

## Rezoning Review Briefing Report – RR 2025-1

*The planning proposal seeks to facilitate the residential redevelopment of two areas at 90 and 110 Macquariedale Road and 525 and 725 Wilton Road, Appin (1,312 homes and 1,217 jobs)*

Element	Description	
Date of request	28 March 2025	
Department ref. no	RR-2025-1	
LGA	Wollondilly	
LEP to be amended	Wollondilly Local Environmental Plan (LEP) 2011 State Environmental Planning Policy (Precincts – Western Parkland City) 2021(Western Parkland City SEPP)	
Address	90 & 110 Macquariedale Road and 525 & 725 Wilton Road, Appin	
Reason for review	<input type="checkbox"/> Council notified the proponent it will not support the proposed amendment	<input checked="" type="checkbox"/> Council failed to indicate support for the proposal within 115 days, or failed to submit the proposal after indicating its support
Has council nominated PPA role	On 16 May 2025, Wollondilly Shire Council (Council) declined the opportunity to nominate itself as the Planning Proposal Authority (PPA) ( <b>Attachment C</b> ).	
Consultation	<p>A number of agencies were consulted with by Council during their preliminary consultation of the planning proposal from 15 January to 18 February 2024.</p> <p>Of the agencies consulted, the following agencies submissions have been provided to the Department (<b>Attachment B2</b>).</p> <ul style="list-style-type: none"><li>• Sydney Water.</li><li>• Transport for NSW (TfNSW).</li><li>• Water NSW.</li><li>• NSW State Emergency Service (SES).</li><li>• Department of Education and Training (DET).</li><li>• NSW Rural Fire Service (RFS).</li><li>• Environment Protection Authority (EPA).</li><li>• Subsidence Advisory NSW.</li></ul>	

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Element	Description
	<ul style="list-style-type: none"><li>• Endeavour Energy.</li><li>• NSW Health.</li><li>• Department of Planning, Housing and Infrastructure (DPHI).</li></ul> <p>Of the agencies consulted, the following agencies submissions have not been provided to the Department, however a summary is included in Council's submission (<b>Attachment C</b>):</p> <ul style="list-style-type: none"><li>• Department of Climate Change, Energy, Environment and Water (DCCEEW).</li><li>• Biodiversity &amp; Climate Change Planning Resilience and Urban Sustainability.</li><li>• A Local Aboriginal Group.</li></ul>
<b>Political Donations</b>	The Proponent is not aware of any person who has financial interest in the application who has made a political donation or gift in the last two years.
<b>Lobbyist Code of Conduct</b>	The PPA team is not aware of any meetings or communication with registered lobbyists with respect to this planning proposal.
<b>Brief overview of the timeframe/progress of the planning proposal</b>	<p><b>28 November 2023</b> – Draft planning proposal lodged with Council.</p> <p><b>11 October 2024</b> – Planning proposal resubmitted with amendments addressing Council's issues.</p> <p><b>15 January to 18 February 2024</b> – Council undertakes preliminary consultation period.</p> <p><b>6 March 2025</b> – Proposal reported to the Wollondilly Local Planning Panel.</p> <p><b>28 March 2025</b> – Rezoning review lodged with the Department (<b>Attachment B</b>).</p> <p><b>29 April 2025</b> – Proposal refused by Wollondilly Council.</p> <p><b>14 May 2025</b> – PPA team consultation with TfNSW.</p> <p><b>15 May 2025</b> – Council provided comments on rezoning review.</p> <p><b>16 May 2025</b> – Council declined role of PPA.</p> <p><b>3 June 2025</b> – Comments provided by TfNSW.</p>
<b>Department contact:</b>	Douglas Cunningham, Manager Planning Proposal Authority

## Planning Proposal

Table 1. Overview of planning proposal

Element	Description
Site Area	100 ha
Site Description	<p>The site (<b>Figure 1</b>) is located within the Wollondilly Local Government Area (LGA) and the Greater Macarthur Growth Area (GMGA) Appin Precinct (<b>Figure 2</b>). The Appin Precinct has been identified to deliver approximately 15,000 homes. The sites subject to this planning proposal incorporates four lots split into two separate areas. In total the site is approximately 100ha:</p> <p><b>Northern site:</b></p> <ul style="list-style-type: none"><li>• Lot 1 DP 1000355 – 90 Macquariedale Road, Appin</li><li>• Lot 32 DP 736923 – 110 Macquariedale Road, Appin</li></ul> <p><b>Southern site:</b></p> <ul style="list-style-type: none"><li>• Lot 1 DP 804375 – 525 Wilton Road, Appin</li><li>• Lot 3 DP 804375 – 725 Wilton Road, Appin</li></ul> <p>The site is located approximately 56km south-west of the Sydney CBD, 35km south of the future Western Sydney International Airport and the adjoining suburb of Bradfield, 17km from Campbelltown-Macarthur city centre and 2-3km south-west of Appin Village.</p> <p>The northern site is used as rural land holdings and is bound by Ousedale Creek to the east, Elladale Creek to the west and rural land to the north and south.</p> <p>The southern site is also used for as rural land holdings and is bound by rural land to the north, west and south and the Macarthur Filtration Plant to the east.</p> <p>The State heritage-listed former Windmill Hill Group farm (item I17) (including Brennan's Farm, Larkin's Farm and Winton's Farm) is located to the east of the southern site on the other side of the Sydney Water owned Macarthur Water Filtration Plant. In addition to this, to the west of the southern site is the State heritage-listed Appin Massacre Cultural Landscape (HID 5067855) (<b>Figure 3</b>).</p>
Proposal summary	<p>The planning proposal (<b>Attachment A</b>) seeks to amend the <i>Wollondilly LEP 2011</i> by the removing planning controls applying to the site and introduce the site under the <i>Western Parkland City SEPP</i> as follows:</p>

Element	Description
	<ul style="list-style-type: none"> <li>• Amend the Wollondilly LEP 2011 to remove the planning controls applying to the sites subject to this proposal;</li> <li>• Amend the Wollondilly LEP 2011 to amend the Western Parkland City SEPP to: <ul style="list-style-type: none"> <li>○ Amend the Land Application Maps to incorporate Appin (Part 2) Precinct (<b>Attachment Maps</b>).</li> <li>○ Amend the Land Zoning Maps to rezone the site to part Urban Development Zone (UDZ) and C2 Environmental Conservation (<b>Attachment Maps</b>).</li> <li>○ Amend Lot Size Maps to include a minimum lot size of 40ha for land zoned C2 Environmental Conservation Zone (<b>Attachment Maps</b>).</li> <li>○ Amend Clause 4.3A of Appendix 10 to delete the dwelling cap and introduce a new density where residential flat buildings are proposed.</li> <li>○ Amend Transport Corridor Maps to include a north-south rapid public transport corridor and the east-west road corridor link to the Hume Highway through the northern site (<b>Attachment Maps</b>).</li> </ul> </li> </ul> <p>These changes will facilitate the development of approximately 1,312 dwellings.</p> <p><u>Appin (Part 2) Precinct Structure Plan</u></p> <p>The planning proposal is supported by an Indicative Precinct Structure Plan (<b>Attachment A29</b>), dated 3 October 2024. The planning proposal is seeking to have this structure plan supported to be the structure plan used under clause 6.1 of Appendix 10 of the Western Parkland City SEPP. This plan provides a general structure and arrangement of land uses, vegetation conservation areas, access points, collector roads and infrastructure and demonstrates how the Appin (Part 2) Precinct connects with the broader Appin (Part 1) and North Appin Precincts.</p> <p><u>Draft Wollondilly – Greater Macarthur Development Control Plan (DCP) 2025</u></p> <p>The planning proposal identifies that they will seek to amend the draft Wollondilly Greater Macarthur DCP 2025 to have a specific schedule to cover the land subject to this planning proposal. The DCP will provide development typologies and controls for setbacks, building height, massing and siting, garages and carparking.</p>

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Element	Description
<b>Relevant State and Local Planning Policies, Instruments</b>	<p><u>State and Local Planning Policies</u></p> <ul style="list-style-type: none"> <li>• A Metropolis of Three Cities: Greater Sydney Region Plan</li> <li>• Western City District Plan</li> <li>• The Future Transport Strategy</li> <li>• Wollondilly Local Environmental Plan 2011</li> <li>• Wollondilly Local Strategic Planning Statement 2020</li> <li>• Wollondilly Local Housing Strategy</li> <li>• Greater Macarthur 2040 – An Interim Plan for the Greater Macarthur Growth Area</li> <li>• A Guide to the South West Growth Area and Structure Plan 2022</li> <li>• Cumberland Plain Conservation Plan</li> <li>• Connecting with Country Framework</li> <li>• Draft Greener Places Design Guide</li> </ul> <p><u>State Environmental Planning Policies</u></p> <ul style="list-style-type: none"> <li>• SEPP (Precincts – Western Parkland City) 2021</li> <li>• SEPP (Transport and Infrastructure) 2021</li> <li>• SEPP (Biodiversity and Conservation) 2021</li> <li>• SEPP (Housing) 2021</li> <li>• SEPP (Planning Systems) 2021</li> <li>• SEPP (Resilience and Hazards) 2021</li> <li>• SEPP (Resources and Energy) 2021</li> </ul>

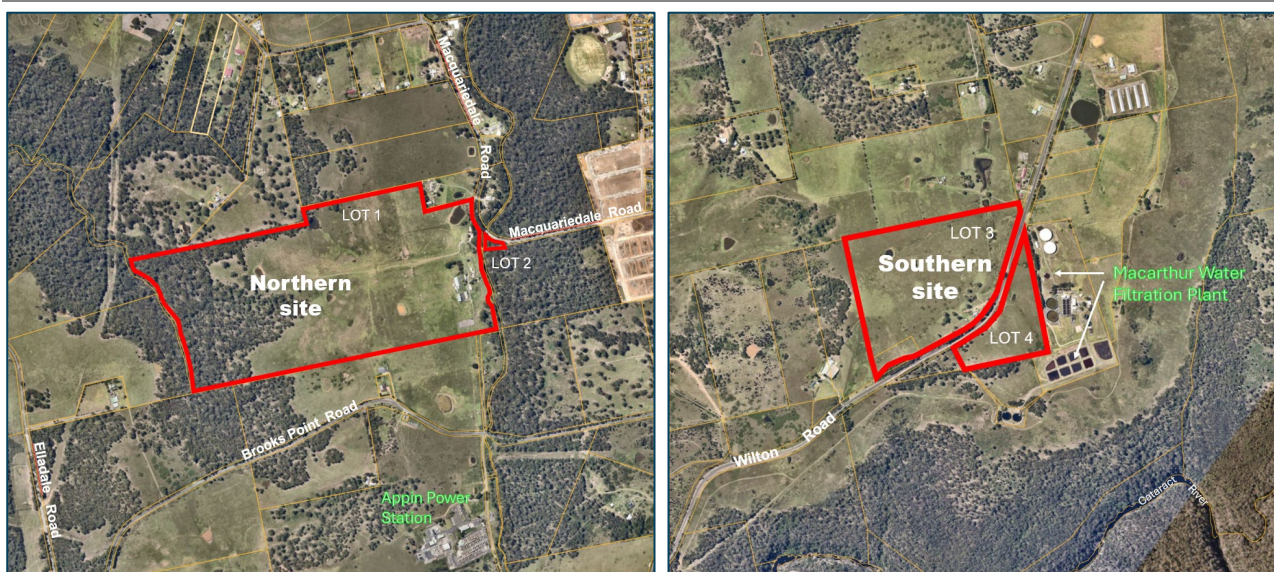
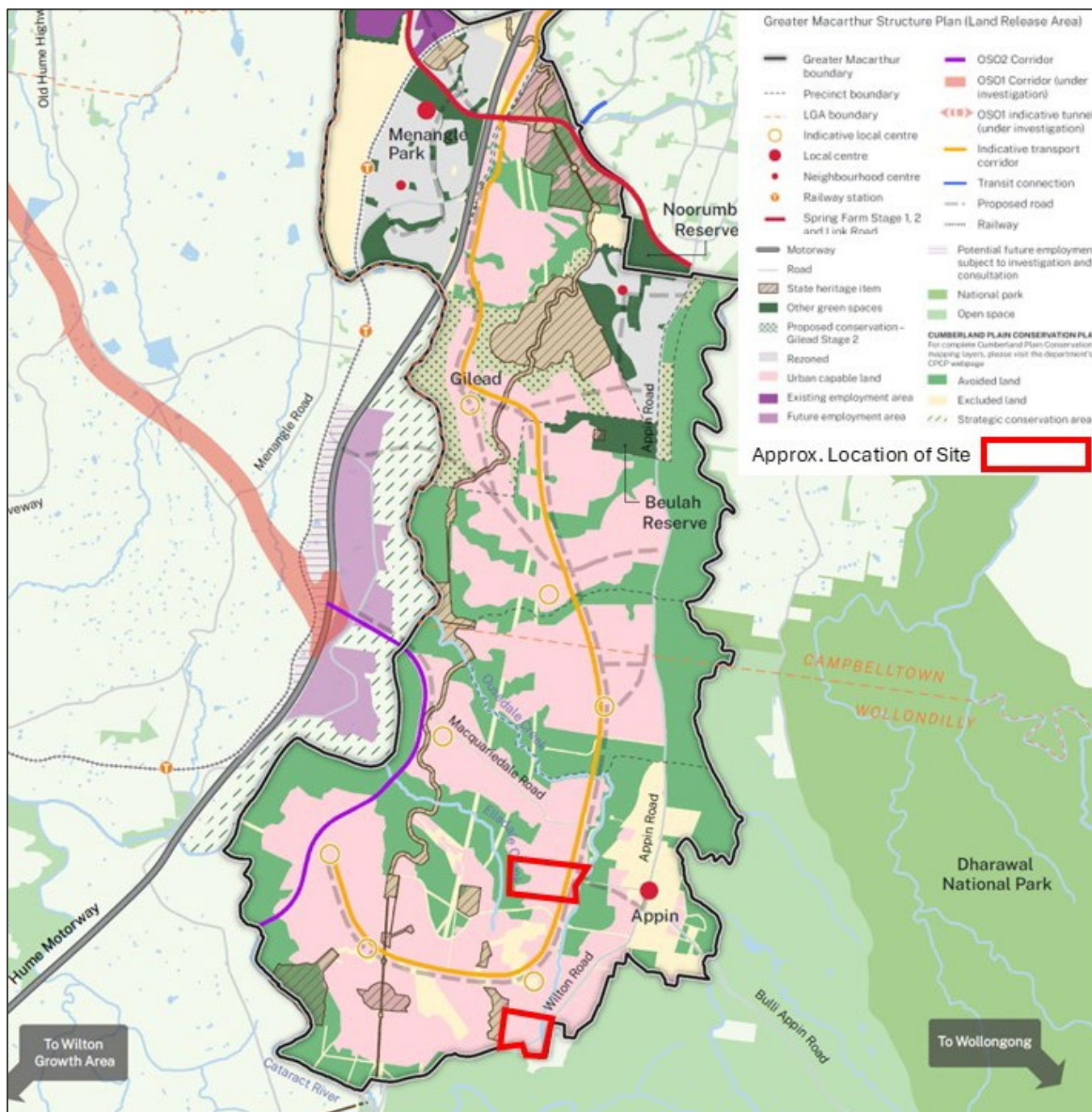


Figure 1. Site Plan (source: Nearmaps May 2025)

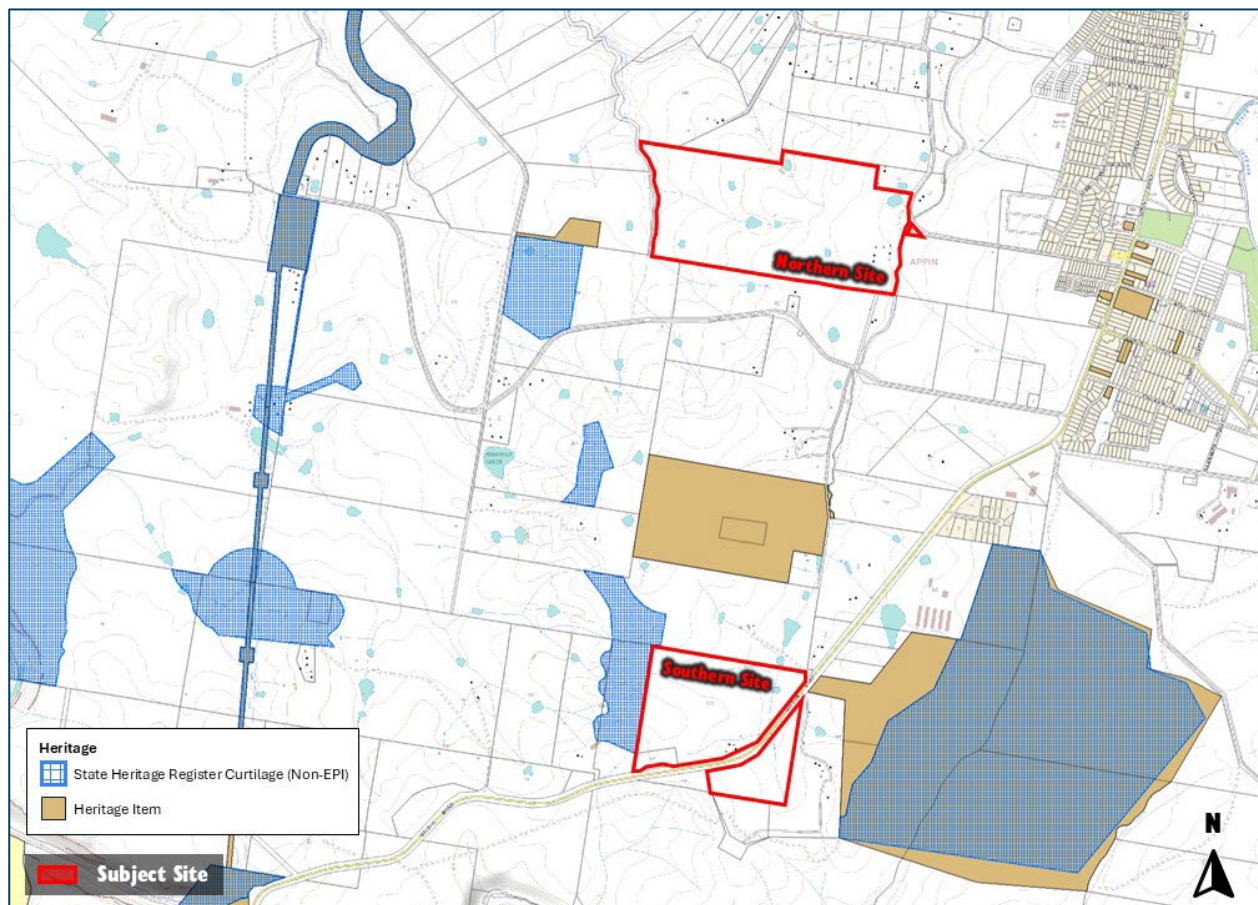


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**Figure 2. Greater Macarthur Structure Plan (source: NSW Department of Planning, Housing and Infrastructure)**



**Figure 3. Heritage (source: Spatial Viewer, May 2025)**

In summary, the planning proposal seeks to amend the *Wollondilly LEP 2011* to amend *Western Parkland City SEPP* per the changes below.

**Table 2. Current and proposed controls**

Control	Current (Wollondilly LEP 2011)	Proposed (Western Parkland City SEPP)
<b>Zone</b>	RU2 Rural Landscape	UDZ Urban Development C2 Environmental Conservation
<b>Minimum lot size</b>	40ha	UDZ – Nil C2 – 40ha
<b>*Dwelling Cap</b> (Greater Macarthur 2040)	15,000 dwellings (Appin)	No cap
<b>Number of dwellings</b>	Approximately 2	Approximately 1,312



Control	Current (Wollondilly LEP 2011)	Proposed (Western Parkland City SEPP)
Number of jobs	N/A	New local centre - 1217

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

## Local Planning Panel (LPP) and Council recommendation

On 6 March 2025, the planning proposal was reported to the Wollondilly Local Planning Panel (LPP) who recommended that the proposal should not proceed to Gateway as, whilst demonstrating strategic merit, it did not demonstrate site-specific merit due to the outstanding issues (**Attachment C**).

On 29 April 2025, Council considered a report on the Planning Proposal and resolved to not to support the proposal for Gateway determination (**Attachment C**).

## Key Issues

### STRATEGIC MERIT

#### **Issue no. 1 – Inconsistency with Strategic Framework**

##### ***Council view***

- The draft proposal does not fully align with the Greater Macarthur Structure Plan as it includes an additional local centre, in a location not included in the State prepared Structure Plan. The proposed centre is near the existing Appin Village centre and is not required to service the current or forecasted future population.
- Wollondilly Local Strategic Planning Statement (LSPS) does not support the acceleration of Greater Macarthur given that there is no framework for infrastructure delivery.
- The Greater Macarthur area has no State Planning Agreement (SPA), either exhibited or finalised. Without this SPA key infrastructure funding and requirements remain unclear, and it is recommended that the SPA is exhibited
- In Council's opinion, the proposal is inconsistent with Ministerial Directions 1.14 Implementation of Greater Macarthur 2040 and 4.1 Flooding

##### ***Proponent view***

- In summary, the proposal is consistent with the strategic planning framework, as it gives effect to the State's plans for the GMGA primarily communicated through the Greater Macarthur Structure Plan.
- The local centre has been sited within the Proponents land (northern site) at the intersection of the Transit Corridor and East-West Connector Road to maximise its commercial feasibility at the earliest opportunity.



- The submitted Centres Study (**Attachment A28**) supporting the planning proposal anticipates a shortfall of 20% (30,000sqm) of future Appin catchment resident needs without the proposed local centre. The study also does not forecast any impact on the future much larger Wilton Strategic Centre which will be established sooner than the Appin Centre.
- The proponent submitted Draft Letters of Offer in June 2024 to the Department to enter into SPA. The Offers detail the scope of regional roads proposed to be delivered by the proponent in connection with the development of the Appin (Part) Precinct and this Site. The exhibition of the State Planning Agreements can be conducted independently of this planning proposal; however, this is a matter for the Department to determine.

## **Issue no. 2 – Dwelling Cap**

### ***Council view***

- The dwelling cap of 15,000 dwellings has been noted for West Appin by the Department and the infrastructure has been planned to support that infrastructure, particularly roads both State and local, open space, schools and other community facilities. Much of the cap is taken up by Walker and there is significant residue land that is also nominated as urban capable and for further development.
- Walker has already rezoned land capable of delivering 12,900 dwellings as part of the Appin Part Precinct 1. This planning proposal will add an additional 1,312 dwellings, resulting in Walker using 14,212 of the 15,000-dwelling capacity of the area.
- It is likely that this draft proposal will impact on the ability of the rest of the West Appin area to develop in accordance with the Greater Macarthur Structure Plan.

### ***Proponent View***

- The interim Greater Macarthur Growth Plan 2040 assumed a dwelling potential of 15,000 homes for the Appin Precinct and states that yield and capacity is to be refined at Precinct Planning stage.
- The endorsed Transport Management and Accessibility Plan (TMAP), supporting planning proposal studies and the draft DCP suggest a capacity greater than 15,000 is applied and there is capacity beyond 15,000 dwellings.
- Letters of Offer to enter into the Planning Agreements have been submitted to DPHI and the Council respectively. The Offers detail the scope of regional and local infrastructure proposed to be delivered by the proponent to support the proposed dwelling yields within both the Appin (Part) Precinct and this Proposal.
- Council should resolve the capacity of other land holdings with the Department having regard to the infrastructure required to support those land holdings, as a core consideration in the assessment of future planning proposals by others related to those land holdings.

## SITE SPECIFIC MERIT

### **Issue 1 - Transport Corridors**

#### ***Council view***

- Council has reviewed the underlying TMAP that supports the Appin West growth area, that has been endorsed by Transport for NSW and DPHI and has raised fundamental objection with the assumptions made within the TMAP. This work was completed in isolation with no Council involvement and requires changes for Council to support.
- The assumptions are not supported and there are fundamental issues that need to be resolved with the road network before more housing approvals are made. Council had engaged an independent transport expert to review the TMAP, which raised a number of issues that need resolving.
- Council notes that Transport for NSW raised concern and recommended that the Appin (Part) 2 Precinct Proposal not be considered by the Council until the TMAP and SPA are publicly exhibited and receive final approval from the Relevant Planning Authority.
- Council also notes that the location and finalisation of the transport corridors requires resolution. Additionally, during Council's consultation period residents raised concern that the proposed location of corridors impacts their properties however there is no information on the widths of these roads, and the scale of the structure plan does not provide sufficient information for Council to confirm if these residents are to be impacted. Council want assurance that there will no further rezoning without a mechanism for funding critical infrastructure as the Housing Productivity Commission (HPC) cannot successfully deliver the significant State infrastructure needed in Appin.
- No SPA has been provided. This is the second planning proposal for Greater Macarthur. A Gateway determination condition for the SPA would not be assurance to Council given that Appin (Part) Precinct Planning Proposal was rezoned and finalised without a SPA or State Infrastructure Contribution (SIC).

#### ***Proponent view***

- The State Environmental Planning Policy (Precincts—Western Parkland City) 2021 Greater Macarthur Growth Area Proposed Transit Corridor Map (Transport Corridor Map) forms part of the Proposal and refines the major transport infrastructure routes through the Site that were identified in the Greater Macarthur Growth Area Structure Plan.
- An updated Appin and North Appin Precinct Indicative Plan (Indicative Plan) has been provided as background to the Proposal to illustrate the actual routes for the major transport infrastructure approved within the Appin (Part) Precinct, the proposed routes for the major transport infrastructure within the Site, and the potential routes for the major transport infrastructure beyond the Site.

- Both the Transport Corridor Map and the Indicative Plan are drawn to scale and the corridor widths are consistent with the endorsed TMAP. This approach is consistent with the Appin (Part) Precinct.
- The Transport Corridor Map preserves a corridor through the North Site for the north-south connection of a rapid public transport to connect Appin to Campbelltown through Gilead. Another corridor is reserved for the east-west road linking the Hume Highway and Appin Road through the North Site.
- Definitive routes for the major transport infrastructure outside the Appin (Part) Precinct and the Site will be determined in future Planning Proposals to rezone that land by others.
- As noted above, letters of Offer to enter into the Planning Agreements have been submitted to DPHI and the Council respectively. The Offers detail the scope of regional and local infrastructure proposed to be delivered by the proponent to support the proposed dwelling yields within both the Appin (Part) Precinct and this Proposal.

## ***TfNSW Consultation***

In response to the rezoning review request, the Department's PPA team has undertaken further consultation with TfNSW (**Attachment D**). On 3 June 2025, TfNSW responded noting:

- Progression of this planning proposal should not progress until the TMAP and SPA are exhibited and approved.
- The TMAP defines the staging of housing release supported by identified infrastructure. Strict adherence to the staging is required with any departure requiring further modelling and consultation with TfNSW.
- Finalisation of the location of the Transit Corridor, Outer Sydney Orbital (OSO2) Corridor and East West Road through Appin (Part) Precinct is still being reviewed and these locations are required in order to confirm alignment for Appin (Part 2) Precinct.
- TfNSW recommend progression of Appin (Part 2) Precinct following finalisation of Appin (Part) Precinct. TfNSW have identified a transport infrastructure threshold of 2,499 dwellings following which significant unfunded transport infrastructure upgrades will be required.

## **Issue 2 – Sewer and Water Infrastructure**

### ***Council view***

- There is no capacity to service the proposed dwellings attributed to this planning proposal, as these are on top of the 12,900 homes already rezoned within Walker's ownership.
- Sydney Water have advised that the current water servicing network cannot service the proposed development. Additional infrastructure upgrades are required and as yet are unfunded.



- It is understood by Sydney Water that CoNEXA (a private service provider) will service the Walker lands with the location of this wastewater facility to be located on the southern portion of the draft proposal site.
- However, no confirmation of any such service has been provided and requires separate approvals that have not, to Councils, knowledge been progressed.

## ***Proponent view***

- The Site adjoins the initial stages of the Appin (Part) Precinct and will be delivered in conjunction with that site through an amendment to the WPC SEPP. As such the Site will be subject to Clause 6.6 that precludes the granting of development consent unless the consent authority is satisfied that “adequate arrangements have been made to make the infrastructure available when it is required”.
- Drinking water and sewer infrastructure will not be required until the final urban built form (including dwellings) is occupied. This will be demonstrated at the subdivision development application stage.
- Sydney Water wrote to the Council on 10 April 2024 confirming all water infrastructure (including drinking water) will be delivered for 12,900 homes through a partnership with Walker and their advisor CoNEXA. Potable water will be serviced through a new 150mm diameter mains extended from Wilton and Appin Roads.
- As the existing infrastructure is not sized to accommodate the planned growth, a new Treatment Plant will be required to transfer flows from Appin (Part 2) Precinct to the existing sewer infrastructure located at Rosemeadow and then onto Malibar. This would include a new sewer pump station (SPS) adjacent to the existing SPS in Appin and a rising main.
- Sydney Water have confirmed there is no wastewater infrastructure to service the proposal before 2032 and that infrastructure is subject to funding.
- Sydney Water are planning for a new Upper Nepean Treatment Plant to support development within the Appin Precinct and surrounding area within 7-10 years. The early stages of development utilising the Glenfield WRP will be switched over to the new treatment plant once it is online. All future development will then connect to the new Upper Nepean Treatment Plant.
- An on-site packaged wastewater treatment plant run by a third party water infrastructure provider could also be utilised. Walker have included a letter from coNEXA dated June 2024 (**Attachment B1**) stating that a Local Water Utility could be established to service Appin (Part 1 and Appin (Part 2) Precinct.

## ***Sydney Water Consultation***

In response to the rezoning review request, the Department’s PPA team has undertaken consultation with Sydney Water. Sydney Water are currently reviewing servicing capacity of existing infrastructure, potentially in conjunction with Walker and through this process are seeking to resolve servicing for Appin Part 1, therefore further consultation is required to confirm Sydney Water’s position.

## **Issue 3 - Flooding**

### ***Council Views***

- A Flood Report has not been completed for the draft proposal. This is required to ensure flood prone land is not inappropriately zoned for urban development. SES similarly raised this requirement.
- Council notes that 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 the draft proposal. This study has identified there is a future need for a Hydraulic Flood Assessment, which is proposed to be undertaken after a Gateway determination is issued.

### ***Proponent Views***

- 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 flooding within these creeks is well contained within the riparian corridors and the site will not be impacted during a major flooding event and the Water Cycle Management Strategy mitigates water quality and quantity outcomes.

## **Other issues:**

### **No minimum lot size map**

- Council have indicated there is no minimum lot size map provided. This is requested to provide certainty the dwelling cap will not be exceeded.
- It is noted that the planning proposed includes a Lot Size Map, however it only provides a minimum lot size area of 40ha to the land within the northern site which will be zoned C2 Environmental Conservation, with no minimum lot size applied to land zoned UDZ.

### **Contamination and Acoustic**

- A Detailed Site Investigation (DSI) is required and potentially a Remedial Action Plan if triggered by the DSI.
- Insufficient detail has been provided addressing the fans associated with Appin Coal Seam Methane Power Station and vent shafts from Appin Coal Seam Mine infrastructure.

### **School site**

- The proposal's location and zoning of the school site within the north-eastern corner of the northern site is unresolved. Further consultation is required to meet DOE requirements for site size, flood affectation and zoning. Details outlining proposed mechanism to secure and deliver future schools is required.

## **Attachments**

### **Attachment A – Planning Proposal (11 October 2024)**

- Attachment A1** – Urban Context Report
- Attachment A2** – Landscape Visual Impact Assessment
- Attachment A3** – Landscape Visual Impact Addendum
- Attachment A4** – Preliminary Geotechnical Land Capability Assessment
- Attachment A5** – Preliminary Site Investigation – Contamination
- Attachment A6** – Biodiversity Assessment
- Attachment A7** – Water Cycle Management Strategy
- Attachment A8** – Air Quality Opportunities & Constraints
- Attachment A9** – Noise Impact Assessment
- Attachment A10** – Strategic Traffic Impact Assessment
- Attachment A11** – Strategic Bushfire Study
- Attachment A12** – Urban Heat Assessment
- Attachment A13** – Cultural Values Assessment & Connecting with Country Framework
- Attachment A14** – Aboriginal Objects Due Diligence
- Attachment A15** – Historical Heritage Assessment
- Attachment A16** – Social Infrastructure and Open Space
- Attachment A17** – Social & Health Impact Assessment
- Attachment A18** – Retail and Employment Study
- Attachment A19** – Infrastructure Phasing Plan
- Attachment A20** – Infrastructure Delivery Plan
- Attachment A21** – Sustainable Development Opportunities
- Attachment A22** – Pre-lodgement Minutes
- Attachment A23** – Pre-lodgement Response
- Attachment A24** – Schedule of the Agency Submissions to the Technical Assurance Panel
- Attachment A25** – Schedule of the Agency Submissions to the Appin (Part 1) Precinct Planning Proposal
- Attachment A26** – Response to Community Submissions
- Attachment A27** – Response to Agency Submissions
- Attachment A28** – Centres Assessment
- Attachment A29** – Maps - Appin (Part 2) Precinct Structure Plan, Land Application Map, Land Zoning Map, Lot Size Map, Transport Corridor Map
- Attachment B** – Rezoning Review cover letter



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**Attachment B1** – Council RFI and Proponents Response

**Attachment B2** – PP Pre-Exhibition Agency Submissions

**Attachment B3** – LPP Report and Attachments

**Attachment C** – Wollondilly Council response to rezoning review, Council & LPP reports

**Attachment D** – PPA and Transport for NSW consultation (May 2025)

**Attachment Maps** – Current and Proposed amendment Maps

17/6/25

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23/6/2025

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