

Record of Preliminary Briefing Sydney Western City Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSSWC-434 - Wollondilly - DA/2024/604/1 - Elladale Road, Appin
APPLICANT / OWNER	Applicant: Nathan Croft - Walker Group Owner: Walker Holdings P/L, John Baptist Mileto, Steven John Pizzuto & Melissa Rachelle Pizzuto, Peter Lawrence, Angelika Marianne Lawrence, South 32 – Illawarra Metallurgical Coal, Tony & Mary Demanuelle, Scott Joseph King, Bradley Gerard King, Bronwyn Therese King, Glynis Rita Patrick, Deborah Mary Wood & Alexis Anne Cochrane, Water Board Sydney Water Corporation
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Capital Investment Value > \$30M
CIV	\$67,788,021.00 (excluding GST)
BRIEFING DATE	12 November 2024

ATTENDEES

APPLICANT	Nathan Croft, Paul Melrose, Peter Grogan
PANEL MEMBERS	Justin Doyle (Chair), David Kitto and Louise Camenzuli
COUNCIL OFFICER	Tony Blue
CASE MANAGER	Renah Givney
PLANNING PANELS	Renah Givney

DA LODGED & DAYS SINCE LODGEMENT: 31/7/2024 – 106 days

TENTATIVE FURTHER BRIEFING DATE: March 2025

The Chair reviewed attendance and introduced the purpose of the briefing.

The Applicant explained the proposal within the context of the site within the larger Appin area. Particularly, it noted that negotiated planning for the site included a commitment to a 500 hectare land dedication to facilitate ecological protection and koala linkages associated with the Nepean River and Ousedale Creek koala corridors. The Panel noted the importance of expediting this DA to make a major contribution to the housing supply targets for the south-west of Sydney.

This DA includes a concept and a detailed proposal. The concept proposal covers Release Areas 1, 3 & 4 which when completed is projected to deliver 9,000 dwellings across approximately 972 ha. The Detailed proposal covers release area 1 which if approved will enable a subdivision certificate to issue for 613 residential lots surrounded by 23 hectares of open space.

The hierarchy of roads was discussed including the connection into the regional road network (which the panel was advised does not require an upgrade).

An issue raised by the Panel was the potential conflict between the DCP requirement in furtherance of State policy which requires 40% canopy cover and the RFS requirement which sets a maximum of 15% canopy cover for bushfire mitigation reasons. The Applicant advised that it could meet both standards because of the canopy cover in the preserved ecological protection areas, however the Panel is eager to see the RFS response in that regard and Council's assessment of canopy targets

Progress with the Appin (Part) Precinct Structure Plan (PSP) was discussed as "a fine-grained masterplan for the site showing features like the location of local and neighbourhood centres and new public open space networks". The Panel is eager to see that sufficient infrastructure will be available for the new residents proposed to occupy Stage 1 including the new school. No doubt that will be examined in the consideration of the PSP within the context of the wider upgrades to Appin Road, new sub-arterial roads, schools, a substation and expanded water and sewerage services.

The Applicant suggested an anticipated determination date of June 2025. The Panel supported the prompt determination of the application but noted that lawful determination of the DA would require the supporting DCP, structure plan and contributions plan (and/or VPA) to be resolved, the timing of which was outside the Panel's control. While the Panel is aware of the effect of s 4.23 of the EP&A Act to allow a concept plan approval to address the requirement for a DCP, the essential considerations which accompany the preparation of a DA must be fully examined whether as part of the adoption of a new precinct DCP or as part of the assessment of the concept plan. A draft DCP for the precinct is proposed to be exhibited concurrently with the draft PSP and Transport Management and Accessibility Plan (TMAP) for the Appin (Part) Precinct are planned to be jointly exhibited led by DPHI. The Applicant advised that exhibition of the DCP and structure plan was expected to be complete before Christmas to allow them to be adopted before February. The Contribution Plan was said to be with IPART and the Applicant expected it to be resolved within the 'first few months' of 2025. Council is yet to examine the TMAP.

A VPA offer has been made and a meeting with the Department was proposed for tomorrow.

Impacts upon known Aboriginal cultural heritage sites and values including items on the State Heritage Register must be examined carefully.

Biodiversity Agreement was said to have been resolved between the Applicant and the Planning Ministerial Corporation. The Panel noted that the BDAR would need to be assessed.

Koala management was discussed, and the Panel was told a Koala plan of management including koala exclusion fencing was proposed between all conservation land and urban land with management planned for the roads (with low speed and low noise environments near sensitive areas). The Panel is eager to ensure that prompt determination of this DA does not come at the cost of a robust examination of its ecological impacts.

The availability of water and sewerage services will be critical. The Panel notes plans to accelerate the provision of relevant infrastructure to the project, and the advice of Sydney Water that *“accelerated servicing pathways for immediate servicing of early development (2027-28) and intermediate servicing (2028-32) then longer-term servicing (beyond 2032).”* Given the uncertainty of those predictions, an update closer to the date of determination of the concept DA as to the availability of essential water and sewerage infrastructure for the area will be required.

The Council’s advice is to the effect that:

“... housing construction not progress prior to service availability either via Sydney Water’s regional servicing or through an alternative WICA proposal.”

The Panel is concerned to ensure that where occupation of the new lots will be contingent on services becoming available that sale lots are not inappropriately marketed particularly to retail purchasers who may not understand the risk of delays.

Where there are restrictions on water use because of the acceleration of the approval process, interim irrigation issues and the appropriate bearer of any associated costs will need to be considered.

Council is critical of the presently planned location of the sportsgrounds in the northern area of the development and compatibility with the transport network.

Other issues concerning the potential impacts of acoustic screens, potential for odour impacts.

The panel targets determination of RSDAs within 250 days. The Chair recommends that the applicant expedite their efforts to facilitate amendments or additional information required by Council to allow them to complete their assessment. The panel may determine development in the form it is presented at or prior to 250 days.

Note:

Council is yet to undertake a full assessment of the application. This record is not a final list of the issues Council will need to consider in to draft their recommendation.

The application is yet to be considered by the Sydney Western City Planning Panel and therefore future comment will not be limited to the detail contained within.

TENTATIVE DETERMINATION DATE: JUNE 2025