

Our Reference: 19171

18 March 2024

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Via email: lisa.kennedy@planning.nsw.gov.au

Dear Madam,

**Rezoning Review (RR-2023-13) for Draft Planning Proposal (PP-2022-4330) -
10, 14, 20 Brooks Point Road, Appin in the Local Government Area of Wollondilly**

Thank you for providing the opportunity to discuss the draft Planning Proposal (PP-2022-4330) with the Strategic Sydney Western City Panel at a briefing on 12 March 2024. Further to our discussions, please have regard for the following information pertaining to issues surrounding infrastructure serviceability and bushfire evacuation.

SERVICEABILITY

The adjoining Walker Corporation development of the Macquariedale Precinct (Macquariedale Road, Appin) was granted development consent by the Wollondilly Shire Local Planning Panel on 9 March 2023. A copy of the Notice of Determination for DA/2021/144/1 is attached (**Attachment 1**). Subsequent modifications were granted under Section 4.55 of the *Environmental Planning and Assessment Act, 1979* on 17 July 2023, 7 September 2023 and 15 November 2023. (**Refer to Attachments 2, 3 and 4**). A Subdivision Works Certificate (WCC/2021/144/1) for the bulk earthworks and civil works has been issued by Wollondilly Shire Council. Walker Corporation have advised that construction commencement is imminent.

The approved adjoining Macquariedale Precinct involves the subdivision of Lot 1 DP 1218358 to create four (4) super lots; and subdivision of proposed super-lots Lot 1 and Lot 2 in three (3) stages by Torrens Title to create 212 residents lots, and 3 drainage lots in three (3) stages, boundary adjustment and associated vegetation clearance, bulk earthworks, remediation, stormwater and civil works and landscaping. A plan showing the context of the approved Walker Corporation development to the subject site is included in **Figure 1**.

I confirm that the Macquariedale Precinct has included the provisioning of sewer infrastructure within its design to service the land subject to the draft Planning Proposal. A copy of the approved Sydney Water plans (Case Reference: 198143WW) are provided as **Attachment 5**.

The plans illustrate the extension of the future pressure sewer main from 55 Macquariedale Road, through to 10, 14 and 20 Brooks Point Road, Appin, where a sewer pump station will be located. This network will provide for 288 lots @ 3.5EP / lot to service the future proposed subdivision of the subject site. This is in addition to the 214 lots supplied within the approved subdivision DA and for a 1200 pupil future school.

The Infrastructure and Servicing Report, which was submitted to support the draft Planning Proposal and reattached as **Attachment 6**, provides a copy of the Sydney Water Feasibility Assessment (31 May 2022) for the subject site.



Figure 1: Subject site and approved adjoining Walker Corporation Development (DA/2021/144/1).

The Feasibility Letter dated 31 May 2022 states that:

Water:

- The proposed development is within The Appin Water Supply Zone System and the current trunk system suggests having the capacity to service the proposed 288-lot residential subdivision.
- To service the development, the developer will need to construct a water lead-in main connecting to the existing DN300 at the corner of Toggerai Street and Burke Street, and provide a frontage to each lot within the proposed development. Further augmentation may be required subject to the topography and other constraints within the development. This will be revisited during the s73 application stage.

Sewer:

- Options assessment for servicing of Appin South for Walker Corporation was completed in 2021 that includes the Brooks Point Rd development. As the flow from this development cannot gravitate, a pumping station needs to be constructed to pump flow to a DN225 sewer main that will be constructed as part of Stage 1 Appin South. Flow from the development to be transferred to the existing SP1175 via gravity.

- Servicing of this proposed residential development is dependent upon the construction of a pumping station and rising main being delivered by Walker Corporation and take over by Sydney Water as an asset. The pumping station and rising main is required to be constructed before this development can be serviced.
- Servicing of this proposed residential development is dependent upon the completion of sewer mains leading to SP1175. The applicant therefore needs to contact Walker Corporation and coordinate with them to meet its servicing timeline for this development.

I also draw your attention to the Sydney Water correspondence dated 15 July 2022 and 19 April 2023 sent to Wollondilly Shire Council as part of the draft Planning Proposal's Pre-lodgement Consultation process, and confirms the advice received under the Feasibility Assessment that the site is serviceable. **(Attachment 7)**

BUSHFIRE EVACUATION

A Strategic Bushfire Study was prepared by Building Code and Hazard Solutions for the draft Planning Proposal. The Strategic Bushfire Study was amended following advice received from the Local Planning Panel on 1 June 2023 to consider the identification of neighbourhood safer places both within and outside of the subject site.

The Strategic Bushfire Study assessed the suitability of the site for residential development, relevant Bushfire Protection Measures (BPMs) and recognised that the site is not considered to be within a known fire path. The Study concludes 'that the proposal 'provides an appropriate combination of BPMs in accordance with *Planning for Bushfire Protection, 2019 (PBP)*.' Building Code and Hazard Solutions are satisfied that 'the proposed masterplan, in combination with the identified BPMS 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.'

Furthermore, an Emergency Evacuation Assessment was prepared by Hemanote Consultants to assess the traffic impacts in the event of an emergency evacuation. The Assessment considered the Strategic Bushfire Study and Traffic Impact Assessment prepared by Traffix. The Assessment concludes 'that based on the available travel paths, distances, number of egress points and travel times calculated, it is expected that an acceptable overall evacuation time can be achieved for the proposed rezoning and future subdivision.'

Wollondilly Shire Council commissioned Molino Stewart to prepare an independent shire-wide Hazard Assessment and Emergency Management Strategy (HAEMS). This report was considered by Council at their meeting on 26 September 2023, which was after the draft Planning Proposal - Revision C was resubmitted.

The draft HAEMS recognises that the report only provides a high-level assessment that focuses on broad-scale issues and more detailed investigations through Strategic Bushfire Studies are required to be included as part of any strategic plan or planning proposal.

The draft HAEMS provides strategies for Council to consider in the land use planning framework to mitigate bushfire risk.

The Mitigation Measures are:

- (B2) Creating Neighbourhood Safer Places within existing and future population centres to enable residents to evacuate internally within their communities.
- (B3) Building new homes within 700 metres of the bushland interface to a minimum of BAL 12.5.

The review of the mitigation measures confirms that the draft Planning Proposal and supporting technical studies, namely the Strategic Bushfire Study and Emergency Evacuation Assessment, aligns with the recommendations the draft HAEMS. The Strategic Bushfire Study recognises that:

- 'Appin Road currently exceeds the minimum carriageway requirements for non-perimeter roads and will be further enhanced, along with other access routes as Greater Macarthur Priority Growth Area is delivered.'

- 'As future dwellings will constructed to the relevant requirements AS3959 – Construction of buildings in bushfire prone areas' and PBP 2019; they will provide occupants a suitable onsite refuge.'
- 'Main Street, Appin is an identified Neighbourhood Safer Place and is located less than 500 metres north of the subject site.'

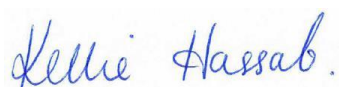
The draft Planning Proposal is therefore consistent with Council's independently commissioned report.

We note that the Strategic Sydney City Western Panel recognises that the draft Planning Proposal has **strategic merit**. The draft proposal is consistent with *The Greater Sydney Region Plan 'A Metropolis of Three Cities,' Western City District Plan and Greater Macarthur 2040*. The draft proposal is largely consistent with Council's Local Strategic Planning Statement *Wollondilly 2040* and is in line with key government directions for addressing the NSW housing supply shortage.

Concerns regarding infrastructure delivery were addressed in the draft Planning Proposal, and reinforced with the provision of additional supporting information contained within this correspondence which includes: Sydney Water approved plans, feasibility assessments and correspondence to Wollondilly Shire Council; and publicly available Notices of Determination. The subject site is serviceable, development ready and has **site merit**.

We thank you for your time in reviewing the draft Planning Proposal and appreciate your assistance in progressing the draft Planning Proposal to Gateway Determination.

Yours faithfully,



Kellie Hassab

Director / Manager NSW / Registered Planner
BEVERIDGE WILLIAMS

Attachments:

1. Notice of Determination (DA/2021/144/1) dated 9 March 2023
2. Notice of Determination (DA/2021/144/2) dated 17 July 2023
3. Notice of Determination (DA/2021/144/3) dated 7 September 2023
4. Notice of Determination (DA/2021/144/4) dated 15 November 2023
5. Approved Sydney Water Plans (Case Reference: 198143WW) for adjoining development
6. Infrastructure and Servicing Report, Beveridge Williams dated August 2023
7. Sydney Water Correspondence to Wollondilly Shire Council dated 15 July 2022 and 19 April 2023