

Attachment 2

State and Local Policy Assessment

This document presents the assessment of the consistency of the planning proposal against the NSW strategic planning framework, as applicable.

1. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy?

1.1 Assessment against the Greater Sydney Regional Plan

The *Greater Sydney Regional Plan* (Regional Plan) sets a 40-year vision for how Greater Sydney will manage growth and change in the context of social, economic, and environmental matters. The Regional Plan aims to establish three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The themes; *Infrastructure and Collaboration, Liveability, Productivity and Sustainability* and their supporting 10 directions have been assessed for the purposes of this planning proposal and is deemed to be **consistent** with the Regional Plan.

DIRECTIONS	CONSISTENT	COUNCIL ASSESSMENT COMMENT
INFRASTRUCTURE AND COLLABORATION 1. <i>A city supported by infrastructure</i> 2. <i>A collaborative city</i>	Inconsistent	While the infrastructure delivery plan and phasing report provide a clear outline for the delivery of essential infrastructure and the Transport Management and Accessibility Plan (TMAP) has been finalised and endorsed by Transport for NSW, infrastructure delivery is still not certain. There is no precinct structure plan nor a State Planning Agreement because the existing framework does allow for such arrangements. Until these works have been completed it is unclear if the proposal will be supported by timely delivered infrastructure.
LIVEABILITY 3. <i>A city for people</i> 4. <i>Housing the city</i> 5. <i>A city of great places</i>	Consistent	The proposal is consistent in that it will provide diversity in housing near centres for essential services for the growing community. The site to the south will provide additional low-density housing in close proximity to other local centres along with the existing Appin centre. Although it is noted that additional centre in proximity to Appin Village, is not included and therefore inconsistent with the Structure Plan prepared by DPH and not supported by Council. As part of the proposal a C2 Environmental conservation zone has been proposed to ensure identified vegetation areas are retained.
PRODUCTIVITY 6. <i>A well connected City</i> 7. <i>Jobs and skills for the city</i>	Consistent	The proposed dwellings are all located within 30 minutes (by car) of Appin, Wilton and Campbelltown. These town centres have all been identified for employment growth and the dwelling

		numbers proposed will increase the number of people for these catchments. In addition, the proposal will provide an additional local centre which will provide its own local jobs for the growing community.
SUSTAINABILITY 8. <i>A city in its landscape</i> 9. <i>An efficient city</i> 10. <i>A resilient city</i>	Consistent	The planning proposal has C2 zoning in areas that have been identified as significant biodiversity value on the site. This area is located in the northern area of this proposal and will connect up to existing C2 zoned areas. The retention of this area will ensure the biodiversity of the area is maintained in line with current legislation.

1.2 Assessment against the Western City District Plan

The Planning Proposal is generally consistent with the District Plan.

The focus of the Western City District Plan is for the Planning Priorities to achieve a liveable, productive and sustainable future for the District. Relevant Objectives, Strategies and Actions from A Metropolis of Three Cities are embedded in each of the Planning Priorities.

In alignment with the Regional Plan, the District Plan also identifies the growth area as land release area that should retain and manage the urban services land.

1.3 Assessment against Greater Macarthur 2040: An interim plan for the Greater Macarthur Growth Area

The Greater Macarthur 2040 provides a framework to guide development and identify the infrastructure needed to support this growth. The plan includes strategic land use and infrastructure planning across the Greater Macarthur Growth Area.

The Interim Plan sets out five themes that collectively encompass an area as experienced by people: place, land use, movement, landscape and built form.

Appin is specifically identified:

- To achieve higher density residential development around the future centres and along the transport corridor.
- Rezone and release land for urban development in the long term.
- Deliver around 15,000 new homes in the longer term in West Appin.

The planning proposal is generally consistent with the following plans:

- Greater Macarthur 2040
- Guide to Greater Macarthur Growth Area 2022

While the planning proposal is consistent with a large part of the document it is not consistent with the Greater Macarthur Structure Plan (November 2022). A key difference is that the proposal seeks to create a local centre into the northern portion of this Planning Proposal. This new local centre appears to remove the existing Appin centre from the structure plan and reduce the utilisation of the existing Appin Village. This village is a key centre for the existing community and would benefit from an increased population in the area. The new location of a centre as part of this Planning proposal is not support.

The planning proposal is considered to be inconsistent with the Structure Plan, consistency with which is also a requirement of the Department of Planning Housing and Infrastructure.

Should the Planning Proposal proceed it should be with the removal of this local centre or a shift away from Appin Village to ensure it does not negatively impact the existing village.

1.4 Assessment against the Cumberland Plain Conservation Plan.

The CPCP was finalised in March 2024 by the State and Federal Government. The planning proposal site is identified within the CPCP area which maps the subject land under three categories, strategic conservation area, certified - urban capable and land avoided for biodiversity.

The CPCP mapping and the proposed land use zoning maps appear to be consistent.

The proposed C2 Environmental Conservation areas have been identified as containing a range of high biodiversity values including core koala habitat, areas of critically endangered ecological communities (CEEC), threatened species habitat and riparian corridors.

The Planning Proposal indicates land use in the C2 Environmental Conservation zone that align with the land uses endorsed by DPHI in the Appin Part Precinct 1 Planning Proposal that commenced on 13 December 2023. To this end, we conclude that this is likely considered appropriate given the recency of the last rezoning in Appin and their alignment.

Any proposed use within the C2 zone (avoided land and SCA) must be consistent with the objectives of the C2 Zone.

2. Is the planning proposal consistent with Council's local strategy or local strategic plan?

2.1 Assessment against Wollondilly 2040 Local Strategic Planning Statement

The *Wollondilly 2040 Local Strategic Planning Statement* (LSPS) is a 20-year land use vision for Wollondilly. It identifies four (4) key themes which are supported by a number of planning priorities and actions that help guide the decisions to meet of vision for Wollondilly.

The planning proposal is inconsistent with Wollondilly's LSPS. The LSPS acknowledges Greater Macarthur but also positioning the development of Greater Macarthur as a longer-term prospect after Wilton. This planning proposal further accelerates Greater Macarthur without infrastructure certainty.

The below tables provide an assessment of the planning proposal against each theme and the supporting planning priorities in the LSPS:

INFRASTRUCTURE AND COLLABORATION
Planning Priorities: <ol style="list-style-type: none">1. Aligning infrastructure delivery with community needs2. Embracing innovation to enhance liveable, connected and sustainable communities3. Establishing a framework for sustainable managed growth
Assessment against Theme: <p>It is Council's position that without early identification, planning for and commitment to infrastructure in Appin, any planning proposals within the greater Macarthur Area would be inappropriate.</p> <p>While there is an infrastructure delivery plan within the Planning Proposal there is no agreements with the State or Council for any form of investment for these works.</p>

LIVEABILITY

Planning Priorities:

4. Creating vibrant, healthy and sustainable communities in our new town in Wilton
5. Providing housing options that meet local needs and match the local character of towns and villages
6. Embedding health and wellbeing considerations in land use planning for healthy places
7. Cultivating a creative and cultural destination connecting people with place
8. Enhancing vibrant, healthy and sustainable local towns and villages

Assessment against Theme:

This Planning Proposal supports the principals of Liveability under the LSPS. However, the Appin area is identified as an area with insufficient infrastructure of public transport and road infrastructure. These upgrades will be needed to ensure the liveability of the Appin area is maintained with the new growth areas proposed.

PRODUCTIVITY

Planning Priorities:

9. Developing the visitor experience and economy by increasing access to natural areas and rural landscapes
10. Attracting investment and growing local jobs
11. Leveraging greater investment and business opportunities from Western Sydney International (Nancy-Bird Walton) Airport

Assessment against Theme:

The Planning Proposal will create a new local centre that seeks to deliver jobs for the community. However, this local centre does not align with the structure plan for the area. The removal of the additional centre would be necessary should it proceed.

SUSTAINABILITY

Planning Priorities:

12. Valuing the ecological health of Wollondilly's waterways
13. Protecting biodiversity and koala habitat corridors
14. Planning high quality well connected open spaces
15. Delivering an urban tree canopy
16. Enhancing and protecting the diverse values of the Metropolitan Rural Area
17. Planning resource recovery options to serve local and district needs in appropriate strategic locations
18. Living with climate impacts and contributing to the broader resilience of Greater Sydney

Assessment against Theme:

The proposal will result in the retention of the wildlife corridor mapped by the CPCP and the biodiversity outcomes intended for the CPCP. This is further supported by the Planning Proposals intention of zoning this land C2 Environmental Conservation.

3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The NSW Government publishes State Environmental Planning Policies (SEPPs) and Sydney Regional Environmental Plans (SREPs). These documents deal with matters of state or regional planning significance. The Planning Proposal is considered **consistent** with all applicable SEPPs.

The below table provides an assessment of the planning proposal against all relevant SEPPs and SREPs:

SEPP/SREP	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent	The proposal is considered consistent with the aims of the SEPP. The proposed layout of the C2 zone aligns with the mapping in the framework for the CPCP
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Housing) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Industry and Employment) 2021	Consistent	The planning proposal seeks to deliver 30,000 square metres of commercial footprint for employment.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	N/A	The site does not propose any residential apartment as part of this rezoning with medium density and low density proposed only. Assessment under the SEPP may be triggered into the future.
State Environmental Planning Policy (Planning Systems) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Consistent	The proposal is consistent with the aims in the relevant chapters (chapter 3) of this SEPP and the intent of Greater Macarthur 2040 which guides the planning

		and delivery of the Greater Macarthur growth area. However, the planning proposal is not consistent with the structure plan for the Greater Macarthur growth area due to the location of an additional centre near the existing Appin Village, this is addressed in section 1.3 of this document.
State Environmental Planning Policy (Primary Production) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent	The provisions of this SEPP are consistent with this planning proposal.
State Environmental Planning Policy (Resources and Energy) 2021	Consistent	The provisions of this SEPP are consistent with this planning proposal.
State Environmental Planning Policy (Sustainable Buildings) 2022	N/A	The provisions of this SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Transport and Infrastructure) 2021	N/A	The provisions of this SEPP are not applicable to this planning proposal.

4. Is the planning proposal consistent with applicable Ministerial Directions?

The Minister for Planning has issued a number of Directions under Section 9.1 of the *Environmental Planning and Assessment Act 1979* which apply to the assessment of planning proposals.

The planning proposal is generally consistent with the directions. With two minor inconsistencies that are noted for Direction 9.1 Rural Zones and 9.2 Rural Lands.

These two points are considered minor as the planning proposal is consistent with the Greater Sydney Regional Plan, the Western City District Plan and Greater Macarthur 2040 prepared by the Department of Planning and Environment which considers the objective of these directions and has provided a framework that transition rural land to urban land.

The Planning Proposal is inconsistent with two planning directions that will need further work:

- 1.14 Implementation of Greater Macarthur 2040
- 4.1 Flooding

The below table provides an assessment of the planning proposal against the Section 9.1(2) Ministerial Directions:

MINISTERIAL DIRECTIONS	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
PLANNING SYSTEMS		
1.1 Implementation of Regional Plans	Consistent	The direction the planning proposal achieves the overall intent of the Regional Plan for residential development and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions with the Regional Plan
1.2 Development of Aboriginal Land Council land	N/A	This direction does not apply to the Wollondilly LGA
1.3 Approval and Referral Requirements	Consistent	The planning proposal does not introduce new consultation, concurrence or referral requirements.
1.4 Site Specific Provisions	Consistent	The planning proposal does not impose unnecessarily restrictive site-specific planning controls.
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	This direction does not apply to the Wollondilly LGA
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	This direction does not apply to the Wollondilly LGA
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This direction does not apply to the Wollondilly LGA
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This direction applies to the Wollondilly Shire Council LGA however the Planning Proposal is not located within the Wilton Priority Growth area.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	This direction does not apply to the Wollondilly LGA
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	The direction applies to the Wollondilly Shire Council LGA however the Planning Proposal will not be impacted by the implementation of the Western Sydney Aerotropolis Plan.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	This direction does not apply to the Wollondilly LGA
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	This direction does not apply to the Wollondilly LGA

1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	This direction does not apply to the Wollondilly LGA
1.14 Implementation of Greater Macarthur 2040	Inconsistent	This direction applies to land identified within Greater Macarthur 2040 dated November 2018 and the Greater Macarthur Growth Area Structure Plan 2022. The planning proposal does not undermine the achievement of its objectives, planning principles and priorities for the Greater Macarthur Growth Area but it does not align with the Structure Plan and will have possible negative impacts on the existing Appin local centre. This will need to be rectified in the planning proposal should it proceed via the removal or alternatively distancing of the centre from the existing village.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	This direction does not apply to the Wollondilly LGA
1.16 North West Rail Corridor Strategy	N/A	This direction does not apply to the Wollondilly LGA
1.17 Implementation of the Bays West Place Strategy	N/A	This direction does not apply to the Wollondilly LGA
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	This direction does not apply to the Wollondilly LGA
1.19 Implementation of the Westmead Place Strategy	N/A	This direction does not apply to the Wollondilly LGA
1.20 Implementation of the Camellia-Rosehill Place Strategy	N/A	This direction does not apply to the Wollondilly LGA
1.21 Implementation of South West Growth Area Structure Plan	N/A	This direction does not apply to the Wollondilly LGA
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	This direction does not apply to the Wollondilly LGA
DESIGN AND PLACE		
[This Focus Area was blank when the Directions were made]		
BIODIVERSITY AND CONSERVATION		
3.1 Conservation Zones	Consistent	The planning proposal seeks to zone land for environment conservation/protection in accordance with the SEPP.
3.2 Heritage Conservation	Consistent	The planning proposal does not undermine the ability to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance

3.3 Sydney Drinking Water Catchments	Consistent	The southern portion of the Planning Proposal is located adjoining the drinking water catchment. An external referral has been made to the catchment authority and no significant concerns have been identified.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far	N/A	This direction does not apply to the Wollondilly LGA
3.5 Recreation Vehicle Areas	N/A	The planning proposal does not enable and land uses for the purpose of recreational vehicle area.
3.6 Strategic Conservation Planning	Consistent	The planning proposal satisfies the directions that apply to avoided land identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021.
3.7 Public Bushland	Consistent	The planning proposal seeks to rezone the majority of the bushland into C2 Environmental Conservation in line with the Cumberland Plain Conservation Plan.
3.8 Willandra Lakes Region	N/A	This direction does not apply to the Wollondilly LGA
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	This direction does not apply to the Wollondilly LGA
3.10 Water Catchment Protection	Consistent	The southern site adjoins water catchment land and a portion of the site is located with the special protection area. This portion has been proposed as recreational open space.
RESILIENCE AND HAZARDS		
4.1 Flooding	Inconsistent	Areas of the site have the potential for flooding with creek lines and water ways present onsite. An updated Water Cycle Management Strategy has been submitted as part of this proposal. This report has highlighted that flooding is contained within the riparian corridors that pass through both areas of this Planning Proposal, while it is not anticipated that dwellings will be constructed within these riparian corridors the proponent still seeks a UDZ zoning for these areas. This report has also highlighted the need for a hydraulic flood assessment which has not been submitted, this study should be undertaken as part of a Gateway condition if it proceeds to ensure that land that is flood affected is not zoned for urban development to clearly define land use zone boundaries.
4.2 Coastal Management	N/A	This direction does not apply to the Wollondilly LGA
4.3 Planning for Bushfire Protection	Consistent	A Bushfire Assessment was undertaken in accordance with Planning for Bushfire Protection 2021. Evacuation routes have been considered as part of this proposal and rely on transport corridors to be constructed prior to proposed dwellings.
4.4 Remediation of Contaminated Land	Consistent	The Preliminary Site Investigation Report assessed the potential contamination status of the site. No significant issues have been identified on site.

Commented [EB1]: This title may not be complete.
Please check

4.5 Acid Sulfate Soils	Consistent	The preliminary site investigation indicates the site to be situated in an area with no known occurrence of acid sulphate soils.
4.6 Mine Subsidence and Unstable Land	Consistent	The site of the proposal is located within a declared Mine Subsidence District and future development will require approval from the Subsidence Advisory.
TRANSPORT AND INFRASTRUCTURE		
5.1 Integrating Land Use and Transport	Consistent	The Planning proposal has provided potential options for active and public transport to the site. This access is awaiting the finalisation of the Transport Management and Accessibility Plan (TMAP)
5.2 Reserving Land for Public Purposes	Consistent	The planning proposal includes a regional open space for the purpose of general open space adjoining a heritage item. Further controls will be forthcoming in the DCP to address heritage matters as part of the broader work for Greater Macarthur as led by the State.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	The planning proposal does not have an effect on land near a regulated airport.
5.4 Shooting Ranges	N/A	The planning proposal does not have an effect on land adjacent to or adjoining and existing shooting range.
HOUSING		
6.1 Residential Zones	Consistent	The planning proposal does not undermine the objectives of this direction giving effect to residential zone land.
6.2 Caravan Parks and Manufactured Home Estates	N/A	The planning proposal is not located on Crown land or land dedicated or reserved under the National Parks and Wildlife Act 1974
INDUSTRY AND EMPLOYMENT		
7.1 Employment Zones	Consistent	While the proposal has the potential to impact an existing local centre it does not reduce the size of the existing local centre or seek to remove the local centre. The proposal is seeking a new additional local centre. It is noted that the alignment with the Greater Macarthur Structure Plan will need to be rectified.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	The planning proposal does not have an effect on non-hosted short-term rental accommodation
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This direction does not apply to the Wollondilly LGA

RESOURCES AND ENERGY		
8.1 Mining, Petroleum Production and Extractive Industries	Consistent	A mine (South 32) is located in close proximity to both sites however Subsidence Advisory NSW has raised no objections to the proposal.
PRIMARY PRODUCTION		
9.1 Rural Zones	Inconsistent – minor	The planning proposal intends to rezone RU2 rural landscape zoned land, however inconsistencies are justified through alignment with Ministerial Direction 1.14
9.2 Rural Lands		
9.3 Oyster Aquaculture	N/A	The Planning Proposal is not within proximity of any oyster aquaculture areas.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	The direction does not apply to the Wollondilly LGA