



What We Heard

Appin Part Precinct 2
DRAFT PLANNING PROPOSAL

Preliminary Notification
15 January to 18 February 2024

1. COMMUNITY SUBMISSIONS

The Appin Part Precinct 2 Planning Proposal was placed on exhibition for a period of 28 days from 15 January to 18 February 2024.

During the public exhibition Council received 121 submissions, however 70 of these submissions were considered proforma under Councils policies these proforma submissions are treated as one submission, nonetheless the issues raised have been outlined separately below.

All submissions were comprehensively reviewed by Council Officers.

Community submissions have been categorised into relevant themes and addressed in the table below in no particular order.

KEY THEMES		
Proforma submission	Response	Changes in response to submission
<p>Object to the planning proposal.</p> <p>Primary objection centres on the inadequacy of the current evacuation routes in the event of a bushfire, water security, and public safety.</p>	<p>Noted concerns are individually outlined below.</p>	N/A
<p>Current evacuation routes are not fit for purpose in the event of a bushfire.</p> <p>It endangers the lives of residents and contradicts the principles of responsible urban planning in fire-prone areas.</p> <p>The Rural Fire Service (RFS) has not publicly endorsed the rezoning proposal, nor have they confirmed that the evacuation plans are sufficient and safe.</p>	<p>Bushfire traffic evacuation concerns and resident safety are a key issue for the area.</p> <p>Key to addressing this will be upgrades to the road network which will need to be identified and secured through the Appin Part Precinct 1 state planning agreement which has already been rezoned.</p> <p>The proposal was referred to the RFS for comment however no objection has been raised.</p>	No
<p>No decision to rezone should be made without a binding agreement for Infrastructure Delivery</p>	<p>Council continues to advocate for binding agreement with the State and the proponent for infrastructure delivery.</p> <p>In addition, it is noted that the</p>	No

<p>This should deliver essential infrastructure including upgrades to water, roads utilities and emergency services that are critical to ensuring safe evacuation routes and address needs of community.</p> <p>Roads will take too long to be delivered is only delivered in line with lots.</p>	<p>Department of Planning, Housing and Infrastructure (DPHI) has advised that planning agreements will be needed with the planning proposal.</p> <p>Further work would be required to progress the proposal.</p>	
<p>The proposal disregards the environmental significance and heritage of Appin.</p> <p>It clears koala habitat.</p> <p>Development must respect and preserves the local landscape and biodiversity, particularly the habitat of critically endangered species.</p>	<p>Development will likely involve the clearing of some vegetation. The proposed development aligns with the CPCP mapped area. This is a current requirement.</p> <p>The biodiversity values and koala habitat were considered via the CPCP framework. It has both State and Federal approval. No further investigation is required for biodiversity purposes as the CPCP has all required approvals.</p> <p>The State listing for the Appin Massacre site is located on separate lots.</p>	No
<p>Current infrastructure and community services, including health and education, are not equipped to support the growth of both Appin and Wilton.</p> <p>Campbelltown Hospital is at capacity and Wollondilly has no hospital.</p> <p>The proposal fails to address how it will accommodate the healthcare needs of an additional 130,000 residents, which is unacceptable.</p>	<p>The infrastructure and community services are still being planned according to the Greater Macarthur update released by DPHI.</p> <p>Council have reported the Contributions Plan with a draft report release by IPART on the 5 December 2024. This will provide a framework for development contributions to local infrastructure such as community facilities.</p> <p>There is no State Contribution Plan for Appin, instead there will likely be a requirement to enter into a planning agreement with the State Government for roads and other key infrastructure.</p>	No
<p>Rezoning is premature for all the identified concerns.</p>	<p>Wollondilly Local Strategic Planning Statement identifies the Appin area as a long-term plan after Wilton.</p>	No

	<p>However, DPHI has accelerated the rezoning, with land for 12,900 dwellings already rezoned.</p>	
<p>Landowners continued to be impacted, with little or no consultation.</p>	<p>Council will continue to notify residents in writing and through social media in accordance with the Community Participation Plan and the Planning Proposal Policy.</p> <p>Council has encouraged DPHI to work more closely with the community.</p> <p>The previous rezoning for 12,900 lots was managed and assessed by the DPHI.</p> <p>Notification processes of the State are not within the control of Council however we do continue to advocate for consultation.</p>	<p>No</p>
<p>Confirmation of the M9 Outer Orbital route is yet to go on public exhibition.</p> <p>Landowners cannot continually be held to ransom. This impacts of their health and wellbeing.</p>	<p>The proposed M9 orbital (OSO) has been identified as part of the Greater Macarthur Structure Plan.</p> <p>The OSO planning is a separate process but is linked to the development of Appin.</p> <p>Transport for NSW has been notified of this Planning Proposal. It is anticipated that TfNSW will consult with the community as planning for the route is refined.</p>	<p>No</p>
<p>Request the proposal is rejected until the following conditions are met:</p> <ol style="list-style-type: none"> 1. A comprehensive bushfire evacuation plan is developed with the RFS and their full support and endorsement. 2. A legally binding agreement for the delivery of all necessary infrastructure upgrades and community services. 3. Endorsement from the Federal Government for the CPCP. 	<p>This proposal has a number of challenges and these issues align in part with some of the issues raised in the proforma submission.</p> <p>These are discussed further within the report.</p> <p>The planning proposal is likely premature in that it accelerates further housing without commitment to infrastructure.</p>	<p>Yes further information would be required if it progressed.</p>

<p>4. A detailed plan is for the expansion of health and education services</p> <p>5. The safety and well-being of the Appin community, the preservation of our natural and cultural heritage</p> <p>Strongly advocate for a responsible and sustainable approach to urban planning that addresses these critical issues.</p>		
<p>Community Submissions – Key Issues</p> <p><i>This section is a summary of unique individual submissions from community members.</i></p>		
<p>Roads</p>	<p>Response</p>	<p>Changes in response to submission</p>
<p>Access concerns for the site.</p> <p>No funding for the proposed road network.</p> <p>Existing nature of rural roads in Appin are not appropriate for access.</p>	<p>Infrastructure including roads is an issue in Appin.</p> <p>A road network has been developed in the Structure Plan for Greater Macarthur.</p> <p>The Transport Management and Accessibility Plan (TMAP) has been finalised by Transport for NSW. This document has provided some clarity on the road network and upgrades that are required for the precinct however, no funding or agreements have been determined.</p>	<p>No</p>
<p>Bushfire</p>		
<p>There is a bushfire risk in the area.</p> <p>The number of homes in a bushfire area.</p> <p>Evacuation concerns regarding bushfire.</p>	<p>Bushfire traffic evacuation concerns and resident safety are a key issue for the area.</p> <p>The proposed development is in conjunction with the overall Appin Part 1 Precinct and cumulative impact of additional residents needs to be understood and an approach for bushfire evacuation explored.</p> <p>The proposal was referred to the RFS for comment however no objection was raised.</p>	<p>No</p>

Flooding		
Localised flooding	<p>The site has several areas of creek line that do have the potential to flood.</p> <p>Additional work has been conducted by the proponent to ensure the site is suitable.</p> <p>This work has highlighted a hydraulic flood assessment is still required and if the proposal proceeds this work will need to be carried out as part of the gateway.</p>	Yes further information would be required and changes may be resultant should it proceed.
Water and Sewer		
Insufficient water and sewer	<p>Sydney Water has provided advice, this is discussed further below and in the report.</p> <p>Upgrades are required in the area to provide portable water to the sites and is not currently available.</p> <p>Walker have entered into an agreement to provide sewer connection through CoNEXA.</p> <p>In addition, a new plant is required to be constructed and is anticipated by 2032. This will provide services to the greater area.</p>	No
Water pressure issues	<p>Water pressure issues have been noted by Sydney Water in the past.</p> <p>Previous advice from Sydney Water has noted that the pressure is within their specifications.</p>	No
Transport Corridor		
The location of the major transport corridors	<p>The two key road corridors that pass through the Appin area provide access for the precinct.</p> <p>These have been mapped within the Greater Macarthur Structure Plan and have an indicative location.</p>	No

	It is important that further clarity is provided to residents and business owners who could be impacted likely to be impacted.	
Public Transport		
No suitable public transport in Appin	Council understands that TfNSW are to provide a fast bus network that will provide public transport options to the growth area.	
Council is Facilitating Development		
How much of rate payer's money is spent on facilitating developers wants	This Planning Proposal was a proponent led application. Council has charged fees in accordance with the adopted Council policy and must process the proposal in accordance with the legislation.	No
Land Size		
No minimum lot size is proposed. Concerns the lack of minimum lot size will prejudice parks and green space. The whole site will be covered with housing.	No minimum lots size does not mean there are not controls for the lot numbers and dwelling numbers within an area. The SEPP controls have a minimum and a maximum lot density for areas along with a maximum dwelling yield for the area.	No
Development Contributions		
No plans or base numbers for infrastructure delivery. Question, how these essential resources going to be funded. Not state or local contributions.	IPART have released their draft findings on the proposed Contributions Plan for Appin. The state funded roads and infrastructure require resolution via a State planning agreement. DPHI have confirmed within their referral that this work needs to be progressed prior to the formal exhibition of any planning proposal within the Appin area.	No
Aboriginal Heritage Sites		
Concerns the state heritage item and the boundary of it was impacted by this proposal.	The State Heritage item – Appin Massacre was assessed by OEH and had its own independent assessment process and exhibition.	No

	<p>The area of significance was given a State Heritage listing.</p> <p>The listed area is understood to be outside of this site.</p>	
Lack of Consultation		
<p>Insufficient transparency with community consultation.</p>	<p>The Planning Proposal was notified in accordance with the Community Participation Plan from the 15 January to 18 February.</p> <p>Further exhibitions would be required if the proposal were to progress.</p>	No
Essential State Government Services		
<p>There is a lack of essential government services in the area and this development will put further strain on these services:</p> <ul style="list-style-type: none"> • Police station • Fire Station • RFS station • Ambulance stations • Hospital • Schools both primary and high school 	<p>The Greater Macarthur Update prepared by DPHI identifies the need for some of the infrastructure.</p> <p>State planning agreements may help secure these services. Any such agreement needs to be exhibited but has not yet been made available by DPHI.</p>	No
CPCP		
<p>No sign off for the CPCP.</p> <p>The proposal will impact Koala and native habitat.</p>	<p>Both the State and Federal Government has now signed off on the CPCP requirements.</p>	No
Loss of Rural Lands		
<p>These rural lands are being destroyed.</p>	<p>Greater Macarthur was declared growth area in 2018. DPHI has commenced rezoning land in 2023.</p> <p>While it is acknowledged that the area is currently rural it will in time transition to urban in time.</p>	No
Mining		
<p>Concerns on the impact of the existing mining in the area</p>	<p>While it is noted this rezoning may limit mining into the future, Council have referred this proposal to Subsidence Advisory who have raised no issues if this proposal proceeds to gateway.</p>	Yes further information may be required or

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	A suitable clause may be required to ensure mining has ceased before development can occur if the proposal progresses.	additional clause should it proceed.
Picton Bypass		
No further development in Wollondilly until Picton gets a bypass.	This Planning Proposal is not linked or located near Picton. This bypass is part of a separate process, funded and led by TfNSW.	No

2. AGENCY AND STAKEHOLDER GROUP SUBMISSIONS

Council received 12 agency submissions, noting two other agencies did not provide a response. Transport for NSW did not support the proposal progressing, seven agencies raised concern or required additional information, two agencies raised servicing timeframe issues and two agencies had no concerns with the rezoning of the land.

MATTER RAISED	RESPONSE	CHANGES IN RESPONSE TO SUBMISSION
Department of Planning & Environment		
<ul style="list-style-type: none"> Local centre should align with the Greater Macarthur Structure Plan. The GMGA 2040 interim plan indicates 15,000 homes for the Appin Precinct. Appin PP1 has been allocated 12,900 dwellings and this proposal seeks a further 1,302. DPHI question whether this proposal has considered the dwelling distribution across the rest of the GMGA. Transport NSW needs to confirm if the sites require their own Transport management Plan (TMAP). What arrangement are proposed for the State Planning Agreement. Will there be a new one agreement or an amended agreement for APP1. How does the proposal intend to work with the draft DCP for Appin. Noted that amendments are required to Appendix 10 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021. The structure plan in section 6.1 will require updating at a minimum. Approach to zoning should be articulated from the Council perspective, is it intending to use the UDZ or standard instrument zones. Before reporting for Gateway, the following agencies need to respond to the planning proposal: 	<p>DPHI have noted a number of issue that Council has been raising through the process of planning for Appin.</p> <p>The following will need resolution:</p> <ul style="list-style-type: none"> Local centre will need to align with the Structure Plan. Dwelling distribution of the remaining 2,100 dwelling across the growth area. State planning agreement approach. Update of PSP Utilisation of the SEPP and the UDZ zoning. <p>Council has received a response for all listed agencies.</p>	<p>Yes, further information is required and some changes would necessary if the planning proposal progressed.</p>

<ul style="list-style-type: none"> ○ Sydney Water ○ Rural Fire Service ○ Transport for NSW ○ School Infrastructure NSW ○ Environment and Heritage Group 		
NSW State Emergency Service (SES)		
<ul style="list-style-type: none"> ● Site has the potential for flooding. ● Recommends a comprehensive assessment of the capability for the Greater Macarthur Growth Area. ● This assessment would ideally, consider the cumulative impacts of this proposal and others. 	<p>The SES have raised concern with the potential for flooding for the site.</p> <p>The proponent has updated their Water Cycle Management Strategy Report. This report has detailed how flooding will be managed on site. There are still concerns that the areas of the site that are flood prone (within the riparian area) are still proposed to be zoned UDZ.</p> <p>If the proposal proceeds to a gateway the SES will have the opportunity to review this work in addition to the recommended hydraulic flood assessment that was identified within the Water Cycle Management Strategy.</p>	<p>Yes</p> <p>Further work is required if the proposal proceeds.</p>
Water NSW		
<ul style="list-style-type: none"> ● Notes that the northern site is located in close proximity to the Upper Canal Corridor. ● A Water Cycle Management Strategy report is required to be submitted that addresses water quality and water quantity management and includes consideration. ● The Southern site is partly located within the Sydney Drinking Water Catchment and Special Areas. The proposal must demonstrate neutral or beneficial effect (NorBE) on water quality. ● All land north and south of Wilton Road will need to be managed in such a way as to not increase any 	<p>A Water Cycle Management plan has been submitted as additional information. Water NSW will have the opportunity to review this work if the proposal proceeds to a gateway.</p> <p>Further information is required to demonstrate NorBE requirements in the land within the Sydney Drinking Water Catchment and Special areas – although this may be more appropriate for the development application process.</p> <p>Concerns with lot size are noted and will be managed but</p>	<p>No</p>

<p>management obligations on the neighbouring Water NSW-owned land.</p> <ul style="list-style-type: none"> • All Asset protection zones must be located within the development boundary. • Concerns with zoning and minimum lot size. Water NSW request a minimum lot size to ensure the dwellings numbers expected. • Concerns on the Phasing of the development And Water NSW does not support any Short-Term PWTSS on or near the boundary. • Water NSW considers the rezoning premature as water and sewer issues have not been resolved. • Concerns on the impact with Water NSW controlled heritage items 	<p>may not be via that specific mapping provision.</p> <p>Sydney Water has provided comment. They will be in charge of any temporary PWTSS systems.</p> <p>Heritage issues have already been considered as part of the heritage impact statement.</p>	
Sydney Water		
<ul style="list-style-type: none"> • The current network cannot service the proposed development. Additional infrastructure upgrades are required and are expected to be delivered between 2026-2031. • Once these works have been completed the network will be able to service this development. • There is no wastewater infrastructure to support the proposal. A new Upper Nepean Advanced Water Recycled Centre is being investigated to service the Growth area and the Wilton Growth area. • The target delivery is 2032 subject to planning, delivery and funding. 	<p>The insufficient capacity for water and wastewater is noted.</p> <p>Sydney Water cannot service the site with sewerage connection. The proponent has nominated CoNEXA to service the site for sewerage connection. If the proposal proceeds to a gateway determination further details will need to be provided.</p>	No
NSW Rural Fire Service		
<p>No objection to the proposal subject to complying with the Planning for Bushfire Protection 2019.</p> <p>The future development applications must be assessed under section 100B</p>	<p>Council notes that the Rural Fire Service (RFS) have reviewed the proposal along with all infrastructure and connections that are required to facilitate this development.</p>	No

<p>of the Rural Fires Act 1997 and Planning for Bushfire Protection 2019.</p>	<p>It is acknowledged that the RFS has no concerns with the proposal and the standard requirements under 100B will need to be addressed as part of any integrated development application.</p> <p>Section 100B assessment will be assessed as part of any Development application for the site if this rezoning proceeds.</p>	
Environmental Protection Authority (EPA)		
<ul style="list-style-type: none"> • The EPA has reviewed the submitted Acoustic Assessment and requests further work is undertaken to consider: <ul style="list-style-type: none"> ○ Fans associated with the Appin Coal Seam Mine infrastructure ○ Vent shafts associated from Appin Coal Seam Mine Infrastructure. • The submitted Preliminary site investigation has identified areas of potential contamination. A Detailed site investigation (DSI) is recommended to be undertaken prior to progressing to Gateway to ensure any potential for contamination is known prior. If required from the DSI a Remediation Action Plan (RAP) is to be undertaken if required as well. 	<p>Further acoustic assessment is required for the fan noise and vent shafts associated with the Appin Mine. The proponent has detailed these works shall occur at the development application stage. These works are recommended to occur as part of the gateway process.</p> <p>A Detailed Site investigation occurs (DSI) will also be required. The proponent has indicated these further works will occur at a future development application phase. These works are recommended to occur as part of the gateway process.</p> <p>Further action will be determined thereafter.</p>	<p>Yes Further work is required if the proposal proceeds</p>
Transport for NSW		
<p>Transport are currently seeking approval for the Transport Management and Accessibility Plan (TMAP). Once it is endorsed this TMAP will be placed on exhibition.</p> <p>This TMAP is critical for ensuring the transport network supports the proposal growth in the precinct and responds appropriately. Any</p>	<p>None support for the proposal is noted.</p> <p>It is noted that the TMAP for Appin has now been finalised by Transport for NSW. No link to funding has been secured through the State Planning Agreement which is also critical to Council.</p>	<p>No</p>

assumptions from the proponent in the Proposal will need to be recalibrated an align with the endorsed TMAP.

It is noted the proposal seeks to enter into a State Planning Agreement (SVPA) for the funding and delivery of the regional infrastructure, which includes roads and transit corridors. This SVPA is yet to be exhibited.

“Therefore, TfNSW recommended that the Appin (Part) 2 Precinct Proposal not be considered by the Council until the TMAP and SVPA are publicly exhibited and receive final approval from the Relevant Planning Authority.”

Department of Education

The specific location and details of future schools will be the subject of ongoing discussions between DoE, DPHI and the developer as detailed planning progresses for the Precinct.

DoE have previously provided comments that the minimum size for school sites is 2 ha for a primary, 4 ha for a high school and 6 ha for a combined site.

It is DoE’s preference that any school site be zoned SP2 Infrastructure. The current proposed zoned will impact land values for the school sites in addition to not being a prescribed zone under chapter 3 of the SEPP Transport and Infrastructure.

DoE seeks to explore and implement joint and shared-use opportunities with councils where there is a mutual benefit for the school and community. However, this is subject to timing, funding and a Memorandum of Understanding developed between the parties. Any future shared spaces are required to be under DoE control during school hours.

The Department of Education (DoE) have no concerns with the current locations of school sites and are continuing to work with DPHI and the proponent on the sizes of these sites and their locations.

It is noted there is a minimum size for these sites and this shall be shown on any future structure plan for the area.

In addition, it is requested by DoE that further discussions occur with DPHI on the future zoning of the school sites. DoE has the preference of a SP2 Infrastructure zone for these sites.

DoE has indicated the sites should be located next to public open space for the potential for share-use opportunities. This has not been explored with Council at this stage, Council has no concerns with the sites having a similar location but any shared uses will required

Yes
Further work is required if this proposal proceeds and mapping changes may be required.

	further discussions and agreements with Council.	
Department of Climate Change, Energy, the Environment and water – Environment and Heritage Group		
<ul style="list-style-type: none"> The Draft Planning Proposal document references a Due Diligence Assessment and a Cultural Values Assessment. The due diligence process does not adequately assess the impacts of this planning proposal on Aboriginal cultural heritage as required by Local Planning Direction 3.2. A full Aboriginal cultural heritage assessment to be prepared prior to the progression of this Proposal. Sites adjoin or are close to State Heritage items. A Statement of Heritage Impact (SoHI) including test excavation may be required to further understand the potential impacts on any potential archaeological relics on site. Prior to finalising this proposal Council must be satisfied that all necessary heritage assessments have been undertaken and that any impacts have been sufficiently addressed. Compliance with the CPCP is noted as a general requirement and the proposed C2 Conservation Land has mapped this CPCP area are protected land. 	<p>A full Aboriginal Cultural Assessment was submitted as part of this Planning Proposal.</p> <p>It is noted there are no known heritage items located within the Part 2 precinct, but there are some sites located in close proximity to the site.</p> <p>This proposal seeks to rezone the site and if the proposal proceeds to gateway a DCP is recommended to be created that ensures the sensitive impacts are controlled.</p> <p>Based on Heritage NSW recommendations a Statement of Heritage Impact is prepared prior to proceed to gateway.</p>	No
Department of Regional NSW – Mining, Exploration & Geoscience		
No response	As Council has received no response it is assumed the referral agency does not support this proposed rezoning as per the Council resolution.	No
NSW Subsidence Advisory		
<ul style="list-style-type: none"> The sites are located within a declared Mine Subsidence district. 	Noted.	No

<ul style="list-style-type: none"> Subsidence Advisory does not object to the rezoning described in the draft planning proposal. Future Development Applications for subdivision will require the appropriate referral. 		
Endeavour Energy		
<ul style="list-style-type: none"> Standard Development consent conditions Request the proponent avoid planting of large trees Near Power lines Capacity of existing network means upgrades will be needed prior to developments proceeding. 	<p>Standard conditions of DA consent are important but not relevant at the rezoning stage.</p> <p>The proponent has also noted that additional substations will be required for the West Appin area.</p>	No
Population Health		
<ul style="list-style-type: none"> Campbelltown Hospital is the primary hospital for the area and has recently received substantial upgrades. The proposal seeks to provide spaces for community health hubs throughout the Appin Part 1 and part 2 growth area. This is in line with Population health recommendations. Active and public transport for the area has been identified. Dwellings are located in good proximity to public open space. Employment opportunities for the proposed dwellings is lacking. Housing diversity has been provided. 	Noted	No
DPHI - Biodiversity & Climate Change Planning Resilience and Urban Sustainability		
No concerns with the draft planning proposal.	Noted	No
Local Aboriginal group		
The southern site appears to be in close proximity to the hanging site of Cannavayagal, Durrell and the	The southern site does not cross over into the land that includes the newly listed State Heritage Item. It appears that	No

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unnamed/erased Aboriginal mother during the time of the Massacre.

The proposed rezoning does not appear to consider the potential impact of this site.

Concerns on retaining the bushland in the northern site. This land cannot be further cleared

Questions the consultation for this Planning Proposal and other Planning Proposals. How has the information been provided to the community?

there is no curtilage that is mapped over the proposed rezoning land.

The area of native bushland is being retained as C2 zoning land and is also protected under the CPCP.