

A26 Response to Community Submissions

PUBLIC SUBMISSIONS – APPIN (PART 2) PRECINCT PLANNING PROPOSAL	
MATTER RAISED	PROPONENT RESPONSE
No proposed or existing VPA	<p>An <i>Infrastructure Delivery Plan</i> accompanies the Planning Proposal. The IDP outlines the proposed infrastructure responsibilities, mechanisms and scope.</p> <p>The planning proposal was referred to various state agencies and a response to their submissions is provided under separate cover. State agencies will continue to be engaged as part of the continuing rezoning process to understand their requirements for infrastructure.</p> <p>The negotiation and finalisation of Planning Agreements are a separate process to the rezoning pathway, and will be publicly exhibited for the community to review and comment on, before the agreements are finalised and executed.</p>
Impact on local koala colony through clearing	<p>The proposal is on land that is subject to the NSW Government's strategic biodiversity assessment: the Cumberland Plain Conservation Plan.</p> <p>The proposal is consistent with the CPCP mapping and the 31 principles for protecting the Koala. All Avoided Land, being 17.6 hectares of mapped koala habitat, is proposed to be zoned as C2 Environmental Conservation.</p>
Use of outdated Census data	<p>The 2021 Census data was not published until April 2023 after the finalisation of the consultant inputs into the Planning Proposal.</p>
Lack of supporting employment land for future residents	<p>The dwelling and population projections attributable to the Site informed the <i>Appin and Appin North Precincts Retail & Employment Study</i> for the Appin (Part) Precinct rezoning.</p> <p>The development of the Appin Local Centre within this Site is estimated to support 1,217 direct, ongoing jobs. The local centre, network of neighbourhood centres and the proposed Moreton Park employment zone will generate an estimated 12,800 jobs in the long term.</p>
Collusion with Government	<p>The proponent will continue to comply with all statutory planning requirements. The Department of Planning reviewed approval for the Appin (Part) Precinct planning proposal in 2023 and ascertained that the approval was granted appropriately.</p> <p>This proposal was on public exhibition for 28 days from 15 January to 18 February 2024 to enable community to provide feedback. The proponent will continue to consult with stakeholders and community throughout the planning process.</p>
Impact to Rural Lifestyle and Character	<p>The GMGA which was declared by the NSW Government as a Growth Area in 2019. Growth areas provide for the long-term delivery of housing needs for Greater Sydney, and they help coordinate and align infrastructure delivery for future communities. The GMGA 2040 Interim Plan and the 2022 Update to the GMGA Structure Plan, outlines how the Department is planning for more homes, jobs and essential services in the region.</p> <p>This Site in conjunction with the previously rezoned Appin (Part) Precinct dedicate more than one third of land to the NSW Government for the preservation and regeneration of conservation land and 500 hectares of fauna corridors to enabling the continuation of the strong flora and fauna experience in the local area to enhance the rural lifestyle currently enjoyed by the existing local community.</p>

PUBLIC SUBMISSIONS – APPIN (PART 2) PRECINCT PLANNING PROPOSAL	
MATTER RAISED	PROPONENT RESPONSE
	The importance of preserving the distinctive character and heritage of the existing community is recognised. The advantage of masterplanned communities is that considerations of existing landscape, character and history of the surrounding area is able to be considered and woven into the design and delivery outcomes, to complement the existing character of the community while enhancing the liveability for both the existing future community.
Impact of overdevelopment and densification within Appin	<p>The Site and the broader Appin Precinct within the GMGA, will deliver a significant boost to NSW housing supply contributing to the NSW Government's obligations under the Federal Housing Accord.</p> <p>Housing density and lot sizes will be delivered in accordance an approved Development Control Plan adopted by DPHI in consultation with Wollondilly Shire Council. Sustainable outcomes are a requirement of the Draft DCP.</p>
Health and wellbeing of Appin residents	The <i>Social Infrastructure and Open Space Assessment</i> and <i>Social & Health Impact Assessment</i> respond to Council's Local Strategic Planning Statement and ensure that development supports the health and wellbeing of the existing Appin community. They ensure that the future community has been suitably considered at this stage of the planning process and that they align with the strategic direction of the GMGA Structure Plan. The proposal accommodates the required social infrastructure and planning including, open and recreational space, conservation, schools, district open space, physical and social infrastructure, local employment, and regionally significant infrastructure to ensure that proposal will contribute to positive social impacts in the region.
Lack of supporting infrastructure plan	An <i>Infrastructure Delivery Plan</i> accompanies the Planning Proposal. The IDP outlines the proposed infrastructure responsibilities, mechanisms and scope. The planning proposal was referred to various state agencies and a response to their submissions is provided under separate cover. State agencies will continue to be engaged as part of the continuing rezoning process to understand their requirements for infrastructure.
Concerns regarding sewer and water utility capacity	Clause 6.6 of <i>Appendix 10 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> requires the consent authority be satisfied that arrangements have been made to make public utility infrastructure, including water, available. Development consent cannot be granted until this pre-condition is met thus no additional demand for water will be generated without the required augmentation of the water infrastructure. The proponent will continue to engage with Sydney Water throughout the planning and design process to ensure compliance with the utility providers requirements.
Location of proposed SPS	The Proponent is working collaboratively with Sydney Water to identify what utility infrastructure is required and the suitable sites that will meet operational requirements while minimising impacts to surrounding land uses. Through collaborative efforts, the Proponent is committed to selecting infrastructure locations that ensures the efficient utility servicing while addressing community concerns. The locations of this infrastructure will be established during detailed design and is the subject of future Development Applications.
Impacts on proposed rezoning on local heritage	No land that is the subject of this Planning Proposal is identified as appropriate to be listed. Future Development Applications for land adjacent heritage sites will require an assessment of any heritage impact.

PUBLIC SUBMISSIONS – APPIN (PART 2) PRECINCT PLANNING PROPOSAL	
MATTER RAISED	PROPONENT RESPONSE
Impacts on the SHR Appin Massacre cultural landscape	<p>The Greater Macarthur Growth Area Structure Plan provides guidance on Starting with Country and acknowledges the landscape connections associated with the heritage of the place.</p> <p>The Appin Massacre Cultural Landscape curtilage extent was exhibited between 3 and 31 August 2022 and formally listed on the State Heritage Register on 25 November 2022.</p> <p>No land within the Site is listed. Future Development Applications for land adjacent the SHR site will require an assessment of any heritage impact.</p> <p>There has been significant consultation and engagement with Aboriginal Community Registered Aboriginal Parties (RAPs), focused on Aboriginal Cultural Heritage, Archaeology, and Values specifically within the Greater Macarthur Region and the Appin and Appin (Part) Precincts.</p> <p>The Draft DCP includes requirements on how future development should acknowledge and respond to Connecting to Country values.</p>
No minimum lot size	<p>The Site is within the Appin Precinct of the GMGA which was declared by the NSW Government as a Growth Area in 2019. Growth areas provide for the long-term delivery of housing needs for Greater Sydney, and they help coordinate and align infrastructure delivery for future communities. The GMGA 2040 Interim Plan and the 2022 Update to the GMGA Structure Plan, outlines how the Department is planning for more homes, jobs and essential services in the region. Given Appin is located within a growth area, the rezoning is consistent with the strategic framework to deliver more houses and jobs in this location.</p> <p>The proposed minimum lot size control applies only to the proposed C2 Environmental Conservation land and is consistent with the existing 40 hectares minimum under the current RU2 zoning. No minimum lot size is proposed for the proposed UD Urban Development land. Density is instead subject to Clause 4.3A Residential density under the Appin (Part) Precinct Plan which is consistent with the rezoning of the Appin (Part 1) Precinct and with the approach applied to the Sydney Growth Areas.</p> <p>The Wollondilly – Greater Macarthur Growth Area DCP will provide further guidance regarding lot sizes and dimensions once it is finalised.</p>
Urban sprawl	<p>The Site is within the Appin Precinct of the GMGA which was declared by the NSW Government as a Growth Area in 2019. Growth areas provide for the long-term delivery of housing needs for Greater Sydney, and they help coordinate and align infrastructure delivery for future communities. The GMGA 2040 Interim Plan and the 2022 Update to the GMGA Structure Plan, outlines how the Department is planning for more homes, jobs and essential services in the region. Given Appin is located within a growth area, the rezoning is consistent with the strategic framework to deliver more houses and jobs in this location.</p>

PUBLIC SUBMISSIONS – APPIN (PART 2) PRECINCT PLANNING PROPOSAL	
MATTER RAISED	PROPOSER RESPONSE
CPCP not yet federally approved	<p>The Cumberland Plain Conservation Plan was approved under the <i>NSW Biodiversity Conservation Act 2016</i> in August 2022. The NSW government has submitted the CPCP to the Commonwealth Government for consideration under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>Until the CPCP has received approval under the EPBC Act, landholders can progress development, and if impacts to matters of national environmental significance (MNES) are proposed, landholders can seek their own individual approvals from the Commonwealth under the EPBC Act, until such time as the CPCP is endorsed by the Commonwealth government.</p>
C2 zoning de-valuing rural land	<p>The C2 zone is the appropriate zone to be applied to ‘avoided land’ under the CPCP. It should be noted the portion of the land which is identified as avoided under the CPCP reflects existing vegetation, such as koala habitat, and other high biodiversity values. The proposed C2 zone is the mechanism to implement the CPCP and achieve the objectives for the GMGA.</p> <p>The Department is protecting biodiversity and ecological communities by rezoning land identified with biodiversity values under the CPCP as C2 Environmental Conservation. The proposed C2 zoning is consistent with the Ministerial Direction 3.6 Strategic Conservation Planning and the CPCP.</p>
Ongoing mining operations	<p>Future development will be assessed by Subsidence Advisory NSW under Section 22 of the <i>Coal Mine Subsidence Compensation Act 2017</i>.</p>
Road congestion resulting from new development	<p>The <i>Strategic Transport Assessment</i> for the Appin and North Appin Precincts assessed the impact of 20,000 single-dwelling lots of which this Site represents approximately 6%.</p> <p>The Site was included in this assessment and therefore no additional mitigation measures are needed beyond those that have already been proposed.</p> <p>The Transit Corridor will provide a high-quality public transport service as an alternative to private vehicles, reducing the pressure on the road network.</p>
Lack of public transport	<p>The <i>Strategic Transport Assessment</i> for the Appin and North Appin Precincts assessed the impact of 20,000 single-dwelling lots of which this Site represents approximately 6%.</p> <p>The Site was included in this assessment and therefore no additional mitigation measures are needed beyond those that have already been proposed.</p> <p>The Transit Corridor will provide a high-quality public transport service as an alternative to private vehicles, reducing the pressure on the road network.</p>
Confirmation of OSO2 alignment	<p>The alignment of the <i>Outer Sydney Orbital Stage 2</i> was subject to a detailed community consultation process managed by Transport for NSW. Following community and stakeholder engagement for two shortlisted corridor options exhibited between November 2020 and January 2021, a preferred corridor was announced in August 2021.</p>

PUBLIC SUBMISSIONS – APPIN (PART 2) PRECINCT PLANNING PROPOSAL	
MATTER RAISED	PROPONENT RESPONSE
	TfNSW was responsible for the identification of the OSO2 alignment. The current OSO2 route does not impact the Site and will be addressed as part of the assessment and community consultation process for the land affected, led by TfNSW.
Alignment of E-W Collector Road & Transport Corridor (through private property)	<p>The alignment of the E-W Collector Road reflects TfNSW's preferred route.</p> <p>The siting of the Transport Corridor is subject to refinement through discussions with TfNSW. The proponent favours a route that would re-locate the corridor further to the west and alleviate the submitters concerns.</p>
Lack of social infrastructure (schools, medical centres etc.)	<p>The <i>Social Infrastructure and Open Space Assessment</i> provides guiding directions for the likely provision of social infrastructure and open space required to support the needs of the incoming population. It guides the allocation of facilities within the Site.</p> <p>This Planning Proposal is one of many planning stages for the Appin and North Appin Precincts. At this stage of the planning process, the social impacts have been appropriately addressed at a high level by suitable social impact practitioners.</p>
Bushfire evacuation risk	<p>The <i>Bushfire Strategic Study</i> assesses the Proposal against PBP.</p> <p>The study supports the urban development as proposed, concluding that the Site is within a bushfire landscape that has mitigation advantages, finding there is ample capacity to afford future development with bushfire protection measures that meet the requirements of PBP.</p> <p>Future development will be assessed by the NSW Rural Fire Service under Section 100B of the <i>Rural Fires Act 1997</i> and <i>Planning for Bush Fire Protection 2019</i> at the Development Application stage.</p>
Broughton Pass evacuation route	The <i>Bushfire Strategic Study</i> indicates the capability for early offsite evacuation if required, and the infrastructure planning recognises transport infrastructure required to facilitate evacuation. As a result of the bushfire mitigation strategies, it is not expected that large-scale evacuation Precinct would ever be required.

A27 Response to Agency Submissions

AGENCY AND UTILITY SUBMISSIONS – APPIN STATE ASSESSED PLANNING PROPOSAL	
MATTER RAISED	PROPONENT RESPONSE
Endeavour Energy	
Management of electricity infrastructure	Clause 6.6 of <i>Appendix 10 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> requires the consent authority be satisfied that arrangements have been made to make public utility infrastructure, including electricity, available. Development consent cannot be granted until this pre-condition is met thus no additional demand for electricity will be generated without the required augmentation of the electricity infrastructure. The proponent will continue to engage with Endeavour Energy throughout the planning and design process to ensure compliance with the utility providers requirements.
Capacity of existing distribution network	The proponent will continue to engage with Endeavour Energy throughout the planning and design process to ensure sufficient network capacity is provided to service the proposed development.
Planting of large trees near EE infrastructure	Requirements regarding the landscape planting in proximity to existing electrical infrastructure will be managed in accordance with Endeavour Energy's vegetation management requirements.
NSW Department of Education	
A co-located primary and high school of 6ha (minimum) would be required by Stage 3A.	Provision for a 4HA K-12 school site within Stage 3A, consistent with the SINSW advice during the rezoning, forms part of the State Planning Agreement.
Due Diligence reporting is required for the particular sites proposed for schools.	This is a matter for detailed design. The final location and form of the school sites will be negotiated with DoE through the State Planning Agreement and the Development Application(s) that seek consent for the subdivision of the school sites will be cognisant of the site opportunities & constraints and the DoE requirements for schools.
Zoning of the School Site	<p>The site will be zoned UD Urban Development and education establishments are permissible.</p> <p>We note the UD zone is not a prescribed zone under the Transport and Infrastructure SEPP and believe this is an oversight that is worthy of consideration by DPHI.</p> <p>We therefore offer our support for any approach to DPHI related to expanding the application of the prescribed zones to include the UD zone as an approval pathway for educational establishments in addition to other infrastructure such as utilities.</p>
Amendments to Social Infrastructure and Open Space Assessment	We raise no objection to the requested amendments to the 2023 report however cannot amend the 2022 report included as Appendix A as this relates to the Appin (Part) Precinct which is not the subject of this Planning Proposal.
Infrastructure Delivery	Provision for the school sites forms part of the State Planning Agreement.
Infrastructure Delivery Plan	<p>In the absence of any publicly available Strategic Business Case we are unable to update Table 7 and Figure 5 in the report at this time.</p> <p>We have provided our response to the other requested amendments within the updated report.</p>

	<p>Matters for detailed design of the school sites will be negotiated with DoE through the Development Application that seeks consent for the subdivision of the school site will be cognisant of the site opportunities & constraints and the DoE requirements for schools.</p> <p>Whilst we are supportive of the proposed amendment on page 30 we believe this has been dealt with through the amendments to Table 10.</p>
Active Transport and Access	<p>Transport planning accords with the endorsed GMGA TMAP that in turn has been guided by the NSW Governments Movement and Place Framework.</p> <p>All other matters are most appropriately considered in the detailed design phase post-rezoning.</p>
NSW Department of Planning, Housing & Infrastructure	
Inconsistent with GMGA Structure Plan	<p>The proposed Local Centre has been moved slightly south of the original indicative location within the GMGA Structure Plan so that it can be sited at the junction of the East-West Road and the Public Transport Corridor. This location is considered superior as it capitalises on the delivery of this new transport infrastructure maximising accessibility through all modes of transport.</p>
Impact on dwelling capacity	<p>The GMGA 2040 interim plan assumed a dwelling <i>potential</i> of 15,000 homes for the Appin Precinct. The Appin (Part) Precinct has been rezoned for a maximum of 12,900 homes and this proposal seeks an additional maximum of 1,312 homes. The GMGA 2040 interim plan states that yield and capacity is to be <i>refined at Precinct Planning stage</i>.</p> <p>The Planning Proposal presents a Draft Precinct Structure Plan that accommodates an additional 1,312 dwellings beyond the maximum provided for within the Appin (Part) Precinct. The Planning Proposal is accompanied by supporting reports that document the required infrastructure to accommodate these dwellings. Further, the endorsed TMAP indicates that the capacity of the Appin Precinct is greater than the original assumed potential 15,000 homes.</p> <p>Notwithstanding, Sydney is in the midst of a generational housing supply crisis. Housing is now recognised as a critical issue of State and National importance.</p> <p>The NSW Government's work to unlock infill housing supply with immediate proximity to transport nodes is commendable. However, NSW will not achieve nor maintain 75,000 homes each year through infill housing alone. The fact is that infill housing is unlikely to deliver any meaningful contribution to NSW housing supply in the short to medium term.</p> <p>There are long lead-in timeframes for the required rezoning, acquisition, financing, pre-sales commitments, development approvals, construction and settlements of medium and high-density infill housing. The process of identifying the initial appropriate precincts has only just been completed. The reality is that, even in a favourable</p>

	<p>economic environment, these sites cannot meaningfully contribute to housing outcomes during the first five years of the Housing Accord.</p> <p>At least in the short to medium term, the NSW Government relies on greenfield development to deliver most housing requirements.</p> <p>The North West and South West Growth Areas have played a critical role in delivering new housing for Sydney; however, we have reached a stage where land ownership is highly fragmented, and it is becoming increasingly difficult to assemble parcels to deliver the scale of housing necessary to meet future demand.</p> <p>Conversely, Appin is largely in single ownership and will provide significant housing supply in one of Sydney's most affordable regions within a high-quality master-planned environment, consistent with the NSW Government's vision established over the past decade.</p> <p>Provided that the necessary infrastructure is delivered, it can, and should, now play an important role in delivering on the NSW Governments immediate commitments under the Housing Accord.</p>
Clarifications	<p>The Transport Management and Accessibility Plan (TMAP) prepared for the Appin (Part) Precinct includes the Appin and North Appin Precincts in addition to the Moreton Park Employment lands.</p> <p>The proponent intends to amend the Appin (Part) Precinct State Planning Agreements (SPA) to accommodate the development proposed within this Planning Proposal.</p> <p>Appin (Part 2) Precinct will be accommodated into the Wollondilly – GMGA DCP by amending the maps in Schedule 1.</p> <p>Section 6 Part 2 – Explanation of Provisions in the Planning Proposal Report details the proposed amendments to <i>Appendix 10 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> to accommodate the site. Consequential amendments to the Planning Agreements, Precinct Structure Plan and the DCP will also be required.</p> <p>Zoning the site as a Standard Instrument zone would be inconsistent with the adjoining land. The UDZ proposed for the site is a logical extension of the zoning of the Appin (Part) Precinct.</p>
NSW Environmental Protection Agency	
Noise impacts from the Appin Power Station and Appin Coal Mine	<p>The Acoustic Assessment has assessed the noise impacts from these sources and provided a preliminary solution. The proponent will undertake further noise analysis and meet with the operators of the Appin Power Station and Appin Coal Mine to determine the feasibility of any proposed mitigation measures as part of the preparation of the future Development Applications.</p>

Potential interaction with contaminated land	The Preliminary Site Investigation concludes that the land is suitable for the proposed rezoning in accordance with the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> and the <i>Contaminated Land Management Act 1997 (CLM Act)</i> . A Detailed Site Investigation will be undertaken to inform any future Development Application. Should the DSI identify contamination that is required to be remediated then a Remediation Action Plan will be prepared.
NSW Health South Western Sydney Local Health District	
Walkability	The density controls within the SEPP are minimums and do not preclude the achievement of greater density. Notwithstanding, a significant proportion of the Site is proposed for non-residential land uses, and any development will need to consider the site constraints and opportunities. The density principles adopted in the Precinct Structure Plan seek to locate higher densities within proximity to higher amenity (transport, centres and open space).
Public Transport	The proposed GMGA Transit Corridor will link the Site to Campbelltown. The collector road network provides for bus routes. Bus stop locations will be identified in future Development Applications.
Cyclability	The proposed UDZ does not preclude a bus interchange land use.
Healthy Food	The density principles adopted in the Precinct Structure Plan seek to locate higher densities within proximity to higher amenity (transport, centres and open space). Dwelling controls are included in the Draft Wollondilly – Greater Macarthur Development Control Plan 2024
Public Open Space	Open space is identified on the Precinct Structure Plan.
Employment	The UD Urban Development zone permits a broad range of employment land uses. This Planning Proposal will accommodate a 30,000m ² Local Centre.
Social Infrastructure	Schools are identified on the Precinct Structure Plan.
NSW Heritage	
Lack of full ACHAR	An Aboriginal Objects Due Diligence Assessment has informed the proposal and is the appropriate level of assessment required at this stage. An Aboriginal Cultural Heritage Assessment will be undertaken to inform future Development Applications.
Potential for Statement of Heritage Impact	Clause 5.10 of <i>Appendix 10 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> provides the specific circumstances when a Statement of Heritage Impact is required to be prepared as part of a Development Application to assess potential impacts on heritage items.
Historical Archaeological Assessment required	The Historic Heritage Constraints Assessment provides an assessment of archaeological potential and provides recommendations prior to construction works (i.e. for assessment at the Development Application stage).
NSW Rural Fire Service	
Compliance with PBP 2019	Future development will be assessed by the NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997 and Planning for Bush Fire Protection 2019 at the Development Application stage.
NSW State Emergency Services	
Flooding extents	The nature of the Site is such that the development catchments will drain directly to Elladale Creek and Ousedale Creek. The Flood Study mapping shows that flooding within these creeks is well contained within the riparian corridors and the site will not be impacted during a major flooding event. As such, the Water Cycle Management Study advises that detailed post development hydraulic flood assessment is not required.

Flood evacuation capability	The progressive development of the Site, coupled with the delivery of critical upgrades and additions to the local and regional road network, will increase capacity in the event of emergency evacuation.
Development on flood prone land	The Flood Study mapping shows that flooding is well contained within the riparian corridors and the site will not be impacted during a major flooding event.
Subsidence Advisory NSW	
Proposal within declared Mine Subsidence district	Future development will be assessed by Subsidence Advisory NSW under Section 22 of the Coal Mine Subsidence Compensation Act 2017.
Sydney Water	
Water servicing capacity	Clause 6.6 of <i>Appendix 10 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> requires the consent authority be satisfied that arrangements have been made to make public utility infrastructure, including water, available. Development consent cannot be granted until this pre-condition is met thus no additional demand for water will be generated without the required augmentation of the water infrastructure. The proponent will continue to engage with Sydney Water throughout the planning and design process to ensure compliance with the utility providers requirements.
Wastewater serviced by Upper Nepean plant	Clause 6.6 of <i>Appendix 10 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i> requires the consent authority be satisfied that arrangements have been made to make public utility infrastructure, including sewer, available. Development consent cannot be granted until this pre-condition is met thus no additional demand for sewer will be generated without the required augmentation of the sewer infrastructure. The proponent is working closely with Sydney Water and private water utility providers, planning the delivery of a local wastewater recycled treatment plant ahead of the planned Sydney Water delivered AWRC in 2032.
Water NSW	
Land adjacent to Sydney Water Drinking Catchment	Future development will be assessed in accordance with the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (the T&I SEPP)</i> and the <i>Water NSW Guideline for Development Adjacent to Upper Canal and Warragamba Pipelines (2021)</i> .
Inadequate Planning Controls on Southern Site	The proponent will clarify future land uses at the Development Application stage and ensure stormwater runoff is diverted away from the Sydney Water Drinking Catchment.