

We acknowledge the living culture and spiritual connections to the land for the Dharawal and Gundungurra people and all Aboriginal Nation Groups that may have connections to the area; and that Wollondilly is remarkably placed as the intersection of many tribal lands.

We recognise the traditional Custodians who have occupied and cared for this Country over countless generations and celebrate their continuing contributions to the Shire.

We also acknowledge and remember the Dharawal and Gundungurra peoples who were killed in the Appin Massacre on 17 April 1816.

*We acknowledge our collaboration with the Tharawal Local Aboriginal Land Council.*

## **5 APOLOGIES AND LEAVE OF ABSENCE REQUESTS**

Nil

## **6 DECLARATION OF INTEREST**

Nil

## **7 LOCAL PLANNING PANEL REPORTS – SUSTAINABLE AND BALANCED GROWTH**

### **7.1 DRAFT PLANNING PROPOSAL - 10 AND 20 BROOKS POINT ROAD, APPIN**

#### **EXECUTIVE SUMMARY**

The purpose of this report is to seek advice from the Wollondilly Local Planning Panel on a draft Planning Proposal (draft proposal) received for land at No. 10, 14, 20, 30, 50 and 70 Brooks Point Road, Appin. The Panel's advice will be included in a future report to Council.

The site is currently zoned under the *Wollondilly Local Environmental Plan 2011* (Wollondilly LEP 2011) and is mapped as part of the Greater Macarthur Growth Area under the *State Environmental Planning Policy (Precincts - Western Parkland City) 2021* (Precincts SEPP).

The draft proposal seeks to rezone the site from RU2 Rural Landscape to R2 Low Density Residential and C2 Environmental Conservation, to allow approximately 250 residential lots. It also seeks to apply a minimum lot size of 250m<sup>2</sup> and 450m<sup>2</sup> and a maximum building height of 9m for the R2 Low Density Residential zone, while the C2 Environmental Conservation zone will maintain a 40ha minimum lot size and no maximum building height.

The draft proposal also seeks to introduce additional permitted uses to enable a reticulated sewer and stormwater system within the C2 Environmental Conservation zone. A local park is also indicated within the C2 Environmental Conservation zone.

The draft proposal has been subject to a preliminary consultation period over four weeks (28 days) in line with Council's Community Participation Plan and Planning Proposal Policy, from 22 February to 22 March 2023. Fifty-two (52) community submissions were received during this period, with nine (9) submissions received from public agencies.

It is recommended that the draft Planning Proposal is not supported for a Gateway Determination.

#### **PUBLIC SUBMISSIONS**

There were 2 registered speakers for this item.

## DECISION

The Panel advises the Council not to progress the draft Planning Proposal for Gateway Determination in its current form.

As a minimum, the following additional information would be required to progress the planning proposal:

- A revised Flora and Fauna Assessment to address impacts on Koala Habitat, including consideration of Koala fencing and escape during the event of a bushfire
- A revised Traffic and Traffic and Transport Study to:
  - Ensure alignment with Greater Sydney Regional Plan
  - Address comments from Transport for NSW
  - Align with the revised masterplan
  - Include Evacuation Assessment
  - Undertake modelling inclusive of broader network and Greater Macarthur
- A revised Bushfire Assessment Report and Emergency Evacuation, including
  - A strategy to ensure evacuation routes adequately consider constraints
  - Assessment of a place of safe refuge within the boundaries of the proposal and the wider locality
- Prepare Flood Impact and Risk Assessment
- Consult with Infrastructure Providers to ensure all servicing consider requirements are addressed and included with the design of the subdivision
- Clarify the long term management and maintenance of the C2 land in a management plan
- Confirm future ownership of the local park and drainage reserve.

## PANEL CONSIDERATIONS AND REASONS FOR DECISION

On Thursday 1 June 2023, the Panel conducted a site inspection of 10, 14, 20, 30, 50 and 70 Brooks Point Road, Appin.

During closed deliberations, the Panel noted:

1. The Panel acknowledges that the amended plans received from the proponent dated 28 May 2023 partially addresses Council's concerns with respect to relocating the public park and the water and sewerage infrastructure in the R2 zone.
2. The Panel supports the Applicant's agreement to accept a min allotment size of 450sq m in the future re-subdivision of the land consistent with the local character.
3. Whilst further work is required in order to progress the planning proposal, the Panel recognises that the proposal has site specific and strategic merit.
4. The Panel notes that the required amendments to the Planning Proposal will not require further consideration and or advice by the Panel subject to the additional information outlined being provided to the Council.

## VOTING

4/0