

Planning Proposal

10 and 20 Brooks Point Road,
Appin

Client

Appin Farmers Pty Ltd and
Auslands Developments Pty Ltd

Issued

11/09/2023

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Client: Appin Farmers Pty Ltd &
Ausland Development Pty Ltd

Issued: 11/09/2023

Version: C

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Project Number: 19171

Surveying
Asset Recording
Civil Engineering
Infrastructure Engineering
Traffic & Transport Engineering
Environmental Consulting
Water Resource Engineering
Strata Certification (NSW)
Town Planning
Urban Design
Landscape Architecture
Project Management

Revision Table

REV	DESCRIPTION	DATE	AUTHORISED
A	Planning Proposal – DRAFT	28.03.2022	JC
B	Planning Proposal - LODGEMENT	20.12.2022	PC
C	Planning Proposal – REVISED	11.09.2023	PC

Acknowledgment

Beveridge Williams acknowledges the Traditional Custodians of the land on which we live/work and recognise their continuing connection to Country. We pay our respect to Elders past, present and emerging and extend that respect to all Aboriginal and Torres Strait Islander peoples.

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Contents

1. INTRODUCTION	6
1.1 Site Description	8
1.2 Site Context	10
1.3 Background	10
2. THE PLANNING PROPOSAL	12
2.1 Part 1 – Objectives and intended outcomes	12
2.2 Part 2 – Explanation of provisions	15
2.2.1 Proposed Land Use Zones	15
2.2.2 Proposed Minimum Lot Size	16
2.2.3 Building Height	17
2.3 Part 3 – Justification of strategic and site-specific merit	18
2.3.1 Section A – Need for the Planning Proposal	18
2.3.2 Section B – relationship to the strategic planning framework	21
2.3.3 Section C – environmental, social, and economic impact	30
2.3.4 Section D – Infrastructure (Local, State and Commonwealth)	38
2.4 Part 4 – Maps	47
2.5 Part 5 – Community consultation	47
2.6 Part 6 – Project timeline	48
3. CONCLUSION	48

Tables

Table 1: Project Summary	7
Table 2: Planning Proposal Background	10
Table 3: Proposed Land Use Zone Provisions	16
Table 4: Alignment with Greater Macarthur 2040	22
Table 5: CSHIA Positive Impacts	34
Table 6: Agency Comments	39
Table 7: Possible Project Timeline	48

Figures

Figure 1: Aerial Photograph Brooks Point Road, Appin (Nearmap, 2022)	6
Figure 2: Current Land Use Zones	9
Figure 3: Current Lot Size	9
Figure 4: Appin	12
Figure 5: Indicative master plan	13
Figure 6: Current land use zones	15
Figure 7: Proposed land use zones	15

Figure 8:	Current minimum lot size	17
Figure 9:	Proposed minimum lot size	17
Figure 10:	Current Height of Building Map	18
Figure 11:	Proposed Height of Building Map	18
Figure 12:	Appin Village – Greater Macarthur Growth Area	20
Figure 13:	Greater Macarthur Growth Area Structure Plan (November 2022)	26
Figure 14:	CPCP: Urban Capable Land and Avoided Land	29
Figure 15:	CPCP: Protected Koala Habitat and Restoration Area	29
Figure 16:	Network analysis mapping	37
Figure 17:	Location of Employment	37
Figure 18:	Outer Sydney Orbital Stage 2 Preferred Option (Transport for NSW, 2021)	38

Appendix

Appendix A(1):	Deposited Plans – DP 249446 and DP 584515
Appendix A(2):	Survey showing tree detail Brooks Point Road Appin project number 19171-T, prepared by Beveridge Williams, total of 9 sheets, version A
Appendix B:	Pre-lodgement and Preliminary Consultation Advice and Local Planning Panel Minutes dated 1 June 2023
Appendix C:	Alignment with Local Strategic Plans
Appendix D:	Consistency with Ministerial Directions
Appendix E:	Consistency with State Environmental Planning Policies
Appendix F:	Flora & Fauna Assessment of No. 10 and 20 Brooks Point Road, Appin NSW prepared by Enviro Ecology dated July 2023.
Appendix G:	Strategic Bushfire Assessment Planning Proposal, Brooks Point Road, Appin Reference 220628, prepared for Auslands Developments Pty Ltd by Building Code and Bushfire Hazards Solutions Pty Ltd, dated 11 August 2023
Appendix H:	Preliminary Site Investigation (PSI) Report Lots 1, 4 and 5 DP 249446, Lots 1 and 2 DP 584515 and Lot 3 DP 249446, 10 and 20 Brooks Point Road, Appin NSW, prepared for Appin Farmers Pty Ltd by GeoEnviro Consultancy Pty Ltd (ref: JE22736A-R1) dated September 2022.
Appendix I:	Traffic Impact Assessment, Planning Proposal for Mixed Use Development 10-20 Brooks Point Road, Appin prepared by Traffix (Ref: 23241r01v02), September 2023.
Appendix J:	Emergency Evacuation Assessment, prepared by Hemanote Consultants, July 2023.
Appendix K(1):	Due Diligence Aboriginal Heritage Assessment for Rezoning of Lots 1, 4 and 5 DP 249446, Lot 1 DP 584515 and Lot 3 DP 249446, 10 Brooks Point Road, Appin prepared by Mary Dallas Consulting Archaeologists, December 2022 and
Appendix K(2):	Assessment of Modified Tree – Advice to Heritage NSW dated 18/08/2023 by Dr Susan McIntyre-Tamwoy
Appendix L(1):	Historic Heritage Assessment, Brooks Road, Appin, Navin Officer Heritage Consultants dated January 2023;
Appendix L(2):	Addendum to Heritage Assessments prepared by Navin Officer Heritage Consultants dated August 2023;
Appendix M:	Final Comprehensive Social and Health Impact Assessment, 10 and 20 Brooks Point Road, Appin prepared by Urbis dated 8 September 2023.

Appendix N:	Technical Memorandum for 1% AEP and Probable Maximum Flood Assessment, Reference: 19171 Rev 1 dated 17 July 2023.
Appendix O:	Water Cycle Management Plan, Brooks Point Road Appin, prepared by Beveridge Williams dated August 2023
Appendix P:	Infrastructure and Servicing Report, Brooks Point Road, Appin prepared by Beveridge Williams dated August 2023 and Infrastructure Delivery Schedule prepared by Beveridge Williams dated September 2023.
Appendix Q:	Zoning Plan for Planning Purposes, Brooks Point Road, Appin, prepared by Beveridge Williams, Job No. 19171, Version 04
Appendix R:	Master Plan for Planning Purposes, Brooks Point Road, Appin, prepared by Beveridge Williams, Job No. 19171, Version 11_A.
Appendix S:	Pedestrian and Cycle Path Plan, Brooks Point Road, Appin, prepared by Beveridge Williams, Job No. 19171, Version 01



Figure 1: Aerial Photograph Brooks Point Road, Appin (Nearmap, 2022)

1. INTRODUCTION

This submission has been prepared to explain the intended effect of and justification for a Planning Proposal (PP) in relation to a site identified as 10 and 20 Brooks Point Road, Appin.

The property subject to this application consists of five allotments known as Lots 1, 4 and 5 DP 249446 (No. 10), and Lot 1 DP 584515 and Lot 3 DP 249446 (No. 20) and is located on the western side of Appin Road to the south of the Appin village.

The site consists of approximately 39 hectares in area with about 400 metre frontage to Appin Road. The site is currently zoned RU2 Rural Landscape.

The PP seeks to rezone the site from its current rural landscape zone to permit low and medium density housing. The PP proposes a mix of residential land and a public reserve. The proposed zones respond to the natural landscape character of the site and will ensure ecologically important land is protected. This will require making corresponding amendments to the Wollondilly Local Environmental Plan 2011 (WLEP).

The PP would involve amending maps that form part of the Wollondilly Local Environmental Plan 2011 relating to land zoning, lot size, floor space ratio and height of buildings.

The PP has been prepared in accordance with the relevant requirements under the Environmental Planning and Assessment Act (Division 3.4) and the Local Environmental Plan (LEP) Making Guidelines (2021) prepared by the NSW Department of Planning, Industry and Environment (the Department). Amendments to the LEP Making Guidelines in August 2023 have expanded the definition of strategic merit to include consideration of Planning Proposals which will implement NSW Government priorities, including those to increase housing supply.

Under the current guidelines, the LEP Making Process is divided into a number of stages consisting of:

- Stage 1: Pre-lodgement
- Stage 2: Planning Proposal
- Stage 3: Gateway Determination
- Stage 4: Post-Gateway
- Stage 5: Public Exhibition and Assessment
- Stage 6: Finalisation

The pre lodgement stage has occurred by way of consultation with the Department of Planning and meetings with Wollondilly Shire Council. Early feedback has been sought and key supportive studies have been provided to support the Planning Proposal.

The Planning Proposal has been revised to incorporate advice and comments received from both State Government agencies and the general community following preliminary notification in February and March 2023.

This report supports Stage 2 of the LEP Making Process. The Brooks Point Road PP is structured to address the matters set out in the Departments LEP Making Guidelines:

- Part 1 – Objectives and intended outcomes of the proposed instruments
- Part 2 – Explanation of provisions
- Part 3 – Justification of strategic and site-specific merit
- Part 4 – Maps
- Part 5 – Community Consultation
- Part 6 – Project Timeline

The PP has been informed by several specialist studies and provides strategic planning basis for changing the zone as well as an assessment of the potential environmental impacts of development on the site should the proposed changes to the WLEP proceed.

Table 1: Project Summary

PROJECT TEAM	
Client	Appin Farmers Pty Ltd and Auslands Development Pty Ltd
Project manager	Michael Gordon
Planning	Beveridge Williams – Kellie Hassab
Urban design	Beveridge Williams – William Byrne
Landscape Architecture	Clouston incorporating Beveridge Williams – Ferdinand Haefele
Ecology	Enviro Ecology – John Whyte
Emergency Evacuation	Hemanote Consultants – Hany Takla
Flood Impact Assessment	Beveridge Williams – Prabal Joshi
Bushfire	Bushfire Hazard Solutions – Stuart McMonnies
Traffic	Traffix Traffic and Transport Planners – Hayden Dimitrovski

Social	Urbis Pty Ltd – Sarah Braund
Aboriginal Heritage	Mary Dallas Consulting Archaeologists
Cultural Heritage	Navin Officer – Dr Susan McIntyre-Tamwoy
Geotechnical	GeoEnviro Consultancy Pty Ltd – Solern Liew
Serviceability	Beveridge Williams – Matthew Parker
Stormwater & Infrastructure	Beveridge Williams – Shane Gray and Terry Hams

PERTINENT ISSUES

Proponent/Agent	Beveridge Williams Land Development and Infrastructure Consultants
Applicant/Owner	Appin Farmers Pty Ltd & Auslands Developments Pty Ltd
Description of Land	Lots 1, 3, 4 and 5 DP 249446 Lot 1 DP 584515 10 and 20 Brooks Point Road, Appin
Current Zoning	RU2 Rural Landscape
Existing Use	Grazing land
Proposed Zoning	R2 Low Density Residential and C2 Environmental Conservation (with additional permitted uses)
Reason for re-zoning	To expand the adjoining residential zone to provide additional housing opportunities within the Appin village
Estimated value	N/A

1.1 Site Description

The site is located to the south of the Appin township and is bound by Appin Road to the east, Ousedale Creek to the west, an imminent approved 212 lot residential development (DA 2021/144/1) to the north and Brooks Point Road to the south, as illustrated in **Figure 1**.

The Brooks Point Road site comprises of:

- Lots 1, 4 & 5 DP 249446 (owned by Appin Farmers Pty Ltd) and
- Lot 1 DP 584515 and Lot 3 DP 249446 (owned by Auslands Developments Pty Ltd)

The site is currently used largely for grazing purposes.

Lots 1, 4 and 5 DP 249446 have a combined area of approximately 35 hectares and is currently vacant land. It is bound by rural residential uses to the north, west and south and low-density residential development to the east. The Western portion of this site contains dense Shale Sandstone Transition Forest and other vegetation.

Lot 1 DP 584515 has an area of approximately 1.7 hectares and is currently vacant land.

Lot 3 DP 249446 has an area of approximately 2 hectares and is currently vacant land. It is bound by rural residential land uses and adjoins with Lot 1 DP 249446 to the northern boundary; Lot 4 DP 249446 to the eastern boundary and Lot 1 DP 584515 to the western boundary. The north-eastern portion of the site includes some vegetation, although it is highly disturbed.

Lot 2 DP 584515 is under separate ownership and the owner has been informed and supports the planning proposal. The Lot has an area of approximately 0.28 hectares and contains a residential dwelling. This lot has been included in the masterplan design due to its adjacency and for integrated planning purposes, even though the current landowner intends to retain the lot and dwelling house. Nonetheless, the proposed road network provides opportunity for the future development of the site and a residential zone should be considered at this time.

The site is currently zoned RU2 Rural Landscape under the provisions of the Wollondilly Local Environmental Plan (WLEP) 2011 and has a minimum lot size of 40 hectares.

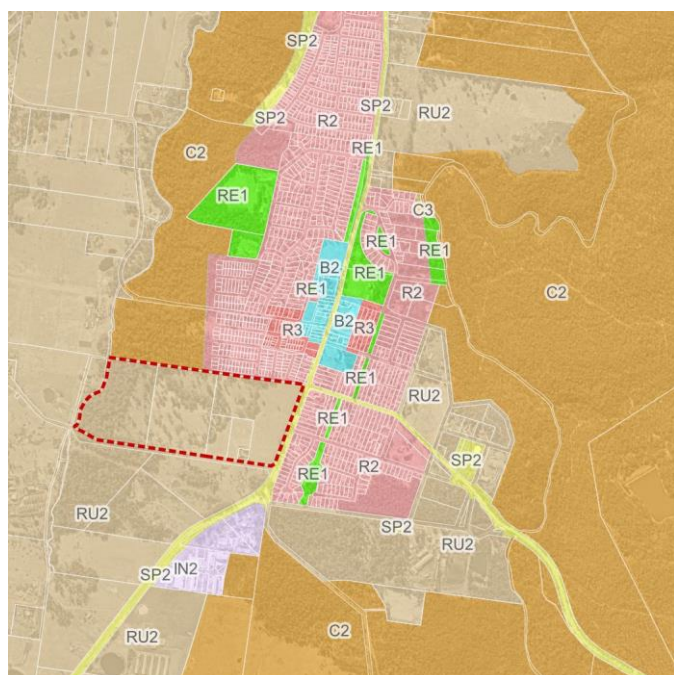


Figure 2: Current Land Use Zones

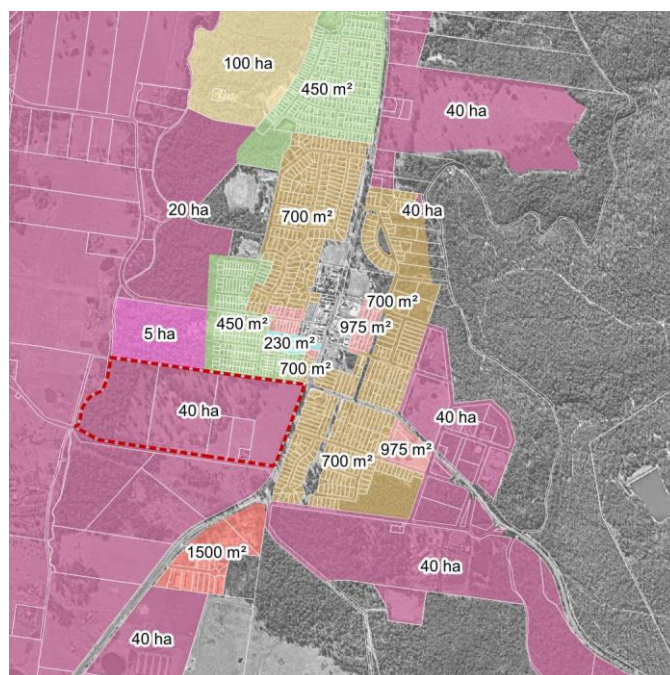


Figure 3: Current Lot Size

The site maintains a total site area of approximately 39 hectares and is largely regular in shape with the Ousedale Creek providing the western boundary.

Council's mapping identifies the site as bushfire prone land, within the Appin Mine Subsidence District and the Tharawal Local Aboriginal Land Council. The site adjoins a classified road and is mapped as sensitive riparian lands and watercourses.

One record (AHIM Site # 52-2-4730) describes a Modified Tree within the subject Land. A review of the Modified Tree by two independent archaeologists, Mary Dallas (Mary Dallas Consulting Archaeologist and Dr Susan McIntyre-Tamwoy (Navin Officer Heritage Consultancy) has determined that the tree is not of Aboriginal cultural origin. A copy of the report to Heritage NSW requesting that the AHIMs listing be updated is provided as **Appendix K2**.

An ecology assessment identified a range of ecological values including one critically endangered ecological community known as Shale Sandstone Transition Forest listed under the Biodiversity Conservation Act 2016. Shale Sandstone Transition Woodland was found in three conditions low, moderate & good. The proposal seeks to retain 100% of the good, 86.5% of the moderate and 69% of the low condition Shale Sandstone Transition Woodland within the study area.

A Sydney Water feasibility assessment indicates the site can be serviced by reticulated water mains and sewerage services as is addressed in the attached Infrastructure and Servicing Report (**Appendix P**).

1.2 Site Context

The site currently is zoned RU2 Rural Landscape under the provisions of the WLEP 2011. The site has been owned by the same family since 1970 and has been largely used for grazing purposes.

Appin is accessible by road to the following major centres and employment areas:

- Campbelltown Major Centre – 16 km
- Liverpool Regional Centre – 40km
- Western Sydney Employment Hub – 50km
- Port Botany Specialised Centre – 60km
- Sydney Global City – 53km
- Wollongong Regional City – 26 km

Other smaller towns within a 20 kilometre radius of Appin are Menangle to the northwest, Douglas Park to the west and Wilton to the southwest.

The site is located to the south of Appin Village and is adjoined by residential land on two of the four boundaries. In terms of context, the Comprehensive Social and Health Impact Assessment prepared by Urbis provides more details. The assessment is attached as **Appendix M**.

The proposed rezoning will facilitate the provision of additional residential land which, as outlined in Section 2 of this report, is consistent with state and local strategic plans and supports the vision for the area.

1.3 Background

Table 2: Planning Proposal Background

DATE	SUBJECT	COMMENTS
March 2018	Brooks Point Road Amendment 2	A Planning Proposal (PP) was submitted to rezone the site to R2, B2, E2, E4 and SP2 lodged by Michael Brown Planning Strategies. Subsequently withdrawn in February 2020.
March 2021	Scoping Proposal and Meeting: Teleconference with: Adrian Hohenzollern – Director, Western Greater Sydney, Place and Infrastructure (Department of Planning, Industry and Environment)	Declared the site will be included in the Technical Assurance panel pilot program which has begun in 2 precincts in the Greater Macarthur Growth Area (Appin and Gilead). The Appin and Appin north structure plan will inform the Greater Macarthur Growth Plan and is currently under review. The department will be happy to support the rezoning subject to the proposed Outer Sydney Orbital Stage 2 (OSO2) route amendment, CPCP study being on exhibition and an overall bushfire evacuation strategy – safety, route security and capacity.
June 2021	Email from Adrian Hohenzollern	Advising of an update on the situation with the anticipated announcement of the OSO2, the draft CPCP mapping and the Greater Macarthur Growth Area bushfire study and moving toward a structure plan for the Appin precinct.

September 2021	Pre-lodgement meeting with Wollondilly Council and DPI Catch Up	Matters to address in the PP were raised by Council and department representatives which mainly related to traffic, ecology, serviceability and addressing the Greater Macarthur 2040 planning document.
October 2021	Engaged project team	Commenced preparing the PP investigation and report to seek rezoning of the site from RU2 to R2, C4 and RE1
March 2022	Brooks Point Road Appin PP	PP lodged via the Planning Portal. This application was then reviewed, and Council requested it be withdrawn and for the Local Environmental Plan Making Guidelines – December 2021 be followed i.e. a Scoping Proposal needed to be lodged in the first instance.
May 2022	Brooks Point Road Appin Scoping Proposal	Brooks Point Road Appin Scoping Proposal lodged with Wollondilly Council
July 2022	Pre-Lodgement Meeting with Council	Attended a Pre-lodgement meeting with council and discussed State Government Agencies and Council comments. Copies of related documents including council minutes and response from the applicant are attached as Appendix B .
September 2022	Engaged project team	Review of PP investigation and reports in line with comments received by the State Government Agencies and Council
December 2022	Brooks Point Road Appin PP	Revised Planning Proposal lodged via the Planning Portal.
February – March 2023	Preliminary State Government Agency Consultation and Preliminary Notification	Planning Proposal referred to State Government Agencies for consultation and placed on Preliminary Notification.
June 2023	Local Planning Panel	The Planning Proposal was revised by the Local Planning Panel on 1 June 2023. The Local Planning were supportive of the rezoning subject to further amendment. The LPP Minutes are attached as Appendix B .
September 2023	Brooks Point Road Appin PP	Revised Planning Proposal submitted to Council to address Council and LPP recommendations.

2. THE PLANNING PROPOSAL

2.1 Part 1 – Objectives and intended outcomes

The objectives and intended outcome of this PP is to rezone the site from the existing rural landscape use to a mix of residential and environmental conservation uses. The PP seeks to connect with and support the vitality of the Appin village centre, whilst protecting the vegetated area of the site that forms part of the Cumberland Plain Conservation Plan.

Figure 4 below illustrates the adjacency and importance of the Brooks Point Road site to the existing Appin Village centre.



Legend

 Subject site	2 Appin Public School	5 Local Supermarket	Employment Areas
Local facilities	3 Appin Skate Park	6 Appin Hotel	 Local Centre
1 Appin Park	4 Local Shops	7 Service Station	 Light Industrial

Figure 4: Appin

The proposed rezoning is intended to:

- **Offer local housing choice** through a mix and diversity of lot sizes and housing types that offer local choice and greater affordability while recognising the connectivity with adjoining residential land and Appin village and retaining vegetation and celebrating the rural nature of the site.
- **Create place** with new local spaces and places that connect the growing community.
- **Respect the environment and landscape** by protecting land identified as part of the Cumberland Plain Conservation Plan and ensures the long-term management of the conservation zone.
- **Create employment** with opportunities for jobs during construction and operational stage of the future residential development together with the on flow economic benefit from the increasing population.

A master plan has been prepared to assist Council and the local community in its understanding and assessment of the Brooks Point Road Planning Proposal. The master plan has been revised in accordance with the comments received from State Government Agencies, Council and speciality consultants reports during the pre-lodgement assessment.

The master plan illustrates a future vision for the use of the land and is consistent with the vision of the Greater Macarthur 2040 plan.

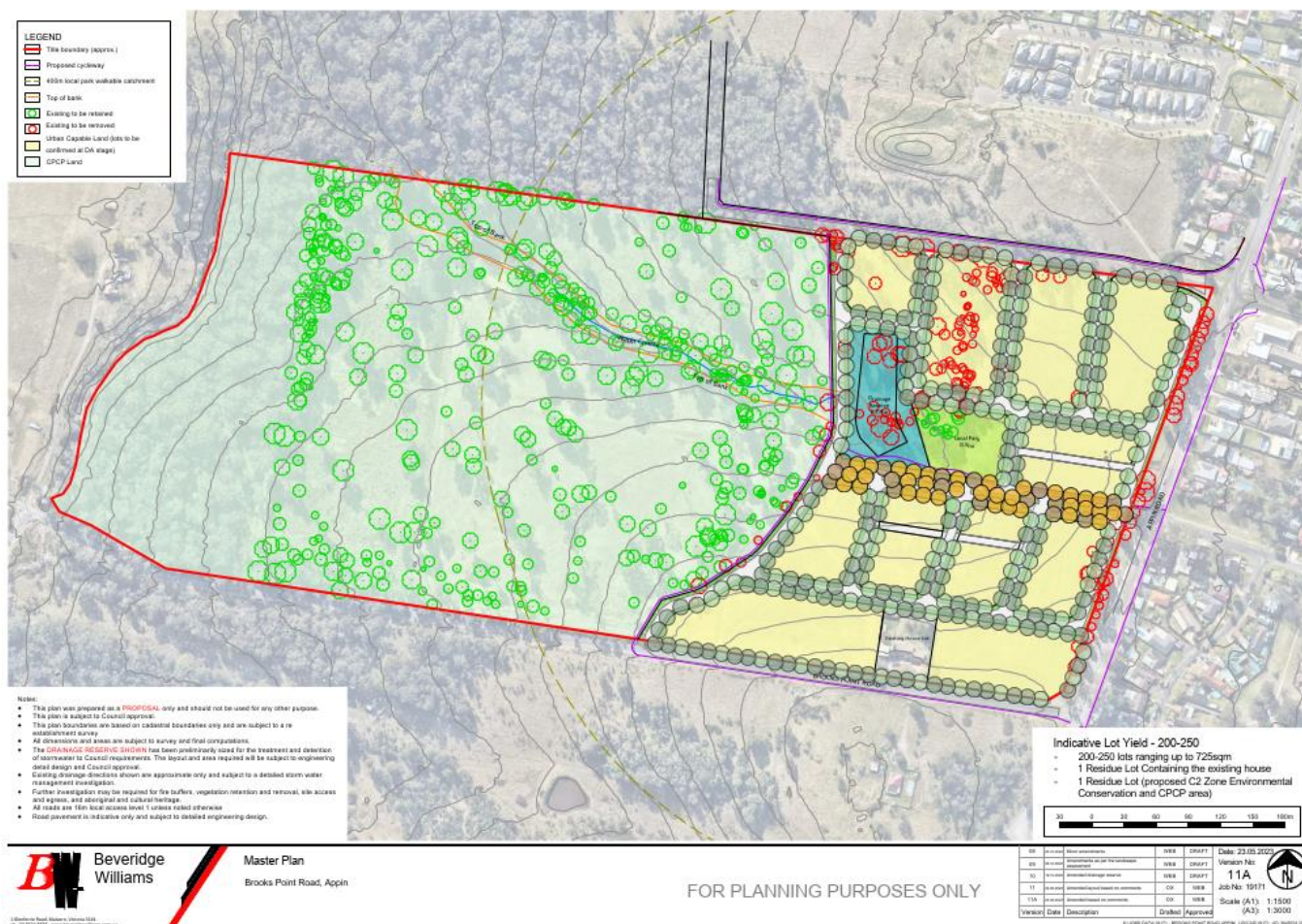


Figure 5: Indicative master plan

The indicative master plan has been developed using best practice urban and landscape concepts and can be further refined during the planning process. Nonetheless, the plan proposes to:

- Create a vibrant new residential village community with good amenity that is responsive to local village context and improved local connectivity.
- Responds to the environmental character of the site.
- Provides a mix of allotment sizes and orientation.
- Provides superior urban canopy.
- Creates new places and spaces.

The master plan illustrates the potential redevelopment of the Brooks Point Road site for a mix of housing types and areas for environmental conservation along Ousedale Creek.

The design of the Brooks Point Road Planning Proposal concept master plan illustrates how development of the site can:

- Create the Brooks Point Road site as a new residential precinct that is an extension of the Appin village and is defined by its landscape and adjacency to existing and approved residential land and proposed rezoned land.
- Delivers approximately 250 residential lots that provides a range of lot sizes and opportunity for a mix of housing types that can improve choice and affordability and meet the diverse housing needs of the local area.
- Provide close connectivity within easy walking distance of Appin village centre services, schools and transport.
- Connect easily into existing road and services infrastructure to the south and east and with proposed streets to the north of the site.
- Connect the new housing to the existing and planned residential areas by providing street connections to Appin Road in the east, Brooks Point Road to the south and future connections to the Macquariedale Road Precinct to the north.
- Design with the existing landscape to create a local community park at the heart of the precinct, providing a pleasant outlook and recreation opportunities including possible activation with play equipment and road pavement treatment to slow traffic.
- Connect the precinct into the existing residential street network with lots that front adjoining streets and create a grand avenue within the site.
- Establish and protect areas of environmental value associated with lands contained within the Cumberland Plain Conservation Plan.

The Brooks Point Road Planning Proposal is proposed as an amendment of WLEP 2011.

The illustrative concept plan for the Brooks Point Road site has informed the preparation of a draft land use plan. Mapping for floor space ratio, building heights and so on can be drafted as the PP progresses.

The proposed WLEP 2011 amendment provides for the rezoning of the site to the following new land uses:

- Zone R2 Low Density Residential
- Zone C2 Environmental Conservation (with additional permitted uses)

The proposed land use zoning plan for Brooks Point Road will be supported by amendments to the following WLEP 2011 maps, including:

- Minimum Lot Size Map
- Floor Space Ratio Map
- Heights of Buildings Map
- Additional Permitted Uses Map

Should Wollondilly Council support the Brooks Point Road PP, the proponent will work closely with Council on a consultative community engagement programme.

2.2 Part 2 – Explanation of provisions

The Brooks Point Road Planning Proposal seeks to rezone RU2 Rural Landscape zoned land for residential purposes. This will require a number of amendments be made to the Wollondilly Local Environmental Plan 2011. The intended provisions include:

- Amend the Wollondilly LEP 2011 land use zone map from RU2 Rural Landscape to R2 Low Density Residential and C2 Environmental Conservation.
- Amend the Wollondilly LEP 2011 Lot Size Map from 40ha to 450m² in the new R2 Low Density zone and 40 hectares in the C2 Environmental Conservation Zone
- Amend the Wollondilly LEP 2011 Height of Buildings Map to include a maximum building height of 9m to facilitate two-storey residential development.

2.2.1 Proposed Land Use Zones

The Brooks Point Road Planning Proposal seeks to rezone the site from RU2 Rural Landscape use to two land use zones in Wollondilly LEP 2011:

- R2 Low Density Residential zone
- C2 Environmental Conservation zone

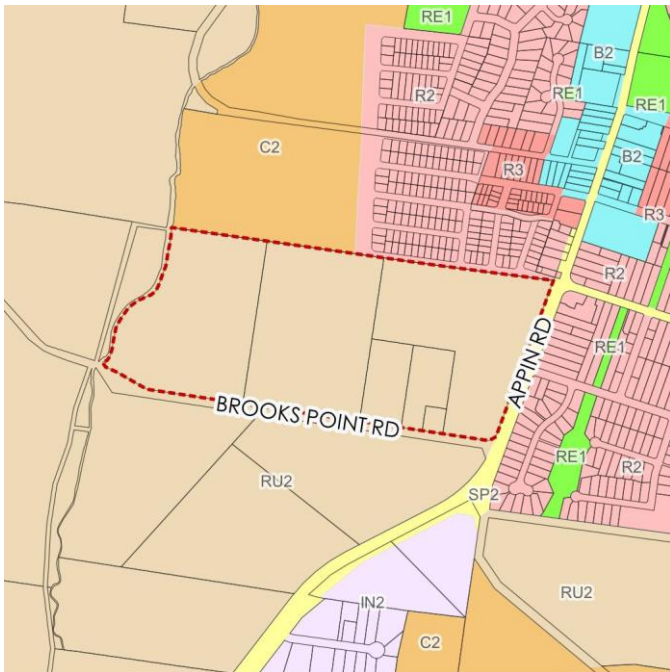


Figure 6: Current land use zones

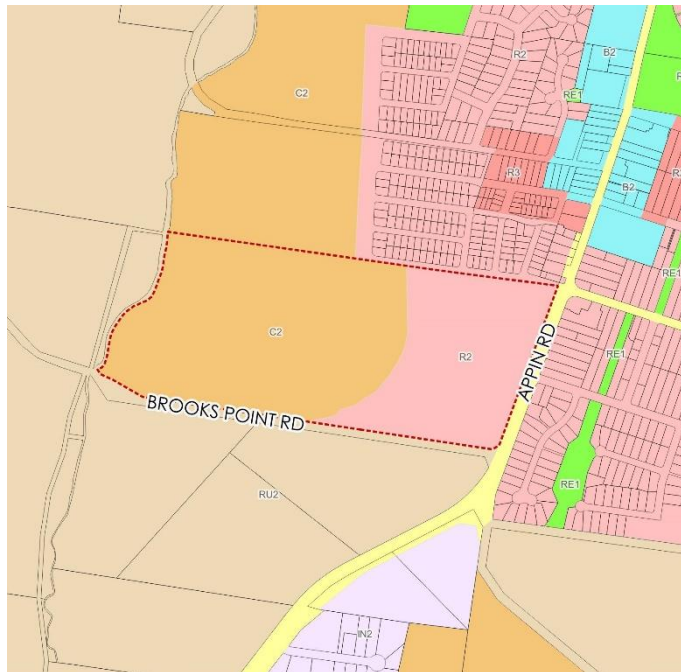


Figure 7: Proposed land use zones

Table 3: Proposed Land Use Zone Provisions

ZONE R2 LOW DENSITY RESIDENTIAL	
Objectives of zone	<ul style="list-style-type: none"> To provide for the housing needs of the community within a low-density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To support the health and well-being of the community by providing well-connected and walkable residential areas close to services and employment.
Permitted without consent	Home occupations
Permitted with consent	Bed and breakfast accommodation; Cemeteries; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential accommodation; Respite day care centres; Roads; Sewerage systems; Signage; Tank-based aquaculture; Veterinary hospitals; Water supply systems
Prohibited	Attached dwellings; Multi dwelling housing; Residential flat buildings; Rural workers' dwellings; Shop top housing; Water treatment facilities; Any other development not specified in item 2 or 3
ZONE C2 ENVIRONMENTAL CONSERVATION	
Objectives of zone	<ul style="list-style-type: none"> To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. To prevent development that could destroy, damage or otherwise have an adverse effect on those values. To support the health and well-being of residents, workers and visitors by providing opportunities for people to engage with nature.
Permitted without consent	Nil
Permitted with consent	Environmental facilities; Environmental protection works; Information and education facilities; Oyster aquaculture; Roads; Water supply systems
Prohibited	Business premises; Hotel or motel accommodation; Industries; Local distribution premises; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service station; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3

2.2.2 Proposed Minimum Lot Size

The Brooks Point Road Planning Proposal seeks to amend the Lot Sizes Map in the WLEP 2011 to introduce a minimum allotment size for R2 Low Density Residential zone 450m².

A minimum lot size of 450m² in the R2 Low Density Residential zone will facilitate a higher density housing typologies including semi-detached, terrace, and townhouse style developments. Currently only 5 percent of Wollondilly's housing stock is made up of medium density dwellings.

An indicative Master Plan is provided in **Figure 5** and attached as **Appendix R**.

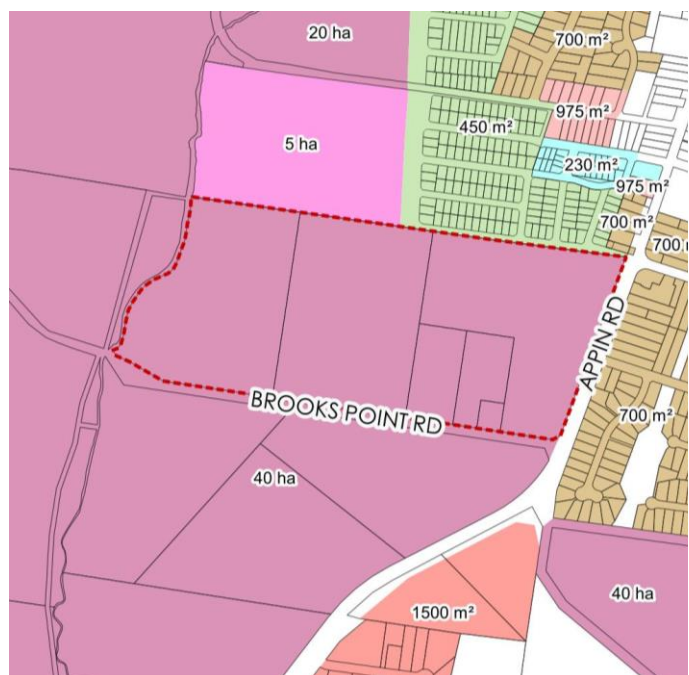


Figure 8: Current minimum lot size

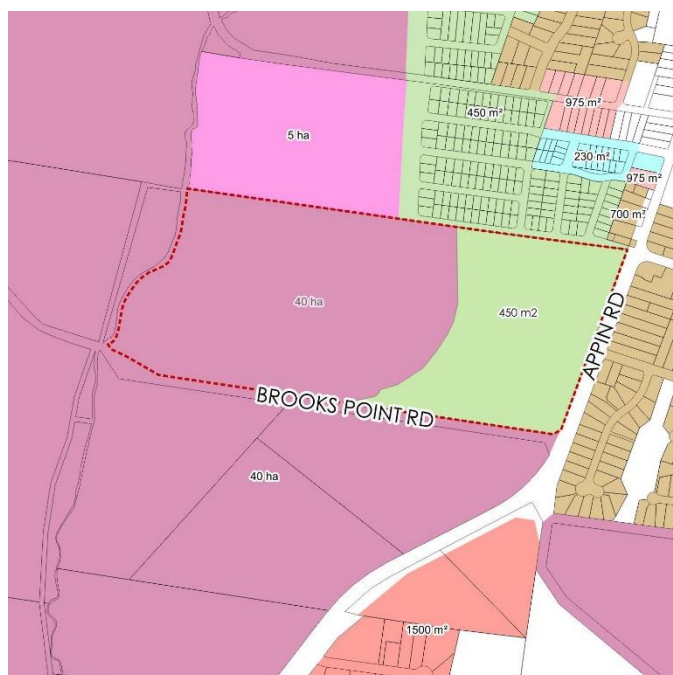


Figure 9: Proposed minimum lot size

2.2.3 Building Height

The Wollondilly LEP 2011 Heights of Buildings Map illustrates that the standard 9m (J) building height control currently applies to the whole of Appin village.

The Brooks Point Road Planning Proposal seeks to amend the Height of Buildings Map in the WLEP 2011 to introduce a 9m maximum building height control to the site. The proposed height is consistent with the existing height of buildings controls for Appin village and can facilitate two storey residential dwellings.



Figure 10: Current Height of Building Map



Figure 11: Proposed Height of Building Map

2.3 Part 3 – Justification of strategic and site-specific merit

The Local Environmental Plan Making Guideline (Department of Planning, Industry and Environmental, December 2021) requires a Planning Proposal to demonstrate the proposal has strategic and site-specific merit and requires certain matters for consideration to be addressed, which employ the overarching principles and key questions:

- Section A** - need for the planning proposal
- Section B** - relationship to the strategic planning framework
- Section C** - environmental, social and economic impact
- Section D** – Infrastructure (Local, State and Commonwealth)
- Section E** - State and Commonwealth Interests

As previously discussed, amendments to the LEP Making Guidelines in August 2023 have expanded the definition of strategic merit to include consideration of Planning Proposals which will implement NSW Government priorities, including those to increase housing supply.

2.3.1 Section A – Need for the Planning Proposal

1. *Is the planning proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?*

The Brooks Point Road Planning Proposal, which seeks to rezone land within the Greater Macarthur Growth Area, aligns with the strategic objectives and actions outlined in the Wollondilly's Local Strategic Planning Statement, Local Housing Strategy, Centres Strategy and Employment Lands Strategy. The planning proposal encourages the incremental growth of Appin Village, with the rezoning facilitating delivery of a diverse mix of residential dwellings close to existing services.

In addition, the Planning Proposal responds to State Government directives to increase housing supply within NSW.

Wollondilly 2040 identifies key planning priorities and actions that focus on protecting and retaining the many elements that Wollondilly shire exhibits. Its purpose is to:

- Set the 20-year land use vision for Wollondilly,
- Identify the characteristics that make Wollondilly unique
- Recognise shared values that should be enhanced and maintained
- Manage change and direct growth
- Identify key actions to support the Western City District Plan
- Support the implementation of the Community Strategic Plan, Create Wollondilly 2033
- Set planning priorities and actions to deliver the land use vision
- Identify further planning work

The LSPS shows Appin and the subject site as *District Planning – Urban Land* and notes further development will require ensuring the planning priorities across the four themes (infrastructure and collaboration, liveability, productivity, and sustainability) will be met.

In summary, the development of the Brooks Point Road Planning Proposal site:

- Offers the staged development of land identified for residential growth in proximity to Appin Village.
- Provides sustainable managed growth of a site adjacent to Appin village and use of existing services and facilities.
- Is located with good walkable access to the village centre and to bus services.
- Is located within 30 minutes of Campbelltown and Camden, currently the two largest employment hubs for Wollondilly residents.
- Can be serviced with augmented water and sewer capacity located to the north of the site.
- Is designed to easily connect with both existing and proposed streets and the broader village community.
- Is located with good access to open space, schools, community, and village amenities.
- Can be developed with relative ease, with large parts of the site free of environmental, flooding and heritage constraints.

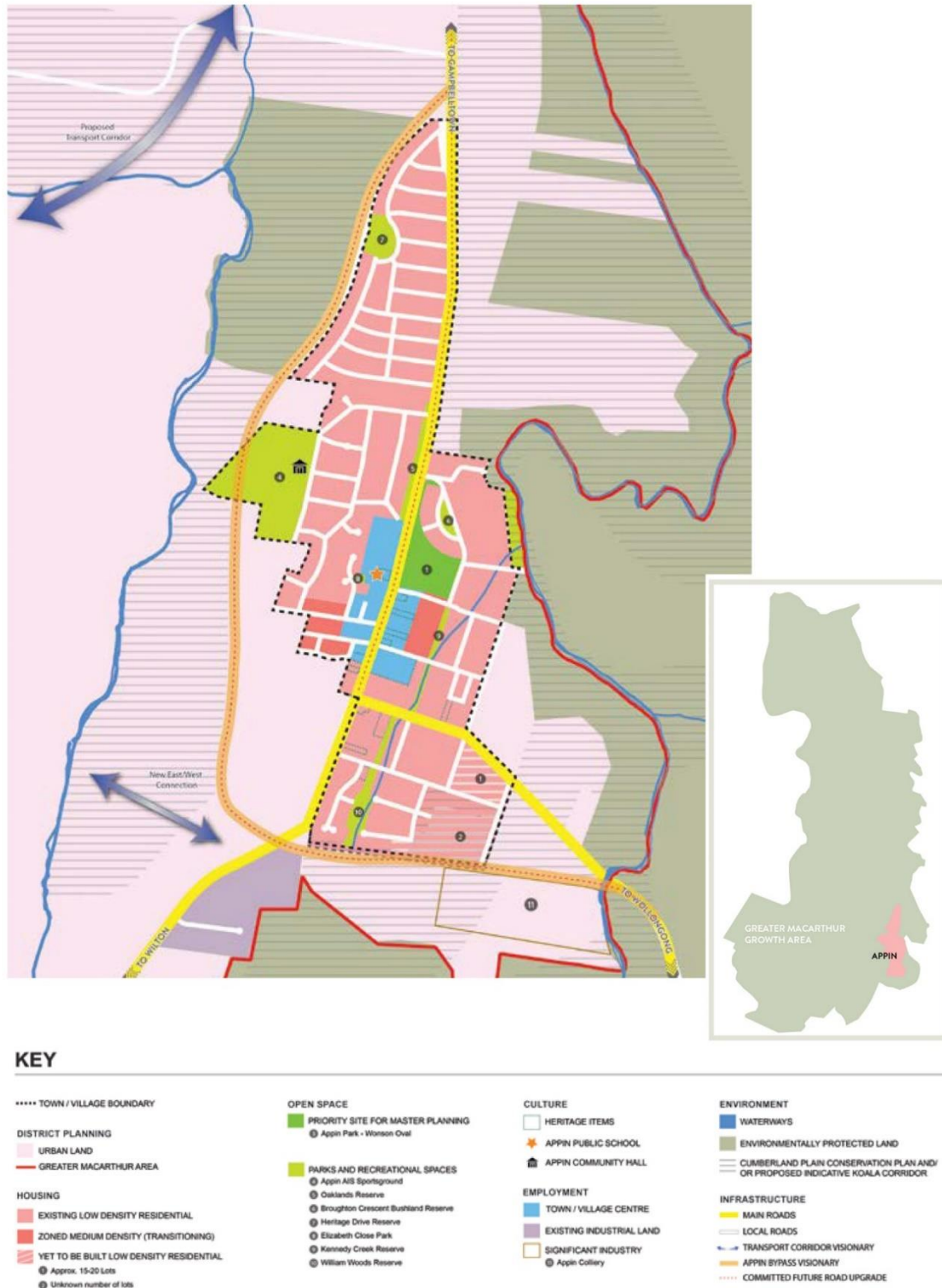


Figure 12: Appin Village – Greater Macarthur Growth Area

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

Yes. The current development controls that apply to the land restrict the site from being developed for residential purposes. Therefore, a Planning Proposal is the only means of achieving the objectives and intended outcomes.

2.3.2 Section B – relationship to the strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

The Greater Sydney Region Plan, A Metropolis of Three Cities is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services, and great places. This is consistent with the 10 Directions in Directions for a Greater Sydney which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Plan's performance.

To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

As the population of Greater Sydney is projected to grow to 8 million over the next 40 years, and with almost half of that population residing west of Parramatta, rebalancing economic and social opportunities will leverage that growth and deliver the benefits more equally and equitably across Greater Sydney.

The Brooks Point Road site falls within the Western Parkland City which is projected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056.

The Western Parkland City will be established on the strength of the new international Western Sydney Airport and Badgerys Creek Aerotropolis. It will be a polycentric city capitalising on the established centres of Liverpool, Greater Penrith, and Campbelltown-Macarthur.

Residents will have quick and easy access to jobs and essential services. Housing supply and choice will increase to meet the growing and changing needs of the community. The environment and precious resources will be protected. Importantly, infrastructure will be sequenced to support growth and delivered concurrently with new homes and jobs.

The NSW Government's **Western City District Plan** sets a target for 15,000 new homes in the Wilton Growth Area, representing a new town for Wollondilly. Beyond Wilton, planning for new housing will align with broader policies for sustainable, well-managed growth, so that the right mix of new homes are built in the right places and at the right time. The NSW Government nominated Greater Macarthur as a growth area that could accommodate approximately 15,000 new homes in Appin.

The proposed PP will assist with providing the required 15,000 new homes and should be viewed as an extension of the existing Appin village, that can be serviced and released now.

Greater Macarthur 2040 (GM2040) is an interim plan for the Greater Macarthur Growth Area which sets key objectives to help achieve the preferred future vision for the area:

In 2040, the Greater Macarthur Growth Area will be a highly connected and accessible urban region. It will support and be serviced by a thriving and diverse Campbelltown-Macarthur. People living here will be close to green corridors that contain parks, green cover, and open space. Being active will be a way of life. The natural environment will flourish with koalas and other species in safe and growing populations through biodiversity protection and enhancement. High quality jobs, services and education will be available close to home.

GM2040 outlines Appin's development capability as a precinct that can achieve higher density residential development around the future centres and along the transport corridors. The Greater Macarthur Growth Area and the ongoing future development of the Appin precinct will be guided by the objectives outlined under the 5 themes, being place, landscape, built form, land use, and movement.

Table 4 below provides a summary of GM2040 key objectives relevant to the Brooks Point planning proposal and highlights the strategic alignment of the plan and the Brooks Point Road planning proposal.

Table 4: Alignment with Greater Macarthur 2040

THEME	KEY OBJECTIVES	CONSISTENT	COMMENT
Place	Heritage <ul style="list-style-type: none"> Planning will limit the impacts on important heritage items. Further investigations will identify areas of heritage value early in the planning process. Where appropriate, significant heritage items will be preserved for long-term protection from development with adequate curtilages. 	Yes	<p>A search of the AHIMS Register was undertaken by our consultant for the current project of a 1km x 1km area centred on the subject land. The search revealed records of 9 previously recorded Aboriginal sites. One of these sites has previously been registered within the subject land. Two have been identified, an isolated find near Macquariedale Road, and a PAD9 to the south of 10 Brooks Point Road. None of these sites is within the area proposed for residential zoning.</p> <p>An Aboriginal Cultural Heritage Due Diligence Assessment Report has been prepared by Mary Dallas Consulting Archaeologists deems the proposal will not impact on Aboriginal heritage culture. A non-Indigenous Heritage Assessment has been prepared by Navin Officer Heritage Consultants Pty Limited. The</p> <p>The Heritage Assessment reports are attached as Appendix K and L.</p>
	Public Domain <ul style="list-style-type: none"> High quality public places that provide opportunities for interaction, recreation, and leisure Increase tree canopy coverage 	Yes	<p>Appin Village is located within walking distance the Brooks Point Development site and offers a range of recreational and leisure activities. Opportunity exists, through voluntary planning agreements to capitalise off the rezoning of private land to invest in improvement of existing public facilities.</p>
	Land Ownership <ul style="list-style-type: none"> The NSW Government is committed to working with landowners to help deliver housing, jobs, infrastructure, and services to support growing communities. 	Yes	<p>The Brooks Point development will supply approximately 250 new homes, providing opportunity for first-time buyers to enter the housing market.</p>
	Regional Infrastructure <ul style="list-style-type: none"> The 30-minute city will give people access to housing jobs and vital community facilities within a short distance from their homes. 	Yes	<p>The activation of the Appin Village precinct will be led by private sector investment in road and social infrastructure. And based on the Wollondilly's current Section 7.11 Local Contributions plan, the rezoning and subsequent subdivision of land will generate approximately</p>

	<ul style="list-style-type: none"> The provision of infrastructure will be funded by developers, generally at no additional cost to government. 		\$6 million (calculated using indicative masterplan) in revenue to be invested in regional infrastructure.
	<p>Utilities</p> <ul style="list-style-type: none"> The Department, local councils and State agencies will work together to meet the objective of providing essential utilities to support residents and the activities of local businesses. 	Yes	<p>Servicing Reports prepared by Calibre Consulting dated 15 June 2021, and 6 September 2021 issued to Sydney Water for the Walker Development to the north, included the Brooks Point Road site in their assessment. The reports identified the need for the Brooks Point Road development to install a sewer pump station (SPS) within the site to service future development and outlined the preferred options for portable water supply to the site.</p> <p>Development of Brooks Point Road site is a logical extension of the Appin Village and follows the Walker development to the north of the site. The sequencing of the Brooks Point development in relation to the Walker development will ensure the fragmentation of land does not occur and allows for the efficient delivery of infrastructure.</p> <p>In addition to the above information, a Servicing and Infrastructure Report and Infrastructure Delivery Schedule are attached as Appendix P.</p>
Landscape	<p>Landscape Character</p> <ul style="list-style-type: none"> Conserve the landscape and visual qualities of the Growth Area Link walking and cycling paths, bushland, and green urban landscape Extending urban tree canopy and retaining water in the landscape 	Yes	<p>The Brooks Point Road indicative masterplan demonstrates the potential for the site to be developed in a way that respects the existing landscape character and conserves the visual quality of the area. The proposed low density residential zone, an area that has already undergone extensive clearing, will provide opportunity increase canopy cover through both landscaping requirements and street tree planting. Pre lodgement consultation with Clouston Associates (a division of Beveridge Williams) provided us with canopy targets and landscape and connectivity advice which has been incorporated into the Master Plan.</p>
	<p>Biodiversity</p> <ul style="list-style-type: none"> The Greater Sydney Region Plan and The Western City District Plan both emphasize that the protection and enhancement of bushland biodiversity should take priority in the planning process for the Western City District. 	Yes	<p>GM2040 biodiversity Map (p.36) suggests further vegetation assessments should be undertaken at precinct planning stage.</p> <p>An extensive flora and fauna assessment was undertaken as part of the proposal. The assessment found that while the site contains one critically endangered ecological community, 'impacts to areas of very high and high ecological constraint has been avoided with the development layout.'</p>

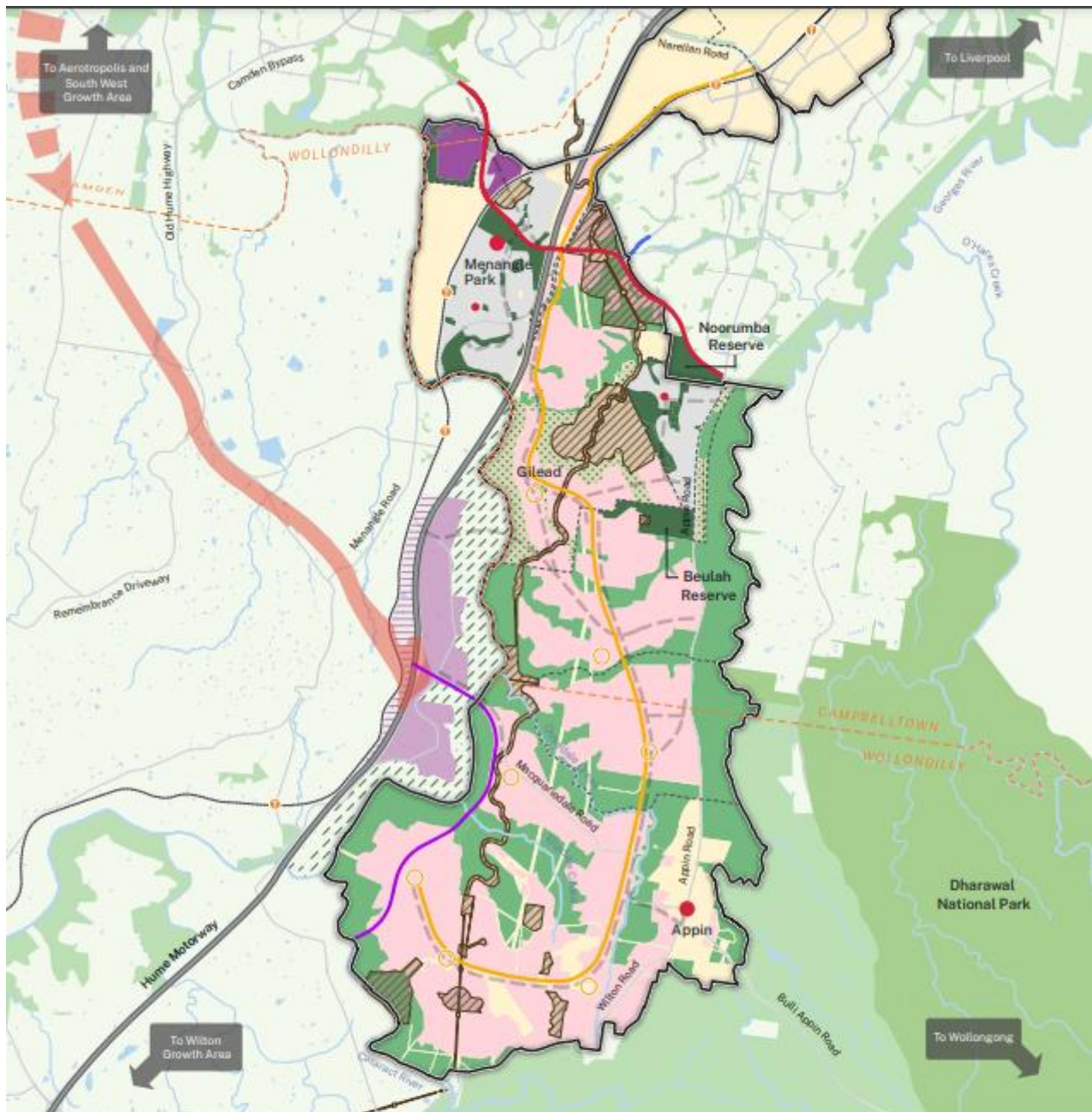
			Nonetheless, the Planning Proposal will implement the measures of the CPCP through Koala protection measures.
	Sustainable Design <ul style="list-style-type: none"> Ongoing planning will minimise the ecological footprint of new communities by incorporating Ecological Design Principles during detailed planning and meeting BASIX requirements. 	Yes	The Brooks Point Planning proposal recommends rezoning the site from RU2 Rural Landscape to a mix of C2 Environmental Conservation and R2 Low Density Residential. The existing landscape and the need to protect and enhance its natural qualities has informed the application of these zones. For example, C2 Environmental Conservation was considered appropriate in the more vegetated areas closer to the Ousedale Creek to reflect the Strategic Cumberland Plain Conservation Plan. Whereas land that has already undergone extensive clearing was considered more appropriate for low density residential, where sustainable urban design principle can be applied to increase canopy cover and improve biodiversity.
Built Form	Built Form <ul style="list-style-type: none"> The land release areas in the south require a landscape approach that respects and builds off environmental corridors and recognises and preserves the existing heritage in the landscape. Transform into neighbourhoods with a range of low to medium density homes that cater for all life stages and employment opportunities that allow local residents to work near home. 	Yes	<p>The mix of residential zones proposed for the Brooks Point Road site will result in a variety of built form outcomes that cater for all life stages.</p> <p>Furthermore, the C2 Environmental Conservation Zone which will help preserve the environmental qualities of the land.</p>
Land Use	Housing <ul style="list-style-type: none"> A mix of densities and housing types will provide housing choice. In order to address housing affordability and housing diversity needs, minimum lot sizes will be designed to encourage innovative housing solutions as part of precinct planning. 	Yes	The Brooks Point Planning Proposal recommends a range of lot sizes to encourage diverse housing types catering for a range of needs. The R2 Low Density residential has the potential to provide up to 25 dwelling per hectare which can accommodate townhouse, dual occupancies, and detached dwellings.
Movement	Cycling and walking <ul style="list-style-type: none"> Connected and well-utilised promotion of cycle and pedestrian networks throughout Greater Macarthur. local walking and cycling network facilities to encourage walking and cycling within precincts 	Yes	The Indicative masterplan highlights the potential of the Brooks Point Road development provide both north-south and east-west connections that will encourage active transport. A Pedestrian and Cycle Path Plan is provided as Appendix S .

Greater Macarthur Growth Area Structure Plan, 2022 provides an update to, and builds upon, the existing planning framework identified by the Greater Macarthur 2040 Interim Plan. The Structure Plan contained within the Greater Macarthur Interim Plan has been updated to include the Cumberland Plain Conservation Plan, including Koala corridors; and updated State Heritage Listings. Refer to **Figure 13**. A discussion on the relevant updates in respect of the Planning Proposal is provided:

- *Cumberland Plain Conservation Plan:*
The Planning Proposal is consistent with the Cumberland Plain Conservation Plan. It will protect land classified as 'avoided land' through the proposed C2 Environmental Conservation Zone. The proposed R2 Low Density Residential Zone aligns with the 'urban capable' land overlay. Further discussion on the Cumberland Plain Conservation Plan is provided within this Planning Proposal.
- *Appin Massacre Cultural Landscape – State Heritage Listing:*
The Appin Massacre Cultural Landscape has State significant historic values which represent the 'complex relationships between First Nations people and settlers on the colonial frontier; and was gazetted on 25 November 2022.

The Cultural Landscape is made up of five individual areas relating to the 1816 Appin Massacre; murders and the hanging and mutilation of First Nations Resistance Warriors, as well as the 4 May 1816 Proclamation by Governor Macquarie.

The Brooks Point Road site is located 1.5 kms from the gazetted Appin Massacre Cultural Landscape as depicted in Figure 2 (p.6) of an Addendum to the Aboriginal Due Diligence and Historical Heritage Assessment prepared by Navin Officer Heritage Consultants. The Addendum states the 'land bundles associated with the Appin Massacre Cultural Landscape are located a considerable distance from the study area and will not be impacted by its proposed rezoning.' The Assessment further states 'consideration should be given to the potential impacts that future development might have on the settings and views of the recently listed Appin Massacre Cultural Landscape.' Given the distance, it is unlikely that anything other than any multi-storey development, would have a direct negative visual impact. It is appropriate that the visual impact of future developments can be appropriately considered in the detailed design phase. Refer to **Appendix X**.



Greater Macarthur Structure Plan (Land Release Area)



November 2022

Figure 13: Greater Macarthur Growth Area Structure Plan (November 2022)

4. *Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

Wollondilly 2040

The Brooks Point Road Planning Proposal is consistent with Wollondilly 2040. As previously mentioned, Wollondilly 2040 is Council's LSPS that came into effect on 27 March 2020 and outlines the land use planning vision for Wollondilly over the next 20 years. This vision is for a prosperous, sustainable, and resilient future for Wollondilly residents, with an enviable lifestyle of historic villages, modern living, rural lands, and bush settings.

Since the LSPS was released, Council have developed a number of strategies including the Local Housing Strategy, Employment Lands Strategy, Rural Lands Strategy, and the Centres Strategy which together with the legislative and policy framework establishes Wollondilly's framework for sustainable managed growth.

The framework for sustainable managed growth suggests the majority of new development will occur within two designated growth areas, Wilton, and Greater Macarthur. The LSPS notes Wilton as Council's preferred growth area and is expected to accommodate 15,000 new homes over the next 20—30 years. With the Greater Macarthur Growth Area earmarked for long-term growth and will be developed in collaboration with state government agencies responsible for infrastructure provisions. Council notes the challenges of providing adequate infrastructure across such a "geographically dispersed area" and suggest early identification, and planning for infrastructure is key for sustainable managed growth in new land release areas. However, the Brooks Point Road planning proposal should be considered in the context of local incremental growth given its proximity to the Appin Village town centre and not strictly as a new land release area (**Planning Priority 3**). This form of incremental, managed growth reduces fragmentation of rural lands by consolidating new and existing residential areas. It will be important however, to ensure the new residential areas are well integrated into the existing urban fabric.

Council have developed snapshots of each town and village, these snapshots will continue to be developed and include local character statements that captures the physical qualities and community values of a place and guide their future direction. The LSPS describes Appin as:

"A relaxed and friendly community south of Campbelltown CBD and on the main road to Wollongong. Its historic and natural assets are important to residents; they must be protected and enhanced as we plan for better employment and investment opportunities to strengthen the community. As Appin evolves in the long term the area's natural setting and koalas will be protected."

The LSPS also recognises Appin as being within the Greater Macarthur Growth Area stating, "Appin forms part of the Greater Macarthur urban renewal and land release precinct" and "The realisation of Greater Macarthur will see significant changes around Appin with an estimated 15,000 new homes, new centres, open space, environmental corridors and transport infrastructure. It will be important that the values identified by the community are protected and that the existing village is preserved".

Should the Brooks Point Road planning proposal proceed, collaborative consultation will help to refine the proposed plan and ensure Appin's historic and natural assets are protected and community values upheld, while still achieving the growth objectives of the state-led strategic planning project (**Planning Priority 8**).

Planning for growth requires significant investment in the provision of both hard and soft infrastructure. Whilst it is acknowledged the provision of hard infrastructure such as water and sewage are a challenge in certain areas, a Sydney Water feasibility assessment indicates the site can be serviced by reticulated water mains and sewerage services. The Brooks Point Road planning proposal follows the Walker development subdivision plan to the north. The sequencing of the Walker Development and Brooks Point Road planning proposal will ensure adequate infrastructure is available to service the site (**Planning Priority 1**).

The sites proximity to Appin's local centre provides opportunity to leverage off and enhance the existing social and community infrastructure. Social and community infrastructure is delivered through a number of mechanisms within

the planning framework. Actions 1.1, 1.2, 1.11 of the LSPS provide an example of how these mechanisms can be used to deliver net community benefits **(Planning Priority 1)**.

The incremental and sequenced release of land adjacent the existing village centre provides opportunities to invest in and upgrade existing infrastructure. The Appin Detailed Report which was undertaken to inform the Centres Strategy notes "local population growth [provides] opportunities to improve the quality of infrastructure and visitation in Appin by connecting to upgraded utilities and identifying opportunities to enhance the way that Appin centre functions". The report identified 1600m² of additional and underutilised commercial floor space which has the potential to be transformed for community benefit. The increase in population as a result of the Brooks Point Road planning proposal can, through investment, facilitate the activation of underutilised commercial floor space for things like smart hubs **(Planning Priority 2)**.

The Planning Proposal relates to a small-scale development that can be supported by existing infrastructure and transport network and protects the rural setting of Appin village with the eastern portion of the site proposed for conventional residential development **(Planning Priority 8)**.

While the site has not been identified as a priority precinct in this Plan, the site is ready for development and given its infill nature, and extension of the township, provides opportunity for immediate supply of residential lands.

Wollondilly Community Strategic Plan

The Wollondilly Community Strategic Plan (November 2017) (CSP) articulates where the Wollondilly community wants to be in the future (10 years). It is the highest-level plan for Wollondilly Shire Council and is used by Council and other agencies and stakeholders to guide policy and service delivery. It details our key issues, strengths, opportunities, and challenges for the future.

The CSP focuses on five themes with a narrative on each about the issues facing Wollondilly and the challenges and opportunities for the future:

- Sustainable and Balanced GROWTH
- Management and Provision of INFRASTRUCTURE
- Caring for the ENVIRONMENT
- Looking after the COMMUNITY
- Efficient and Effective COUNCIL

The CSP established a broad position of growth which is based supporting appropriately scaled growth within and around existing towns and village. The Planning Proposal is consistent in this regard as it proposes small scale growth on a site that adjoins the Appin village and can be supported by existing services and infrastructure.

The Planning Proposal also contains provisions to care for the environment and retain vegetation within larger environmental living allotments and a public reserve area to be dedicated to Council.

The Planning Proposal is considered consistent with the Wollondilly Community Strategic Plan.

An assessment of the Planning Proposal against the LSPS and studies and strategies are attached as **Appendix C**.

4. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

As previously addressed, the Brooks Point Road Planning Proposal is consistent with the Greater Sydney Plan – A Metropolis of Three Cities, the Western City District Plan, and the Greater Macarthur 2040 plan. It promotes the release of land for residential purposes that provides for sustainable growth, that utilizes existing infrastructure, while caring for the environment and looking after the community.

Cumberland Plain Conservation Plan

The Cumberland Plain Conservation Plan (CPCP) is a conservation plan for Western Sydney that identifies strategically important biodiversity areas within the Cumberland subregion. The Plan outlines a conservation program which aims to:

- Protect, in perpetuity, a minimum of 5,475 hectares of impacted native vegetation communities
- Undertake up to 1,370 hectares of ecological restoration of threatened ecological communities, achieving up to 25 per cent of the conservation target for impacted native vegetation.
- Secure important koala movement corridors by establishing the Georges River Koala Reserve.
- Prioritise and investigate the establishment of two new reserves in the Wollondilly and Hawkesbury local government areas - Gulguer Reserve Investigation Area and The Confluence Reserve Investigation Area.
- Protect up to 11,000 hectares in new conservation lands to deliver in-perpetuity biodiversity outcomes,
- Improve ecological resilience and connectivity and increase green space reserves for community to enjoy.

The CPCP identifies land suitable for development within nominated areas. These areas are mapped as 'certified-urban capable land.' Land with significant biodiversity values where development is limited are mapped as 'avoided land.'

The site is classified as part 'certified urban capable land' and part 'avoided' land. Refer to **Figure 14**. The site's 'avoided land' incorporates land identified as 'Protected Koala Habitat' and a 'Protected Koala Habitat Restoration Area' as defined by **Figure 15**.

The Planning Proposal will seek to rezone the 'certified urban capable land' to R2 Low Density Residential and the 'avoided land' to C2 Environmental Conservation zone; and additional permitted uses will be restricted to those identified by the CPCP. The Planning Proposal is consistent with the CPCP and will contribute to its implementation.

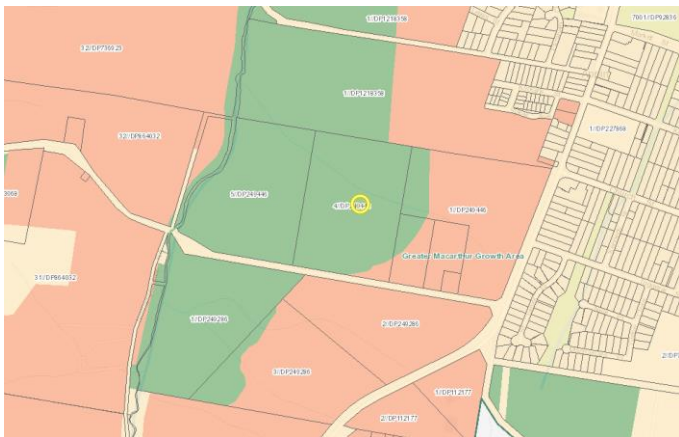


Figure 14: CPCP: Urban Capable Land and Avoided Land

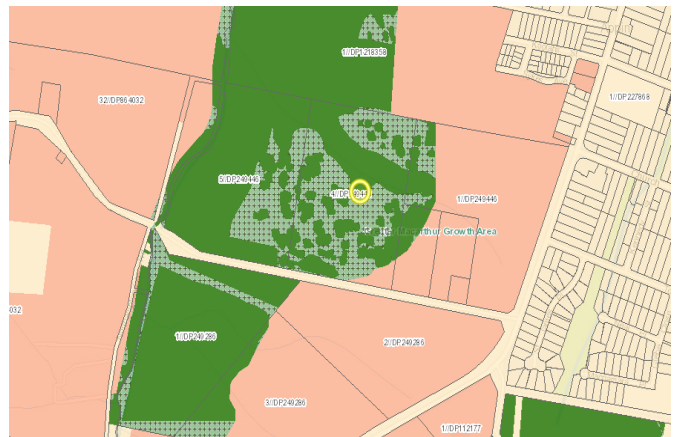


Figure 15: CPCP: Protected Koala Habitat and Restoration Area

5. Is the planning proposal consistent with applicable SEPPs?

The Brooks Point Road Planning Proposal is consistent with applicable State Environmental Planning Policies. Should the planning proposal be adopted, and the site is subject to the development application process, additional SEPPs will become more relevant. For example, should the land be rezoned R2 Low Density Residential, State Environmental Planning Policy (Housing) 2021 will be relevant for certain development applications. However, it must be noted that while these SEPPs are not considered relevant at this stage, the planning proposal does not contain provisions that contradict or hinder the application of these SEPPs.

A full assessment of the Brooks Point Road Planning Proposal against NSW State Environmental Planning Policies is provided at **Appendix E**.

6. *Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?*

Section 9.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides for the Minister for Planning to issue directions to Council specifying principles, aims, objectives and policies that must be considered when preparing a local environmental plan.

A full assessment of the Brooks Point Road Planning Proposal against applicable Ministerial Directions is provided at **Appendix D**.

2.3.3 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 because of the proposal?*

The Brooks Point Road Planning Proposal is located adjacent to the southwest of the existing urban area of Appin village. The area of land subject to this Planning Proposal is identified as both Urban Capable (Greater Macarthur 2040 Interim Plan) and Strategic Conservation Area (Cumberland Plain Conservation Plan), but not a koala habitat.

A Flora and Fauna Assessment prepared by Enviro Ecology identified “one critically endangered ecological community known as Shale Sandstone Transition Forest listed under the Biodiversity Conservation Act 2016 was recorded from the study area. Shale Sandstone Transition Woodland was found in three conditions low, moderate & good. The proposal seeks to retain 100% of the good, 86.5% of the moderate & 69% of the low condition Shale Sandstone Transition Woodland within the study area” (Flora and Fauna Assessment of No 10 and 20 Brooks Point Road, Appin NSW, 2022, P. 28).

Although part of the subject site is classified ‘Potential Koala Habitat’ under the CPCP; the Flora and Fauna Assessment does not consider it to be ‘Core Koala Habitat’ as defined by the State Environmental Planning Policy (Biodiversity and Conservation), 2021. The Assessment states ‘no koalas were observed during the fauna survey and there was no evidence of previous koala habitation in the area.’ Nonetheless, the Flora and Fauna Assessment has included mitigation measures identified by the CPCP to address potential impacts to koalas, including recommendations for:

- Dog-proof fenced areas are to be designated within open space and public recreation areas.
- Dog-proof fencing is a design requirement for each residential lot in accordance with Council requirements.
- Signpost areas adjoining koala habitat with signage indicating koalas are in the area, the permitted/prohibited activities and associated penalties that apply for non-compliance with Council requirements that apply for non-compliance.

The Flora and Fauna Assessment is attached as **Appendix F**.

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

Matters pertinent to the site and requiring further consideration include:

Traffic: A Traffic Impact Assessment was prepared by Traffix (September 2023) to assess the potential impacts of the development upon the existing and proposed road network and address comments raised by Council and Transport for NSW during their preliminary review.

The Traffic Impact Assessment found that the ‘traffic impacts of the development are considered acceptable’ as ‘no external improvements are required to facilitate the development’ beyond the proposed road layout design. In addition, the Assessment found:

- A cumulative and future assessment of the proposed concept development and approved subdivision at 55 Macquariedale Road was conducted to assess the combined impact of both developments. SIDRA results demonstrated minor increases in average delay.
- The internal road network is considered compliant with all Council DCP, TfNSW and Austroads requirements.
- A cumulative and future assessment of the proposed concept development and approved subdivision at 55 Macquariedale

The Traffic Assessment Report supports the Planning Proposal and is attached as **Appendix I**.

Emergency Evacuation: An Emergency Evacuation Assessment was prepared by Hemanote Consultants Pty Ltd (July 2023) to assess traffic impacts in the event of emergency evacuation for the site. The Assessment found:

- 'All households would be evacuated in 90 minutes, considering the travel distance (450 metres of the subject site), the potential delay at the main egress points to Appin Road and the surrounding properties in the area being evacuated.
- It is expected that the maximum time it would take individual residents to reach the cordon point during the peak evacuation period is within 15-20 minutes from the time that they depart their household. This takes into account minimal emergency management. However, this time can be reduced under the police/emergency, to balance the traffic flow across all emergency egress points on Appin Road.
- It is expected that 90 per cent of all households would be evacuated and have reached the cordon point within the first hour from the time of the evacuation order.
- It is expected that the remaining 10 per cent of all household would be evacuated and have reached the cordon point within 90 minutes from the time of the evacuation order.

In conclusion, it is expected that an acceptable evacuation time can be achieved for the proposed rezoning and future subdivision. Further measures can be established by the Local Emergency Management Committee in the assessment of the development application for the resultant subdivision.

The Emergency Evacuation Assessment supports the Planning Proposal and is attached as **Appendix J**.

Flooding: A Flood Impact and Risk Assessment was prepared by Beveridge Williams to determine the flood extents of the mainstream creek; prepare flood maps indicating the flood risk precinct in accordance with WSDCP and to determine relevant flood controls required for the proposed development.

A Flood Risk Precinct Plan has been developed for the site in accordance with Wollondilly DCY, 2016. All lots and roads are proposed to be raised above the 1% AEP Flood level with an additional 500 mm free board to the lots to ensure that they are within the Low Risk Precinct or outside the floodplain entirely.

The Assessment concludes that:

- The hydrologic and hydraulic study showed existing floods are contained in the main creek.
- The site is well above the PMF level in the main creek.
- There is no backwater flowing into the site from the secondary creek during flood events.
- Site is flood-free hence, no flood control is required.

The Flood Impact and Risk Assessment is attached as **Appendix N**.

Bushfire Risk: The site is identified as bushfire prone and can be developed in accordance with Planning for Bushfire Protection 2019.

A Strategic Bushfire Study has been undertaken by Building Code and Bushfire Hazard Solutions Pty Ltd and states that 'as all future dwellings will be constructed to the relevant requirements of 'AS3959 – Construction of buildings in bushfire-prone areas' and *Planning for Bushfire protection 2019*, they will provide occupants a suitable onsite refuge' from bushfires. 'Main Street, Appin is an identified Neighbourhood Safer Place, and is located less than 500 metres to the north of the subject site.'

The Study concludes that they are 'satisfied that the subject site and proposed Master Plan has the capacity to comply with the relevant specifications and requirements of Planning for Bushfire Protection 2019.' Furthermore, we are satisfied that the proposed Master Plan, in combination with the bushfire protection measures discussed herein will not result in areas that are difficult to evacuate, create control difficulties during a bushfire or adversely affect other bushfire protection strategies or place existing development at increased risk. We are therefore in support of the Planning Proposal" (Building Code & Bushfire Hazard Solutions P/L, 2023, page 33 of 35).

The Strategic Bushfire Study supports the Planning Proposal and is attached as **Appendix G**.

Stormwater Management: A Water Cycle Management Plan has been prepared which reviewed the proposal to rezone the eastern portion of Lots 1, 3 & 4 in DP 249446 & Lot 1 in DP584515 located on the north-east corner of Appin Road and Brooks Point Road at Appin.

Appin Road formation in the vicinity of the site is partly sealed and partly rural in nature. The drainage system installed in Appin Road is ineffective and results in significant flooding issues in the road pavement and through adjacent private land to the east. The proposal will result in the construction of new roads and drainage works which will be extended to Appin Road and remedy the existing flooding issues.

The proposal has been reviewed and the impacts on stormwater assessed against the following criteria identified by Wollondilly Shire Council.

- Proposal to clearly identify any land to be used for public infrastructure, stormwater management reserves, etc.
- Prepare a Stormwater Management Strategy including controls for stormwater quality and quantity. Stormwater quality must achieve the zero impact targets outlined in the Water Sensitive Urban Design Strategy.
- Existing natural drainage infrastructure to be maintained where possible.
- The strategy should include measures to promote stormwater harvesting and reuse to minimise stormwater volumes. The Council's Water Sensitive Urban Design Guide should be consulted for water management outcomes.
- Stormwater post development peak flow rates must be managed to prevent flooding of existing properties, waterways and public infrastructure. As a minimum, peak flows should be managed to mimic the 1- and 2-year ARI storm event flows to Ousdale Creek.
- Submission to be supported by a stormwater Management Strategy (including integrated water management approaches)
- Surface Water Flood Study

The proposal will result in the rezoning of the eastern portion of the site for residential development. The development of the land will create roads which will be dedicated to Council as public assets. A detention basin, gross pollutant trap and bioretention facility are proposed to address water quantity and quality management requirements which will be constructed and contained within public open space or drainage reserve as determined by Council.

The Water Cycle Management Plan outlines an effective stormwater management strategy which if employed as described herein, will ensure that:-

- Wollondilly Shire Council stormwater quantity control requirements will be met for the proposed development site through the provision of a detention basin with approximately 3,850 m³ of storage.
- Wollondilly Shire Council WSUD stormwater quality control requirements will be achieved by incorporating a treatment train consisting of individual rainwater reuse tanks on each lot, GPTs and bioretention filter.

The proposed stormwater management strategy retains as much of the existing natural gully drainage system as possible. The flows in the gully system in the existing and post development condition have been compared and shown to be commensurate for all storm events from 1EY AEP (1 in 1 year ARI) to 1% AEP (1 in 100-year ARI) thus ensuring that the maximum possible natural drainage infrastructure will be maintained.

The proposed stormwater management strategy complies with Council's Water Sensitive Urban Design Guide and incorporates the reuse of rainwater within the homes to reduce the impact of the development of available resources.

The proposed stormwater management strategy results in peak stormwater discharges at the downstream discharge point of the central gully in the post development scenario being less than those under current conditions. Peak flows in all storm events including the 1- and 2-year ARI events have been shown to reasonably mimic the existing conditions.

With regard to a surface water flood study, the stormwater system within the proposed residential development will be managed in accordance with Council's development control plans and engineering guidelines such that stormwater flows are contained within a piped drainage system and road flow paths so that all residential lots are rendered flood free. The flows in the downstream gully remain below those under current conditions and so there are no additional flood impacts as a result of the proposal.

The Water Cycle Management Plan is attached as **Appendix O**.

Serviceability: An Infrastructure and Servicing Report has been prepared which addresses roads, stormwater drainage, waste water, potable water, electricity and NBN in support of the rezoning. To prepare this Infrastructure Report the following information was used / sought:

- Indicative Road & Lot Layout by Beveridge Williams
- Water and Sewer Concept Design & Options Report for the Walker Development by Qalchek
- Electrical Report by Powerline Design
- NBN advice by Communications Excavations
- Stormwater Management by Beveridge Williams

It should be noted that the owners of the subject planning proposal and the developer of the adjoining Walker development have been consulting and working together negotiating the provision for services in particular the Sydney Water Wastewater infrastructure and ensure all upsizing is completed upfront.

An Infrastructure Delivery Schedule has been prepared to demonstrate how the site's local infrastructure will be provided and maintained into the future and assist Council in the consideration of planning agreements that may be required as a result of the development. The Infrastructure and Servicing Report and Infrastructure Delivery Schedule are attached as **Appendix P** to this report.

Contamination: A preliminary site investigation was undertaken by GeoEnviro Consultancy Pty Ltd who found "the risk of gross chemical contamination within the site is generally considered to be low and therefore suitable for the proposed residential subdivision".

A full copy of Preliminary Site Investigation Report (contamination) which supports the Planning Proposal is provided as **Appendix H**.

9. *Has the planning proposal adequately addressed any social and economic effect?*

Council recognises the need for a health in all policies approach to land use planning, and as such have outlined two health and wellbeing priorities. These include delivering healthy built environments and liveable places and providing better access to health care services and programs.

According to the LSPS healthy built environments and liveable places are places that can support an active lifestyle and that provide opportunities for "social connectedness, particularly opportunities for unplanned social interaction".

According to the Appin Centre Detailed Report, Appin Village is a compact, walkable centre and easy to navigate as a pedestrian. There are a number of existing community facilities in the local area including, rugby fields and clubhouse, picnic areas, Appin skate park, children's playground, the Appin Community Hall, AIS Sportsground, and an outdoor gym. These facilities provide opportunities for the social connectedness through both formal and informal interaction. Appin is also situated in an idyllic location close to natural assets that promote physical activity including the Georges River and Dharawal National Park walking tracks and trails.

The Brooks Point Road Planning Proposal site is located approximately 250m southwest of Appin Village local centre with access to existing community infrastructure. A network analysis using the indicative masterplan layout suggests most of the proposed R2 Low Density Residential zone is within an 800m walk from the local centre. As the indicative master plan illustrates the Planning Proposal provides an opportunity to deliver a well-connected street network that will encourage active transport. This will be especially important in facilitating independent child mobility for example to and from Appin Primary School, located at the northern end of Appin's local centre.

In addition, and in accordance with Wollondilly Shire Council's Social and Health Impact Assessment Policy and Social and Health Impact Assessment (SHIA) Guidelines (2021), a SHIA refers to a process that seeks to identify, understand and manage the potential social and health impacts, both positive and negative, of a new development proposal. The fundamental objective of a SHIA is to ensure that developments maximise positive impacts and minimise unplanned adversities for local people and communities. This is achieved through the identification of management and monitoring measures to help reduce negative impacts and enhance positive impacts in accordance with professional standards and statutory obligations.

A Comprehensive Social and Health Impact Assessment (CSHIA) has been undertaken to accompany the planning proposal and has been prepared in accordance with Council's Guidelines and is informed by a range of qualitative and quantitative research, including a review of the existing site, policy context, social baseline and stakeholder engagement outcomes.

An assessment of all social and health impacts has been undertaken. The likely level of impact has been determined by applying the risk assessment matrix provided in the Technical Supplement of the NSW Department of Planning and Environment's (DPE's) SIA Guidelines for State Significant Projects (2021). The CSHIA was also updated to include comments received by Council as part of the preliminary notification during February and March 2023.

A key limitation of this CSHIA is that has been prepared in the planning proposal stage where some information about the proposed development (such as the detailed design and the findings of some technical assessments) is not yet available. Notwithstanding, this CSHIA has found that the planning proposal will likely have positive and negative social and health impacts. A summary of the positive impacts are listed below in **Table 5**.

Table 5: CSHIA Positive Impacts

THEME	SUMMARY OF POSITIVE IMPACTS
POPULATION CHANGE	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Provide greater diversity to existing Appin community. Create demand for new infrastructure and services, including public transportation.
HEALTHY LIFESTYLES AND COMMUNITIES	<p>The Planning Proposal will contribute to healthy lifestyles and communities by:</p> <ul style="list-style-type: none"> Allowing for the inclusion of a local park and promote healthy lifestyles and communities. Facilitating environmental benefits through the proximity to, and visual access, of natural and green areas. <p>The Planning Proposal will provide access to social infrastructure, services and amenities off-site that support healthy lifestyles and communities by:</p> <ul style="list-style-type: none"> Providing housing within walking distance to Appin Village Centre and access to existing shops, social infrastructure and services.

THEME	SUMMARY OF POSITIVE IMPACTS
SOCIAL COHESION AND SENSE OF BELONGING	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Provide community facilities and open space are integral to supporting social cohesion by providing spaces for people to socialise, connect and create with others. Enable a 0.5ha local park proposed on the site and provide opportunities for future residents to build connections with their neighbours
HOUSING	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Contribute to positive housing affordability through delivery of diverse housing types.
ACCESSIBILITY AND MOBILITY	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Deliver housing within walking distance to a range of retail services and social infrastructure, including local schools within the Appin Village Centre. Facilitate public transport patronage on bus routes that service retail, employment and regional and district social infrastructure in Wollongong and Campbelltown: Provide active transport routes as shown on the indicate Pedestrian and Cycle Path Plan.
COMMUNITY AND SAFETY	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Provide passive surveillance opportunities through colocation of residential lots and the local park. Create a pleasant and well looked after urban environment through proposed street tree planting.
ACCESS TO EMPLOYMENT, TRAINING AND LOCAL ECONOMY	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Increase temporary employment in the construction sector. Provide an indirect positive impact on local retail businesses through increased consumer spending. Increase local employment opportunities in the health and education sectors.
CULTURAL AND COMMUNITY SIGNIFIANCE	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Provide opportunities to acknowledge and reflect upon the Aboriginal cultural heritage of the area. Maintain a rural character and feel through the retention of the C2 Environmental Conservation Zone
ARTS AND CREATIVE ACTIVITIES	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Allow for residents to utilise multipurpose community centres which are proposed for the Appin and North Appin Precincts.
SUPPORTIVE COMMUNITIES AND NEEDS OF SPECIFIC POPULAITON GROUPS	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> Provide for unstructured recreation opportunities by including a local park; allows for access of residents to local playing fields, skate parks; and for recreation activities through the proposed existing transmission easement which is identified within the Appin Structure Plan.

THEME	SUMMARY OF POSITIVE IMPACTS
PARTICIPATION IN COMMUNITY LIFE	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> ▪ Provide opportunities to participate in events and activities within the Appin Community Hall, Appin Historical Society, Gordon Lewis Oval and Appin Public School
IMPACT OF AMENITY OF PLACE AND SURROUNDS	<p>The Planning Proposal will:</p> <ul style="list-style-type: none"> ▪ Retain existing vegetation in the western portion of the site and contribute to preserving natural and ecological values and visual character. ▪ Includes an urban tree canopy to enhance amenity of the built form; and minimise residents health and wellbeing impacts associated with the urban heat island effect. ▪ Provides opportunities for relaxation in a green environment.

A range of recommendations are provided to enhance positive impacts and to mitigate or minimise negative impacts. Many of these recommendations relate to the detailed design of the proposal or can be considered in the DA stage. Both mitigation measures and further recommendations for consideration in the development of the Planning Proposal and associated DA are contained within the Table 10 of the CSHIA.

The CSHIA is attached as **Appendix M** to this report.

In regard to the economic benefits, the development process will have a positive impact upon the local construction and development industry, both during the planning, designing and construction phases. The increased population resulting from future additional dwellings will result in strengthening of existing business and increased opportunities for bolstering existing and growing businesses in Appin. Furthermore, the Brooks Point Road Planning Proposal site is within 30 minutes of the two largest employment areas for Wollondilly residents, being Campbelltown and Camden, which together employ 26.5 percent of the Local Government Areas working population.



Figure 16: Network analysis mapping

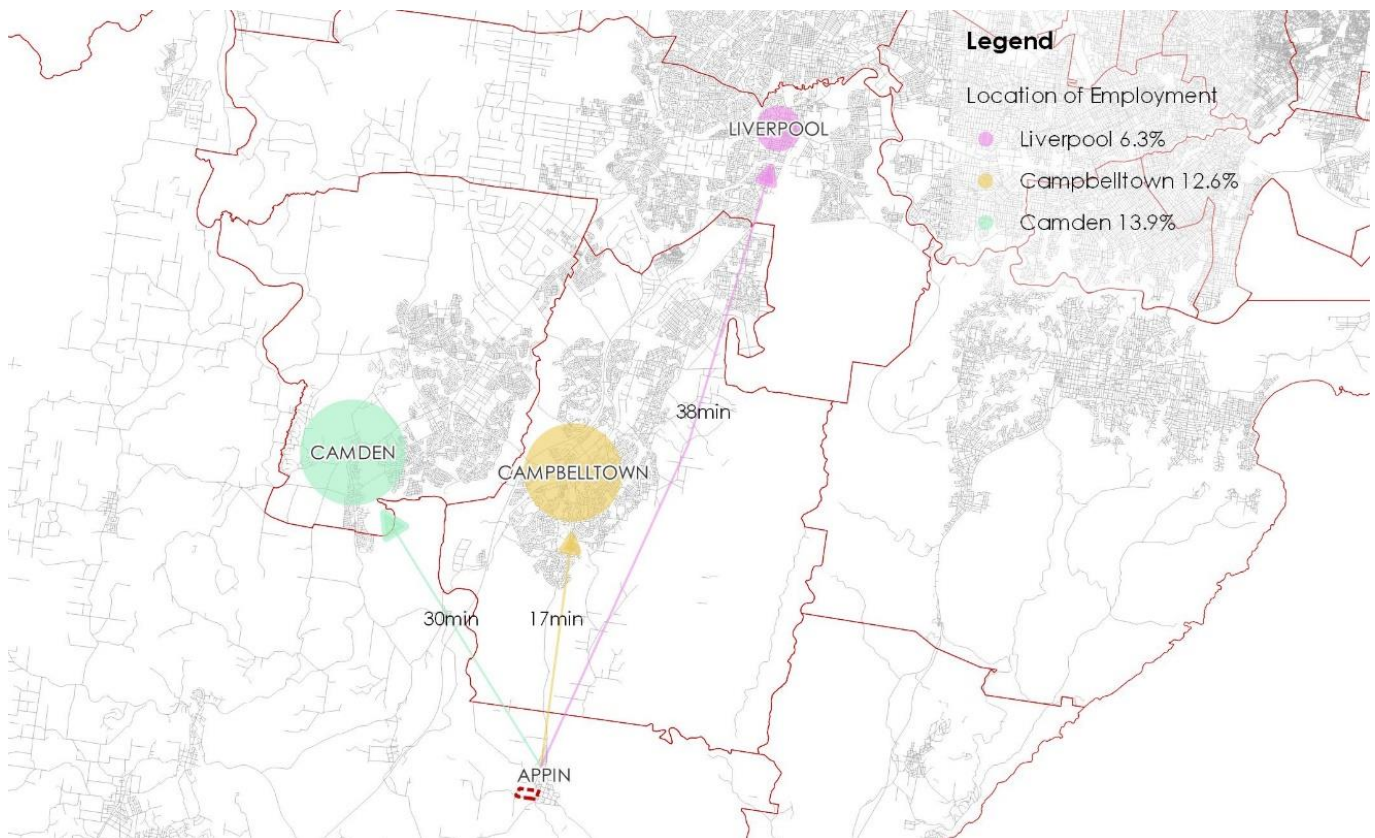


Figure 17: Location of Employment

2.3.4 Section D – Infrastructure (Local, State and Commonwealth)

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

Transport for NSW have recently announced the preferred option for the Outer Sydney Orbital Stage 2 (OSO2) which will connect the Western Parkland City and the Illawarra-Shoalhaven region. The eventual construction of the OSO2, which extends from the Outer Sydney Orbital Stage 1 corridor at the Hume Motorway, will provide direct access to jobs and employment opportunities to the northwest, within the Aerotropolis zone and surrounding industrial lands.

A Traffic Impact Assessment has been prepared and is attached as **Appendix I**. A Pedestrian and Cycle Path Plan is also provided as **Appendix S**.

In respect of local services, the Brooks Point Road Planning Proposal is located within the village of Appin and an easily walkable distance of the village centre, existing school, retail, public transport, and local services.

Appin village is considered well located and has the capacity to benefit from any future upgrades and improvements to public transport, roads, utilities, waste management and recycling services, along with essential services such as health, education, and emergency services infrastructure.

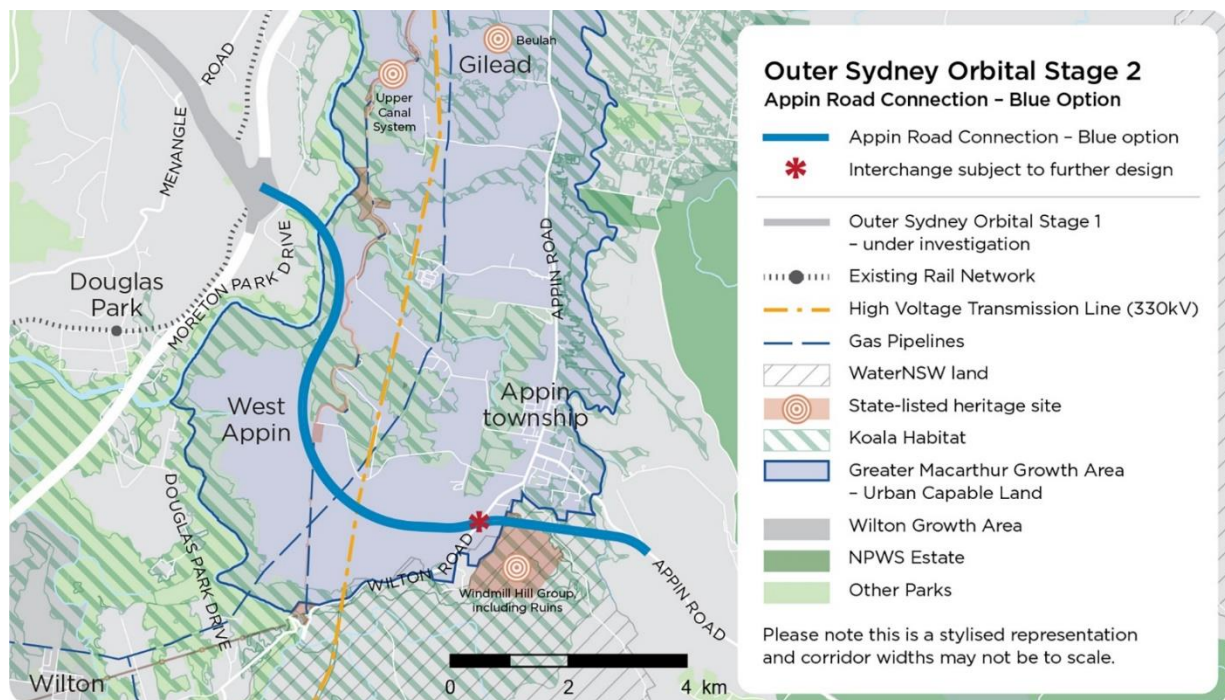


Figure 18: Outer Sydney Orbital Stage 2 Preferred Option (Transport for NSW, 2021)

Water and sewer serviceability of the proposed development of the site can be supported, as demonstrated in the Infrastructure and Servicing Report. Refer **Appendix P**.

In the context of the growth and change of Appin, the Brooks Point Road site is considered to spatially form part of the 'frame' of the village and its development can be considered a logical and manageable extension of the village form and structure. Council's various strategies reinforces this position by nominating the Brooks Point Road site as a potential future residential development site.

11. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The subject views of the State and Commonwealth have emerged following preliminary consultation with applicable State and Public Authorities with Wollondilly Shire Council. A summary of comments and how these have been addressed is provided in **Table 6** below. Additional comments identified in the "Gateway" determination and will be addressed accordingly in the advancement of the Planning Proposal.

Table 6: Agency Comments

AGENCY	COMMENTS	RESPONSE
Transport for NSW	<ul style="list-style-type: none"> There is no current commitment or funding to upgrade the section of Appin Road in proximity of the site. 	Plans for upgrade of Appin Road in proximity to the site will be discussed during Development Application stage.
	<ul style="list-style-type: none"> The existing footpath on the western side of Appin Road terminates north of Church Street. The proposed master plan does not appear to indicate future provision of the footpath along the site frontage on Appin Road as part of the development. Given that a direct vehicular access on Appin Road is proposed, Council should consider requiring the developer to provide a footpath on Appin Road between Church Street to Brooks Point Road. 	Provision of a footpath on Appin Road between Church Street to Brooks Point Road will be included during Development Application stage.
	<ul style="list-style-type: none"> Chapter 4.4 (Table 4.3) indicates that the Bulli-Appin Road/Church Street intersection was modelled as a single lane roundabout in the SIDRA to assess the intersection performance using existing traffic volumes. <p>TfNSW understands that the proposed single lane roundabout upgrade currently does not have a confirmed delivery timeline and is dependent on being delivered by the adjoining development in the future.</p> <p>Therefore, a separate modelling scenario should be undertaken based on the existing priority-controlled intersection arrangement.</p>	The Traffic Impact Assessment has been updated to address TfNSW comments. Refer to Appendix X .

AGENCY	COMMENTS	RESPONSE
	<ul style="list-style-type: none"> Chapter 4.7 indicates that the development proposes to relocate Brooks Point Road to meet Appin Road, north of Toggerai Street, as a priority-controlled intersection as a site access. However, the master plan indicates that the existing Brooks Point Road intersection with Appin Road is proposed to be retained. The report should be updated to clarify the proposed road network. 	<p>The Traffic Impact Assessment has been updated to address TfNSW comments. Refer to Appendix X.</p>
	<ul style="list-style-type: none"> TfNSW raises the following concerns with the existing and future AM and PM peak hour traffic volumes presented in Figure 3: Future traffic volumes on the proposed Church Street extension approach, and the associated Appin Road four-way intersection, do not consider estimated traffic generation from the adjoining development at 55 Macquariedale Road; and Future traffic volumes have not been estimated for the existing Appin Road/Brooks Point Road intersection even though it will provide direct frontage to some of the proposed lots. It is unclear what future year has been assumed for the 100% completion of the development. The future horizon year should be specified to estimate future traffic volumes (with/without development) by adopting appropriate annual background traffic growth. The report should be updated to address above comments. 	<p>The Traffic Impact Assessment has been updated to address TfNSW comments. Refer to Appendix X.</p>

AGENCY	COMMENTS	RESPONSE
	<ul style="list-style-type: none"> TfNSW raises the following concerns with Chapter 5.3 (Table 5.2) containing post development SIDRA modelling: SIDRA modelling was conducted for only two intersections i.e. Bulli-Appin Road/Church Street intersection (future roundabout layout) and the relocated Appin Road/ Brooks Point Road intersection (site access). Modelling has not been conducted for the existing intersections of Appin Road/Brooks Point Road and Appin Road/Toggerai Street; Given the close proximity of the four intersections, SIDRA Network modelling should be conducted to assess the impact of future traffic volumes instead of isolated intersection modelling; and Given there is no certainty that the envisaged roundabout upgrade at Bulli-Appin Road/Church Street intersection will be delivered by the adjoining developer to suit the site's development timeframes, an additional scenario should be modelled assuming all development traffic from the site uses the relocated Appin Road/ Brooks Point Road intersection (site access) and existing Appin Road/ Brooks Point Road 	<p>The Traffic Impact Assessment has been updated to address TfNSW comments. Refer to Appendix X.</p>
	<ul style="list-style-type: none"> The report should be updated to address above comments. Noted The transport report prepared by the consultant would need to be updated to address the TfNSW comments should the proposal progress Table 4.3 and Table 5.2 do not present the 95th back of queue. Table 4.3 and Table 5.2 do not present the 95th back of queue distance for the modelled intersections. The report should be updated to address this comment. 	<p>The Traffic Impact Assessment has been updated to address TfNSW comments. Refer to Appendix X.</p>

AGENCY	COMMENTS	RESPONSE
	<ul style="list-style-type: none"> TfNSW raises road safety concerns with the relocated Brooks Point Road (site access) forming a staggered four-way intersection with Toggerai Street. Council should consider provision of a standard four-way intersection without any offset to maintain road safety. 	<p>The Traffic Impact Assessment has been updated to address TfNSW comments. Refer to Appendix X.</p>
Heritage NSW	<ul style="list-style-type: none"> State Heritage Register listed sites are in the vicinity of the subject site. The proposed area for rezoning does not include any identified State Heritage Register (SHR) items within its boundary. The site is located in the vicinity of a number of items of State and local heritage significance: <ul style="list-style-type: none"> 'Appin Massacre Cultural Landscape' (SHR 02067) is listed on the State Heritage Register (SHR) under the Heritage Act 1977 (the Heritage Act). 'Windmill Hill Group, including Ruins' (SHR 01931) is listed on the SHR and listed as 'Windmill Hill Group—Brennan's Farm, Larkin's Farm and Winton's Farm' (LEP Item No. 117) under Schedule 5, Part 1 of the Wollondilly Local Environmental Plan (LEP) 2011. <p>While these items are not within the boundaries of the subject area, Heritage NSW considers that any future development of the subject area may have an adverse impact on their individual heritage significance</p>	<p>An Addendum provided by Navin Officer Heritage Consultants has provided comment on the Appin Massacre Cultural Landscape and the Windmill Group. Refer to Appendix X.</p>

AGENCY	COMMENTS	RESPONSE
	<ul style="list-style-type: none"> In relation to regulatory matters under both the National Parks and Wildlife Act 1974 and the Heritage Act 1977: <ul style="list-style-type: none"> The current planning proposal is part of the broader proposed rezoning at Appin. As heritage assessment work may not yet have been conducted over other parts of this area there may be a risk that interconnected heritage values across this land have not yet been considered. Any preliminary environmental assessments (including geotechnical testing) must ensure that the risk of harm to Aboriginal objects and historical archaeological deposits have been considered and any necessary approvals obtained before ground disturbance works occur. 	Noted.
Water NSW	<ul style="list-style-type: none"> It is unclear who is going to own and manage the residual C2 Conservation Management zone. The C2 Conservation Management zone is often associated with land in private ownership. Under the current arrangement, the MLS would force all the required uses into a single residual allotment, potentially forcing a single landholder to be burdened with providing the recreation, sewerage and stormwater infrastructure servicing the adjoining residential area. <p>The intended tenure, ownership and management of the C2 Conservation Management zone needs to be clarified as the zoning and 40 ha MLS appear to be unsuitable for a number of uses proposed if the land is to be held by someone other than Council.</p> <p>Clarification will need to be sought from the applicant should the proposal progress</p>	<p>The master plan has been revised to relocate the proposed recreation, sewerage and stormwater infrastructure servicing the urban capable area of the site has been relocated within the residential zoned land and will be dedicated to Council.</p> <p>The C2 Environmental Conservation zone allotment will remain in private landownership.</p> <p>Refer to Master plan provided in Appendix X.</p>

AGENCY	COMMENTS	RESPONSE
	<ul style="list-style-type: none"> It appears that the proposed sewerage pump station would be located in the 'drainage reserve' and would adjoin the proposed drainage basin and raingarden for stormwater management purposes (compare Figure 4 of (Infrastructure Report) with Figure 5 Masterplan of the Planning Proposal and with Figure 8 of Water Cycle Management Plan (WCMP). The proximity of the pumping station to the proposed stormwater basin and rain garden warrants consideration. <p>Does the proximity of the two-feature risk mobilisation of sewerage if there are overflows from the pumping station?</p> <p>Greater separation distances may be needed in which case a greater land area of 'drainage reserve' (or SP2 zoned land) may be required.</p>	<p>Further consideration of the design and location of the pumping station and proposed Stormwater basin will be addressed at the civil design stage.</p>
	<ul style="list-style-type: none"> While a broader drainage reserve area is proposed within the C2 Conservation Management zone, the southern area of the proposed residential land does not appear to have basins or rain gardens allocated. <p>Additional stormwater management measures may be needed to service the proposed residential land south of the gully</p>	<p>The drainage reserve has been relocated to the R2 Low Density Residential zone. The Water Cycle Management Plan concludes:</p> <ul style="list-style-type: none"> 'With regard to a surface water flood study, the stormwater system within the proposed residential development will be managed in accordance with Council's DCP and engineering guidelines such that all stormwater flows are contained within a pipe drainage system and road flow paths, so that all residential lots are rendered flood free, and The flows in the downstream gully remain below those under current conditions.' <p>Refer to Water Cycle Management Plan in Appendix O.</p>
<p>DPE - Environment and Heritage Group (EHG)</p>	<ul style="list-style-type: none"> The avoided land and strategic conservation areas within the subject site are also mapped as protected koala habitat and restoration areas. <p>The proposal has not adequately considered and addressed the impacts to koala habitat. Appendix E of the CPCP identifies several mitigation measures to address impacts to Koalas.</p>	<p>The Flora and Fauna Assessment has been revised to address impacts on Koala Habitat and includes consideration of Koala fencing and escape during the event of a bushfire. Refer to Appendix F.</p>

AGENCY	COMMENTS	RESPONSE
•	Amend the proposal to avoid impacts to areas mapped as avoided land, SCA and Koala habitat and restoration areas.	<p>The master plan has been revised to relocate the proposed drainage reserve, recreation area, sewage pump and any other infrastructure works to within land identified by the CPCP as 'urban capable.'</p> <p>Areas identified by the CPCP as avoided land, SCA and Koala habitat and restoration areas will be rezoned to C2 Environmental Conservation.</p>
	<ul style="list-style-type: none"> Relocate all infrastructure and open space areas associated with proposed residential development to areas within CPCP certified – urban capable land. Address the protection, enhancement and management of native vegetation and biodiversity values within avoided land, SCA and Koala habitat and restoration areas (the proposed C2 Conservation Management zone). 	See above.
	<ul style="list-style-type: none"> Address the implementation of Koala mitigation measures identified by the CPCP. In particular demonstrate the avoidance of impacts to Koala habitat and Restoration areas Identify the proposed location and extent of Koala exclusion fencing along the boundary of certified - urban capable land and Koala habitat and Restoration areas 	The Flora and Fauna Assessment has been revised to address impacts on Koala Habitat and includes consideration of Koala fencing and escape during the event of a bushfire. Refer to Appendix F .
	<ul style="list-style-type: none"> Prepare a Flood Impact and Risk Assessment. 	<p>The Flood Impact and Risk Assessment has been prepared by Beveridge Williams. The Assessment concludes:</p> <ul style="list-style-type: none"> The hydrologic and hydraulic study showed existing floods are contained in the main creek. The site is well above the PMF level in the main creek. There is no backwater flowing into the site from the secondary creek during flood events. Site is flood-free hence, no flood control is required. <p>Refer to Section 2.3.3 and Appendix N.</p>

AGENCY	COMMENTS	RESPONSE
<p>NSW State Emergency Service</p>	<ul style="list-style-type: none"> ▪ The Brooks Point Road site is located in the upper part of the Nepean River catchment. The proposal lies between Kennedy Creek and Ousedale Creek. The NSW SES offers the following advice, recognising that the Brooks Point Road, Appin site has not been identified as being in flood prone land. <p>Attention is drawn to the principles outlined in the NSW Floodplain Development Manual, 2005 which are of importance to the NSW SES role.</p> <p>Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes.</p> <p>Consideration should also be given to the impacts of localised flooding on evacuation routes.</p> <p>The proposal lies between two parallel creek systems (Kennedy Creek and Ousedale Creek) and overland flows drain west into Ousedale Creek.</p> <p>Evacuation routes in Appin may become affected by flash flooding where depths and velocities of water close roads, and culverts and stormwater pipes become blocked. Wollondilly Shire Flood Study, Broad Scale Assessment (2021) identified a culvert in Appin Street and recurring water pooling on the road at Wilton Road, Appin. Kennedy Creek culverts beneath Church Street at Appin is a proposed drainage infrastructure project identified by Wollondilly Shire Council.</p> <p>Critical storm duration modelling shows Appin Road is affected by 6hour storm duration (10% AEP) and was impacted in 2016 and 2020 by 1% AEP rainfall. Evacuation must not require people to drive or walk through flood water.</p>	<p>The Flood Impact and Risk Assessment has been prepared by Beveridge Williams. The Assessment concludes:</p> <ul style="list-style-type: none"> ▪ The hydrologic and hydraulic study showed existing floods are contained in the main creek. ▪ The site is well above the PMF level in the main creek. ▪ There is no backwater flowing into the site from the secondary creek during flood events. ▪ Site is flood-free hence, no flood control is required. <p>Refer to Section 2.3.3 and Appendix N.</p>

AGENCY	COMMENTS	RESPONSE
Sydney Water	<ul style="list-style-type: none"> Growth servicing <p>- Sydney Water supports government-backed growth initiatives within our area of operations and endeavours to provide services in a timely and prudent manner that delivers cost effective water and wastewater infrastructure whilst not impacting our current customer base economically, environmentally, or unduly impacting current service levels.</p> <p>- In order to fully support all growth and developments and to fully assess proposed developments, we require the anticipated ultimate and annual growth data for this development as noted in the attached appendix, be fully populated and returned to Sydney Water.</p> <p>Sydney Water acknowledges that timescales and final growth numbers may alter, however, to provide robust servicing advice and to investigate the potential for staged servicing to meet timescales, we require a realistic indication of demand and timescales. Failure to provide this may result in Sydney Water being unable to formulate proper planning requirements or servicing timescales.</p>	Noted. Growth Data Form to be submitted to Sydney Water.

2.4 Part 4 – Maps

If the Planning Proposal is supported several maps will need to be amended including the Height of Building Maps, Zoning Map, Lot Size Map and Floor Space Ratio Map.

Following Council's support, mapping will be updated which would be consistent with the department's GIS standards.

2.5 Part 5 – Community consultation

We understand that the document Local Environmental Plan Making Guidelines (2021) outlines the consultation required for different types of Planning Proposals and will await comments from Council in this regard. Nonetheless, we believe, the Planning Proposal would be publicly exhibited for a period of 28 days.

We understand a notice of the Planning Proposal would be placed in the local newspaper and on the Council web site and that written notification will be provided to all potentially directly affected landowners and landowners directly adjacent to the site. It is not considered necessary that a Public Hearing be required for the Planning Proposal unless specifically requested by a submission based on an issue of particular significance and considered to be justified by Council. Nonetheless, we await Council's advice in this regard.

2.6 Part 6 – Project timeline

The Brooks Point Road Planning Proposal project timeline is to some extent dependent upon planning programmes at both local and state government levels. Table 4 below assumes a typical planning proposal process and provides an indication of the anticipated timeline for the Brooks Point Road Planning Proposal, however given the housing shortage in the State and adjoining rezoning submissions that have surpassed our application, we are hopeful the process can be fast tracked and accelerated.

Table 7: Possible Project Timeline

STAGE	ANTICIPATED TIMMING
Stage 1 Pre-lodgement	August 2022
Stage 2 Planning Proposal	December 2022
Stage 3 Gateway Determination	December 2023
Stage 4 Post-Gateway	January 2024
Stage 5 Public Exhibition and Assessment	March 2024
Stage 6 Finalisation	May 2024

Upon gazettal, the timing for the delivery of the subdivision could be achieved within 2 years, having consideration for the development application process for the subdivision, subdivision works and the receipt of a subdivision certificate for the site.

The proponent is focussed on lodging a development application as soon as possible under the LEP Making Guideline process, which is consistent with recent updates (August 2023) to the Guidelines which now include consideration of Planning Proposals which gave effect to current NSW Government Priorities, including those that will contribute to housing supply.

3. CONCLUSION

In summary, the Brooks Point Road Planning Proposal has strategic merit, is consistent with current NSW Government Priorities, is located within the Appin village, can be serviced, provides employment opportunities and is consistent with adjoining residential land. The proposal will create additional employment opportunities for the Wollondilly shire and will contribute to the housing needs and economic growth of the area.

The proposed zone changes from RU2 Rural Landscape to R2 Low Density Residential and C2 Environmental Conservation Zone is suitable for the site and fits with the context of the area. The RU2 Rural Landscape zoned land in question has no primary production functions and the ecological and aesthetic value of the site will be protected.

The Local Planning Panel considered the Planning Proposal at a meeting on 1 June 2023. The Panel were supportive of the proposal, subject to the amendments and further inclusions which have been addressed in this revised report. As such, the requested zoning change is appropriate and warrants progressing to Gateway.

The proposed rezoning would result in development that is consistent with the State's housing shortage and strategic vision for Western City and the Wollondilly Shire. The Brooks Point Road Planning Proposal is considered to have merit and appropriate to receive Council's support to progress to Gateway.

Yours faithfully



KELLIE HASSAB

Registered Planner
BEVERIDGE WILLIAMS

APPENDIX A (1): DEPOSITED PLANS – DP 249446 AND DP 584515

**APPENDIX A (2): SURVEY SHOWING TREE DETAIL BROOKS POINT ROAD APPIN
PROJECT NUMBER 19171-T, PREPARED BY BEVERIDGE WILLIAMS,
TOTAL OF 9 SHEETS, VERSION A**

**APPENDIX B: PRE-LODGEMENT AND PRELIMINARY CONSULTATION ADVICE AND
LOCAL PLANNING PANEL MINUTES DATED 1 JUNE 2023**

APPENDIX C: ALIGNMENT WITH LOCAL STRATEGIC PLANS

Alignment with Local Strategic Plans

LOCAL STRATEGIC PLANNING STATEMENT

Theme	Planning Priority	
Infrastructure & Collaboration	Planning Priority 1 Aligning infrastructure provision with community needs	<p>Planning for growth requires significant investment in the provision of both hard and soft infrastructure. Whilst it is acknowledged the provision of hard infrastructure such as water and sewage are a challenge in certain areas, a Sydney Water feasibility assessment indicates the site can be serviced by reticulated water mains and sewerage services. The Brooks Point planning proposal follows the Walker development subdivision plan to the north. The sequencing of the Walker Development and Brooks Point planning proposal will ensure adequate infrastructure is available to service the site.</p> <p>The sites proximity to Appin's local centre provides opportunity to leverage off and enhance the existing social and community infrastructure. Social and community infrastructure is delivered through a number of mechanisms within the planning framework. Actions 1.1, 1.2, 1.11 of the LSPS provide an example of how these mechanisms can be used to deliver net community benefits.</p>
	Planning Priority 2 Embracing innovation to enhance liveable, connected, and sustainable communities	<p>The Brooks Point Planning proposal supports the integration of smart technology in the development process. It acknowledges the role technology plays in creating adaptive and resilient communities.</p> <p>The incremental and sequenced release of land adjacent the existing Village centre provides opportunities to invest in and upgrade existing infrastructure. The Appin Detailed Report which was undertaken to inform the Centres Strategy notes "local population growth [provides] opportunities to improve the quality of infrastructure and visitation in Appin by connecting to upgraded utilities and identifying opportunities to enhance the way that Appin centre functions". The report also identified 1600m² of additional and underutilised commercial floor space which could be transformed into smart hubs.</p>
	Planning Priority 3 Establishing a framework for sustainable managed growth	<p>Since the LSPS was released, Council have developed a number of strategies including the Local Housing Strategy, Employment Lands Strategy, Rural Lands Strategy, and the Centres Strategy which together with the legislative and policy framework establishes Wollondilly's framework for sustainable managed growth.</p> <p>The framework for sustainable managed growth suggests the majority of new development will occur within two designated growth areas, Wilton, and Greater Macarthur. The LSPS notes Wilton as Council's preferred growth area and is expected to accommodate 15,000 new homes over the next 20—30 years. With the Greater Macarthur Growth Area earmarked for long-term growth and will be developed in collaboration with state government agencies responsible for infrastructure provisions.</p> <p>The framework highlights the importance of protecting the productive agricultural land within the Metropolitan Rural Area. Council have noted that development will only be supported</p>

		<p>outside the two designated growth areas where there is an identified need and where the development meets the criteria:</p> <ul style="list-style-type: none"> ▪ it respects the character, setting and heritage of the town or village. ▪ it will demonstrably support the town or village's economic and social sustainability. ▪ there are environmental benefits or no negative effects. ▪ rural lands that separate towns are retained. ▪ an infrastructure plan to support and take account of cumulative growth to be agreed upon prior to rezoning
Livedability	Planning Priority 4 Creating vibrant, healthy, and sustainable communities in our new town in Wilton	N/A
	Planning Priority 5 Providing housing options that meet local needs and match the local character of towns and villages	<p>Council notes the need to plan for smaller, more affordable housing that can accommodate a variety of living arrangements and suggest most of this style of housing will be provided in growth areas.</p> <p>The Brooks Point PP will ensure more affordable and diverse housing options are available to future residents by providing a range of allotment sizes .</p>
	Planning Priority 6 Embedding health and wellbeing considerations into land use planning for healthy places	<p>Council recognises the need for a health in all policies approach to land use planning, and as such have outlined two health and wellbeing priorities. These include delivering <i>healthy built environments and liveable places</i> and providing <i>better access to health care services and programs</i>.</p> <p>According to the LSPS <i>healthy built environments and liveable places</i> are places that can support an active lifestyle and that provide opportunities for "social connectedness, particularly opportunities for unplanned social interaction".</p> <p>According to the Appin Centre Detailed Report, Appin Village is a compact, walkable centre and easy to navigate as a pedestrian. There a number of existing community facilities in the local area including, rugby fields and clubhouse, picnic areas, Appin skate park, children's playground, the Appin Community Hall, AIS Sportsground, and an outdoor gym. These facilities provide opportunities for the social connectedness through both formal and informal interaction. Appin is also situated in an idyllic location close to natural assets that promote physical activity including the Georges River and Dharawal National Park walking tracks and trails.</p> <p>The Brooks Point PP site is located approximately 250m southwest of Appin Village local centre with access to existing community infrastructure. A network analysis using the indicative masterplan layout suggests most of the proposed R2 Low Density Residential zone is within an 800m walk from the local centre. As the indicative master plan illustrates the PP provides an opportunity to deliver a well-connected street network that will encourage active</p>

		transport. A Pedestrian and Cycle Path Plan is provided as Appendix S.
	Planning Priority 7 Cultivating a creative and cultural destination connecting people with places	The incremental growth of Appin Village will enhance the value and provision of cultural infrastructure. For example, the Appin Centre Detailed report notes a number of "special and regular community events and activities for individuals and Groups" including: <ul style="list-style-type: none"> ▪ Community markets ▪ Rugby league games ▪ Appin Men's Shed ▪ AIS sports events – athletics, soccer, cricket, netball, tennis
	Planning Priority 8 Enhancing vibrant and sustainable local towns and villages	<p>Council have developed snapshots of each town and village, these snapshots will continue to be developed and include local character statements that captures the physical qualities and community values of a place and guide their future direction. The LSPS describes Appin as:</p> <p>"A relaxed and friendly community south of Campbelltown CBD and on the main road to Wollongong. Its historic and natural assets are important to residents; they must be protected and enhanced as we plan for better employment and investment opportunities to strengthen the community. As Appin evolves in the long term the area's natural setting and koalas will be protected."</p> <p>The LSPS also recognises Appin as being within the Greater Macarthur Growth Area stating, "Appin forms part of the Greater Macarthur urban renewal and land release precinct" and "The realisation of Greater Macarthur will see significant changes around Appin with an estimated 15,000 new homes, new centres, open space, environmental corridors and transport infrastructure. It will be important that the values identified by the community are protected and that the existing village is preserved".</p> <p>Should the Brooks Point Road planning proposal proceed, collaborative consultation will ensure Appin's historic and natural assets are protected and community values upheld, while still achieving the growth objectives of the state-led strategic planning project.</p>
Productivity	Planning Priority 9 Developing the visitor experience and economy by increasing access to natural areas and rural landscapes	N/A
	Planning Priority 10 Attracting investment and growing local jobs	The Wollondilly Employment Land Strategy identifies Appin as having the potential to expand on the existing light industrial area that can cater to the growing demand generated from residential areas. The Brooks Point Road planning proposal will help unlock the employment land potential of Appin.

Sustainability	Planning Priority 11 Leveraging greater investment and business opportunities from the Western Sydney International (Nancy-Bird Walton) Airport	N/A
	Planning Priority 12 Valuing the ecological health of Wollondilly's waterways	The Brooks Point Road planning proposal site is located in proximity to Ousedale Creek, a tributary of the Nepean River. The proposal recommends C2 Environmental Conservation to the west which will reduce the development impact on the river system. Should the planning proposal proceed to eventual development, incorporating best practice WSUD at the design stage will help reduce stormwater pollutants from development reaching the waterways.
	Planning Priority 13 Protecting biodiversity and koala habitat corridors	<p>The Brooks Point Road indicative masterplan demonstrates the potential for future subdivision to retain existing vegetation, including 98.5% of the good, 82% of the moderate & 65% of the low condition Shale Sandstone Transition Woodland.</p> <p>'Protected Koala Habitat' and 'Protected Koala Habitat Restoration Area' as identified by the CPCP will be rezoned to C2 Environmental Conservation Zone.</p>
	Planning Priority 14 Planning high quality well connected open spaces	The proposal will rezone the western portion of the site to C2 Environmental Conservation Zone providing high quality open space land; and will provide a green grid connection between the new residential area and the AIS sportsgrounds to the north.
	Planning Priority 15 Delivering an urban tree canopy	As the indicative masterplan demonstrates, residential development can occur without major disturbance to the existing vegetation. In fact, in areas that have already undergone extensive clearing, revegetation through urban greening will increase the number of canopy trees. Should the proposal proceed, further development controls could be applied to ensure the 40 percent canopy cover is achieved.
	Planning Priority 16 Enhancing and protecting the diverse values of the Metropolitan Rural Area	Focusing growth in the designated growth areas will reduce the development pressure on Metropolitan Rural Areas.
	Planning Priority 17 Planning resource recovery options to serve local and district needs in appropriate strategic locations	N/A
	Planning Priority 18 Living with climate impacts and contributing to the broader resilience of Greater Sydney	Climate change is increasing the risk from natural hazards. Should the planning proposal proceed, further investigation would be undertaken to better understand the risks associated with acute shocks such as bushfire and floods. For the purpose of this application a Traffic Emergency Evacuation report was prepared based on the indicative master plan and attached at Appendix J of this report.

LOCAL HOUSING STRATEGY

The Wollondilly Local Housing Strategy provides a 20-year vision for housing in the Wollondilly LGA. Recommendations in this Strategy are based on a robust evidence base and analysis of the trends that shape housing demand and opportunities for additional housing supply across the Local Government Area (LGA). The Local Housing Strategy to support the Wollondilly 2040 – Local Strategic Planning Statement and to inform the review of the Wollondilly Local Environmental Plan 2011 (LEP).

Four directions will guide sustainable growth in both greenfield and infill areas that align with community expectations and protects and enhances the local character of Wollondilly.

The four directions are:

- (1) Provide housing in areas that are adequately serviced by infrastructure
- (2) Promote housing diversity and affordability
- (3) Plan and coordinate growth for emerging communities
- (4) Build sustainable and resilient communities that protect and celebrate our environment

Direction	Brooks Point Planning Proposal
1. Provide housing in areas that are adequately serviced by infrastructure Growth is appropriately serviced by infrastructure.	The existing infrastructure can accommodate the future development. The site has been included in the water and sewer servicing planning with the landowners collaborating with the neighbouring Walker development.
2. Promote housing diversity and affordability Diversity in housing and tenure to cater for all stages of life, meeting the needs of the current and future residents of Wollondilly.	<p>The PP will enable the development of the site to provide a mix of lot sizes to support smaller and larger dwellings that meet a range of small and larger sized households and affordability ranges within an environment that preserve the existing rural and vegetated nature of the area.</p> <p>The diversity of allotment sizes provides opportunities to cater for a mixture of socioeconomic groups within the Wollondilly Shire.</p> <p>The site is adjacent to existing neighbourhoods and the Appin village and is accessible to sustainable transport options, open space, community services and facilities, retail and job opportunities.</p>
3. Plan and coordinate growth for emerging communities New housing in Growth Areas is planned and co-ordinated with the adequate provision of hard and social infrastructure, and access to services.	<p>We note the strategic plans presents a vision for Greater Macarthur which includes urban renewal area and new land release areas including North Appin and Appin. The Plan identifies the potential to deliver 15,000 new homes in Appin with rezoning and release of land for development over the longer term and as part of an urban release.</p> <p>However, given the site adjoins Appin village, can be serviced and development in an environmentally sensitive manner, the PP of this site should be considered as local growth and an extension of the township of Appin and as the organic growth of the village.</p>

4. Build sustainable and resilient communities that protect and celebrate our environment

Housing is safe, built to a high quality and that is located away from areas at high risk to flooding and bushfires and respects and enhances the local character of the LGA.

The PP presents an opportunity to increase housing stock close to the Appin village while promoting the protection and celebration of the environment. The site is unaffected by flooding and can be safely developed while minimizing bushfire risk and supporting the rural living theme with the retention of vegetation located near the Ousedale Creek

Wollondilly Hazards Analysis and Emergency Management Study when making planning decisions regarding the future growth framework for Wollondilly

An Emergency Evacuation Assessment is provided as Appendix J.

WOLLONDILLY URBAN TREE CANOPY PLAN AND LANDSCAPE STRATEGY

The Strategy provides an understanding of the existing urban tree canopy cover in Wollondilly. It establishes the strategic direction to protect, maintain and enhance a healthy and diverse urban tree canopy into the future. Council adopted the Strategy on 16 March 2021.

For the first time in NSW planning history, the State Government is calling on metropolitan councils to respond to the need to protect and enhance urban canopy to protect and improve biodiversity, water quality and liveability as well as improve resilience to climate change and urban heat.

Council's main objectives for this plan are to:

- map Wollondilly's existing urban canopy
- understand trends and distribution of Wollondilly's current urban tree canopy coverage to facilitate reporting in line with state government requirements
- understand the opportunities and challenges that exist within the planning framework that can influence Wollondilly's urban tree canopy for both existing and future urban development areas
- establish urban tree canopy targets for Wollondilly's existing and future urban development areas
- identify opportunities to strengthen local planning policies and/or other instruments to positively affect Wollondilly urban canopy coverage
- develop a landscape strategy to support increasing and maintaining canopy coverage and the retention and enhancement of the existing historic, and rural character of Wollondilly
- identify important considerations and suitable tree species for the different functions of urban canopy
- identify and evaluate options for Council to begin development of a tree register that allows urban trees to be managed and monitored as assets (note: included in a separate memo to Council).

Direction	Brooks Point Planning Proposal
Create Strategic planting of more trees to meet Wollondilly's urban canopy targets	<p>Urban canopy needs to be considered at PP stage to ensure outcomes that enhance liveability, biodiversity and reduction of urban heat.</p> <p>Biodiversity, ecology, and planning for bushfire protection has been addressed in the PP and urban canopy will be incorporated into the urban design.</p> <p>Biodiversity and riparian corridors are to be established, and once the PP progresses a tree management plan including mature canopy diagrams can be provided at development application stage to demonstrate canopy targets will be achieved.</p> <p>The PP supports the objectives of the Create focus area.</p>

<p>Manage Protect and maintain a diverse, healthy, connected, and resilient urban canopy</p>	<p>A targeted and effective tree canopy along cycleways, footpaths and in recreation areas will be provided to shade and to reduce urban heat and skin damage from sun exposure.</p> <p>The PP supports the objectives of the 'Manage' focus area with further supportive design information to be provided at the future development application stage.</p>
<p>Bushfire Management Plan and manage canopy in bushfire prone areas to not increase bushfire risk</p>	<p>The site is bushfire prone land and as such a Strategic Bushfire Assessment report has been provided (Appendix G).</p> <p>In the future, best practice urban canopy planning and management in accordance with Planning for Bushfire Protection Guidelines 2019 will be provided to ensure the increase vegetation connectivity and canopy does not increase risk of bushfire to life and property.</p> <p>The PP supports the objectives of the Bushfire Management focus area with further supportive design information to be provided at the future development application stage.</p>
<p>Community Collaborate with and educate our community</p>	<p>The importance of retaining and protecting existing trees and designing site access and allotment to protect existing trees has been acknowledge in the design of the indicative Master Plan.</p> <p>The objectives of increasing community awareness of the need for and benefits of urban canopy including increased participation in education programs is supported by the proponent.</p> <p>Should the PP progress to Gateway, further collaboration with Council in this regard would be encouraged.</p> <p>The PP supports the objectives of the Community focus area.</p>

APPENDIX D: CONSISTENCY WITH MINISTERIAL DIRECTIONS

Consistency with Ministerial Directions

FOCUS AREA 1: - PLANNING SYSTEMS

No.	Direction	Applicable	Consistent	Comments
1.1	Implementation of Regional Plans	Yes	Yes	<p>Objective:</p> <p>(1) The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>What a relevant planning authority must do:</p> <p>(4) Planning Proposals must be consistent with a Regional Plan released by the Minister for Planning.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road Planning Proposal is considered consistent with the objectives of the Greater Sydney Plan - A Metropolis of Three Cities and Greater Macarthur 2040. Refer to Section 2.3.2.</p> <p>The Planning Proposal is consistent with Direction No. 1.1 Implementation of Regional Plans.</p>
1.2	Development of Aboriginal Land Council Land	No	N/A	N/A
1.3	Approval and Referral Requirements	Yes	Yes	<p>Objective:</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Clause (4) requires Planning Proposal to minimize the inclusion of concurrence/consultation provisions and not identify development as designated development.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road Planning Proposal does not include concurrence/consultation provisions and does not identify development as designated development.</p> <p>The Planning Proposal is consistent with Direction No. 1.3 Approval and Referral Requirements.</p>
1.4	Site Specific Provisions	Yes	Yes	<p>Objective:</p> <p>(1) The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p>

				<p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Planning Proposal discourages unnecessarily restrictive site-specific planning controls by utilizing existing zones, floor space ratios, height of building and lot size requirements established by the Standard Instrument LEP.</p> <p>The Planning Proposal is consistent with Direction No. 1.4 Site Specific Provisions.</p>
1.5	Parramatta Road Corridor Urban Transformation Strategy	No	N/A	N/A
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A	N/A
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	N/A
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	N/A
1.9	Implementation of Glenfield to	No	N/A	N/A

	Macarthur Urban Renewal Corridor			
1.10	Implementation of the Western Sydney Aerotropolis Plan	No	N/A	N/A
1.11	Implementation of Bayside West Precincts 2036 Plan	No	N/A	N/A
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A	N/A
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A	N/A
1.14	Implementation of Greater Macarthur 2040	Yes	Yes	<p>Objective:</p> <p>(1) The objective of this direction is to ensure that development within the Greater Macarthur Growth Area is consistent with the Greater Macarthur 2040 dated November 2018.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal authority must ensure that a planning proposal is consistent with the Greater Macarthur 2040, approved by the Minister for Planning, Industry and Environment and as published on 19 November 2018 on the website of the Department of Planning, Industry and Environment.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road Planning Proposal is considered consistent with the broad strategic intent of the Greater Macarthur 2040, as is demonstrated through this report. Refer to Section 2.3.2.</p> <p>The Planning Proposal is consistent with Direction No. 1.1 Implementation of Regional Plans.</p>
1.15	Implementation of the Pyrmont Peninsula Place Strategy	No	N/A	N/A
1.16	Northwest Rail Link Corridor Strategy	No	N/A	N/A
1.17	Implementation of the Bays West Place Strategy	No	N/A	N/A
1.18	Implementation of the Macquarie	No	N/A	N/A

	Park Innovation Precinct			
1.19	Implementation of the Westmead Place Strategy	No	N/A	N/A
1.20	Implementation of the Camellia-Rosehill Place Strategy	No	N/A	N/A
1.21	Implementation of the South-West Growth Area Structure Plan	No	N/A	N/A

FOCUS AREA 2: DESIGN AND PLACE

FOCUS AREA 3: BIODIVERSITY AND CONSERVATION

No.	Direction	Applicable	Consistent	Comments
3.1	Conservation Zones	Yes	Yes	<p>Objective:</p> <p>(1) the objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(5) A planning proposal that applies to land within an environmental 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 (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for the minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 Rural Lands.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road Planning Proposal proposes to rezone the land to a R2 Low Density Residential and C2 Environmental Conservation Zone.</p> <p>The areas of the Brooks Point Road site proposed for residential uses are not considered environmentally sensitive areas and are located within the CPCP's definition of 'urban capable land.' Land with environmental significance or identified by the CPCP as 'avoided' land will be rezoned to C2 Environmental Conservation.</p>

				<p>The Planning Proposal will contribute to the protection of the C2 Environmental Conservation Zone through the implementation of mitigation measures identified by the CPCP and which are listed within the Flora and Fauna Assessment for inclusion at the Development Application stage. Such measures include:</p> <ul style="list-style-type: none"> • Provision of dog-proof fencing within open space and public recreation areas; and around individual residential lots. • Signposting areas adjoining koala habitat with permitted/prohibited activities and associated penalties. <p>The Flora and Fauna Assessment recommends a Vegetation Management Plan be prepared for the long-term management of the C2 Environmental Conservation zoned parcel.</p> <p>A copy of the Flora and Fauna Assessment is included as Appendix F.</p> <p>The Planning Proposal is considered consistent with the Direction No. 3.1 for Conservation Zones.</p>
3.2	Heritage Conservation	Yes	Yes	<p>Objectives</p> <p>(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects, or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural, or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places, or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place, or landscape as being of heritage significance to Aboriginal culture and people.</p>

				<p>Brooks Point Road Planning Proposal</p> <p>An Aboriginal Due Diligence Report has been prepared by Mary Dallas Consulting Archaeologists concludes 'that the subject land which will be impacted by the current proposal has been found to contain no evidence of past Aboriginal use, and there is little or no likelihood for substantial or significant subsurface deposits.'</p> <p>A Historic Heritage Assessment prepared by Navin Officer Heritage Consultants found that 'there is no evidence of historical development in the form of houses, sheds or other buildings, however, impermanent evidence such as unsealed tracks, paddocks, bulldozed rock piles delineated fence lines and dams/water reservoirs exist attesting to the past European clearing and use of the area for farming' and that 'there is no evidence of archaeological deposits existing on the property.'</p> <p>The Aboriginal Due Diligence Assessment and Historic Heritage Assessment are provided in Appendices K and L.</p> <p>The Planning Proposal is consistent with Direction No. 3.2 for Heritage Conservation.</p>
3.3	Sydney Drinking Water Catchments	No	N/A	N/A
3.4	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A	N/A
3.5	Recreation Vehicle Areas	No	N/A	N/A
3.6	Strategic Conservation Planning	Yes	Yes	<p>Objectives</p> <p>(1) The objective of this direction is to protect, conserve or enhance areas with biodiversity value.</p> <p>What a relevant planning authority must do:</p> <p>(1) A planning proposal authority must be satisfied that a planning proposal that applies to avoided land identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 demonstrates that it is consistent with:</p> <ul style="list-style-type: none"> (a) the protection or enhancement of native vegetation, (b) the protection or enhancement of riparian corridors, including native vegetation and water quality. (c) the protection of threatened ecological communities, threatened species and their habits. (d) the protection or enhancement of koala habitat and corridors, and

				<p>(e) the protection of matters of national environmental significance.</p> <p>(2) planning proposal authority must be satisfied that a planning proposal that applies to a strategic conservation area identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 demonstrates that it is consistent with:</p> <p>(a) the protection or enhancement of native vegetation,</p> <p>(b) the minimisation of impacts on areas of regionally significant biodiversity, including threatened ecological communities, threatened species and their habitats,</p> <p>(c) the protection or enhancement of koala habitat and corridors, including habitat connectivity and fauna movement, and links to ecological restoration areas, and</p> <p>(d) the maintenance or enhancement of ecological function.</p> <p>(3) A planning proposal must not rezone land identified as avoided land in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:</p> <p>(a) a rural, residential, business, industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, or equivalent zone.</p> <p>(4) A planning proposal must not rezone land identified as a strategic conservation area in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:</p> <p>(a) RU4, RU5, RU6, residential, business, industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, or equivalent zone</p> <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road site is identified within the strategic conservation plan, the CPCP. The CPCP classifies land with significant biodiversity value as 'avoided land.' Land with potential for urban development is identified as 'urban capable land.'</p> <p>Land identified as 'avoided' will be rezoned under the Planning Proposal to C2 Environmental Conservation. This land will be further managed through the implementation of mitigation measures identified by the CPCP and which are listed within the Flora and Fauna Assessment for inclusion at the Development Application stage. Such measures include:</p>
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				<ul style="list-style-type: none"> • Provision of dog-proof fencing within open space and public recreation areas; and around individual residential lots. • Signposting areas adjoining koala habitat with permitted/prohibited activities and associated penalties. <p>The Flora and Fauna Assessment recommends a Vegetation Management Plan be prepared for the long-term management of the C2 Environmental Conservation zoned parcel.</p> <p>A copy of the Flora and Fauna Assessment is included as Appendix F.</p> <p>The Planning Proposal is considered consistent with the Direction No. 3.6 for Conservation Zones.</p>
3.7	Public Bushland	Yes	Yes	<p>Objective:</p> <p>(1) The objective is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland, by:</p> <p>(a) preserving</p> <ol style="list-style-type: none"> biodiversity and habitat corridors, Links between public bushland and other nearby bushland, Bushland as a natural stabiliser of the soil surface, Existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, the recreational, educational, scientific, aesthetic, environmental, ecological, and cultural values, and potential of the land, and <p>(b) mitigating disturbance caused by development,</p> <p>(c) giving priority to retaining public bushland.</p> <p>What a relevant planning authority must do:</p> <p>(a) Be satisfied that the planning proposal is consistent with the objectives of this direction; and gives priority to retaining public bushland,</p> <p>(b) Be satisfied that the planning proposal gives priority to retaining public bushland, unless the planning proposal authority is satisfied that significant environmental, economic or social benefits will arise that outweigh the value of the public bushland.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Planning Proposal will retain public bushland by rezoning that portion of the site identified by the CPCP as C2 Environmental Conservation.</p> <p>The Planning Proposal is consistent with Direction No. 3.7 Public Bushland.</p>

3.8	Willandra Lakes Region	No	N/A	N/A
3.9	Sydney Harbour Foreshores and Waterways Area	No	N/A	N/A
3.10	Water Catchment Projection			

FOCUS AREA 4: RESILIENCE AND HAZARDS

4.1	Flooding	No	N/A	<p>Objectives</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual, 2005, and (b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land. <p>Application:</p> <p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>A Planning Proposal must:</p> <ul style="list-style-type: none"> (1) Include provisions that give effect to and are consistent with: <ul style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. (2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones. (3) A planning proposal must not contain provisions that apply to the flood planning area which: <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties,
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				<ul style="list-style-type: none"> (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event. <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the dwelling density of that land, (d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (e) are likely to affect the safe occupation of and efficient evacuation of the lot, or (f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities. <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be</p>
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				<p>consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>Brooks Point Road Planning Proposal</p> <p>A Flood Impact and Risk Assessment has been prepared and found that the site is flood free, hence, no flood control is required. The Technical Memorandum is provided as Appendix N.</p> <p>The Planning Proposal is consistent with Direction No. 4.1 Flooding.</p>
4.2	Coastal Management	No	N/A	N/A
4.3	Planning for Bushfire Protection	Yes	Yes	<p>Objectives</p> <p>(1) The objectives of this direction are:</p> <p>(a) to protect life, property, and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p> <p>What a relevant planning authority must do:</p> <p>(4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of Schedule 1, clause 4 of the Act, and take into account any comments so made,</p> <p>(5) A planning proposal must:</p> <p>(a) have regard to <i>Planning for Bushfire Protection 2019</i>,</p> <p>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>(c) ensure that bushfire hazard reduction is not prohibited within the APZ.</p> <p>(6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <p>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:</p> <p>(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</p>

				<ul style="list-style-type: none"> (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area. <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road Planning Proposal is capable of providing adequate arrangements for bushfire protection. This is supported by the Strategic Bushfire Study prepared by Building Code & Bushfire Hazard Solutions Pty Limited.</p> <p>The Study confirms that the 'subject site and proposed Master Plan has the capacity to comply with the relevant specifications and requirements of Planning for Bushfire Protection 2019.' Furthermore, 'the proposed Master Plan, in combination with the bushfire protection measures discussed herein will not result in areas that are difficult to evacuate, create control difficulties during a bushfire or adversely affect other bushfire protection strategies or place existing development at increased risk.</p> <p>The Study is attached as Appendix G to this report.</p> <p>The Planning Proposal is consistent with Direction No. 4.3. Planning for Bushfire Protection.</p>
4.4	Remediation of Contaminated Land	Yes	Yes	<p>Objective</p> <ul style="list-style-type: none"> (1) The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities. <p>What a relevant planning authority must do:</p> <ul style="list-style-type: none"> (4) A planning proposal authority must not include in a particular zone (within the meaning of the

				<p>local environmental plan) any land specified in paragraph</p> <p>(2) if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p> <p>Brooks Point Road Planning Proposal A Preliminary Site Investigation (PSI) Report has been prepared which found due to past historical uses of the site that remediation of part of the site would be required. This remediation would occur prior to the land being used for residential purposes.</p> <p>A copy of the PSI is attached as Appendix H.</p>
4.5	Acid Sulphate Soils	No	N/A	<p>A review of online mapping indicated that the site is located in an area mapped as no known occurrence. Further assessment of acid sulphate soils, in the context of this project is considered not warranted.</p>
4.6	Mine Subsidence and Unstable Land	Yes	Yes	<p>Objective:</p> <p>(1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p> <p>What a relevant planning authority must do:</p> <p>(4) When preparing a planning proposal that would permit development on land that is within a Mine</p>

				<p>Subsidence District a relevant planning authority must:</p> <p>(a) consult the Mine Subsidence Board to ascertain:</p> <p>(i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and</p> <p>(ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and</p> <p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and</p> <p>(c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(5) A planning proposal must not permit development on unstable land referred to in paragraph 3(b).</p> <p>Brooks Point Road Planning Proposal</p> <p>While the site has been identified within a Mine Subsidence District (Non-EPI) the PP is considered capable of development.</p> <p>The Planning Proposal is consistent with Direction No. 4.6 Mine Subsidence and Unstable Land.</p>
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TRANSPORT AND INFRASTRUCTURE

5.1	Integrating Land Use and Transport	Yes	Yes	<p>Objectives:</p> <p>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal must locate zones for urban purposes and include provisions that give effect</p>
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				<p>to and are consistent with the aims, objectives, and principles of:</p> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road PP is considered consistent with Direction 5.1 as it can enable a well-located site to:</p> <ul style="list-style-type: none"> ▪ Make better use of its close proximity to local village shopping and services and employment, recreational opportunities, and the local bus network ▪ Provide an increase in population in a mix of new housing that supports the economic sustainability of Appin village and ▪ Enable the village centre to grow with additional small-scale shops and services. <p>The Traffic Impact Assessment found that the 'traffic impacts of the development are considered acceptable' as 'no external improvements are required to facilitate the development' beyond the proposed road layout design. The Traffic Impact Assessment is attached as Appendix I.</p> <p>The Planning Proposal is consistent with Direction No. 5.1 Integrating Land Use and Transport.</p>
5.2	Reserving Land for Public Purposes	Yes	Yes	<p>Objective:</p> <ul style="list-style-type: none"> (1) The objectives of this direction are: <ul style="list-style-type: none"> (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. <p>What a relevant planning authority must do:</p> <ul style="list-style-type: none"> (4) A planning proposal must not create, alter, or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). (5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>, the relevant planning authority must:

				<p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <p>(7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Planning Proposal includes a public reserves for the purposes of drainage and recreational purposes. The Planning Proposal does not create, alter or reduce existing zonings or reservations of land. Drainage infrastructure and recreational land use activities are permitted within the proposed R2 Low Density Residential Zone.</p> <p>The Planning Proposal is consistent with Direction No. 5.2 Reserve Land for Public Purposes.</p>
5.3	Development Near Regulated Airports and Defence Airfields	No	N/A	N/A
5.4	Shooting Ranges	No	N/A	N/A

HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

No.	Direction	Applicable	Consistent	Comments
6.1	Residential Zones	Yes	Yes	<p>Objectives:</p> <p>(1) The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Planning Proposal will:</p> <ul style="list-style-type: none"> increase housing supply and broaden choice and locations of available building types in the local housing market. make more efficient use of urban land optimising the use of existing infrastructure and services offer well connected housing in village location that reduces the consumption of land for housing in rural areas demonstrated good urban and environmental design. be consistent with the structured and sustainable growth of a village as defined by Councils adopted GMS.

				<ul style="list-style-type: none"> be consistent with the structured growth and density targets defined in the Greater Macarthur 2040. <p>The Planning Proposal is consistent with the Direction No. 6.1 Residential Zones.</p>
6.2	Caravan Parks and Manufactured Homes Estates	No	N/A	N/A

INDUSTRY AND EMPLOYMENT

7.1	Business and Industrial Zones	No	N/A	N/A
7.2	Reduction in non-hosted short term rental accommodation period	No	N/A	N/A
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	N/A

No.	Direction	Applicable	Consistent	Comments
8.1	Mining, Petroleum Production and Extractive Industries	No	N/A	N/A

PRIMARY PRODUCTION

No.	Direction	Applicable	Consistent	Comments
9.1	Rural Zones	Yes	N/A	<p>Objective:</p> <p>(1) the objective of this direction is to protect the agricultural production value of the rural land.</p> <p>What a relevant planning authority must do:</p> <p>(4) A planning proposal must:</p> <p>(a) Not rezone land from a rural zone to a residential, business, industrial, village or tourist zone</p> <p>(b) Not contain provisions that will increase the permissible density of land within a rural zone</p> <p>Consistency:</p> <p>(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-</p>

				<p>General of the Department of Planning (or an officer of the Department nominated by the Director-General/) that the provisions of the planning proposal that are inconsistent are:</p> <p>(c) in accordance with the relevant Regional Strategy or Sub- Regional Strategy prepared by the Department of Planning which considers the objective of this direction.</p> <p>Brooks Point Road Planning Proposal</p> <p>The Brooks Point Road site is currently zoned RU2 - Rural Landscape. The Brooks Point Road Planning Proposal proposes to rezone the land to R2 Low Density Residential and C2 Environmental Conservation Zone. It is also proposed to amend the Lot Size Map as it applies to the subject land. Refer to Section 2 of this report.</p> <p>Whilst not necessarily consistent with the Direction 9.1 for Rural Zones, the proposed rezoning is considered justifiable by reason of the land already being included as a strategic residential growth area for Appin village, as defined by Wollondilly Shire Council's adopted Growth Management Strategy, 2011 and Greater Macarthur 2040 which identified the site as future urban land.</p> <p>The rezoning of that portion of the site from RU2 Rural Landscape to C2 Environmental Zone is consistent with, and will facilitate the implementation of, the Cumberland Plain Conservation Plan.</p>
9.2	Rural Lands	No	N/A	N/A
9.3	Oyster Aquaculture	No	N/A	N/A
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	N/A

APPENDIX E: CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES

Consistency with State Environmental Planning Policies

SEPP	APPLICABLE	COMMENT
Exempt and Complying Development	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Housing	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Design Quality of Residential Apartment Development	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Building Sustainability Index: BASIX	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Primary Production	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Resources and Energy	Yes	The Brooks Point Planning Proposal is not proposing to rezone land within 50 metres of access road to a quarry. The PP will not contain provisions that will contradict or hinder the application of the SEPP. No Further consideration of this SEPP is required.
Resilience and Hazards	Yes	<p>While this chapter refers to Development Applications, undertaking a site investigation is prudent given the nature of the planning proposal.</p> <p>Findings from a Preliminary Site Investigation consider the contamination risk to be low and therefore the site suitable for the proposed use as residential land. A full copy of the report is attached as Appendix H to this report. A stage 2 detailed site investigation (DSI) will be undertaken should the planning proposal proceed to Gateway.</p>
Industry and Employment	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Transport and Infrastructure	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Biodiversity and Conservation	Yes	<p>The site is located within Wollondilly LGA, which is listed under Schedule 2 of the SEPP. The likelihood of the site to be 'potential koala habitat' or 'core koala habitat' was considered under the Flora and Fauna Assessment and concludes:</p> <ul style="list-style-type: none"> ▪ The site is not considered to comprise Potential Koala Habitat as defined under the SEPP. ▪ The subject site is not considered be 'Core Koala Habitat' as defined under the SEPP.

		<p>Notwithstanding the above, a Koala Assessment Report was prepared, and the Flora and Fauna Assessment recommends a number of measures to further protect potential koala habitat.</p> <p>The preparation of a Koala Plan of Management is required for land identified on the <i>Site Investigation Area for Koala Plans of Management Map</i> and land identified as core koala habitat.</p> <p>The Flora and Fauna Assessment is attached as Appendix F.</p> <p>The site is located within the water catchment for Hawkesbury-Nepean River System. From investigations undertaken to date, it is considered the PP is capable of being consistent with the provisions of the SREP 20.</p>
Planning Systems	No	
Precincts – Eastern Harbour City	No	
Precincts – Central River City	No	
Precincts – Western Parkland City	No	The PP will not contain provisions that will contradict or hinder the application of the SEPP
Precincts - Regional	No	

APPENDIX F: FLORA & FAUNA ASSESSMENT OF NO. 10 AND 20 BROOKS POINT ROAD, APPIN NSW PREPARED BY ENVIRO ECOLOGY DATED JULY 2023

APPENDIX G: STRATEGIC BUSHFIRE ASSESSMENT PLANNING PROPOSAL, BROOKS POINT ROAD, APPIN, REFERENCE NUMBER 220628 PREPARED FOR AUSLANDS DEVELOPMENT PTY LTD PREPARED BY BUILDING CODE & BUSHFIRE HAZARD SOLUTIONS PTY LTD, DATED 11 AUGUST 2023

APPENDIX H: PRELIMINARY SITE INVESTIGATION (PSI) REPORT LOTS 1, 4 & 5 DP 249446, LOTS 1 & 2 DP 584515 AND LOT 3 DP 249446 10 AND 20 BROOKS POINT ROAD, APPIN NSW PREPARED FOR APPIN FARMERS PTY LTD BY GEOENVIRO CONSULTANCY PTY LTD, OUR REF JE22736A-R1 DATED SEPTEMBER 2022

**APPENDIX I: TRAFFIC IMPACT ASSESSMENT, PLANNING PROPOSAL FOR MIXED USE
DEVELOPMENT 10-20 BROOKS POINT ROAD, APPIN REF:
23.241R01V02 DATE SEPTEMBER 2023**

**APPENDIX I: EMERGENCY EVACUATION ASSESSMENT PREPARED BY HEMANOTE
CONSULTANTS PTY LTD DATED JULY 2023**

APPENDIX K(1): DUE DILIGENCE ABORIGINAL HERITAGE ASSESSMENT FOR REZONING OF LOTS 1, 4 AND 5 DP 249446, LOT 1 DP 584515 AND LOT 3 DP 249446, 10 BROOKS POINT ROAD APPIN PREPARED BY MARY DALLAS CONSULTING ARCHAEOLOGISTS, DECEMBER 2022

**APPENDIX K(2): ASSESSMENT OF MODIFIED TREE – ADVICE TO HERITAGE NSW DATED
18/08/2023 BY DR SUSAN MCINTYRE-TAMWOY**

**APPENDIX L(1): HISTORIC ASSESSMENT BROOKS ROAD APPIN, NAVIN OFFICER
HERITAGE CONSULTANTS DATED DECEMBER 2022.**

**APPENDIX L(2): ADDENDUM TO HERITAGE ASSESSMENTS PREPARED BY NAVIN
OFFICER HERITAGE CONSULTANTS DATED AUGUST 2023**

**APPENDIX M: FINAL COMPREHENSIVE SOCIAL AND HEALTH IMPACT ASSESSMENT,
10 AND 20 BROOKS POINT ROAD, APPIN PREPARED BY URBIS DATED
DECEMBER 2022**

**APPENDIX N: TECHNICAL MEMORANDUM FOR 1% AEP AND PROBABLE MAXIMUM
FLOOD ASSESSMENT, REFERENCE: 19171 REV 1 DATED 17 JULY 2023**

**APPENDIX O: WATER CYCLE MANAGEMENT PLAN, BROOKS POINT ROAD APPIN,
PREPARED BY BEVERIDGE WILLIAMS DATED AUGUST 2023**

**APPENDIX P: INFRASTRUCTURE AND SERVICING REPORT, BROOKS POINT ROAD,
APPIN, PREPARED BY BEVERIDGE WILLIAMS DATED AUGUST 2023;
AND INFRASTRUCTURE DELIVERY SCHEDULE DATED SEPTEMBER 2023.**

**APPENDIX Q: ZONING PLAN FOR PLANNING PURPOSES, BROOKS POINT ROAD,
APPIN, PREPARED BY BEVERIDGE WILLIAMS, JOB NO 19171, VERSION
04**

**APPENDIX R: MASTER PLAN FOR PLANNING PURPOSES, BROOKS POINT ROAD,
APPIN, PREPARED BY BEVERIDGE WILLIAMS, JOB NO 19171, VERSION
11_A**

**APPENDIX S: PEDESTRIAN AND CYCLE PATH PLAN, BROOKS POINT ROAD, APPIN,
PREPARED BY BEVERIDGE WILLIAMS, JOB NO 19171, VERSION 01.**