



Planning Proposal

To Amend Wollondilly Local Environmental Plan 2011

‘North Silverdale Planning Proposal’

For the purposes of rezoning ten (10) individual allotments at North Silverdale for Low and Medium Density Residential, Commercial and Environmental Purposes

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Introduction

Site and Surrounding Area

This Planning Proposal refers to land that consists of ten (10) individual properties with a combined area of approximately 68.08 hectares located in the suburb of Silverdale. The lands which are included in the Planning Proposal are as follows:

- Lot 122 DP 747833 (No. 2250 Silverdale Road, Silverdale)
- Lot 121 DP 747833 (No. 2260 Silverdale Road, Silverdale)
- Lot 11 DP 38123 (No. 2280 Silverdale Road, Silverdale)
- Lot 10 DP 38123 (No. 2300 Silverdale Road, Silverdale)
- Lot 200 DP 1092447 (No. 2316 Silverdale Road, Silverdale)
- Lot 199 DP 1092447 (No. 2320 Silverdale Road, Silverdale)
- Lot 2 DP 519533 (No. 2324 Silverdale Road, Silverdale)
- Lot 7 DP 38123 (No. 2330 Silverdale Road, Silverdale)
- Lot A DP 161634 (No. 2340 Silverdale Road, Silverdale)
- Lot 6 DP 1086326 (No. 2350 Silverdale Road, Silverdale)

The majority of the land identified as 2300 Silverdale Road and a portion of the land at 2380 Silverdale Road are currently used for large scale plant nursery operations. The site known as 2320 Silverdale Road, Silverdale is zoned B1 Neighbourhood Centre and includes a small existing town centre and includes a number of shops and other business premises, as well as a petrol station and large car parking area.

The other lots that form a part of the Planning Proposal are large rural allotments which are typically used for rural residential purposes.



Overview of the Proposal

A Draft Planning Proposal for the amendment of Wollondilly Local Environmental Plan (WLEP) 2011 was originally submitted to Council in July, 2011 and Council resolved at its Ordinary Meeting of July, 2012 to support the preparation of a Planning Proposal for the site and request a Gateway Determination from the NSW Department of Planning.

A Gateway Determination was issued by NSW Department of Planning and Environment on 1 May, 2013 which enabled the Planning Proposal to proceed subject to a number of conditions.

The proposal intends to rezone the site from B1 Neighbourhood Centre and RU2 Rural Landscape to B2 Local Centre, B4 Mixed use Development, R2 Low Density Residential, R3 Medium Density Residential and E3 Environmental Management. The land area allocated to each proposed land use zoning is provided below:

Proposed Land Use Zone	Proposed Minimum Lot Size	Site Area
B2 Local Centre	No Minimum Lot Size Proposed	3.3ha
B4 Mixed Use Development	1250 square metres	3.12ha
R2 Low Density Residential	700 square metres	29.48ha
R3 Medium Density Residential	975 square metres	10.19ha
E3 Environmental Management	No minimum lot size proposed	21.99ha

The site currently includes an area of land fronting Silverdale Road which is zoned B1 Neighbourhood Centre and this land supports a small shopping village and service station. The existing retail centre incorporates an area of approximately 1,630 square metres, including an IGA food store of approximately 450 square metres. This Planning Proposal would replace the existing B1 Neighbourhood Centre Zone with a B2 Local Centre zone so that a wider scope of commercial uses can be accommodated on the site. The B2 zone would cover a greater area than the current B1 zone to enable an extension of the existing commercial centre.

The Retail Impact Assessment submitted with the proposal indicates that the proposed B2 Local Centre zone would be capable of supporting an expanded shopping centre which would comprise some 5,950 sqm of gross leasable floor area, including:

- A supermarket of 3,500 square metres; and
- Specialty shops of 2,450 square metres of specialty shops including retail and non-retail components

The net addition of floor space would be 4,320 square metres, (with the 1,630 square metres of Floorspace at the existing centre providing a combined floor area of 5,950 square metres). It is anticipated that approximately 250 additional car parking spaces would be capable of being provided as part of an expanded future shopping centre development.

The proposed B4 Mixed use zone is expected to provide an area suitable for a mix of residential and commercial development and may be suitable for future office and business type development. The proportion of the site proposed to be zoned medium density development and low density residential development is expected to generate approximately 350-400 additional lots, which would be consistent with the growth figures identified for Warragamba/Silverdale in Council's Growth Management Strategy 2011.

The proposed medium density residential zone has been provided within close proximity to the proposed, expanded commercial centre and the indicative road layout for the proposal demonstrates that a future development is able to be provided which would encourage walkability between the medium density residential land and the commercial centre.

The land along the eastern boundary of the site is proposed to be zoned E3 Environmental Management zone in order to protect and conserve a majority of the significant vegetation on this part of the site. An area has also been included within this part of the site as a nominal area for a future park. The park location is in a central location on the site and takes advantage of the natural features on the site. The park would be within suitable walking distance of the proposed R3 Medium Density Residential land on the site. A Voluntary Planning Agreement (VPA) can be entered into at such time as a development application is lodged for the subdivision of the site, at which time the land would also be dedicated to Council.

Part 1 – Objectives or Intended Outcomes

This Planning Proposal seeks to enable the development of the site at Silverdale Road for the purposes of low and medium density development as well as commercial and environmental conservation purposes.

Part 2 – Explanation of Provisions

The proposed outcome will be achieved by the following:

- Amend the Wollondilly Local Environmental Plan 2011 Land Use Zoning Map as it applies to the site **from** B1 Neighbourhood Centre and RU2 Rural Landscape zone **to** R2 Low Density Residential, R3 Medium Density Residential, B2 Local Centre, B4 Mixed Use and E3 Environmental Management zone in accordance with the Land Use Zoning Comparison Map in Part 4.
- Amend the Wollondilly Local Environmental Plan 2011 Minimum Lot Size Map as it applies to the site **to** provide the following minimum lot sizes:
 - 700 square metres to the part of the site proposed to be zoned R2 Low Density Residential;
 - 975 Square metres to the part of the site proposed to be zoned R3 Medium Density Residential;
 - 1250 square metres to the part of the site proposed to be zoned B4 Mixed Use Development;
 - No minimum lot size for the part of the site proposed to be zoned B2 Local Centre and E3 Environmental Management;

in accordance with the minimum Lot Size Comparison Map in Part 4
- Amend the Wollondilly Local Environmental Plan 2011 Height of Building Map as it applies to the site **to** a maximum building height category of 11 metres to the proposed B2 zoned part of the site and 9 metres to the remainder of the site in accordance with the Maximum Height of Building Comparison Map in Part 4;
- Include certain land on the Natural Resources Biodiversity Maps under Wollondilly Local Environmental Plan 2011 in accordance with the Natural Resources Biodiversity Map in Part 4;
- Include the site on the Wollondilly Local Environmental Plan Urban Release Area maps in accordance with the Urban Release Area Map in Part 4;
- Include part of the site within an odour buffer map (proposed residential zoned lands within 500 metres of the adjoining poultry farm) to ensure that any development of this part of the site is subject to specific amenity criteria (if the existing poultry farm is still in operation) in accordance with the Odour Buffer Map in Part 4.

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

This Planning Proposal is not the direct result of any strategic study or report although the site area is identified in the Wollondilly Growth Management Strategy 2011 (GMS) Structure Plan for Silverdale and Warragamba as a 'potential residential growth area'. The structure plan in the GMS also identifies the area to the south of the existing commercial centre as a potential employment area (commercial) and also identifies the need for a commercial expansion to be linked to residential growth. The GMS is discussed later with regard to this planning proposal.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is currently zoned B1 Neighbourhood Centre and RU2 Rural Landscape and it is considered that the Planning Proposal is the best means of achieving the intended zoning changes. The location of the existing commercial zone boundary prevents the adequate expansion of the existing commercial centre. The minimum lot size of the remainder of the site prevents further subdivision and development for residential purposes and a Planning Proposal is therefore the most appropriate and efficient means of enabling the proposed changes.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Plan for Growing Sydney (2014)

A Plan for Growing Sydney took effect in December, 2014 and is intended to guide strategic land use planning decisions for Sydney over the next 20 years. Wollondilly is one of 41 Local Government Areas in Sydney to which the Plan applies. The Plan identifies population growth targets and includes strategies to ensure that growth achieves a balance between protecting the natural environment with creating liveable cities. The plan comprises 4 goals which are supported by key directions to achieve those goals. The key goals and the directions contained in the Plan that are relevant to the proposal are discussed below:

Goal 2 – Sydney's Housing Choices

Direction	Assessors Comment
2.1 – Accelerate Sydney's Housing Supply	The Plan identifies the need for an additional 664,000 new dwellings over the next 20 years and these targets form the basis for planning new housing in the Sydney Metropolitan Area. The Planning Proposal will provide approximately 350-400 additional residential lots on the site and will allow for an appropriate range of housing through the provision of low and medium density residential zoned areas. The expansion of the existing commercial zone (and provision of a mixed use zone) on the site will also ensure that the residential growth is in close proximity to adequate services and employment opportunities.
2.3 - Improve Housing Choice to suit different needs and lifestyles	The site includes a large area for low density and medium density residential zoned land which would contribute to housing variety in the area. The medium density zone adjoins the proposed commercial zones and therefore future medium density residential development is likely to be within walking distance and with suitable access to the commercial area.
2.4 - Deliver timely and well planned Greenfield precincts and housing	The Planning Proposal would enable a large greenfield development and it is considered that the site has been suitably planned. The development of the site is proposed to be staged to ensure that the commercial development occurs first and that the residential development would be adequately serviced. The staging would also ensure that residential land outside the odour buffer area is developed before the odour affected land and that the site is developed according to the likely ceasing of the adjoining poultry farm operation.

	The site consists of 10 lots and it is considered that suitable measures have been taken to overcome any issues surrounding fragmented ownership including a full road layout that could be incorporated as a site specific control in Council's Development Control Plan to ensure that a connecting road layout is provided across the entire site.
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Goal 3 – Sydney's Great Places to Live

Direction	Assessors Comment
3.1 - Revitalise existing suburbs	The Planning Proposal presents an opportunity to revitalise the township of Silverdale through the expansion of the existing commercial centre and the development of further housing variety in the area.
3.3 - Create healthy built environments	The proposed B4 mixed use zone and the R3 Medium Density Residential zone are provided in close proximity to the town centre and it is likely that these would be accessible by pedestrian or cycle paths, which would encourage health outcomes. A nominal location for a public open space area (in the form of a park) has been provided in a central location on the site which would encourage recreation.

Goal 4 – Sydney's Sustainable and Resilient Environment

Direction	Assessors Comment
4.1 - Protect the Natural Environment and Biodiversity	It is considered that the Planning Proposal has taken sufficient measures to environmental and biodiversity protection. This direction in the Plan for Growing Sydney identifies the biodiversity and offsets scheme as a key tool to achieving biodiversity outcomes. The vegetation removed in the proposed residential and commercial zoned areas of the site will be suitably offset, whilst a majority of the vegetation in the E3 zone will be retained and will be protected through future biobanking agreements, which will assist in offsetting the biodiversity losses in other parts of the site. A watercourse known as Scotcheys Creek runs along the south eastern boundary of the site, and the E3 Environmental zone will provide an adequate buffer to the watercourse to ensure future water quality outcomes are achieved.
4.2 - Build Sydney's Resilience to Natural Hazards	A majority of the site is identified as bushfire prone land, with the threat typically coming from the vegetated corridor in the eastern portion of the site. Much of the vegetation within this area is expected to be retained, however, future lots in the E3 zoned land and some affected areas within the R2 Low Density Residential zone would still be capable of meeting required asset protection zone requirements without compromising the vegetation. The indicative road layout demonstrates that perimeter

	roads are able to be provided which would ensure the safe evacuation of residents in an emergency event.
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Draft South West District Plan (November, 2016)

The Draft South West District Plan sets out the goals for the South West District which includes the Local Government Area of Wollondilly. The District Plan is expected to be finalised towards the end of 2017.

The exhibition of the Plan has been completed and is therefore a consideration in the preparation of this Planning Proposal.

This Plan provides a number of actions in relation to monitoring and implementation, liveability and sustainability.

The Liveability and Sustainability Priority Targets which are relevant to the proposal are discussed in detail below:

Liveability Priority Targets

Liveability Priority Targets	Comment
Liveability Priority 1 – Deliver South West Districts five year housing targets	The South West District Plan identifies a dwelling target for Wollondilly of an additional 1550 dwellings between 2016 and 2021 and a total dwelling increase for the South West District of 31,450 within this timeframe. The Plan also identifies a 20 year housing target (2016 to 2036) of 143,000 additional dwellings in the South West District. This proposal would generate approximately 350-400 additional residential lots in the northern part of the Shire which, if developed would contribute towards these targets and would also enable increased housing variety.
Liveability Priority 2 – Deliver Housing Diversity	The Planning Proposal would provide appropriate housing diversity. The proposal would provide for 29.48 hectares of R2 Low Density Residential Land and would also provide for 10.19 hectares of R3 Medium Density Residential zoned land which when combined would permit a variety of dwelling types. A B4 Mixed Use zone is also proposed. Silverdale does not currently contain any medium density residential land or land that is capable of providing for a mixed use development. The inclusion of these zones close to the town centre and related services will improve housing variety and enable a larger range of dwelling types.
Liveability Priority 5 – Facilitate the Delivery of Safe and Healthy Places	The proposed Medium Density and Mixed use zones are proposed within walking distance of the future extended town centre area which would encourage pedestrian movements.
Liveability Priority 6 – Facilitate enhanced walking and cycling connections	The site is quite large and there is significant opportunity for future subdivision applications to provide for cycle movements to promote health outcomes in the area. A central part of the site is proposed to contain a public recreation area as shown in Appendix M which will improve the level of activity in the area.
Liveability Priority 7 – Conserve Heritage and Unique Local Characteristics	There are no European items of heritage significance on the site. Two small items of aboriginal heritage significance were located on the site. The most significant being a quartz flake fragment (15mm x 10mm x 3mm) which was discovered along the northern boundary of the site. This

	item has been identified within an area of low to moderate ground disturbance. It is recommended that further test excavations be carried out as part of a future development application on the site to establish whether further stone artefacts are present in this area. Any future subdivision design would need to accommodate any archaeological items in this area if a permit to remove was not able to be obtained.
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Sustainability Priority Targets

Sustainability Priority Targets	Comment
Sustainability Priority 2 – Maintain or restore water quality and waterway health	The Stormwater Concept design submitted with the proposal demonstrates that the future development of the site is able to retain or improve existing water quality outcomes of the site. A range of stormwater quality treatment measures are able to be provided as outlined in the Stormwater and Drainage Study in Appendix K.
Sustainability Priority 3 – Avoid and minimise impacts on biodiversity	It is considered that the proposal suitably addresses impacts on Biodiversity. The removal of the 10.29 hectares of vegetation in the proposed residential and commercial zones will be suitably offset through use of the NSW biobanking framework. The E3 Environmental Management zone which is proposed adjacent to the Eastern Boundary of the site would result in the retention of approximately 15.66 ha of CEEC vegetation.
Sustainability Priority 6 – Discourage urban development in the Metropolitan Rural Area	This priority states that <i>Planning Authorities should not support Planning Proposals affecting land currently within a Rural (RU) or Environmental (E) zone unless:</i> • <i>These are in areas identified in a regional plan or district plan as urban investigation areas;</i> • <i>These also form part of, or are identified as a result of strategic planning in accordance with sustainability priorities 7 and 8.</i> The site is not identified within any regional plan or district plan as a priority growth area, however, the site has been identified in Council's GMS. The GMS identifies the site as being suitable for an extension to the existing commercial zone as well as an area for potential urban growth/residential expansion. The proposal is therefore consistent with this aspect of the district plan.
Sustainability Priority 7 – Consider Environmental, Social and Economic values when planning for the Metropolitan Rural Area.	The proposal is anticipated to provide economic benefits to the locality, particularly the extension of the existing commercial zone, which is anticipated to enable the development of a supermarket and specialty shops. The extension of the commercial zone also presents an opportunity to address existing car parking and vehicle manoeuvring issues in the existing shopping village and service station facility which would provide a social and economic benefit to the area.
Sustainability Priority 8 – Provide for Rural Residential	The proposal would provide an extension to the existing of

Development while protecting the values of the Metropolitan Rural Area	the existing commercial zone and residential village and would retain other larger rural parcels in the area.
Sustainability Priority 11 – Integrate Land Use and Transport Planning to consider emergency evacuation needs	A perimeter road is able to be provided around the site to satisfy the emergency evacuation requirements in Planning for Bushfire Protection, 2006.
Sustainability Priority 12 – Use buffers to manage the impacts of rural activities on noise, odour and air quality	The lot to the north of the Planning Proposal site includes an existing poultry farm. Advice has been received from the owner of the poultry farm that they intend to cease operations of the farm within a 10-15 year period. Given the likely ceasing of the poultry farm and the minor complaint history in relation to the farm, it is considered appropriate to use an odour buffer area for properties on the site within 500m of the nearest poultry shed. Development of land within the odour buffer area would occur following the development of the rest of the site and would be subject to more detailed odour impact assessment as part of future subdivision DA's.

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Wollondilly Council's Community Strategic Plan

The Create Wollondilly Community Strategic Plan (CSP) 2033 is Council's highest level long term plan. It identifies and expresses the aspirations held by the community of Wollondilly and sets strategies for achieving those aspirations. The CSP focuses on 5 key themes as follows:

- Sustainable and balanced growth;
- Management and provision of infrastructure;
- Caring for the environment;
- Looking after the community;
- Efficient and effective Council

Council's priority focus for growth under the CSP will be the development of a new town at Wilton and Council will only support appropriately scaled growth within and around its existing towns and villages that respects the character, setting and heritage of those towns and villages. The subject proposal is consistent with this vision of growth in the CSP.

An assessment of the Planning Proposal against the five themes is provided below:

- Sustainable and Balanced Growth

The proposal is consistent with Council's position on growth.

- Management and Provision of Infrastructure

Appropriate road and drainage infrastructure would be provided as part of the future development of the site.

- Caring for the Environment

It is considered that the proposal takes sufficient measures to minimise environmental impacts of future development.

- Looking after the community

The proposal would enable the extension of the existing commercial centre, which will provide increased retail services the growing township of Silverdale. The Planning Proposal site includes land for a future public park and includes sufficient measures to minimise environmental impact and promote health based planning outcomes.

- Efficient and effective Council

Council will continue to work to ensure that the Planning Proposal is consistent with the planning for the long term growth of the Shire.

Wollondilly Growth Management Strategy (2011)

Wollondilly's Growth Management Strategy (GMS) was adopted by Council on 21 February, 2011. All planning proposals considered by Council must be assessed against the key policy directions in the GMS. A table addressing these directions is included as Appendix B in this Planning Proposal.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

State Environmental Planning Policy 44 – Koala Habitat Protection

The Biodiversity Assessment Report prepared with the proposal identified two koala habitat trees in the study area.

Two koala habitat trees are located within the study area (grey gum being recognised in the NSW Koala Recovery Plan as a secondary feed tree species and occurs within remnant patches of woodland throughout the centre of the study area. The site is therefore considered to be potential koala habitat for the purposes of the SEPP.

It was found that although the study area is connected to a larger area of habitat which may support koala's, there is no evidence of koala usage and no records within or in proximity to the study area. It is therefore unlikely that the site would constitute core koala habitat.

State Environmental Planning Policy 55 – Remediation of Land

The site has supported some uses that are listed as potentially contaminating land uses within table 1 of the Contaminated Land Planning Guidelines. Council is required to obtain and have regard to a report specifying the findings of a Preliminary Contaminated Site Assessment of the land.

A Preliminary Contamination Assessment was carried out as part of the Planning Proposal and identified that the site had previously been used for potentially contaminating activities and identified nine (9) areas of environmental concern (AEC) as follows:

- Use of pesticides across nursery and agricultural areas including some fertiliser application;
- Filling of former farm dams with fill of unknown quantity;
- Fuel dispensing and fuel storage at the service station and workshop;
- Potential weathering of hazardous building materials and demolition of site structures;
- Storage of chemicals and fuels in farm sheds;
- Septic tanks, absorption trenches and irrigation areas;
- Burn off areas;
- Importing fill of unknown quality, quantity and origin;
- Buried carcasses associated with the former knacker.

The contamination assessment found several of the areas of environmental concern to have a moderate to high, or in some cases a high likelihood of contamination. The Preliminary Contamination Assessment has been carried out in accordance with the Guidelines for Consultants Reporting on Contaminated Sites (NSW Office of Environment and Heritage) and is satisfactory for Clause 6 of the SEPP and for the Planning Proposal to proceed.

However, in light of the findings of this investigation a Detailed Site Investigation will be required at the Development application phase of the proposal.

Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River

The REP aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The REP consists of a number of Planning Policies and Strategies as follows:

The proposal is consistent with the requirements of the Plan and would ensure that future impact is appropriately minimised.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following s117 ministerial directions are applicable to the Planning Proposal:

- Direction 1.1 Business and Industrial Zones
- Direction 1.2 Rural Zones
- Direction 2.1 Environmental Protection Zones
- Direction 2.3 Heritage Conservation
- Direction 4.4 Planning for Bushfire Protection
- Direction 5.8 Second Sydney Airport: Badgers Creek

Section 117 Direction 1.1 Business and Industrial Zones

This direction applies where a Planning Proposal will affect land within an existing or proposed business zone. The site currently incorporates a small commercial centre and the planning proposal would result in an expansion which will see 3.3 ha of B2 zoned land as well as 3.12ha which would be allocated to a mixed use zone.

The Planning Proposal is consistent with the requirements of this direction due to the following:

- The proposal would retain and expand the existing business zone on the site and would not compromise industrial land in the vicinity of the site.
- The planning proposal would increase the area of floor space that could be occupied in the area from commercial buildings as per the requirements of the direction and may also increase the land available for use as commercial car parking.
- The proposal would not compromise the total floor space that could be obtained in the nearby industrial zones.
- Council's Growth Management Strategy identifies the need for an increase in commercial land to service the growing areas of Silverdale and Warragamba and the additional business lands are expected to achieve this increased demand.

Section 117 Direction 1.2 – Rural Zones

This direction applies where a Planning Proposal is proposed on land that will affect an existing or proposed rural zone. The direction states that a Planning Proposal should not include provisions that would rezone rural land to residential or commercial, nor increase the density of a rural zone.

The proposal is inconsistent with this direction as it would involve the rezoning of rural zoned land for urban purposes. However, the inconsistency is considered appropriate in this case as it would involve the growth of an area identified in Council's GMS and the inconsistency was supported by the Director General of the NSW Department of Planning when the Gateway Determination for the proposal was issued. The proposal would also extend the existing commercial and residential zone and would not fragment larger rural lands.

Section 117 Direction 2.1 – Environmental Protection Zones

This Ministerial Direction states that a planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land. It is proposed to include an E3 zone in the eastern portion of the site which would cover 21.99ha of land and would see the retention of 15.66 hectares of significant vegetation which would meet the requirements of the direction.

Section 117 Direction 2.3 – Heritage Conservation

There are no items of European heritage currently on the site. The Aboriginal Cultural Heritage Assessment found two potential aboriginal sites on the land. The site in 2260 is in an area of moderate disturbance and is capable of supporting further aboriginal heritage items. It is therefore proposed to undertake further test excavations as part of a future development application to establish whether any further heritage items exist. Any future items should be capable of being retained through a future subdivision layout should a Permit to remove the item not be obtained. It may also be

possible to incorporate a site specific control in Council's Development Control Plan should it be necessary to retain the items.

Section 117 Direction 4.4 Planning for Bushfire Protection

It is considered that future development of the site is capable of meeting Planning for Bushfire Protection, 2006. The concept plans in Appendix N and O of this document show that the required asset protection zones are able to be provided to future allotments within the development. The zone layout shows that a perimeter road is able to be provided within the precinct to provide appropriate emergency evacuation in accordance with the requirements of Planning for Bushfire, 2006.

Section 117 Direction 5.8 Second Sydney Airport: Badgerys Creek

The Draft Environmental Impact Statement of Western Sydney Airport shows that the site would be below the Australian Noise Exposure Forecast (ANEF) 20 contour, meaning that any new residential development is considered to be acceptable without conditions. The requirements of the direction are therefore achieved.

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The key ecological values within the site have been identified as follows:

- 10.29 hectares of native vegetation within the Development Site (the development site being proposed zones R2, R3, B2 and B4) in the form of *1395 – narrow leaved ironbark broad leaved ironbark – grey gum open forest of the edges of the Cumberland plain, Sydney Basin, equivalent to the vegetation community Shale Sandstone Transition Forest* which is listed as a Critically Endangered Ecological Community under the *Threatened Species Conservation Act, 1995*;
- Habitat for a number of threatened species including 2.85 hectares of the Cumberland Plain Land Snail and five individuals of Juniper-leaved grevillea.
- 15.66 hectares of vegetation within the proposed E3 Environmental Management Zone contains threatened biota which includes the following:
 - 9.67 hectares of *1395 – Narrow leaved ironbark – broad leaved ironbark – Grey Gum open forest of the edges of the Cumberland Plain, Sydney Basin, equivalent to Shale Sandstone Transition Forest CEEC*.
 - 5.99 hectares of *1081 – Red Bloodwood – Grey Gum woodland on the edges of the Cumberland Plain, Sydney Basin*.

The overall site comprises 68.09 hectares in area. A total of 46.10 hectares of land is proposed to be rezoned to R2, R3, B2 or B4; this area is known as the development area. The remaining 21.99 hectares of land will be zoned for Environmental Management purposes.

Vegetation Disturbance within the Development Site (R2, R3, B2, B4 zoned land)

The development site contains 10.29 hectares of native vegetation, with a varying level of disturbance in different locations within the study area. Vegetation within the proposed development site is highly modified and has been maintained through land management practices including vegetation clearing, ongoing slashing, dumping of soil and horticultural debris and thinning of the understorey.

The native vegetation within the development site includes 0.77 hectares of low condition vegetation, characterised by particularly heavy weed infestations and historical clearing. The remaining 9.52 hectares was classified as moderate to good condition. It was established that the derived communities of the study area are a simplified form of Shale Sandstone Transition Forest which is listed as a Critically Endangered Ecological Community (CEEC) under the *Threatened Species Conservation Act, 1995*.

The Biodiversity Assessment Report submitted with the proposal states that it is the intention of the proponents to offset the vegetation losses on the development site through obtaining individual Biobanking Statements for each lot as part of future subdivision/development applications. It is proposed to submit separate biobanking statement applications for the development of each lot once the Planning Proposal has been approved, with each lot then being responsible for the retirement of credits prior to vegetation removal or construction.

The impacts to native vegetation and species habitat on the development site will require the retirement of the following credits prior to the removal of the vegetation:

- Removal of 10.29 hectares of narrow-leaved ironbark – broad leaved ironbark – Grey Gum Open Forest of the edges of the Cumberland Plain, Sydney Basin Bioregion = 401 ecosystem credits.
- The removal of 2.85 hectares of habitat for the Cumberland plain land snail = 37 species credits.
- The removal of 5 individuals of juniper leaved Grevillea = 100 species credits.

Of the 10.29 hectares of vegetation within the development site, 7.95 hectares proposed to be removed constitutes a red flag under the Biobanking Assessment Methodology and any removal would require a red flag variation request with any future Biobanking Application. OEH would need to consider any red flag variation request as part of any future Biobanking Statement Application. OEH will be consulted during the public exhibition of the Planning Proposal and asked to comment on the merits of such a proposal.

Vegetation Disturbance within the E3 zoned land

The site is proposed to include 21.99 hectares of E3 zoned land on the eastern portion of the site. Wherever possible, the western portion of the proposed E3 zoned land has been provided with a cleared area to provide roads, building envelopes and asset protection zones for the future E3 zoned lots. Within the E3 zoned land it is expected that 2.69 ha of land would be required to accommodate access roads and future building envelopes. A total of approximately 1ha of this land would require removal of the Narrow Leaved Ironbark – Broad Leaved Ironbark Grey Gum Forest which corresponds to the CEEC Shale Sandstone Transition Forest (the remaining 1.69ha of land for the purposes of roads and building envelopes would be provided within the cleared areas of the site).

The vegetation within this 1ha area of land comprises the following condition classes:

- Moderate/good derived shrubland = 0.01 hectares
- Moderate/good, poor = 0.34 hectares
- Moderate/good, medium = 0.65 hectares

The clearing of land within the E3 zone is not proposed to be offset through the Biobanking Framework, as any clearing in the E3 zone would require approval under the Native Vegetation Act, 2003 and OEH is unable to issue a Biobanking Statement to authorise clearing on land to which the Native Vegetation Act applies. Rather, An Assessment of Significance was included in the Biodiversity Assessment Report submitted with the Planning Proposal under Part 5 of the *Environmental Planning and Assessment Act, 1979* to establish whether the removal of this 1ha of vegetation would constitute a significant impact. An outline of the findings of the Assessment of Significance is provided below:

Assessment of Significance of Proposed Clearing in the E3 zone

The one hectare of Shale Sandstone Transition Forest vegetation which is proposed to be removed to enable roads and future dwellings within the E3 zone has been identified in the Biodiversity Assessment Report as being of moderate/good condition with varying levels of disturbance. A total of 9.67 hectares of Shale Sandstone Transition Forest will be retained as a biobank site including the APZ for the proposed building envelopes. The BAR states that as published on 6 July, 2016, the OEH online profile for SSTF stated that there is 9,950 hectares remaining intact, with this entire remnant occurring the Sydney IBRA Region. The loss of 1ha will result in a total loss of <0.01% of the community. The development would also result in just over 10% of the SSTF Vegetation within the E3 zoned lands being retained; a total of 5.99ha of Sydney blue gum vegetation will also be retained in this area. It was therefore founded that the proposal would not have a significant impact on the SSTF vegetation.

Proposed Biobanking Site

It is proposed to offset biodiversity losses in the R2, R3, B2 and B4 zoned areas of the site through the establishment of a biobanking site within the E3 zoned part of the land. It is expected that one E3 zoned lot would be created within the

eight existing lots which run adjacent to the eastern boundary. The future E3 zoned lots would retain the existing north, south and eastern boundaries that are currently adopted by these eight lots with the western boundary to be formed by the proposed E3 zone boundary. The likely layout of the future E3 zoned lots are shown in Appendix O.

It is the intention of the proponents to offset the vegetation losses on the development site through obtaining individual biobanking statements for each lot as part of future subdivision/development applications. When the lands outside the proposed E3 zoned land on No. 2250, 2260, 2300 and 2316 Silverdale Road, Silverdale are developed, the clearing may be offset by the biobank site that has been established within the E3 zoned land on the lot, as the amount of credits generated by the biobank site within the lots would be sufficient to offset the credits required from the vegetation removal.

In the case of No. 2280, 2320, 2324, 2330, 2340 and 2350 Silverdale Road, Silverdale, the credits required will exceed the credits generated from the Biobanking area on the site. In these scenarios, the developer of these lots may need to purchase credits from another landowner within the Planning Proposal site (which have not yet been retired) or purchase other credits off-site. Part of the biobank site will also form part of the asset protection zone and this approach will need to be reviewed by OEH during the public exhibition of the proposal to ensure that they are satisfied with this arrangement.

Summary

The development would result in the permanent removal of 10.29 hectares of 1395 – Narrow Leaved Ironbark Broad leaved Ironbark Grey Gum Open Forest, equating to the TSC Act listed CEEC Shale Sandstone Transition Forest in the part of the site proposed to be zoned R2, R3, B2 and B4. It is proposed to offset the biodiversity losses on the development site through the establishment of a biobank site within the E3 zoned land in the eastern portion of the site.

Residual impacts are proposed to be offset by the development of a biobank site within the E3 zoned land. Development of future lots in the E3 zone will retain 15.66ha of remnant vegetation. The removal of 1ha of vegetation within the E3 zone is unable to be offset through a Biobanking Statement, however, the Biodiversity Assessment Report prepared in respect of the proposal demonstrates that its removal would not contribute to a significant impact.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Stormwater and Drainage

The proposal includes a Stormwater Management Concept Study which includes MUSIC modelling in order to establish the likely overall water quality impact from the development.

The Stormwater Drainage Study includes a series of treatment trains, including four (4) bio-retention systems which comprise the following areas:

- Northern precinct 15ha with 1500m² of bio-retention surface area including 1300m² of filter media area;
- East precinct 6ha with 600m² of bio-retention surface area including 450m² of filter media area;
- Central precinct 30ha with 3000m² of bio-retention surface area including 2600m² of filter media area;
- Southern precinct 17ha with 1700m² of bio-retention surface area including 1400m² of filter media area.

The MUSIC model results found that the pollutants modelled have achieved the required urban stormwater best practice targets of 85% reduction in Total Suspended Solids, a 65% reduction in reduction of Total Phosphorus and a 45% reduction in Total Nitrogen.

A further detailed design of the stormwater treatment measures will be undertaken as part of any future development application for the development and/or subdivision of the site.

Aboriginal Archaeology and Heritage

An Aboriginal Cultural Heritage Assessment Report was undertaken in respect of the proposal.

The investigation involved undertaking consultation with the Local Aboriginal Groups in accordance with the requirements of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) and also involved a

site investigation component whereby the site was subdivided into ten (10) survey units and the following work was carried out:

- Landform units were inspected for any potential archaeological sensitivity across the subject area;
- Ground surface exposures were inspected for archaeological material;
- Large mature trees were inspected for signs of cultural modification.

No aboriginal objects had previously been identified in the subject area; however the Aboriginal Cultural Heritage Assessment identified two (2) additional aboriginal sites. A description of the two (2) additional sites that were found through the surveys sites is outlined below:

Artefact DS-IF-01

This site is located on a surface within the un-vegetated portion of the palm and fig tree plantation on No. 2330 Silverdale Road. This artefact is identified as a silcrete fragment (25mm x 12mm x 4mm). The heritage report does not propose to undertake a test excavation program in accordance with the Codes of Practice. The site has been found within an area of high ground disturbance, and it is highly likely that there are no intact aboriginal artefact bearing soil deposits present; and as such, it is considered unlikely that unknown aboriginal stone artefacts would be recovered during the test program.

Artefact SD-IF02

This site is located on the eroding surface of a farm track which runs along the northern property boundary of No. 2260 Silverdale Road, Silverdale. The deposit consists of gravel and clayey soils. The artefact is a quartz flake fragment (15mm x 10mm x 3mm). The site has been identified within an area of low to moderate ground disturbance and due to its location it is considered highly likely that the artefact became exposed as a result of land clearance for pastoral and land access practices.

It is proposed to undertake a test excavation program in accordance with the code of practice for this site and that this is undertaken as part of a mitigation strategy. This site has been identified within an area of low to moderate ground disturbance and there is the potential for unknown aboriginal stone artefacts to be present. It is proposed to include the requirement for further test excavations as a site specific control in Council's Development Control Plan.

It is proposed that the aboriginal artefacts identified in the subject area remain in-situ until such time as an AHIP Permit is approved under Part 6 of the National Parks and Wildlife Act, 1974 for their removal from the site.

Based on the presence of the isolated artefacts, the report identifies that these artefacts may have been discarded during aboriginal people's travel through the area, rather than as a result of a knapping (artefact manufacture) event and therefore it is unlikely that any impact would be associated with their removal. Should any further items be found during the test excavations around site No. 2, then a future subdivision layout could be designed around these findings should a Heritage Impact Permit not be able to be obtained.

9. Has the Planning Proposal adequately addressed any social and economic effects?

Traffic and Roads

A detailed Traffic Impact Assessment was submitted in support of the Planning Proposal which considered the traffic impacts from the development. the Traffic Impact Assessment also took into consideration the traffic that would be generated from the following proposed developments:

- Warradale Road Subdivision (93 additional lots);
- The African Lion Safari Park Subdivision (507 Lots);
- Silverdale St Heliers Road Subdivision (165 Lots)

The Traffic Impact Assessment was carried out utilising SIDRA and TRACKS modelling.

The key findings from the Traffic Impact Assessment are as follows:

- The Silverdale Road/Farnsworth Avenue intersection will need to be upgraded to a signalised intersection to accommodate the increase in traffic from the proposed and surrounding developments;
- Single land roundabouts are proposed for the northern and southern access roads into the proposed development on Silverdale Road;
- The 'seagull treatment' as shown for the Silverdale Road, central access road intersection is insufficient to accommodate development traffic. A signalised intersection is proposed to accommodate development traffic and provide acceptable levels of service;
- No mitigation measures are required at the Silverdale Road/Warradale Road intersection;
- No mitigation measures are required at the Silverdale Road/Marsh Road intersection.

The works identified above would need to be implemented as a staged approach in accordance with the progressive development of the site. It may be necessary to include a site specific control in Council's Development Control Plan which outlines the work required, proportionate to the number of lots being developed on the site.

Odour Impact

The adjoining property to the north of this site (No. 2366 Silverdale Road) contains an operating poultry farm. The nearest poultry shed is located approximately 40m from the northern boundary of the Planning Proposal site. The Department of Planning and Environment placed a condition on the Gateway Determination requiring that *additional information regarding flora and fauna, potential land use conflict between proposed residential and industrial land and odour is to be placed on exhibition with the Planning Proposal.*

The owner of the poultry farm to the north of the site later advised Council in a letter that they are proposing to cease operations in 10-15 years and the development is proposed to be staged so as to reach the northern end by this time. There is also a relatively minor complaint history associated with the adjoining poultry farm. On this basis, an altered Gateway Determination was issued by the Department of Planning on 12 June, 2015 which amended this condition to state the following:

Council is to amend the Planning Proposal to indicate that the amending local environmental plan will include an odour buffer clause in relation to the adjoining poultry farm. The clause is to identify a suitable odour buffer area on a map and enable development on that land at Council's discretion, subject to amenity related criteria being met.

A 500m buffer from the nearest poultry shed is considered an appropriate measure. A 500m buffer is consistent with the minimum setback distance requirement to a residential zone for a new poultry farm that exists under WDCP 2016. Intensive Livestock Agriculture is also considered Designated Development under the Environmental Planning and Assessment Regulations, 2000 when proposed within 500m of a residential zone.

Wollondilly's LEP currently contains an odour buffer clause which was inserted in relation to land at East Tahmoor. The odour buffer clause reads as follows:

"7.6 Development within a designated buffer area

- (1) *The objective of this clause is to protect the operational environment of activities where odour emissions may occur.*
- (2) *This clause applies to land identified as "Odour Buffer Area" on the Odour Buffer Area Map.*
- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following:*
 - (a) *the impact that any odour associated with any poultry operation on adjoining land (the poultry operation) would have on the proposed development,*
 - (b) *any proposed measures incorporated into the proposed development that would limit the impact of odour emissions associated with the poultry operation,*
 - (c) *whether the proposed development would adversely affect the operational environment of the poultry operation."*

The lots within the Planning Proposal site which are within 500m of the nearest poultry shed on the adjoining land is proposed to be included on the Odour Buffer Map as shown in Part 4 of this document. Please note that this odour buffer excludes the land proposed to be zoned B2 as this is a commercial zone and would not contain land uses which are as sensitive as the mixed use and residential zones.

Should any development be proposed on lots within 500m of the adjoining poultry farm, it would likely be subject to a detailed Odour Impact Assessment in order to demonstrate compliance with the criteria above and the relevant EPA guidelines.

Amenity Impacts from existing Nursery on the site

Advice has been received from the proponent which states that each lot within the site will be developed individually. This would need to occur in accordance with the staging plan in appendix L. The parcel known as lot 10 DP 38123 (No. 2300) Silverdale Road, Silverdale contains an existing large nursery. There is a possibility that the lot either to the immediate south or the immediate north of this lot could be developed before the nursery ceases operation. It is therefore proposed to impose a site specific control in Council's Development Control Plan which requires a 50 metre setback for any residential subdivision from the nursery (excluding any access road) to ensure that any amenity impacts associated with spray drift from the nursery are minimised.

Feasibility

Given the expanding size of the population catchment, combined with the limited existing supermarket floor space in the area (particularly full-line supermarkets), there is considered to be scope for the expansion of the existing commercial centre. The Retail Impact Assessment prepared with the proposal has identified the expanded commercial zone as being able to service the existing population and day-to-day needs of the existing population and be able to provide for the daily and weekly food and grocery needs of the local community who typically visit supermarkets 2-3 times per week. It is also possible that the centre may service further reaching areas such as Wallacia. The extension of the existing commercial zone is likely to result in an addition of approximately 200 permanent retail employees.

Whilst the township of Warragamba currently contains an existing commercial area consisting mainly of retail uses, it is not considered ideal for full line supermarket facilities given the location of the precinct and distance from other population centres such as Mulgoa and Wallacia. There is also limited capacity to expand the existing commercial area in Warragamba due to natural constraints. The existing uses in the commercial zone in Warragamba are also quite specialised (e.g. post office, liquor store, medical centre, hardware store etc) and a demand for these uses is likely to remain. The Retail Impact Assessment carried out with the proposal indicates that the majority of retail tenants added as part of the proposed expansion of the Silverdale Shopping Centre are not represented in either Silverdale or Warragamba at present.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The advice previously received from Sydney Water states that the site is able to be adequately serviced through water and sewer provision. A number of traffic network and intersection upgrades are required with the proposal which would be undertaken with future development applications on the site and these works may require a formal Voluntary Planning Agreement. Section 94 contributions for future commercial development and residential subdivision would also fund other infrastructure in the area.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

All relevant government agencies were consulted with post Gateway Determination to establish initial comments and specialist study requirements for the proposal. Sydney Water were also consulted in regards to any threshold issues and the following advice was received:

Sydney Water

Sydney Water provided the following:

Water

- *The existing 150mm water main is located in Silverdale Road adjacent to the proposed development area;*
- *System extensions and amplifications may be required;*

Wastewater

- *The trunk infrastructure servicing the area including the Sewerage Pumping Station 1136 (SP01136) and the Wallacia Wastewater Treatment Plan have adequate capacity to accommodate the proposed development;*
- *The local reticulation system has no spare capacity. Wastewater modelling will be required to determine the specific amplifications required.*
- *Sydney Water will specify the detailed requirements to service the development at the Section 73 application phase.*

All relevant government agencies and adjoining Council's (being Penrith and Liverpool Council's) will also be consulted further during the Public Exhibition period.

Part 4 – Mapping

Map 1 – Site Identification (SIM)

Map 2 – Land Zoning (LZN)

Map 3 – Height of Building Map (HOB)

Map 4 – Lot Size (LSZ)

Map 5 – Natural Resources Biodiversity (NRB)

Map 6 – Urban Release Area Map (URA)

Map 7 – Odour Buffer Area Map (OBA)

Map 1 – Site Identification (SIM)

Site Identification Map

Map Sheet to be Amended:

8400_COM_LZN_006A_020_20131212
8400_COM_HOB_006A_020_20131212
8400_COM_LSZ_006A_020_20131212
8400_COM_NRB_006A_020_20131212
8400_COM_URA_006_020_20110204

Proposed Zone

 Subject Land

 Road

Cadastre

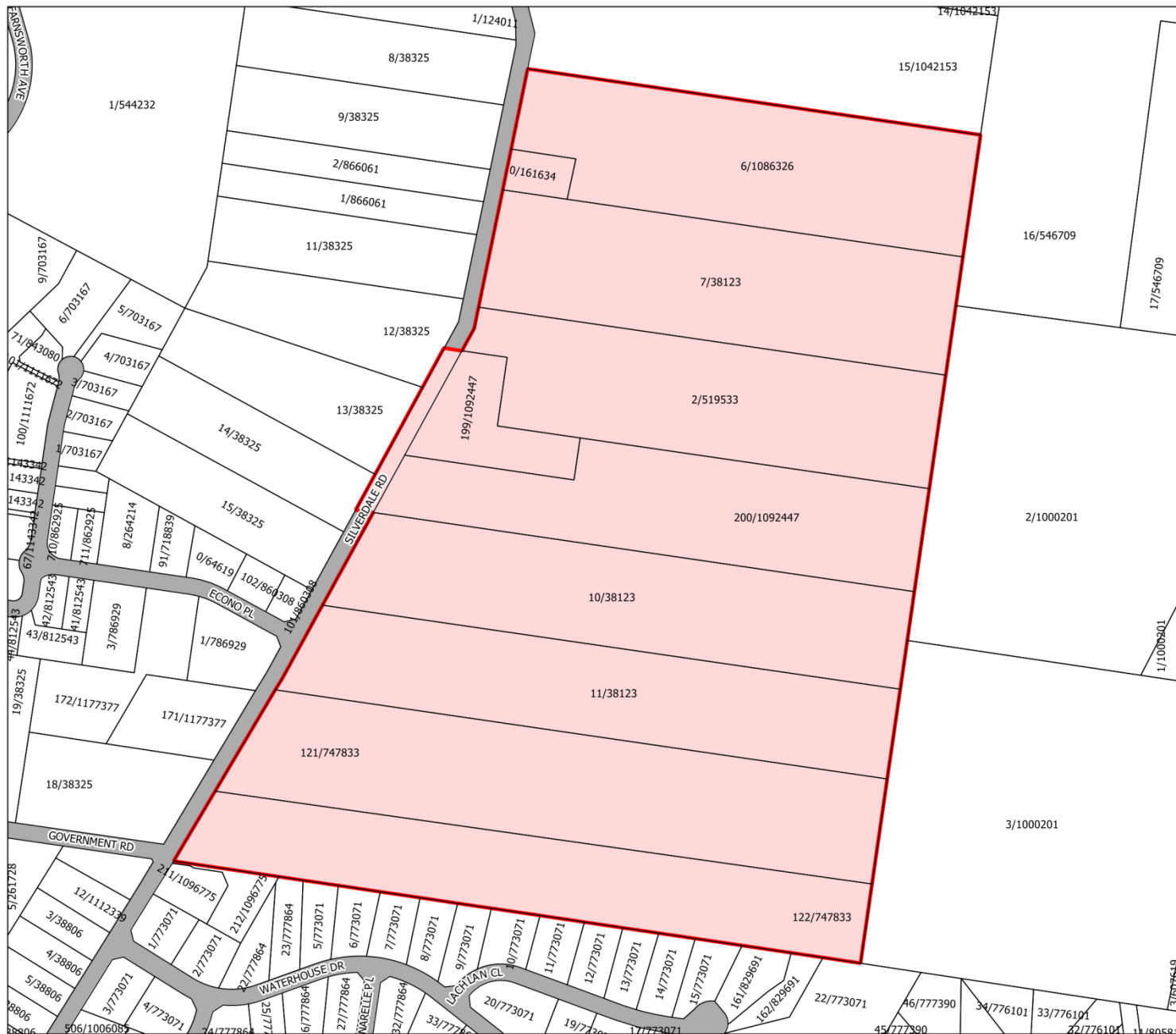
Cadastral base data 01/08/2014 © Land and Property Information (NSW)
Addendum data 22/10/2015 © Wollondilly Shire Council



Projection GDA 1994
MGA Zone 56

Map Produced: 04-08-2017

Visit the website below to view the published map sheets listed above:
<http://www.legislation.nsw.gov.au/mapindex?type=epi&year=2011&no=85>



Map 2 – Land Zoning Comparison (LZN)

Map Series to be Amended:
Land Zoning

Map Sheets to be Amended:
8400_COM_LZN_006A_020_20131212

Zone

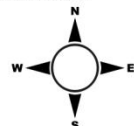
B1	Neighbourhood Centre
B2	Local Centre
B4	Mixed Use
B5	Business Development
E1	National Parks and Nature Reserves
E2	Environmental Conservation
E3	Environmental Management
E4	Environmental Living
IN1	General Industrial
IN2	Light Industrial
IN3	Heavy Industrial
R2	Low Density Residential
R3	Medium Density Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU2	Rural Landscape
RU4	Primary Production Small Lots
SP1	Special Activities
SP2	Infrastructure

Cadastral


 Cadastral data 01/08/2014 © Land and Property Information (NSW)
 Address data 04/08/2017 © Wollondilly Shire Council

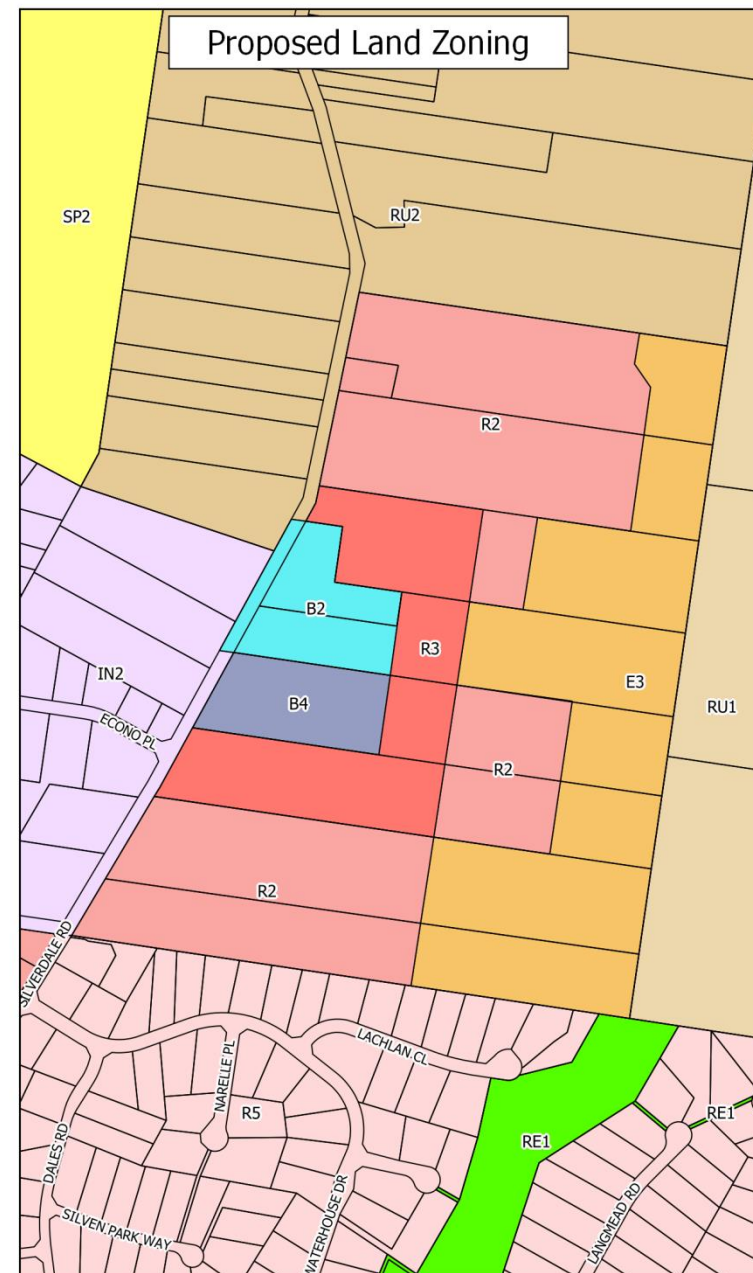
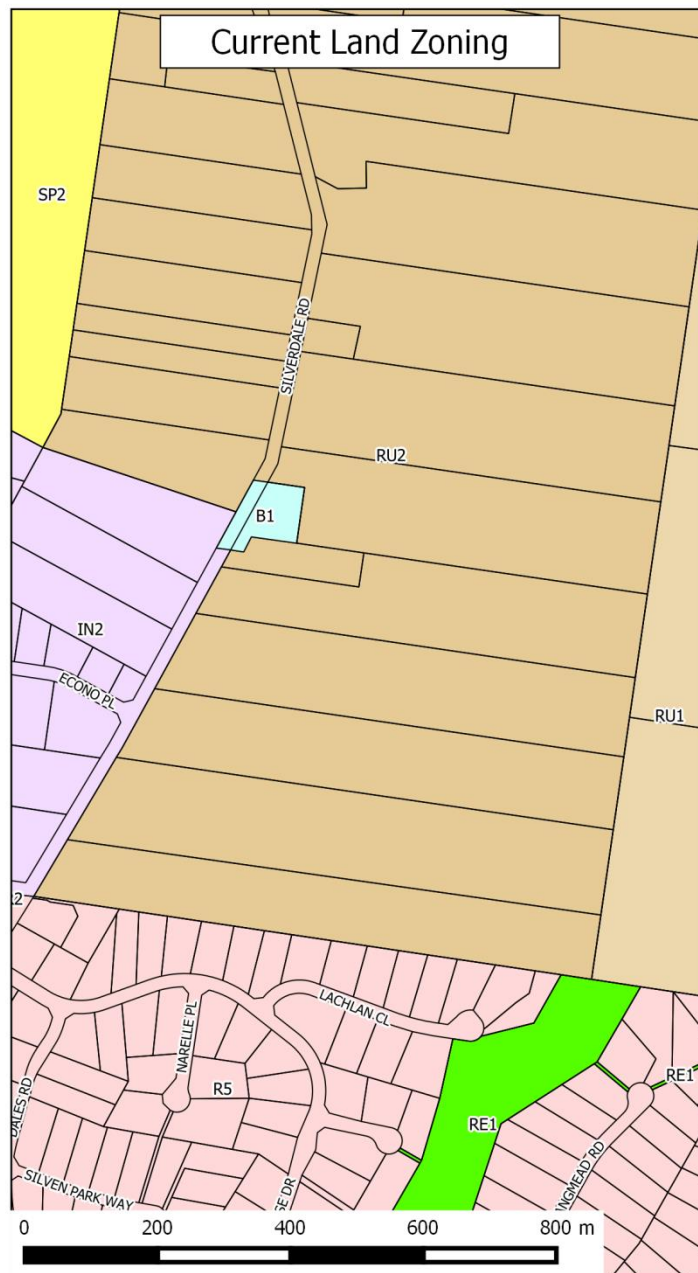
Note: all legend items in Wollondilly Shire Council's LEP 2011 maps are listed above. All items may not be visible in the adjacent map.

Map Produced: 04-08-2017



Projection GDA 1994
MGA Zone 56

Visit the website below to view the published map sheets listed above:
<http://www.registration.nsw.gov.au/mapindex?type=ep&year=2011&n=05>



Map 3 – Height of Building Maps (HOB)

Map Series to be Amended:
Height of Buildings

Map Sheets to be Amended:
8400_COM_HOB_006A_020_20131212

Maximum Building Height (m)

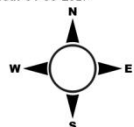
F	8.8
J	9
L	11
M	12
O	15

Cadastre

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 Addendum data 04/08/2017 © Wollondilly Shire Council

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Map Produced: 04-08-2017



Projection GDA 1994
MGA Zone 56

Visit the website below to view the published map sheets listed above:
<http://www.legislation.nsw.gov.au/#view/EP/2011/85/maps>



Map 4 – Minimum Lot Size Comparison (LSZ)

Map Series to be Amended:
Lot Size Map

Map Sheets to be Amended:
8400_COM_LSZ_006A_020_20131212

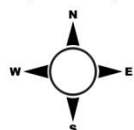
Minimum Lot Size (sq m)

B	230
C	250
G	450
Q	700
T	975
U1	1250
U2	1500
V	2000
W	4000
X	5000
Y1	1ha
Y2	1.5ha
Z1	2ha
Z2	3ha
Z3	4ha
Z4	4.5ha
AA1	5ha
AA2	7ha
AB1	16ha
AB2	20ha
AB3	30ha
AB4	35ha
AB5	40ha
AC	60ha
AD	100ha

Cadastral

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 Adendum data 04/05/2017 © Wollondilly Shire Council

Note: all legend items in Wollondilly Shire Council's LEP 2011 maps are listed above. All items may not be visible in the adjacent map.

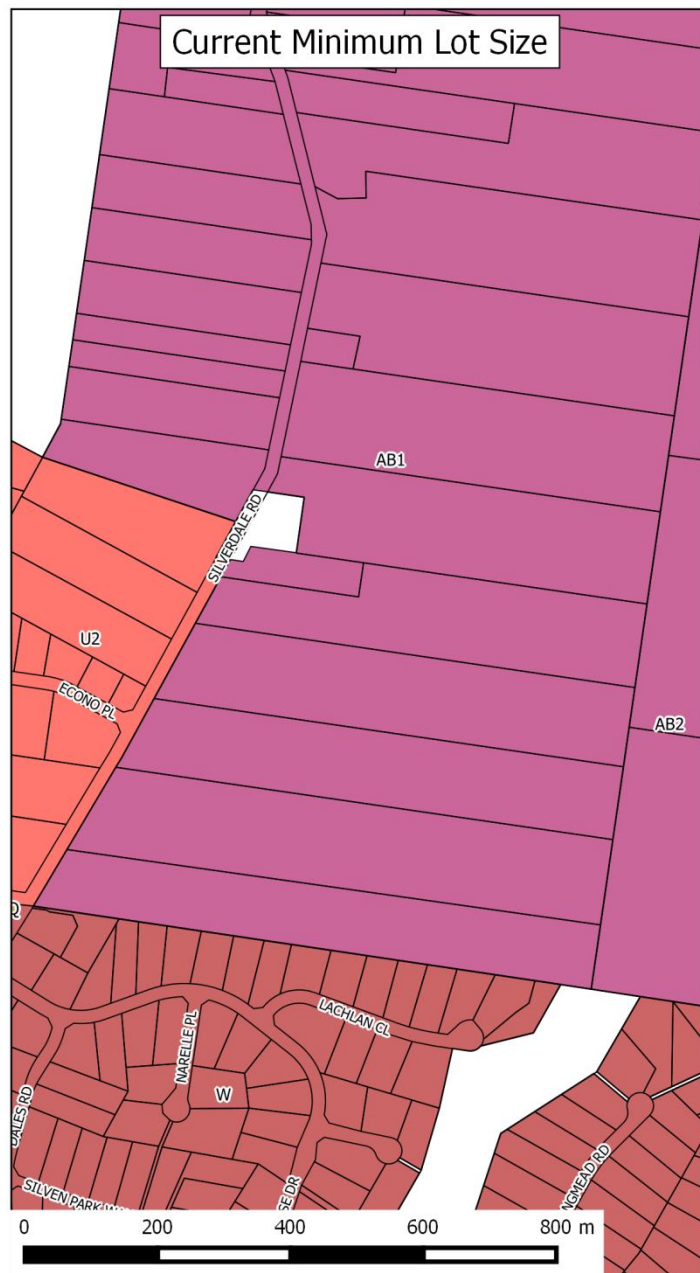


Projection: GDA1994
MGA Zone 56

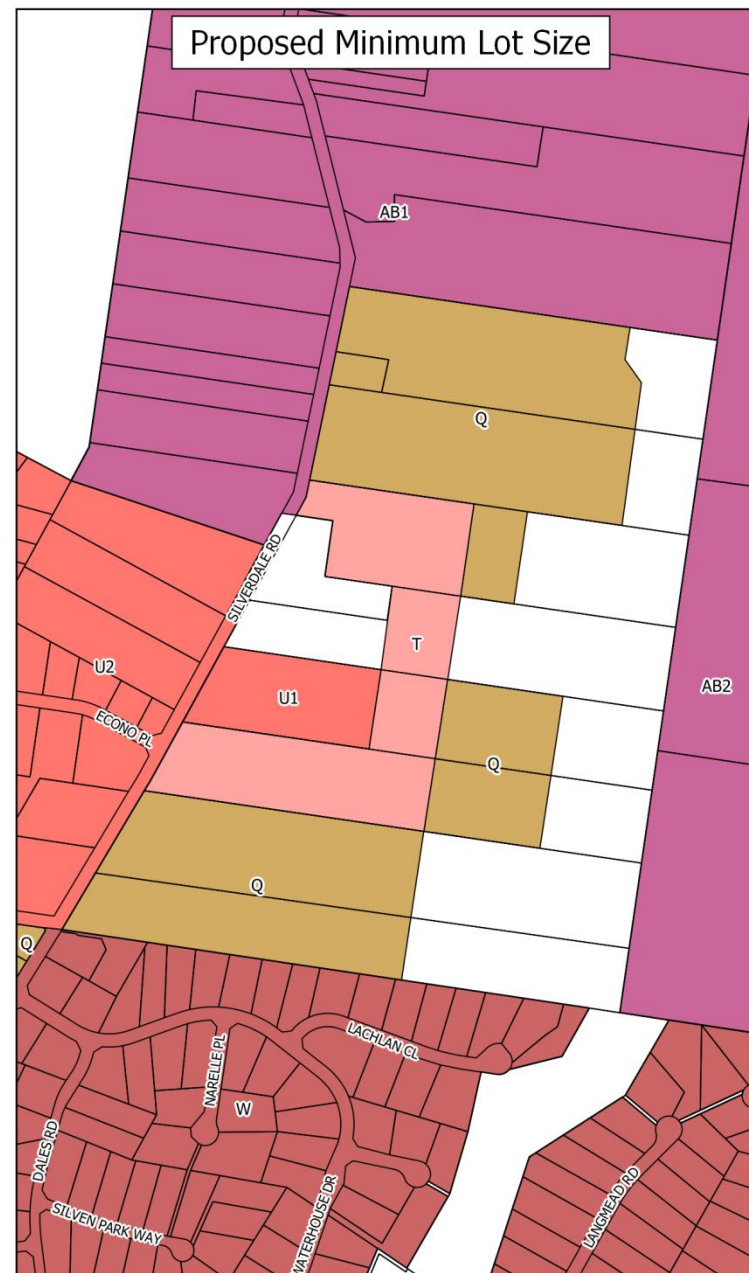
Map Produced: 04-08-2017

Visit the website below to view the published map sheets listed above:
<http://www.legislation.nsw.gov.au/mapprod?type=epi&year=2011&n=85>

Current Minimum Lot Size



Proposed Minimum Lot Size



Map 5 – Natural Resources – Biodiversity (NRB)



Wollondilly Local Environmental Plan 2011

Map Series to be Amended:
Natural Resources - Biodiversity

Map Sheets to be Amended:
8400_COM_NRB_006A_020_20131212

Sensitive Land

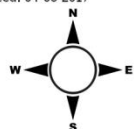
 Sensitive land

Cadastre

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Projection GDA 1994
MGA Zone 56

Visit the website below to view the published map sheets listed above:
<http://www.legislation.nsw.gov.au/mapprox?type=epi&year=2011&n=85>



Map 6 – Urban Release Area (URA)



Wollondilly Local Environmental Plan 2011

Map Series to be Amended:
Urban Release Area

Map Sheets to be Amended:
8400_COM_URA_006_080_20110204

Urban Release Areas

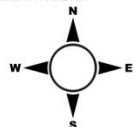
 Urban Release Area

Cadastre

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Projection GDA1994
MGA Zone 56

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<http://www.legislation.nsw.gov.au/mapproxy?type=epi&year=2011&n=85>

Current URA



Proposed URA



Map 7 – Odour Buffer Area (OBA)



Wollondilly Local Environmental Plan 2011

Map Series to be Amended:
Odour Buffer Area

Map Sheets to be Amended:

Urban Release Areas

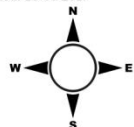
Urban Release Area

Cadastre

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Map Produced: 18-08-2017



Projection: GDA1994
MGA Zone 56

Visit the website below to view the published map sheets listed above:
<http://www.legislation.nsw.gov.au/metadata/types/epi8/year=2011&n=85>



Part 5 – Community Consultation

Public Exhibition

Condition 7 of the Gateway Determination outlines the community consultation requirements for this planning proposal. The public exhibition date of the Planning Proposal is yet to be determined.

The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on the Wollondilly Shire Council website. A mail out will also be completed for nearby and adjoining land owners.

The following Government agencies have been consulted as required by the Gateway Determination:

- Department of Education & Communities
- Endeavour Energy
- NSW Department of Primary Industries - Agriculture
- Office of Environment & Heritage – Environment Division
- Office of Environment & Heritage – Heritage Division
- Transport for NSW
- Roads & Maritime Services
- NSW Rural Fire Service
- Sydney Water
- Adjoining Councils (Penrith and Liverpool)
- NSW Police
- NSW Emergency Services (Police and Fire and rescue)
- Greater Sydney Local Land Services
- NSW Health
- NSW Mineral Resources and Energy
- State Emergency Service
- NSW Office of Water

Appendices

A. Compliance with SEPPs

Table indicating compliance with applicable State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

B. Assessment against Wollondilly GMS

Table indicating compliance with relevant Key Policy Directions within Wollondilly Growth Management Strategy (GMS) 2011

C. Gateway Determination and Subsequent Alterations

Our Reference: TRIM 6454#570

D. Aboriginal Cultural Heritage Assessment

Prepared by Kayandel Archaeological Services

Our Reference: TRIM 6454#507

E. Bushfire Hazard Assessment

Prepared by Harris Environmental Consulting

Our Reference: TRIM 6454#220

F. Preliminary Contamination Assessment

Prepared by Coffey Environment Australia Pty Ltd

Our Reference: TRIM 6454#217

G. Traffic Impact Assessment

Prepared by Bitzios Consulting

Our Reference: TRIM 6454#487

H. Flora and Fauna Assessment

Prepared by Biosis Pty Ltd

Our Reference: TRIM 6454#218

I. Biodiversity Assessment Report

Prepared by Biosis Pty Ltd

Our Reference: TRIM 6454#485

J. Retail Impact Assessment

Prepared by Restifa and Partners

Our Reference: TRIM 6454#569

K. Stormwater and Drainage Study

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#222

L. Staging Plan

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#491

M. Nominal Park Location

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#492

N. Location of Likely Asset Protection Zone and Indicative Road Layout

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#484

O. Individual Lot Plans Showing Future E3 zoned lots

Appendix A

Compliance with SEPPs

The table below indicates compliance, where applicable, with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
1	Development Standards	N/A	Repealed.
14	Coastal Wetlands	N/A	Not applicable.
15	Rural Land-Sharing Communities	N/A	Not applicable.
19	Bushland in Urban Areas	N/A	Not applicable.
21	Caravan Parks	N/A	Not applicable.
26	Littoral Rainforests	N/A	Not applicable.
29	Western Sydney Recreation Area	N/A	Not applicable.
30	Intensive Agriculture	N/A	Not applicable.
32	Urban Consolidation (Redevelopment of Urban Land)	N/A	Not applicable.
33	Hazardous and Offensive Development	N/A	Not applicable.
36	Manufactured Home Estates	N/A	Not applicable.
39	Spit Island Bird Habitat	N/A	Not applicable.
44	Koala Habitat Protection	Yes	The Biodiversity Assessment Report undertaken with the proposal has demonstrated that the area proposed for removal does not constitute core koala habitat.
47	Moore Park Showground	N/A	Not applicable.
50	Canal Estates	N/A	Not applicable.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Not applicable.
55	Remediation of Land	Yes	The Preliminary Site Investigation undertaken demonstrates that the site is suitable for the Planning Proposal to proceed. A Detailed Site Investigation will be required for various Areas of Environmental Concern on the site at the development application phase.
59	Central Western Sydney Economic and Employment Area	N/A	Not applicable.
62	Sustainable Aquaculture	N/A	Not applicable.
64	Advertising and Signage	N/A	Not applicable.

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
65	Design Quality of Residential Flat Development	N/A	Not applicable.
70	Affordable Housing (Revised Schemes)	N/A	Not applicable.
71	Coastal Protection	N/A	Not applicable.
	SEPP (Affordable Rental Housing) 2009	Yes	Not applicable.
	SEPP (Housing for Seniors or People with a Disability)	Yes	Not applicable.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	Not applicable.
	SEPP (Kurnell Peninsula) 1989	N/A	Not applicable.
	SEPP (Major Development) 2005	N/A	Not applicable.
	SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	This Planning Proposal does not contain any provisions which would contradict or hinder the application of this SEPP.
	SEPP (Temporary Structures) 2007	N/A	Not applicable.
	SEPP (Infrastructure) 2007	N/A	Not applicable.
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not applicable.
	SEPP (Rural Lands) 2008	N/A	Not applicable.
	SEPP (Exempt and Complying Development Codes) 2008	N/A	Not applicable.
	SEPP (Western Sydney Parklands) 2009	N/A	Not applicable.
	SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable.
	SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable.
	SEPP (Miscellaneous Consent Provisions) 2007	N/A	Not applicable.
	SEPP (Penrith Lakes Scheme) 1989	N/A	Not applicable.
	SEPP (State & Regional Development) 2011	N/A	Not applicable.
	SEPP (Three Ports) 2013	NA	Not applicable.
	SEPP (SEPP 53 Transitional Provisions) 2011	NA	Not applicable.
	SEPP (Urban Renewal) 2010	NA	Not applicable.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)		Consistency	Comments
9	Extractive Industry (No 2)	N/A	Not applicable.
20	Hawkesbury–Nepean River (No 2 - 1997)	Yes	The proposal is consistent with the provisions of SREP 20 as discussed in Part 3.

Appendix B

Assessment against Wollondilly GMS

Wollondilly Growth Management Strategy (GMS) was adopted by Council in February 2011 and sets directions for accommodating growth in the Shire for the next 25 years. All planning proposals which are submitted to Council are required to be assessed against the Key Policy Directions within the GMS to determine whether they should or should not proceed.

The following table sets out the planning proposal's compliance with relevant Key Policy Directions within the GMS:

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	This proposal meets all the relevant Key Policy Directions and Assessment Criteria contained within the GMS.
P2 All land use proposals need to be compatible with the concept and vision of 'Rural Living' (defined in Chapter 2 of the GMS).	The proposal provides for an expanded town centre and mix of residential uses around the expanded commercial centre. The rural lands around the township will be retained in accordance with the GMS.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Formal public exhibition will be undertaken in September, 2017.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	The personal financial circumstances of the landowners have not been given consideration in the preparation of this Planning Proposal.
P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.)	Although quite a large proposal, it is considered that the level of growth forecast in the Planning Proposal is reasonable. The proposal would accommodate expansion of the existing commercial area which is required to accommodate other growth which is currently occurring in Silverdale and Warragamba. An extension to the existing commercial zone may also help to alleviate existing traffic and parking issues in the small Silverdale commercial centre. The growth of the commercial centre presents an opportunity to provide some areas of mixed use development and medium density residential development in close proximity to the expanded township.
Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.	The proposal is anticipated to contribute to approximately 350-400 additional lots on the site in accordance with the figures in the GMS.
P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.	The proposal includes 3.12ha ha of Mixed use development and 10.19ha ha of medium density residential development. Silverdale does not currently contain and land that is zoned for mixed use or medium density residential development. The proposal would therefore increase the housing variety and choice in the area and accommodate different sectors of the community.
P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").	The higher density housing is proposed in close proximity to the proposed expanded commercial area. It is proposed that the development of the site would be staged so that the commercial development would occur as stage 1 in order to support any future residential development of the site that would follow. A low density residential zone is proposed on the fringes of the commercial zone

Key Policy Direction	Comment
	with an environmental zone proposed on the more constrained areas of the site to the east.
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	The development would involve an extension to the existing commercial zone, which would be an extension to the existing Silverdale commercial centre. The additional housing that would follow would occur around the proposed extended commercial zone in accordance with the GMS.
Macarthur South Policies	
P11 Council does not support major urban release within the Macarthur South area at this stage.	Key Policy Direction P11 is not applicable to this proposal.
P12 Council considers that in order to achieve sound long-term orderly planning for the eventual development of Macarthur South an overall master plan is required.	Key Policy Direction P12 is not applicable to this proposal.
P13 Council will not support further significant new housing releases in Macarthur South beyond those which have already been approved. Small scale residential development in and adjacent to the existing towns and villages within Macarthur South will be considered on its merits.	Key Policy Direction P13 is not applicable to this proposal.
P14 Council will consider proposals for employment land developments in Macarthur South provided they: ▪ Are environmentally acceptable; ▪ Can provide significant local and/or subregional employment benefits; ▪ Do not potentially compromise the future orderly master planning of the Macarthur South area; ▪ Provide for the timely delivery of necessary infrastructure; ▪ Are especially suited to the particular attributes of the Macarthur South area AND can be demonstrated as being unsuitable or unable to be located in alternative locations closer to established urban areas; ▪ Do not depend on the approval of any substantial new housing development proposal in order to proceed (Employment land proposals which necessitate some limited ancillary or incidental housing may be considered on their merits).	Key Policy Direction P14 is not applicable to this proposal.
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes.	
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate	See P15 above.

Key Policy Direction	Comment
areas.	
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.	The development of the site would benefit from the necessary public infrastructure and servicing. Sydney water have provided sufficient information to demonstrate that water and sewer services are able to be provided to the site. The traffic impact assessment submitted with the proposal outlines key road and traffic works and intersection upgrades that would be required to support various stages of the development. The site will also be identified as an Urban Release Area on Council's LEP to ensure that adequate contributions towards state and regional infrastructure are provided.
P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.	The Planning Proposal will allow for an expansion of the existing township of Silverdale and enable residential and mixed use development to occur around the new centre. The future development of the site would be staged to ensure that the commercial development is undertaken initially, with the residential component to be undertaken later (with the residential lands impacted by the odour buffer to be developed at the final stage). It may be necessary for site specific controls to be included in Council's Development Control Plan which identifies the road and intersection works required at each stage of the development, to ensure that adequate infrastructure is provided with the rollout of each stage of the development.
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The proposal occurs adjacent to the existing Silverdale Commercial centre.
P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.	The proposal is not located in the PTT area, however, the GMS does identify growth for Silverdale including an extension to the existing commercial zone and provision of approximately 1000 additional dwellings, both of which this Planning Proposal will contribute towards.
Rural and Resource Lands	
P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.	The proposal takes suitable measures to protect agricultural lands, vegetation, and aboriginal heritage and water resources.
P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.	The proposal would not contribute to the fragmentation of rural lands.

Appendix C

Gateway Determination and Subsequent Alterations

Planning Proposal – North Silverdale Commercial, Residential and Environmental Lands
Our Reference: TRIM 6454#570

Appendix D

Aboriginal Cultural Heritage Assessment

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared by Kayandel Archaeological Services

Our Reference: TRIM 6454#507

Appendix E

Bushfire Hazard Assessment

Planning Proposal – 'North Silverdale Commercial, Residential and Environmental Lands'

Prepared by Harris Environmental Consulting

Our Reference: TRIM 6454#220

Appendix F

Preliminary Contamination Assessment

Planning Proposal – 'North Silverdale Commercial, Residential and Environmental Lands'

Coffey Environmental Australia Pty Ltd

Our Reference: TRIM 6454#217

Appendix G

Traffic Impact Assessment

Planning Proposal – 'North Silverdale Commercial, Residential and Environmental Lands'

Prepared by Bitzios Consulting

Our Reference: TRIM 6454#487

Appendix H

Flora and Fauna Assessment

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared by Biosis Pty Ltd

Our Reference: TRIM 6454#218

Appendix I

Biodiversity Assessment Report

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared by Biosis Pty Ltd

Our Reference: TRIM 6454##485

Appendix J

Retail Impact Assessment

Planning Proposal – 'North Silverdale Commercial, Residential and Environmental Lands'

Prepared by Restifa and Partners Pty Ltd

Our Reference: TRIM 6454#569

Appendix K

Stormwater and Drainage Study

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#222

Appendix L

Staging Plan

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454##491

Appendix M

Nominal Park Location

Planning Proposal – 'North Silverdale Commercial, Residential and Environmental Lands'

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#492

Appendix N

Location of Likely Asset Protection Zones and Indicative Lot Layout

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared By Siteplus Pty Ltd

Our Reference: TRIM 6454#484

Appendix 0

Individual Lot Plans showing future E3 Lots

Planning Proposal – ‘North Silverdale Commercial, Residential and Environmental Lands’

Prepared by Siteplus Pty Ltd

Our Reference: TRIM 6454#568