1116 were not sold at the commencement of the consultation period. Accordingly, prospective purchasers were informed of the intention to develop a temporary open space on the subject site. Accordingly, those that have reserved these lots have done so with the knowledge of the open space being delivered adjacent to their properties.

While consultation was not required by the T&I SEPP, a concerted effort was made by Landcom to ensure that all necessary parties were informed of the proposal.

6 Environmental Impact Assessment

This section of the REF describes any environmental impact of the proposal. All factors of the environment potentially

impacted upon by the activity have been considered. This includes:

- Soils and geology
- Hazardous materials and contamination
- Hydrology, flooding and water quality
- Ecology
- Bushfire prone land
- Traffic, access and Parking
- Noise and vibration
- European heritage
- Indigenous Heritage
- Visual amenity
- Land use and services
- Waste generation
- Cumulative impacts
- Consideration under Sections 170 and 171 of the EP&A Regulation

6.1 Identification of issues

6.1.1 Soils and geology

Table 8 | Soils and Geology

Considerations	Yes	No
Will the works require land disturbance?	✓	x
Are the works within a landslip area?	x	✓
Are the works within an area of high erosion potential?	x	✓
Could the works disturb any natural cliff features, rock outcrops or rock shelves?	x	✓
Will the works result in permanent changes to surface slope or topography?	x	✓
Are there acid sulphate soils within or immediately adjacent to the boundaries of the work area? And could the works result in the disturbance of acid sulphate soils?	x	✓

As part of the delivery of the temporary open space, additional works will be required to ensure that the site is appropriately graded and can accommodate the proposed activities as well as ensure DDA compliant accessibility. These works will be minor in nature and where possible, have been designed to facilitate the ultimate use of the site (i.e. residential dwellings). Erosion and

sediment control will be required during construction in accordance with Landcom's Blue Book. Ongoing drainage will be via the already in place subdivision stormwater network.

6.1.2 Hazardous materials and contamination

Table 9 | Hazardous materials and contamination

Considerations	Yes	No
Is there potential for the works to encounter any contaminated material?	x	✓
Will the works involve the disturbance or removal of asbestos?	x	✓
Is the work site located on land that is known to be or is potentially contaminated?	x	✓
Will the works require a Hazardous Materials Assessment?	x	✓
Is a Remediation Action Plan required?	x	✓
Is the work category 2 works under the Resilience and Hazards SEPP?	x	✓

The site has undergone extensive earthworks as part of the delivery of the Stage 1 subdivision development. Accordingly, any contaminants that were known to be on the site have been removed as part of reading the site for residential development

6.1.3 Hydrology, flooding and water quality

Table 10 | Hydrology, flooding and water quality

Considerations	Yes	No
Are the works located near a natural watercourse?	x	✓
Are the works located within a floodplain?	x	✓
Will the works intercept groundwater?	x	✓
Will a licence under the <i>Water Act 1912</i> or the <i>Water Management Act 2000</i> be required?	x	✓

The proposal does not impact any hydrological matters.

6.1.4 Ecology

Table 11 | Ecology

Affectation	Yes	No
Could the works affect any <i>Environmental Protection and Biodiversity Conservation Act 1999 (Cth)</i> listed threatened species, ecological community or migratory species?	x	✓
Is it likely that the activity will have a significant impact in accordance with the <i>Biodiversity Conservation Act (2016)</i> ? In order to determine if there is a significant impact REF must address relevant requirements of clause 7.2 of the BC Act: - Clause 7.2 (a) - Test for significant impact in accordance with clause section 7.3 of the BC Act. Clause 7.2 (c) it is carried out in a declared area of outstanding biodiversity value.	x	✓
Could the works affect a National Park or reserve administered by EES?	x	✓
Is there any important vegetation or habitat (i.e. SEPP 9 Urban Bushland, SEPP 14 Wetlands, SEPP 26 Littoral Rainforest) within or adjacent to the work area?	x	✓
Could the works impact on any aquatic flora or habitat (i.e. seagrasses, mangroves)?	x	✓
Are there any noxious or environmental weeds present within the work area?	x	✓
Will clearing of native vegetation be required?	x	✓

The site has been cleared of vegetation as part of the approved Stage 1 development works. The site is adjacent to the permanent open space, which contains existing vegetation that has been retained as part of the Stage 1 development. The proposed works and the use of the site as a temporary open space will not impact the retained vegetation in the adjacent open space.

6.1.5 Bushfire prone land

Table 12 | Bushfire prone land

Considerations	Yes	No
Are the works located on bushfire prone land	✓	x
Do the works include bushfire hazard reduction work?	x	✓
Is the work consistent with a bush fire risk management plan within the meaning of the <i>Rural Fires Act 1997 (RF Act)</i> that applies to the area or locality in which the activity is proposed to be carried out?	✓	x

The 10.7 Certificates identify that the site is bushfire prone land. While the site is identified as bushfire prone, it is located within land that is currently undergoing transformation into an urban

environment. As part of the Approval for the Stage 1 development area, which encompasses the subject site, measures were identified to mitigate against bushfire risk. This included the establishment of a 100m buffer around the stage 1 area until development of land surrounding Stage 1 occurs. In this regard, works associated with the delivery of Stages 2-3 to the north and Stage 4 to the south west have progressed, further removing any perceived bushfire threat. The 100m buffer is being maintained along the western side of the Stage 1 development as this area is yet to be developed

The Wollondilly/Wingecarribee Bush Fire Management Committee Bush Fire Risk Management Plan applies to the North Wilton Precinct. The Bushfire Risk Management Plan identifies community assets at risk to reduce the risk to these assets. Mapping within the Bushfire Risk Management Plan does not identify any assets within the North Wilton Precinct or bushfire management zones. Importantly, the Bushfire Risk Management Plan requires development in bushfire prone areas to comply with Planning for Bushfire Protection 2019. The site will be used as a temporary open space, within a residential community. The landscaping of the site, the majority of which will be turfed and managed landscapes, will be appropriately maintained to ensure the usability of the space and visual amenity. The maintenance of the space will also mitigate against any perceived bushfire risk issues. Accordingly, the proposed development is consistent with the Wollondilly/Wingecarribee Bush Fire Management Committee Bush Fire Risk Management Plan.

6.1.6 Traffic, access and parking

Table 13 | Traffic, access and parking

Considerations	Yes	No
Will the works affect traffic or access on any local or regional roads?	x	✓
Will the works disrupt access to private properties?	x	✓
Are there likely to be any difficulties associated with site access?	x	✓
Are the works located in an area that may be highly sensitive to movement of vehicles or machinery to and from the work site (i.e. schools, quiet streets)?	x	✓
Will full or partial road closures be required?	x	✓
Will the proposal result in a loss of onsite car parking?	x	✓
Is there onsite parking for construction workers?	x	✓

During construction of the open space, construction vehicles and workers are likely to park within the site, along the already constructed driveway on the western edge of the site. Additionally, parking within the Sales Office and Demonstration Home car park will be available while these buildings are being built.

6.1.7 Noise and vibration

Table 14 | Noise and vibration

Considerations	Yes	No
Are there residential properties or other sensitive land uses or areas that may be affected by noise from the proposal during construction? (i.e. schools, nursing homes, residential areas or native fauna populations)?	x	✓
Will any receivers be affected by noise for greater than three weeks?	x	✓
Are there sensitive land uses or areas that may be affected by noise from the proposal during operation?	x	✓
Will the works be undertaken outside of standard working hours? <ul style="list-style-type: none"> Monday – Friday: 7am to 6pm Saturday: 8am to 1pm Sunday and public holidays: no work 	✓	x
Will the works result in vibration being experienced by any surrounding properties or infrastructure?	x	✓

At the time of writing this REF, one of the adjoining lots is now occupied with the development's first resident. The remaining lots are either vacant or underdoing construction works. Any works during the construction of the open space will be undertaken in accordance with relevant standards and within specified construction times.

A Plan of Management (PoM) has been prepared that provides details of the operation of the open space. As highlighted in the PoM, any events planned to be undertaken within the open space will require notification of the adjoining residents, providing details of the event, including its duration and the activities to be held.

6.1.8 Air quality and energy

Table 15 | Soils and Geology

Air quality and energy	Yes	No
Could the works result in dust generation?	✓	x
Could the works generate odours (during construction or operation)	x	✓
Will the works involve the use of fuel-driven heavy machinery or equipment?	x	✓
Are the works located in an area or adjacent to land uses (e.g. schools, nursing homes) that may be highly sensitive to dust, odours, or emissions?	x	✓

Air quality and energy	Yes	No
Have energy use considerations been included in the project design?	x	✓

Dust generation is possible during construction of the temporary open space, particularly on windy days. Appropriate measures, including dust suppression may be required, during construction.

6.1.9 European heritage

Table 16 | European heritage

Considerations	Yes	No
Are there any heritage items listed on the following registers within or in the vicinity of the work area NSW heritage database (includes section 170 and local items) Commonwealth EPBC heritage list?	x	✓
Will works occur in areas that may have archaeological remains?	x	✓
Are there any heritage items listed on the following registers within or in the vicinity of the work area NSW heritage database (includes section 170 and local items) Commonwealth EPBC heritage list?	x	✓

Not items of State or Local heritage significance are located on or in the vicinity of the site.

6.1.10 Indigenous heritage

Table 17 | Indigenous heritage

Considerations	Yes	No
Will the works disturb any culturally modified trees?	x	✓
Are there any known items of Aboriginal heritage located in the works area or in the vicinity of the works area (e.g. previous studies or reports from related projects)?	x	✓
Are there any other sources of information that indicate Aboriginal objects are likely to be present in the area (e.g. previous studies or reports from related projects)?	x	✓
Will the works occur in the location of one or more of these landscape features and is on land not previously disturbed? <ul style="list-style-type: none"> • Within 200m of waters. • Located within a sand dune system. • Located on a ridge top, ridge line or headland. • Located within 200m below, or above a cliff face. • Within 20m of, or in a cave, rock shelter or a cave mouth 	x	✓

Not items of Aboriginal heritage significance are located on or in the vicinity of the site.

6.1.11 Visual amenity

Table 18 | Visual amenity

Considerations	Yes	No
Are the works visible from residential properties, or other land uses that may be sensitive to visual impacts?	✓	x
Will the works be visible from the public domain?	✓	x
Are the works located in areas of high scenic value?	x	✓
Will the works involve night work requiring lighting?	x	✓

The site is located adjacent to residential lots that form part of the approved Stage 1 development area of Panorama. The design and of the open space taken into account visual impact to neighbouring properties, with vegetated buffers proposed along the adjoining residential lots with the site. this will provide suitable separation and a landscaped visual buffer between the residential lots and the temporary open space.

The site has also been designed to be visible from the public dome. This provide passive surveillance for the open space, ensuring that users of the space feel safe during its use.

6.1.12 Land uses and services

Table 19 | Land uses and services

Considerations	Yes	No
Will the works result in a loss of, or permanent disruption of an existing land use?	x	✓
Will the works involve the installation of structures or services that may be perceived as objectionable or nuisance?	x	✓
Will the works impact on, or be in the vicinity of other services?	x	✓

The open space is temporary in nature and provide with visitors and new residents with a usable space early in the life of the development of Panorama.

6.1.13 Waste generation

Table 20 | Waste generation

Considerations	Yes	No
Will the works result in the generation of non-hazardous waste?	✓	x
Will the works result in the generation of hazardous waste?	x	✓
Will the works result in the generation of wastewater requiring off-site disposal?	x	✓

There will be construction waste as a result of the activity with the anticipated waste streams resulting from the delivery of the various activity spaces. Waste streams will be managed by the nominated builder, pending confirmation of appropriate waste disposal locations.

6.1.14 Cumulative impacts

Table 21 | Cumulative impacts

Considerations	Yes	No
Has there been any other development approved within 500m of the site	✓	x
Will there be significant impacts (for example, including but not limited to, construction traffic impacts) from other development approved or currently under construction within 500m of the site?	x	✓

Cumulative impacts occur when two or more projects are carried out concurrently and in close proximity to one another. The impacts may be caused by both construction and operational activities and can result in a greater impact to the surrounding area than would be expected if each project was undertaken in isolation. Multiple projects undertaken at a similar time/similar location may also lead to construction fatigue, particularly around noise, traffic and air quality impacts, if not appropriately managed.

The proposed works will be undertaken while construction of private residences are being undertaken. It is intended that the construction works will be finalised prior to many of the currently under construction, or planned dwelling construction within the Stage 1 development area.

6.2 Impact Assessment

6.2.1 Environmental Planning and Assessment Act, 1979 considerations

Table 22 | Matters for consideration under section 5.5 of the EP&A Act

Matters for consideration under Section 5.5(1) and (3) of the EP&A Act.	Effect of the activity
1) For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.	The proposal will deliver a temporary open space that will be available for use by new residents and visitors of the Panorama Sales Office and Demonstration Home. The site of the proposal is within three existing residential lots that form part of the Stage 1 development of the Panorama project. To this end, the site has undergone extensive works as part of the approved Stage 1 consent, including the grading of the site, installation of servicing infrastructure and the road network. The use of the site as a temporary open space is not anticipated to have any significant environmental impact, impact on the site itself or the surrounding land uses.
2) Repealed	N/A
3) Without limiting subsection (1), a determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the Wilderness Act 1987) in the locality in which the activity is intended to be carried on.	The site is not located in proximity to a wilderness area.

6.2.2 Environmental Planning and Assessment Regulation, 2021 considerations

The table below provides a summary checklist of matters to be considered under sections 170 and 171(2) of the EP&A Regulation. Section 170 of the EP&A Regulation defines the factors which must be considered when assessing the likely impact of an activity on the environment under Part 5 of the EP&A Act. This is set out in the Department of Planning and Environment's Guidelines for Division 5.1 assessments – June 2022, which provides reference to factors to be considered under section 171(2) of the EP&A Regulation.

Table 23 | Matters for consideration under section 170 and 171 of the EP&A Regulation

Factor	Impact (Nil, Long or short term, positive or negative, Minor)
<p>a) the environmental impact on a community, There will be a minor short term impact on the community during the construction activities required to deliver the open space. However, this is occurring in conjunction with construction activity being undertaken by individual lot owners constructing their dwellings.</p> <p>In the medium to long term, the temporary open space will provide an immense community benefit as it will provide a meaningful and usable space for new residents and visitors. The space will also facilitate the undertaking of community events that will help to promote community connections and cohesion.</p>	Positive medium term
<p>b) the transformation of the locality, The temporary open space will transformation the locality positively in the short to medium term as it will provide a focal space for the new community and visitors. The open space is temporary, with its use connected to the life of the Sales Office and Demonstration Home</p>	Positive medium term
<p>c) the environmental impact on the ecosystems of the locality, The activity is minor and proposed within a future urban context and is not of a scale or nature that can adversely impact the Precinct's environment or ecosystem.</p>	Nil.
<p>d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of the locality, The activity will have a medium term positive impact to the aesthetic and environmental quality of the locality due to use.</p>	Positive medium term.
<p>e) the effects on any locality, place or building that has— i. aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance, or ii. other special value for present or future generations, The activity will not significantly impact the significance of the site as the site is located within an emerging residential area. To this end, the proposed activity will add to the areas amenity.</p>	Positive medium term.
<p>f) the impact on the habitat of protected animals, within the meaning of the <i>Biodiversity Conservation Act, 2016</i>, The activity will not impact on the habitat of protected animals.</p>	Nil
<p>g) the endangering of a species of animal, plant or other form of life, whether living on land, in water or in the air, The activity will not affect any endangered species of animal, plant or other living thing.</p>	Nil
<p>h) long-term effects on the environment, The activity will not have any long-term effects on the biophysical environment</p>	Nil

Factor	Impact (Nil, Long or short term, positive or negative, Minor)
i) degradation of the quality of the environment, The activity will not degrade the quality of the environment. Mitigation measures will be put in place to reduce any impacts on noise.	Nil
j) risk to the safety of the environment, There will be minimal risk to the safety of the environment	Nil
k) any reduction in the range of beneficial uses of the environment, The proposal will improve the range of beneficial uses of the environment by providing a focal space for the incoming community and visitors.	Positive medium term
l) pollution of the environment, Appropriate construction and operational mitigation measures will be implemented to ensure that the environment will not be polluted.	Nil
m) environmental problems associated with the disposal of waste Only minor works are proposed, and so no issues will arise from the disposal of waste.	Nil
n) increased demands on natural or other resources that are, or are likely to become, in short supply, The activity will maintain access to essential services and is not envisaged to significantly impact demand for scarce resources.	Nil
o) the cumulative environmental effect with other existing or likely future activities, The activity will not contribute to any adverse cumulative environmental impacts.	Nil
p) the impact on coastal processes and coastal hazards, including those under projected climate change conditions, The activity will not impact on any coastal process or hazards.	Nil
q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1, The site is located within the North Wilton Precinct, which forms part of the Wilton Growth Area. The Precinct has been identified as a Growth area under the relevant Regional Plan, as well as Wollondilly Council's Local Strategic planning Statement.	Positive long term
r) other relevant environmental factors. The activity will not impact any other environmental factors.	Nil

6.3 Commonwealth Environment Protection and Biodiversity Conservation, Act

The provisions of the Commonwealth Environment Protection and Biodiversity Conservation, Act 1999 do not affect the proposed works as they are not development that takes place on, or affects Commonwealth land or waters. Further, they are not development carried out by Commonwealth agencies, or a matter considered to be of national environmental significance. Additionally, there are no critical habitats or threatened species on the site of the proposed activity. A checklist is provided over.

Table 24 | National Environmental Significance Checklist

Matters for consideration under Section 5.5(1) and (3) of the EP&A Act.	Effect of the activity
Any significant impact on a declared World Heritage Property	x The activity is not located within or in the vicinity of a declared World Heritage Property.
Any significant impact of a National Heritage place	x The activity will not impact a National Heritage place.
Any significant impact on a declared Ramsar wetland / wetlands of international importance	x The activity will not impact a declared Ramsar wetland or wetlands of international importance
Any significant impact on Commonwealth listed threatened species or ecological communities	x The activity will not impact Commonwealth listed threatened species or ecological communities
Any listed migratory species	x The activity will not impact any listed migratory species
Does any part of the proposal involve nuclear actions	x The activity does not involve nuclear actions
Any significant impact on Commonwealth marine areas / environment	x The activity will not impact Commonwealth marine areas or environments
Any significant impact on the Great Barrier Reef Marine Park	x The activity will not impact the Great Barrier Reef Marine Park
Any significant impact on water resources from coal seam gas development and large coal mining development	x The activity does not involve coal seam gas or large coal mining development
Any significant impact on Commonwealth land	x

Matters for consideration under Section 5.5(1) and (3) of the EP&A Act.	Effect of the activity
	The activity will not impact Commonwealth land

6.4 Summary of impacts

Based on the identification of potential issues, and an assessment of the nature and extent of the impacts of the proposed development, it is determined that:

- The extent and nature of potential impacts are low, and will not have significant adverse effects on the locality, community and the environment;
- Potential impacts can be appropriately mitigated or managed to ensure that there is minimal effect on the locality, community; and

On this basis, it is determined that an EIS **is** not required for the proposed development activity and that Landcom approve the proposed activity in accordance with Division 5 of the EP&A Act and subject to the adoption and implementation of matters outlined in this report.

7 Justification for the activity

The activity is justified as to do nothing would limit the availability of open space in the short to medium term. It would also limit the ability for community events to be held within the space and create a connected and cohesive community.

The positive impacts from undertaking the activity include the provision of a community focal point that provides for a range of activities for a broad cross section of the incoming community. The space will also highlight Landcom's commitment to providing quality amenity and a space where residents and visitors can meet and linger. These benefits outweigh the environmental impacts discussed in Section 6 of this REF. The assessment demonstrates there will be no substantial or lasting negative biodiversity, biophysical, or ecosystems impacts upon the site, its locality or the region.

7.1 Ecologically Sustainable Development (ESD)

The EP&A Regulation 2021 lists four principles of ESD at section 193 required to be considered in assessing a project:

- The Precautionary Principle
- Intergenerational equity
- Conservation of biological biodiversity and ecological integrity
- Improved valuation and pricing of environmental resources

The **precautionary principle** is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful consideration and evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment, as well as an assessment of the risk-weighted consequences of various options. This REF has not identified any serious threat or irreversible damage to the environment and therefore the precautionary principle is not relevant in this case. As noted within the REF, the site forms part of the Panorama Stage 1 development area, which has undergone transformation to deliver homes within the Sydney Region.

Intergenerational equity is concerned with ensuring the health, diversity and productivity of the environment can be maintained or enhanced for the benefit of future generations. The temporary open space will benefit the incoming resident community as well as visitors to the Sales Office and Demonstration Home by providing a well-designed and connected space that provides for a range of activities. While the activity is temporary, it will provide a medium-term benefit that will be carried through with the delivery of the permanent open space within the development.

The principle of **biological diversity** upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration for any development. Due to the nature and extent of the works and activity, the impact of the activity on the biological diversity of the environment will be minor.

The principles of **improved valuation and pricing of environmental resources** requires consideration of all environmental resources that may be affected by a proposal, including air, water, land and living things. The evaluation includes:

- polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, and
- the users of goods and services should pay prices based on the full life cycle of the costs of providing the goods and services, including the use of natural resources and assets and the ultimate disposal of waste, and
- established environmental goals should be pursued in the most cost effective way by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

The proposed activity meets the principle by including environmental costs in planning, making polluters pay for their impacts, and using incentives to encourage cost-effective solutions.

8 Mitigation measures

The mitigation measures outlined in this REF and summarised in this section form part of the activity and shall be incorporated into the detailed design and implemented during the carrying out of the delivery of the temporary open space.

The implementation of these safeguards and measures will ensure that the proposed works will not have a significant impact on the environment.

Table 25 | Mitigation Measures

Item / ID	Mitigation and management measure	Responsibility	Timing
General	<ul style="list-style-type: none"> A Construction Environment Management Plan (CEMP) is to be prepared prior to any construction works commencing to minimise impacts. The CEMP should include relevant REF Environmental Safeguards and Mitigation Measures including, but not limited to, erosion, sediment and control protocols for implementation during construction. This will ensure there are no impacts from erosion or runoff associated with the construction. 	Contractor	Pre-Construction
	<ul style="list-style-type: none"> All key stakeholders including businesses and residents affected by the activity are to be notified at least five business days prior to the start of the activity. 	Landcom / Contractor	Pre-Construction
	<ul style="list-style-type: none"> All personnel working on site are required to receive training to ensure awareness of environment protection requirements to be implemented during the project. This is to include site induction and regular 'toolbox' briefings. Records of site induction training to be kept by project manager. 	Contractor	Pre-Construction

Construction	<ul style="list-style-type: none"> Standard construction hours: Monday to Friday 7:00am to 6:00pm Saturdays 8:00am to 1:00pm No work on Sundays or Public Holidays Works outside these times may be carried out provided residents have been given a minimum 5 days notice relating to out-of hours construction. 	Contractor	During Construction
Biodiversity	<ul style="list-style-type: none"> Care must be taken when moving equipment near vegetation to be retained on the adjacent site. If works appear to encroach on retained vegetation including tree root zone, then advice from a qualified Arborist should detail appropriate tree protection measures. 	Contractor	During Construction
Traffic	<ul style="list-style-type: none"> Current traffic movements and property access locations are to be maintained during the works. Any disturbance is to be minimised to prevent unnecessary traffic delays If required, appropriate traffic control measures will be put in place for vehicles entering and leaving the site and signs are to be erected regarding proposed works, temporary road closures, diversions, etc. 	Contractor	During Construction
Stormwater	<ul style="list-style-type: none"> All sediment and erosion control measures must be installed appropriately for the duration of the works. 	Contractor	Pre-Construction / During Construction
Construction Noise and Vibration	<ul style="list-style-type: none"> Construction shall be managed to minimise overall noise from the work place (designated vehicle routes, construction sheds to be located away from operating facilities, etc). 	Contractor	During Construction
	<ul style="list-style-type: none"> Ensure the contact details are easily accessible (i.e. on construction fencing, project newsletter updates, etc) and made available to residents prior to the works beginning. 	Contractor	Pre-Construction / During Construction

	<ul style="list-style-type: none"> As far as practicable, document and respond to any noise complaints received in relation to the project. Undertake noise and/or vibration monitoring and testing upon receipt of a complaint from a neighbouring residential property. 		
Aboriginal Heritage	<ul style="list-style-type: none"> In the unlikely event that Aboriginal, or suspected Aboriginal, archaeological material is uncovered during the development, then works in that area are to stop and the area is to be cordoned off. The project manager is to contact the heritage consultant to make an assessment as to whether the material is classed as Aboriginal object/s under the National Parks and Wildlife Act 1974, and advise on the required management and mitigation measures. Works are not to recommence in the cordoned off area until heritage clearance has been given and/or the required management and mitigation measures have been implemented. 	Contractor	During Construction
European Heritage	<ul style="list-style-type: none"> In the unlikely event archaeological, or suspected archaeological, material is uncovered during works, then works in that area are to cease and the area is to be cordoned off. The material is to be inspected by a heritage consultant and works in that area are only to recommence once heritage clearance has been gained and/or mitigation and management measures implemented. 	Contractor	During Construction
Waste	<ul style="list-style-type: none"> A construction waste management plan is to be prepared prior to the commencement of works. 	Contractor	Pre-Construction
	<ul style="list-style-type: none"> Waste is to be recycled where possible in accordance with the Waste Management Report. 	Contractor	During Construction

	<ul style="list-style-type: none"> Any asbestos waste or other hazardous materials identified must be transported and disposed of in accordance with the relevant state or territory Environment Protection Authority (EPA) requirements. 	Contractor	During Construction
	<ul style="list-style-type: none"> Working areas are to be maintained, kept free of rubbish and cleaned up at the end of each working day. 	Contractor	During Construction

Table 26 | Approved documentation

Plan/Report Name	Revision	Date	Author
Landscape Architecture Package	C	26/02/2025	Group GSA
Civil Package	A	17/03/2025	Stantec
Draft Plan of Management			Landcom
Bill of Quantities			
Quantity Surveyor report			