



IRF23/527

# Gateway determination report – PP-2023-1802

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North Appin (Part) Precinct

May 24



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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

## Contents

<b>1</b>	<b>Planning proposal</b>	<b>1</b>
1.1	Overview	1
1.2	Objectives of planning proposal	1
1.3	Explanation of provisions	2
1.3.1	Amendment to the <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>	2
1.4	Site description and surrounding area	3
1.5	Mapping	5
1.6	Background	9
1.6.1	State-Assessed Planning Proposal Pathway	9
<b>2</b>	<b>Need for the planning proposal</b>	<b>9</b>
<b>3</b>	<b>Strategic assessment</b>	<b>10</b>
3.1	A Metropolis of Three Cities – the Greater Sydney Region Plan	10
3.2	Western City District Plan	11
3.3	Local	13
3.3.1	Wollondilly LGA Local Strategic Planning Statement	13
3.3.2	Wollondilly LGA Local Housing Strategy	14
3.3.3	Campbelltown LGA Local Strategic Planning Statement	14
3.3.4	Campbelltown LGA Local Housing Strategy	14
3.4	Section 9.1 Ministerial Directions	15
3.5	State environmental planning policies (SEPPs)	18
3.5.1	SEPP (Biodiversity and Conservation) 2021	18
3.5.2	SEPP (Precinct – Western Parkland City) 2021	18
3.5.3	SEPP (Transport and Infrastructure) 2021	18
3.5.4	SEPP (Resilience and Hazards) 2021	18
3.5.5	SEPP (Resources and Energy) 2021	19
<b>4</b>	<b>Site-specific assessment</b>	<b>19</b>
4.1	Environmental	19
4.1.1	Cumberland Plain Conservation Plan	19
4.1.2	Proposed application to modify the Cumberland Plain Conservation Plan	20
4.1.3	Protection of the Campbelltown Koala population	20
4.1.4	Evolving understanding of Koala Corridor E Ousedale Creek	20

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4.1.5	Zoning of easements (CPCP excluded land) .....	21
4.1.6	Contamination .....	21
4.1.7	Mining.....	23
4.1.8	Bushfire .....	23
4.1.9	Flooding.....	24
4.1.10	Heritage.....	25
4.2	Social and economic.....	26
4.2.1	Social.....	26
4.2.2	Economic.....	26
4.3	Infrastructure .....	27
4.3.1	Transport .....	27
4.3.2	Energy infrastructure .....	27
4.3.3	Water and wastewater servicing .....	28
4.4	Additional Permitted Uses.....	28
4.4.1	Additional Permitted Uses for proposed C2 Environmental Conservation zoned land not included in koala corridors .....	28
<b>5</b>	<b>Consultation.....</b>	<b>29</b>
5.1	Community .....	29
5.2	Agencies.....	29
<b>6</b>	<b>Timeframe .....</b>	<b>29</b>
<b>7</b>	<b>Local plan-making authority .....</b>	<b>29</b>
<b>8</b>	<b>Assessment summary .....</b>	<b>29</b>
<b>9</b>	<b>Recommendation.....</b>	<b>30</b>

# 1 Planning proposal

## 1.1 Overview

**Table 1** Planning proposal details

<b>LGA</b>	<b>Wollondilly LGA and Campbelltown LGA</b>
<b>PPA</b>	Planning Secretary, Department of Planning, Housing and Infrastructure
<b>NAME</b>	North Appin (Part) Precinct (3,000 dwellings)
<b>NUMBER</b>	PP-2023-1802
<b>SEPP TO BE AMENDED</b>	<i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>
<b>ADDRESS</b>	345 Appin Road, Appin.
<b>DESCRIPTION</b>	Lot 105 DP 1188670
<b>RECEIVED</b>	30/06/2023
<b>FILE NO.</b>	IRF23/527
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose, and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

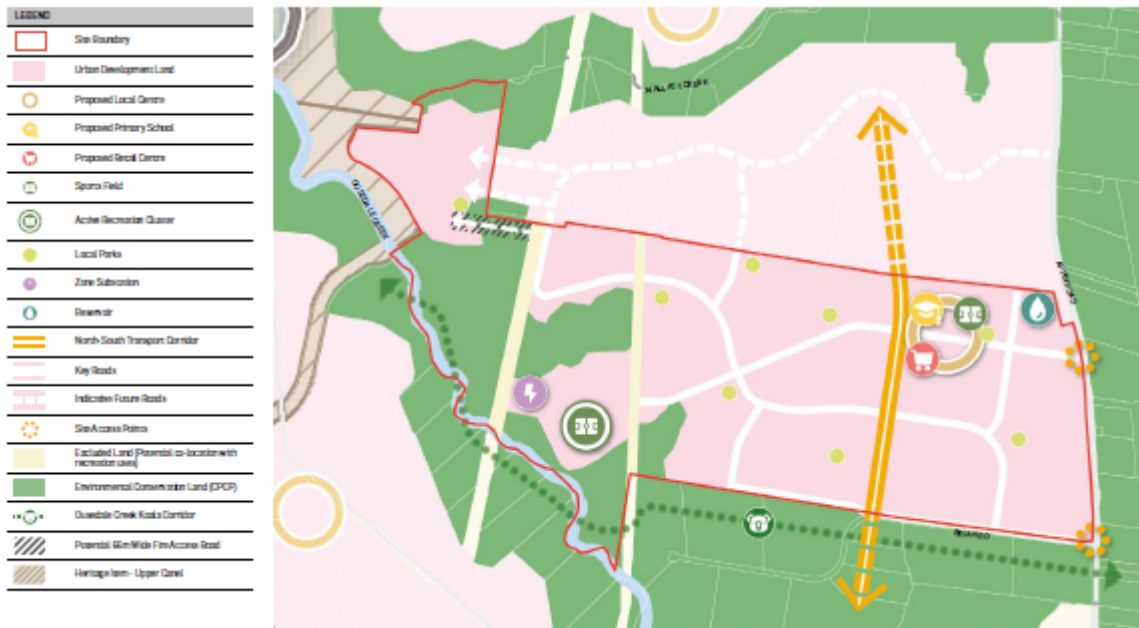
## 1.2 Objectives of planning proposal

The planning proposal (**Attachment A**) seeks to rezone the site known as North Appin (Part) Precinct, in the Greater Macarthur Growth Area (GMGA). It proposes to rezone the site from RU2 Rural Landscape to Urban Development Zone (UDZ) and C2 Environmental Conservation. The objective is to provide housing (3,000 dwellings), jobs (local centre with 5,000m<sup>2</sup> commercial floorspace), and additional conservation lands (approximately 56ha).

The proposed rezoning is accompanied by a Draft Structure Plan (see **Figure 1**) for the site, which outlines the indicative intended land uses.

A draft GMGA Development Control Plan (DCP) will be prepared to support (and exhibited concurrently) this proposal. The DCP will outline detailed design guidelines and controls for development in the North Appin (Part) Precinct.

The planning proposal will contribute to securing and implementing the Ousedale Creek koala corridor within the North Appin (Part) Precinct by rezoning it C2 Environmental Conservation. Applying the C2 zone to the koala corridors will help implement the recommendations of the Office of the NSW Chief Scientist and Engineer, further, only 'environmental facilities' and 'environmental protection works (excluding buildings)' are intended to be permitted with consent (throughout koala corridors in the entire growth area).



**Figure 1 North Appin (Part) Precinct Draft Structure Plan (Source: Planning Proposal)**

## 1.3 Explanation of provisions

### 1.3.1 Amendment to the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*

The planning proposal seeks to amend the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* (WPC SEPP) by including a new appendix which will apply to the site.

The intended amendments to the WPC SEPP are as follows:

- A new appendix (and associated amendments) to apply to the North Appin (Part) Precinct. This will include aims of the precinct plan to deliver housing diversity and choice and protect conservation areas including koala corridors
- A Land Application Map
- A Land Zoning Map
- A Minimum Lot Size Map
- A Transport Corridors Map
- A Koala Corridors Map
- An Additional Permitted Uses Map (to show C2 Environmental Conservation zoned land not included in koala corridors)
- An Urban Release Area Map
- A requirement for a Structure Plan to be finalised, adopted by the Planning Secretary, and published on the Department's webpage prior to development consent being granted for residential lots

- A provision for the referral of development applications to the Planning Secretary and concurrence from the Planning Secretary for development applications to ensure development is generally in accordance with the Structure Plan
- A provision to require the concurrence of the Planning Secretary prior to development consent being granted for development on land identified on the Koala Corridors Map
- A requirement for concurrence from Transport for NSW (TfNSW) prior to development consent being granted for development located on certain transport land
- A requirement for Council to be satisfied that public utility infrastructure is available or that adequate arrangements have been made, prior to granting consent to any development
- A requirement for concurrence from the Planning Secretary for any development to ensure that the impact of development on the provision of State public infrastructure is addressed
- A provision to ensure 5% of medium density dwellings are delivered as affordable housing

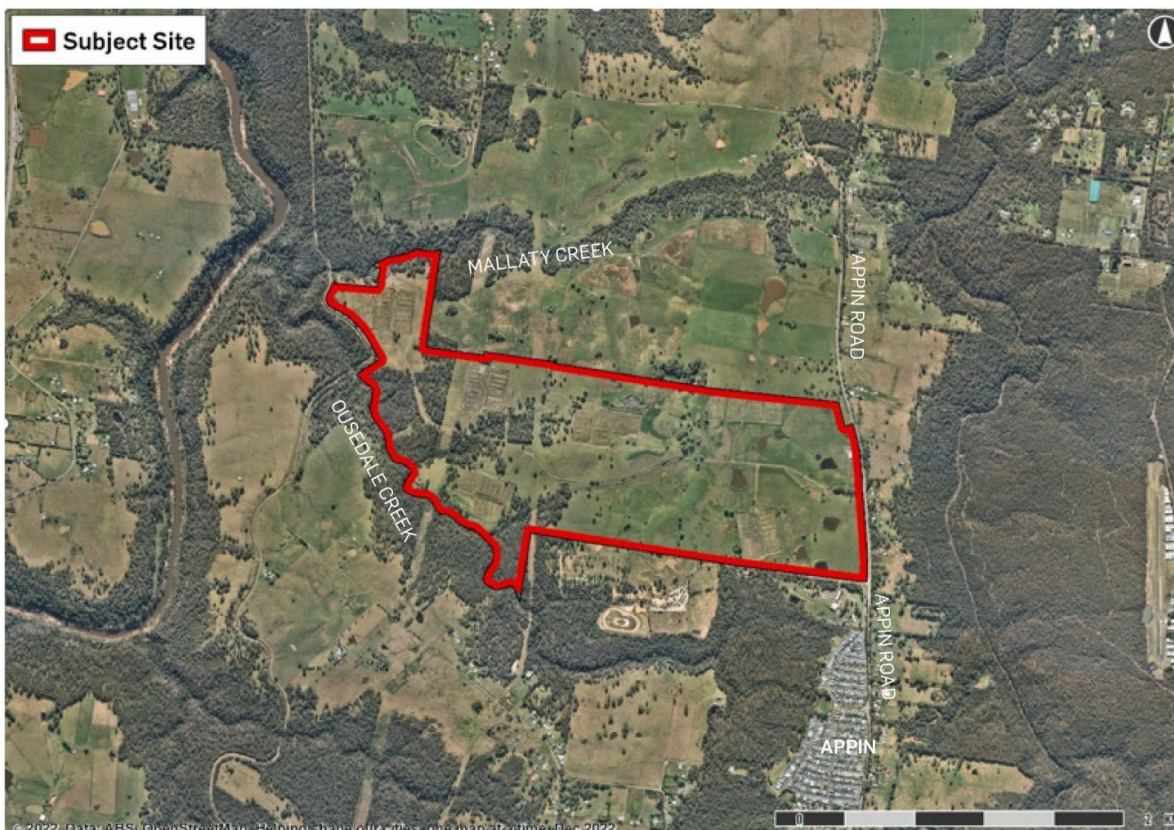
The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

The Department notes that should the proposal proceed to finalisation, and that an amendment to the LEP land application map will also be required to remove the site from being subject to the LEP.

## 1.4 Site description and surrounding area

The site has an approximate area of 301ha and is located within the North Appin Precinct

The site covers land that is bounded by Appin Road to the east, Ousedale Creek to the south, the Upper Canal to the west and farmland to the north. An overview of the site is shown in **Figure 2**.

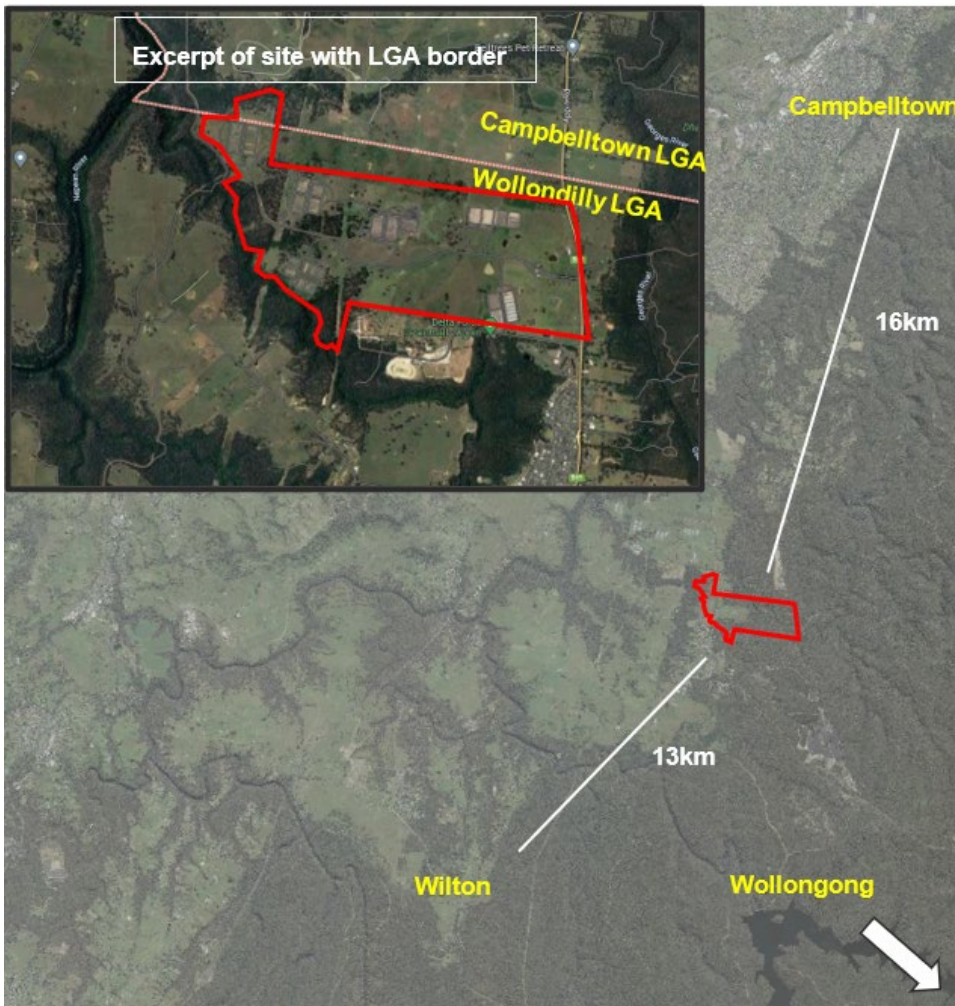


**Figure 2** Locational context of the subject site

The site is located primarily within the Wollondilly Shire LGA; however, a small north-western tip of the site is within the Campbelltown City LGA (see **Figure 3** overleaf).

The site is located 1km north-west of Appin Village, which has a range of local community facilities, services, and amenities. From a regional context, the site is 16km south of Campbelltown, 13km northeast of Wilton and 35km northwest of Wollongong (see **Figure 3**).

The site contains large areas of cleared vegetation and significant areas of native vegetation and high biodiversity value are located along creek and river gullies. Several isolated residences are located throughout the site. The site also has several view lines to Razorback Ridge and the Blue Mountains.

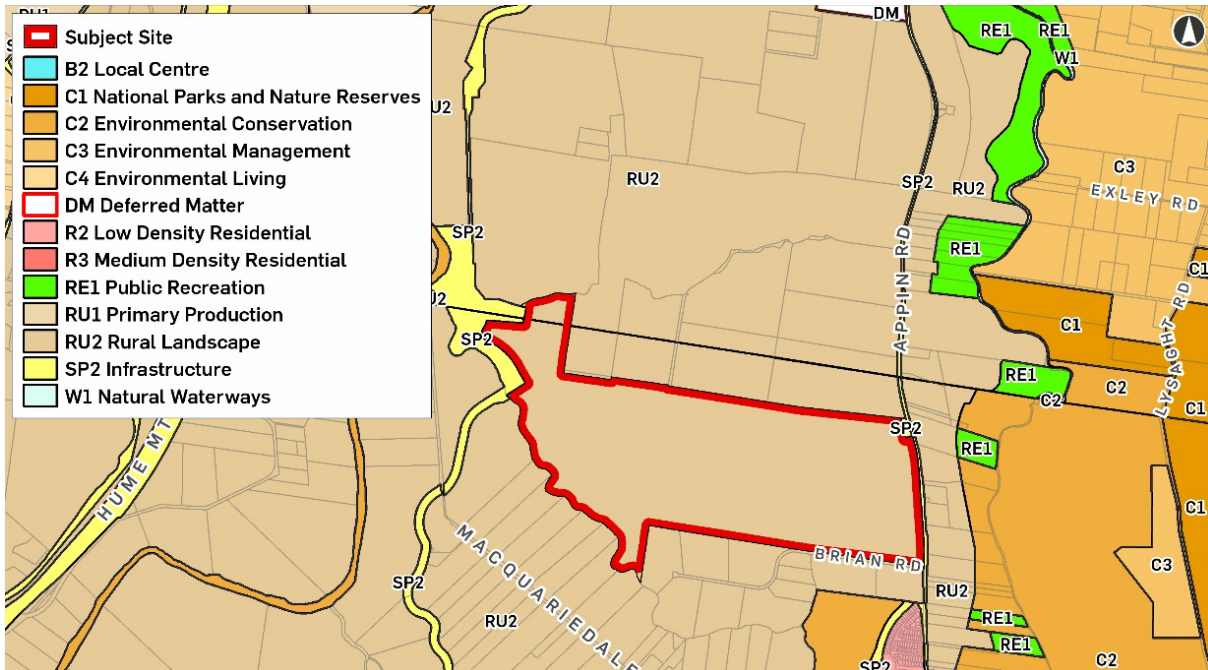


**Figure 3** Regional context of the subject site

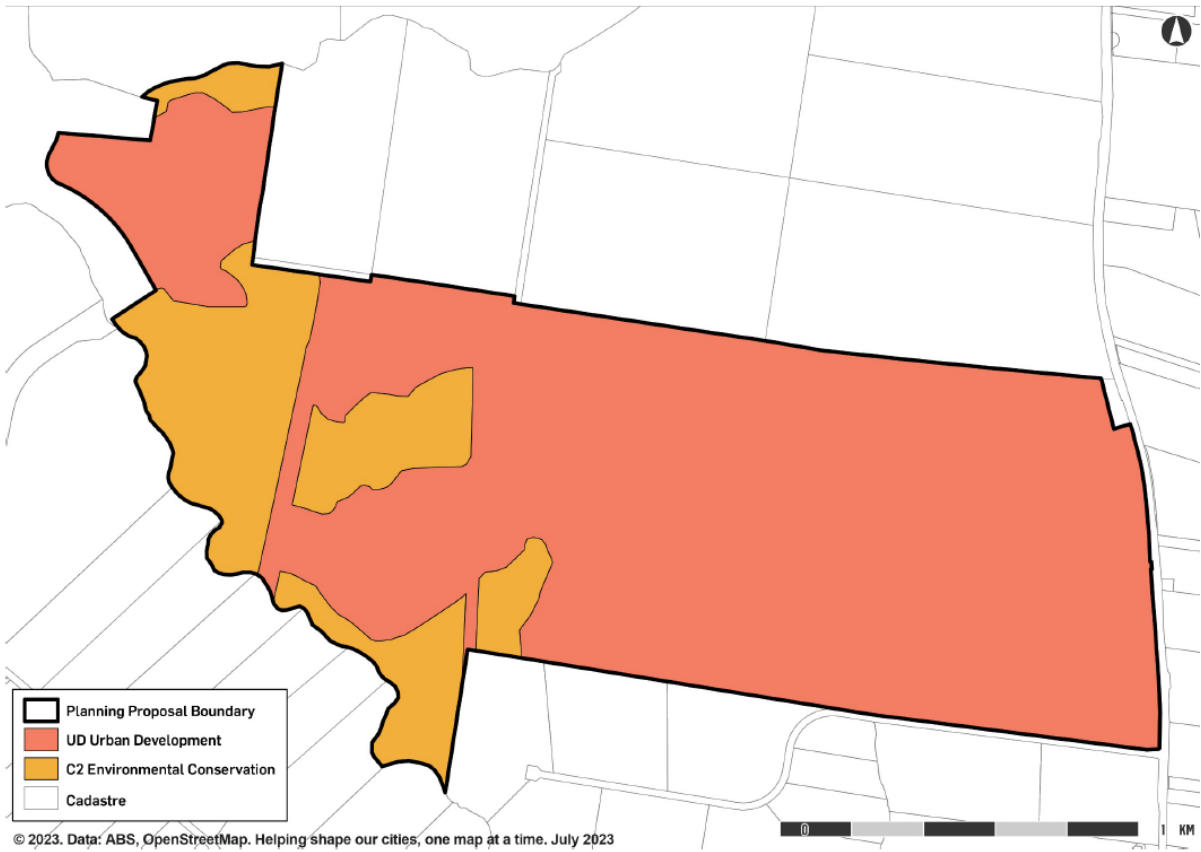


## 1.5 Mapping

The planning proposal includes various proposed mapping amendments (see **Figures 5 to 10** overleaf) which will require some minor updates to reflect recent advice from the Department. The Gateway determination has been conditioned to achieve these updates prior to exhibition.



**Figure 4 Existing Land Zoning Map (site outline is shown in red)**



**Figure 5 Proposed Land Zoning Map**

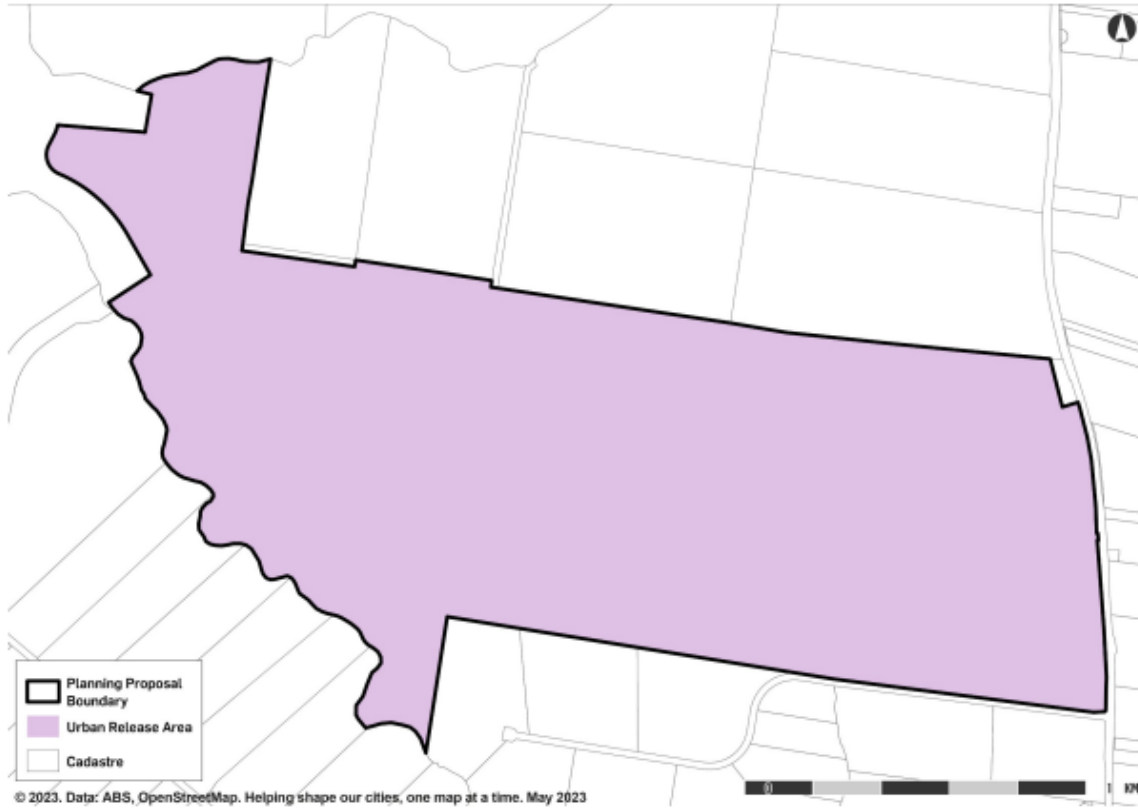


Figure 6 Proposed Urban Release Area Map

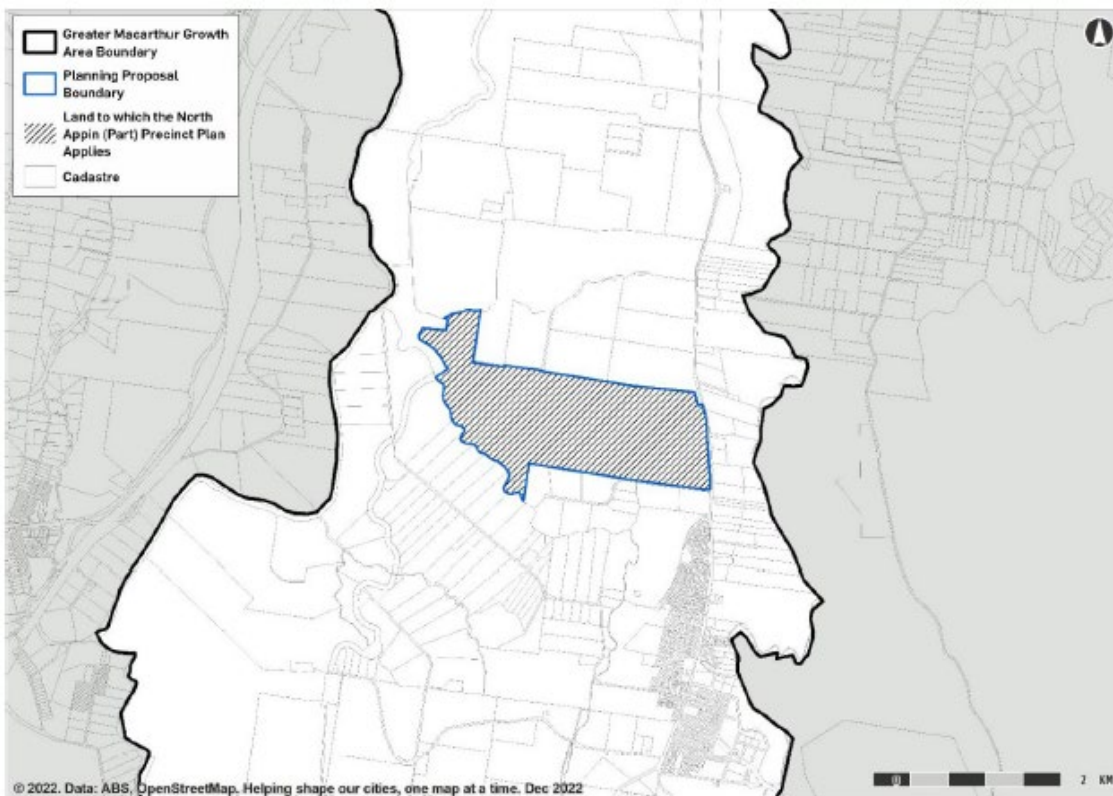


Figure 7 Proposed Land Application Map

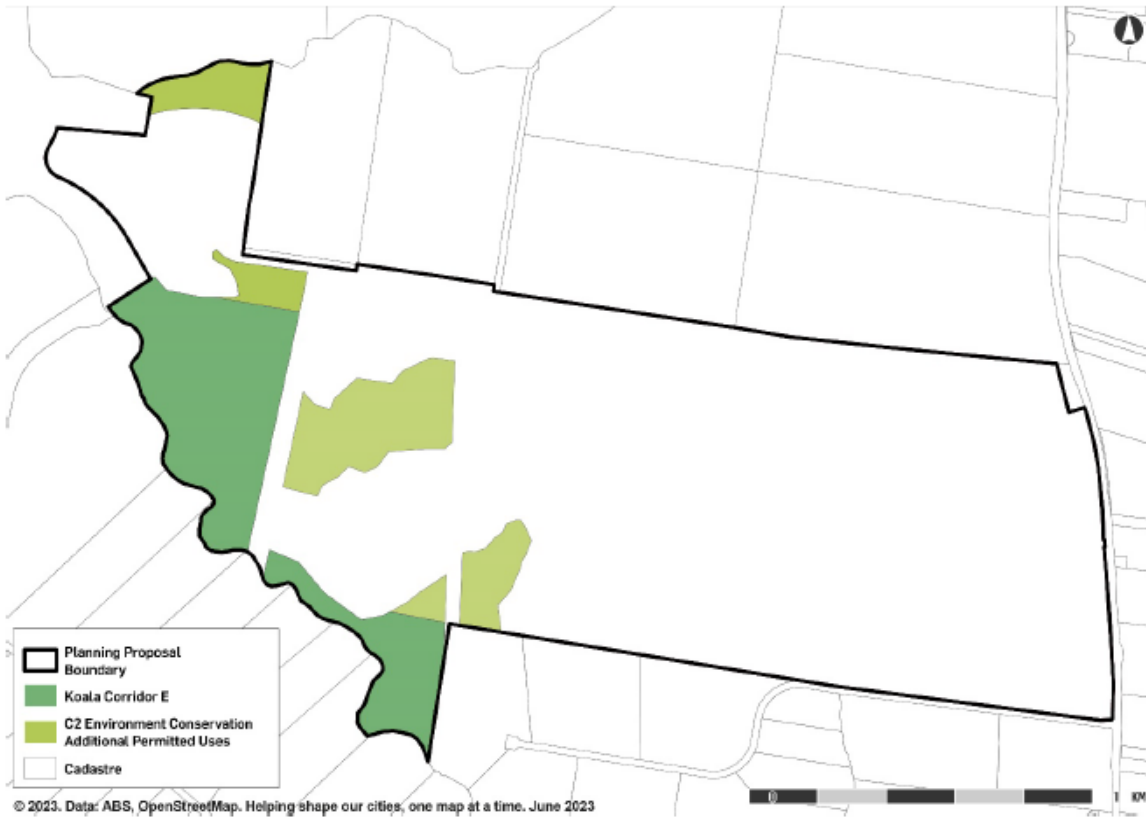


Figure 8 Proposed Additional Permitted Uses Map

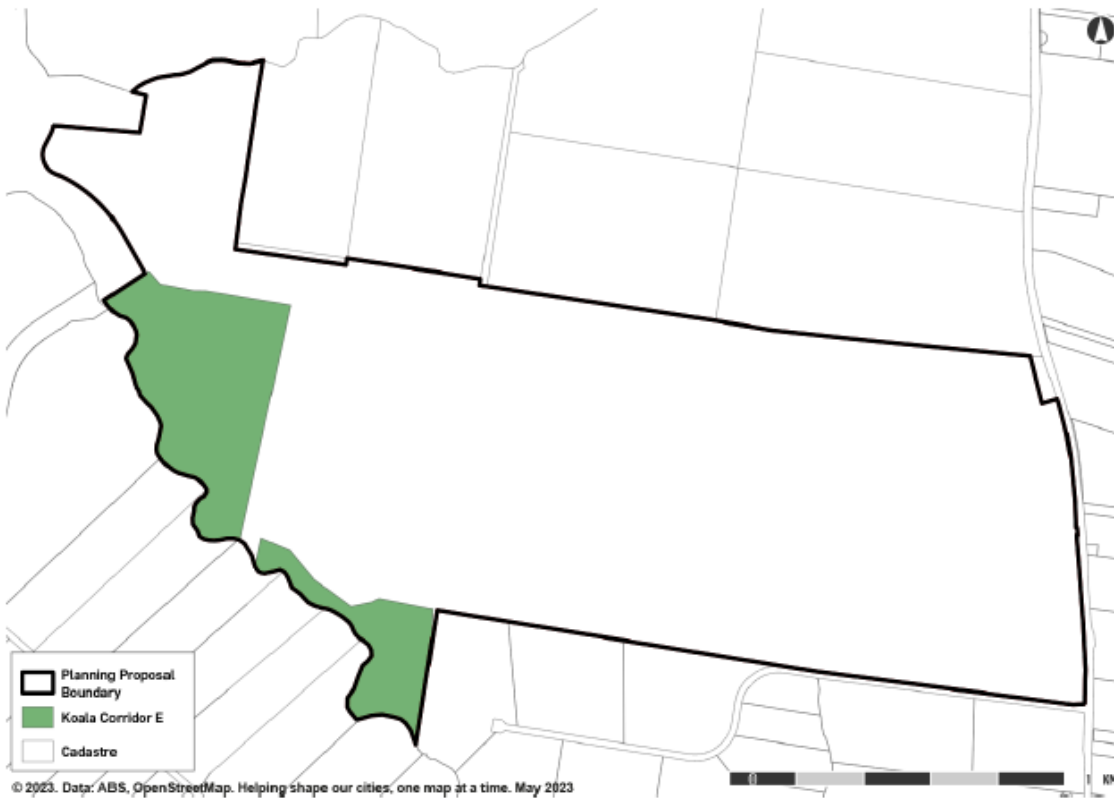
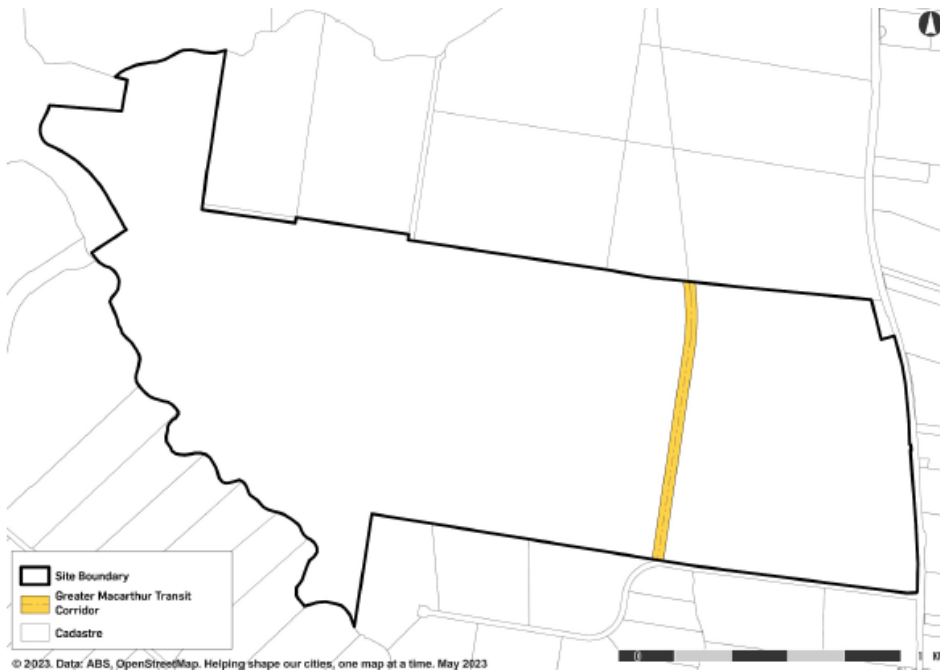


Figure 9 Proposed Koala Corridors Map



**Figure 10 Proposed Transport Corridors Map**

## 1.6 Background

The site is located within the Greater Macarthur Growth Area (GMGA) which was declared a growth area in 2018.

### 1.6.1 State-Assessed Planning Proposal Pathway

On 2 November 2022, the former Minister for Planning and Homes announced the State-assessed planning proposal pathway for three sites within the GMGA. North Appin (Part) Precinct was one of those sites, with the other two being Gilead (Stage 2) and the Appin (Part) Precinct.

## 2 Need for the planning proposal

The planning proposal seeks to rezone land to Urban Development Zone (UDZ) and C2 Environmental Conservation to facilitate the delivery of urban development, housing, regionally significant infrastructure and koala corridor conservation land. The site is currently zoned RU2 Rural Residential, which does not allow for these proposed land uses.

The Department acknowledges the intended outcomes of housing, infrastructure delivery and conservation cannot be achieved without rezoning the site. The planning proposal is the best way to achieve the intended outcomes.

The UDZ is a temporary zone and implemented only for larger rezonings to provide flexibility at the Development Application stage. Once a certain amount of the site has been developed, it is intended equivalent Standard Instrument zones will be applied to the site.

## 3 Strategic assessment

### 3.1 A Metropolis of Three Cities – the Greater Sydney Region Plan

*The Greater Sydney Region Plan - A Metropolis of Three Cities* was published by the Greater Sydney Commission (GSC) in March 2018. The Region Plan identifies the overarching directions and objectives to guide growth in the Sydney region and recognises the strategic importance of the Greater Macarthur region and its contribution to housing supply by declaring the region as a Land Release Area.

**Table 2** provides a summary of the planning proposal against some of the relevant key objectives of the Greater Sydney Region Plan.

**Table 2 Region Plan Assessment**

Region Plan Objectives	Justification
7 - Communities are healthy, resilient, and socially connected	<p>The proposal is supported by a local centre, community facilities and a proposed school to support the future 3,000 dwellings. The proposal will provide 2.83 ha /1000 people minimum open space, of which 1.37 ha /1000 people is active open space.</p> <p>The proposal includes the preservation of existing natural areas and provision of new open space to increase urban tree canopy and mitigate the impacts of climate change. Land proposed to be rezoned C2 will provide significant opportunities for passive open space.</p> <p>The Draft Structure Plan provides active transport and public transport options.</p>
10 - Greater housing supply	The site will deliver approximately 3,000 dwellings, which includes a mix of low to medium density housing types.
11 - Housing is more diverse and affordable	The Region Plan indicates a target of 5-10% affordable housing should be provided in line with the Affordable Housing SEPP. The planning proposal notes 5% of medium density housing will be delivered as affordable housing.
13 - Environmental heritage is identified, conserved, and enhanced	<p>The proposal's supporting Draft Aboriginal Objects Report identified no Aboriginal sites were found within the site but did find 30 registered Aboriginal sites in the vicinity. The proponent has designed the Draft Structure Plan according to Connecting to Country principles.</p> <p>The 'Upper Canal System' item, of National, State and Local heritage significance, is located directly adjacent to the western boundary of the site. The curtilage of the heritage item and all associated features are located entirely outside of the subject site.</p> <p>There are no physical works proposed within the proposal and therefore there is no potential for heritage impact to be generated by the proposed rezoning or associated urban development.</p>
14 - Integrated land use and transport create	The Draft Structure Plan includes 400m walking catchments for residential areas to future bus stops that will connect to Campbelltown and Macarthur train stations. The site is within 30min of the existing centres of Campbelltown,

Region Plan Objectives	Justification
walkable and 30-minute cities	Macarthur and Wollongong and the future Wilton Town Centre. Public transport will connect the site to existing and future centres.
25 - The coast and waterways are protected and healthier	The Department is satisfied that the proposal adequately protects Ousedale Creek through the proposed koala corridors along waterways. These corridors will achieve an average width of at least 390m, as recommended by the Office of the NSW Chief Scientist and Engineer.
27 - Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Approximately 56ha of conservation land will be delivered by the proposal. This proposed conservation land will deliver koala corridors in line with advice from the Office of the NSW Chief Scientist and Engineer.
28 - Scenic and cultural landscapes are protected	The proposal's supporting Urban Design Report contains a set of design principles that have helped inform the preparation of the Draft Structure Plan. These principles are underpinned by the Connecting with Country Framework.  Key design elements also implemented in the Draft Structure Plan include using the natural ridgelines for passageways to maintain view lines, locating medium density in accessible areas, and connecting riparian areas with open space networks.
30 – Urban tree cover canopy is increased	The supporting Urban Design Report encourages canopy cover controls and provisions to allow planting on private lots to increase canopy cover.  The supporting Urban Heat Study includes priorities and recommendations to ensure future development within the site addresses urban heat mitigation.
32 - The Green Grid links parks, open spaces, bushland and walking and cycling paths	Social infrastructure is proposed to be provided through a new primary school, community facilities, local centre services and recreation facilities including parks and bushland for passive recreation and sports courts and fields for active open space recreation.  The proposal will also provide 56ha of conservation land for substantial koala habitat and bushland for passive recreation.

## 3.2 Western City District Plan

The site is within the Western City District and the Greater Sydney Commission released the Western City District Plan on 18 March 2018. The plan contains priorities and actions to guide the growth of the district while improving its social, economic, and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined in **Table 3**.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. **Table 3** includes a summary of the planning proposal against some of the relevant key objectives of the District Plan.

The planning proposal contains a further detailed analysis of how the proposal is consistent with several planning priorities of the District Plan. The Department supports the analysis provided in the proposal however notes the site has a number of dams which play an important role for mitigating heat island effect, aquatic and terrestrial biodiversity, potential refuge for migratory

species, etc. The District Plan clearly identifies retaining water in the landscape as a priority and this needs to be further investigated and reflected in the draft Precinct Structure Plan.

**Table 3 District Plan Assessment**

District Plan Priorities	Justification
<p>W1 - Planning for a city supported by infrastructure</p>	<p>The proposal will be supported by infrastructure such as local road upgrades, public transport corridors and local services.</p> <p>A Transport Management and Accessibility Plan (TMAP) will support the North Appin (Part) Precinct. In addition, the proponent seeks to enter into a local and state following planning agreement.</p> <p>The TMAP must be finalised with Transport for NSW so that it can inform any planning agreements, which in turn will need to align to the final precinct structure Plan for the site.</p> <p>Further, to ensure a more streamlined public exhibition process, the draft Development Control Plan and draft SPA should be exhibited together. While the DCP may be adopted post finalisation, the State Planning Agreement must be finalised prior to determination of the proposal. The Gateway has been conditioned accordingly.</p>
<p>W5 - Providing housing supply, choice, and affordability, with access to jobs, services, and public transport</p>	<p>The proposal will contribute to delivering dwellings to the Western City District. The proposal seeks to provide low and medium density housing, with 5% of medium density to be delivered as affordable housing.</p> <p>The proposal will also support the creation of 670 new jobs and be supported by a further 10,000 jobs in the future Moreton Park Road Employment Precinct.</p> <p>The proposal also states that future dwellings will be located within a 400m public transport catchment.</p>
<p>W6 - Creating and renewing great places and local centres, and respecting the district's heritage</p>	<p>The proposal's supporting Draft Aboriginal Objects Report identified no Aboriginal sites were found within the site but did find 30 registered Aboriginal sites in the vicinity.</p> <p>The proposal's supporting Draft Aboriginal Objects Report which did not find any Aboriginal heritage sites in the site area but did find 30 registered sites in the vicinity. The proponent has designed the indicative Draft Structure Plan according to designing Connecting for to Country principles.</p> <p>The supporting Heritage Impact Statement (HIS) states the 'Upper Canal System' item, of National, State and Local heritage significance, is located directly adjacent to the western boundary of the site. The curtilage of the heritage item and all associated features are located entirely outside of the subject site.</p> <p>The HIS also recommended that the site's draft DCP should carefully consider and have regard for the Upper Canal System, including height and setbacks.</p> <p>There are no physical works proposed within the proposal and therefore there is no potential for heritage impact to be generated by the proposed rezoning.</p>
<p>W14 - Protecting and enhancing bushland and biodiversity</p>	<p>Approximately 56ha of conservation land will be delivered by the proposal. This proposed conservation land will deliver koala corridors in line with advice from the Office of the NSW Chief Scientist and Engineer, which will assist with enhancing and protecting biodiversity.</p>



District Plan Priorities	Justification
15 - Increasing urban tree canopy cover and delivering Green Grid connections	<p>The Green Grid Network within the North Appin (Part) Precinct includes environmental corridors, waterways and open space connections linking the proposed residential neighbourhoods to local centres and transport corridors.</p> <p>The supporting Urban Heat Study includes priorities and recommendations to ensure future development within the site address urban heat mitigation.</p>
16 - Protecting and enhancing scenic and cultural landscapes	<p>The proposal's supporting Urban Design Report contains a set of design principles that have helped inform the preparation of the Draft Structure Plan. These principles are underpinned by the Connecting with Country Framework.</p> <p>Other key design elements implemented in the Draft Structure Plan include using the natural ridgelines for passageways to maintain view lines, locating medium density in accessible areas, and connecting riparian areas with open space networks.</p>

## 3.3 Local

### 3.3.1 Wollondilly LGA Local Strategic Planning Statement

*Wollondilly 2040: A vision for the future of Wollondilly*, is Wollondilly Shire Council's Local Strategic Planning Statement (LSPS). It identifies key planning priorities and actions and outlines the community's land use planning vision for the next 20 years. The proposal states it is consistent with the LSPS.

The Department agrees that the proposal aligns with a range of planning priorities in the LSPS, including:

- Planning Priority 1: Aligning infrastructure provisions with community needs
- Planning Priority 5: Providing housing options that meet local needs and match the local character of towns and villages
- Planning Priority 6: Embedding health and wellbeing considerations into land use planning for healthy places
- Planning Priority 13: Protecting biodiversity and koala habitat corridors
- Planning Priority 14: Delivering high quality and connected open spaces
- Planning Priority 15: Delivering an urban tree canopy

The LSPS advocates that the Greater Macarthur Growth Area (GMGA) should be a long-term prospect for development. It notes the broader Appin area will require:

- Investment in transport and social infrastructure
- Conservation of natural vegetation and protection of koalas
- Integrated water and wastewater management
- Connected, walkable and cycle friendly places
- Public open spaces
- Access to jobs, education, health, and services

The Department notes Greater Macarthur was declared a growth area in 2019. An amendment was made to the *State Environmental Policy (Sydney Region Growth Centres) 2006* (now repealed) to identify the GMGA, which has been carried over into the WPC SEPP. Implementing

urban development within the GMGA ensures the provision of additional land for housing, social infrastructure and environmental outcomes including the securing of koala habitat under an appropriate conservation zone.

### 3.3.2 Wollondilly LGA Local Housing Strategy

Wollondilly Council's Local Housing Strategy (LHS) considers the housing needs of the Wollondilly LGA. The Department endorsed Council's LHS in September 2021, subject to conditions.

The LHS aims to provide housing in areas serviced by infrastructure, to promote housing diversity and choice, coordinate growth for emerging communities and build sustainable and resilient communities.

The planning proposal delivers on housing diversity with low and medium density housing (5% of medium density housing will be affordable housing). A Draft Structure Plan is included in the proposal, and a draft DCP will accompany the proposed rezoning to ensure appropriate infrastructure servicing and coordinated growth are implemented. As noted previously in this report, the draft DCP and any State Planning Agreement will be exhibited concurrently.

The planning proposal is supported by an Integrated Water Cycle Management Study, Strategic Bushfire Study, and Urban Heat Study, which all ensure resilience and sustainability principles have been addressed in the planning proposal.

The planning proposal gives effect to the aims of the Wollondilly LHS.

### 3.3.3 Campbelltown LGA Local Strategic Planning Statement

Campbelltown City Council's Local Strategic Planning Statement (LSPS) outlines the community's social, environmental and economic land use need to 2040. The LSPS contains 18 planning priorities that provide direction for land use decision making within the Campbelltown LGA.

The planning proposal has been prepared in accordance with the planning priorities contained within the LSPS.

The LSPS commits to protecting koalas and biodiversity. The proposal will deliver C2 Environmental Conservation zoned land to support the region's biodiversity.

Council's LSPS acknowledges the anticipated growth within the GMGA and indicates approximately 40,000 additional dwellings will be needed to accommodate a forecast population of approximately 275,000 people by 2036.

### 3.3.4 Campbelltown LGA Local Housing Strategy

The Campbelltown Local Housing Strategy (LHS) states that most of the new housing required to accommodate Campbelltown's growing population will be accommodated in the GMGA and no new areas for housing growth are required in the short to medium-term, as there is adequate capacity within the existing urban area and areas already identified for urban growth.

The LHS also supports the need for diverse and affordable housing. The proposal seeks to deliver a mix of low and medium density housing (5% of medium housing will be affordable housing).

The planning proposal gives effect to the aims of the Campbelltown LHS.

### 3.4 Section 9.1 Ministerial Directions

The planning proposal has been reviewed against the section 9.1 Ministerial Directions. The proposal is considered to be consistent with all relevant Directions, except for:

#### Direction 1.4 Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls. The planning proposal seeks to introduce several site-specific provisions, which will ultimately be rolled out across the broader North Appin Precinct and GMGA.

The proposal's inconsistency is justified as the proposed amendment will result in an increase to housing diversity, consistent with the strategic framework.

#### Direction 4.1 Flooding

The objective of this Direction is to ensure development in flood prone land is consistent with NSW Government policy and commensurate with flood behaviour.

The planning proposal is inconsistent because it seeks to rezone land within an actual or potential flood planning area.

A supporting Flood Planning Report (FPR) was prepared to assess the existing 1% Annual Exceedance Probability (AEP) flood behaviour to inform flood impacts and future flood planning levels for the proposed rezoning. The FPR indicated that flood depths and extents show that the proposed urban development area (proposed UDZ zoned land) generally lies outside of the mainstream floodplains of the Nepean River and Ousedale Creek. However, the eastern portion of the proposed urban development area experiences some overland flow (1% AEP). While most of the flood affected land is located within the proposed C2 zoned land, however some also exists within proposed UDZ zoned land, which may require mitigation strategies depending on the final precinct structure plan which will indicate the land uses within the UDZ.

Indicative detention basin sizes and locations as recommended by the FPR have been incorporated into the Draft Structure Plan. The basins have been situated in locations within the catchment to minimise bypassing flows and are designed to ensure attenuation of flows up to and including the 1% AEP.

Pre-lodgement advice to the proponent noted that more detailed flood mitigation information was required for consistency with the 2022 NSW Flood Inquiry, which included consideration of evacuation constraints, depth, velocity and duration of flooding for both 1% AEP, and probable maximum flood (PMF) levels. The proponent updated the FPR accordingly for the 1% AEP, which now provides a more accurate post-development scenario with minimal affectation from flooding.

It is noted that PMF modelling will need to be undertaken to inform the layout of land uses in the UDZ to be contained in the final Precinct Structure Plan.

The Department notes that based on flooding information available on Wollondilly Shire Council's online mapping tool (IntraMaps), the 1% AEP is generally the same extent as the PMF (see **Figures 10 and 11** over).

Therefore, given the update to the FPR, the Department considers the inconsistency of the area of 1% AEP located within the proposed urban development area to be justified and of minor significance as refinement of the land uses within this zone will be further investigated and resolved in the final Precinct Structure Plan.



Figure 11: PMF extent (IntraMaps)



Figure 12: 1% AEP extent (IntraMaps)

#### Direction 4.3 Planning for Bushfire Protection

This Direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land.

The majority of the proposed urban development will be located outside of the identified bushfire prone land (located more than 100m from the hazard) and the Draft Structure Plan is also expected to respond to and mitigate fire risks.

The supporting Strategic Bushfire Study also provided support for the proposed rezoning and stated the proposed has considered and responded to the requirements of *Planning for Bush Fire Protection 2019*. The Strategic Bushfire Study also noted that WaterNSW will not permit the use of the Upper Canal in the Asset Protection Zone (APZ) calculation.

The Direction requires consultation with the RFS following the issue of a Gateway determination but prior to exhibition, unless the RFS confirms that it does not object to the proposal progressing. Consultation with the NSW Rural Fire Service (RFS) was undertaken in the pre-lodgement stage. The RFS responded in January 2023 and confirmed it did not object to the proposal, subject to future development demonstrating compliance with the relevant requirements of *Planning for Bush Fire Protection 2019*. The NSW RFS are also among the list of agencies to be consulted during the public exhibition.

The Department therefore considers no further pre-exhibition consultation with the RFS is required.

#### Direction 8.1 Mining, Petroleum Production and Extractive Industries

The objective of this Direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum, and extractive materials are not compromised by inappropriate development.

Advice from Subsidence Advisory NSW noted the site is located within a Mine Subsidence District. Future development (including subdivision) may require further consultation with the title holder regarding mining impacts at the DA stage.

Development consent must not be granted for development on land in the North Appin (Part) Precinct unless the consent authority is satisfied mining operations, within the meaning of the *Mining Act 1992*, have ceased on the land.

Consultation with the Division of Resources and Geoscience of the Department of Regional NSW is required to determine consistency with this Direction.

#### Direction 9.1 Rural Zones

The Direction states a planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.

The proposal is justifiably inconsistent with the Direction as the site is located within the Greater Macarthur Growth Area and is consistent with the strategic framework including the Western City District Plan.

#### Direction 9.2 Rural Lands

The objectives of this Direction are to protect the agricultural production value of rural land and support rural land use productivity in other ways. The Direction applies in Wollondilly LGA and to this planning proposal as it seeks to rezone rural land.

The proposed rezoning is inconsistent with this Direction, however, is considered to be of minor significance as the site is located within the Greater Macarthur Growth Area and is consistent with the strategic framework including the Western City District Plan.

## 3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed below.

### 3.5.1 SEPP (Biodiversity and Conservation) 2021

#### **Chapter 3: Koala habitat protection 2020**

The aim of Chapter 3 is to encourage conservation and management of areas of natural vegetation that provide habitat for koalas.

The planning proposal aligns with the koala corridors identified within the CPCP and is also consistent with Ministerial Direction 3.6 Strategic Conservation Planning. The proposal seeks to provide 56ha of C2 zoned land which will form part of the koala corridors. This proposed land use aligns with the recommendations of the Office of the NSW Chief Scientist and Engineer.

#### **Chapter 13: Strategic conservation planning**

The aims of Chapter 13 are to facilitate appropriate development on biodiversity certified areas and to identify and protect areas with high biodiversity value or regionally significant biodiversity

Chapter 13 is applicable as the site contains strategic conservation areas which align with identified avoided land under of the CPCP. This land is proposed to be protected through rezoning from the existing RU2 Rural Landscape zone to C2 Environmental Conservation.

### 3.5.2 SEPP (Precinct – Western Parkland City) 2021

The planning proposal aims to rezone the site as UDZ Urban Development and C2 Environmental Conservation under Chapter 3 of the WPC SEPP. The proposal is consistent with State and local strategic planning policies and is located within the GMGA, which is identified for rezoning for urban purposes.

### 3.5.3 SEPP (Transport and Infrastructure) 2021

#### **Chapter 2: Infrastructure**

The aim of Chapter 2 is to facilitate effective delivery of infrastructure across the State. Future DA's will require concurrence from TfNSW, (as per Schedule 3 of the SEPP) as the proposed development will result in the subdivision of 200 or more allotments and 300 or more residential dwellings.

The Upper Canal Corridor and an adjoining buffer area within the north-west portion of the site are mapped as 'affected land' on Water Supply Infrastructure Map (Map Sheet LAP\_032) within the SEPP. New development is required to be consistent with the *WaterNSW Guideline for Development Adjacent to the Upper Canal and Warragamba Pipelines*. In accordance with the SEPP, any future development on the site will be required to be consistent with the WaterNSW Guideline.

#### **Chapter 3: Education establishments and childcare facilities**

The aim of Chapter 3 is to facilitate the effective delivery of educational establishments and early education and care facilities across the State. The proposal will provide for future education establishments and compliance with Schedule 6 of the SEPP will be addressed in future DA's.

### 3.5.4 SEPP (Resilience and Hazards) 2021

#### **Chapter 4: Remediation of land**

The objective of Chapter 4 is to provide for a State-wide planning approach to the remediation of contaminated land.

The supporting Preliminary Site Investigation (PSI) noted several areas of concern regarding potential contamination sources (see section 4.1.6 of this report) but concluded that the site can be suitable for residential land use if specific recommendations are addressed.

The PSI recommended the following steps will need to occur prior to commencing any building works on site:

- prioritised intrusive assessments of the two areas of greatest contamination risk;
- a detailed site investigation of other areas of contamination concern. This may be undertaken in stages as the proponent requires, as they pose less of a risk to human health as the two higher priority areas;
- the preparation of a Remedial Action Plan;
- a subsequent targeted remediation in areas of concern; and
- a final sign off by a NSW Environment Protection Authority (EPA) accredited site auditor.

The Department recommends these above actions are appropriate to be addressed at the DA stage. Consultation with the NSW EPA is also recommended during the public exhibition to ensure the recommended steps within the PSI are adequate and to identify if any additional investigation is required.

### 3.5.5 SEPP (Resources and Energy) 2021

#### **Chapter 2: Mining, petroleum production and extractive industries**

The aims of Chapter 2 are in recognition of the importance of mining, petroleum production and extractive industries to the State. The proposed development will be supported by measures to avoid or minimise incompatibility with future mining uses in the site immediate vicinity.

Advice from Subsidence Advisory NSW noted the site is located within a Mine Subsidence District. Future development (including subdivision) may require further consultation with the title holder regarding mining impacts at the DA stage.

Development consent must not be granted for development on the site unless the consent authority is satisfied mining operations, within the meaning of the *Mining Act 1992*, have ceased on the land.

Consultation with Division of Resources and Geoscience of the Department of Regional NSW and Subsidence Advisory NSW is also recommended to ensure consistency with this SEPP.

## 4 Site-specific assessment

### 4.1 Environmental

The following provides an assessment of the potential environmental impacts associated with the proposal.

#### 4.1.1 Cumberland Plain Conservation Plan

The site is subject to the Cumberland Plain Conservation Plan (CPCP) which applies to nominated growth areas in Western Sydney, including the GMGA. The CPCP and its associated mapping was exhibited in August 2020 and gained State approval in August 2022. Commonwealth approval is pending.

The CPCP will help protect threatened flora and fauna while supporting the delivery of houses and infrastructure in the region. The CPCP ensures avoidance and minimal impacts to biodiversity where feasible. It streamlines approvals for strategic biodiversity certification under *the Biodiversity*

*Conservation Act 2016* (NSW) and strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth).

The CPCP identifies the following categories of land:

- Certified - urban capable
- Excluded
- Non-certified- avoided for biodiversity purposes or for other purposes
- Non-certified: Western Sydney Aerotropolis

The site contains approximately 56 hectares of non-certified avoided land, 3 hectares of excluded land and 244 hectares of certified (urban capable) land.

The Department also notes the supporting CPCP Consistency Report states the Draft Structure Plan is largely consistent with the CPCP, however the proposed vegetation impacts within urban capable lands will need to meet future DCP general environmental controls and mitigation measures guidelines as per Appendix E of the CPCP.

There are minor amendments to the draft SEPP maps required to align the proposal to recent advice from the Department, these are outlined in the Gateway determination and discussed below.

#### 4.1.2 Proposed application to modify the Cumberland Plain Conservation Plan

The Department understands the proponent is progressing an application to amend the CPCP and notes the proposed amendment is a separate legislative process to this planning proposal. The Gateway determination has been conditioned for the proposal to provide more information on any proposed CPCP amendment.

#### 4.1.3 Protection of the Campbelltown Koala population

The planning proposal is consistent with the advice of the Independent Expert Panel regarding Koala Corridor E Ousedale Creek. The proposal seeks to apply the C2 Environmental Conservation zone to applicable portions of Koala Corridor E within the site. The Department notes this will further provide greater corridor connectivity between the Nepean and Georges Rivers.

The proposal includes a proposed Koala Corridor Map to ensure the conservation of Koala Corridor E Ousedale Creek as allocated by the CPCP. It is also proposed that a clause for the concurrence of the Planning Secretary for development within the mapped Koala Corridor is included within the new WPC SEPP Appendix for the site.

These proposed measures are aligned with the recommendations of the Office of the NSW Chief Scientist and Engineer.

#### 4.1.4 Evolving understanding of Koala Corridor Ousedale Creek

Early pre-lodgement meetings with the proponent included discussions regarding potential opportunities for both areas A and B (shown in **Figure 12**) to be excluded from the koala corridor mapping and subject to additional permitted uses. Advice provided in these meetings has informed the current planning proposal.





**Figure 12 Additional areas A and B that will form part of the Ousedale Creek Koala Corridor**

The Department's Conservation and Sustainability Team, who manage the implementation of the CPCP, has now confirmed that both areas A and B (**Figure 12**) are intended to be part of the Ousedale Creek Koala Corridor. This is due to:

- The CPCP mapping these areas as 'Protected Koala Habitat and Restoration'
- Fencing off these areas from the corridor would extinguish around 18ha of habitat being available to koalas.
- The loss of this koala habitat would not be acceptable under the CPCP approval.
- The areas are not considered dead ends and are part of the corridor.

Therefore, a Gateway condition is required to update both the Koala Corridor and Additional Permitted Uses maps to reflect this updated information.

#### 4.1.5 Zoning of easements (CPCP excluded land)

The Department recently finalised the Appin (Part) Precinct on 30 June 2023, which is immediately adjacent to the site. Post exhibition changes to that proposal resulted in all avoided land, and any adjacent excluded land for easements, being zoned C2 and incorporated into the koala corridor map. Similarly, easements were only zoned UDZ where they were not 'within' a koala corridor.

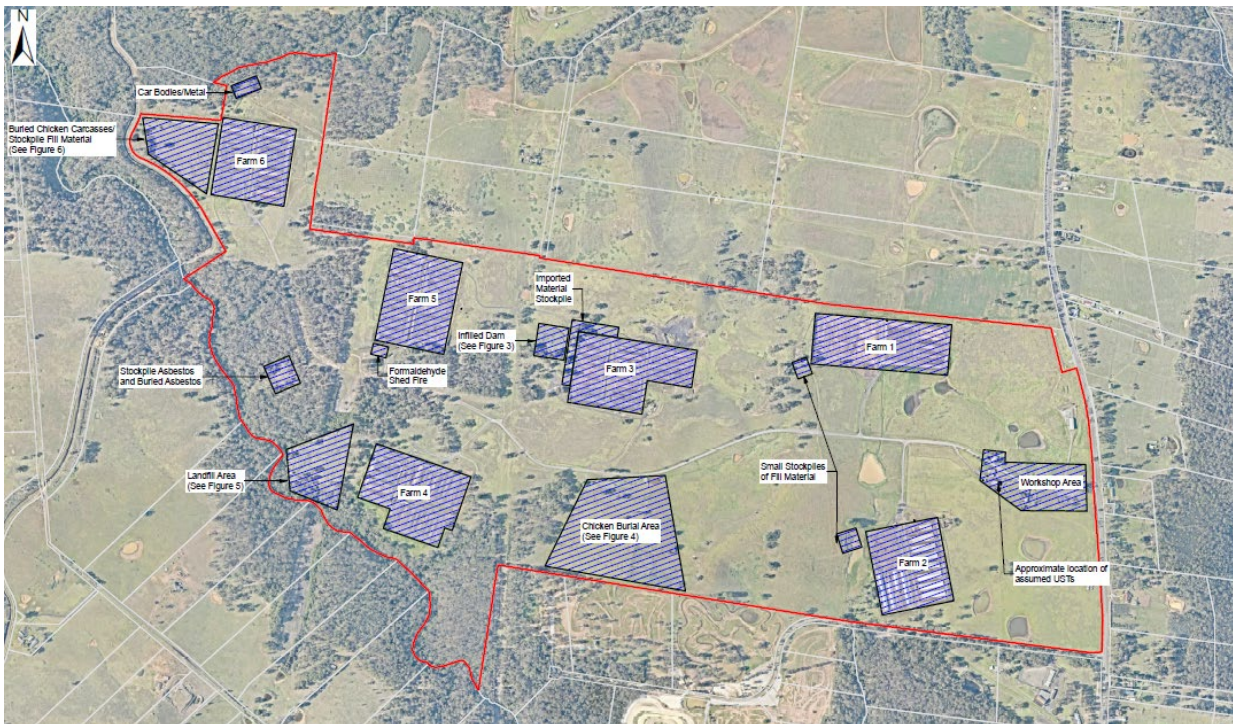
The intended outcome for the North Appin (Part) Precinct will be consistent with the finalisation of the Appin (Part) Precinct rezoning.

Therefore, a Gateway condition is required to update the Land Zoning Map to show all easements on site adjacent to the koala corridor zoned as C2 Environmental Conservation to reflect this updated information.

#### 4.1.6 Contamination

The supporting Preliminary Site Investigation (PSI) included a site inspection to ground-truth the background information gathered during the desktop assessment. The site inspection included investigating areas of concern that included potential fuel underground storage tanks (USTs),

buried animal carcasses, asbestos material, buried cars, chemical drums and other buried waste. The location of these areas of concern are shown in **Figure 13**.



**Figure 13 Contamination sites, source: Preliminary Site Investigation (Senversa)**

The PSI identified the two areas of greatest concern on site were a western section of the workshop area, where underground storage tanks may still be in situ, and the landfill area to the west of Farm 4 (see **Figure 13**). The PSI recommended further intrusive assessments be undertaken as a priority for both areas.

The PSI recommended the following steps will need to occur prior to commencing any building works on site:

- prioritised intrusive assessments of the two areas of greatest contamination risk;
- a detailed site investigation of other areas of contamination concern. This may be undertaken in stages as the proponent requires, as they pose less of a risk to human health as the two higher priority areas;
- the preparation of a Remedial Action Plan;
- a subsequent targeted remediation in areas of concern; and
- a final sign off by a NSW Environment Protection Authority (EPA) accredited site auditor.

#### Comments raised by WaterNSW

WaterNSW were consulted at the pre-lodgement stage and raised the following comments and concerns with the PSI:

- The PSI report is based on a walkover and desktop analysis of a site previously used for intensive livestock production. It does not analyse any of the contaminants occurring on site.
- WaterNSW agreed with the PSI's recommendation for a Detailed Site Investigation and a Remedial Action Plan. WaterNSW stated their preference for these additional works be completed and included as part of the public exhibition.

- WaterNSW's greatest concern is the area containing buried chicken carcasses (north-west part of the site). They are concerned that sections of this burial area extend onto WaterNSW owned land to the north and requested the proponent fund further detailed site investigations in this area.
- The area of car bodies/metal to the north of the buried chicken carcasses has minimal explanation in the PSI and recommends further investigation is undertaken.

The Department recommends that due to the size and scale of the site, the request for more detailed studies by WaterNSW is justified and it also aligns with the recommendations and conclusions of the PSI. These additional studies are appropriate to be requested and completed at DA stage. Consultation with the NSW Environment Protection Authority (EPA) is recommended to ensure the recommended steps in the PSI are adequate and to identify if any additional investigation is required.

#### 4.1.7 Mining

The site is located within the Appin Mine Subsidence District and is currently subject to two exploration leases and one mining lease. Subsidence Advisory NSW has confirmed that all mining activities within the site have been completed. The two exploration leases are due to expire in June 2024. One current mining lease with South 32 and expires in July 2029.

All future development on the site will require assessment against the relevant Subsidence Advisory NSW Surface Development Guideline.

Consultation with the Division of Resources and Geoscience of the Department of Regional NSW and Subsidence Advisory NSW is recommended to ensure that the proposal does not impact on current or future natural resource extraction.

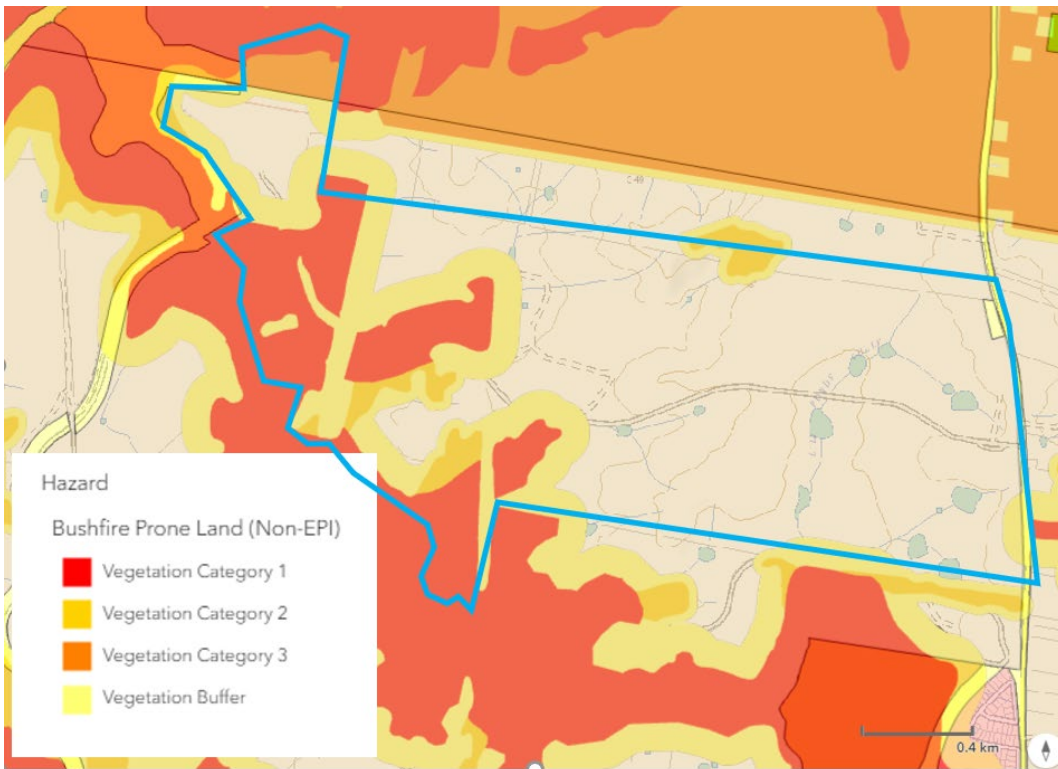
#### 4.1.8 Bushfire

The site contains bushfire prone land, identified as vegetation categories 1, 2, 3 and vegetation buffer (see **Figure 14**).

The majority of the proposed urban development will be located outside of the identified bush fire prone land (located more than 100m from the hazard) and the Draft Structure Plan is also expected to respond to and mitigate fire risks.

The supporting Strategic Bushfire Study also provided support for the proposed rezoning and stated the proposed has considered and responded to the requirements of *Planning for Bush Fire Protection 2019*. The Strategic Bushfire Study also noted that WaterNSW will not permit the use of the Upper Canal in the Asset Protection Zone (APZ) calculation.

Consultation with the NSW Rural Fire Service (RFS) was undertaken in the pre-lodgement stage. The RFS responded in January 2023 and did not object to the proposal, subject to future development demonstrating compliance with the relevant requirements of *Planning for Bush Fire Protection 2019*.



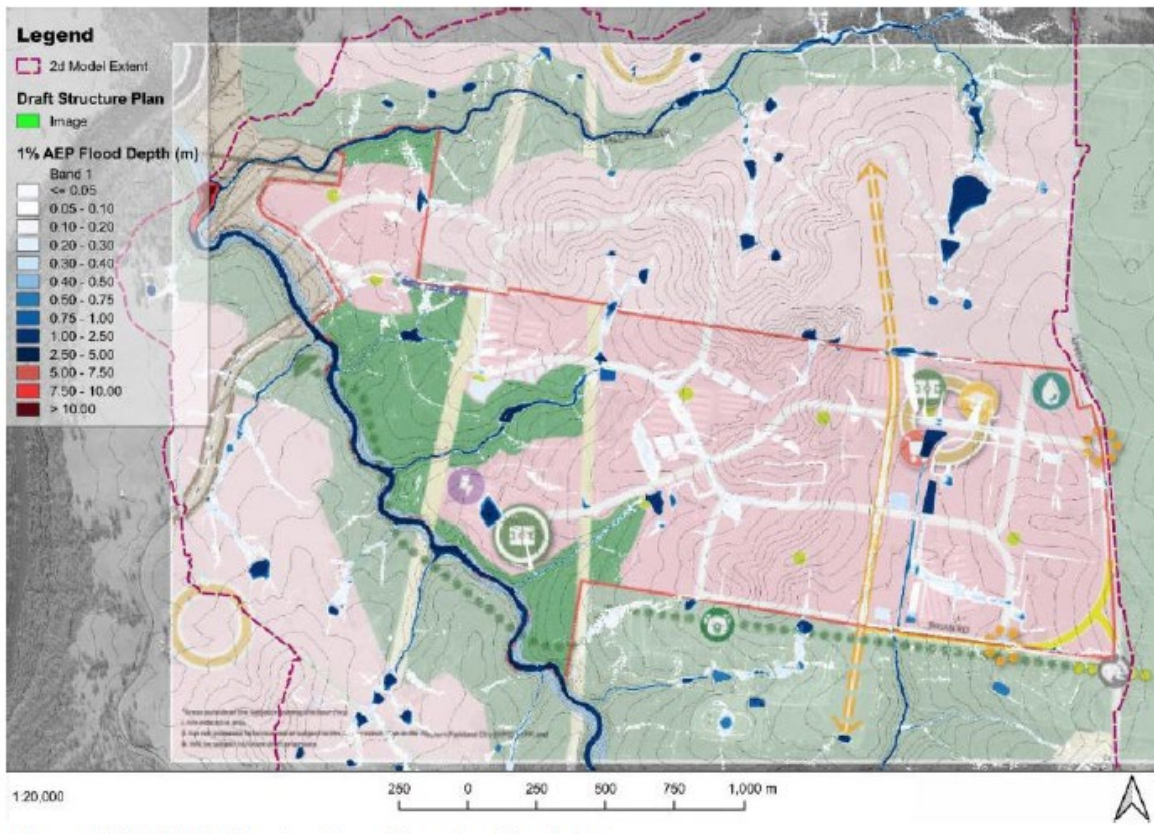
**Figure 14 Bushfire Prone Land map (site in blue outline)**

#### 4.1.9 Flooding

As noted above in section 3.4 of this report, the site contains some flood affected land. Most of the flood affected land is located within the proposed C2 zoned land, however some also exists within proposed UDZ zoned land, which will require mitigation strategies.

A supporting Flood Planning Report (FPR) was prepared to assess the existing 1% Annual Exceedance Probability (AEP) flood behaviour to inform flood impacts and future flood planning levels for the proposed rezoning. The FPR indicated that flood depths and extents show that the proposed urban development area (proposed UDZ zoned land) generally lies outside of the mainstream floodplains of the Nepean River and Ousedale Creek. However, the eastern portion of the proposed urban development area experiences some overland flow (1% AEP) (see **Figure 15**).

This finding is consistent with the Wollondilly Shire Flood Study 2021, which assessed a range of flood events including the 10% AEP, 1% AEP, 0.2% AEP and Probably Maximum Flood (PMF).



**Figure 15 1% AEP Flood hazard map over the draft Structure Plan (site in red outline), source: Water Cycle Management Strategy and Flood Modelling Report (Craig & Rhodes)**

The FPR concluded that the site can accommodate the proposed rezoning having regard to the 1% AEP storm event. Indicative detention basin sizes and locations as recommended by the FPR have been incorporated into the Draft Structure Plan. As noted above, further work will be required to understand the PMF extent and the application of land uses within the Udz in the final Precinct Structure Plan. The proposed stormwater management strategy will also not impact on the WaterNSW Upper Canal infrastructure at the western boundary of the site.

#### 4.1.10 Heritage

##### 4.1.10.1 Aboriginal

The proposal's supporting Draft Aboriginal Objects Report did not find any Aboriginal sites on the site but found 30 registered sites in the broader search area.

It is noted that the Appin Massacre Cultural Landscape (a State Heritage Register item comprising five areas) is in the vicinity of the site.

The Draft Structure Plan has been designed according to Connecting with Country principles.

An Aboriginal Cultural Heritage Assessment will be prepared for the site to investigate the tangible and intangible cultural heritage values which have the potential to occur with regard to the future development of the site.

##### 4.1.10.2 European

The proposal's supporting Heritage Impact Statement (HIS) did not identify any European heritage sites on the site. The HIS noted that the 'Upper Canal System' item, of National, State and Local heritage significance, is located directly adjacent to the western boundary of the site (see **Figure**

16). The curtilage of the heritage item and all associated features are located entirely outside of the subject site.

The HIS also recommended that the site's draft DCP should carefully consider and have regard for the Upper Canal System, including height and setbacks.

There are no physical works proposed within the proposal and therefore there is no potential for heritage impact to be generated by the proposed rezoning.

The HIS concluded that there is no potential for heritage impact to be generated by the proposed rezoning and therefore the proposal is considered acceptable from a heritage perspective.

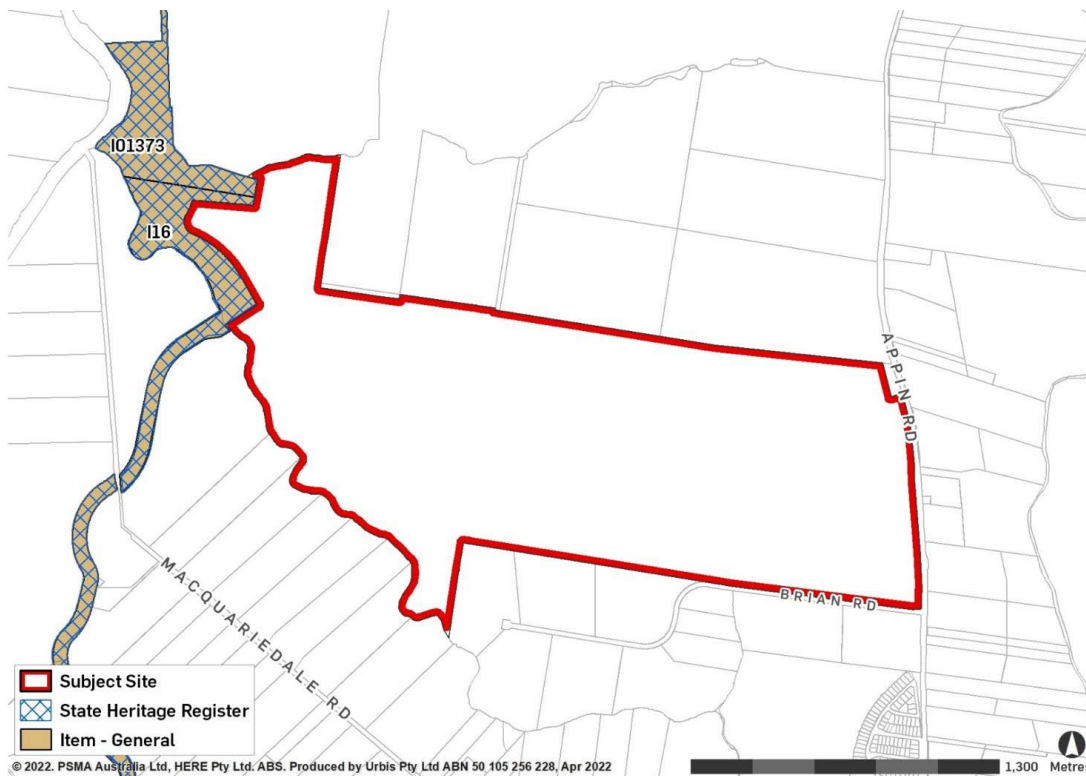


Figure 16 Location of the Upper Canal System adjacent to the site (site in red outline)

## 4.2 Social and economic

### 4.2.1 Social

The planning proposal will have positive social impacts through the supply of open space and housing diversity. The proposal will deliver 5% of medium density residential development as affordable housing.

A key theme that informs the planning proposal is to care and connect to Country. The Draft Structure Plan is designed according to Connecting with Country principles.

Social infrastructure is proposed to be provided through a new primary school, community facilities, local centre services and recreation facilities including parks and bushland for passive recreation and sports courts and fields for active open space recreation.

### 4.2.2 Economic

The planning proposal will enable the delivery of a new local centre comprising 5,000m<sup>2</sup> of floorspace to include a range of retail, business, and community services. The local centre will

contribute towards economic growth in the south-western Sydney region, with the retail sales anticipated to total \$19.6 million by 2029 and then up to \$90.5 million by 2042.

The proposal's supporting Retail and Employment Study states that despite expected trade of the site's proposed local centre, it is anticipated that there will be demand for additional local centres to be provided in the GMGA to ensure residents are appropriately and conveniently serviced. As a result, the site's proposed local centre will not adversely impact the retail hierarchy in higher order centres such as Campbelltown/Macarthur or future larger centres in Appin and Wilton.

The proposed land uses for the site will create new ongoing employment opportunities to help stimulate the local economy. The proposal has the potential to support up to 353 on-site and 317 work from home employment opportunities. These employment opportunities are provided through a range of sectors including retail, education services, medical services, recreation, and community services.

## 4.3 Infrastructure

The proposal's supporting Infrastructure Servicing Strategy states sufficient utilities servicing and infrastructure can be provided to accommodate the proposed development and staging. It also summarises the implementation of utilities, roads, and schools. Further discussions and negotiations will take place in liaison with Wollondilly Shire and potentially Campbelltown City Councils to finalise arrangements for local infrastructure.

The Department understands the proponent is intending to enter into a state planning agreement to align infrastructure delivery required to support the proposal. Any state planning agreement is anticipated to be informed by a Transport Management and Access Plan (see below) prepared with Transport for NSW. The TMAP will also help inform the final Precinct Structure Plan for the site.

The Gateway determination requires any draft state planning agreement to be exhibited concurrently with the planning proposal, and finalised (that is, the state planning agreement executed) and the Precinct Structure Plan for the site finalised, prior to the proposal being determined.

### 4.3.1 Transport

As part of the intended state planning agreement, the Department understands that this will include upgrades to Appin Road.

Transport for NSW are also currently working with the proponent to prepare a Transport Management and Access Plan (TMAP) for the site. As noted above, the TMAP will help inform the final structure plan and planning agreements for the site. The TMAP will consider:

- 'Future Transport Strategy' which replaces the 2018 'Future Transport Strategy 2056'.
- Network Planning in Precincts Guide.
- Movement and Place Framework.
- Western Sydney Design Guidelines.

### 4.3.2 Energy infrastructure

Endeavour Energy have indicated that there is an initial capacity for 1,200 to 1,400 dwellings and confirmed that a new zone substation will be required for the site. Delivery timing will be subject to further assessment by Endeavour Energy. It is confirmed that interim servicing could be achieved using any available capacity in existing feeders or by extending new feeders from the existing Appin Zone Substation.

### 4.3.3 Water and wastewater servicing

The supporting Infrastructure Servicing Strategy concludes that while Sydney Water does not currently service drinking water to the site, the Appin Water Supply Zone will be augmented to support the proposed development and development in the surrounding area. This augmentation will include construction of new mains and amplification of existing mains, pumps and storage. Stage 1 of the upgrades is forecast for delivery by 2025/26 to service the short-term growth in the region.

The Department has received updated advice from Sydney Water that no short to medium term (5-10 years) servicing can be accommodated via the Glenfield wastewater system for the proposal area. Long term servicing will be provided via a potential future Upper Nepean Water Filtration Plant anticipated to be available from 2032. Sydney Water has also advised that they will engage with proponents to discuss potential alternative servicing opportunities.

In light of this updated advice, the Department will require further consultation with Sydney Water prior to public exhibition on the timing and delivery of wastewater servicing through Sydney Water's network, including the capacity for new connections over a 0-5, 6-10 and 11-15+ year time period. Private servicing, under the Water Industry Competition Act 2006, will only be considered as an alternative to Sydney Water's network, with written confirmation from Sydney Water, after consultation that adequate delivery of wastewater servicing is not achievable, and must explain the number of connections and time period that is affected in the proposed development timeframe.

## 4.4 Additional Permitted Uses

### 4.4.1 Additional Permitted Uses for proposed C2 Environmental Conservation zoned land not included in koala corridors

The proposal seeks the provision of the following Additional Permitted Uses (APUs) for proposed C2 zoned land not included in koala corridors:

- Flood mitigation works;
- Kiosks;
- Recreation Areas;
- Roads; and
- Drainage Infrastructure.

The Department is currently finalising its assessment of the Gilead Stage 2 State Assessed Planning Proposal. Significant work has been carried out post exhibition, including numerous workshops with Environment and Heritage Group (now the Department of Climate Change, Energy, the Environment and Water) in recent months to determine appropriate APUs for C2 zoned land not included in koala corridors, to balance the need for new homes and protect biodiversity in the GMGA. Arising from this work, the final list of APUs for any C2 land not mapped as part of a koala corridor are currently limited to:

- Roads; and
- Water supply systems.

The northern most area of avoided land along Mallaty Creek may provide for these APUs.

It is also noted that any further changes to the list of APUs arising from the determination of the Gilead Stage 2 planning proposal will be considered as part of the finalisation of the North Appin (Part) Precinct planning proposal post-exhibition.



## 5 Consultation

### 5.1 Community

The Department proposes a community consultation period of at least 28 days. The Gateway determination has been conditioned accordingly.

### 5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 28 days to comment:

- Transport for NSW
- Sydney Water
- NSW Health
- Wollondilly Shire Council
- Campbelltown City Council
- Department of Climate Change, Energy, the Environment and Water School Infrastructure NSW
- NSW Rural Fire Service
- Division of Resources and Geoscience of the Department of Regional NSW
- WaterNSW
- Tharawal Local Aboriginal Land Council
- Subsidence Advisory NSW
- NSW Environment Protection Authority

## 6 Timeframe

The Department recommends a time frame of 12 months to ensure it is completed in line with its commitment to reduce processing times. The Gateway includes conditions requiring the proposal to be exhibited and submitted for finalisation by specified milestone dates.

## 7 Local plan-making authority

The Department recommends that the Secretary as PPA, not be authorised to be the local plan-making authority for this proposal.

## 8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- Recommendations provided at the pre-lodgement stage have been addressed
- Amending the planning controls will allow for the delivery of approximately 3,000 dwellings for the North Appin (Part) Precinct, supported by infrastructure
- Approximately 56ha of land will be zoned for environmental conservation which will help protect biodiversity and secure land to deliver a functional koala corridor
- The planning controls provides affordable and diverse housing to meet the needs of the current and future demographics of the Wollondilly and Campbelltown LGAs

- The proposal has strategic merit being consistent with the Western City District Plan and Greater Macarthur 2040 Plan.

## 9 Recommendation

It is recommended the delegate of the Planning Secretary:

- Agree that any inconsistencies with section 9.1 Directions 1.4 Site Specific Provisions, 4.1 Flooding, 4.3 Planning for Bushfire Protection, 9.1 Rural Zones and 9.2 Rural Lands are justified on the basis of minor significance.
- Agree that consistency with section 9.1 Direction 8.1 Mining, Petroleum Production and Extractive Industries remains unresolved and is subject to further consideration.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be amended, as follows:
  - Update the Koala Corridor Map to include:
    - i. all land along Ousedale Creek identified as ‘avoided’ in the CPCP, and
    - ii. the adjoining ‘excluded’ land (easements) so that the Koala Corridor is connected;
  - Update the Land Zoning Map to align the proposed UDZ with the certified layer of the CPCP;
  - Reflect these changes as necessary consequential amendments the Draft Structure Plan and other draft SEPP Maps;
  - Update the proposed SEPP Appendix to show the Additional Permissible Uses for C2 zoned land not forming part of the Ousedale Creek Koala Corridor are limited to ‘water supply systems’ and ‘roads’;
  - Update the proposal to note that the intended Complying Development Code is the Wilton Greenfield Housing Code Variation for the subject site; and
  - Based on the changes to the koala corridor mapping required in 1(a) above, update area calculations in the planning proposal for:
    - a) C2 zoned land identified as koala corridor; and
    - b) C2 zoned land located outside the koala corridor.
  - Provide additional commentary including images on any proposed amendment to the Cumberland Plain Conservation Plan, noting this will be a separate assessment and determination process to the planning proposal.
  - The draft structure plan is to investigate opportunities to retain existing dams within the open space network. Retaining water in the landscape is a priority of the Western City District Plan.
  - Nominate a more specific and readily identifiable name for the site to remove reliance on “North Appin (part) Precinct”.
2. Prior to public exhibition Sydney Water is to be consulted on the timing and delivery of wastewater servicing through Sydney Water’s network, including the capacity for new connections over a 0-5, 6-10 and 11-15+ year time period to development subject to this planning proposal. Private servicing, under the Water Industry Competition Act 2006, will only be considered as an alternative to Sydney Water’s network, with written confirmation

from Sydney Water, after consultation that adequate delivery of wastewater servicing is not achievable, and must explain the number of connections and time period that is affected in the proposed development timeframe.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9.1 of the Act:
  - Transport for NSW
  - Sydney Water
  - NSW Health
  - Wollondilly Shire Council
  - Campbelltown City Council
  - Department of Climate Change, Energy, the Environment and Water
  - School Infrastructure NSW
  - NSW Rural Fire Service
  - Division of Resources and Geoscience of the Department of Regional NSW
  - WaterNSW
  - Tharawal Local Aboriginal Land Council
  - Subsidence Advisory NSW
  - NSW Environment Protection Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 28 days to comment on the proposal.

4. The planning proposal should be made available for community consultation for a minimum of 28 days.
5. The planning proposal must be exhibited within 6 months of the date of the Gateway determination. The Department must exhibit the planning proposal concurrently with:
  - (a) A draft Development Control Plan (DCP), and
  - (b) any draft State Planning Agreement (SPA) exhibited by the Department of Planning, Housing and Infrastructure.

Both the draft DCP and SPA must be informed as necessary by a Transport Management Accessibility Plan that has been finalised with Transport NSW.

6. The planning proposal must be reported to the Planning Secretary, as the Planning Proposal Authority, for a final recommendation 9 months from the date of the Gateway determination.
  - The proposal cannot be determined until the Precinct Structure Plan and any State Planning Agreements are resolved.
  - The Development Control Plan may be adopted post finalisation.
7. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
8. Given the nature of the proposal, the Planning Secretary should not be authorised to be the local plan-making authority.



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2024

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