

Appendix B: Summary of submissions and responses

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Planning Policy

Submission ID	Issue	Response
B567792	ILP and Planning Controls are not consistent with the South West Growth Centre Structure Plan - Enterprise Corridor.	The South West Structure Plan is clearly intended as a guide to Precinct Planning, and it is not a requirement of the Growth Centers SEPP or the Act that Precinct Plans be consistent with the Structure Plan in all respects. The Structure Plan is intentionally broad and it is not possible to scale off it or to determine Structure Plan land uses that apply to specific properties. In relation to the particular property, the Mixed Use Employment Corridor on the Structure Plan appears to extend along Bringelly Road to a point somewhere just west of the intersection with Eastwood Road. As Kelly Street is not shown on the Structure Plan, it is not possible to conclude that the Structure Plan shows the subject property as being part of the Mixed Use Employment Corridor. Advice from Hill PDA concludes that employment and highway related uses are better clustered around centers, rather than extending along major roads. Based on this advice, employment and retail uses are focused around the Leppington Major Centre, including land at the fringes of the centre with frontage to Bringelly Road.
B576026	The ILP looks to preserve a greater extent of vegetation than required by the Biodiversity Certification. At the same time, the ILP delivers lower dwelling and population yields than the targets for the Precincts. There needs to be a more balanced approach to meeting dwelling, population and biodiversity targets.	The amount of ENV that is proposed to be protected under the draft Precinct Plan is not directly related to the dwelling yield. The main reason for protection of more ENV than is required to maintain certification is that ENV is located on land that has limited urban development potential, in particular land that is affected by flooding, and land that is already in Government ownership. The dwelling yield specified in the draft plan is a minimum yield and actual dwelling numbers may exceed this depending on market conditions. The dwelling yield has been determined taking into account a wide range of constraints while trying to maximize the use of land in the Growth Centers for urban development.
B575698	The ILP falls short of achieving the residential dwelling and population targets. Zoning of site for residential land uses instead of open space would help to achieve greater residential yields.	The dwelling target identified in the Explanatory Notes to the Structure Plan is based on ambitious residential densities in and around the Leppington Major Centre. There is nothing in the draft Precinct Plan that prevents these dwelling yields from being achieved. The dwelling yield in the draft Precinct Plan is a minimum. The amount of open space has been determined based on assessment of demand for parks and playing fields provided by Elton Consulting. The draft Precinct Plan provides a minimum amount of open space to cater for the needs of the community. Simply changing the zoning of open space land to residential to achieve a dwelling target is not appropriate as this would create a shortfall of open space that would need to be provided elsewhere in the Precincts. The draft Precinct Plan maximizes the use of

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		unconstrained land for residential purposes by locating as much open space as possible within flood prone land. To ensure the usability of public open space and that all residents have access to parks and sports fields, and to take advantage of natural features in the Precincts, some open space is located on land that would otherwise be suitable for residential development. In the case of this particular property, the proposed public open space is located on land that is a relatively high point in the local area and which contains remnant native vegetation, assessed by Cardno to be of medium condition. While the long term conservation viability of this vegetation is low, the existing trees, retained as part of the ongoing management of the public recreation land by Council, would contribute positively to the urban environment. This park is also well located to provide access to open space for residents in the surrounding areas, as it is centrally located and in a prominent location on a high point, adjacent to a proposed school and new collector road. The zoning of this land as RE1 Public Recreation has been retained in the final Precinct Plan. The final ILP increases residential yield while still ensuring that sufficient, well located open space is provided to cater for the needs of new residents
B575725	The ILP falls short of achieving the residential dwelling and population targets. Zoning of site for denser residential land uses would help to achieve greater residential yields.	The subject land was proposed to be zoned E4 Environmental Living under the draft Precinct Plan, for a number of reasons: • The site is on relatively elevated land and is more highly visible from surrounding areas. • The land has a slope of greater than 6 degrees, and existing soil types present some risk of site instability. • Adjoining land drains towards the Sydney Catchment Authority Upper Canal (and is therefore subject to larger lot size controls to minimize potential water quality impacts on the Canal) and to create a consistent urban environment it was considered appropriate to also zone this land E4. The subject land does not drain towards the Canal. Views to the site from the Western Sydney Parklands and other parts of the Precincts are constrained by the surrounding topography. The preliminary classification of the land by GeoEnviro Pty Ltd does not prevent residential development but requires certain measures be taken during site preparation works to ensure the development is not at risk from site instability. Review of the site following exhibition indicates that the subject property and some other adjoining properties have potential for residential development. These properties are zoned R2 Low Density Residential under the final Precinct Plan. Development on these areas must be consistent with the recommendations of the Geotechnical, Salinity and Acid Sulphate Soil Assessment by GeoEnviro Pty Ltd, and relevant controls in the Liverpool Growth Centre Precincts DCP.

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B560203	Under the Biodiversity Certification, the South West Growth Centre does not fair well with regard to the extent of land having potential to sustain colonies of flora and fauna.	The Biodiversity Certification is the mechanism agreed by the NSW Government to achieve appropriate conservation of species, populations and communities listed under the Threatened Species Conservation Act, 1995. The certification includes measures to conserve vegetation and habitats within non-certified parts of the Growth Centers, including a number of conservation reserves that are zoned for protection under the Growth Centers SEPP. It also includes funding for the acquisition of land to offset the impacts of clearing that is required to enable urban development to occur in the Growth Centers. Conservation outcomes under the certification have been agreed based on broader outcomes for the Cumberland Plain and comparison of outcomes between the North West and South West Growth Centers is not particularly relevant in relation to the Austral and Leppington North Precinct Plan. The Precinct Plan contributes to conservation outcomes for the Growth Centers as a whole by protecting more Existing Native Vegetation than is required to protect a total of 2,000 hectares of ENV across the Growth Centers.
B560203	The Department of Planning and Infrastructure should be utilising their compulsory acquisition provisions to secure sites of high conservation significance within the South West Growth Centre.	The Relevant Biodiversity Measures (RBM) under the <i>Threatened Species Conservation Act</i> identify \$530 million for the acquisition of land to offset the impacts of urban development in the Growth Centers on threatened species, communities, populations and critical habitats. The RBMs identify locational priorities for the acquisition of land, with the first priority being sites within the Cumberland Plain. A number of sites are identified within the South West Growth Centre for acquisition by the State Government. These sites are zoned Public Recreation – Regional and the Corporation (ie. The State Government) is nominated as the acquisition authority for these lands under clause 15 of the Growth Centers SEPP.
zB23084	There is currently no policy position on light spill/pollution. State Government needs to provide direction on this to achieve best practice outcomes.	Currently there is no Government Policy that deals with light pollution from new urban development. However, maintaining existing light conditions to a rural standard is not achievable given the policy decision to release the Precincts in the Growth Centers for urban development. The main sources of light pollution are likely to come from street lighting, lighting of facilities such as sports grounds and external lighting associated with major commercial and industrial development. Light spill from these land uses can be controlled through appropriate design and conditions of consent to protect the amenity of nearby residents.

Submission ID	Issue	Response
B564080	The State Government's position on capping Section 94 Contributions (and allowance to levy for community facilities) will result in a lack of funding being available to deliver key universal services and limit the potential for non-government/not-for-profit services to locate within the Precincts to meet future community needs. Further funding is required from State and Federal Government to allow these facilities to be delivered.	Consistent with current Section 94 contributions Ministerial Directions, the cost of land for community facilities is included in draft Contributions Plans currently being prepared for both Camden and Liverpool Councils. The cost of building construction is not able to be funded using section 94 contributions. Other funding options such as general revenue, special rate variations, grants or public/private partnerships may be suitable sources of funding for these facilities. The final Precinct Plan shows the acquisition of land required for community facilities in each of the Neighbourhood Centers and the Austral Local Centre. However, the zoning of this land is B1 (for the Neighbourhood Centers) or B2 (for Austral Local Centre). This approach provides more flexibility to enable a range of different delivery models to be explored by the Council, including partnerships with retail or commercial developers to integrate community facilities with the development of other uses in the centre.
B576047	The proposed hierarchy of retail centres is inconsistent with Liverpool Council's decisions that informed the zoning of land within the Precincts under Liverpool LEP 2008 (ie. West Hoxton Shopping Centre is zoned RU4 Rural Small Holdings and Austral Village is zoned B1 Neighbourhood Centre).	The zoning of land under Liverpool LEP 2008 essentially reflects the existing semi-rural character of the area, and does not recognize or respond to the proposed urban development of the Precincts under the Growth Centres SEPP. This is appropriate as Council prepared the LEP in the knowledge that the Growth Centres SEPP would establish planning controls for urban development that when finalized will override the LEP. The hierarchy of centres in the Precinct Plan is consistent with the hierarchy of centres on the South West Structure Plan, which is the most relevant strategic planning document for the urban development of the Precincts. The size of the proposed centres is also consistent with advice from Hill PDA, which prepared a Retail Floorspace Capacity and Staging Analysis and Employment and Industrial Assessment to inform Precinct Planning.
B547493	Rural Transition zone shouldn't be used for floodplain management. Liverpool Council has previously set a precedent that allows for the filling of land within the floodplain to allow light industrial development in Prestons and Hoxton Park.	The ability to fill large extents of floodplain is limited as it will have significant impacts on flood risk for other land, unless compensatory flood storage works are undertaken to maintain storage capacity in the floodplain. Investigations into the potential filling of sections of the floodplain were undertaken by Cardno and identified some locations where limited filling may be possible. Cardno's general conclusion (refer to Appendix D of the Riparian and Flooding Assessment) was that filling to water depths of up to 0.3 meters would generally be possible in the locations shown without significant impacts on the floodplain. Since exhibition, the assessment of potential flood plain filling has been expanded to cover the area of the Kemps Creek floodplain between Fifteenth Avenue and Gurner Avenue. That assessment, along with revisions to the 100 year flood extent, has resulted in some land that was proposed to be zoned Rural Transition in the draft Precinct Plan now being zoned Light Industrial. This zoning is subject to more detailed assessment of the particular impacts of development on flooding, as required under the Precinct Plan.

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B551174	The rezoning will have an impact on the happiness of existing landowners in the Precinct and their ability keep livestock. The land should not be rezoned for urban development.	The Growth Centres were identified in the Metropolitan Strategy for Sydney in 2005 as the primary locations for urban expansion in the Sydney metropolitan area. The Growth Centres will provide for the bulk of new urban land required to support population growth in Sydney for the next 30-40 years. The change in land use from semi-rural and rural activities to urban land use will result in changes to character and amenity of the Growth Centre Precincts for existing residents. These changes are a product of ongoing pressures from population growth in Sydney, and the Government's response is to coordinate the release of new urban land in the Growth Centres to manage this demand and to assist in managing housing prices. The consequences of not proceeding with the rezoning would be either a lack of suitable land for new housing on the fringes of Sydney, or pressure for urban development in other locations where the coordinated delivery of infrastructure would be less feasible or development costs would be higher. The Department considers that the Growth Centres are the most appropriate location for new urban development in the Sydney metropolitan area.
B576719	Inconsistent information has been provided between the exhibition material and that provided by Liverpool Council in particular with regard to discrepancies regarding the proposed and existing drainage lines on the site.	The approach to design of the trunk drainage network has been reviewed and amended in this location. Rather than having two drainage lines linking to Kemps Creek, as proposed in the draft Precinct Plan, these have been consolidated into a single, but larger, drainage channel that runs along the rear boundary of properties on the northern side of Fourteenth Avenue. This outcome more closely matches the natural flow of water in this area and will reduce the costs of providing and maintaining drainage infrastructure for Council.
B576021	The Department of Planning and Infrastructure should publish (on an annual basis) a list of infrastructure projects within the South West Growth Centre for which funding for land acquisition is available, funding for construction is included in the Budget forward estimates and where funding is unavailable at present. This should be based on the SIC determination. The annual report should also detail the status of local Council infrastructure projects in each Precinct. Until this is put in place and there is evidence of substantial development within rezoned Precincts, no additional Precincts within the South West Growth Centre should be rezoned.	The Precinct Infrastructure Delivery Plan identifies infrastructure requirements and the status of various infrastructure projects that are necessary to service the Precincts. It is possible to update the IDP on a regular basis. The Department is also establishing systems to track the rate and location of development in each Precinct, to assist with infrastructure planning. This information may be useful to inform decisions on the future release of Precincts for planning and urban development and to inform agencies of likely infrastructure requirements. This may in turn lead to updates in agency budgets and forward plans to ensure that funding is in place to provide infrastructure to meet demand. The release and rezoning of Precincts is intended to ensure an appropriate supply of land for urban development. The release of additional Precincts by the Government will consider a range of factors including rates of development in already rezoned Precincts and the costs of providing essential infrastructure to those Precincts.
B576021	NSW Government agencies should provide funding to local Councils and NGOs for the provision of necessary community services and should be required to develop and publish forward plans for the expansion of service provision in South West Sydney inline with the expected housing growth from land that is rezoned within the South	The Precinct Infrastructure Delivery Plan identifies infrastructure requirements and the status of various infrastructure projects that are necessary to service the Precincts. It is possible to update the IDP on a regular basis. The Department is also establishing systems to track the rate and location of development in each Precinct, to assist with infrastructure planning. This information can be used by Councils and other organizations to plan for community services infrastructure for the Growth Centres.

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	West Growth Centre. Until this is put in place and there is evidence of substantial development within rezoned Precincts, no additional Precincts within the South West Growth Centre should be rezoned.	The intent of the Growth Centres is to coordinate infrastructure delivery with urban development to improve the efficiency of service delivery. Funding for community services and community infrastructure is available from a range of sources The release and rezoning of Precincts is intended to ensure an appropriate supply of land for urban development. The release of additional Precincts by the Government will consider a range of factors including rates of development in already rezoned Precincts and the costs of providing essential infrastructure to those Precincts.
B576021	Transport NSW should provide an annual public report detailing the progress on implementing the South West Growth Centre Bus Servicing Strategy.	Implementation of the Bus Servicing Strategy will depend on rates and locations of development in the Growth Centres. The Department works with Transport for NSW to ensure that bus service planning aligns with urban development. Any changes to bus services would be notified by operators through timetable and route map changes.
B585723	At present there is no State Government Planning Policy or requirement that deals with the mass relocation of native flora and fauna to new sites prior to highly destructive activities (such as development) that fragments existing wildlife habitats. The Department, guided by Office of Environment and Heritage, should introduce a mass relocation policy (structure and methodology provided).	The RBMs under the Threatened Species Conservation Act require that provisions are included in the Precinct Development Control Plan requiring the relocation of threatened flora and fauna prior to commencement of works. This provision is included in the Camden and Liverpool Growth Centre Precincts DCPs.
B582557	Section 94 Contributions should not exceed \$30,000 per dwelling/Lot to manage overall costs associated with bringing land to market.	The contributions cap that currently applies under Ministerial Directions under section 94 states that Councils cannot impose a contribution on development that exceeds the \$30,000 cap in greenfields areas. Therefore, the contributions paid by developers will not exceed the cap (unless the developer agrees to pay a higher amount through a voluntary planning agreement), even where the total cost of infrastructure exceeds the cap.
B582557	It is understood that the State Infrastructure Contribution will be increased by 50%. The Government's previous decision to defer this increase until 31 December 2011 was welcomed as a means to manage the unaffordability of these levies and potential impacts on the State's housing supply. Given the review of the State Infrastructure Contribution is still forthcoming, this deferral period of an increase in the State Infrastructure Contribution should be extended until the review has been completed.	The Special Infrastructure Contribution discount has been extended. The review of the SIC is currently underway, as part of broader consideration of funding mechanisms for infrastructure through the new planning system.
B582557	Fragmented land holdings are difficult to develop for private sector developers. If the Government wants to rapidly bring land to market for housing supply purposes, it must look at areas where there are large land parcels with few owners.	Past experience of development on the urban fringes of Sydney indicates that the majority of new housing development has occurred on land that is "fragmented", with rural land holdings typically in the range from 2-10 hectares. The Growth Centres comprise a mix of "fragmented" and larger land holdings. While the size of rural land holdings can be a factor in the timeframe for development in Precincts, research by the Department indicates that the overall timeframe for substantial completion of

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		development in fragmented and large lot new release areas is similar. Rates of development in fragmented precincts tend to start slower and then speed up as more developers enter the market and more lead in infrastructure is constructed. Development rates in fragmented Precincts, where there are numerous smaller developers operating, can actually exceed development rates in a large lot Precinct where only one or a few developers will tend to operate at any one time. The Department is working with infrastructure agencies to ensure that essential utilities such as water, sewer and electricity are available in time to enable development to occur.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Precinct Boundaries

Submission ID	Issue	Response
B577141	Why was land around the South West Rail Link stabling facility excluded from the land use planning currently being carried out for Austral and Leppington North. The landowners in the vicinity of the stabling facility are left in limbo for future planning outcomes.	Submissions received during the boundary review process for the Precincts suggested extension of the Precinct boundary west to include land around the stabling facility. However, these proposals were rejected by the Department, the boundary review panel and the Minister. The boundary review process concluded that the extension of the Precinct boundary west would provide some direction to land owners affected by the stabling facility, but would also have significant implications for infrastructure funding and development sequencing as it would create expectations that land in the extended Precinct area is able to be serviced and developed within a reasonable timeframe following rezoning. The noise and amenity impacts of the stabling facility are most appropriately dealt with by the proponents of the South West Rail Link project. The Minister for Planning imposed conditions of approval on the project requiring the proponent to address these impacts as part of the design and construction of the stabling facility. It also required the proponent to consult with the Department to consider whether land use planning solutions could assist to address the impacts of the facility. The Department has considered potential land use planning responses (as part of the boundary review process) and has concluded that rezoning the land would not assist to address amenity impacts for existing residents. Rezoning the land would be one step in enabling redevelopment of the land, however, there would need to be demand for the types of land uses permitted by the new zoning, and essential infrastructure would need to be in place. Rezoning would therefore not automatically mean that redevelopment would occur prior to the stabling facility starting to operate. Reference should be made to the reports associated with the boundary review process for further information in relation to this issue.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Land Use Zoning

Submission ID	Issue	Response
B549103, B574304	Land is not flood prone and should have a denser residential zoning - map anomaly.	The draft Development Control Map shows the extent of the 100 year ARI flood event as modeled by Cardno, but includes assumptions about the ability to fill land within the floodplain to reduce the extent of flood prone land and enable more development. The “developed” flood extent is as shown in the Cardno Riparian Corridors and Flooding Assessment report that was publicly exhibited, and at least partly affects the two properties referred to in these submissions. While residential development may be possible on the land between the “developed” 100 year ARI flood line and the flood line shown on the Development Control Map, it would rely on coordinated implementation of a floodplain filling strategy based on more detailed flood modeling, and only where approved by Council. For this reason, the Precinct Plan maintains an Environmental Living zone on land that is affected by flooding. The minimum lot size has been adjusted to 500 square metres subject to specific controls within the Development Control Plan being satisfied to Council satisfaction. This includes the provision of a detailed flood study to demonstrate to Council that the land can be filled and developed without significant impacts on the floodplain or risks to property or life due to flooding.
B553573, B553723, B557706	Extent of land zoned for non-developable purposes is excessive or unreasonable.	The subject property is proposed to be zoned RE1 Public Recreation and SP2 Infrastructure (Drainage) under the draft Precinct Plan. The property is part of a district park containing 2 double playing fields, hard courts, passive open space and drainage land associated with Bonds Creek. It also adjoins a large stormwater detention basin. The land was zoned for these purposes to provide for the open space and recreation needs of future residents in accordance with rates of open space provision advised by Elton Consulting and agreed with Liverpool Council. The overall provision of open space is not considered excessive. This site was chosen as the preferred location for a district park as it contains a large area of flood prone land that has limited potential for urban development. The subject property is entirely flood prone apart from a small area in the south-western corner. The proposed open space zoning will mean that Liverpool Council will acquire the land in accordance with the Land Acquisition (Just Terms Compensation) Act.
B567792,	Land is not suitable for residential development and should be for commercial land uses.	The property at 69 Kelly Street is not an appropriate location for commercial development because it is: An “out of centre” location that is not consistent with the Department’s policy for retail and commercial development in the Growth Centres, under the Development Code.

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		Not an appropriate location for a town centre or village centre because it is not central to a residential catchment that would support a retail centre (an 8-10,000 person catchment is required for a supermarket to underpin a retail centre). The catchment is constrained by Bringelly Road and Kemps Creek. Access to a centre in this location would be restricted by the limited turning movements at the Kelly Street/Bringelly Road intersection. Commercial uses are better located within the Leppington Major Centre, the Neighbourhood Centres or Austral Local Centre, as shown on the ILP. While the property adjoins Bringelly Road, access is currently from Kelly Street. When Bringelly Road is upgraded, access to Kelly Street will be limited to left in/left out turning movements. From a road access perspective, the site is not considered appropriate for retail or commercial uses that would be reliant on exposure to passing trade, and access from, Bringelly Road. The Retail Floorspace Capacity and Staging Project in the Austral, Leppington North and Oran Park Precincts (Hill PDA May 2010) states that smaller neighbourhood retail centres typically rely on either a walking catchment of sufficient size to support an anchor supermarket and specialty retail, or be located to capture car based trade, preferably on the route of evening peak traffic. The site at 69 Kelly Street does not meet either of these criteria. It is not located central to a residential catchment that would be of sufficient size to support the scale of retail floorspace required to make the centre viable. It is located on the opposite side of Bringelly Road to the direction of the main evening peak traffic flow. Turning movement restrictions at the intersection with Kelly Street will also limit access to the site for passing trade. In relation to Bulky goods retailing (which often locates on busy roads to take advantage of passing trade, Hill PDA advises that a bulky goods retailing “cluster” should be located on the fringe of Leppington Major Centre and should ultimately form part of the Leppington Central Business District. The Business Development zone, located north of Bringelly Road between Fourth Avenue and Bonds Creek, is consistent with this advice. The Department does not support extension of bulky goods retailing or other commercial activities along Bringelly Road beyond the Major Centre, as this is inconsistent with Hill PDA’s advice and would result in poor urban design outcomes. For these reasons, the site at 69 Kelly Street is not considered an appropriate location for a Business Development zone. At a distance of nearly two kilometres (by the most direct road route) from Leppington Station, the property is not considered to form part of the Leppington Major Centre, and any retail or commercial use of the land would be “out of centre” and not appropriate. Uses such as commercial office space are more appropriately located in Leppington Major Centre where they can take advantage of road and public transport access and the benefits of being located near other similar uses in an active, mixed use town

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		centre. There is some residential development potential on the eastern portion of the property. The western portion is affected by a high voltage transmission easement and flood prone land. Low density residential development consistent with the Environmental Living zone is considered appropriate for this part of the site, as shown on the ILP. The Bringelly Road Review of Environmental Factors (RTA, November 2011) includes an assessment of the road noise impacts of Bringelly Road. The noise assessment prepared by Renzo Tonin and Associates as part of the REF indicates that architectural treatments of buildings to achieve internal night time noise criteria of 45 dBA result in noise reductions of more than 12dBA and up to 20dBA with a combination of treatments. These findings, combined with appropriate design of new residential development (eg. positioning bedrooms away from Bringelly Road) indicate that appropriately designed and constructed residential development would be capable of meeting the relevant night time noise criteria for residential development. External daytime noise criteria could also be met through appropriate design measures such as locating outdoor living areas to be screened by buildings. On the basis of these findings, the subject properties are not considered to be unsuitable for residential development due to noise impacts from Bringelly Road.
B576787	Land is not suitable for residential development and should be for commercial land uses due to noise constraints.	The noise impacts of the rail line are not anticipated to preclude development of this land for residential purposes. Noise modeling undertaken by the construction contractor as part of the detailed design of the rail line indicates that night time noise levels in this section of the track will be at levels that are capable of achieving internal dwelling noise amenity criteria through appropriate building design and ventilation. The predicted noise impacts of the rail line therefore are not considered to be a significant constraint to residential development on this property.
B576182 B577136	Land is not flood prone and should have a denser residential zoning.	This submission also states that the owner would be willing to accept the E4 zone if the minimum lot size control is reduced to 1,000 square metres. In the draft Precinct Plan it was proposed the land be zoned E4 under the draft Precinct Plan because it is relatively steep, is at a relatively high elevation and is visually prominent. Further, the land is partly constrained by the Jemena gas line and easement. However review of the suitability of the land, following exhibition, indicates that it is suitable for residential development. The property is now zoned R2 Low Density Residential. Land that is affected by the gas easement is excluded from the minimum residential density provisions of clause 4.1B.
B576729	Liverpool LEP zones this property as “residential” and the proposed zoning is inconsistent with this.	The current zoning of the property under Liverpool LEP 2008 is RU4 Rural Small Holdings. The property is not currently zoned residential. The zoning of the land under the Precinct Plan reflects the constraints on this site (including an existing high voltage electricity line, existing native vegetation and the presence of a watercourse and flooding constraints). These constraints mean this property has no urban development potential. However, it is well located to provide passive open space for surrounding

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		residential areas and the land is therefore zoned RE1 Public Recreation and SP2 Infrastructure (drainage). In the draft Precinct Plan the rear portion of the property was proposed to be zoned Environmental Living, however, this part of the land has no development potential because of the above constraints and is also now zoned RE1 Public Recreation.
B576729, B574381, B571357	Land should be zoned for denser residential uses given proximity to open space, school, community centre, transport and retail areas.	The suitability of these properties for more dense residential development is limited. Zoning the properties, for example, as Medium Density Residential is likely to limit the short term viability of residential development because the market for these more dense housing forms is largely dictated by close proximity to community facilities, shops, schools and public transport. There is scope under the Precinct Plan for land that is zoned low density residential to be developed to higher densities subject to other planning controls being met.
B576729	The proposed ILP shows 'Rural Transition' land along Fourteenth Avenue before Starr Park. It would make more sense for this land to be a continuation of Starr Park rather than 'Rural Transition' to allow better access.	Three properties between Thirteenth Avenue and Fourteenth Avenue (including this property) are now proposed to be zoned a combination of SP2 Infrastructure (drainage) and E2 Environmental Conservation. There is no justification for the zoning of this land as public recreation as it is not well located in relation to residential areas and is not useable public open space due to the combination of flooding and existing native vegetation. The Environmental Conservation zone reflects the current use and constrained nature of this site and is consistent with the zoning of bushland on the adjoining Starr Park. Starr Park will not contribute significantly to public open space for the Precincts because it is predominantly a bushland reserve with limited opportunities for recreational activities. It is therefore not critical that it be accessible to residential areas.
B575987	Land affected by the Jemena Gas Pipeline easement should be zoned SP2 Infrastructure and be acquired by the appropriate authority. This land could be used as part of the open space or road network.	Restrictions on the types of land use and construction over the easement mean that the easement is not suitable for new road construction. The proposed new collector road that runs adjacent to the easement is located partly within the easement: the road verge is within the easement and would allow for low level landscaping and possible construction of a footpath/shared path, subject to confirmation of the pipeline location within the easement and approval from Jemena. Figure 4.1 (Schedule 1) of the Liverpool Growth Centre Precincts DCP shows acquisition of half the width of the easement by Council as part of the road verge. This is significantly wider than the typical verge width to be acquired for a collector road, but will enable the construction of a shared path and landscaping to create an attractive linkage for pedestrians and cyclists from the north of the Precinct to the Western Sydney parklands. Consideration was given to zoning the easement for public open space however, the configuration and location of the easement does not lend itself to the development of attractive, useable open space and it is not efficient to acquire the entire easement as open space for the purposes of constructing a pedestrian/cycle path. The arrangements for road design along the gas easement have been amended since exhibition and the road is now proposed to have divided carriageways either side of the

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		gas pipeline and within the easement to the maximum extent possible. The median area may be used as an open space link. Land within the easement will not be purchased by a public authority but will be dedicated to Council as part of the construction of the new road.
B576026	Part of the land is suitable for residential development (ie. not constrained by existing vegetation or indigenous heritage) and should be zoned for residential development. This would provide a logical extension to development within the Edmondson Park release area, allow the completion of a local road (Diamond Hill Circuit), manage bushfire risk better with adjoining residential development, and would also be easily developed due to provision of essential services to adjoining land.	Liverpool Council has confirmed that, as part of the process of subdivision of some areas of the Edmondson Park Precinct (to the east of this property), the road network currently proposed is different to that in the Edmondson Park DCP, and is consistent with the road network as shown in this submission. The land that includes the road and lots with frontage to it, extending into the Leppington North Precinct as indicated in the submission, is now zoned R2 Low Density Residential.
B556401	Environmental outcomes for retention of existing bushland can still be achieved for the property by zoning it E4 Environmental Living rather than RE1 Public Open Space. The Biodiversity Protection Overlay can be retained and minimum lot size controls can be increased to prevent further fragmentation and destruction of Existing Native Vegetation to be protected through the Biodiversity Certification.	The extent of ENV on the subject property, and the property adjoining to the west, is less than that shown on the Environment Protection Overlay on the draft ILP. The Native Vegetation Protection Map shows the correct extent of ENV on these properties. The intentions of the owners of this property, as expressed in their submission, are consistent with the conservation of remaining vegetation on the property. The RE1 Public Recreation zone was proposed on the draft Plan to provide for the open space needs of the Precincts and to take advantage of the natural vegetation on the site as a positive element of a new public park. However, given the proximity of the site to the Western Sydney Parklands and proximity to another local park to the south west of these properties, amending the zoning to Environmental Living is considered appropriate for both this property and the adjoining property (to the west). The Environment Protection Overlay has been amended on the final ILP to reflect the actual extent of ENV to be protected, and the areas of ENV on the properties are now zoned Environmental Conservation. The zoning, as now proposed, allows for sensitive residential development on larger lots while ensuring conservation of ENV on the properties. The local park that was previously proposed on this property has been replaced by amendments to the open space network as shown on the final ILP.
B575698, B574381, B571357	Land isn't constrained by significant/high quality vegetation and should be zoned for residential land uses.	Refer to the response to this issue in the Planning Policy issue category.
B575725	Land has been zoned E4 Environmental Living to avoid discharge of urban stormwater into the Sydney Water Supply Canal. Land does not drain to the Canal and is better suited for low density residential land uses. Drainage of site should be investigated in further detail.	Refer to the response to this issue in the Planning Policy issue category.

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B569166, B576058	Support for proposed zoning and ILP.	Support is noted.
B560260	Part of the property is zoned for open space. Why can't all of property be zoned for residential land uses.	The property is partly zoned RE1 Public Recreation as this part of the property, and adjoining properties, are proposed to contain a local playing field. A minimum of four hectares of land is required to accommodate a playing field plus associated car parking and amenities buildings. In this location the positioning of the playing field is limited by drainage channels and Bonds Creek, so a slightly larger area of land is required to ensure there is sufficient space for the proposed facilities. It is not possible to change the zoning of the land from RE1 to a residential zone for these reasons.
B575689	Whole of site is zoned for open space, drainage or road purposes. Opportunity to allow existing dwelling or future dwelling foot print.	The property at 175 Eighth Avenue is wholly affected by flooding and is also almost entirely within the riparian zone of Bonds Creek. Residential development on this land is not considered appropriate because of these constraints. The property at 185 Eighth Avenue is also entirely affected by flooding and more than half of the property is within the riparian zone. Residential development on this land is also not considered to be appropriate given the risk of flooding, and impacts on the capacity of the floodplain that would result from filling to achieve a dwelling floor level that is above the 100 year ARI flood level. The proposed zoning of this land for public recreation and drainage will contribute to the provision of well located public open space that is accessible by surrounding residents and takes advantage of the environmental values of Bonds Creek. It will also enable Council to manage stormwater and flooding issues associated with the creek.
B574385	Site is affected by flooding and is unsuitable for residential development.	The extent of flooding (100 year ARI flood) as modeled by Cardno is west of the new road proposed on the property on the ILP. More detailed assessment of flooding conditions may be required at the time of subdivision of the land to confirm the extent of flooding, however, the 100 year flood line as modeled by Cardno is considered to be as accurate as possible and necessary for the purposes of Precinct Planning.
B576714	Zoning of site and surrounding land for light industrial land uses will have detrimental impacts on landowners quality of life if they choose to stay.	It is expected that the transition from semi-rural to urban land uses will have some impacts on the amenity of residents at various times in the development of the Precincts. However, the rezoning of land to enable urban development, both for housing and jobs (eg. In industrial areas) is important to ensure the supply of urban land meets demand in metropolitan Sydney. Consideration of the specific impacts of individual developments on adjoining properties will be required as part of the development application process. The Precinct Plan assumes that, progressively, existing residents will sell and move out of industrial areas and, over time, conflicts between new and existing land uses will diminish.
B553402, B576047	The existing Austral Village Shopping Centre should be made bigger, not the West Hoxton Shops at Fifteenth Avenue. The existing Austral Village Shopping Centre should be expanded as it is a logical extension to the existing retail centre, will strengthen the centre and it is	The proposed area of land zoned B1 Neighbourhood Centre in Austral village is consistent with advice provided by Hill PDA in its assessment of the hierarchy of centres in the Precincts and the required retail floorspace capacity in each centre. The hierarchy of centres is also consistent with the South West Structure Plan. The Austral village centre has potential for some expansion or redevelopment of retail land uses.

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	better placed to meet the needs of the community and future residents.	To provide for the development of new retail in the centre, the property immediately to the east of the Austral village shops is now zoned B1 Neighbourhood Centre. The DCP and Precinct Plan clearly set out the role of this centre in the retail hierarchy for the Precincts. The scale of retail development is to be consistent with the objectives of the B1 zone, without impacting on larger centres including Austral Local Centre and Leppington Major Centre.
B553402	Land within the proposed Town Centre retail area should not be zoned for open space as it will restrict suitable development opportunities for retail space.	The land that was proposed to be zoned for open space and community facilities within the Austral Local Centre is now zoned B2 Local Centre (as per the adjoining lands). The Land Reservation Acquisitions Map identifies some lands in this property for acquisition for a community centre. However the zoning of the land still permits commercial and retail uses. This approach has been adopted to provide flexibility in the development of retail and commercial uses and the community centre. The developer will be required to work with Council to develop the site in a way that enables the community facilities and a small square to be integrated with commercial and retail development on this land.
B573378, B573384	The commuter carpark shown on the southern side of the South West Rail Line corridor is not located in the best position. It should be relocated to take better advantage of land already in State Government Ownership, achieve better vehicular and pedestrian access and provide a better urban design response given the prominent location in the Leppington Major Centre.	The opportunity to locate potential future commuter car parks on land already owned by the State Government has been explored. The proposed commuter car park location has been moved to the northern side of the rail corridor on land that has been acquired by the Government for the South West Rail Link, but which is surplus to operational requirements of the rail line. Land at the location of the commuter car park as shown on the exhibited draft ILP is zoned B7 Business Park (as per the draft zoning of this land at exhibition).
B578532	Land zoned for R3 - Medium Density Residential in the Leppington Major Centre may be better suited to R4 High Density in line with residential land that is zoned around existing centres such as Liverpool or Campbelltown.	The Precinct Planning Report (as publicly exhibited) explains the rationale behind application of a medium density residential zone to land around the Leppington Major Centre. The Department considers that the demand for high density housing may arise in the future as the Major Centre develops and the housing market matures. However, zoning land for high density housing in the early days of development of the Precinct will unnecessarily limit the range of dwelling types that can be constructed on the land and delay the supply of homes to meet demand. Comparison of Leppington with established centres such as Liverpool and Campbelltown is not valid as the market for higher density housing in those centres is better established due to access to existing jobs, retail, community services and entertainment. It is the Department's intention that Leppington Major Centre will evolve to provide similar levels of services and opportunities to residents, however, that process will occur over a period of 20 years or more. It is important that the planning controls are flexible enough to encourage development to occur early around the town centre, and to adapt to changes in the market over a number of years. The proposed medium density residential zone permits a range of dwelling types that are capable of providing housing at densities well in excess of the minimum density

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		specified in the Precinct Plan (on the Residential Density Map). Therefore, if market demand exists for higher density housing, the Precinct Plan will not preclude that from occurring.
B576006	Land is significantly affected by a drainage channel. The remaining land should be zoned R3 Medium Density Residential to ensure a feasible development outcome is achieved for remaining land not affected by the drainage channel. This would also present a logical extension to the medium density land located on Fifteenth Avenue around the expansion of West Hoxton shopping centre.	The drainage channel has been narrowed and shortened in this area to the minimum practical extent. The zoning of land north of the drainage channel for medium density residential has been extended further east than was shown on the draft ILP to align with the medium density zone boundary north of Fourteenth Avenue.
B575673	Flooding extents do not restrict development and should be zoned for Light Industrial land uses. Adjoining land is similarly affected by 1 in 100 year flood and transmission line easement and has a Light Industrial zone.	The flood model has been revised following survey and analysis to confirm the elevation of creek channels. The flood model has also been reviewed against other studies including the Upper South Creek Flood Study (released by Camden Council in late 2011) and the flooding assessments undertaken for the South West Rail Link and the Bringelly Road upgrade. The revised flood modeling still indicates that this property is affected by flooding. However, the front part of the property is outside the 100 year flood extent and the front half of the property is affected by flood depths of less than 100mm. It is therefore possible that the front part of this property could be used for industrial development, with areas under the transmission easement used for related activities (eg. Parking, short term storage) providing they are compatible with the easement conditions. The zoning of part of this property has therefore been amended to Light Industrial.
B579943	Flooding extents do not restrict development and should be zoned for Light Industrial land uses.	The extent of flooding on this property limits its development potential for urban purposes. While the current use of the land as a mechanics workshop is consistent with a light industrial zoning, light industrial zoning is not appropriate for this land given surrounding land zoning. The zoning of land is intended to reflect the most appropriate use of the land and this may not be the same as the existing use of the land. Over time significant changes to land use will occur as a result of the rezoning. The current use of the land will be protected to the extent that existing use rights apply. Given the current level of investment in the existing business on the site, it is unlikely that a transition to residential land uses consistent with the Environmental Living zone (as proposed in the exhibited draft Precinct Plan) would be economically viable. The revised flood modeling indicates that part of this property previously shown as being within the 100 year flood line is now not affected by the 100 year flood. Those parts of these properties are now zoned Low Density Residential. Parts of the properties that Cardno's assessment indicates limited filling and urban development are possible are zoned Environmental Living.
B558708, B553723	Zoning of site for open space is a waste of developable land given extent of open space in Precincts and surrounding Western Sydney Parklands.	The amount of proposed public recreation land as shown on the draft ILP is consistent with recommendations from Elton Consulting, and rates of open space provision agreed with Liverpool and Camden Councils. Open space has been located throughout the Precincts to ensure that a suitable range of recreational opportunities

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		are provided for residents, that open space is accessible to all residents, and that the best use is made of land that is constrained by flooding or other environmental constraints. While the Precincts are adjacent to the Western Sydney Parklands, it is important that open space is provided within the Precincts to serve the needs of the local community. The adjacent Western Sydney Parklands will provide for the regional open space and recreation needs of the community, while the local need will be catered for by local parks and sporting fields within the Precincts.
B558708	There is currently a DA with Liverpool Council for a new home on the site.	Noted. While consideration is given to existing and approved developments when preparing the Precinct Plan, it is not the only factor in determining new planning controls. It is not always possible to avoid existing or approved developments when identifying land for public purposes.
B577580	Land is prime developable land (ie. no constraints such as vegetation, flooding, easements, creeks etc) and is better suited for residential development not open space.	There is an approved development application for a service station and takeaway food outlet on Bringelly Road immediately south of the subject property. Should this development proceed, the proposed sports fields will provide a buffer between residential development to the north and the non-residential uses and Bringelly Road to the south. The proposed open space also addresses the constraint of a high voltage overhead electricity line that is located on the eastern boundary of the proposed open space area. This easement runs at an angle across properties to the rear of the subject property and would constrain the subdivision and use of the land for residential purposes. These playing fields are well located to be accessible to surrounding residents.
B576793	An inequitable approach has been taken in the application of the Environmental Living Zone for existing Landowners. Low density residential zoning should be applied to the edge of the Biodiversity Protection Overlay.	The extent of land proposed to be zoned Environmental Living has been determined based on the extent of the 100 year ARI flood as mapped by Cardno. The Environmental Living zone allows for subdivision and the construction of new dwellings outside the flood prone land, with land that is affected by flooding occupied by rear yards. The extent of flooding is different to the extent of the Environment Protection Overlay.
B547493	Land is not constrained by flooding due to precedent set by Liverpool Council in Prestons and Hoxton Park Industrial Precinct (ie. allows filling). As such, land should be zoned for light industrial land to match adjoining land. Change to light industrial land will not significantly impact on the 1 in 100 year flood event.	Assessment of potential filling of the floodplain in the area between Fifteenth Avenue and Gurner Avenue has resulted in amendments to the zone boundary with additional land now zoned Light Industrial. However, more detailed assessment of flooding impacts is required at the DA stage to ensure that there are no significant offsite impacts associated with filling and development in this part of the floodplain.
B547493	Zoning of land as Rural Transition is inequitable as it is being used as a defacto detention basin and floodplain management area caused by upstream development and does nothing to compensate affected properties.	Stormwater detention basins have been located and designed to ensure that the extent of flooding after urban development matches the extent of flooding currently experienced in the Precincts. Therefore the rural transition zoning doesn't act as detention to offset impacts from upstream development, but reflects the current flooding constraint on this land.
B547493	Zoning of land as Rural Transition inhibits the property	Assessment of potential filling of the floodplain in the area between Fifteenth Avenue

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	from being developed to its highest and best use.	and Gurner Avenue has resulted in amendments to the zone boundary with additional land now zoned Light Industrial. However, more detailed assessment of flooding impacts is required at the DA stage to ensure that there are no significant offsite impacts associated with filling and development in this part of the floodplain.
B557706	Why is the eastern side of Boyd Street zoned for Low Density Residential and only a small area on the western side. The Low Density Residential zone should apply to the whole western side as well. Unfair that the western side of Boyd Street is disadvantaged.	The western side of Boyd Street is largely zoned Environmental Living or Public Recreation because the land is significantly affected by flooding and by the high voltage overhead electricity lines and therefore has limited residential development potential. It would be unreasonable to zone this land for residential purposes as constraints inhibit development for this purpose.
B562237	Zoning of the site for Open Space to protect existing vegetation unfairly disadvantages landowners who did the right thing and kept vegetation instead of clearing it.	This issue has been addressed under the Biodiversity issue category.
B562486	Land on the southern side of the South West Rail Link at Leppington Station has been identified as having a commuter carpark. This was not identified through the South West Rail Link approval and appears to be an anomaly.	Refer to response above in relation to the amended location of this car park. The indicative car park location does not relate to the car parks as approved for the South West Rail Link, but considers possible locations for commuter carparks to transition from the approved locations as the Leppington Major Centre develops. The Department considers it more appropriate to have more active retail, commercial or similar uses close to Leppington Station rather than a large expanse of commuter parking.
B573384	Land at the north west side of the intersection of Bringelly Road and Fourth Avenue should be zoned Open Space as it is a small piece of land and close to a major road.	Review of the drainage strategy for this land has resulted in the removal of the drainage channel that was shown on the draft Precinct Plan. This property is now zoned Medium Density Residential, consistent with the zoning of adjoining land.
B573384	The existing commercial pub/hotel on the corner of Camden Valley Way and Ingleburn Road should be zoned accordingly.	The existence of commercial uses such as the hotel do not necessarily mean that they should be zoned to reflect the current use of the land. As the Precinct develops direct road access from Ingleburn Road and Camden Valley Way will no longer be possible. The current use of the land is not always the most appropriate future use when broader objectives for the Growth Centres are considered. While the hotel can remain in operation (subject to applicability of existing use rights), the Department considers that commercial uses are better located within the designated centres to minimize conflicts with residential uses and to ensure that transport and access arrangements are coordinated.
B573384	Land fronting Rickard Road should allow landowners to develop their land for commercial/retail use, subject to merit based assessment at Development Application stage.	The majority of land fronting Rickard Road is zoned either B3 Commercial Core or B7 Business Park. Both of these zones permit a wide range of retail and commercial land uses with or without development consent. The only part of Rickard Road that is not zoned for these purposes is the civic precinct between Leppington Station and Bringelly Road on the western side of Rickard Road. Land in this part of the Precinct has been zoned SP2 to ensure it is available for community and educational purposes, which are

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		also a critical part of creating a vibrant mixed use major centre.
B574282	The land zoned for Bulky Goods on the northern side of Bringelly Road is out of place and provides unnecessary separation between land zoned for medium density development and Leppington Major Centre (train station, retail area and civic uses). The Bulky Goods land use should be moved to the southern edge of the Precinct at the intersection of Camden Valley Way and Cowpasture Road and would allow for greater residential densities in closer proximity to Leppington Major Centre.	Bringelly Road is considered to be an appropriate location for bulky goods retailing as it has good road access from signalised intersections at Fourth Avenue and Edmondson Avenue. Other locations for bulky goods retailing are provided in the Business Development zones on Camden Valley Way and Cowpasture Road. While the area at the corner of Camden Valley Way and Ingleburn Road may be suitable for a Business Development zone, the Department considers the proposed location north of Bringelly Road to be preferable, and that medium density residential is more appropriate in the location shown on the ILP. Bulky goods retailing and other uses that are permissible in the Business Development zone typically rely more on cars for customer access than public transport because of the nature of goods that are sold. Locating the Business Development zone north of Bringelly Road will reduce conflicts between pedestrians and traffic on Bringelly Road. Locating medium density residential to the south-east of the major centre is appropriate as this location is within walking distance of Leppington Station (without the need to cross a principal arterial road), and can take advantage of bus routes that are likely to run along Camden Valley Way to travel to other destinations.
B574282	Land surrounding the Leppington Major Centre and around the expansion of the existing centre at Fifteenth Avenue should have greater provision for higher density residential apartment style developments. This would hopefully provide more affordable dwelling options for the young professionals you are trying to attract to work in the land zoned for Business Park.	Consideration was given to permitting residential flat buildings (apartments) within the medium density residential zones around Leppington Major Centre. However, advice from Elton Consulting in relation to likely demand and viability for these forms of housing indicates that it is unlikely to be viable until some time into the future when the Major Centre is well established. Requiring higher residential densities, while based on sound planning principles, may actually have the effect of stifling residential development in close proximity to the centres. This may then result in lack of interest in commercial and retail development in the centres. The cost of construction of residential flat buildings is significantly higher than for other forms of medium density housing (eg. Townhouses or terraces). For this reason, and because of the willingness of buyers to pay comparatively high prices for apartments to enable a reasonable return to the developer, it is difficult for residential flat buildings to be financially viable in fringe areas, particularly early in the development timeframe. These development costs do not necessarily deliver more affordable housing when compared to other small dwelling housing forms such as attached dwellings or town houses. There may be opportunities to revisit the permissibility of residential flat buildings in the medium density residential zone in the future should market conditions indicate a demand for this form of housing at a price that makes the development viable. In the interim, the Precinct Plan permits residential flat buildings in the B4 Mixed Use zone and shop top housing (i.e. apartments above ground floor retail) in the B3 Commercial Core zone. These zones are considered sufficient to cater for any demand for apartments that may exist in the early years of development of the centre.

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B574282	The extent of the medium density residential land along Bringelly Road should be extended to Kelly Street to the west, Sixth Avenue to the north and Thirty First Avenue to the East to maximise use of the rail line. This area should also have a greater density (ie. high density).	The minimum residential density in the area between Fifth Avenue, Fourth Avenue, Sixth Avenue and the extension of Eastwood Road has been increased to 20 dwellings per hectare. The minimum density has also been increased to 20 dwellings per hectare in the area between Bonds Creek, Fifth Avenue, Sixth Avenue and the Upper Canal. The zoning remains Low Density Residential. The increase in the minimum residential density will encourage the development of smaller housing forms to encourage more people to live closer to public transport and to increase the available range of more affordable housing types. Extending the medium density residential zone west to Kelly Street is not considered appropriate as this area is outside the walking catchment for Leppington Station. While areas close to Bringelly Road will have access to bus routes, a medium density residential zone is not warranted in this location. The minimum residential density enables developers to develop housing at higher densities. The range of housing types that is permissible in the low density residential zone, and the minimum lot sizes in clause 4.1A, enable development at densities significantly higher than the minimum required by clause 4.1B. The Precinct Plan provides a reasonable balance between the need to encourage a range of housing types and the financial viability of small lot housing given typical market conditions in new release areas.
B576719	Zoning of the site for Rural Transition is inequitable and is challenged given neighbouring properties immediately north, east and south of the site are zoned either Low Density Residential or Environmental Living.	The Rural Transition zone has been applied to this property as it is entirely affected by the 100 year ARI flood extent. Other properties to the north, east and south are zoned Environmental Living because they are only partly affected by the flood extent, and therefore have some potential for more residential development.
B577140	Given the issue of housing affordability and lack of housing supply, land proposed for light Industrial land uses should be zoned as more residential land. This would also be beneficial to the Government as it would raise further revenue from additional taxes and rates. Light Industrial land could then be replaced by removing some of the Open Space land and better utilising the land within the 1 in 100 year flood.	Precinct planning is intended to provide not only land for new housing but for new jobs to reduce travel distances for new residents of the Precincts. It is important that a range of employment opportunities are provided. It is also important that the businesses which tend to locate in light industrial zones have opportunities to locate in the Growth Centres. The Employment and Industrial Assessment by Hill PDA clearly establishes a relationship between residential development and demand for related light industrial uses such as cabinet makers, car repairers and small scale manufacturers. These types of industries should be located close to the markets they will serve (i.e. the surrounding residential areas). The amount of light industrial land in the Precincts is based on Hill PDA's demand modeling and is considered to be justified. The potential to utilize the floodplain for more industrial land is limited because the ability to fill the floodplain without significant impacts elsewhere is limited. Reducing the amount of open space and replacing it with industrial land is not appropriate because the rate of open space provision is consistent with accepted rates of provision for new urban areas.
B577145	The front half of the property, not affected by the drainage channel, should be zoned for Medium Density Residential land uses to offset the loss in value from the remainder	The front half of the property is zoned for low density residential development, and the rear of the property is zoned for drainage. Medium density residential development is not considered appropriate in this location as it is not close to major transport routes,

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	being zoned Environmental Living and Drainage.	centres or other services and facilities.
B576743	Zoning of land as SP2 Infrastructure will sterilise use of a prominent site within Leppington Major Centre until Government funding for land acquisition is available. Alternate Mixed Use zone is appropriate to encourage private investment unless short term compulsory acquisition is guaranteed.	The TAFE and Primary Health Care Facility require locations with excellent public transport access. These uses will contribute significantly to the success of the Major Centre because they will draw people from a large surrounding area to Leppington, and will increase levels of activity in the centre. The land required for these facilities is now zoned B4 Mixed Use, to enable other land uses to be developed in conjunction with the public facilities. The land required for these facilities is still identified for acquisition by the relevant authorities. The facilities are identified within the Total Asset Management Plans of NSW Health and the Department of Education and Communities. This means that planning to secure funding for property acquisitions is underway, with a view to acquiring the sites within the next 10 years. Interim commercial or retail development on the properties prior to their public purpose acquisition is not appropriate as this is likely to result in significant constraints to the development of the sites for the intended purposes. However, integrated development of commercial, retail or residential uses as part of the development of the health and TAFE facilities may be appropriate and the mixed use zoning facilitates this.
B584638	Land identified as the Investigation Area (bound by Bringelly Road, Camden Valley Way and Cowpasture Road) was understood to be part of the Western Sydney Parklands owned by the State Government. The ILP indicates that it will be zoned for Environmental Living. Why is this land not zoned Environmental Conservation or Western Sydney Parklands.	The land is proposed to be partly zoned Environmental Conservation, to enable revegetation and rehabilitation of native vegetation in the future. Land south of the South West Rail Line is mostly proposed to be zoned Environmental Living. This land is not within the Western Sydney Parklands boundary. The land south of the rail line is suitable for low intensity residential development consistent with the Environmental Living zone.
B586304, B588563	Objection raised to the proposed location of the substation at Fifteenth Avenue. Concern is raised that the substation is located too close to Residential land. The substation should be surrounded by Light Industrial land to minimise interface impacts.	The substation is proposed in this location because it is on the existing 132kV transmission line that will provide power supply to the substation. The interface of the substation with adjacent residential areas can be managed by landscaping and other measures. It is not considered appropriate to extend the light industrial zone further east as there is not enough demand for light industrial land to sustain a larger light industrial zone.
B586579	Support is given for the retail zoning of the land.	Support is noted.
B588515, B572860	No consideration has been given to substantial existing dwellings on land zoned for 'Indicative School Site'. Zoning for Low Density Residential would be more appropriate.	Because the land in the Precincts has fragmented ownership, with the typical size of existing properties around 1-1.2 hectares, it is not possible to avoid existing houses when identifying locations for new schools. Should these sites be acquired as schools, the value of the land and improvements (including the existing houses) would be considered in determining the market value to be paid by the acquiring authority.
B588515	Proposed 'Indicative School Site' zoning will hinder the potential to establish a consortium to develop the site and	The area of land occupied by the school site has been reduced based on advice from the Department of Education and Communities. The school site is now zoned SP2

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	surrounding land, which is owned by members of the same family.	Infrastructure and the Department of Education and Communities is nominated as the acquisition authority for the land. The location of this school has been chosen as it is central to the future residential catchment area that it will service, and it is in an easily accessible location. The decision to zone school sites SP2 Infrastructure has been taken to ensure land for this essential community facility is secured.
B588570	Proposed 'Indicative School Site' zoning will sterilise development potential or selling of land even though land is zoned Low Density Residential.	The area of land occupied by the school site has been reduced based on advice from the Department of Education and Communities. The school site is now zoned SP2 Infrastructure and the Department of Education and Communities is nominated as the acquisition authority for the land. The location of this school has been chosen as it is central to the future residential catchment area that it will service, and it is in an easily accessible location. The decision to zone school sites SP2 Infrastructure has been taken to ensure land for this essential community facility is secured.
B588570	Proposed Indicative School Site is inappropriate as it is located very close to an existing school. All other proposed Indicative School Sites are further separated from each other in the remainder of the Precincts.	The indicative school site at Sixth Avenue is west of the existing Unity Grammar, a private school. The spacing of indicative school sites is based on catchment areas for public schools. Public school catchments are influenced by, but different to, those for private schools. The proximity of a proposed new public school to an existing private school is therefore not an issue. The indicative school sites were selected jointly by the Department of Planning and Infrastructure and the Department of Education and Communities, and are based on DEC's criteria for new school sites.
B588679	Land is not flood prone and is in close proximity to Leppington Station and should have a Mixed Use zoning.	The subject land is proposed to be zoned SP2 Drainage. The land is proposed to contain two stormwater detention basins as it is located at a low point in the topography where minor catchments drain towards Scalabrini Creek. While the land is located close to the train station and in the Major Centre, land must still be set aside to manage stormwater runoff from surrounding development. The land is partly within the floodplain of Scalabrini Creek, and the stormwater basins must be located outside the floodplain to effectively increase the storage capacity of the stormwater system to offset increased runoff from development. The eastern part of the property is proposed to be zoned B4 Mixed Use.
B588661	The zoning of land as Environmental Living doesn't make sense as it is on the rise up the hill to the ridge and will look silly in the surrounding land uses given the other side of the road is identified as Low Density Residential.	Review of the topography and drainage patterns on this property has resulted in the zoning changing from Environmental Living to Low Density Residential.
B588647	Previous rezoning in 2008 by Liverpool Council has prevented a new home being built on the property. Landowner wants to ensure rezoning will allow approval of a new dwelling on the property.	The subject property is zoned Low Density Residential. Following rezoning, subdivision and the construction of new dwellings will be possible. New development will need to comply with the minimum residential density controls in the Precinct Plan but this does not preclude the retention of an existing dwelling and subdivision of residual land, providing the overall density of dwellings is equal to or greater than the minimum density control.
B582557	Lot size and dwelling yield should be left to the discretion of the land developer. The market ultimately dictates the	There is discretion for developers to determine the mix of lot sizes and dwelling types within broad parameters specified in the Precinct Plan. Provided the density of

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	dwelling mix and if the prescribed densities and lot sizes aren't palatable, lots/development will not proceed. Ultimately, land developers are taking the risk on investment and must be free to offer a product acceptable to the market.	dwellings is equal to or greater than the minimum residential density required by clause 4.1B, a range of different lot sizes and dwelling types are permissible under the Precinct Plan. The minimum density has been determined based on consideration of the likely demand for different dwelling types and sizes, and will not unduly restrict the flexibility of developers to deliver housing products that meet the needs of buyers. The minimum density provisions are required to ensure the efficient use of land and that infrastructure is affordable and meets the needs of new residents. In the absence of a minimum density control, there is no certainty for the Councils that revenue from developer levies will be sufficient to fund local open space that is required to meet the minimum population estimate for the Precincts.
B590695	The proposed 'Civic Precinct' zoning denies landowner the opportunity to remain in their newly constructed home.	Residents are able to remain in their homes until the land is acquired for the required public purpose. The timing of demand for new community facilities in the civic precinct is driven by population growth across the Growth Centres and thresholds that would necessitate delivery of these facilities are likely to be reached a number of years into the future. Therefore, it is likely that existing residents within the civic precinct will be able to remain in their homes for a number of years into the future. Given the size of retail, commercial and community land uses proposed for the Major Centre, the civic precinct is not an appropriate location for low density single dwellings to remain once substantial development occurs in the centre.
B592903	Private Open Space in Leppington Major Centre should be bought into public ownership to reduce impacts on adjoining development site and avoid future management issues as well as integration with the Scalabrini Creek riparian corridor.	Land that was previously proposed to be zoned Private Recreation is now zoned RE1 Public Recreation, to create a continuous open space corridor along the eastern side of Scalabrini Creek. This change, along with changes to the locations of stormwater detention basins, results in a better interface between development in the town centre and the creek corridor, and will improve pedestrian and cyclist connections between the town centre and the Leppington Precinct to the south.
B598318	Land is not flood prone. Drainage zone should only apply to the existing watercourse/easement.	The majority of this property is not affected by flooding, but zoning is required for drainage purposes as a stormwater detention basin is required in this location. The basin is required to mitigate impacts of increased stormwater runoff from surrounding residential areas. The basin must be located outside the floodplain to provide additional storage capacity so that downstream flooding will not be increased as a result of urban development.
B556401	In lieu of zoning the land RE1 Public Open Space, or more preferably E4 Environmental Conservation to ensure the high quality Existing Native Vegetation is maintained on site, it is suggested a 2ha minimum allotment size is placed on the property to prevent any further fragmentation whilst still achieving key environmental and amenity outcomes for the site.	The zoning of the property that this submission relates to, and the property adjoining to the west, has been changed to Environmental Living, with some areas of Environmental Conservation where Existing Native Vegetation is located on the land that requires protection. The minimum lot size for this land has been determined to minimize the potential for further subdivision of land that contains ENV.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Development Control Plan

Submission ID	Issue	Response
B568076	The Development Control Plan should include explicit provisions to advise that the local roads shown on the ILP are indicative and subject to future negotiation between landowners.	Clause 3.2.3 of the DCPs includes provisions that enable the locations of streets to be varied, providing certain criteria are met.
B575987	The Development Control Plan needs to include further details to ensure that lots affected by the Jemena Gas Pipeline easement permit private open space over the easement and also provide for road access to the Brown Road northern Collector Road extension.	Specific provisions in relation to development on land affected by electricity and gas easements are contained in clause 2.3.8 of the DCPs. In addition, Schedule 1 of the DCPs contains more detailed provisions for development on land affected by the gas easement within the Austral and Leppington North Precincts. These controls include diagrams showing the preferred layout of subdivisions, vehicular access and the locations of dwellings to avoid impacts on the gas easement. Driveway access across the easement to the Browns Road extension is generally not permitted as the construction of driveways will pose significant risk of damage to the gas pipeline. The DCP diagrams clearly indicate that vehicular access to properties should be from the side or rear, and not from the Browns Road extension. These controls are consistent with advice received from Jemena to minimize or avoid new crossings over the easement.
zB23084	The Development Control Plan does not include any provisions to manage light pollution from new urban development.	This issue is dealt with under the Planning Policy issue category.
B575689, B588685	Council's current development controls permit single residential dwellings to be built inside the 1 in 100 year flood extent. This development right should be retained in the Development Control Plan and SEPP amendment.	Council's current controls permit dwellings within parts of the floodplain providing certain conditions can be met, consistent with the NSW Floodplain Development Manual. The provisions of the DCP and Growth Centres SEPP are similar to Council's controls and recognize that there is substantial existing development within flood prone land that is likely to remain for some time. The new planning controls do not affect existing use rights for existing (lawfully approved) development on flood prone land. New residential development within the floodplain will only be permitted where it is consistent with the requirements of the SEPP and the DCP, which are based on the NSW Floodplain Development Manual. Allowing substantial new development within the floodplain would pose an unacceptable risk to residents of those developments and has the potential to increase the risk of flood damage to other property, and is not supported. The controls in the SEPP and DCP permit development at a low density (minimum lot size of 2500m ²) but are aimed at avoiding filling or locating new dwellings within the 100 year flood extent, except in limited circumstances and where the applicant can demonstrate that the proposed development would not result in significant increases in flood risk.

Submission ID	Issue	Response
B574282	Neighbourhood and Local Centres should encourage more shop top housing and consider the following to make it more feasible for developers to deliver: 1. Flexible carparking arrangements for residential components of mixed use developments; 2. Flexible communal public space controls (ie. providing less); 3. Greater maximum height limits for the Neighbourhood and Local Centres (in the vicinity of 4 to 6 storeys).	The requirements for car parking for residential development in the B1 and B2 zones are less than the requirements for similar development in the R2 and R3 zones (refer to clause 4.6.1 of the DCPs). This position reflects the likely improved access to public transport, services and facilities from residential development in the centres. Clause 5.3.8 of the DCPs requires that these standards are achieved for the residential component of development in the centres in addition to the requirements for other land uses. However, where an applicant can demonstrate that the overall rate of car parking demand (combined for residential and other land uses in a mixed use development) is less than the minimum rates specified in the DCP, Council may choose to vary the standards for particular developments. Clause 5.3.8 has been amended to provide more flexibility to vary parking provision. Provisions have been included in the DCP enabling flexibility in the requirements for provision of communal open space in mixed use developments where there is good access to public open space or where private open space for each dwelling is provided at more than the minimum standard in the DCP. The draft Precinct Plan set a maximum height limit of 17 metres in the B1 and B2 zones. This is sufficient for buildings up to five storeys (which could comprise of two storeys of retail and commercial development and three storeys of residential development above, or ground floor retail and commercial with four storeys of residential above). To provide greater flexibility for future mixed use development in these centres, the height of buildings has been increased to 20 metres, which would allow for buildings up to six storeys.
B586304, B588563	What measures will be taken to manage the interface issues between the proposed substation at Fifteenth Avenue and surrounding residential land?	The location shown on the draft Indicative Layout Plan was selected in consultation with Endeavour Energy and is now identified for acquisition by them under the Precinct Plan. Endeavour Energy will be responsible for ensuring the relevant noise, health, safety and operational criteria are suitably addressed. Nonetheless, there are many examples of substations that are built within Greenfield residential development. The existing overhead transmission line and associated easement coupled with a new local road will provide a buffer distance of at least 35 metres to residential development. The substation will need to be sympathetic to the future residential context in terms of built form and landscaping.
B586579	Development controls for the Austral Centre need to ensure flexibility/build ability to achieve maximum GFA for the centre.	The layout of the centre generally comprises four blocks (each comprising two existing land parcels) each with a land area of between 19,400 and 23,100 square metres. The area of land zoned B2 has been reviewed to ensure that there is sufficient space within each block in the town centre to enable retail and commercial development to occur. Each block is capable of accommodating a retail anchor store (eg. supermarket or discount department store) and associated specialty retailers, along with required parking and loading areas (all at grade).

Submission ID	Issue	Response
		Some consolidation of land holdings that are currently in separate ownership is likely to be required to enable development of the centre as envisaged in the DCP. However, there is unlikely to be sufficient space within individual land titles to enable development of individual stages of retailing on separate parcels and (at the same time) achieve the urban design outcomes for the centre as specified in the DCP. It is not unreasonable to anticipate consolidation of two parcels in separate ownerships into a single ownership to enable the centre to develop as shown in the DCP. The alternative layout for some of the land holdings in the centre, as proposed in the submission, does not meet the urban design objectives for the centre and is not consistent with the Development Code. The controls in the DCP enable the centre to develop based on likely market preferences while achieving appropriate urban design outcomes. The controls in the DCP are flexible enough to allow developers to design the centre to comply with basic principles of building orientation, street activation, appropriate location and access to parking and loading areas. The area of land zoned B2 is more than enough to accommodate the projected retail floorspace (and associated activities) in this centre, based on Hill PDA's advice on likely floorspace demand and the mix of supermarkets, discount department stores and specialty retail. The controls do not preclude the development of stages of retailing within individual land holdings, however, the design would need to demonstrate compliance with the principles in the Desired Future Layout diagram in the DCP.
B582557	The Development Control Plan is considered to be overly prescriptive. Whilst supportive of the efforts to improve the design of residential development, the level of prescription in the Development Control Plan is not required due to the NSW Housing Code. The Development Control Plan should encourage greater use of the NSW Housing Code to minimise the potential duplication and conflict.	The Development Control Plan does not prevent landowners/developers from relying on the provisions of the Codes SEPP. The controls in the DCP would apply for development other than exempt or complying development.
B594566	The Development Control Plan should clearly identify that there is the opportunity to amend the Desired Future Layout of the Austral Town Centre where suitable justification is provided to allow future development to accommodate flexibility in market demand.	The Desired Future Layout diagram for the Austral Local Centre has been simplified to be less prescriptive in terms of the location of different types of retailing, parking and loading areas. The revised diagram shows the key elements of the design of the centre that should be reflected in development applications, including active street frontages, locations where buildings should define the street edge (be built to the boundary) and preferred access points for vehicles and loading. This simplified diagram provides flexibility for developers to design components of the centre to meet their requirements while ensuring that the most important urban design elements that will contribute to an attractive and successful centre are also achieved.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Land Acquisition, Rates and Value

Submission ID	Issue	Response
B568036	Extent of acquisition for Edmondson Avenue is excessive and unfairly burdens the subject site, also limits future development of the site.	As part of the upgrade of Bringelly Road and Rickard Road, it is necessary to improve the existing intersection with Edmondson Avenue. The detailed design for the South West Rail Link has made provision for a new four lane bridge over the rail line on Rickard Road that would see an additional two lanes being located on the eastern side of the existing road reserve. Widening of Rickard Road to the north and south of the new rail bridge is therefore proposed to be on the eastern side of the road. Edmondson Avenue would be re-aligned at the intersection with Bringelly Road to create a four way signalised intersection. The RMS has designed this intersection and the Precinct Plan adopts the RMS design. Widening Edmondson Avenue on the eastern side also simplifies the acquisition required (and minimizes the number of affected land owners) for the future overall upgrade of Rickard Road and Edmondson Avenue. For the property that is the subject of this submission (excluding the land required for widening of Bringelly Road and Edmondson Avenue) there is approximately 9,500sqm of land remaining that may be developed for uses permissible within the B5 zone.
B577136, B574385, B566044, B576182, B588570	The proposed rezoning will result in increased land values and hence an increase in rates before the land is serviced and subdivision/development possible.	The value of land is determined by the property market, ie. the price that is paid for land is determined through negotiations between buyers and sellers. The rezoning of land for urban development is only one of a number of factors that will be considered by buyers and sellers. Other key factors include the availability of essential services (eg. water, sewer and electricity), and market demand for the types of land uses that are permissible under the new zoning. These factors are considered in determining the value of land for rating and land tax purposes. Council may apply different rates to land zoned for residential purposes, which may reflect the ability to develop the land for the purposes for which it is zoned. For example, Council may opt to apply a different rating sub-category where land is zoned for residential development while access to water and sewer infrastructure is not yet possible. Questions in relation to how land is valued for land tax or rating purposes should be directed to the Office of the Valuer General. Questions in relation to rates should be directed to the relevant local Council.
B575698	Zoning of the site for open space is unnecessary due to lack of any notable quality flora and fauna. The zoning places increased Section 94 Developer Contribution burden and reduces affordability for future purchasers.	A variety of open space types are required to serve the demands of future residents. Areas of existing vegetation are not the sole determining factor influencing the location of open space in the Precincts. The site does contain a significant stand of trees that Cardno's Biodiversity Assessment has confirmed meets the definition of high quality existing vegetation. While this vegetation is unlikely to be ecologically viable in the long term (because it is relatively small and isolated from other areas of vegetation) it is located on a high point in the local landscape and the remnant vegetation will assist to create a quality neighbourhood park. A key criterion for the location of parks is that the

Submission ID	Issue	Response
		majority of residents are within walking distance. This park is located in a central area that will allow a high degree of pedestrian access and is also located on higher ground that will allow for good views and amenity from the open space. The cost of land for open space has been estimated for inclusion in the section 94 contributions plans that will apply to the Precincts. Allocation of land for open space has been determined based on the anticipated demand for sporting and recreational facilities from residents of the Precincts. The majority of open space is located on land that is constrained by flooding. However, as pointed out by Elton Consulting in the Demographics and Community Facilities Assessment Report, access to quality useable open space requires that not all parks are located within flood prone land. A number of parks are located on high points throughout the Precincts as these create opportunities for public access to locations that enjoy views across the Precincts and to surrounding areas. The location of this park is considered appropriate based on the criteria in the Development Code, the advice from Elton Consulting and the characteristics of the Precincts and this particular development site. The ability for Council to fund the acquisition of this land for open space has been considered.
B575689, B568120, B557706, B575991, B588661, B590695	Land will be devalued or unfairly compensated due to open space, drainage or road infrastructure zoning.	The Land Acquisition (Just Terms Compensation) Act sets out the considerations for how the value of land is determined when it needs to be acquired by a public authority to protect landowners and the interests of public authorities. In essence, the Act requires that the public authority pays 'market value' for land that is acquired for public purposes. The market value must disregard the public purpose zoning of the land. This means that the value should reflect what the land could have otherwise been used for, had it not been zoned for the public purpose. This is usually determined by looking at the zoning of surrounding land.
B575689, B575991, B588471, B588442	No one will buy land if it is zoned for open space, drainage or roads. Affected landowners will suffer hardship whilst waiting for Council to acquire their land.	It is acknowledged that there will be limited parties interested in purchasing land zoned for open space, drainage or road infrastructure. A Section 94 Plan is being prepared to establish the funding mechanism to allow Liverpool and Camden Council to acquire the necessary land for this infrastructure. The Land Acquisition (Just Terms Compensation) Act allows for a land owner to request the acquisition authority to purchase land that is zoned for a public purpose, and requires the public authority to purchase the land where the land owner can demonstrate 'hardship' as a result of the zoning of the land for a public purpose.
B576714	Light industrial land is considered to be less valuable than land zoned for residential land uses. Zoning of land for light industrial land uses could have a severe impact upon the value of the property.	Valuation advice obtained for the preparation of the Section 94 Contribution Plans has indicated that englobo land values for light industrial land are higher than residential land. The decision to zone land for particular purposes is not based on the return to the existing land owners, but is based on the need for land for various different purposes to support urban development, and the most appropriate locations for those land uses.
B573378, B573384	The proposed commuter car park could be relocated to make better use of surplus land acquired by State Government for the South West Rail Line Corridor and reduce impacts on landowners that have already had significant portions of their land acquired.	The proposed commuter car park to the east of Rickard Road has been relocated from the southern side of the South West Rail Line to the northern side, on land that is owned by the NSW Government but which is surplus to the operational requirements of the rail line.

Submission ID	Issue	Response
B575673	The retention of a rural land use zone will limit resale value and market demand due to restrictive uses and will compromise the Landowners ability establish a family business for mechanical repair and panel beating.	Development potential for land zoned RU6 is determined more by constraints, such as flooding - which significantly limits the development potential of this land. RU6 zoning allows some development potential rather than further constraining it. The zone permits a range of rural land uses generally consistent with the existing use of land. The existing zoning of the land under Camden LEP 2010 is RU4 Primary Production Small Lots. Vehicle body repair workshops and vehicle repair stations (ie. Mechanics and panel beaters) are prohibited development within that zone. The RU6 Rural Transition zone under the Precinct Plan permits vehicle body repair shops and vehicle repair shops (subject to development consent). Given the flooding constraints and existing electricity transmission line (and associated easement), the RU6 zone is considered appropriate for this property. The zoning will still permit the land uses that the owner wishes to develop on this land.
B574325, B575661, B588471, B590695, B592903	No advice has been provided to landowners regarding compensation for land or loss of home as a result of land acquisition for road widening, open space or drainage. Compensation should be based on highest and best use.	During the exhibition period of the Precincts, representatives from the Department of Planning and Infrastructure responded to a significant volume of enquiries regarding how land acquisition will occur in the Precincts. As the timing for the acquisition of each item of infrastructure will vary and there will inevitably be changes in market value in the Precincts, the Department is unable to provide specific dollar values at this time. The Land Acquisition (Just Terms Compensation) Act sets out the considerations for how the value of land is determined when it needs to be acquired by a public authority to protect landowner and public authority interests. The value of land that is acquired for public purposes includes the value of any improvements (eg. houses, sheds) on the land to be acquired.
B575661, B588442	No certainty is provided in regard to the staging/timing for acquisition of land zoned for open space, drainage or roads. It should occur early on to be fair to affected landowners.	A Section 94 Plan is being prepared to establish the source of funding for Liverpool and Camden Council to acquire the necessary land for this infrastructure. The timing of acquisition will depend on where the land is relative to where development occurs at different stages, the rate of development and the availability of funds. Because development in the Precincts is likely to occur over a period of 20-30 years, it is not possible to predict with any accuracy where and when development will happen beyond the initial stages. The Infrastructure Delivery Plan identifies the likely locations of the first stages of development, but subsequent stages of development, and their timing, can not be predicted at this point in time.
B575661	No certainty is provided in regard to the authority responsible to acquire land for open space, drainage or roads. Neither Liverpool Council nor Camden Council have confirmed a willingness to take on this responsibility.	The Precinct Plan nominates acquisition authorities for all land that is required for public purposes. This means that the relevant authority has responsibility, under the Land Acquisition (Just Terms Compensation) Act 1991 for the acquisition of land required for open space, drainage and roads. The Councils have prepared draft Contributions Plans that establish a funding source for all land acquisitions required by the Precinct Plan.
B586304, B588563	How will land zoned for infrastructure be valued at the time of acquisition?	The Land Acquisition Act (Just Terms Compensation) sets out the considerations for how the value of land is to be determined at the time of acquisition by a public authority. This Act protects both landowners and the interests of public authorities.
B588442	What impact does zoning of land for acquisition have on rates, given only Council can buy the land and it will be	Rates are determined based on the value of the land. The value of the land is determined by the Valuer General and takes into account the zoning and development

Submission ID	Issue	Response
	commercially unsalable.	potential of the land.
B588503	No one will buy land due to the realignment of Browns Road. Affected landowners will suffer hardship whilst waiting for RMS to acquire it.	It is acknowledged that there may be limited interest in purchasing land that is partially affected by road widening, however, it is speculative to state that no-one will want to buy the land as the property is only partly zoned for public purpose and is partly zoned for medium density residential. The Land Acquisition (Just Terms Compensation) Act allows a land owner to request the acquisition authority to purchase land that is zoned for a public purpose. It also requires the public authority to purchase land where the land owner can demonstrate 'hardship' as a result of zoning of the land for a public purpose. All queries regarding the acquisition of the land required for road widening should be directed to the acquisition authority nominated in the Precinct Plan.
B588503	No certainty is provided in regard to the staging/timing for acquisition of land zoned for the Browns Road realignment meaning landowners will have to pay increased rates for an unforeseen and considerable length of time.	The rates payable on the land reflect the value of the land as determined by the Valuer General. The land valuation process takes into account the zoning of land, so where part of the land is zoned for a public purpose, which restricts the future use of the land, this will be considered in determining the value. The residual portion of land, that is zoned residential, will also be subject to rates according to its value, based on development potential under the zoning. Land that is zoned residential can be developed independently of the acquisition of the land required for road widening, providing the development takes into account the design of the road upgrade.
B572860	No consideration has been given to substantial existing dwellings on land zoned for 'Indicative School Site'. Given size and quality of existing dwellings and structures, there will be a significant acquisition cost. There are other sites with less or no site constraints that would make the acquisition of land cheaper for future schools.	The Department of Education and Communities reviewed the current capacity of existing public and private schools in and near to the Precincts to determine the need for additional public schools to meet demand of the future residential community. Locations for public schools were determined based on DEC criteria for new school sites, which include consideration of factors such as slope, potential contamination, road access, and access from surrounding residential areas. The identification of sites also considered the existing uses of the land (including substantial dwellings and other structures) as this is a factor in the land acquisition cost. However, in Precincts such as these where there are many small land holdings, it is not always possible to identify sites that meet all other relevant criteria and avoid impacts on existing development.
B588570	What opportunities are there to defer increased rates until land is ready to be developed (ie. services are provided)? Many residents will be unable afford the increased rates that will result from the rezoning.	Subject to application to the respective Council, landowners are able to make hardship claims or applications to defer rates to manage the impact of increased rates as a result of rezoning. Queries in relation to rates should be directed to the relevant Council.
B588679	Property has been unfairly affected by land acquisition for the South West Rail Link and will now need to be acquired for Drainage purposes. This will be the third land acquisition over the property despite agreements (contractual) with the Transport Construction Authority that would prevent any further acquisition and allow the	Issues related to land acquisition for the South West Rail Line are the responsibility of the Transport Construction Authority (part of Transport for NSW). Acquisitions for additional widening of Dickson Road are a result of changes to the design of the rail line and associated road crossings. Drainage basins have been located on this property to ensure that stormwater volume matches pre-development conditions prior to flowing under the rail line at Scalabrini Creek. The basins have been located at the

Submission ID	Issue	Response
	landowner to continue living on the property.	lowest draining point before the South West Rail Link crossing of Scalabrini Creek. The detention basin located on the eastern side of Scalabrini Creek is located on an existing watercourse that drains to Scalabrini Creek. As a consequence of Cardno carrying out further investigations for Commercial, Business Park, Retail and Light Industrial land uses incorporating on-site detention, the detention basin on the eastern side of Scalabrini Creek has been reduced in size. However, given the topography of the locality, the basins are most appropriately located as shown on the final ILP as they will capture stormwater from upstream areas and detain it prior to discharge to Scalabrini Creek to ensure that urban development does not result in increased flooding impacts on the South West Rail Line or other downstream development. The Department of Planning and Infrastructure is not aware of previous contractual arrangements preventing further acquisition of land for public purposes.
B588661	Why does the proposed E4 Environmental Living zoning mean my land will be worth less when it doesn't flood and has city views?	Review of the zoning of this property has occurred since the draft Precinct Plan was exhibited. This property is now zoned R2 Low Density Residential.
B588661	By introducing Environmental Living zoning to the remaining land on the site not affected by acquisition for roads, the landowner will receive lower land values from developers.	Land that is not required for construction of the new collector road (extension of Browns Road, zoned SP2) is now zoned R2 Low Density Residential.
B592903	A clear map indicating the 1 in 100 year flood line in Leppington Major Centre needs to be provided to ensure fair compensation for land to be acquired that is not affected by flooding.	The SEPP Amendment includes a Development Control Map that clearly indicates the 1 in 100 year flood extent. Site specific details are available from the relevant Council.
B594240, B594261	The Department needs to ensure mechanisms are in place to address appropriate levels of monetary compensation for lands impacted by infrastructure requirements and that compensation is paid in a timely manner. The Department is requested to broker an appropriate solution to the present impasse with Camden Council with respect to infrastructure provision/funding/compensation.	Section 94 Plans are being prepared to establish the funding mechanism to allow Liverpool and Camden Council to acquire the necessary land for this infrastructure. The final Precinct Plan nominates relevant acquisition authorities for all land that is required for public purposes. While issues in relation to funding sources for local infrastructure are still being resolved by Government, the contributions plan and Precinct Plan establish appropriate mechanisms for land acquisition by all relevant public authorities.
B575987	The Jemena Gas Pipeline easement was acquired on a short term basis. Compensation amounts paid did not reflect the ongoing future needs to operate the easement as part of the National Network nor the extent of constraints it may have on developing the affected land.	The amount of compensation for acquisition of the easement is not an issue for the Department of Planning and Infrastructure and is not relevant to Precinct Planning.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Residential Density

Submission ID	Issue	Response
B567792	Land should be zoned for medium density residential development to match adjoining land uses and achieve higher dwelling yield.	Medium density residential land uses have been located around major public transport nodes (ie. Leppington Station and Interchange, generally within 800m - 10 minute walking catchment) as well as existing and proposed centres to take advantage of public transport and services offered in these centres. The property is located approximately 1.8km away from Leppington Station and approximately 1.1km from the new Neighbourhood Centre located on Eighth Avenue. As such, the site is not considered suitable for a higher minimum density. The Residential Density Map included in the SEPP amendment only prescribes a minimum residential density. A landowner/developer can choose to develop at a higher density, providing the development is consistent with other development standards and DCP controls.
B577136	Land should be zoned for low density residential due to lack of constraints.	The Jemena Gas Pipeline easement runs along the western boundary of the property. The draft Precinct Plan proposed to zone this land Environmental Living because of the combination of the gas line, proximity to the Western Sydney Parklands and potential impacts on district views because the land is relatively elevated. However, further review of the characteristics of this property following exhibition has concluded that views from the Parklands are not likely to be affected as this property is not highly visible from the east. The constraints imposed by the gas line and easement are similar to those faced by properties to the north that are zoned Low Density Residential. Visual impacts are able to be managed through appropriate controls in the DCP. Therefore, this property is now zoned Low Density Residential.
B577136, B576182 B588661	Minimum subdivision size for E4 land should be changed from 1,500m ² to 1,000m ² or 700m ² as still will be able to achieve a variety of lot sizes within the Precincts whilst reducing disadvantages to landowners in terms of development yield.	Review of this issue has resulted in reduction of the minimum lot size for land in the Environmental Living zone from 1,500m ² to 1,000m ² . Analysis of the controls in the DCPs shows that, for a minimum 1,000m ² block, a minimum of 600m ² would need to be landscaped area. For a two storey house the maximum building footprint would be 250m ² and the maximum floor space would be 400m ² (significantly larger than the average for new homes in NSW of around 270m ²). The DCP has been amended to permit a maximum site coverage of 35% for single storey houses. The difference in site coverage controls for single and two storey houses reflects the greater potential for visual impacts from two storey houses. These controls provide sufficient certainty that there will be space within each lot for large tree planting and other landscaping, and that the proportion of buildings to landscaped areas will be appropriate to minimize the visual impacts of residential development. The minimum 60% landscaped area control for the E4 zone (in the DCPs) will also minimize the increase in stormwater runoff from urban areas, reducing the risk of pollutants entering the Upper Canal from areas that drain towards it. A 700m ² minimum lot size is not considered appropriate. When combined with the minimum site coverage controls in the DCP, this minimum lot size is likely to encourage construction of two storey dwellings (with greater potential for visual intrusion) rather than single storey dwellings.

Submission ID	Issue	Response
		The 25% maximum site coverage control would mean that a single storey dwelling on a 700m ² lot could have a maximum of 175m ² in floor area. A two storey home on a 700m ² block could have a maximum floor area of 280m ² . The larger lots on Environmental Living zoned land will increase housing diversity by allowing larger homes on land that is likely to have a higher sale price because of its size and location. This means that demand is likely to drive expectations of larger dwellings on this land, resulting in developers either proposing larger lot sizes (than the minimum) or proposing dwellings that do not meet the controls in the DCP. It is not appropriate to increase the minimum site coverage control to deal with this issue as this would not enable sufficient landscaping to mitigate the visual impacts of development.
B576729	Land should be zoned for higher density residential due to proximity to retail, open space, community facilities and schools to achieve a higher dwelling yield.	An unnamed second order creek traverses the property and requires a riparian corridor of 20 metres each side of the creek. In addition, the majority of the lot is affected by the 1 in 100 year flood extent with only a small area at the south west corner of the property considered suitable for development. Despite the proximity to retail, open space and a school a higher residential density is not considered appropriate because of these constraints.
B578532	Minimum densities within the Medium Density Residential Land within Leppington Major Centre should be increased to take better advantage of proximity to public transport, open space, retail land uses, improve development feasibility and infrastructure delivery.	Dwelling densities in the Medium Density Residential areas around Leppington Major Centre have been adopted to meet short to medium term market demand for housing to encourage earlier development within close proximity to the retail core and Leppington Station. The minimum density does not prevent denser forms of residential development occurring should the market demand exist. It is anticipated that residential densities will evolve in Leppington Major Centre as the surrounding retail and commercial uses develop. Should early development suggest denser residential development is acceptable to the market, planning controls such as minimum densities, building heights and floor space ratios can be reviewed by the Department of Planning and Infrastructure with Camden Council.
B576793	Minimum subdivision size for E4 land should be changed from 2,500m ² to 1,500m ² as this would still achieve a variety of lot sizes within the Precincts whilst reducing disadvantages to landowners in terms of development yield.	The minimum lot size of 2,500m ² has been retained for land that is partly or wholly affected by flooding, and is zoned Environmental Living. Allowing lots as small as 1,500m ² would result in too much fragmentation of flood prone land with the risk of worsening flooding conditions. The Minimum Lot size specified on the Lot Size Map is considered appropriate to manage the environmental constraints on this land. Where land within the 100 year flood line is capable of being filled, the minimum lot size can be varied to 500m ² , subject to certain conditions being met. The Lot Size Map indicates locations where filling of the flood fringe may be possible to enable more dense urban development to occur.
B574282	Land surrounding the Leppington Major Centre and around the expansion of the existing centre at Fifteenth Avenue should have greater provision for higher density residential apartment style developments. This would hopefully provide more affordable dwelling options for the young professionals you are trying to attract to work in the land zoned for Business Park.	Dwelling densities for residential areas around the Leppington Major Centre and Austral Local Centre have been adopted to encourage development in the short to medium term. Market demand for apartments within the South West Growth Centre is not predicated to be sufficient to make this form of development financially viable until the Precincts are more established. Requiring higher density development, including apartments, is likely to stagnate the development of land for a long period of time. The minimum density control does not prevent denser forms of residential development occurring should the market demand exist. It is anticipated that residential densities will evolve around Leppington

Submission ID	Issue	Response
		Major Centre as retail and commercial uses develop. Should early development suggest denser residential development is acceptable to the market, planning controls such as minimum densities, building heights and floor space ratios can be reviewed by the Department and Camden Council.
B578532	Minimum densities, floor space ratio and building heights should be increased in the Medium Density Residential land within the Leppington Major Centre to achieve densities more in line with other centres of smaller scales (such as Oran Park and Edmondson Park).	Residential densities specified in the Precinct Plans are minimum densities, and developers are able to develop at higher densities than the minimum providing other provisions in the planning controls are met. The R3 Medium Density Residential zone encourages medium density development and permits a wide range of dwelling types, but not residential flat buildings. Should the demand for apartments emerge, the Department and Council can consider amending the planning controls to permit residential flat buildings in the R3 zone. In the interim, residential flat buildings are permissible in the Mixed Use zone and shop top housing is permissible in the Commercial Core zone. The Floor Space Ratio and Building Height controls in the R3 zone are appropriate to the dwelling types that are permissible in this zone.
B576047	There is little detail on what the Medium Density Residential zone permits in terms of density.	The SEPP Amendment includes minimum residential densities to be achieved for the R3 Medium Density Residential zone (see clause 4.1B and the Residential Density Map).
B574282	The extent of the medium density residential land along Bringelly Road should be extended to Kelly Street to the west, Sixth Avenue to the north and Thirty First Avenue to the East to maximise use of the rail line. This area should also have a greater density (ie. high density) and controls that would allow an FSR of 1.5-2:1 and building height of 4 to 5 storeys (16-20 metres).	The extent of medium density land indicated on the Indicative Layout Plan is representative of best practice Transit Orientated Development (higher densities within 800 metres of major public transport infrastructure). Rather than rezone the areas referred to in the submission to R3, the Minimum Residential Density has been increased to 20 dwellings per hectare for R2 zoned land bound by Sixth Avenue to the north, the Water Supply Canal to the east, Fifth Avenue to the south and the Eastwood Road north extension to the west. This approach is considered to provide better flexibility in terms of permissible dwelling types while ensuring that residential densities reflect the level of access to transport and services in these locations. Land zoned R2 between the Eastwood Road extension, Sixth Avenue, Kelly Street and Bringelly Road retains a minimum density of 15 dwellings per hectare as this land is considered to be too distant from the services in the major centre to warrant increased density. Forward projections do not indicate that the short to medium term market will sustain residential apartment buildings within the Precincts. To respond to projected demand for different dwelling types in the Precincts, the R3 Medium Density Residential zone has been applied to some parts of the Precincts that are within walking distance of transport nodes and centres to encourage higher density development. However residential flat buildings are not permitted in the R3 zone. Should the demand for apartment buildings occur earlier than anticipated, there will be an opportunity to reassess and rezone land within this area. The Floor Space Ratio and Building Height controls are appropriate to the types of development that are permissible in the R3 zone.
B588570	What are the controls for minimum allotment sizes in the Medium Density and Low Density Residential areas?	Minimum lot size controls are not specified on the Minimum Lot Size Map for these zones. Instead, clause 4.1A of the Precinct Plans specifies minimum lot sizes for different types of dwellings. This approach is more appropriate than adopting a blanket minimum lot size to apply to all types of residential accommodation across the residential zones. This will encourage a variety of lot sizes and dwelling types in each of the residential zones.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Infrastructure Timing and Delivery

Submission ID	Issue	Response
B577136, B576182	Key road infrastructure upgrades need to be delivered early on in the development of the Precincts to ensure additional traffic volumes from an increased population can be accommodated.	The NSW Government has recently committed to the upgrade of Camden Valley Way, from Cobbity Road to Cowpasture Road, by 2016 and has allocated funding to this project. Roads and Maritime Services is currently preparing a concept design and environmental assessment for the upgrade of Bringelly Road. The first stage of the Bringelly Road upgrade is likely to follow the completion of the Camden Valley Way upgrade, post-2016. Other major roads in the Precincts will be progressively upgraded as development occurs and funding becomes available. The Department will continue to work with RMS and other transport agencies to secure transport infrastructure funding when necessary to meet demand. The Infrastructure Delivery Plan identifies initial stages of development in the Precincts and associated infrastructure requirements. The IDP will be monitored and reviewed by the Department as necessary to reflect any changes that occur as development progresses.
B577136, B576182	Liverpool Council is unable to currently keep roads to a suitable standard. Concern is raised over their ability to manage further infrastructure.	As development occurs in the Precincts, existing roads will be upgraded and new roads will be built. All existing road upgrades and new roads will be built to appropriate standards for urban development. Ongoing maintenance of public roads will be the responsibility of the Councils and is beyond the scope of Precinct Planning.
B576729	Best practice would suggest that the existing electricity lines should be relocated underground for safety and amenity benefits.	Converting existing high voltage overhead power lines to underground lines would reduce constraints on urban development and would largely address community concerns about potential health impacts of emissions from overhead lines. However, the costs of doing this are very high and there is no source of funding to complete this work. Existing high voltage electricity lines are therefore assumed to remain as shown on the ILP, and the ILP has addressed these constraints. Specific controls are contained in the Camden and Liverpool Growth Centre Precincts DCPs to assist with the design of residential development on land that contains electricity easements.
B569166	Supports the proposed ILP and preparation of Interim Development Areas to allow the staged roll out of infrastructure around the Leppington Station.	Support is noted.
B574385	ILP indicates that some dwellings will be located within an existing electricity transmission easement and will be unviable for development.	The ILP does not propose that dwellings would be located within easements. The road layout on the ILP has been designed to enable dwellings to be located outside the easement. Land that is affected by easements and is in a residential zone may be used for ancillary purposes such as backyards, landscaped areas, communal open space (as part of a townhouse or seniors living development, for example) or for car parking.

Submission ID	Issue	Response
B576714	There are better locations for the proposed substations required to service the Precincts.	The locations of the two substations to service the Precincts have been determined through consultation with Endeavour Energy. As Endeavour Energy is the organization likely to be responsible for providing electricity services to the Precincts, it is best placed to work with the Department to determine the best location for new substations. The substation sites have been selected based on the need to centrally locate the substation to maximize the efficient delivery of electricity to all parts of the Precincts, and to ensure access from the distribution network. The substations will be supplied from the existing 132kV line that runs from north to south through the Precincts, and the substations are located either adjacent to that line or as close to it as possible.
B564080	Key universal services (ie.community facilities, services/support and public transport) need to be provided at the onset of the establishment of the community or risk under-utilisation and social isolation for the Precincts.	One of the key aims of planning for the Growth Centres is to coordinate the delivery of infrastructure and services so that they are in place to meet demand. The ability to achieve this is dependent on funding. The draft Precinct Plan includes an infrastructure delivery plan that outlines infrastructure requirements to enable development to occur, and to ensure the needs of the community are met through the progressive delivery of facilities and services in line with population growth. The IDP is intended to be used by the Department, Councils and other infrastructure and services agencies to inform forward planning, including securing the necessary funding, for infrastructure and services.
B564080	Due to the State Government's limitations placed on Council's ability to charge Section 94 Contributions for Community facilities, an alternative funding mechanism/model is required to ensure Council's can provide low cost accommodation for key universal community services.	Council has the option to explore alternative funding and delivery models to deliver community centres as identified in the Precinct Plan. Funding for the acquisition of land is included in the Contributions Plans, but the cost of construction of the facilities can not be met through section 94 contributions. Other options that may be suitable include grants from the State or Federal Governments, partnerships with the private sector (or non-Government community service providers), general rates or a combination of these.
B576021	The current forward planning arrangements for both infrastructure and human service funding will not ensure that adequate and timely services and facilities will be available for new residents. Existing services and infrastructure have little or no capacity to absorb additional demand generated by the large scale development of the Precincts.	Planning for new community facilities in the Precinct Plan is based on the likely level of demand and the Councils' agreed methods of delivery. The Precinct Plan does not rely on existing services and infrastructure to cater for demand from new development. The Infrastructure Delivery Plan identifies infrastructure requirements for the new communities in the Precincts. Funding needs to be resolved for new community centres, however demand for these facilities is anticipated to be a number of years into the future. The Department will continue to work with the Councils to identify appropriate funding sources for these facilities.
B576021	Complexity exists regarding which facilities are the responsibility of State Government agencies, local Councils and the private sector.	Responsibility for infrastructure and community facilities is by the Councils and a number of different State Government agencies. The purpose of the Infrastructure Delivery Plan is to identify those responsibilities and assist in the coordination of infrastructure and service delivery by the various agencies.
B576021	Regional facilities should be delivered by cost sharing arrangements between the two local Councils.	This is an issue for consideration by Liverpool and Camden Councils.

Submission ID	Issue	Response
B576021	Given the constraints on Section 94 contributions that local Councils can collect, there is no identifiable funding source for the construction of the necessary community facilities. It is unacceptable if this results in a situation where only open space land is bought and embellished and no community facilities are delivered. At present, NCOSS is unaware of any provision within the existing NSW capital works budget to meet the capital costs of any of these facilities.	The Department will continue to work with the Councils to identify appropriate sources of funding for the construction of the new community facilities. There are a number of different funding and delivery models that may be applicable in the absence of Section 94 contributions.
B576743	No detail is provided on the type of Health Facility proposed within the Leppington Major Centre. Will it be privately or publicly owned/run, what size will it be?	The health facility will be a Regional Integrated Primary Care Centre. The Infrastructure Delivery Plan and the Precinct Planning Report both provide a broad description of the facility and the land required to accommodate it. The Department understands that the facility would be delivered and operated by the NSW Government.
B586304, B588563	Will electricity transmission lines associated with the new substations be located above ground or moved underground.	New electricity lines from the proposed substations to distribute electricity to homes and businesses will predominantly be underground. Existing high voltage electricity lines will remain above ground.
B588563	What is the timeframe for the delivery of the substation at Fifteenth Avenue?	The timeframe for delivery of the substation is dependent on the rate of development in the surrounding areas and the capacity of existing electricity supply to accommodate the early stages of development. Endeavour Energy has indicated that the existing supply network in Middleton Grange and Hoxton Park may be extended into the Precincts to cater for the initial stages of development in the north of the Precincts. The new substation would be constructed when the demand from new development is approaching the capacity of the extended network.
B588503	State Government should be funding necessary water, sewer and power infrastructure upfront to allow for the development of small land holdings. It is unreasonable to leave this to the private sector to fund major infrastructure across the whole of the Precincts when strategic infrastructure delivery by the State Government could allow for staged development around the town centre over a more reasonable timeframe (ie. short term interim infrastructure delivery rather than waiting for long term/major cost infrastructure).	State Government Agencies work with the Department of Planning and Infrastructure and local Councils to co-ordinate delivery of infrastructure in a staged way as precincts are released and rezoned. The State Government will fund new 'trunk' level infrastructure to enable development to occur in the Precincts. The ability of the Government to deliver 'lead in' works to enable new development to connect to trunk level services is dependent on funding and on demonstrated demand from new development. In the case of Sydney Water all 'lead in' pipes are typically delivered by the developer. Key infrastructure agencies such as Sydney Water and Endeavour Energy are required to operate on a commercial basis and will invest in infrastructure where there is sufficient certainty of a return on investment. This means that land owners and developers should work with infrastructure agencies to show that there is demand for new development on their land and that they are willing and capable of carrying out the development. Land owners who wish to develop their land should approach utilities agencies to discuss infrastructure requirements and the options for funding of that infrastructure.
B588640	Information on the timing for rail line operation, development of retail and residential development and infrastructure delivery is requested.	The South West Rail Link is planned to be operating in 2016. Rates of residential and retail development are dependent on market interest and the availability of infrastructure. The Infrastructure Delivery Plan sets out infrastructure planning that has been undertaken to date for the Precincts.

Submission ID	Issue	Response
B605848	Refinement is required in the Infrastructure Delivery Plan regarding NBN Co's involvement in the rollout of optic fibre and telecommunications infrastructure in the Precincts.	Comments from this submission, and other submissions on this issue, are noted and the IDP has been updated accordingly.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

South West Rail Line

Submission ID	Issue	Response
B564080	The SWRL station at Leppington will provide many benefits to the Precincts and will help address the impacts of social isolation, however to ensure it is fully utilised and adopted by the future community, services and timetables need to be established as the new community settles in the Precincts.	Transport for NSW (TfNSW) is currently developing a timetable specification for the South West Rail Link (SWRL). The future service frequency will be informed by demand, network capacity, operating requirements and other factors. Given the SWRL will be operational in 2016 an appropriate service timetable will be in place to meet demands of the future community and will respond to increases in population as development in the Precincts occurs.
B577141	There has been no direct consultation/communication with landowners directly affected by noise, lighting and traffic associated with the South West Rail Link. This will have significant impacts on landowner's lifestyle.	Noise, lighting and traffic impacts associated with the SWRL have previously been considered by the Department of Planning and Infrastructure during the assessment of the Major Project Application. The conditions of approval for the project, developed following the community consultation which was held during the public exhibition of the Environmental Assessment, include conditions relating to the management of noise, lighting and traffic on surrounding land owners. It is the responsibility of TfNSW to manage the impacts of the project in accordance with the conditions of approval. The SWRL Community Information Office in Glenfield was opened in December 2009 and to date has received over 2,000 visitors.
B577141	Next to the South West Rail Link office in McCann Road is approximately 150 acres of vacant land. What is happening to this land, why wasn't the stabling facility located there as it would have less impact on landowners.	Issues associated with the design of the SWRL are the responsibility of TfNSW. The project was approved by the then Minister for Planning, following community consultation. The location of the stabling facility is as per the approved project. It is not part of the Precinct Planning process for the Austral and Leppington North Precincts to consider changes to the design of the South West Rail Line.
B577141	If a wall is to be constructed around the stabling facility, what will it be constructed with? Will landowners be notified or be involved/be able to give input into its construction.	Noise mitigation measures for the SWRL are part of the detailed design for the project, which is the responsibility of TfNSW and the construction contractor. Queries in relation to the design of noise walls around the stabling facility should be directed to TfNSW.
B577141	When the South West Rail Link and stabling facility is operational and handed over to RailCorp, if relevant noise criteria are exceeded what happens to the affected areas?	As part of the Project Approval for the SWRL, TfNSW is required to prepare an Operational Noise and Vibration Review (ONVR) to confirm the noise and vibration control measures to be implemented for the operation of the rail line meet relevant criteria. The review will be required to include a consultation strategy to seek feedback from directly affected property owners on the noise and vibration measures. It will also include procedures for complaint management. TfNSW advises that the ONVR will be completed around mid 2012 and will be placed on public exhibition. Any queries in relation to the operational noise impacts of the rail line should be directed to TfNSW.

Submission ID	Issue	Response
B592903	TCA has recently approached landowners on Dickson Road regarding further acquisition of land for the overpass of the SWRL. This additional land acquisition and impacts on the proposed road network in the Indicative Layout Plan have not been considered in the information placed on exhibition and needs to be addressed to ensure the future road network will work.	This change to the design of the SWRL project was proposed by the construction contractor close to the date of public exhibition of the draft Precinct Plan. At that stage there was no design available for the bridge approach structures so it was not possible to incorporate into the exhibited draft ILP. Since exhibition, TfNSW has provided detailed designs for the Dickson Road and Eastwood Road over-bridges, including earth batters. The new footprints for the road approaches have been incorporated into the final Precinct Plan.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Process and Consultation

Submission ID	Issue	Response
B574365, B588570, B588640	Landowners need to know proper timing for the rezoning so that they can plan ahead.	Initially, landowners were advised that the Precincts would likely be rezoned in early 2012 via newsletter and information sessions in September 2011. Landowners that attended the exhibition information sessions or rang the Community Information Line during the exhibition period (26 October to 2 December 2011) were advised that the rezoning of the Precinct is likely to occur in mid 2012.
B586276	Would like planning to be expedited.	The rezoning process for Precinct Planning under the Growth Centres SEPP typically takes between 18 and 24 months. This is significantly quicker than typical processes for other urban release areas outside the Growth Centres. The timeframe for Precinct Planning allows for preparation of a suite of technical studies, consultation with agencies and other stakeholders, and community input through the public exhibition process, to inform decision making and preparation of an Indicative Layout Plan for the Precincts. The Austral and Leppington North Precinct Planning process has also included a slightly longer exhibition period due to the number of landowners involved and time of year it was placed on exhibition.
B588442	Inconsistent information has been given between adjoining landowners.	All land owners (based on land owner information supplied by Camden and Liverpool Councils prior to exhibition) within the Precincts were sent a copy of the Austral and Leppington North Exhibition Guide. Full packages of the exhibition material including Precinct Planning Report, Explanation of Intended Effect, draft SEPP amendment maps, Indicative Layout Plans and technical studies were also available to land owners at a variety of locations to view, and land owners were able to obtain an electronic copy of all documentation via the Growth Centres website or request a CD copy. Individual discussions at the community information sessions (during exhibition) covered a wide range of topics. Advice offered by Department of Planning and Infrastructure staff was consistent with information contained in the exhibition documentation.
B588442	Flood affectations have been altered without proper notification to landowners.	Liverpool Council had previously prepared a flood study for the South Creek Catchment that covered the Austral and Leppington North Precincts. Landowners within Liverpool Local Government Area were advised of the modeled flood extents. At the commencement of Precinct Planning, a flood study covering the land within Leppington North in the Camden Local Government Area had not been prepared. Minor development within the floodplain is permissible with development consent under Liverpool and Camden's local planning controls.

Submission ID	Issue	Response
		Previous flood studies undertaken by the Councils were very broad, covering a much larger area than the Precincts. Those studies have been reviewed and considered in the preparation of a more detailed flood study for the Precincts, undertaken by Cardno Pty Ltd. The results of that assessment were presented as part of the Flooding and Riparian Assessment Report that was available during exhibition. The exhibition was an opportunity for the community to review the findings of the flood study and make submissions to the Department. The changes presented at exhibition were draft changes only. All issues raised in relation to flooding during the exhibition period have been considered by the Department, and more investigations carried out by Cardno to respond to those issues where necessary. The results of those investigations are reflected in the addendum report prepared by Cardno, and in this submissions report (refer to the 'Flooding' issue category for a summary of issues and responses). It is not correct to state that changes have been made without proper consultation.
B588570	What is a realistic timeframe for development to occur in the Precincts?	Once the Precincts are rezoned, development within the Precincts will largely be determined by the provision of utility services (water, sewer and power), market demand for new houses (or other urban development) and land owner interests. The Department of Planning and Infrastructure will continue to work with utility service providers and interested land owners to achieve interim servicing plans to serve development and to better align the delivery of overall essential services. The Infrastructure Delivery Plan has been revised since exhibition to reflect the outcomes of ongoing negotiations between the Department and utilities agencies. The IDP provides an indication of the likely timing of essential services and potential staging of development. However, as market conditions will change over time, it is not possible to accurately predict when development will occur. Based on current planning for essential water, sewer and electricity services, the earliest that new houses or other development could be occupied is 2016 or sooner if interim infrastructure is delivered earlier. However, given typical timeframes for land acquisition, subdivision design and approvals, construction of subdivision works (roads, drainage etc), land sales and construction of dwellings, this timeframe is not inconsistent with developer expectations.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Transgrid

Submission ID	Issue	Response
B576246	The Precinct Planning Report should refer to the 'Electricity Supply Act 1995' in the Strategic Framework section.	The Precinct Planning Report has not been reproduced for the final Precinct Plan, as the Post Exhibition Planning Report supersedes it. The Electricity Supply Act 1995 is acknowledged, however it is not directly relevant to Precinct Planning and a summary of its requirements is therefore not considered necessary in the Post Exhibition Planning Report.
B576246	Figure 4-3 in Section 4.2 of the draft DCP is incorrect. This should be updated to remove outbuildings, sheds and garages as being permissible within the easement.	Figure 4-3 has been updated to remove outbuildings etc from the easement.
B576246	The DCP should include an additional clause to raise awareness of the easement and impacts on development (appropriate clause provided). It should also highlight the need to discuss development proposals with Transgrid at the early planning stage (as referred to under the Infrastructure SEPP). Additional notes on development Transgrid is interested in and requirements were also provided.	This clause has been included as requested by Transgrid.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Department of Primary Industries

Submission ID	Issue	Response
B586607	Some watercourses in the Precincts are mapped as key fish habitats. Any future road crossings over these watercourses are to comply with DPI-Fisheries guidelines for fish friendly crossings.	A number of existing crossings will be maintained by the Indicative Layout Plan and any upgrades are likely to be minor. Limitations on the amount Local Councils can charge developers through Section 94 Contributions may limit the availability of funding to reconstruct these crossings to standards that would meet DPI requirements. However, there are new creek crossings required in the Precincts. Detailed design for these crossings will be carried out by the Local Councils in the future. Future design of new creek crossings will comply with DPI Fisheries guidelines for fish friendly crossings where necessary.
B586607	All Growth Centre Precincts should incorporate water sensitive urban design measures to reduce the quantity of stormwater flows and nutrient input that will result from future increased urban development in the Precincts.	A Water Sensitive Urban Design Stormwater Management Strategy has been prepared for the Precincts and incorporated into the Indicative Layout Plan. Associated stormwater management infrastructure will be funded by future Section 94 Plans for each Local Council. The DCP includes targets for water quality that have been agreed for the Growth Centres as a whole by DP&I and the Office of Environment and Heritage. The stormwater management system includes water quality treatment measures that have been designed to meet these standards.
B586607	Appropriate development controls should be put in place to advise that, due to existing agricultural uses, they may be affected by possible odour, noise and dust from these operations.	The DCPs include a provision advising that, due to the rural nature of the Precincts and adjoining areas, odour from rural activities may be present. However it is anticipated that sources will be progressively removed as urban development progresses across the Precincts.
B586607	There may be odour sources outside of the Precincts that need to be considered in the odour assessment.	JBS Environmental has identified potential odour sources outside the Precincts as part of post-exhibition investigations. However, these activities are in other Growth Centre Precincts that are anticipated to be released and redeveloped in the future, meaning that these uses are not a permanent constraint to urban development in the Precincts.
B586607	Residential housing should be distanced from existing intensive agricultural uses until they have ceased operations.	The Growth Centres SEPP and the Metropolitan Strategy clearly establish the Growth Centres as the main locations for expansion of Sydney's urban footprint. It is therefore anticipated that, over time, intensive agricultural activities will be removed from the Growth Centres. Preventing development from occurring until these land uses have been removed would potentially stagnate urban development, with significant implications for housing supply in Sydney.
B586607	Where possible, compatible agricultural industries should be permissible in employment land areas.	Agricultural industries are not considered appropriate within the commercial and business park zones. In response to this submission, Agricultural Produce Industries (such as food processing or packaging) are now specifically listed as permissible within the Light Industrial (IN2) zone.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Department of Finance and Services – Housing and Property Group

Agency Requirements and Submissions

Submission ID	Issue	Response
B588549	There is no specific strategy to promote and protect affordable housing in the Precinct Plan. The Department should consider the provision of a proportion of affordable housing under the Special Infrastructure Contribution and provision of incentives for those that provide affordable rental housing.	The Special Infrastructure Contribution is currently being reviewed. However, the purpose of the SIC is to establish funding mechanisms for infrastructure that is required to support urban development, and not to fund housing itself. Typically it is understood that the Housing and Property Group is responsible for the delivery of affordable (social and public housing). Government Policy on affordable housing is implemented through other mechanisms including SEPP – Affordable Rental Housing 2009. These mechanisms include suitable development incentives for the private sector to deliver affordable housing.
B588549	Similar minimum density and minimum lot size controls as used in Oran Park, Turner Road and North Kellyville should be applied to the Austral and Leppington North Precincts to ensure housing diversity and choice.	The approach to minimum lot size and minimum density controls differs from that applied in Oran Park, Turner Road and North Kellyville Precincts, but is the same as that applied in other Precincts that are characterized by numerous properties in different ownerships. The approach in Austral and Leppington North Precincts is to require all residential development to achieve a minimum dwelling density (specified in clause 4.1B of the Precinct Plans and shown on the Residential Density Map). These controls will provide a high degree of flexibility to allow a range of dwelling and lot sizes to be achieved. It is not considered necessary to apply a minimum allotment size to the residential zones to achieve a mix of housing and lot product.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Rural Fire Service

Submission ID	Issue	Response
B588701	The Precinct Plan should comply with Planning for Bushfire Protection 2006.	As stated in the Bushfire Assessment prepared by Ecological Australia, the Precinct Plan is capable of complying with Planning for Bushfire Protection 2006. Appropriate development controls and land use decisions have been informed by this Assessment and its recommendations. Site specific compliance with Planning for Bushfire Protection 2006 will be considered during the Development Assessment process for development.
B588701	Any proposed revegetation or regeneration of creek lines or riparian corridors that are currently degraded or disturbed should be done in a way that does not increase bush fire risk in the future.	Revegetation and rehabilitation of creek lines and riparian zones has been considered in determining the level of bushfire risk posed to adjoining urban development. Asset Protection Zones, Bushfire Attack Levels and associated construction standards for new development have been determined based on revegetation of the riparian corridors in accordance with the controls in the DCPs.
B588701	Infrastructure for future development of the Precincts is to be designed/delivered to meet the demands of the increased population in the event of a bushfire.	A significant amount of essential infrastructure including water, sewer, power and roads will need to be delivered to service future development in the Precincts. Where necessary, infrastructure agencies will need to consider any specific demand requirements for bushfire prone land. Site specific development will deliver the majority of infrastructure required for vehicle circulation, as well as local water, sewer and power reticulation in accordance with RFS requirements.
B588701	Future development within land identified as bushfire prone on the Camden and Liverpool Bushfire Prone Land maps will need to comply with Section 79BA or Section 91 of the <i>Environmental Planning and Assessment Act 1979</i> and may require a bush fire safety authority under Section 100B of the <i>Rural Fires Act 1997</i> . In addition, Home Day Care is considered to be a Special Fire Protection Purpose.	The Precinct Plan does not amend either Liverpool or Camden Council's current Bushfire Prone Land maps. As development takes place, some existing vegetation will be cleared and riparian corridor embellishment will occur. It will be necessary for the Local Councils to update Bushfire Prone Land maps to reflect changing conditions in the Precincts.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Sydney Catchment Authority

Submission ID	Issue	Response
B576889	The proposed site specific development controls for the Upper Canal corridor within the draft Development Control Plans should be replaced with the Sydney Catchment Authority's general development controls (provided in submission). Confirmation of this is required prior to finalisation of Precinct Planning.	The General Development Controls supplied by SCA have been reviewed and amended in consultation with SCA, and have been included in the DCPs, amending the controls in clause 4.3.2 (these controls are now in Schedule 1 clause 4.4).
B576889	The draft Development Control Plans and controls should separately refer to the Upper Canal Corridor rather than Western Sydney Parklands as well, as each of the assets have different land uses, requirements and are not jointly owned/managed.	The controls for development adjacent to the Parklands and the Upper Canal have been split into separate clauses in the DCPs (schedule 1 clause 4.4 and clause 4.5).
B576889	A section of land identified for residential land use, bound by the Upper Canal Corridor, Cowpasture Road and Camden Valley Way (approved over 55's retirement village currently under construction), should have a public road to buffer development to ensure issues such as safety, access, security and stormwater management are adequately addressed (rather than on a site by site basis).	Development on this land has previously been approved by Liverpool Council. A significant amount of development has already been carried out on the site with future stages remaining. The Department of Planning and Infrastructure cannot retrospectively change development approvals to require a perimeter road on this property.
B576889	Land within the south eastern investigation area adjoining the Upper Canal Corridor should ensure that security fencing is provided prior to it being released as a public recreation area.	This is a matter of detail that can be resolved when development applications are assessed on the subject land.
B576889	All crossings of the Upper Canal Corridor will be upgraded as the Precinct is developed. These are to be done in accordance with Sydney Catchment Authority requirements (draft development controls have been provided as part of the submission).	Existing crossings of the Water Supply Canal at Bringelly Road, Cowpasture Road and Camden Valley Way will be upgraded by Roads and Maritime Services in consultation with the Sydney Catchment Authority and subject to the relevant approvals. The authority for the upgrade of the crossing at Fifteenth Avenue has not been determined but would only be either Roads and Maritime Services or Liverpool Council and again would be done in consultation with SCA and subject to the relevant approvals. Other small crossings are not proposed to be upgraded as part of the Precinct Plan and would likely only occur if required to access the Western Sydney Parklands. As these crossings are outside the Precinct boundaries and are not specifically proposed as part of the Precinct Plan, it is not considered necessary to include specific controls within the Development Control Plan for these Precincts. However, as the DCPs are likely to apply to other Growth Centre Precincts, a control

Submission ID	Issue	Response
		relevant to this issue has been included based on the general development controls supplied by SCA.
B576889	When detailed stormwater management design is known for properties fronting the Upper Canal Corridor at the Development Application stage the Sydney Catchment Authority should be consulted (general development controls have been provided as part of the submission).	A control is included in the DCPs dealing with this issue, based on the General Development Controls supplied by SCA.
B576889	Development controls within the draft Development Control Plans are more focused on Indigenous Heritage. General development controls (provided as part of the submission) that refers to the existing controls in Liverpool DCP 2008 and Camden DCP 2011 are more appropriate to deal with heritage issues at the Development Application stage.	DCP controls agreed between SCA and DP&I have been included in the final DCP (Schedule 1, clause 4.4)

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Western Sydney Parklands Trust

Submission ID	Issue	Response
B586045	Prior to the finalisation of Precinct Planning for the Precincts, the Parklands Draft Strategic Plan should be considered and the Parklands seek to meet to discuss this with the Department.	WSPT has provided the draft Strategic Plan and this has been reviewed by DP&I in the finalization of the Precinct Plan. WSPT and DP&I have met to discuss the submission. The draft Strategic Plan provides useful guidance to DP&I in terms of the general location, size and type of facilities to be provided within the southern part of the parklands.
B586045	The Indicative Layout Plan and road network doesn't show potential access points into the Parklands. These access points and lead in roads should, at a minimum, be Collector Roads and zoned accordingly to secure major road links. Access points include: 1. A northern extension of Edmondson Avenue to Elizabeth Drive; 2. 2. upgrade of Sixth Avenue to a Collector Road with provision of a through link from the Parklands to Edmondson Avenue (via new crossing to Bonds Creek), given it is a transit boulevard; 3. 3. Provision of a right hand turn from Bringelly Road into Browns Road and from Fifteenth Avenue into Brown Road northern extension; 4. 4. The Collector Road linking Fifteenth Avenue to Gurner Road should be continued north as a Collector Road.	The draft Precinct Plan did not show access points to the parklands because, at the time it was prepared, there was insufficient direction from WSPT in terms of the location and size of proposed parkland facilities. The draft Strategic Plan, provided by WSPT following exhibition, provides appropriate guidance to enable access points to be considered. The draft Precinct Plan does not propose any additional access roads from the Precincts into the Parklands. However the proposed road network allows for access to existing access points, including existing road bridges across the Upper Canal. The following roads may be upgraded, if necessary, to provide appropriate vehicle access to the Parklands: 1. Northern extension of Edmondson Avenue – shown as a collector road on the Precinct Plan with a potential extension to link into the Cecil Hills passive recreation hub; 2. Sixth Avenue road reserve is at least 20 metres wide and is capable of being upgraded to a collector road without any additional land acquisition. The final ILP shows Sixth Avenue as a collector road. However, Council should only require adjoining developments to upgrade it to a local road standard. Any upgrade to collector road standard would be done by others in the future, subject to funding, including new crossing structures at Bonds Creek; 3. A right turn from Bringelly Road (westbound) to Browns Road is possible based on the current RMS design for the Bringelly Road upgrade. A right turn from Fifteenth Avenue eastbound to Browns Road (northern extension) is possible in the final ILP as a four way signalized intersection is now proposed at this location; 4. Rather than continue this collector road north to the boundary of the Western Sydney Parklands, there is potential for Twenty-Eighth Avenue, Austral to be upgraded to a collector road if necessary to provide access to the Parklands. This approach is preferable to encouraging high volumes of traffic to pass through residential areas. The final Precinct Plan proposes traffic signals at the intersection of Twenty-Eighth Avenue and Fifteenth Avenue.

Submission ID	Issue	Response
B586045	The draft DCP makes provision for split carriageways on steep land, which is not a desirable outcome for Parkland edge roads as they restrict access. Planning controls should include further detail to ensure only single level carriageways are located along the Parklands edge.	DP&I does not agree that split carriageways limit access. The majority of the parkland edge, including locations that link to existing road access points into the parklands, contains an existing public road. It is unlikely that this road would need to be converted to a split carriageway to enable development. Split carriageways would not be permitted at intersections for traffic safety and accessibility reasons.
B586045	There are 3 different road cross sections for streets adjoining the Parklands. Planning controls should be amended to provide clear directions on the preferred outcome with respect to the road design requirements adjoining the Parklands, including provision of footpaths, cycle paths and parking.	The type of road to be constructed adjacent to the Parklands is predominantly a local road. Clause 3.2.3 Control 27 limits the use of access streets to development that adjoins land zoned for open space or drainage purposes. It may not be necessary for a developer of land adjoining the parklands to construct a footpath on both sides of the road. However, where the road is an existing public road, sufficient space would remain within the road reserve for construction of the footpath by others.
B586045	The pedestrian and cycleway network currently shown in Figure 5-8 of the Precinct Planning Report does not provide for adequate connectivity between the Precincts and the Parklands. There needs to be a continuous east-west pedestrian/cycle link between Boyd Street and the Parklands along Sixth Avenue with a minimum width of 2.5m.	The DCP specifies a road reserve of 20 metres for a collector road, and this is roughly equivalent to the road reserve of Sixth Avenue. The DCP specifies shared paths of 2.5 metres on both sides of collector roads. Upgrading of Sixth Avenue to a collector road standard is not justified based on traffic generation from the Precincts. However, there is sufficient space for it to be upgraded, or for wider footpaths to be installed, at a later stage should it be necessary and should funding be available.
B586045	The Indicative Layout Plan relies heavily on the street network to provide pedestrian/cycle links. An additional pedestrian/cycle link should follow the unnamed creek from Gurner Road to the entrance of the Parklands at Tenth Avenue.	It is not possible to create a continuous open space connection along this creek line to the Western Sydney Parklands. However, in combination with the road network, open space and drainage land along this corridor may create opportunities for pedestrians and cyclists to use this route to access the Parklands.
B586045	The public transport network does not extend into the Parklands. To improve public transport connections into the Parklands, the following should be considered: 1. A bus loop through the Parklands from Browns Road along Sixth Avenue and Twenty-fifth Avenue to Stuart Road/Cowpasture Road; 2. Extension of bus loop from Edmondson Avenue north of Gurner Road through the Parklands and back along the eastern Collector Road; 3. A possible connection through the Parklands to Middleton Grange from Gurner Road via Eighteenth Avenue, Twentieth Avenue, McIver Avenue and Kingsford Smith Avenue; 4. Continuation of the bus route along Browns Road, north of Eighth Avenue with stops at Eighth Avenue, Tenth or Eleventh Avenue and Thirteenth Avenue. As the local streets do not meet the requirements of bus operators (regarding lane widths and turning swept paths) there will be little flexibility to retrofit bus routes to the Parklands in the future. This need for public transport links to the Parklands is supported by Elton Consulting report.	The public transport network shown on the draft ILP did not extend into the parklands because, at the time of preparation, there was insufficient detail of future land uses in the Parklands to justify bus route planning. Specific responses to the bus routes suggested by the WSPT are as follows: 1. Browns Road will be a collector road and is designed to accommodate buses. Sixth Avenue will have sufficient land to be capable of upgrading to a collector road. This route is therefore possible but is not specifically catered for in the Precinct Plan. 2. The Edmondson Avenue extension will be a collector road and will, therefore, be capable of carrying buses. It may be possible for this route to link back to the existing canal crossing near Eighteenth Avenue and then to Seventeenth Avenue/Gurner Road. 3. This route is outside the scope of Precinct Planning. If it is delivered it would be possible to use the Canal crossing near Eighteenth Avenue and then link to Seventeenth Avenue/Gurner Avenue both of which will be able to accommodate buses. 4. Links from the Browns Road extension into the Parklands would be possible by upgrading east-west roads that are on existing road reserves of at least 20 metres (all existing roads have a 20.5 metre wide road reserve and would therefore be capable of accommodating a collector road).

Submission ID	Issue	Response
B586045	Land along the boundary of the Parklands and Upper Canal Corridor should have an increased density to increase the population within easy access to the Parklands, increase use of the Parklands and improve casual surveillance of the Parklands.	Consideration has been given to increasing residential densities along the Parklands edge. Some land that was zoned Environmental Living on the draft Precinct Plan has been amended to be zoned Low Density Residential. Some land that had a minimum residential density of 15 dwellings per hectare has been increased to 20 dwellings per hectare. However, up-zoning low density residential land to medium density is not considered feasible as there is unlikely to be demand for this amount of small lot or multi-lot housing product. These forms of housing should also be located near major public transport routes and near centres. Land adjacent to the parklands will have access to local bus services but is not close to any centres and is therefore not considered suitable for medium density housing. Sufficient surveillance of the parklands will be generated by development at the proposed densities, along with controls that require development to face towards the parklands and to be oriented towards public roads (the ILP shows a public road for the full length of the parkland boundary).
B586045	Open space is not equitably distributed to the eastern side of the Precincts and may create an expectation for future residents that their local/neighbourhood park needs are provided in the Parklands (suggestions provided in submission to address this). Is necessary for the Planning documents to be clear about the role of the Parklands as Regional Open Space.	A small park has been included adjacent to a drainage channel south of Fifteenth Avenue near the eastern edge of the Precinct. Another small park is proposed south of Twelfth Avenue immediately adjacent to the Parklands. However, it is unreasonable to assume that residents in the eastern parts of the Precincts will not access and benefit from close proximity to the Western Sydney Parklands. Regardless of its classification as a regional park, it would be reasonable to expect that residents who can easily access it would do so on a regular basis. The overall provision of open space within the Precincts meets the accepted rate of provision for local and district open space. The locations of parks are skewed more towards the western half of the Precinct because this is the area that has greater flooding constraints (and therefore more land that is suitable for open space but not for development). Also, the western areas are more remote from the Western Sydney Parklands and would not benefit from immediate access to it. The majority of residential areas are within 400 metres of a park.
B586045	Given the flexibility in the Indicative Layout Plan regarding road locations, there is a risk that the actual road pattern may be developed differently and hence connections to the Parklands may not be delivered. In particular, the northern extension of Edmondson Avenue into the Parklands and the Collector Road between Fifteenth Avenue and Gurner Road (which should be extended to the Parklands) should be zoned accordingly.	Zoning this road SP2 Infrastructure would result in a requirement for land acquisition and construction of this road by a public authority. There is no source of funding to do this and construction by a public authority is not warranted. Developers of adjoining lands are able to deliver this section of collector road.
B586045	Site specific development controls should specify that future dwellings on the edge of the Parklands should face the Parklands to maximise passive surveillance.	These controls are implicit in the requirement that dwellings have frontage to public roads. A public road is shown on the ILP for the full length of the parkland boundary.

Submission ID	Issue	Response
B586045	The Precincts have a shortfall of a double playing field. The Elton Consulting report identifies the Parklands as a potential location. If these are to be located within the Parklands they would need to be capable of evolving into a Regional scale facility.	There is not a shortfall in playing fields, based on Council's standards for playing field provision. The recommendations by Elton were reviewed by Council and Council advised that its standards required one less double playing field than initially recommended by Council.
B586045	The Elton Consulting Report makes an assumption that a number of metropolitan sporting facilities, cycleways and informal passive open space will be provided in the Parklands adjacent to Austral and Leppington North. It is unclear as to whether Council will rely on the Parklands to deliver these types of facilities as they are not currently funded by the WSPT.	The Elton Consulting report relies on the Western Sydney Parklands Plan of Management, produced by the Parklands Trust. Funding constraints are noted however it is not unreasonable to assume that regional level sporting and recreational facilities will be provided within the Parklands in accordance with the Plan of Management.
B586045	The Precinct Planning relies on preserving undevelopable, flood prone land as habitat corridors rather than setting aside potentially developable land that may have more importance as a habitat corridor. This approach places more reliance on the WSPT for habitat maintenance within the Parklands and reduces overall regional biodiversity that is currently unfunded. The Precinct Plan needs to address this issue if it is to deliver biodiversity objectives in the Growth Centres.	The approach to biodiversity conservation is consistent with the Growth Centres biodiversity certification. It is proposed that existing Native Vegetation within non-certified parts of the Precinct be protected. Amendments to the boundaries of the non-certified area have been made in order to protect additional ENV along major creek lines and in other parts of the Precincts. Consideration was given toward protection of vegetation outside the creek corridors. However while desirable, it is not practical to protect large, ecologically viable remnants without having a significant impact on dwelling yields in the Precincts. Additionally, protection of these vegetation remnants would benefit from the creation of ecological links to creek corridors. It is not possible to achieve this without significantly increasing the provision of public open space within the Precincts, beyond accepted rates of provision and beyond what is possible to fund using Section 94 contributions (the only realistic source of funding for acquisition of land for public purposes). The impacts of urban development on existing vegetation are offset through the relevant biodiversity measures (biodiversity certification). The approach to biodiversity conservation does not increase pressure on the Parklands to conserve native vegetation because the Precinct Plan conserves more ENV than is required to maintain parity with the 2,000 hectares to be conserved across the Growth Centres. The Precinct Plan is consistent with the biodiversity certification and therefore delivers on the "biodiversity objectives" for the Growth Centres.
B586045	Salinity has been identified as a potential development issue. It is suggested that habitat corridors connecting remnant vegetation along higher points could serve to reduce groundwater salinity risks.	Other measures are proposed to address issues of urban salinity in the Precincts, as set out in the DCPs and the GeoEnviro Geotechnical, Salinity and Soil Assessment. The focus of open space provision in the Precincts has been on making appropriate use of land that is affected by flooding. Some small parks are located on high points, however the ability to increase the amount of open space on elevated land is limited by the characteristics of the Precincts and the need to provide open space consistent with the demands of the new population and the available funding under section 94.

Submission ID	Issue	Response
B586045	The Land Capability assessment has not addressed the issue of Phytophthora at Kemps Creek. Given the level of development and major soil movement across the Precincts, this issue should be addressed.	This issue was not part of the scope of the land capability assessment.
B586045	The WSPT is not supportive of any detention basins or Asset Protection Zones being located within the Parklands.	None are proposed within the Parklands.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

NSW Health – South Western Sydney Local Health District

Agency Requirements and Submissions

Submission ID	Issue	Response
B593179	Land within the Growth Centres is currently an important source of food to the Sydney area and development within the Precincts will reduce arable land in the Sydney area may potentially impact food supply and the Department should consider the following: 1. Investigate the implications of the loss of agricultural land in the Growth Centres and ensure any possible mitigation measures are in place; 2. Precinct planning should allow for a mix of food outlets that will make healthy food available to the future community 3. The development of adjoining Precincts/land that is arable be delayed for food supply purposes; 4. Precinct Planning should support the local production of fresh food through strategies such as community gardens.	Comments on the issues raised are as follows: 1. The Growth Centres have been created to provide a clear boundary to the extent of rural land that is to be developed for urban land uses to accommodate Sydney's growth. This also serves to identify other key agricultural land to remain for rural and agricultural purposes. Until Precincts are released for Precinct Planning, land can still be used for agricultural purposes. 2. Land use zoning is not prescriptive as to the type or mix of food outlets that are permissible within commercial and retail zones. The land uses zones in the Precinct Plans permit a wide range of retail activities and food and drink premises, and will not restrict the range of fresh and healthy food that is potentially available to residents of the Precincts. 3. The Growth Centres have been created to provide a clear boundary to the extent of rural land that is to be developed for urban land uses to accommodate Sydney's growth. The decision to release land for Precinct Planning within the Growth Centres is made by the Government of the day. At present, no further decisions to release land have been made and land within adjoining Precincts can continue to be used for agricultural purposes. 4. The Department of Planning and Infrastructure does not have an ongoing role in the embellishment of open space or community development programs. Local open space will be owned and managed by the Local Councils. There is sufficient open space land to cater for a range of open space and recreational needs, and this may include community gardens. Council is required to prepare a Plan of Management for all community land that it manages, and the Plans of Management may include identification of community gardens.
B593179	Physical activity should be encouraged through the Precincts and consider the following: 1. Where pedestrian and cycle links are to be shared, ensure appropriate widths are provided;	Comments in regards to physical activity issues are as follows: 1. Provision for pedestrian and cycle paths is included in the Precinct Plan. Where they are to be shared, the paths will comply with the Local Council's engineering standards, which typically require shared paths to have a minimum width of 2.5 metres.

Submission ID	Issue	Response
	2. Bicycle parking facilities and commuter parking facilities should be provided at Leppington Station to promote use of public transport and high levels of physical activity; 3. Strategies should be identified to address the shortfall in playing fields; 4. Waterways could be used further to strengthen pedestrian and cycle links; 5. Land should be retained or allow for connection of cycleways across the larger SWGC region.	2. The South West Rail Link approval that covers Leppington Station includes provision for approximately 1,000 at grade car parking spaces. The Precinct Plan also makes provision for alternative car parking locations which would enable relocation of the car parks from the immediate station entrance precincts to enable redevelopment of these sites in the future as the town centre grows. The detailed design of the station, by John Holland, includes provision for bicycle parking facilities. 3. There is no shortfall of playing fields in the Precinct Plan. Initial recommendations by Elton Consulting on the number of playing fields were reviewed by the Councils based on their own rates of provision. The rate of provision for local sports fields recommended by Elton Consulting (1:5,000 people) is double the rate of provision adopted by Liverpool Council (1:10,000). The ILP adopts the Council rate as Council has advised that this rate of provision is appropriate based on its analysis of demand and the Council's ability to provide and maintain quality sporting facilities. The number of playing fields in the Precincts caters for a total population of 60,000 people, which is a slight over-provision based on the draft ILP population estimate. Given that the population estimate has increased based on the final ILP, what was an over-provision in the draft ILP is now an appropriate rate of provision in the final ILP. Additionally, given that the Precincts are located adjacent to the Western Sydney Parklands, it is expected that playing fields will be provided in the Parklands that are accessible to residents of these Precincts. The Department and Council have discussed this issue with the Western Sydney Parklands Trust, and the Parklands Trust submission on the draft Precinct Plan acknowledges that these facilities, while not currently funded by the Trust, can be located in the Parklands. 4. The Indicative Layout Plan attempts to bring as much of the existing creek system into public ownership as possible. However in some instances, continuous links are not possible. Furthermore, there are restrictions on what type of embellishment or works that can be carried out in close proximity to the existing creek lines. Where possible, pedestrian cycle links along the existing creek lines have been accommodated within the Indicative Layout Plan. 5. Provision of cycleways within Precincts is generally determined during the Precinct Planning process only after the Precinct is released. However, the upgrade of key roads in the current Precincts that run through other Precincts (such as Bringelly Road, Camden Valley Way, Fifteenth Avenue, Rickard Road) will provide regional bicycle links through the South West Growth Centre and will be revised in further detail as subsequent Precincts are released for planning.

Submission ID	Issue	Response
B593179	Further housing diversity and affordability could be encouraged in the Precincts through the following: 1. Increased density along the rail line to address longer term housing requirements for an ageing population; 2. Generally applying higher minimum dwelling densities coupled with earlier introduction of infrastructure (transport, shops, services and employment).	Comments in regards to housing diversity and affordability are as follows: 1. Higher densities have been applied generally within a 1 kilometre walking distance of the new Leppington Station to increase the future residential population that lives within walking distance the South West Rail Link. The Precinct Plan balances the objective of catering for increased densities near transport nodes with the opportunities for employment, entertainment and retailing within Leppington Major Centre. The Precinct Plan specifies minimum densities for the residential areas (meaning that developers can choose to develop at higher densities) and allows for residential development in both the mixed use and commercial core zones in Leppington town centre (and other smaller centres). There is significant opportunity for medium to high density residential development in the Precinct Plan. 2. Higher residential densities do not guarantee that greater housing diversity or affordability will be achieved in the Precincts. The majority of the Precincts is zoned for low density residential which allows for average lot sizes that are consistent with short to medium term market demand and provides for a range of housing types. Should developers/the market find higher density residential housing product is viable, the Precinct Plan does not preclude this from occurring. It is considered that the market for denser residential housing is more medium to long term and will become more viable after significant standard lot/dwelling development has taken place and non-residential uses are better established in the centres. The Precinct Plan creates the opportunity for retail, services and employment based development to occur however this will be driven by market demand. The Department of Planning and Infrastructure does not have a development role within the Precincts. Key transport infrastructure has been identified for the Precincts and the Department will continue to work with the relevant infrastructure agencies to progress the roll out of infrastructure as development occurs.
B593179	Transport and physical connectivity through the Precincts could be enhanced by: 1. Ensuring adequate commuter parking at Leppington Station; 2. Parking at new centres optimises the use of public transport; 3. Encourage the mixed usage of land across the Precincts; 4. Encourage telephone and internet connectivity to reduce kilometres travelled.	Comments on transport and physical connections are as follows: 1. The South West Rail Link approval that covers Leppington Station includes provision for approximately 1,000 at grade car parking spaces. The Precinct Plan also makes provision for alternative/preferred car parking locations to be investigated in greater detail if required in the future. 2. Ultimate parking configurations at new centres will be determined by developers based on the scale of development and will be assessed by the Local Councils. Car parking rates in the DCPs have been determined with consideration of likely public transport use. Local centres have been located to optimise walking catchments within the future residential development. Each of the new local centres has been located on public transport routes to improve connectivity and reduce reliance on private vehicle trips.

Submission ID	Issue	Response
		3. The majority of the Precincts are zoned for residential purposes to provide additional supply of housing to accommodate Sydney's population growth. For each of the residential catchments that are generally defined by population size and physical constraints (such as watercourses, major roads etc), key retail centres, schools, open space and pedestrian/cycle networks have been located to encourage walkable neighbourhoods and ensure all residents have access to services and facilities. In addition, the residential zones permit a number of compatible uses (such as schools, places of public worship, home businesses and neighbourhood shops). The delivery of alternative uses within the residential zones will generally be determined by market demand. 4. The Precinct will ultimately have access to the optic fibre broadband network that should improve internet connections/speeds and facilitate alternative working arrangements and access to other services. The degree of land fragmentation may influence the roll out of optic fibre through the Precincts however the residential land use zones permit home businesses and industries that may facilitate a shift working arrangements that could reduce overall kilometers travelled by residents in the Precincts.
B593179	Integrated interagency planning for the delivery of social infrastructure should be carried out early in the development of the Precincts to ensure adequate service provision and community cohesion is promoted. Appropriate strategies to promote community cohesion and connectivity should also be implemented early in the development of the Precincts.	Government agency service providers (health, housing and education in particular) and Camden and Liverpool Councils have been directly involved in Precinct Planning, and requirements for new social infrastructure are catered for in the Precinct Plan. The Local Councils will be responsible for delivering key social infrastructure such as open space and community facilities to serve the future population of the Precincts. Typically this social infrastructure is funded by Section 94 contributions paid by developers as land in the Precincts is developed. As such, Local Councils are not usually in the financial position to forward fund social infrastructure or other essential infrastructure (such as roads and drainage basins etc) before significant development has taken place. The Department of Planning and Infrastructure will, where possible, provide assistance to Camden and Liverpool Council to pursue seed funding or interest free Government loans to allow the earlier delivery of essential infrastructure in the Precincts. In the short term, there are existing sporting, educational and community facilities within the Precincts and in nearby areas that are able to sustain the short to medium term demand. The Department of Planning and Infrastructure has prepared an Infrastructure Delivery Plan for the Precincts, which identifies community infrastructure requirements, thresholds and potential timing for demand. Agencies that are responsible for delivery of these services should use the Infrastructure Delivery Plan as a guide for forward planning and funding of the required infrastructure.

Submission ID	Issue	Response
B593179	Issues relating to residential and light industrial land use interfaces (noise, light spill and site contamination) should be investigated further.	Future development within the Light Industrial zones will need to comply with the Industrial Noise Policy and appropriate controls have been included within the Development Control Plan to manage the interface between existing and future residential land uses. Currently there is no Government Policy that deals with light pollution from new urban development. However, maintaining existing light conditions (which reflect the rural character of the Precincts) is not achievable given the policy decision to release the Precincts in the Growth Centres for urban development. With regard to contamination, given the scale of the Precincts, the level of sampling and contamination risk profiling is considered appropriate for rezoning purposes. Where necessary, further detailed soil sampling and contamination is required by controls within the Development Control Plan and other relevant legislation.
B593179	NSW Health will work with the Department to progress capital works planning process for the provision the Integrated Primary and Community Care Centre.	The Department of Planning and Infrastructure will continue to work with NSW Health to ensure funding for land acquisition and capital works is incorporated in the Health capital works program.
B593179	Precinct Planning needs to ensure there is opportunity for private sector Primary Care Clinic development to occur for residential catchments of 15,000 to 18,000 people.	The Precinct Plan will not preclude the private sector from carrying out development for the purposes of medical facilities. These facilities are encouraged to occur within the existing and proposed centres and the zoning of centres under the SEPP Amendment permits medical centres with consent.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Office of Environment and Heritage

Submission ID	Issue	Response
B576950	Further refinement is required to the Biodiversity Consistency Assessment.	A revised Biodiversity Consistency Assessment report has been prepared for the final Precinct Plan and was submitted to OEH for review prior to finalization of the Precinct Plan.
B576950	Land identified for retention under Biodiversity Certification should be zoned E2 Environmental Conservation with the land in public ownership. Further justification is needed to justify suitability of alternative zonings.	Where possible, land that contains ENV to be protected under the Precinct Plan has been zoned E2 Environmental Conservation and is in public ownership. However, it is not possible to achieve this for all land containing protected ENV. For these reasons, OEH and DP&I have agreed on a range of suitable zoning and other planning controls that constitute "protection" of ENV for the purposes of maintaining the certification. These measures have been used to protect ENV. The revised Biodiversity Consistency Assessment report provides more detail of the proposed protection mechanisms.
	Table 2.1 and page 26 of the Cardno biodiversity assessment require amendments to ensure that the conservation status of vegetation communities under the TSC Act and EPBC Act is correctly defined.	References to the conservation status of vegetation communities have been corrected in the final biodiversity report prepared by Cardno.
	It is not clear whether areas of ENV that have been found, through ground truthing, to not be ENV have been excluded from the calculations of ENV to be protected.	These areas have been excluded from the calculations of ENV to be protected.
	There are discrepancies in the mapping of ENV to be protected between the BCR and the Native Vegetation Protection Map.	All discrepancies have been corrected, and the BCR mapping and the Native Vegetation Protection Map correspond with each other. An area of certified ENV within the Kemps Creek Substation was shown as protected in Annex C to the BCR, but is not shown on the NVP Map. This area of ENV is currently on certified land and no change to the status of this vegetation is proposed in the final Precinct Plan. Therefore it is not counted towards the area of ENV to be protected under the Precinct Plan. An area of ENV that has been cleared at the north-western corner of the Precinct is excluded from the calculation of ENV to be protected in the final BCR.
	OEH supports the use of the E2 zone to protect lands that are in public ownership.	In addition to land already in public ownership that was proposed to be zoned E2 in the draft Precinct Plan, three other areas of land that are owned by the NSW Government are now zoned E2. These sites are adjacent to the South West Rail Line on Byron Road (proposed to be zoned B7 in the draft Precinct Plan), land north of Gurner Avenue Austral (proposed to be zoned RE1 in the draft Precinct Plan) and land east of the Upper Canal (proposed to be zoned RE1 in the draft Precinct Plan). These areas of ENV will be protected as a result of the E2 zoning and the vegetation clearing controls in the Precinct Plan. These areas are also proposed to be non-certified when amendments to the certification boundaries are made.

Submission ID	Issue	Response
	Areas of ENV to be protected are zoned RE1 and shown as Active Open Space on the ILP. These areas should be shown as Passive Open Space. A number of pocket parks contain ENV that is counted towards the protected ENV but these parks are small and isolated and will not result in protection of ENV. The zone objectives for the RE1 zone should include conservation objectives.	The large park at Boyd Street (on Kemps Creek), the park on Eighth Avenue and Craik Park are now shown as part Active Open Space with areas that contain ENV and creek corridors shown as Passive Open Space. ENV in the small pocket parks is no longer included in the calculations of ENV to be protected. The zone objectives for the RE1 zone (mandatory, from the Standard Instrument) include 'To protect and enhance the natural environment for recreational purposes.' It is considered that this objective addresses the requirements of OEH. In addition, the Existing Native Vegetation control in the Precinct Plan contains objectives relating to conservation of bushland and prohibits the clearing of ENV. These controls, combined with public ownership of land that is zoned RE1, are considered sufficient to ensure the protection of ENV.
	The Growth Centres SEPP should include a measure to categorise land zoned RE1 that contains protected ENV as Natural Areas – Bushland to require the preparation of a Plan of Management that demonstrates how the vegetation will be protected.	The Local Government Act enables an LEP to classify land as either 'Community' or 'Operational' but does not enable a SEPP to classify land. Where land is acquired by Council, Council can classify the land by resolution. If there is no resolution within three months of the acquisition, the land automatically gets classified as Community land. Council can classify land that it does not own through an LEP but only with the consent of the land owners. Council can not classify land as Operational if it would be inconsistent with any other Act (including the TSC Act). Section 36C of the Local Government Act requires that any Community land that contains any known natural or other feature considered by Council to warrant protection must be categorized as a 'Natural Area'. Clause 102 of the Local Government Regulation 2005 states that land should be categorized as a 'Natural Area' if it contains natural features that would warrant further classification as 'Bushland'. Clause 106 of the Regulation states that land should be further categorized as 'Bushland' if the land contains primarily bushland, including bushland that is high quality or of lesser quality but able to be rehabilitated or regenerated. The Local Government Act and Regulation provide an appropriate framework for the classification and categorization of land that contains ENV. The requirements of the Act and Regulation are specific in relation to land that contains bushland, and the requirements are consistent with the request from OEH. Therefore, there is no need (and it is not appropriate) for the Growth Centres SEPP to propose classification or categorization of land that contains ENV and is to be zoned RE1.
	Land that contains ENV that is proposed to be zoned SP2 is not adequately protected because the zone objectives do not relate to conservation of ENV and because there is no requirement to prepare a Plan of Management to protect ENV.	Issues related to the preparation of Plans of Management are the same as those for land zoned RE1 (see response above). The categorization and classification requirements of the Local Government Act apply regardless of the zoning of the land under the SEPP. The inclusion of a zone objective for the SP2 zone is not appropriate as this zone applies broadly to a range of types of infrastructure, from drainage to roads and community centres. A zone objective relating primarily to conservation of ecological

Submission ID	Issue	Response
		values would not be broadly applicable to land in this zone. The Existing Native Vegetation controls in the Precinct Plan include relevant objectives and prohibit clearing of ENV. DP&I considers that the combination of the zoning, public ownership and the Existing Native Vegetation provisions in the Precinct Plan is sufficient protection for ENV on land zoned SP2.
	Land that is zoned RU6, E4, R2, R3, B5, and B7 will not provide for the protection of ENV.	These lands are zoned (where they contain ENV) to protect ENV, including E2, RE1 and SP2. In some cases, such as land proposed to be zoned R3 and B5 in the draft Precinct Plan, further review has concluded that the small areas of ENV in these zones is unlikely to be effectively protected. These areas of ENV are no longer counted in the calculations of ENV to be protected. All ENV to be protected is within a zone that conforms to the hierarchy of zones specified in the OEH submission.
B576950	An amendment to the boundaries of Certified and Non-Certified lands, that would result in the Kemps Creek Nature Reserve becoming Certified land, is not supported.	No amendment to the boundaries of certified and non-certified land is proposed in relation to the Kemps Creek Nature Reserve. The figure in the Biodiversity Consistency Assessment clearly states that proposed amendments relate only to land within the Precinct boundaries. The final Biodiversity Consistency Assessment corrects this mapping error.
B576950	The Department should give further consideration toward identification of additional areas of High Conservation Value Vegetation that could be retained through Precinct Planning.	Areas of Additional High Conservation Value Vegetation (AHCVV) have been protected where possible. Where AHCVV is within the Native Vegetation Retention Areas as shown on the Native Vegetation Protection Map it will be protected by the vegetation clearing controls in the Precinct Plan.
B576950	The Infrastructure Delivery Plan should be amended to include reference to the Biodiversity Certification measures including avoiding, mitigating and offsetting impacts on protected Existing Native Vegetation.	This is not the purpose of the Infrastructure Delivery Plan. Precise impacts on ENV from infrastructure such as the Sydney Water trunk water and sewer works is not yet known for these Precincts so it is not possible to define impacts and offsets as part of the Precinct Plan.
B576950	Further information is required regarding the survey of <i>Acacia pubescens</i> and relevant measures for its protection.	Condition 17 does not require the location of this record to be surveyed. The record is located on certified land within the Austral Precinct, and therefore the TSC Act does not apply. There is no requirement under condition 17 to survey this area or to include protection measures in the Precinct Plan to protect any <i>Acacia pubescens</i> plants that may be at this location. A separate report has been prepared for the land that is subject to condition 17. As this land is outside the Precinct, any required protection mechanisms will be established through other relevant planning instruments, and not the Austral and Leppington North Precinct Plan.
B576950	It is recommended that a more detailed examination of cumulative impacts on the archaeological resource of the Cumberland Plain should be provided with a detailed predication of the impact of the proposed Austral and Leppington North Precincts to the surviving archaeological resource.	This request is beyond the scope of Precinct Planning and no further action has been taken.

Submission ID	Issue	Response
B576950	The appropriateness of the Precinct Stormwater Management System as an overall floodplain risk management strategy for a full range of flood events (including the PMF) should be confirmed.	A survey of creek cross sections was undertaken in April 2012 to refine the terrain data in the flood model. Updated flood extents have been provided by Cardno for both existing and developed cases for a range of ARIs including 2yr, 20yr, 100yr, 500yr and PMF events. These results demonstrate the appropriateness of the strategy.
B576950	Confirmation is required to verify that the assumed existing base case, and the degree of urbanisation from all foreseeable developments used for sizing flood mitigation works, are consistent with the Local Council's and the Dam Safety Committee's requirements/expectations.	Cardno has reviewed flood modeling, since exhibition, against the Upper South Creek Flood Study (Camden Council) and other relevant flood studies.
B576950	Hazards associated with basins overtopping during large flood events should be examined to assess appropriate widths for flood flow/open space corridors to safely convey flow and to determine whether or not development in these areas is appropriate.	Dam break assessment and consideration of basin overtopping have been addressed in the Post Exhibition Flooding and Water Cycle Management report (Cardno).
B576950	A review of Basin No's. 15, 22 and 23 is required.	Basin 15 is located in an optimum position and cannot be located to the northern side of Fifth Avenue due to an existing retirement village. The locations of Basins 22 and 23 are on the headwaters of the tributary to Kemps Creek. Should these basin walls fail then it would likely occur at the low point where flow depth and basin wall height are at their peaks. The low points of both basins are directly upstream of the natural watercourse of the tributary and any overflows or dam break would likely flow into the floodway without posing flood risk to residential land use.
B576950	Crossings in Table D5 Evacuation Assessment - 500 year ARI are not suitable for vehicle crossings. A review is needed for the Twelfth Avenue K, Devonshire Road K and Bringelly Road B crossings in this Table.	A revised assessment of evacuation routes has been prepared post exhibition and is contained in the Post Exhibition Flooding and Water Cycle Management report (Cardno). This assessment concludes that evacuation of the Precincts would be possible in a 500 year ARI flood event.
B576950	Confirmation is required to verify that the Stormwater management Strategy has been designed to ensure there will be no adverse impacts on existing development. Opportunities to reduce the current flood risk should be investigated.	Attenuation measures including numerous regional off-line detention basins, an on-line detention basin and lot-based on-site detention at Leppington Town Centre and in the light industrial zones are proposed to reduce expected peak flows, when the land has been developed, to less than the peak flows for existing conditions. An assessment of filling within the floodplain has also been undertaken to reduce the expected flood extents in locations where flood modeling demonstrates there will be no impacts on floodplain capacity or increased risks to life or property.
B576950	Confirmation that On Site Detention hasn't been used as a major flood mitigation strategy is required.	On site detention is proposed in the industrial zones and in Leppington Major Centre. The DCPs specify the required capacity for on site detention systems to ensure flood planning objectives for the Precinct are achieved. The combination of on site detention in some parts of the Precinct with a trunk stormwater detention system has been considered in the modeling of post-development conditions. The modeling demonstrates that the post development conditions will closely replicate existing conditions for a range of flood events.

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B576950	It would be preferable to distinguish between residential development and retirement villages (as retirement villages are considered vulnerable development). Retirement villages should be identified as low flood risk area with an appropriate flood evacuation strategy in place (ie. Scalabrini Village - Sixth Avenue and Antegra - west of Camden Valley Way).	Given that the developments referred to are existing approved developments, requirements for flood evacuation would have been addressed as part of the assessment of those applications. It is not necessary for specific flood evacuation strategies to be provided for these developments as part of Precinct Planning.
B576950	The Salinity Assessment acknowledges the high salinity risk in the various zones but does not indicate that this will be a problem to future development. It is considered that there is a salinity risk to development in the Precincts. The Salinity Assessment does not deal with the offsite and onsite impact of salinity as a result of increased development.	The requirements for Salinity Management Plans in the DCP, including controls in relation to construction standards and consideration of impacts of development on salinity, address this issue.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Transport for NSW

Submission ID	Issue	Response
B599293	The ILP identifies commuter car parking areas in different locations than in the SWRL approval to allow for higher order development in close proximity to Leppington Station in the longer term. The Precinct Planning Report should include commentary to confirm the above and that there will need to be further stakeholder consultation regarding the long-term commuter car park locations.	The indicative commuter car park locations differ from those in the approved SWRL project because the approved locations would significantly impact on the relationship between development in the major centre and access to Leppington Station. The car parks to be constructed as part of the SWRL project will remain operational until the level of development and activity (and rail patronage) reaches a point where redevelopment of the car parks as proposed in the ILP is required. The indicative car park locations were identified based on consideration of the overall patterns of land use in the Leppington Major Centre, likely vehicle access routes from the surrounding areas, and with reference to Railcorp's criteria for commuter car parks. Following exhibition, the location of the commuter car park east of Rickard Road was moved to north of the rail corridor, on land that has previously been acquired for the SWRL project but which is surplus to operational requirements. Ongoing consultation has occurred with Transport for NSW to confirm appropriate arrangements for the long term transport interchange requirements at Leppington Station. Transport for NSW has indicated that it supports, in principle, the proposed locations of the commuter car parks.
B599293	Various amendments are required for the Transport Assessment prepared by AECOM regarding default urban speed limits, intersection performance, train service frequencies (currently over prescriptive until timetable has been developed) and commentary that TCA is now delivering a partial underpass crossing at Byron Road as part of the SWRL project.	Various amendment detailed as follows: • The default urban speed limit is 50km/hr. • The table of intersection performance has been updated following exhibition and the revised table is included in the AECOM addendum report. • Inclusion of the Byron Road underpass structure in the SWRL project is noted and supported by DP&I. • TfNSW comments in relation to the timetable and service frequency on the South West Rail Link are noted however no changes to the assessment undertaken for Precinct Planning are required.
B599293	The forecast traffic volumes for Fourth Avenue (Collector Road) is higher than the traffic volume capacity for a Collector Road previous quoted in the Transport Assessment prepared by AECOM. This capacity constraint should be reflected in the traffic model.	Table 3 in the AECOM Transport Assessment identifies hourly traffic volumes for 1 or 2 lane roads that will deliver various levels of service. The report also states that it is acceptable to plan for level of service D in the peak hour to avoid over-provision of road capacity. Level of service D for a single lane road is around 900 vehicles per hour. Table 8 of the AECOM report indicates that the maximum peak hour traffic volume (in one direction) on Fourth Avenue will be in the order of 650 vehicles, significantly less than the threshold to maintain level of service D.

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		The section of Fourth Avenue between Bringelly Road and Fifth Avenue is classified as a sub-arterial due to the relatively higher traffic forecast in 2036 as a result of higher traffic movements generated by the bulky goods area to the north of Bringelly Road (refer to Figure 13). Classification in Table 8 to be updated.
B599293	Signalised intersections along Edmondson Avenue and Fourth Avenue will need to be approved by RMS. Details of the proposed signalised intersections such as turning movements and traffic model results need to be provided to RMS.	The traffic and transport assessment demonstrates the need for traffic signals at the locations proposed in the Precinct Plan. The proposed locations of signals are indicative, based on traffic modeling undertaken as part of Precinct Planning. More detailed assessment and application to RMS will occur at the time of detailed planning for the relevant road upgrades and intersection works.
	The intersections of Fifteenth Avenue with Edmondson Road and Fourth Avenue require 'drive through' type bus queue jumps with both a dedicated left turn/buses only approach lane and departure side merge lane of at least 55 metres. RMS no longer supports the provision of stub 'B' signal queue jumps except for right turns from left lane movements.	The diagram in Figure 13 has been updated to reflect the RMS preferred treatment (refer to AECOM addendum report).
B599293	Further discussion is required regarding the road cross section and acquisition authority for Fifteenth Avenue to ensure suitable road corridors are reserved and allowance for bus priority. This may also be relevant to Eastwood Road, Dickson Road, Rickard Road and Byron Road.	Following exhibition, AECOM has undertaken traffic modeling to 2046 to represent traffic volumes on the road network when the Growth Centre is fully developed. This modeling indicates that Fifteenth Avenue, with four lanes in total, would be nearing capacity east of Edmondson Avenue in 2046. While the predicted traffic volumes indicate a potential need for a six lane road east of Edmondson Avenue, forecasting traffic volumes more than 30 years into the future is imprecise. The urban design impacts of a six lane road are not supported and the Department's preference is to nominate a four lane road reserve for the entire length of Fifteenth Avenue in the Austral Precinct. Based on AECOM's modeling, a four lane road is likely to cater for long term traffic demand. Further discussion between the Department and Transport for NSW has concluded that Transport for NSW be nominated as the relevant acquisition authority for all SIC funded roads.
B599293	There are differences in the modeling results for forecasted traffic flows along Bringelly Road and Ingleburn Road in the 2036 scenario between the AECOM CUBE model in the Transport Assessment and the RTAs EMME/2 model. Clarification as to why this difference has occurred is required, as well as updates to the CUBE model as necessary.	AECOM's strategic model is more refined than the RMS's model including a more detailed road network within ALN precincts and surrounding precincts in SWGC. The model was developed based on latest population and employment data projections produced by BTS together with latest land use assumptions and release pattern for the SWGC by DP&I. Since exhibition, modeling for 2046 has been completed to represent full development of the South West Growth Centre.
B599293	Residential development along the Bringelly Road, Cowpasture Road and Camden Valley Way corridors need to be protected from future increases in traffic generated noise. The DCP needs to include appropriate controls to ensure this as RMS will not provide noise mitigation for future residences on rezoned land.	The DCPs include controls on residential development to ensure compliance with the relevant noise criteria. Noise walls are not considered appropriate and other measures will be required to achieve compliance.

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B599293	The Leppington Interchange within the ILP and Transport Assessment needs to be updated to reflect the latest design.	The interchange design by TCA is not necessarily the interchange design that will best serve the long term needs of the centre. The ILP proposes a long term station design. Since exhibition, DP&I and Transport for NSW have further discussed long term requirements for Leppington transport interchange, including the capacity and location of bus stops, bus layover areas and commuter parking. The final ILP reflects the outcomes of those discussions.
B599293	The AECOM Transport Assessment needs to make allowances for local bus services that will be developed as the road network is finalised and development takes place rather than relying on only Principal and Link Bus Services (and making amendments to these services to increase coverage in lieu of Local Services). In particular, the diversion to routes D3 and D6 are not supported.	Local bus services serving the SWGC have been acknowledged in the AECOM report. Currently, at this precinct planning stage of ALN precincts there are not enough Principal (Regional) and Link (District) service along Edmondson Avenue (identified as a Transit Boulevard) and Fourth Avenue to encourage bus use by residents in the future precincts. However, residents of the ALN precincts would benefit from frequent bus services along such routes connecting to Leppington Station and other Regional destinations. The D3 route has been moved from a road that doesn't connect between Bringelly Road and Fifteenth Avenue anymore – to Fourth Avenue and Edmondson Avenue which serves a much bigger residential catchment (without significant diversion or additional of travel kilometers). The function of the diverted D6 could be replaced by frequent local bus services to improve the bus catchment of ALN precinct to Leppington Station and Major Centre.
B599293	Edmondson Avenue, Bringelly Road, Fifteenth Avenue and Fourth Avenue will require either dedicated bus lanes or complete prohibition of stopping in the commercial/transition areas to ensure on-time running of buses.	A balance between bus servicing and other activities (including on-street parking) is required. Bringelly Road is a principal arterial which does not allow provision of on-street parking. Edmondson Avenue and Fifteenth Avenue are four lane roads which should allow indented on-street parking, especially near the town centres, with minimal conflicts or impacts on bus operations.
B599293	The frequencies of bus services contained within the Transport Assessment prepared by AECOM are higher than those proposed in the South West Sector Bus Servicing Plan. Any proposal to amend the frequencies would need to be supported by costings for TNSW's review and determination.	Through the precinct planning stage of ALN precincts, AECOM suggested an increase in bus frequencies to encourage bus travel to Leppington and other regional destinations. In the SW Bus servicing plan, there is only 1 regional bus route running along Edmondson Avenue, the central bus corridor through ALN precincts with 20 minute frequency and 60 minute frequency on the adjacent corridors. Although this will be supported by other local services, more frequent bus services are required to encourage bus use to travel for 50,000 future residents.
B599293	The Transport Assessment prepared by AECOM assumes schools will have separate dedicated bus services. TNSW has a strong preference for servicing primary schools with timetabled bus routes.	The schools can be served by local bus services and only warrant school bus services if required. All school sites shown on the ILP are located to have at least one collector road frontage, meaning that roads used to access the school will have the capacity to accommodate buses, whether on scheduled routes or

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		dedicated school bus services.
B599293	RMS does not support on road cycle lanes and signed bicycle routes on Principal Arterial Roads such as Bringelly Road and Camden Valley Way. RMS supports an off road shared path along these roads.	The Review of Environmental Factors for Bringelly Road identifies a 2 metre wide shoulder on both carriageways that could potentially be used by on-road cyclists, in addition to off road shared paths. The RMS concept designs for Bringelly Road and Camden Valley Way have been used to define the boundaries of these road corridors. The proposed configuration of lanes, shoulders and off-road paths is supported by DP&I.
B599293	RMS preference is for bicycle lanes to not continue through bus stops. Routes along Edmondson Avenue and Fourth Avenue will need to be relocated from bus stops.	Noted, however continuous provision for cycle lanes should be provided on these major roads as they are important routes through the Precincts and to Leppington Major Centre.
B599293	The Staging Plan for Leppington Town Centre indicates that areas in close proximity to Leppington Station are medium to long term. TNSW is of the opinion that initial development should focus on the station to encourage public transport use from commencement of the rail operations.	The Staging Plan in the Leppington Town Centre Masterplan Report is indicative. While the land immediately adjacent to the station is likely to be attractive for early development in the centre, consideration has also been given to other factors such as the likely availability of water, sewer and electricity, and the demand for different types of development in the various phases of town centre development. Residential areas have been identified for short or medium term development as the market for housing is anticipated to be stronger than for retail or commercial development. Some early development of retail uses is likely, however significant retail floor space will only emerge with population growth in the residential areas surrounding the Major Centre, as this will drive demand for retailers. Similarly, demand for business park type development is likely to emerge as the existing supply of similarly zoned land in the South West sub-region (and possibly across the whole metropolitan area) is exhausted or as market factors such as land value and accessibility make Leppington a comparatively attractive location. Demand for major community and educational facilities in the civic precinct is also driven primarily by growth in the surrounding residential population. Thresholds that require the provision of these facilities are likely to be reached in the medium term. The Department therefore considers that the key to establishing solid and growing patronage of the SWRL is to encourage early residential development in the areas around the town centre. This will provide a passenger base for the rail line in the short to medium term, but will also drive the development of the mixed use major centre.
B599293	Assessment for land use around the Rossmore Stabling Facility (outside of the current Precincts) should be undertaken at this stage of planning given the progress of the SWRL.	This issue was addressed as part of the boundary review process in 2009-10. While land use planning may provide long term clarity in terms of future land use, it will do nothing to address the impacts of the stabling facility on existing residents. Inclusion of this land in the Precinct is not an adequate substitute for the impacts of the project being addressed through mitigation measures, and the proponent has a clear responsibility through the Minister's Conditions of Approval to ensure

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		that these impacts are appropriately addressed.
B599293	TNSW objects to either TNSW or RMS being nominated as the acquisition authority for roads to be funded by the State Infrastructure Contribution (unless they are already the agencies responsibility). Further liaison is required on this matter.	Further discussion between the Department and Transport for NSW has concluded that Transport for NSW be nominated as the relevant acquisition authority for all SIC funded roads.
B599293	The Development Control Plans need to re-iterate that direct vehicular access to classified roads will be prohibited where access can be gained by an alternative non-classified road.	Refer to section 3.2.6 of the DCPs.
B599293	Additional land for the SWRL substation needs to be zoned SP2 to allow for an access road and provision of Asset Protection Zones that would compromise the conservation outcomes required under the E2 Environmental Conservation zone currently proposed.	The footprint of the SWRL project is based on the operational corridor provided by Transport for NSW. It is not necessary to specifically zone land for all components of the SWRL as it is an approved project under the Infrastructure SEPP.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Department of Primary Industries – Office of Water

Submission ID	Issue	Response
B586646	The draft Riparian Protection Area map should include all watercourses agreed to have an expected riparian corridor outcome to ensure it is acknowledged as a watercourse at the zoning level and is afforded appropriate protection.	The Riparian Protection Area Map has been amended to include riparian zones for all Second and Third Order Streams within the Riparian Protection Area. First order streams are also included where DP&I and the Office of Water have agreed that riparian outcomes are to be achieved. Drainage channels, where the Office of Water has agreed that the Water Management Act does not apply, are not included in the Riparian Protection Areas. The zoning of land within the riparian protection areas reflects the intended future outcomes for the land, balancing requirements for drainage, public open space and retention of some areas in private ownership through Environmental Living, Environmental Conservation or Rural Transition zones.
B586646	Ideally, all riparian corridors should be zoned E2. However, SP2 is an appropriate where E2 zoning is not possible.	The majority of the existing watercourses will serve a drainage and open space function and will be bought into public ownership. DP&I, Camden Council and Liverpool Council have agreed that the channel plus 10 metres either side of the top of bank is land that has a drainage function. Other land within the riparian zone is zoned according to the proposed future ownership and land use. Where land is required for public open space, the Public Recreation zone has been used. Where land is to remain in private ownership, the zoning of adjoining land outside the riparian protection area has been applied to the land within the riparian protection area. Where there is Existing Native Vegetation that requires protection, within the riparian protection area, the Environmental Conservation zone has been applied. The controls for Riparian Protection Areas in the DCPs apply to land within Riparian Protection Areas regardless of the underlying zoning. These controls, along with the native vegetation protection and existing native vegetation provisions in the Precinct Plan, provide appropriate protection for riparian corridors in addition to the zoning of the land.
B586646	Protection of Kemps Creek through E2 or SP2 zoning is not provided in the Precinct Plan and needs to be addressed.	The zoning of land along the Kemps Creek corridor generally reflects the current rural use of this land. Because this land is to generally remain in private ownership, the general application of an Environmental Conservation zone to land within the riparian corridors would unduly restrict ongoing rural use of this land, except in instances where the land is currently un-used and contains significant native vegetation remnants. An SP2 zone would trigger acquisition by a public authority, which is not considered necessary for Kemps Creek due to the width of the floodplain and likely future use of the land. Other controls in the Precinct Plan and DCP provide appropriate protection for the riparian areas in addition to the zoning of the land, and are considered appropriate to achieve riparian outcomes for Kemps Creek while maintaining existing land use rights.

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B586646	Amendments to the Explanation of Intended Effects have been provided in regard to objectives, permitted and prohibited development and the land use table for the SP2 zone. Amendments to zone boundary flexibility controls, in light of riparian corridors as well as other miscellaneous clause amendments, have also been provided.	Suggested amendments to zone objectives have not been adopted as DP&I seeks to be consistent with the Standard Instrument and with zone objectives as adopted for other Growth Centre Precinct Plans. The suggested amendment to the exempt and complying development provisions, to exclude riparian protection areas from exempt and complying development, has been adopted. DP&I intends to maintain the flexibility in permissible uses across zone boundaries. As development occurs, earthworks etc may result in the locations of some channels being modified (particularly in situations where they are currently highly modified). It is important to maintain some flexibility in the zone boundaries to enable appropriate development to occur. The riparian protection controls will continue to apply, in addition to the zoning provisions, to ensure that riparian outcomes are achieved regardless of the location where the channel/riparian zone may eventually end up. Suggested amendments to provisions in clause 5.5 (Miscellaneous Provisions) of the Explanation of Intended Effect have not been made as they suggest changes to standard clauses from the Standard Instrument. DP&I intends to maintain consistency with the Standard Instrument.
B586646	Amendments to the draft Development Control Plans have been provided in regard to sections on Water Cycle management, Native Vegetation and Ecology, Bushfire Hazard Management, Street Network and Design, Subdivision in the Environmental Living Zone, Cut and Fill, Appendix A and Appendix B.	Amendments have been made to the DCP to be consistent with the new approach to riparian zone management agreed between the Office of Water and DP&I in mid-2011. These new controls apply from July 2012 and are therefore applicable to the Austral and Leppington North Precincts.
B586646	The Development Control Plan should be amended to include further documentation and plans which demonstrate feasibility and instances where a fully structured riparian vegetation dry basin can be located on-line of a watercourse (similar to Box Hill Precincts).	The new approach to riparian zone management agreed by the Office of Water and DP&I, effective from July 2012, has been implemented for the Austral and Leppington North Precincts. This has resulted in changes to the locations of some basins from the exhibited draft Precinct Plan. The final Precinct Plan is consistent with the new approach in terms of the locations and design of on-line detention basins, and the DCP includes controls based on guidelines prepared by the Office of Water for the design and construction of on-line basins.
B586646	The Development Control Plan needs to include an appropriate development control for land zoned RU6 to ensure the environmental outcomes for the riparian corridors are achieved.	The riparian protection area controls in the Precinct Plan and DCPs are consistent with the approach to riparian zone management agreed by the Office of Water and DP&I. These controls apply to development within riparian protection areas regardless of the zoning of the land. Therefore, there is no need for specific riparian protection controls in the DCP for the Rural Transition zone.

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B586646	The Infrastructure Delivery Plan and SWGC Proposed Water and Wastewater Strategy contradicts the environmental outcomes for riparian corridors in the Precincts through the location of major waste water mains along riparian corridors. It is recommended that the majority of this infrastructure is not located within the riparian corridors of the Precincts as they will have permanent environmental impacts on the riparian corridors.	The final locations of the infrastructure required to provide water and waste water services to the Precincts are not yet known, but will be subject to separate Environmental Assessment and approvals. It is usually not possible to avoid locating waste water pipes in riparian zones as these rely on gravity and therefore must be located at the lowest point in the topography (usually within the riparian corridor).

AUSTRAL AND LEPPINGTON NORTH

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Agency Requirements and Submissions

Camden Council

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B595134	The rezoning of land without a new Section 94 Plan being put in place and confirmation for funding essential infrastructure that exceeds the \$30,000 cap is not supported.	The Minister for Planning and Infrastructure has stated that the Government is continuing to review infrastructure funding arrangements including the cap on section 94 developer contributions. The Department and Councils have prepared the Precinct Plan to ensure the efficient use of land and cost efficient capital works for local infrastructure, to minimise any gap between the revenue from capped developer contributions and the cost of local infrastructure. Council's concerns in relation to this issue are acknowledged and the Department will continue to work with Council to identify appropriate funding sources for local infrastructure. When the Government concludes the review of local infrastructure funding arrangements the Department will consider any implications for the Precinct Plan.
B595134	The Precinct Planning Report should include a principle that playgrounds and picnic settings not be located in close proximity to power easements or near major electricity power pylons.	The Precinct Plan does not propose any playgrounds or public open space close to existing electricity lines in Camden Council area.
B595134	The Precinct Planning Report should include a reference to having an ability to cross the major roads and rail to access the linear riparian corridor and public open space without experiencing these major barriers. This principle applies to both creek corridors. A potential pedestrian rail overbridge is indicated mid-block between Rickard and Byron Road. This is the responsibility of Transport NSW to provide.	The mid-block pedestrian bridge between Byron Road and Rickard Road is a potential crossing but is not funded or part of the construction for the South West Rail Link. This connection may be desirable but is likely to only happen if proposed by a developer or if Government funding is identified in the future. Council is not responsible for delivery of this crossing. The revised Leppington Town Centre Masterplanning Report (Conybeare Morrison) identifies this as a Potential Future Shared Path Overbridge. Byron Road underpass is now included in the construction of the South West Rail Link and the section of rail line between Cowpasture Road and Bonds Creek is now a viaduct which presents additional opportunities for pedestrian and/or vehicular crossings.
B595134	A Flood Risk Management Plan is necessary for effective land use planning (Refer FDM Appendix G). The impacts of climate change need to be considered in flood modelling. Note: The Floodplain Management Association (FMA) submission to the NSW Planning Review is attached for your reference. FMA has concerns in reducing planning controls required for development on flood prone land.	The Upper South Creek Floodplain Management Plan is being prepared by Council as a follow up to the Upper South Creek Flood Study. The Department understands that the Floodplain Management Plan will incorporate risk management measures that consider the Austral and Leppington North Precinct Plan. The implications of Climate Change have been considered in some detail by the Department, including modelling of various climate change scenarios by Cardno as part of the flooding and water cycle management investigations. However, there is currently no clear policy direction on the adoption of a specific climate change scenario for land use planning purposes.

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		The Metropolitan Plan for Sydney 2036 - Action G2.1 is to 'Develop a Climate Change Adaptation Strategy for Sydney in collaboration with Councils'. When this strategy is prepared, any implications for Precinct Planning will be considered.
B595134	Need to confirm that the Cardno assessment has taken into account the Bringelly Road upgrade drainage assessment and Camden Valley Way Flood Impact Assessment. Council resolution is to prepare an Upper South Creek a Flood Risk Management Plan. This will be relied upon and may adjust the approach/design standards for the flood evacuation routes etc.	Results of the Upper South Creek Review Flood Study have been incorporated into the post exhibition review of flood modelling undertaken for Precinct Planning. Flood levels reported in both studies are generally comparable. Results of the Bringelly Road Upgrade Concept Plan Drainage assessment and concept design for Bringelly Road are incorporated into the post exhibition review work (and Camden Valley Way upgrade where available). A number of issues have arisen with regard to the integration of the Bringelly Road and Camden Valley Way flood studies into the Precinct flood modelling - primarily related to differences in landform data. The Cardno post exhibition assessment report provides more details on this issue.
B595134	Environmental Living zones are proposed to apply to land that is partly affected by flooding, but which also has some development potential outside the 100 year ARI flood level. Large lots will provide flexibility for the location of dwellings outside flood risk areas, and for protection of riparian corridor values and remnant vegetation. The flood risks and hazards up to PMF need to be considered and evacuation strategies should be in place.	Post exhibition work by Cardno includes a review of evacuation arrangements and flood proofing of the road network. Camden Council has commenced preparation of the Upper South Creek Floodplain Management Plan and this may necessitate a review of the flood planning levels and evacuation strategies in due course. In most cases the environmental living zone reflects the existing development of the land, or allows for limited further subdivision, providing a range of matters are appropriately addressed, including impacts to and from flooding.
B595134	Bioswales within the road reserve are undesirable for the following reasons: 1. The fragmented ownership will result in the bioswale being constructed in a piece meal way. If built in sections bioswales will be extremely difficult to construct and maintain. Each section of subsoil drains and filter medium will need to join and settle in unison, 2. To enter each property the bioswale will need to be crossed. The crossings will reduce the length of treatment or will be expensive to build and maintain, 3. The swale is within the road reserve so may be damaged by vehicles, this could be a significant burden on the maintenance section of Council, 4. Basins are more cost effective and are easier to maintain – the larger the water quality device the less complicated they are to maintain, 5. A bioswale within a road reserve will create conflict with traffic and pedestrians. Traffic control will be a lot more involved and the maintenance more expensive and complicated.	Cardno has assessed requirements for water quality treatment measures to ensure that catchments not draining to a combined detention/water quality basin still include water quality treatment. Cardno has also provided further cost and location advice for provision of rain garden water quality treatment to subcatchments not draining to a detention basin. The size and location of water quality treatment measures has been determined by Cardno and this information can be used to inform cost estimates for the final Section 94 Contribution Plan.

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B595134	The Precinct Planning Report states that the investigation was carried out in accordance with SEPP 55, however I believe that there is still a level of uncertainty of the level of contamination across the precinct. It also states that only two locations within the precinct were found exceeding elevated metal concentrations. The nature and extent of contamination for the precinct is not fully known. The site has not been sampled in accordance with DECCW guidelines.	The contamination report prepared prior to exhibition is consistent with SEPP 55. The first sentence of Section 6.3.1 of that report states '<i>The intent of the contamination assessment was not to comprehensively assess contamination sources, but to identify potential risks as a basis for further investigation at a later stage, where necessary</i>'. SEPP 55 contemplates uncertainty at the rezoning stage and provides for further investigation of specific contamination risks at the DA stage, when specific land use proposals are known. The assessment is therefore consistent with SEPP 55 and the controls in the DCP reflect the need for more investigation at the DA stage.
B595134	The Precinct Planning Report and studies need to be updated based on the Bringelly Road upgrade REF assessment.	Post exhibition assessments have included reference to the Bringelly Road REF as appropriate.
B595134	The Precinct Planning Report notes 25m APZs are required around Kemps and Bonds Creek. Smaller APZ widths of between 10m and 25m occur along other watercourses throughout the Precincts. Figure 6-12 indicates Scalabrini Creek will have a 10m APZ.	The Precinct Planning Report, Bushfire Assessment and Development Control Plan are to be reviewed to achieve a consistent bushfire management approach. Ecological Australia has reviewed the requirements for Asset Protection Zones for the final Precinct Plan and has advised that no changes to the recommendations in its report prior to exhibition are required. The APZ requirements in the DCP have been reviewed to ensure consistency with the recommendations of the bushfire consultant.
B595134	With regard to the Indicative Layout Plan for Leppington Town Centre, do the APZs reflect restoration of riparian corridors? There is a Medium Density Residential Zone and Mixed Use Zone in the south west corner of the Leppington Town Centre (within the Camden LGA) immediately adjoining the riparian corridor with no designated perimeter road to act as an APZ. There is the potential for the APZ to be imposed on the Riparian Corridor. The Bushfire Assessment does identify that land adjoining the riparian corridor could comprise larger lots in order to accommodate the APZ. Additionally car parking or private recreational uses such as swimming pools or tennis courts could be located on the riparian side of the development in order to act as part of the APZ. These requirements could be incorporated as a control in the DCP.	The APZs do reflect restoration of the riparian corridors. The medium density and mixed use zones in the south west of the town centre now have perimeter roads between developable land and the vegetated creek corridors. The roads and front setbacks to dwellings will generally accommodate the asset protection zones as required in the bushfire assessment. DCP cl 2.3.6 requires that the APZ be outside the riparian zone. A new control has been added to this clause to be clear that the APZ must not impact on Riparian Protection Areas, Native Vegetation Protection Areas or Existing Native Vegetation Areas. Specifying possible land uses within the APZ is not necessary – this can be left to individual DAs to resolve.
B595134	Council would prefer to achieve consistency of approach across EPIs for the application of maximum building height. Council does not agree with the reasons given for not applying a maximum height for buildings.	Maximum height building controls are now included on the Height of Buildings Map for the Leppington Major Centre. The maximum building heights are based on those that were included in the draft DCP, but have been translated into a height in metres, rather than building storeys as specified in the DCP. In some cases the building heights have been amended from those proposed in the draft DCP to address issues raised in submissions.

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B595134	A Maximum Height of Buildings of 13m is proposed for the light industrial zone. Turner Road applies a maximum HOB of 12m. Is there a reason for the HOB variation or is it possible to make consistent?	Further advice from Camden Council since exhibition, and the Department's own knowledge of industry requirements, indicates that 13 metres is a commonly accepted standard for light industrial and warehousing uses. The height control, shown on the Height of Buildings Map under the Growth Centres SEPP shows a maximum building height of 13 metres in the Light Industrial zone.
B595134	A coordinated and consultative approach to development should be encouraged. The Development Control Plan should include a reference in relation to the issue of consultation with adjoining land owners prior to a development application being lodged.	Figure 1.2 has been amended to include advice to applicants to discuss their plans with neighbours and other affected parties prior to lodgement.
B595134	The water cycle management strategy shall demonstrate how the stormwater quality targets in table 2.1 of the Development Control Plan will be achieved. A water quality monitoring and maintenance plan is to be provided with any subdivision development application outlining how the water quality targets in Table 2-1 are being monitored for performance against these targets.	Requiring an applicant to monitor water quality (for a period of time following construction only) may be appropriate only where they are constructing the water quality infrastructure and, long term, where the facility will remain in private ownership (eg. for on site detention). However, trunk stormwater infrastructure will typically be constructed by or on behalf of Council (and will become a Council asset) in these Precincts, so it is not appropriate to require a private developer to monitor the performance of a Council asset.
B595134	Controls in Section 2.3.2 of the Development Control Plan should be amended as follows: <u>Control 6</u> – Refer to separate comment made under Schedule One relating to the draft control – ' <i>water quality treatment is still required for theses areas and is to be managed within the street network</i> '; <u>Control 7</u> - insert extra definition for the road hierarchy (i.e. sub-arterial in residential should be 10% AEP); <u>Control 8</u> - Delete '20%' and insert 'design'; <u>Confirm the DCP</u> overrides the NSW Floodplain Development Manual.	<u>Control 6</u> – has been amended to require that development in these catchments directs flows up to the design event to water quality treatment facilities shown on the Key Elements of the Water Cycle Management and Ecology Strategy figure in the DCP Schedule. <u>Control 7</u> – This control has been amended to include reference to design being in accordance with Council's Engineering Specifications. <u>Control 8</u> has been amended to refer to Council's Engineering Specifications.
B595134	Objectives in Section 2.3.3 of the Development Control Plan should be amended as follows: 'a.-To manage and mitigate the impacts of Salinity and Sodicity on the Environment'.	The DCP has been amended as requested by Council.
B595134	Investigation carried out for salinity is very limited. The report itself actually states that it was to provide preliminary comment and recommendations for the redevelopment of the site, and that further assessment should be carried out to provide more site specific recommendations. A total of 60 samples were taken over the entire precinct area of approximately 1900ha, when a total of 4000 samples should of been taken across the precinct which would be in line with the OEH Booklet 'Site investigation for Urban Salinity'. It is recommended that the following should be placed in the DCP: 1. That site specific salinity investigations be undertaken for all subdivision development applications, including bulk earth works, in accordance with the OEH Booklet 'Site investigation for Urban Salinity' (The above would be consistent with what was recommended in the initial investigations and recommendations	This issue has been raised through the Camden Development Coordination Forum and an approach has been agreed that requires construction standards assuming high salinity risk rather than requiring each application to submit a salinity report for every DA. Essentially, the Salinity Assessment and the controls in the DCP adopt a precautionary approach to deal with the uncertainty arising from the inability to complete comprehensive sampling due to the size of the Precinct. The DCP enables an applicant to propose less stringent construction standards if they choose to prepare a detailed salinity investigation and management plan that demonstrates the proposed construction standards and mitigation measures are appropriate.

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	carried out by GeoEnviro Consultancy); 2. Site specific Salinity Management Plans will be required for a moderate to high Saline areas and any aggressivity to concrete or steel.	
B595134	Section 2.3.4 of the Development Control Plan is heavily focussed on Aboriginal heritage even though the heading includes European Heritage. To address this, the following is suggested: <u>Objective B</u> – change to: to ensure areas identified as European cultural heritage sites or archaeology sites are managed appropriately; <u>Control 5</u> – only refers to archaeological investigation. It should also require a Heritage Management Document to assess impact on heritage items. Alternatively, this can be a separate point.	<u>Objective B</u> – The DCP has been amended as requested by Council. <u>Control 5</u> - The DCP has been amended as requested by Council.
B595134	Section 2.3.5 should be amended as follows: <u>Control 2 second dot point</u> – change <i>significant</i> to <i>significance</i> . The consideration of 'safety' is not listed.	Control 2 has been amended as requested by Council. Consideration of whether the tree is unsafe is now included in Control 2.
B595134	The Biodiversity Conservation Assessment (Section 8) recommends that targeted frog surveys should take place at DA stage for non-certified land (Kemps Creek for Camden LGA). It would appear that this recommendation needs to be supported by a DCP control. Clarify if the Cumberland Land Snail requires assessment in this regard (it is referred to in Section 8 of the Biodiversity Conservation Assessment without specific comment on the need or otherwise for targeted assessment at DA stage).	Where development is on non-certified land the standard provisions in the EP&A Act and TSC Act apply, and require consideration of all threatened species. It is therefore not appropriate to include specific controls that single out one species for particular attention. On certified land, impacts are already dealt with by the certification and no further assessment for any listed species, population or community is required.
B595134	The relevant Biodiversity Measure 19, described in the assessment of consistency report, notes the DCP will include provision, where practicable, for the appropriate re-use of top soil from development sites that contain known or potential native seed bank. This needs to be included in Section 2.3.5 of the Development Control Plan.	This control was omitted in error and has now been included in the DCP.
B595134	Control 1 – Confirm if the DCP is intended to prevail over Planning for Bushfire Protection 2006. Suggest <u>Control 1</u> be amended accordingly.	Control 1 of clause 2.3.6 has been amended to clearly state that Planning for Bushfire Protection takes precedence over the controls in the DCP.
B595134	Controls in Section 2.3.7 of the Development Control Plan should include additional wording as follows: <u>Point 2</u> -Where theA remedial Action Plan (RAP) will be required to be submitted and approved by Council prior to development consent being granted for the areas identified as contaminated land in the Stage 2 Site investigation'.	The DCP has been amended as requested by Council.
B595134	Controls Section 2.3.9 of the Development Control Plan should be amended as follows: 1. <u>Point 2, First dot point</u> - Adjacent to a railway line, arterial road, sub arterial roads, transit boulevards and high volume traffic collector roads; 2. <u>Place after the last dot point as a new point</u> – 'The acoustic report shall demonstrate compliance with Development Near Rail Corridors and busy Roads- interim	1. This control has been amended as requested by Council. 2. A new control has been inserted that requires development to consider the criteria in these documents. It is not considered necessary to require strict compliance with these criteria in all situations, for example where the noise conditions are changing rapidly due to urban development. 3. This control has been amended as requested by Council.

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	Guideline (Department of Planning 2008), and Council's Environmental Noise Policy'; 3. <u>Point 3</u> - Subdivision design on land adjacent to significant noise source is to consider and implement measures to attenuate noise to achieve internal and external amenity; 4. <u>New control Point</u> - All industrial / employment development is to comply with Camden Council 'Environmental Noise Policy'.	4. The Department's position is that development should comply with noise emission and control requirements that apply broadly across the state, rather than adopting different controls based on the requirements of different Council areas. A reference to consideration of Council's noise policy has been included in the DCP, however, there is no requirement to comply with the policy.
B595134	Section 2.6 of the Development Control Plan should be amended as follows: 1. <u>Control 3</u> - There is a need for the drainage design to take into account the catchment drainage requirements; 2. <u>Control 4</u> – Specify which point these distances are measured from – from original levels? Does the first sentence mean that you can cut 1m and fill 1m (total = 2m), or does it mean 500mm cut, 500mm fill. Needs to be defined more clearly; 3. <u>Control 6</u> makes reference to concurrence being required from adjoining neighbours. This may prove difficult to achieve. Preferred wording of this would be 'A variation to the retaining wall heights can be considered with supporting justification', 4. <u>Control 14</u> – Delete and insert Development on land having a natural gradient of 1:6.7 (15%) or greater shall be accompanied by a geotechnical study, including guidelines for structural and engineering works on the land; 5. <u>Control 16</u> – insert after 1999 and Council's Policy – Management of Contaminated Lands.	1. This control has been amended to ensure appropriate consideration of catchment drainage requirements. 2. This control has been amended to be clear in relation to the maximum heights of cut and fill and maximum overall vertical ground level changes. A new control has also been included in clause 6.5 of the DCP addressing cut and fill requirements for employment and industrial land. 3. This control has been amended as requested by Council. 4. This control has been amended as requested by Council. 5. The Department considers it appropriate to require compliance with more broadly adopted standards in relation to management of land contamination.
B595134	Controls in Section 3.2.1 of the Development Control Plan should be amended as follows: <u>Control 7</u> stated that plans of subdivision are to include building envelopes that demonstrate compliance with a number of controls. Council would only require a building footprint for buildings with a site area of less than 350 sq m.	The requirement for a building envelope for lots less than 350m ² has been retained in the DCP. This level of detail at the subdivision stage for small lots is considered appropriate to enable Council to consider whether controls relating to the amenity of residents (including the amenity of adjoining properties) can be achieved.
B595134	Controls in Section 3.2.2 of the Development Control Plan should be amended as follows: <u>Control 10</u> and Figure 3-3 – terminology for medium-high density residential area should reflect the terminology used in the residential structure plan map.	This provision is here in case future Precincts that this DCP will apply to include a medium-high density residential area (there are no such areas in these Precincts). The control and figure have been retained.
B595134	Controls in Section 3.2.2 of the Development Control Plan should be amended as follows: 1. <u>Control 1</u> makes reference to Council's Engineering Standards. This should read Council's Engineering Specifications; 2. <u>There is conflict between Austroads, engineering specification road cross sections and sections of the DCP</u> , trees in median strips especially in Fig 3.5 Sub arterial. The figures need to state that Austroads has been considered and the location of trees. The comment below is intended to be included as an amendment to CDCP. 'The layout of typical cross sections within the DCP prevails over other guides and specifications.' Council supports the resolution of these issues at the DCP stage to avoid the potential	1. This control has been amended as requested by Council. 2. A control has been inserted stating that cross sections or inclusion of trees etc may vary to ensure compliance with Austroads. The cross section for the sub-arterial has been modified so that trees are located near the outside edge of the road reserve, and the kerb side lane has been widened to provide sufficient space for a shoulder. These measures in combination provide sufficient clear zones to comply with Austroads. Other design solutions (eg. different kerb designs) may be implemented by Council to enable trees to be planted in the central median. DP&I preference is to retain median tree planting as this is desirable from an urban design and amenity perspective. Specific design details and

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	clash between competing principles at the DA/CC stage.	compliance with Austroads for median planting can be resolved by Council at the detailed design stage for these roads.
B595134	Bioswales within the road reserve as shown in Section 3.2.3 of the Development Control Plan are undesirable for the following reasons: 1. The fragmented ownership will result in the bioswale being constructed in a piece meal way. If built in sections bioswales will be extremely difficult to construct and maintain. Each section of subsoil drains and filter medium will need to join and settle in unison; 2. To enter each property the bioswale will need to be crossed. The crossings will reduce the length of treatment or will be expensive to build and maintain; 3. The swale is within the road reserve so may be damaged by vehicles, this could be a significant burden on the maintenance section of Council; 4. Basins are more cost effective and easier to maintain – the larger the water quality device the less complicated they are to maintain; 5. A bioswale within a road reserve will create conflict with traffic and pedestrians. Traffic control will be a lot more involved and the maintenance more expensive and complicated. Investigate draining the south-east medium density precinct to one of the two nearby drainage basins so as to avoid the need for a bio-swale. Investigate to see if it is feasible to drain the north-east medium density precinct to the drainage basin at the junction of Byron and Bringelly Road so as to avoid the need for a bio-swale. Noted that other basins have been designed to overcompensate for areas that don't drain to a basin in terms of stormwater quantity. The potential to overcompensate with water quality controls within these basins should be investigated so as to avoid the need for a bio-swale. Whilst not supported by Council, if a bioswale is determined to be required, it will need to be incorporated within the Section 94 Plan.	Bioswales within the road verge have been removed from the DCP. The Water Cycle Management Strategy for the Precincts now includes biofilters/infiltration basins at locations nominated by Cardno to treat water quality for sub-catchments that do not drain directly to a combined detention/water quality treatment basin. The locations of these treatment facilities are shown on the Key Elements of the Water Cycle Management and Ecology Strategy figure in Schedule 1 of the DCP. Where possible, catchments drain to a combined detention/water quality basin. Some sub-catchments in the areas referred to in the Council submission are likely to require significant re-grading to enable land to drain to the detention basins. In these locations biofilters are proposed. Cardno has advised that it is not practical to over-compensate for water quality treatment in the combined water quality and detention basins, because the standards for pollutant removal are so high that there is no scope to exceed these standards to compensate for pollutants from other catchments.
B595134	Controls in Section 3.2.3 of the Development Control Plan should be amended as follows: 1. <u>Control 14</u> – Delete - <i>Where a corner lot</i>	1. This control has been amended as requested by Council. 2. This control has been amended as requested by Council.

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	<i>fronts a roundabout, the driveway shall be set back 10m from the splay</i> ; 2. <u>Control 15</u> – Delete RTA and insert Roads and Maritime Services (RMS); 3. <u>Control 16</u> – Include design speed for all roads; 4. <u>Figure 3.4 0</u> 'typical transit boulevard' - Austroads and specifications have no definition for this. Define functionality, design speed etc. equivalent to?	- Design speeds have not been specified for roads in the DCP. - RMS has prepared a discussion paper on the role and urban design character of a transit boulevard. The Transit Boulevard is defined in the Growth Centres Development Code. The cross section and function of transit boulevards within the Precincts is consistent with that definition.
B595134	Controls in Section 3.2.5 of the Development Control Plan should be amended as follows: 1. <u>Control 9</u> – Delete mention of 'T' heads; 2. <u>Control 12</u> – Delete 4.5 metres, insert 5.5 metres (this is consistent with Council's Engineering Design Specification); 3. <u>Figure 3.10</u> on the right hand side of the diagram show extra width and a table drain; 4. <u>Figures 3.11, 3.12 & 3.13</u> – Battleaxe lot diagrams – we would prefer the typical diagrams to indicate a splay at each end of the battle-axe handle and view as essential for Figure 3.13; 5. <u>Control 11</u> – delete natural and insert existing.	- Control 9 deleted – relevant part merged with Control 5, (as per Council's advice). - Based on further advice from both Camden and Liverpool Councils, the minimum width for half road construction has been amended to 5.5 metres. - The additional width and table drain have not been shown but this level of detail may be negotiated between Council and applicants if required as part of the subdivision application. The control has been amended to insert a requirement for temporary and permanent drainage works to be constructed as part of the half road construction. - Rather than include this in the diagram a control is included that refers to design in accordance with Council's engineering specs. - This control has been amended as requested by Council.
B595134	Controls in Section 3.2.6 of the Development Control Plan should be amended as follows: 1. It is a preference that a control be added which states that Council will not permit direct access to arterial, sub-arterial or transit boulevards. Council may review this in exceptional circumstances; 2. Insert the following control adapted from Schedule 2 – 'Where temporary access arrangements are proposed, applicants are to demonstrate how the development will enable transition to permanent access arrangements that comply with parking, loading and access and adopted road network requirements of this DCP'; 3. Note below Control 3 – delete RTA and insert Roads and Maritime Services (RMS).	- Control 1 of this clause already includes the requirements specified in the submission, so no further amendment has been made. - This amendment has been made to the DCP. - This amendment has been made to the DCP.
B595134	Controls in Section 3.2.7 of the Development Control Plan should be amended as follows: 1. Following on from Control 6, a further control should be added which states that an easement must be created to allow the servicing of dwellings with a zero lot line; 2. <u>Table 3-1</u> – The explanation of intended effect has different minimum lot sizes for semi-detached dwellings, attached dwellings and multi-dwelling housing from that included in the DCP.	- A note to this effect has been added to the DCP. - Minimums for semis and attached in the EIE are for 2-3 dwellings as per the definition of these land uses in the Dictionary. Minimums in the DCP are per dwelling. The minimum lot size for Multi-dwelling housing has been changed to 1000m² consistent with the DCP. Note also that based on ongoing discussion with Council the minimum lot size for residential flat buildings has been amended to 1000m² in the Precinct Plan to be consistent with other Growth Centre Precinct Plans such as Oran Park and Turner Road.
B595134	Controls in Section 3.2.8 of the Development Control Plan should be amended as follows: <u>Control 3</u> – dwellings should be restricted	It is not appropriate to restrict battle axe dwellings to a single storey. The impacts Council is concerned about are appropriately dealt with by

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	to single storey construction with habitable rooms and dormer windows permissible within the roof space.	development controls for setbacks, visual and acoustic privacy, overshadowing, etc. The appropriateness of two storey dwellings can be considered on a merit basis, as impacts will depend on factors such as lot size, landform and adjoining land uses.
B595134	Controls in Section 3.2.9 of the Development Control Plan should be amended as follows: <u>Figure 3.15</u> The dimensions provided in the drawings are inconsistent with Council's Engineering specifications. Site lines and turning required.	Figure 3-15 has been deleted and the controls in clause 3.2.9 have been amended to refer to Council's Engineering Specifications in relation to corner splay dimensions and driveway locations
B595134	Controls in Section 3.3 of the Development Control Plan should be amended as follows: <u>Control 1</u> – Delete 'and approved'.	This amendment has been made to the DCP.
B595134	Controls in Section 4.3.4 of the Development Control Plan should be amended as follows: 1. <u>Control 7</u> – further to comment under Section 2.3.9 – insert high volume traffic collector roads (in excess of 6,000 Annual Average Daily Traffic) to be consistent with Council Policy; 2. <u>Control 10</u> – insert at the end 'and Council's Environmental Noise Policy'.	These issues have been addressed elsewhere in the responses to Council's submission.
B595134	Controls in Section 4.4.4 of the Development Control Plan should be amended as follows: <u>Figure 4.9</u> – Battle axe setbacks – Related to comment on Section 3.2.8 suggesting that dwelling houses be limited to single storey construction and permitting rooms within the roof space. If this is not accepted, this figure will need to establish setbacks for two-storey dwellings (or parts) on battle axe allotments.	An additional control has been inserted in clause 4.4.4 specifying that where the battleaxe lot adjoins land zoned for a public purpose the front setback is to apply to the boundary adjoining the public purpose zone, and side and rear setbacks are to apply to boundaries relative to the front setback boundary. The setback controls in clauses 4.4.3 and 4.4.4 apply to dwellings on battleaxe blocks and Council and DP&I have agreed that these are appropriate for single and two storey buildings.
B595134	Controls in Section 4.4.6 of the Development Control Plan should be amended as follows: <u>Controls 4/5</u> - delete these controls, as it has been attempted before and proven to be unsuccessful. It causes angst and problems with compliance for Council. The extent of the Landscaped area is already shown on the Landscape Plan and Building Construction Plan submitted at DA stage.	Control 4 has been deleted and control 5 (now control 4) has been amended to clarify requirements for landscaping details to be submitted with development applications.
B595134	Controls in Section 4.4.8 of the Development Control Plan should be amended as follows: <u>Control 6</u> – Shouldn't be specified (inconsistent with Australian Standards).	This control has been deleted.
B595134	Controls in Section 5.2.5 of the Development Control Plan should be amended as follows: <u>(a)</u> low speed environment to be defined; <u>(c)</u> define that this is road reserve width.	There is no need to define a 'low speed traffic environment' as this is a principle not a control that requires a numerical assessment of consistency. Principle 'c' in clause 5.2.5 has been amended to be more performance based rather than specifying widths for the road reserve. Note that Figure 5-3 shows the typical cross section for a town centre main street, consistent with Principle 'c'.
B595134	Controls in Section 5.3.1 of the Development Control Plan should be amended as follows: 1. The number alignment here seems off. It	1. The numbering in clause 5.3.1 is as intended. No change has been made.

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	continues through a number of sections; 2. <u>Control 33</u> – States Council is to prepare a public domain landscape and urban design plan. Should this be the Department funding and preparing this?	2. The Department has prepared a Public Domain Strategy for Leppington Major Centre and the key outcomes are now included in Schedule 2 of the DCP. The wording of this control has been amended to refer to any applicable public domain strategy, as this is a general control that applies to all centres that the DCP applies to.
B595134	Controls in Section 5.3.4 of the Development Control Plan should be amended as follows: <u>Control 2</u> makes reference to advertising signs being prohibited. Under the SEPP (Advertising and Signage) advertising signs are permitted. Is there a particular reason we are prohibiting them here? Further to the above point, some signage controls that are contained within our DCP have not been incorporated into the signage section here? Not sure if this is on purpose or perhaps been left out in error.	Following advice from Council, Control 1 has been deleted, as Council can rely on SEPP (Exempt and Complying Development) and SEPP 64. Control 2 has also been deleted to avoid inconsistency with SEPP 64.
B595134	Controls in Section 5.3.8 of the Development Control Plan should be amended as follows: <u>Traffic circulation, parking and access</u> – issue here relates to Control 3 which states that any DA for major retail should discuss arrangement with Railcorp. It is our preference that this consultation be undertaken prior to lodging a DA in order to reduce the necessity to alter the proposal during the assessment stage	This control has been amended to be clear that any consultation with Railcorp should occur prior to lodgement of a DA.
B595134	Controls in Section 6.2.1 of the Development Control Plan should be amended as follows: 1. <u>Control 3</u> – insert ‘and to reduce impact to on-street parking’; 2. <u>Control 6</u> – ‘Demonstrate the relationship between existing and finished levels’. Not required; 3. <u>Control 7</u> – Design of ‘adjoining developments’ - it is not clear how we will make sure adjoining developments will work.	1. This control has been amended consistent with the Council submission. 2. Council and DP&I have since agreed that this control should remain in the DCP, so it has been retained. 3. Control 7 has been retained with the agreement of Council. A new control has been inserted into clause 6.5 in relation to earthworks and drainage for industrial areas.
B595134	Controls in Section 6.2.2 of the Development Control Plan should be amended as follows: Add a control which states ‘Council will require that all car parking spaces must be identified as common property’.	This control has been amended to require that visitor parking spaces be identified as common property. Council and DP&I have agreed that it is not appropriate or practical for all car parking to be common property.
B595134	Controls in Section 6.2.3 of the Development Control Plan should be amended as follows: 1. <u>Control 1</u> should be rephrased to strengthen its function i.e. Battle-axe lots will not be approved on lands zoned B5 and B7; 2. Insert control – ‘Provision of all-weather access in handle to building envelope must be provided’; 3. <u>Figure 6.1</u> Battle axe lot size diagram should show a splay when it meets the road reserve.	1. This control has been amended as requested by Council. 2. Control 5 covers this issue. 3. The requirement for a splay is covered by Control 8. This level of detail is not required on the diagram.
B595134	Controls in Section 6.3.1 of the Development Control Plan should be amended as follows: 1. <u>Control 2</u> - delete ‘to avoid small area of turf or planting beds’ – don’t think this detail is required; 2. After	1. This control has been amended as requested by Council. 2. This control has been amended as requested by Council.

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	subdivision stage insert 'in conjunction with the development' to make it clear that it is the applicant's responsibility to fund this.	
B595134	Controls in Section 6.3.3 of the Development Control Plan should be amended as follows: <u>Landscaping of car parking areas</u> – Note separate comment provided on Appendix D Preferring Plant list.	Council's preferred tree list has been inserted into Appendix D.
B595134	Controls in Section 6.3.4 of the Development Control Plan should be amended as follows: <u>Communal areas</u> - It is our preference that this section is removed on the basis that it will be too difficult to implement. If it is to remain, we may need to format the controls.	The Department's preference is that the requirement for a communal area be retained for light industrial development. This is because light industrial areas typically have limited access to public open space or other facilities that would provide for worker lunch breaks.
B595134	Controls in Section 6.4.3 of the Development Control Plan should be amended as follows: 1. <u>Control 5</u> should refer to fluorescent colours being prohibited. Bright colours are acceptable in most areas and we can assess these on a case by case basis; 2. <u>Control 9</u> – Our preference here is to state that material sample boards may be required with certain DA's at the discretion of Council. We normally don't use these and they are a waste of effort on the developer's behalf.	1. This control has been amended as requested by Council. 2. This control has been amended as requested by Council.
B595134	Controls in Section 6.4.6 of the Development Control Plan should be amended as follows: <u>Control 1</u> makes reference to dense screen planting – This contradicts the CEPTED controls and should be reworded to state something like 'development should incorporate suitable landscaping which would soften and screen any proposed development'.	This control has been amended as requested by Council.
B595134	Controls in Section 6.5 of the Development Control Plan should be amended as follows: <u>Control 1</u> – Appendix F to assist with preparing the Site Water Management Plan is to be provided. Is Appendix F informed by the post exhibition WSUD strategy work?	Control 1 has been deleted as more detailed controls are now included in the DCP relating to requirements for on site detention of stormwater in industrial areas.
B595134	Controls in Section 6.6.1 of the Development Control Plan should be amended as follows: <u>Control 2</u> – Remove the necessity for wrought iron as this is too specific.	This control has been amended as requested by Council. The reference to specific colours has also been removed.
B595134	Controls in Section 6.7.2 of the Development Control Plan should be amended as follows: 1. <u>Table 6.3</u> – The controls listed here should be consistent with the current draft DCP for car parking. In addition, should the categories listed in this table be broken down further? 2. One of the controls listed under Industrial areas seems to be incorrect. Both controls read a gross floor area of less than 300sq m. Medium rigid vehicles should require a GFA greater than 300 sq m; 3. <u>Control 5</u> should state 'sufficient space must be provided'....rather than should be provided; 4. <u>Control 4</u> – Delete 'large' and insert 'heavy'.	1. Car parking rates have been included in the DCP consistent with rates adopted by Council. 2. The second dot point in control 2 has been amended to read 'more than'. 3. This control has been amended as requested by Council. 4. This control has been amended as requested by Council.
B595134	Schedule 1 of the Development Control Plan should be amended as follows: 1. <u>Figure 2-12: Precinct road hierarchy</u> – Light industrial	1. The street referred to is now shown as an Industrial Street with a 20m wide cross section. Signals are shown on Byron Road to provide a pedestrian

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	collector road – west of Eastwood Road. Figure indicates as a collector road. AECOM figure does not. Insert signalised intersection on Byron Road providing access between the sports ground and the commercial area; 2. <u>Figure 2-13</u>: Pedestrian and cycle network – adjust major pedestrian cycle route (off road) to the eastern side of Scalabrini Creek where it traverses the District Park so as to make the route alignment clear; 3. <u>Figure 2-2</u>: Key elements of the water cycle management and ecology strategy to be shown; 4. <u>Figure 2 – 3</u> Flood Prone Land. This figure indicates the 1% AEP flood extent and the legend indicates it as 'Flood Prone Land (1:100 yr)'. The Flood Prone Land is defined in the Floodplain Development Manual 2005 (FDM) as all land affected by flooding in all flood events up to and including a Probable Maximum Flood (PMF). Indication of flood extents up to PMF in figure 2 – 3 avoids the confusion of Flood Prone Land being considered as only 1% AEP flood extent as well as a requirement of FDM (section 16.2.3). Please note that Council has adopted the revised flood study for Upper South Creek Catchment and flood mapping is available for flood events up to PMF; 5. <u>Control 7</u> – delete the repeated word.	crossing to the Byron Road park and further east to the intersection of Camden Valley Way and Cowpasture Road. 2. This figure has been amended as requested by Council. 3. Figure has been updated. 4. Figure 2-3 has been amended to refer to the 1% AEP flood level rather than Flood prone land. The legend in this figure has been changed to refer to the 1% AEP flood extent rather than flood prone land. Controls in the main body of the DCP have also been amended to refer to land within the 1% AEP flood extent. 5. This control has been amended as requested by Council.
B595134	Schedule 2 of the Development Control Plan should be amended as follows: 1. <u>Figure 1-1: Land Application Map</u> – suggest the map include the Camden land east of Bonds Creek. The development pattern in this area is related to the nearby centre within general walking distance and would result in all Camden land being included in the Major Centre. Related to this, suggest that Figure 3-1 Location of Centres should be consistent with Figure 1-1; 2. <u>Figure 1-1: Land Application Map</u> – Delete Leppington Town Centre label and insert Leppington Major Centre; 3. Section 4 Control 3 – The wording implies that Council may be responsible for the planting of street trees. Parts 3 and 6 of the DCP stipulate that street trees must be provided (as a development cost); 4. <u>Previous comment</u> provided on the Leppington Town Centre Masterplan document dated 25 August 2011. DP&I indicated that these comments were to be considered as part of post-exhibition work; 5. <u>Figure 1-1 Land Application Map</u> - Boundary excludes Camden land east of Bond's Creek. As this land is considered to within general walking distance of the station/retail area, and is part of Camden LGA, consider that it should be included as part of the Major Centre land; 7. <u>Section 3.2 Note to clause</u> – delete 'Where from Where streets	1. The Land Application Map in Schedule 2 has been amended to include land in Camden east of Bonds Creek. Figure 3-1 in Schedule 1 has not been amended as suggested because this figure is intended to show the locations of commercial zoned land. The legend in Figure 3-1 has been amended to include a reference to controls for the Leppington Major Centre in Schedule 2 of the DCP. 2. This change has been made. 3. Street trees are to be provided by developers as part of the construction of public roads that are then dedicated to Council. 4. Noted, included as separate issues below. 5. This is a repeat of comment 1 and has been addressed above. 6. This change has been made. 7. This change has been made. 8. To be addressed by Public Domain and WSUD Strategies. 9. This change has been made.

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	shown on ...'; 8. <u>Section 4.2 Figure 4-3 Design of landscaping bays</u> - Update figure to comply with DCP controls. There is no street that is proposed to be 23m in width. Footpath is indicated at 4m whereas DCP controls require 4.5m; 9. <u>Section 4.4 Control 4</u> – 'WSUD measures should be ...' delete 'should' and insert 'may'. 'Measures such as bioswales and raingardens should preferably ...' delete 'should preferably' and insert 'may'; 10. <u>Section 5.7 Control 8</u> – delete 'the' and insert 'they' in the second last line.	
B595134	The Glossary of the Development Control Plan should be amended as follows: 'Principal dwelling' floor area.	Amendment made as per Council request.
B595134	Waterfront Landscaping of the Development Control Plan should be amended as follows: Please delete all the Prescribed Plant Lists in Appendix D Tables 1 & 2. Then substitute the preferred plant lists for Leppington that is attached which is a significant improvement on the draft list. There are some trees listed in the draft that we don't allow in the Camden LGA. The draft DCP lists, as they stand at the moment, are not supported.	Amendment made as per Council request. Change also reflected in Liverpool DCP.
B595134	Council does not support the 'Salinity Management Strategy Appendix C' as this was based on minimal sampling across the precinct. The Strategy and DCP also contradict each other in that the strategy states numerous times, based on the consultants recommendations, that further salinity assessment is required for much of the precinct. This was not reflected within the DCP.	See previous comments. This appendix has been modified to specify construction standards based on a default position that there is a high salinity risk, unless the developer does more detailed investigations to demonstrate that alternative construction standards etc are acceptable.
B595134	Appendix C of the Development Control Plan should be amended as follows: <u>Section 3.7</u> Delete 'Alex Avenue' and related requirements and insert 'Austral Leppington North' and related requirements.	This change has been made.
B595134	The Explanation of Intended Effects and final SEPP amendment should be amended as follows: 1. <u>Introduction</u> Point 1 second last paragraph – delete 'assessment' and insert 'assesses'; 2. <u>Section 1.1 Objectives</u> second dot point - Delete 'linked' and insert 'links'; 3. <u>Section 2.7 Land Use tables RU6 zone</u> - Given the precinct land is comprehensively flood affected, are dwellings and dual occupancy listed as permissible with consent to avoid existing use rights? 4. <u>Section 2.7 Land Use tables IN2 zone</u> – make heavy industry prohibited; 5. <u>Section 4.1.2</u> - The explanation of intended effect has different minimum lot sizes for semi-detached dwellings, attached dwellings and multi-dwelling housing from that included in the DCP - Table 3-1; 6. <u>Section 5.1 Land Acquisition</u> - Council does not support being nominated as the land acquisition authority at this	1. This change has been made 2. This change has been made 3. See earlier comments. 4. This change has been made 5. See previous comments 6. Noted 7. All Category 1 and Category 2 creeks to be included in riparian protection area. Category 3 streams are not included as in most cases the locations of these have been highly modified by past development and activities. The majority of these (where retained as open channels) will require significant engineering and rehabilitation works. The design of the engineered channel complies with the requirements of the Office of Water in terms of replicating natural

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	time; 7. <u>Riparian Protection Map</u> - Why is Scalabrini Creek not included in the riparian protection area map? 8. <u>Heritage Map</u> - The Leppington School curtilage is consistently shown on Precinct Planning Report Fig 6-14 and DCP Fig 2-6. But inconsistently shown in the Exhibition Heritage Map. The curtilage on all maps must be consistent with the Option 2 'reduced curtilage' in 'Memo – Leppington Public School' by Australian Museum Business Services dated 4 April 2011; 9. <u>Zoning Map</u> – Change to B7 zone where it overlays Environmental Protection Overlay and part flood affectation (Part properties Lots 8-11 DP 1127208). DCP control 9 under Section 2.3.5 is restrictive in saying that all existing native vegetation is to be retained and rehabilitated, except where clearing is required for essential infrastructure. DCP control and environmental constraints to the land clashes with the proposed zoning; 10. <u>Height of Buildings Map</u> - Refer to separate comments to do with maximum height of buildings under the Precinct Planning Report. A maximum HOB may also be required for land adjoining Leppington School site to enforce the heritage recommendations; 11. <u>Land Reservation Acquisition Map</u> - amend map to reflect roads to be inserted as per discussions on the Draft Section 94 Plan.	channel and floodplain conditions. 8. The heritage map in the Growth Centres SEPP has been amended to show the curtilage as recommended by AMBS. 9. The zoning of this land has been amended to Environmental Conservation to reflect the need to protect native vegetation on the land. This land is government owned. 10. The height controls in the DCP have been amended to be consistent with the recommendations of the heritage assessment report. 11. The land reservation acquisition map shows land required for roads to match those roads identified in the relevant Contributions Plans.
B595134	Section 4 of the Water Sensitive Urban Design Strategy and Development Control Plan should include a map showing extent of catchments not draining to a basin.	This has been done by Cardno and locations of bioretention facilities have been nominated and are included in the DCP.
B595134	Section 4.3.2 of the Water Sensitive Urban Design Strategy should be amended as follows: 4th paragraph second line insert the word 'install'.	Amendment made as per Council request.
B595134	Section 2.1 of the Riparian Corridor and Flooding Assessment and Bushfire Assessment should be reviewed to achieve consistency with the Bushfire Assessment, Precinct Planning Report and the DCP (Point 3 discusses CRZ and that they cannot form part of the APZ. This is inconsistent with the Bushfire Assessment, Precinct Planning Report and the DCP).	The DCP states that the riparian zone can not form part of the Asset Protection Zone.
B595134	Section 4.6 of the Riparian Corridor and Flooding Assessment should review the flood planning levels and associated evacuation strategy.	Flood planning levels and evacuation routes are further considered in the post exhibition assessment undertaken by Cardno.
B595134	The Development Control Plan should clearly identify the requirements and processes required for Biodiversity Offsets as Council will be responsible for ensuring the conservation and restoration of remnant vegetation in riparian corridors. There are some pockets of vegetation remnants (including medium to high quality) in certified areas that will be lost as a result of development and will need to be offset, principally within the South-West Growth Centre. Within the Leppington Town Centre some of these pockets	Offsetting is not required where impacts are on vegetation in certified areas, as the certification includes an offsetting strategy.

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	of remnant vegetation that will be lost are in drainage areas or along Bringelly Road. It is important that the requirement and process for offsetting is identified and implemented at the Development Application or Part V Application stage.	
B595134	The Indicative Layout Plan should be amended to provide road access to detention basins within the Mixed Use and Medium Density land along Scalabrini Creek.	All detention basins have potential road access through an existing or proposed road shown on the ILP.
B595134	Developer delivered bioswale approach to address land not draining to a detention basin is to be amended to address previous concerns raised by Council.	Bioretention facilities are included in the Precinct Plan to treat water quality in those catchments that do not drain to a detention basin.
B595134	Road widths shown on the Indicative Layout Plan are to be reviewed to ensure consistency with the Development Control Plan.	The final ILP adopts road widths as per the cross sections in the DCP.
B595134	Part properties Lots 8-11 DP 1127208 may not be able to be easily developed due to Environmental Protection Overlay and flood affectation. DCP control 9 under Section 2.3.5 is restrictive in saying that all existing native vegetation is to be retained and rehabilitated, except where clearing is required for essential infrastructure. DCP control and environmental constraints affecting the land clashes with the proposed zoning and an alternative zone should be considered for these properties.	See previous comments.
B595134	Section 4.6 of the Leppington Town Centre Masterplan Report should be amended to reflect 850 car parking spaces for the commuter car parks as part of the South West Rail Link Leppington Station design.	Noted.
B595134	Section 4.6 and 4.11 of the Leppington Town Centre Masterplan Report should identify the linear recreation pathway on the edge of Scalabrini Creek.	This has been included.
B595134	Section 4.7 of the Leppington Town Centre Masterplan Report should provide further justification for 3 pedestrian crossings of Scalabrini Creek. Spacing of 180 metres and provision of 3 crossings is considered to be excessive. Also need to consider Section 94 funding constraints. Perhaps the alternative crossing could be formed as low-level crossings?	Further consultation with Council has resulted in pedestrian crossings of Scalabrini Creek being agreed to in the locations shown in the DCP.
B595134	Section 4.7 of the Leppington Town Centre Masterplan Report should be amended to reflect 850 car parking spaces for the commuter car parks as part of the South West Rail Link Leppington Station design.	Noted.
B595134	The pedestrian crossing over the South West Rail Line between Byron Road and Rickard Road is questioned. Council does not believe the AECOM assessment has justified this requirement. Who will be the responsible funding/construction authority for this crossing?	This crossing is not confirmed as being required but the Precinct Plan shows a preferred location for a pedestrian crossing, if such a link is to be delivered in the future.

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B595134	Section 4.8 of the Leppington Town Centre Masterplan Report indicates a 6m residential/business park setback. The DCP and the 5.3 Building setback figure applies a 4.5m setback for the residential development and zero setback for the Business park. Confirmation of appropriate setback controls is required.	Setbacks are specified in the relevant DCP controls and internal inconsistencies between written requirements and diagrams have been resolved.
B595134	The Retail Core plaza shown in Section 4.11 of the Leppington Town Centre Masterplan Report is dominated/separated by the road intersection.	The locations of plazas have been reviewed and amended as part of the final ILP and the preparation of a Public Domain Strategy for Leppington Major Centre. The locations of plazas have been agreed through consultation with Council.
B595134	The Interpretive Markers for the former Eastwood Road alignment shown in Section 4.11 of the Leppington Town Centre Masterplan Report are unlikely to be achieved with building setbacks. Suggested DCP provision has been framed to address this.	This is a matter of detail that can be addressed at a later stage of development of the Precincts.
B595134	Section 5.2 of the Leppington Town Centre Masterplan Report needs to be amended to reflect building height recommendations for a heritage curtilage around Leppington Public School.	The height controls proposed around the school site have been amended to reflect the recommendations of the heritage assessment report.
B595134	Bioswales in the central median shown in Section 5.3 of the Leppington Town Centre Masterplan Report is not supported from an ongoing maintenance perspective. Bioswales should be located within road verges (consistent with other Development Control Plan provisions).	Central median bioswales are not proposed in the Precinct Plan.
B595134	Justification for the 10 metre setback to Bringelly Road shown in Section 5.3 of the Leppington Town Centre Masterplan Report is required. Council is not convinced of the need for a setback this great given ultimate carriageway width of Bringelly Road.	The setback requirements from Bringelly Road have been reduced to ensure that appropriate space is provided for landscaping including large tree planting along Bringelly Road, and to ensure an appropriate interface between development and the road corridor. The arrangement of landscaping, shared paths and building setbacks has been determined through consultation with Council and Roads and Maritime Services.
B595134	Justification for the 25 metre setback to the South West Rail Line shown in Section 5.3 of the Leppington Town Centre Masterplan Report is required. Council is not convinced of the need for a setback this great.	The setbacks along the rail line have been reduced based on the function of the setback zone (ie. provision of a pedestrian cycle link, or to achieve appropriate landscaping and urban design outcomes along the rail corridor.
B595134	The 25 metre setback to Bonds Creek in the Medium Density land shown in Section 5.3 of the Leppington Town Centre Masterplan Report is an Asset Protection Zone requirement, this should be identified differently to other landscaped setbacks.	This is now a road in the final Precinct Plan.
B595134	The 10 metre setback to Bonds Creek in the Light Industrial land shown in Section 5.3 of the Leppington Town Centre Masterplan Report is not consistent with the minimum setback requirements in the Development Control Plan for light industrial land uses (7.5m).	The DCP makes specific mention of a 7.5m setback being applicable unless specified in the Schedule.

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B595134	Section 5.2 of the Leppington Town Centre Masterplan Report highlights the landscaped embankment setback for the Dickson road and Eastwood Road Bridges. Is the landscaped embankment an acquisition obligation or is it intended to be, as Conybeare Morrison seems to suggest, a private landscaped setback area?	The footprints of the Dickson and Eastwood Road corridors reflect the full extent of acquisition by Transport for NSW for the road approach embankments.
B595134	Confirmation is required that Basin 4 (on Dickson Road) has been sized appropriately in regard to the location of crossing embankment requirements.	This issue has been addressed in the final Water Cycle Management Strategy prepared by Cardno.
B595134	Should the Staging Plan in Section 6.2 of the Leppington Town Centre Masterplan Report nominate the land owned by State Government which is surplus to the future operation of the South West Rail Link as being short term development?	Early development of surplus Government owned land will only occur if there is a market for development of that land. The staging plan is based on consideration of market demand, proximity to transport and other services and the availability of essential infrastructure.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Agency Requirements and Submissions

Liverpool Council

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	Commitment to acquisition should be made to public school sites and should be shown on the Land Reservation Acquisition Map.	The Land Reservation Acquisition Map and clause 5.1 of the Precinct Plans shows the Department of Education and Communities as the relevant acquisition authority for new public school sites.
	An acquisition authority (RMS) for Edmondson Avenue and Fifteenth Avenue needs to be confirmed in the SEPP amendment.	Transport for NSW has responsibility for land acquisitions for Fifteenth Avenue and Edmondson Avenue.
	Development within the South West Growth Centres will have an impact on traffic conditions within the Liverpool City centre and environs. The State Government may need to provide funding for transport solutions to remedy this.	No additional funding will be provided by the Department, although other State Government funding sources may be available that Council could explore. LCC can utilise existing funding provided for this work if deemed necessary separately to Precinct Planning for Austral and Leppington North.
	Prior to the rezoning of the Precincts, State Government needs to resolve funding shortfalls and appropriate rules governing the provision/levying of Section 94 contributions for necessary infrastructure. In addition, a Section 94 Plan for the Precincts needs to be prepared prior to the rezoning.	Council has prepared and exhibited a draft Contributions Plan which indicates the contribution rates for residential development will exceed \$30,000 per lot. This means that there will be a funding shortfall based on the amount of money that can be collected through developer contributions. The NSW Government is currently reviewing the contributions cap and other related issues. Planning for local infrastructure should continue to be based on the infrastructure demands that will be generated by the proposed development. DP&I has worked with Council since exhibition to reduce the costs of local infrastructure (while ensuring infrastructure is sufficient to meet demand) by improving the efficiency of allocation of land for local infrastructure and investigating ways to reduce the costs of construction. The dwelling yield and population that would result from the Precinct Plan have increased, and the amount of land required for local infrastructure has decreased. These changes to the Precinct Plan are anticipated to reduce the costs of local infrastructure, thereby reducing the funding shortfall that will result from the contributions cap. DP&I will continue to work with Council to identify appropriate funding sources for infrastructure costs that exceed revenue from the developer contributions.
	The ILP proposes basins and playing fields in a number of locations near the creek system and will be still subject to the Threatened Species Conservation Act and may restrict ability to deliver infrastructure. Confirmation is required from State Government as to how these facilities can be delivered.	Council's ability to deliver infrastructure in these areas is not restricted any further than current practice. The Threatened Species Conservation Act applies in the same way as other release areas (that don't benefit from the Biodiversity Certification) for non-certified land. Basins and playing fields have been located to avoid areas of protected ENV as much as possible. Where a basin or playing field does impact on ENV, the ILP already accounts for this impact and establishes offsets elsewhere in the

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		Precincts so there will not be a need for Council to offset again when works are done. Any impacts on ENV beyond those accounted for in the Precinct Plan would need to meet the requirements of the Biodiversity Certification. Works within existing channels are limited to rehabilitation and stabilisation of existing watercourses and should therefore not have significant impacts on Certified land under the Biodiversity Conservation Order.
	The SEPP amendment should prohibit Veterinary hospitals in residential zones.	Veterinary hospitals are prohibited in the residential zones.
	Child care centres, educational establishments, places of public worship and intensive plant agriculture should be permitted within the E4 Environmental Living zone. This will potentially free up prime residential land, make development of the E4 zone more viable/flexible and allow for retention of some food production within the Precincts.	Child care centres, Extensive agriculture, Horticulture, Places of Public Worship and Educational Establishments are now permissible in the E4 Environmental Living zone. Controls for flood prone land may restrict these uses in some areas zoned E4. Intensive Agriculture falls under the <i>Agriculture</i> definition within the Growth Centres SEPP and would permit a number of uses that are likely to impact on the amenity of adjoining residential areas. Horticulture and extensive agriculture will permit a reasonable range of agricultural activities that are less likely to impact on residential amenity. It is therefore not considered necessary or appropriate to permit intensive agriculture in the E4 zone.
	Without detailed planning and design, the number of four way local road intersections poses a significant safety issue. The number of four way intersections should be reduced. Where required, traffic calming measures are to be implemented.	In consultation with Council, the local road layout has been revised to reduce the number of four way intersections and to create a more fine-grained hierarchy of local streets connecting to the existing east-west oriented streets. Council has advised that likely traffic volumes on the majority of these streets are not sufficient to warrant intersection controls at four way intersections beyond stop/give way signs. The DCP includes a provision stating that additional traffic calming measures may be required at intersections should more detailed traffic analysis indicate potential safety issues.
	Local roads should be aligned through the centre of blocks rather than shared on property boundaries. This will reduce construction costs, reduce the need for approval from adjoining landowners, assist in drainage design and limit impact on street trees. Roads aligned on property boundaries would potentially service some new dwellings for up to 20 years, encourage parking on the footway (as 4.5m road pavement is not considered to be wide enough) and would raise safety issues at intersections.	Further discussion with Council has resulted in subdivisional roads generally being relocated to the centre of existing lots, to the maximum extent possible. This change is based on Council's experience in other release areas like Middleton Grange that have a similar rural subdivision pattern. Locating roads on the centre of lots enables individual properties to develop independently and minimises the need for temporary access arrangements. In situations where half road construction is required, the minimum width of road carriageway required to be constructed has been amended to 5.5 metres in line with engineering standards of both Camden and Liverpool Councils.
	Due to flooding constraints and application of Environmental Living zone, some sites may be undevelopable. Alternative road layouts should be prepared.	The layout of roads in the Environmental living zone and adjoining residential areas has been revised based on refined flood modelling and the results of floodplain filling assessment. The road layout in the final ILP also considers

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		existing property boundaries and maximises the development potential of the land, taking into consideration flooding constraints.
	Retail centres should be redesigned to allow for better development viability (size and shape), better ability to develop an attractive public street frontage and allow shops to be located between anchor stores and car parking.	The layout of each of the centres has been reviewed and in some cases the footprint of the centres has been amended to ensure retail development and other related land uses can occur in an efficient and viable configuration within the land zoned for Business purposes. Details of the proposed changes are included in the Post-Exhibition Planning Report.
	Dwelling densities should be increased along Edmondson Avenue transit boulevard.	Residential densities have been increased to 20 dwellings/ha for properties near Edmondson Avenue corridor and in some areas south of 6 th Avenue. The Low Density Residential zoning has been retained as the zone objectives are more consistent with the desired future character of these residential areas than the R3 zone.
	Clarification is required as to how development will take place along Edmondson Avenue given access denial.	Development fronting Edmondson Avenue and other access denied roads will typically be rear loaded product or via an access road parallel to access denied roads. The revised road layout in the final ILP shows local roads parallel to Edmondson Avenue in most locations, where property access is not possible from another street. Temporary access arrangements from Edmondson Avenue may still be possible in the early stages of development, prior to full development of the subdivisional roads that would provide alternative access. The DCP contains controls relating to temporary access from Edmondson Avenue.
	Part of the Browns Road northern collector road extension is located within the Upper Water Canal/Western Sydney Parklands land. It should be relocated out of this land.	The location of this road has been amended to be entirely within the Precinct boundaries.
	Development within the Rural Transition and Environmental Living zones will be less than standard residential development. As such, road widths in these areas should be reduced (pavement to 6.5m).	A control has been included in the DCP permitting a reduced carriageway width in these situations.
	School sites should only have road access to two streets to reduce costs within Section 94 Plan and reduce extent of road to be maintained by Council.	This requirement has been implemented where possible in the final ILP. However this change does not reduce the amount of road to be maintained by Council, it just means the road is in a different location.
	The DCP should include a requirement for 'Restrictions as to User' to be created for future development immediately adjacent to the Jemena gas pipeline to ensure no safety issues are created.	Easements already exist that would transfer through future subdivisions. Jemena will have a continued role in educating and communicating with future landowners affected by the existing easement. The DCP includes provisions requiring development applications to be referred to Jemena.
	The community facility near the existing Austral Village is too remote to the retail centre and should be relocated.	The location of this community centre has been integrated with land zoned as Neighbourhood Centre in the Austral village, to encourage a better relationship with retail and commercial land uses and to allow for a range of options to be

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		explored by Council in the delivery of this facility, including partnerships with the private sector.
	Liverpool DCP 2008 includes detailed flooding controls and is more comprehensive than the draft Growth Centres DCP. The Growth Centres DCP should be amended to include these provisions.	The Department has reviewed the controls contained in Council's DCP and has incorporated additional controls where necessary to control development on flood prone land. The zoning controls deal with the majority of sensitive land uses that might be proposed in the floodplain rather than needing to rely on a case by case assessment of whether a type of development (that is permitted in a zone affected by flooding) is appropriate or not. Therefore most of the detail in the Council controls was not considered necessary for this release area.
	Controls should be included in the DCP limiting child care centres to land with collector road frontage.	A DCP control is included that states that the preferred location for child care centres is on collector roads, however it is not appropriate for the DCP to prevent child care centres in other locations. The merits of each DA, including traffic and amenity impacts, would need to be considered by Council.
	The controls in Liverpool DCP 2008 for health consulting rooms, home businesses and home industries should be incorporated into the Growth Centres DCP	The controls for these land uses in Council's LEP have been reviewed and minor amendments have been made to the controls in the Growth Centres DCPs to ensure consistency (where relevant) with Council's controls. However, the majority of matters covered by Council's controls are already covered by the controls that were in the exhibited draft DCP, or are matters that are controlled through the Growth Centres SEPP.
	The proposed cycleway network should be amended to improve linkages from the east of the precinct to the Western Sydney Parklands, Middleton Grange and Edmondson Park.	Amendments to the pedestrian and cycle routes figure in the DCP have been made to strengthen the need to provide these links to the Western Sydney Parklands at key locations.
	On-road cycleways on major roads should be separated from traffic lanes.	The typical cross section for transit boulevards (Fifteenth Avenue and Edmondson Avenue) includes a two metre wide cycle lane within the road shoulder. It is not considered necessary to separate the cycle lane from the traffic lanes with a physical barrier. The cross sections for sub-arterial roads and collector streets include off-road shared paths on both sides of the road.
	Fourth Avenue should allow for pedestrian refuge and turning bays without increasing need for additional road widening.	Provision has been included in the cost estimates in the Liverpool Austral and Leppington North Contributions Plan for pedestrian crossing facilities at several locations along Fourth Avenue.
	As some of the drainage channels will be delivered by developers (as WIK against the S94 Plan), the DCP should include a generalised design to guide this.	Council has indicated that it prepares design drawings for drainage channels that can be provided to developers to ensure that Works in Kind are constructed to match the overall design of the drainage infrastructure. The Section 94 Plan includes costs for detailed design of drainage infrastructure,

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		so Council is able to prepare these designs and provide them to developers as needed. Inclusion of a generic cross section in the DCP is not likely to assist developers to deliver this infrastructure. The Cardno Water Sensitive Urban Design report includes indicative cross sections for each channel type which can be used as a general reference if necessary.
	At the detailed subdivision design stage, there may be an opportunity to delete/reduce the extent of drainage channels. The DCP should include an explanation of the 'flexibility of zone boundaries' clause and how this works.	The width and length of drainage channels has been reviewed and in some cases reduced. Cardno's post exhibition report flooding and water cycle management report provides details of the revised drainage channel requirements and these have been incorporated into the ILP. Including interpretation of a SEPP control in the DCP is not considered appropriate as this may be subject to legal challenge. The control in the SEPP is relatively clear and easy to interpret and Council has the ability to negotiate changes to permissible land uses should detailed design indicate that the extent of land zoned for drainage is not entirely required.
	Given the level of land fragmentation, commitment is required from the State Government regarding the provision and timing of water and sewer infrastructure.	A revised Infrastructure Delivery Plan has been prepared and is available to the public. The Infrastructure Delivery Plan sets out commitments to infrastructure provision, and the process of delivering key infrastructure in the Precincts, including the need for action and collaboration by land owners/developers and government agencies to ensure that infrastructure is provided to match demand. Since exhibition, Sydney Water has refined its strategy for delivery of water and sewer infrastructure for these Precincts. The revised Infrastructure Delivery Plan explains Sydney Water's strategy including proposed infrastructure at key stages of development and the anticipated timing for each stage.
	Drainage channel widths should be reduced from 30m to 10m with adjoining roads carrying a small amount of stormwater. This would reduce Councils land acquisition and construction obligations (overall S94 costs) and ongoing maintenance costs.	The width of some drainage channels has been reduced where they do not function as an environmental corridor, as set out in Cardno's post exhibition report flooding and water cycle management report. A 10 metre wide cross section has been applied to some channels. Cardno has also revised the approach to trunk drainage provision in upper reaches of catchments, increasing the size of pipe to 1050mm and this has resulted in an increase in the size of catchment that can be effectively drained without an open channel. The results of Cardno's revised work are incorporated in the final ILP.
	Some of the upper reaches of the proposed drainage channels can be piped due to the size of the catchment.	This issue has been addressed in the Cardno post exhibition work as per the response above.
	The north-west drainage channel to Kemps Creek should be realigned to reduce the extent of severance.	This drainage channel has been re-aligned to minimise severance and to ensure sufficient space for the two double playing fields that are now proposed on land to the south. The final ILP shows the new channel location.
	Part of drainage catchments within the Precincts will discharge into the creek without any water quality treatment. Additional rain gardens or GPTs should be provided in streets adjoining or nearby	The approach to water quality treatment for these catchments has been revised and the final ILP includes bioretention facilities at key locations to capture and treat stormwater runoff. Cardno's post exhibition report flooding

Submission ID	Issue	Response
	the creeks and be funded by Section 94 contributions, rather than the use of bioswales as proposed in the DCP. This will reduce ongoing maintenance liability to Council.	and water cycle management report details the required locations and sizes of these facilities.
	Drainage easements are likely to be required in mid-block low points as the subdivision and creation of a road draining to the creek may not be possible (as they are floodprone). Locations of where these easements are required should be shown in the DCP.	Where possible, the need for mid-block drainage easements has been avoided by the design of roads to drain to natural low points that can be connected to basins, or bioretention facilities. The exact location and design of these drainage facilities is to be determined at the time of subdivision. Easements, if required, will be registered on title when the subdivision plans are registered.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Biodiversity and Vegetation

Submission ID	Issue	Response
B576729	The property does not contain any significant vegetation or protected flora or fauna.	This submission relates to 270 Fourteenth Avenue (Lot 17 in DP 30409). Following exhibition, permission from the land owner was sought to enter the property to carry out more detailed investigations of the vegetation condition on the property. However, the owner did not provide written permission to enter, so no further site inspection was possible, except from the property boundary. Inspection of the property from the road indicates that native vegetation is present, particularly an emerging canopy of native tree species. The vegetation community is bisected by an electricity easement. On the basis of further remote visual inspection and review of aerial imagery, the boundaries of vegetation on this property have been adjusted to account for the electricity easement however the property is still shown as containing Existing Native Vegetation.
B576026, B562237	The 'Quality' classification of existing vegetation on site is questioned (ie. should be considered low quality not medium quality) given the level of disturbance. It is an isolated area of vegetation and has little to no recovery potential. The site should be investigated in greater detail to give a more accurate classification of vegetation.	This submission relates to the property at 1740 Camden Valley Way (Lot 7 in DP 205472). This property includes the construction site for the South West Rail Line. For this reason access to the property to confirm the condition of vegetation on the land was not possible. While the vegetation may be in poor condition, it is still assessed as meeting the criteria to be identified as Existing Native Vegetation under the Growth Centres Biodiversity Certification. The classification of the vegetation as ENV has been retained. The issues in relation to the quality of vegetation on Lots 993 and 1054 in DP 2475 (Sixth Avenue Austral) are addressed below (submission ID B575698).
B576026	The proposed ILP gives greater weight to preserving Existing Native Vegetation than achieving residential development outcomes by protecting an additional 12.4 ha of land than required by the Biodiversity Certification. A more balanced approach should be undertaken to weigh up residential development outcomes with preservation of existing vegetation.	The final Precinct Plan protects 116.62 hectares of ENV, 10 hectares more than the amount of non-certified ENV identified in the Precincts prior to completion of Precinct Planning. The certification requires that 2,000 hectares of ENV is protected across the Growth Centres. However, as shown by annual reporting prepared by the Department, the amount of ENV in non-certified areas is gradually reducing due to factors such as illegal clearing. This means that, where possible, Precinct Plans should protect more ENV than the amount that existed prior to Precinct Planning, to offset impacts from other sources. While more ENV is protected in the Precincts than is required, the ENV that is protected is mostly on land that has limited development potential due to other factors such as flooding, or has been combined with the provision of public open space or drainage land. Therefore, reducing the amount of ENV to be protected will not result in a significant increase in the dwelling yield. The approach taken to protect ENV is considered to be balanced.

Submission ID	Issue	Response
B556401	In support of ensuring a suitable biodiversity outcome for the site whilst still maintaining it in private ownership, the owners would like to pursue a Voluntary Conservation Agreement or Bio Bank Agreement with the Office of Environment and Heritage.	The owners can approach the Office of Environment and Heritage in relation to any Voluntary Conservation Agreement or Biobanking agreement. However, where ENV is non-certified, it is not able to be used to offset impacts on threatened species etc elsewhere, because it already contributes to offsets and conservation outcomes under the Growth Centres biodiversity certification.
B575698	Vegetation on site is degraded and does not represent an ecological community of any great significance. Further investigation should be carried out to assess any ecological value (if any). Land owner to provide site specific assessment of vegetation, expected in January 2012.	The property at 250 Sixth Avenue (Lot 1054 in DP 2475, and the adjoining Lot 995) was the subject of a site inspection by Cardno following exhibition. While Cardno concurs that the current quality of the vegetation, and its rehabilitation potential, are low, the vegetation community present (Cumberland Plain Woodland) is listed as critically endangered under the TSC Act and EPBC Act. Because it is critically endangered, when all criteria for assessing the conservation significance of the vegetation remnant are considered, the assessment concluded that this vegetation remnant retains a medium "total ecological value".
B560203	Due to the lack of East-West corridors within the Biodiversity Certification, it places greater importance on the north-south links to Kemps Creek Nature Reserve. To achieve this conservation zones should be broadened to create better conservation corridors through the Precincts.	The majority of higher quality and relatively continuous vegetation corridors in the Precincts are concentrated along existing watercourses. There are no existing continuous east-west vegetated corridors through the Precincts due to the extent of existing development and land clearing. The Indicative Layout Plan has been prepared to emphasize the open space network along the existing north-south vegetated corridors to ensure this vegetation is conserved. There are a number of potential vegetated links along creek lines that could create links between the east and west of the Precincts, particularly in the north of the Austral Precinct, and along the unnamed watercourse that extends diagonally across the Precincts north of Bonds Creek. In both these locations public ownership of the creek, or conservation in private ownership through a combination of Environmental Living (for land adjacent that does not contain ENV) and Environmental Conservation (for land that contains ENV) zoning, is proposed. In the majority of instances the corridors set aside and zoned as open space or drainage are significantly wider than the extents of existing vegetation because flooding extends over a large area.
B560203, B560193	Kemps Creek Nature Reserve is a known habitat of Squirrel Gliders. The Biodiversity Assessment and consequent decisions made during Precinct Planning needs to provide conservation zones for the retention of existing vegetation corridor margins to sustain a known colony of Squirrel Gliders.	Cardno has further considered the potential habitat values of the Precinct and surrounding areas (including Kemps Creek Nature Reserve) and is of the view that the area has limited potential as habitat for squirrel gliders. There is only one record of a squirrel glider in the Bionet Atlas of NSW Wildlife database for the study area (from 2007). The Precinct Plan protects existing vegetation around the margins of the Kemps Creek Nature Reserve where the vegetation is within flood prone land, land zoned for open space and drainage, and land zoned for Environmental Conservation. Green links are to be conserved and enhanced along creek corridors as part of the Precinct Plan. The approach to conserving remnant vegetation and providing continuous links through the Precincts, along creek corridors, will maximize opportunities for fauna habitat in the context of an urban environment.

Submission ID	Issue	Response
B560203	Suspected Lerps outbreak on Eucalyptus Moluccana trees is a current threat to vegetation. Urban development will place greater stress on the few remnant stands of native vegetation habitat.	Threats to native vegetation communities have been considered strategically across the Growth Centres as part of the Biodiversity Certification. Consistent with the Biodiversity Certification, the Indicative Layout Plan has been designed to concentrate areas of vegetation to be retained along existing watercourses where the most continuous links of vegetation occurs rather than focusing the majority of vegetation to be conserved as isolated stands of native vegetation. Protecting larger, contiguous vegetation remnants will assist in the long term conservation viability of remnant vegetation. Cardno has advised that they saw no evidence of lerps in the study area during field investigations, although reports of outbreaks in western Sydney indicate that it is possible that lerps is present in the area. Cardno also advises that urban development in itself is unlikely to increase the potential for lerps outbreaks. The presence of lerps is usually an indication that trees are already stressed from other environmental factors. The Precinct Plan aims to conserve and rehabilitate those vegetation remnants that have the greatest potential for long term conservation.
B560193	The Environmental Protection overlay applicable to the land zoned RU6 Rural Transition (between Eleventh Avenue and Gurner Road) is not considered to be suitable to ensure the conservation of the existing vegetation.	The Environment Protection Overlay on the ILP matches the extent of land shown as Existing Native Vegetation Areas or Native Vegetation Retention Areas on the Native Vegetation Protection Map. There are specific clauses in the SEPP that prohibit the clearing of Existing Native Vegetation in the non-certified areas (as mapped on the NVP Map) and to minimize the clearing of vegetation within Native Vegetation Retention Areas, requiring any clearing to be offset. These provisions combine with zoning controls to protect remnant vegetation in these areas. In addition, since exhibition, land that contains ENV and was proposed to be zoned RU6 at exhibition is now zoned either RE1 (Public Recreation), SP2 (Drainage) or E2 Environmental Conservation to ensure that the zoning (and in the case of land zoned RE1 and SP2 the future ownership) provides for protection of ENV.
B560193	The Biodiversity Assessment prepared by Cardno fails to identify the location of well known Squirrel Glider habitats and as such needs to be amended to reflect the necessary conservation requirements.	There is no requirement under the biodiversity certification to identify existing habitats for particular species, unless specifically listed in the relevant biodiversity measures under the TSC Act. However, the approach to conservation of vegetation communities, and to rehabilitation of riparian corridors, will preserve and enhance habitat corridors throughout the Precincts.
B560193	Land currently zoned RU6 Rural Transition between Eleventh Avenue and Gurner Road should be zoned E2 Environmental Conservation to ensure an appropriate habitat corridor for the Squirrel Glider is guaranteed after the Precincts are rezoned.	Land within the rural transition zone (as proposed in the draft Precinct Plan) that contains ENV is now zoned E2 Environmental Conservation to ensure the protection of remnant vegetation. However it is not considered necessary, or appropriate given the cleared rural state of much of the land, to zone all land in the Rural Transition area as Environmental Protection. This zoning would unnecessarily restrict the ongoing use of this land for rural purposes.

Submission ID	Issue	Response
B562237	Identification of vegetation to be preserved and zoning as open space unfairly penalises the landowners that have done the right thing and kept vegetation on their land.	The use of the open space zone to conserve stands of high quality existing vegetation is not intended to penalize landowners that have not cleared vegetation. In some cases parks have been located on land that contains remnant vegetation because this takes advantage of positive site opportunities that enable the provision of high quality open space that is required to serve the future residential community. Where land is to be acquired for a public purpose (such as a park) the Land Acquisition (Just Terms Compensation) Act protects both the interests of the land owner and acquiring authority by requiring that the land be purchased at the market value. This means that, in terms of monetary return to the land owners, there is no disadvantage when land is zoned for a public purpose.
B584638	A stand of remnant Cumberland Bushland is located outside the grounds of the Leppington Primary School. A previous application to extend car parking facilities was refused on the grounds that these trees were identified as being one of the last remnants of Cumberland Plain Bushland in the Sydney Basin. How will the vegetation be preserved within the scope of Precinct Planning.	The Biodiversity Certification applies to the Austral and Leppington North Precincts. The Biodiversity Certification ensures a specific environmental outcome is achieved within the Growth Centres by identifying areas of high quality existing vegetation to be retained and allowing development to occur in all other areas without the need for further assessment under the Threatened Species Conservation Act. The vegetation located outside of the school boundary is not vegetation that is protected by the Biodiversity Certification and is therefore not a constraint to the development of this land. However, retention of existing vegetation where possible is encouraged by the Development Control Plan.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Riparian Corridors

Submission ID	Issue	Response
B576729	The creek identified on the property is not good quality, has been highly disturbed or is not of any environmental significance.	The site was inspected by DP&I and NOW. Stream ID 26 (Category 2) has a number of residential properties between Fourth Avenue and Fourteenth Avenue and filling over time has resulted in modifications to the existing landscape and creek alignment. However, the intent of the riparian corridor mapping in the Precinct Plan is to identify objectives for the reinstatement of natural creek corridors to assist in maintaining appropriate water quality and health of waterways. The riparian corridor mapping shows the location of the natural flow path of the watercourse prior to modifications that have occurred in association with the rural use of the land.
B574361	Further investigation is required into alignment of creek from Fourth Avenue to Fourteenth Avenue.	The site was inspected by DP&I and NOW. Stream ID 26 (Category 2) has a number of residential properties between Fourth Avenue and Fourteenth Avenue and filling over time has resulted in modifications to the existing landscape and creek alignment. However, the intent of the riparian corridor mapping in the Precinct Plan is to identify objectives for the reinstatement of natural creek corridors to assist in maintaining appropriate water quality and health of waterways. The riparian corridor mapping shows the location of the natural flow path of the watercourse prior to modifications that have occurred in association with the rural use of the land.
B566033	Creek line shown on ILP and zoning map is in the wrong location. Property is not affected and requires further survey by the Department.	Stream ID 21 (Category 2) has been modified as a result of filling for construction of residential properties. The watercourse and riparian zone mapping in the Precinct Plan identifies the natural flow path of the watercourse prior to modifications associated with the current or former use of the land. The intent of the riparian zone mapping is to identify objectives for the reinstatement of natural creek corridors to assist in maintaining appropriate water quality and health of waterways. This is based on redevelopment of the land for urban purposes including reinstatement and rehabilitation of the natural watercourse.
B569024	The eastern bank of Kemps Creek is eroding and as such land adjoining (in floodplain) is not suitable for development.	Development is not proposed to occur within the Kemps Creek floodplain. The zoning of land and controls relating to flooding restrict development that would cause increased flooding risk.
B576719	The value of the large 'Biodiversity Protection Overlay' is questioned, in particular over the site given there is no existing vegetation of any consequence located within it and no watercourse currently existing there.	The Environment Protection Overlay that affects part of this property relates to the riparian protection area of the unnamed watercourse that passes around the eastern and northern corner of the property and along the northern property boundary. This watercourse, while heavily modified, is the lower reaches of a relatively major tributary of Kemps Creek that extends south-east across to the eastern boundary of the Austral Precinct. Maintaining an appropriate riparian zone is important to ensure the stability of the water course, to contribute to meeting water quality objectives and to create environmental corridors through the Precincts. However, the Environmental Protection Overlay does not require the owner to do anything on the land to rehabilitate the creek

Submission ID	Issue	Response
		corridor unless redevelopment of the land is proposed. In this case, the potential for significant redevelopment is limited by the flooding constraints that affect this property.
B575661	Riparian corridor alignment is incorrectly shown in the ILP.	Significant modification of many of the watercourses in the Precincts has occurred over time in association with rural use of the land. In many cases it is difficult to identify the natural flow path of watercourses. Topographic mapping does appear to indicate that the watercourse generally follows the alignment as suggested in this submission. However, this does not affect the outcome in terms of the decision to zone the subject properties for Public Recreation.
B594240	There is currently no significant vegetation within the Core Riparian Zone. An additional buffer zone is not needed to protect the ecological function of the riparian corridor. The Riparian Protection Map should be amended to only include the maximum 40 metre Core Riparian Zone.	Riparian Corridor extents were assessed by Cardno in consultation with the NSW Office of Water. Despite the lack of existing vegetation within riparian corridors, the purpose of defining these corridors and incorporating a vegetated buffer is to naturalise and rehabilitate existing watercourses. The core riparian zone and vegetated buffer are to be reinstated either by Council or in association with the development of adjoining land to provide a separation distance to new development to reduce impacts of the development on the watercourse. The riparian corridor also assists in maintaining bank stability (minimizing erosion), improving water quality and creating attractive vegetation corridors for habitat and in association with public open space. The width of riparian corridors has been amended based on new requirements, agreed by the Office of Water, since exhibition of the draft Precinct Plan. In most locations, the width of riparian corridors has been reduced by 10 to 20 metres. The 'Vegetated Buffer' has been removed. The Riparian Protection Map now maps the width of riparian zones based on the new widths and does not include the Vegetated Buffer as this requirement no longer applies.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Flooding

Submission ID	Issue	Response
B549103, B574304	Land is not flood prone, incorrectly shown in documentation.	The flood extents have been revised since exhibition based on surveys at selected locations to confirm the levels of existing creek channels. In some cases this has resulted in adjustments to the extent of flooding as shown on the Flood Prone and Major Creeks layer on the Development Control Map. The results of the flood modeling have been compared to other relevant studies and the results are generally comparable. The extent of flooding is therefore considered to be an accurate representation of the likely extent of the 100 year ARI flood event.
B576729	The land identified as being suitable for building residential dwellings is the most flood prone on the property.	The majority of this site is affected by the 1 in 100 year flood, except for a small portion at the southern side. The Indicative Layout Plan permits some further subdivision of this land with access to new dwellings, on the land not affected by flooding, to be possible when new roads are constructed along the southern property boundary.
B575725	Land does not drain to the Canal and should be investigated in further detail. Once drainage is confirmed, site would be suitable for low density residential land uses.	Topography and landform have been reviewed on this property and adjoining properties since exhibition. This property slopes to the south-west, away from the Upper Canal, and stormwater runoff is therefore not expected to impact on water quality in the canal. This property is now zoned R2 Low Density Residential.
B575689, B547493, B588442	There are discrepancies between Liverpool Council's current mapped flood extents and proposed 1 in 100 year flood as mapped by the Department.	The extent of the 100 year ARI flood has been revised since exhibition based on field surveys at selected locations to confirm existing land elevations. The flood model has produced flood extents that in some locations are different to those shown on the draft Precinct Plan. There may be differences between Council's flood model and the modeling undertaken for Precinct Plan. There are a number of potential explanations for this, including the landform data used in the model (and any changes to landform since the Council modeling was completed), the level of detail of the modeling or differences in other model inputs. Issues raised by Council in relation to the accuracy of landform data have been addressed since exhibition and the flood model is therefore considered to accurately represent the likely extent of flooding.
B574385	Despite the stormwater management strategy, when property development begins in the Precincts there will be an impact on the existing creek system's flood plain.	The stormwater management strategy consists of a network of drainage channels and stormwater quality and detention basins. This network has been designed so that future stormwater flows and overall flooding of the watercourses match existing conditions. The existing flooding conditions have been used to size the basins to ensure stormwater is discharged into watercourses in volumes and speeds that replicate existing conditions, so as to not increase the impacts of flooding.
B566049	Land is not flood prone. Levels changed (filled) by owner	The extent of the 100 year ARI flood has been revised since exhibition based on field

Submission ID	Issue	Response
	or Council.	surveying at selected locations to confirm existing land elevations. The flood model has produced flood extents that in some locations are different to those shown on the draft Precinct Plan. More detailed assessment of flood levels can be undertaken as part of development to confirm flood levels and development potential. However, the flood modeling undertaken by Cardno is considered to accurately represent the extent of flooding for the purposes of determining planning controls.
B575673	In lieu of a detailed site survey, the extent of the 1 in 100 year flood determined by Cardno's report is questioned. During the Landowners time at the property, flood levels have never been experienced to the extent shown even in peak rainfall events (1987 and 1998).	The flood modelling used to determine the extent of flooding for the Precincts is based on historic rainfall data and landform data that is based on Aerial Laser Surveying. It is not possible to undertake a detailed field survey to confirm land form across such a large study area, however, aerial laser surveying typically provides accurate results. Since exhibition, a field survey has been undertaken to confirm actual ground levels and to determine the accuracy of ALS data. The digital terrain model used in the flood model has been adjusted based on this review and new flood extents have been produced. The extent of flooding shown in the Precinct Plan is the 100 year ARI flood event, and floods in years such as 1987 and 1998 were not equivalent to the 100 year storm event so comparison of the mapped flood extents with these events is not relevant.
B575673	Based on the Cardno study identifying the extent of the 1 in 100 year flood extent, a more reasonable strategy would be to identify these properties as being at risk of flooding and allowing the DA process to investigate appropriate development options to allow for compensatory storage, land filling etc, to ensure there are no adverse impacts on flood conveyance flows, capacities and velocities.	Given the number of individual landowners within the Precincts, a piecemeal approach to site filling and compensatory storage has significant risks. A large number of small changes to the floodplain increases the potential for impacts on flood storage as changes are difficult to track and model over the many years that development will occur. Cardno has investigated areas that may be filled (without the need for compensatory storage) to enable more intense development to occur. These areas are identified in the DCP and Precinct Plan. Development in these areas, to a minimum lot size of 500 square metres, may be possible subject to the specific requirements of the Precinct Plan and DCP. In other parts of the floodplain, Cardno's work to date indicates that filling of the floodplain is not likely to be possible because of the potential for off-site impacts. Applicants may still wish to undertake detailed flood studies to demonstrate that more intense development is possible in these areas, and Council can consider these proposals on their merits.
B579943, B598318	Properties identified as being affected by the 1 in 100 year flood event have not experienced any significant flooding in 35+ years.	The flood model has been informed by historic records of rainfall and flood events, and topographical data obtained from aerial laser survey. The accuracy of topographic data has been confirmed since exhibition by spot level checks at locations throughout the Precincts, and flood modeling has been adjusted to correct any discrepancies. The flood model is considered to be an accurate representation of the flood extents that would occur for a range of floods up to and including the 100 year ARI flood. The definition of developable land is based on the modeled extent of flooding in a 100 year storm event, meaning an event of that magnitude has a probability of occurring once every 100 years. While flood levels in the last 35 years may not have reached this extent, consideration of 100 year ARI flooding is the accepted standard for urban development in the Growth Centres, and the risks of allowing development within the 100 year flood extent are considered unacceptable.

Submission ID	Issue	Response
B579943, B588685	New drainage infrastructure and improvement of waterways would only improve the current flooding situation and the site would not be flood prone.	The stormwater management strategy has been designed to ensure that the future volumes and flows of stormwater and flood extents following development match the pre-development conditions. This means that flood extents will not be reduced, but the drainage infrastructure is designed to compensate for increased runoff from urban development to ensure no increase in impacts. The 'post-development' 1 in 100 year flood line therefore generally matches the pre-development flood line with some minor variations in some locations.
B574361, B588685	Neighbours have done filling downstream and impacts on flood extents should be investigated.	The flood model used to determine the flooding and drainage impacts throughout the Precinct has been based on historic rainfall data and contour information provided by Liverpool and Camden Council (from 2008-2010) and additional Aerial Laser Survey (from 2011). It is considered that this existing contour information is accurate enough to inform the extent of flooding and is representative of existing ground levels at the date of the survey. It is not possible to accurately capture changes in landform that may have occurred since the survey was obtained. More detailed investigations may be undertaken at the development application stage to accurately map the topography and update the flood model accordingly.
B569024	Previous attempts to dam and fill land have failed to allow the Kemps Creek floodplain to be developed and as such it is not considered suitable for urban development.	Substantial urban development is generally not proposed within the Kemps Creek floodplain. It is either zoned Rural Transition or Environmental Living in response to the flooding constraints that exist on the land.
B592903	Precinct Planning and technical studies need to consider the recently adopted South Creek Flood Study prepared and adopted by Camden Council.	The Upper South Creek Flood Study has been reviewed by Cardno and the results of this comparison are contained in Cardno's post exhibition report. The review has concluded that the results of flood modeling between the two studies are generally consistent.
B592903	The extent of filling of the floodplain in Leppington Major Centre should be increased to improve development yields and respond to awkward/unfeasible land constraints (116 Dickson Road in particular).	As part of Precinct Planning, Cardno has investigated the potential for limited fill within the 1 in 100 year flood extent. The assessment of filling in the flood plain concluded that in some areas, particularly along Scalabrini Creek, filling of up to 300mm depth could be carried out without the need for compensatory storage and without having any downstream or upstream impacts. The Department of Planning and Infrastructure and Camden Council have agreed that further filling of the floodplain is not supported. Should a landowner/developer be able to demonstrate that additional filling of the flood plain could be achieved, Camden Council could consider this on its merit during the Development Assessment process. Flexible zone boundary provisions in the Precinct Plan may enable an extension of adjoining permissible land uses. Zone boundaries have been set for developable land in Leppington Major Centre based on the extent of filling that Cardno has advised is possible without significant off-site impacts.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Drainage

Submission ID	Issue	Response
B576787, B576006, B568545, B573441, B588503	The proposed stormwater management strategy should incorporate more underground drainage, interallotment drainage and basins to allow for further recycling of water and minimise the extent of the 1 in 100 year flood event to maximise the opportunities for housing.	The Stormwater Management Strategy allows for stormwater, wherever possible, to be conveyed through the road network and/or inter-allotment drainage lines. However, generally where a catchment is greater than 20 hectares, trunk drainage infrastructure is typically required because the volume of stormwater is greater than can be accommodated in piped drainage systems. Where possible, the trunk drainage infrastructure comprising of drainage channels and detention basins have been sized to reduce the overall extents of land acquisition whilst ensuring future development matches the existing stormwater and flooding conditions. Consideration was given to the practicality of increasing detention capacity to reduce flood extents however, Cardno has advised that this is not practical because the Precincts are part of a much larger catchment area and flows from the Precinct contribute only part of the overall flood extent.
B576787	The proposed drainage basin at Fourteenth Avenue (west of Fourth Avenue) is not located in an optimum position (ie on higher ground) given the course along which water currently flows. The basin should be located within land zoned for 'Rural Transition' closer to Kemps Creek.	The proposed detention basin is located along the existing watercourse and is generally located in the lowest area outside of the 1 in 100 year flood plain so that it can adequately detain stormwater from developable land within the catchment. The detention basin needs to be located outside of the 1 in 100 year flood plain to increase storage capacity so that increased flows from urban areas can be offset. The shape of this basin has been adjusted based on revised modeling of the 100 year flood extent. It is located on a drainage channel that is an existing low point capturing overland flows from the surrounding catchment. It is therefore appropriately located to receive inflows from surrounding development.
B575732, B576006	The 30m width of the proposed drainage channel is excessive given the actual land that is affected by stormwater run off as experienced whilst living on the site.	The width of the drainage channel has been reduced to 10 metres on this property (95 Thirteenth Avenue) based on a revised design for drainage channels that do not also have an environmental (vegetation conservation or rehabilitation) outcome. The size of the drainage channel has been determined based on the volume of water in a 1 in 100 year storm.
B566049	The proposed drainage basin should be relocated as far back as possible on the property to improve development feasibility. Existing vegetation on site should not pose a constraint as significant vegetation is retained in the Kemps Creek Nature Reserve and Western Sydney Parklands.	The drainage basin has been located as far back as possible while still retaining significant existing native vegetation that is connected to vegetation in the Kemps Creek Nature Reserve, to the north. This vegetation was required to be retained under the Biodiversity Certification for the Growth Centres to offset development impacts on vegetation across the Precincts. The Biodiversity Assessment prepared by Cardno identified the vegetation located on the property as being of a high quality and worthy of being retained.

Submission ID	Issue	Response
B576006	It is noted there is a natural depression on the site, however it is not a flowing watercourse. The extent/start of the need for a drainage channel is questioned.	The width and length of the drainage channel has been reduced based on a revised stormwater detention strategy prepared by Cardno. The area of land affected by drainage on this property has been reduced from the extent indicated in the draft Precinct Plan.
B576006	The drainage channel as proposed would necessitate complicated land swaps that will hinder the orderly development of the land. A reduction in the width of this channel would allow the road layout to be managed appropriately and negate the need for a land swap.	The length and width of the drainage channel have been reduced. Land to the north of the drainage channel within this property would be isolated and not developable and therefore also shown as drainage land in recognition of the severance impacts of the drainage channel.
B574361	Further investigation is required into alignment of the creek from Fourth Avenue to Fourteenth Avenue.	The natural creek channel has been previously re-aligned in this area as a result of excavations and channel diversion. However, in a flood situation, where water spills out of the channel, it will flow along the natural floodplain. The proposed location of the drainage channel reinstates the natural flow path to ensure that natural conditions are replicated in the management of stormwater from the Precincts.
B568120	Have alternative sites been considered for the drainage basin? Noted that it is located on a natural depression but what is dictating this location?	The existing watercourse was a significant factor in determining the locations of detention basins because water will naturally flow along these low points and into basins prior to entering the larger creeks. The detention basin has been positioned to capture stormwater from the upstream catchment and to detain (to avoid increasing flooding risk) and treat it (to remove pollutants) before it enters the creek system downstream. The majority of the detention basin is located on the adjoining property to the west, however additional land is required to align the basin and discharge points to benefit from the existing culvert location on Eleventh Avenue and tie into the unnamed tributary to the north.
B576719	The proposed location of a drainage channel or easement over the site is opposed. The property was bought clear of easements and extensive improvements (including an equestrian establishment) will be compromised by the proposed ILP. In addition, it is considered that the integrity of the dam at the north west corner of the site will be compromised by any drainage channel.	There is a drainage channel running along the northern boundary of this property, which continues upstream to the east. The natural flow of water in this area has been significantly altered by past practices including filling, channelisation and diversion of flow paths. The final ILP shows the drainage line that approaches this property from the south-east crossing Fourteenth Avenue along the approximate natural alignment of the watercourse, connecting into the existing channel near the north-eastern corner of this property. The location and size of drainage channels has been modified in this area since the exhibited draft Precinct Plan to improve the efficiency of the drainage network and to more closely replicate natural conditions. The width of the drainage channel has been determined based on the capacity required to accommodate all flows from the upstream watercourses. Impacts on this property are similar to the impacts arising from the existing drainage channels that pass through the property, and are not likely to result in significant reduction in the usability of the land. Impacts of the existing dam on the property will be considered in the detailed design of the drainage channel.
B576719	Objection is raised to the narrowing of the drains shown on the southern side of Fourteenth Avenue.	The drainage strategy in this area has been modified since the draft ILP to more closely replicate natural drainage paths. The channel along the southern side of Fourteenth Avenue has been removed, and water is proposed to cross Fourteenth Avenue and connect into another channel to the north, replicating the natural flow of water in this area. This means that the major drainage channel along the southern side of

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		Fourteenth Avenue is no longer required. The existing channel may be retained when the new drainage infrastructure is provided to cater for local drainage requirements, however this will be determined by Council when undertaking detailed design of the drainage system in this location.
B576719	Liverpool Council has advised on 29/11/2011 that they would investigate combining the two drainage channels that run east from Fourth Avenue to Kemps Creek, between Thirteenth Avenue and Fifteenth Avenue, into one channel.	The drainage system has been redesigned in this area to combine two drainage channels into one. The drainage channel that was shown on the draft ILP on the southern side of Fourteenth Avenue has been removed. This channel flows from the south-east and will cross Fourteenth Avenue in a new channel that links to the northern channel. The northern channel has been redesigned to accommodate the increased flows from the south-east.
B575991	Zoning of the site as predominantly drainage does not reflect the highest and best use of the land and the basin could be positioned elsewhere.	This basin is located upstream of where a minor drainage line connects to Bonds Creek. It will capture stormwater from the upstream catchment which includes the Business Development zoned land north of Bringelly Road. Because this basin is located on a drainage channel, there is no feasible alternative location. The size of the basin has been reduced, compared to the basin shown on the draft Precinct Plan, to account for development in the Business Development zone incorporating on site stormwater detention. However, a basin is still required in this location to capture stormwater runoff from roads.
B578421	Objection is raised to the location of a drainage channel on the site as it will necessitate the removal of an existing dam that is used to irrigate existing paddocks, gardens, wash vehicles, feed livestock, wash driveway and the dam currently has fish and turtles living in it.	The drainage channel is required to convey stormwater flows as part of the trunk drainage system due a catchment greater than 20 hectares draining to the unnamed creek to the west. The drainage channel will only be provided when the surrounding land is being developed, and at this point the existing dam will no longer be required for agricultural purposes. The length and size of the drainage channel has been amended since exhibition, however, an open channel is still required in this location to manage the volume of stormwater from upstream catchments.
B588552	The proposed drainage channel requires demolition of a house. The channel should be moved to follow its natural path and allow the dwelling to be retained.	The length of the drainage channel has been reduced and it no longer affects this property.
B588685	The reason why the property floods from Bonds Creek is because there is no drainage underneath Fourth Avenue. If it were provided, flood extents would be reduced.	Fourth Avenue currently includes a culvert crossing of Bonds Creek. For the purposes of the flooding assessment and design of the stormwater management strategy, it has been assumed that existing crossings will remain the same size. The stormwater management strategy consists of a network of creek crossings, drainage channels, and stormwater quality and detention basins. This network has been designed so that the extent of flooding after development matches existing conditions. A survey of existing creek channel levels was undertaken following exhibition and a revised flood model has been produced. Reference should be made to the Development Control Map (part of the Growth Centres SEPP) for the updated flood prone land extent.
B588685	The reason the flood extents are so wide is because the creeks are not cleared out and maintained.	As part of the drainage infrastructure to be provided for the Precincts, Liverpool and Camden Councils will be responsible for carrying out works to stabilise and maintain the existing creek system. The flood model prepared by Cardno includes assumptions in relation to the blockage of culverts during major flood events, as this is likely to occur

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		regardless of the maintenance regime of the Councils. The Precinct Plan proposes that creek channels and adjoining land will generally be acquired by Council and this will assist the Councils to access and maintain waterways in the future.
B588685	There are plans to remove Bonds Creek and pipe it all underground. Why aren't these being pursued?	The Department of Planning and Infrastructure is not aware of plans to pipe Bonds Creek underground. This option was not pursued by the Department as it would not be consistent with policy governing the management of watercourses that aims to restore and rehabilitate existing creek systems. It is also not possible to pipe Bonds Creek to remove the flooding impacts because no pipe system would have sufficient capacity to handle the stormwater volumes in a 100 year flood event.
B588679, B598318	Land currently does not flood and drainage basin should be relocated to lower lying land or land that currently has dams on it.	At 54-56 Seventeenth Avenue, an existing low point and drainage channel runs along the western side of the property. The majority of the southern half of the property is affected by the 1 in 100 year flood extent. Part of the land has been zoned as drainage as it is the location of a drainage channel. The stormwater basin that was located on this land on the draft Precinct Plan has been moved upstream of Sixteenth Avenue because the previous location created potential conflicts with the Jemena gas pipeline. Those parts of this property that are not required for drainage are now zoned Environmental Living, which allows some development of the land while recognizing existing flooding constraints. At 140 Dickson Road, the basins are situated at the lowest draining point before the South West Rail Link crossing of Scalabrini Creek. Given the works required for the Dickson Road overpass, access to land west of Scalabrini Creek would be significantly constrained and development for medium density housing (the adjoining land use) would not be feasible. The detention basin located on the eastern side of Scalabrini Creek is located on an existing watercourse that drains to Scalabrini Creek. As a consequence of Cardno carrying out further investigations for Commercial, Business Park, Retail and Light Industrial land uses incorporating on-site detention, the detention basin on the eastern side of Scalabrini Creek has been removed and replaced with a large basin further downstream. Land that is not affected by flooding (or cannot be filled to reduce flood risk) has been zoned for development purposes. Land that is affected by flooding is zoned Public Recreation and will be acquired by Council as a district park.
B592903	The option identified within the Cardno Flooding Assessment to reduce size of regional basins within Leppington Major Centre by lot on-site detention should be pursued to reduce the extent of acquisition required and improve development yields.	Cardno has carried out the necessary work to confirm the option to include on-site detention within Commercial, Business Park, Retail and Light Industrial land within Leppington Major Centre. This has resulted in smaller and fewer regional detention basins. The sizes of detention basins have been amended as necessary. Additionally, changes to the requirements relating to the Water Management Act mean that some basins that were located off-line (adjacent to creeks) can now be located on the creek line. On Scalabrini Creek, this change (along with the adoption of OSD in the commercial and industrial areas) has resulted in four basins being replaced by one on-line basin upstream of Bringelly Road.

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		The DCP contains provisions requiring development in the business and industrial zones in Leppington Major Centre to incorporate on site detention and water quality treatment.
B592903	Given proximity of 116 Dickson Road to Leppington Station, the proposed drainage basin should be relocated further downstream.	The configuration of basins has been amended as described above to include an on-line basin on Scalabrini Creek, replacing four off-line basins that were proposed in the draft Precinct Plan, including the basin referred to in this submission. Parts of this property are still affected by the 100 year flood extent, and the Public Recreation zone reflects the flooding constraints.
B594240	Land between the riparian corridor/drainage channel and stormwater detention basin 34 should be shown as Open Space to match adjoining sites and the Indicative Layout Plan should be amended accordingly.	Land between the basin and the creek will include basin outlet and discharge structures and will therefore still have a drainage function. It may also be possible to include passive recreation uses on this land however, this level of detail in the zoning of land is not necessary.
B594240	The width of the drainage channel adjoining Basin 34 is considered to be conservative and should be reduced in width, allowing for a reduction in the overall size of Basin No 34.	The size of the basin and drainage channel have been reduced based on more detailed drainage modeling and the incorporation of lot based on-site detention in the areas zoned for commercial land use. The final Precinct Plan shows the amended basin and channel size. Land upstream of the basin has been retained as an open space link from the park and sports field upstream to Bonds Creek as this is an important pedestrian and green link within Leppington Major Centre.
B594261	Proposed Basin No 35 should be located outside the Leppington North Precinct (within East Leppington) as it is likely to lead to stormwater flows bypassing the basin and a major conveyance system, probably an open channel, adjacent to the upgrade of Camden Valley Way. A holistic approach should be taken to the location of this basin and should be located downstream of Camden Valley Way, as close as possible to the point of conveyance with Bonds Creek. This situation is shown in Cardno's Riparian Corridor and Flooding Assessment and will now be facilitated given the release of East Leppington for Precinct Planning. If this basin is not relocated an additional basin will still have to be constructed in a similar location in the East Leppington Precinct (review of technical studies by JWP provided).	The basin has been retained in the location shown on the draft Precinct Plan as the stormwater impacts of development in the Precinct must be managed within the Precinct and Local Government Area boundaries. The basin size and shape have been modified based on more detailed stormwater modeling and better respond to the future development of adjoining lands. It is not possible to remove this basin and utilize a basin in the East Leppington Precinct, as Camden and Liverpool Councils require that the stormwater impacts of development in their respective Council areas are managed within their Council boundaries. As Camden Valley Way is the Council boundary in this area, flows from upstream of Camden Valley Way must be managed at the Council boundary to avoid impacts on the downstream land in Liverpool Council area.
B594261	The proposed drainage channel is considered to be significantly oversized. The same stormwater conveyance could be achieved by a 15 metre width and should be reduced in width accordingly.	Review of the requirements for drainage channels since exhibition has resulted in the removal of the drainage channel on the subject properties. Stormwater flows upstream of the basin can be conveyed in pipes and the road carriageway.
B598318	Why is the land zoned drainage when it has no flooding or drainage issues.	This issue has been addressed elsewhere. Part of the land is zoned drainage to accommodate a drainage channel, however the basin has been moved upstream to avoid potential conflicts with the gas pipeline on the adjoining property.

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B598318	The geotechnical consultant took a sample from the property in the vicinity of an existing Envirocycle hose and may have incorrectly identified a problem with drainage.	Sampling works and results carried out by the JBS Environmental (Geotechnical consultant) were not used by Cardno to determine the flooding extents or drainage lines.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Traffic, Transport and Roads

Submission ID	Issue	Response
B557816	Local road shown wholly on land should be aligned on property boundary (split 50/50) or moved wholly onto adjoining land as neighbouring property is not affected by any land acquisition.	The road has been downgraded to a local road (in the draft Precinct Plan it was a Main Town Centre Street) and has been moved to the property boundary, so that the cost of construction and the land take impacts are shared with the adjoining owner.
B568036	The alignment for Rickard Road could be carried out on the western side of the existing road reserve to reduce the extent of road widening required for the intersection of Bringelly Road, Rickard Road and Edmondson Avenue on 362 Bringelly Road.	The detailed design for the South West Rail Link has made provision for a new rail overpass on Rickard Road that would see an additional 2 lanes being located on the eastern side of the existing road reserve. The proposed overall widening of Rickard Road has been located on the eastern side to tie into these works and improve the current intersection layout with Bringelly Road and Edmondson Avenue for the future upgrade of Bringelly Road.
B575987	Access to the northern extension of Browns Road (Collector Road) from lots affected by the Jemena Gas Pipeline Easement is not demonstrated by the ILP. Further details are required to confirm that these lots will be able to obtain road access from this Collector Road by crossing the easement.	The design of the collector road (Browns Road extension) has been amended since the exhibition. The north-bound and south-bound carriageways are split on either side of the gas easement (encroaching into the easement as far as possible). This means that direct driveway access will be possible on both sides of the collector road. Crossing/U-turn facilities will be available where existing roads cross the easement.
B575987	The new Browns Road northern extension to provide a Collector Road should be relocated to be contained wholly within the eastern property that is affected by the Jemena Gas Pipeline easement with the road being built over the easement. This would allow for greater utilisation of unconstrained land.	It is not possible for safety, access and maintenance reasons to construct the road over the gas pipeline. However, the road carriageway is proposed to be divided either side of the pipeline and within the easement to the greatest practical extent to minimize the area of land required for the road, maximize developable land and share the cost of construction of the road between land owners.
B557815, B575684, B576088, B575982, B574325	Whole road located in property should be split 50/50 with the adjoining property to ensure equitable amounts of road to be constructed between lots. This is done through the majority of the Precinct.	The locations of new subdivisional roads have generally been moved to the centre of properties so that individual properties can develop independently of their neighbours. However, where a property boundary is also the boundary between a residential zone and an open space or drainage zone, the road is located on the property boundary but entirely within the residential zoned property. The amount of road to be constructed by each land owner is similar whether the road is on the boundary or on the centre of the property. In the case of 60 Kelly Street, the road is on the boundary between a residential and public recreation zone, so has been left in the location as shown on the draft Precinct Plan. For 122 Dickson Road, the road is shown entirely within one property however, because land on both sides of the road is zoned residential, there is flexibility to adjust the road location to share the cost of construction between adjoining land owners. It is

Submission ID	Issue	Response
		up to land owners to negotiate and agree these kinds of changes when development occurs. For 264 Bringelly Road (Lot 1 in DP 126822) the road on the northern property boundary has been moved north to be adjacent to a drainage channel further to the east (which has also been moved north). West of the drainage channel there is flexibility for the location of the road to be adjusted so that costs can be shared between owners, and these details can be resolved at the subdivision stage. The developer of 174 Byron Road is only required to construct one full width local road and this is considered reasonable given that the majority of other lots (that have roads located on lot boundaries) would also need to construct the equivalent of one full width road.
B557815	Placement of the road 50/50 on the southern boundary will be a logical extension to Fifth Avenue and remove an unnecessary bend in the road.	This road has been left in the location shown on the draft Precinct Plan. Because the function of this road is to service the adjoining residential development it is reasonable that the developer is responsible for the full cost of construction. The bend in the road is minor and can be accommodated within the electricity easement.
B574385, B569024	The proposed local road location is unviable due to an existing dwelling, structure or other site constraint.	The local road located on 174 Byron Road will only be required to be delivered when/if a landowner or developer proposes to develop the property for commercial/business park development. Until this time, the existing dwelling can continue to remain (unless affected by widening for Byron Road). At 68 Boyd Street the proposed subdivisional road is shown on the ILP to be set back at least 25 metres from the boundary of the easement, to provide sufficient space for a dwelling to be constructed between the road and the easement. There is flexibility for this road location to move at the subdivision stage if necessary to enable the efficient development of the land.
B576714	Zoning of land for light industrial will increase traffic issues for landowners that choose to stay and not develop.	The overall road network has been designed to accommodate future traffic demand created by development. Over the next 20 to 30 years, the Precincts will experience significant change as the landscape transitions from a rural setting to an urban environment and there will be changes to existing traffic conditions.
B564080	The proposed bus network is supported however to ensure it is properly utilised, service and timetables need to be confirmed early and commence operation.	Transport for NSW and bus service providers will be responsible for determining the final bus routes and timetables. The future service frequency will be informed by demand, network capacity, operating requirements and other factors. The timetable will need to evolve as development occurs and be able to respond to increases in population.

Submission ID	Issue	Response
B566059, B575684, B576088, B575982	Local road should be removed or realigned (alternative layout provided).	The north-south subdivisional road that was shown on the draft ILP on 435 Fifteenth Avenue has been deleted. At 122 Dickson Road the location of this road can be moved to be shared between the adjoining owners through negotiation at the subdivision stage. At 264 Bringelly Road, the subdivisional road layout has been simplified and the amount of road has been reduced. Direct access to Browns Road has been removed because the RMS has advised that this intersection would be too close to Bringelly Road, but internal access will still be possible from Fifth Avenue to this area.
B566059, B575684, B574325	Local road passes through existing dwelling.	The local road shown on the Indicative Layout Plan on 435 Fifteenth Avenue will only be required to be delivered when/if a landowner or developer proposes to develop the property. In addition, there is flexibility for the final location of this road to be resolved during the Development Assessment process. Until this time, the existing dwelling can remain. The local road shown on the Indicative Layout Plan on 122 Dickson Road will only be required to be delivered when/if a landowner or developer proposes to develop the property. In addition, there is flexibility for the final location of this road to be resolved during the Development Assessment process. Until this time, the existing dwelling can remain. The local road shown on the Indicative Layout Plan on 174 Byron Road will only be required to be delivered when/if a landowner or developer proposes to develop the property for commercial/business park development. In addition, there is flexibility in terms of the final location of this road which can be resolved during the Development Assessment process. Until this time, the existing dwelling can continue to remain (unless affected by Byron Road widening).
B566049	Part of the site is not flood prone. This can result in a reduction of open space and allow the local road proposed on the western side of the property to be straightened.	The location of the road has been moved to the property boundary and the entire property is now zoned Low Density Residential.
B578532	The proposed road network is inconsistent with the RTA's plans for the upgrade of Cowpasture Road. Under the RTA's latest plans, the site that fronts to Cowpasture Road will benefit from a local road (not located within the site boundaries) and a new signalised intersection. The ILP should be updated to reflect these access arrangements and remove the inclusion of a local road along the frontage to Cowpasture Road.	The locations of new subdivisional roads have been adjusted in this location to take into account new local access roads to be provided by the RMS as part of the Camden Valley Way/Cowpasture Road upgrade.

Submission ID	Issue	Response
B576006	There is a site specific inconsistency in approach to the local road network prepared for the Precinct. The majority of lots indicate that roads are provided along property boundaries to equally share the cost of building new local roads. The ILP in its current form places additional unreasonable road construction costs on this site (ie. whole internal road or battle axe subdivision). In addition, all other drainage channels have roads placed on both sides so development can take place.	The ILP has been amended since exhibition so that the majority of local roads are now located in the centre of existing properties. This has been done because of feedback from Liverpool Council in relation to the practicalities of developing land with relatively small existing rural land parcels. For this property, a road is proposed on both sides of the drainage channel to enable development to front the drainage channel. The width of the drainage channel has been reduced based on more detailed assessment of drainage flows by Cardno and now has less impact on this property.
B575684	Location of proposed roundabout and landowner's plans to continue living on the land will hinder the orderly development of adjoining land.	The timing for the upgrade of Dickson Road is based on a long term requirement. As such, landowners can continue to live within existing dwellings until such time as the land is required. If an agreement can not be reached between Camden Council and the landowner at the time the land is required to accommodate the roundabout and road widening, Camden Council has the option to compulsory acquire the land. This would only add a minor delay to the delivery of Dickson Road upgrade.
B571753, B573441, B576088, B575982	Extent of local roads shown on the property take up too much land and will make residential development unviable.	The shape of the existing rural lots at 67 Gurner Avenue, and neighbouring properties, necessitates east-west orientation of streets to enable orderly development of the land. The street network in the final Precinct Plan is essentially the same as shown on the draft ILP for this reason, with minor adjustments to reflect some changes to zone boundaries. The extent of roads is not excessive, but reflects the road network that will be required to enable residential development on the land. At 100 Eighth Avenue (Lot 955 in DP 2475), the location of a drainage channel, that was shown on part of this property in the draft Precinct Plan, has changed and this property is no longer affected. The roads shown on the ILP are required to enable residential development on the land. At 264 Bringelly Road, the local road layout in the final ILP has been amended and is considered to be an efficient road network for a medium density residential area.
B568545	Local road should be realigned - shouldn't run next to existing house.	Delivery of the local road shown on the Indicative Layout Plan on 90A Eighth Avenue will only be required when/if a landowner or developer proposes to develop the property for residential purposes. The locations of new roads can be adjusted when subdivision occurs to account for constraints like existing houses, if they are to be retained.
B566033	Local road should be removed.	A local road will most likely be required for access to both the Environmental Living and Low Density Residential areas. Delivery of the local road shown on the Indicative Layout Plan on 70 Seventeenth Avenue will only be required when/if a landowner or developer proposes to develop the property for residential purposes. In addition, there is flexibility in terms of the final location of this road and the location can be confirmed

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		during the Development Assessment process.
B569024	Proposed local road location will force dwellings to be built within overhead electricity transmission line easement which is not permitted.	The location of the new subdivisional roads is set back approximately 25 metres from the edge of the transmission easement to enable houses to be built between the road and easement boundary. The location of the new road can be adjusted if necessary when subdivision occurs.
B573384	Proposed commuter carpark on southern side of the South West Rail Link should be located on the northern side to avoid traffic congestion.	The commuter car park has been moved to the northern side of the rail line on land that has been acquired by the Government but is surplus to the operational requirements of the rail line.
B576182	Given the size of the South West Growth Centre and that there are only two roads (Fifteenth Avenue and Bringelly Road) heading east, it would be prudent to ensure these roads are upgraded to Cowpasture Road.	Planning for the upgrade of Bringelly Road is well underway with the exhibition of the Review of Environmental Factors and concept design taking place concurrently with the exhibition of the draft Austral and Leppington North Precinct Plan. Planning for the upgrade of Fifteenth Avenue has not yet commenced however the Precinct Plan sets aside a suitable road corridor to allow for the upgrade of Fifteenth Avenue to at least a four lane divided carriageway road. The Department of Planning and Infrastructure will continue to work with Transport for NSW to coordinate the delivery of essential infrastructure (including roads) in line with development of the Precincts.
B576182	Given the restrictions on access across the Jemena Gas Pipeline easement, it is suggested that the northern extension of Browns Road to Fifteenth Avenue is moved further to the west. This would allow rectification of the dog leg at Ninth Avenue and better utilisation of the road.	The northern extension of Browns Road has been located to run parallel to the Jemena Gas Pipeline so that part of the road reserve could be located within the easement and reduce overall impacts on other developable land. Access to the future collector road will not be restricted. Since exhibition, the configuration of Browns Road extension, where it is located along the easement, has been amended to include divided carriageways either side of the gas pipeline. This arrangement will minimize land take for the road and ensure that adjoining properties have direct access to the road. Relocation of the northern extension of Browns Road to the west would decrease overall developable area due to underutilization of the Jemena Gas Pipeline easement and the need to acquire additional land elsewhere for the road. Whilst moving the collector road west may resolve the bend at Ninth Avenue, it would necessitate construction of a new section of road that needs to bend again to align with Browns Avenue. This would have a greater impact on the development potential of the Precincts when combined with the constraint of the gas easement.
B576088, B575982	Given the internal local road layout, and that access will be restricted to Bringelly Road, it is considered that the slip/local access road is not required and should be removed (alternate road layout provided).	The local road adjacent to Bringelly Road has been retained as it will provide a larger setback for residential development from Bringelly Road and will encourage appropriate building orientation to address noise and amenity impacts from the road. The road layout, as shown on the final ILP, is considered to be the most efficient arrangement and to provide the best urban design outcomes for this land.

Submission ID	Issue	Response
B574325	The proposed local road will benefit a greater area than just development of site as it fronts an area of open space. This road should wholly be located within the active open space area.	A majority of local roads will benefit areas outside the specific properties they are located on. The main point for access to the playing field and adjoining open space will be via Byron Road and the playing fields will also include internal car parking. Where possible, roads adjoining open space areas have been located entirely on private property to reduce the overall Section 94 Contribution costs. 174 Byron Road is required to construct a similar area of local roads as other properties. As such, it is not considered necessary to relocate the local road.
B574325	The intersection of the proposed local road with widening of Byron Road will create an awkward offset intersection and could be better placed.	The local road to the west of Byron Road, as proposed in the draft Precinct Plan, has been removed and this intersection (to the east of Byron Road) will be a T intersection only so this issue has been resolved.
B574325	The proposed local road has no regard for location and significant investment in existing dwelling and removes flexibility for the retention of the dwelling. When the road is required it will be necessary for the demolition of the dwelling and future zoning (despite existing use rights) would not allow them to build/relocate a new home on the site.	Delivery of the local road shown on the Indicative Layout Plan on 174 Byron Road will only be required when/if a landowner or developer proposes to develop the property for commercial/business park development. In addition, there is flexibility in terms of the final location of this road, which can be resolved during the Development Assessment process. Until this time, the existing dwelling can remain (unless affected by Byron Road widening). The loss of existing use rights and ability to relocate or build a new home reflects the changing nature of land use within the Precincts as proposed by the Precinct Plan.
B574325	The widening of Byron Road is not clearly shown within the documentation so the Landowner is unable to determine whether it will result in the demolition of the existing road.	Widening of Byron Road will encroach into properties on the eastern side of the road. The existing road reserve is just over 20 metres wide and the widened road will be 26.6 metres wide, meaning the extent of land acquisition would be in the order of 6.6 metres. Additional land may be required at intersections to allow for turning lanes and other intersection treatments. Precise details of land acquisition will be resolved when a concept design is prepared for the road upgrade. This will occur when detailed planning for the road upgrade commences.
B588563	Landowner seeks confirmation that construction of half the width of the local road would be required in conjunction with delivery of the Substation at Fifteenth Avenue and that the underlying zoning is Light Industrial.	The substation site at Fifteenth Avenue is located on land that is zoned Light Industrial. Endeavour Energy will negotiate with the land owner to acquire the property. Endeavour Energy will construct roads that are required for access to the substation site, taking into consideration that direct access from Fifteenth Avenue will not be possible in the future. Half roads around the substation would only be constructed by Endeavour if required for access to the substation. Alternatively, roads adjoining the substation would be constructed by the developer of adjoining land, and the location of the road may be adjusted to suit the development and land ownership patterns. Depending on the configuration of development on the adjoining land and the substation, perimeter roads adjacent to the substation may not be required. These details can be resolved as development proceeds.
B588503	Developers will find land unattractive (remaining section unaffected by road widening) as there is no firm commitment to timing for RMS to acquire the necessary land needed for road widening.	The remaining land that is not acquired by Roads and Maritime Services is capable of being developed. It is understood that RMS is negotiating with the owners to acquire the entire property at this location. Regardless of how much land is acquired by RMS, the land not required for the road upgrade will be developable, particularly if amalgamated with the adjoining property.

Submission ID	Issue	Response
B588503	Landowner strongly objects to the realignment of Browns Road. RMS has advised that the Byron Road northern extension has allowed for retention of the Australian Bosnian Community Hall. RMS have advised that the realignment of Browns Road can be deleted from their Concept Plan if the Department relocated the Byron Road northern extension onto the Australian Bosnian Community Hall land (note the hall could continue to be used until 2036 until Bringelly Road is upgraded and the intersection needs to be upgraded).	The alignment of the northern extension of Byron Road has been optimized to take advantage of the existing Byron Road alignment, the rail underpass (being delivered as part of the South West Rail Link), and flooding constraints of Bonds Creek that will require an increase in height of Bringelly Road to achieve immunity to the 1 in 100 year flood extent. The alignment of the Byron Road northern extension also avoids significant existing development (the Australian Bosnian Community Center) to reduce impacts on this community facility and to reduce the costs of land acquisition for the road upgrades. The property affected by the realignment of Browns Road is largely undeveloped and it is more feasible to acquire this land and demolish 2 smaller residential dwellings than significant buildings to the south.
B588503	Alternative Byron Road northern extension arrangements, traffic movements from Browns Road to Bringelly Road could be restricted to left in/left out. This would allow the Byron Road northern extension to remain in its current location without the need to realign Browns Road.	During consultation with DP&I, RMS was asked to consider aligning the intersection of Browns Road with the future Byron Road extension. The design of the intersection was subsequently investigated and considered against the proposal objectives. It was found that realigning the intersection to the east of its current location would minimise environmental impacts on Bonds Creek, reduce flooding impacts to the road corridor, minimise overall property impacts (including to existing buildings), and reduce the requirement for a wider bridge structure over Bonds Creek. Retaining the intersection in its current location would not achieve these benefits and would not allow implementation of the Indicative Layout Plan which identifies an appropriate intersection layout and configuration to meet precinct requirements. The proposed realigned four way intersection with traffic lights at Browns Road, accommodating a future Byron Road extension, was found to best meet the proposal objectives and to positively contribute to the development of the Austral and Leppington North precincts by providing suitable access and improved road infrastructure. Traffic modelling undertaken for the proposal and the Austral Leppington North precinct planning determined that a sub-arterial road is required at this location to cater for the expected type and volumes of traffic, without putting additional pressure on other parallel roads including Rickard Road and Cowpasture Road. A four way intersection is needed to allow traffic to circulate around the Leppington Town Centre and wider Austral and Leppington North precincts, as well as providing access to the business park proposed by DP&I. A combination of an unsignalised left in, left out intersection and a signalised T intersection would not provide a sufficient level of access for both sides of Bringelly Road. The existing intersection at Browns Road would be the first intersection on the northern side of Bringelly Road after the Upper Canal when travelling from the east, and a left in/left out arrangement would not allow a right turn into the precinct areas north of Bringelly Road. It would increase traffic on Edmondson Avenue which is intended to perform a transit boulevard function. The proposed four way signalised intersection configuration best caters for the expected increase in traffic from the Leppington Town Centre and the business park/employment areas to the south of Bringelly Road.

Submission ID	Issue	Response
		An offset intersection (a signalised T intersections on opposite sides of the road, set a short distance apart but designed to work together as one system) was also considered but was found to not be appropriate for a principal arterial road as there would not be enough space between the two separate intersections of Browns Road and Byron Road to allow for efficient turning movements or adequate storage of turning vehicles.
B588503	Alternative Byron Road northern extension arrangements, the northern extension of Byron Road could be deleted. This would avoid the need to traverse environmentally sensitive flood affected land. Instead an eastern arm to Byron Road could be built in place and take traffic to Cowpasture Road as a sub arterial road.	This issue is addressed by the response above.
B588503	Alternative Byron Road northern extension arrangements could be implemented by continuing Fifth Avenue and Sixth Avenue between Edmondson Avenue and the Water Supply Canal. This would also provide better access into and out of the medium density land.	This issue is addressed by the response above.
B588503	The existing road reserve should be used, as far as possible, to accommodate the Browns Road realignment as affected landowners are being treated inequitably.	The existing road reserve of Browns Road has been utilized as much as possible in the alignment of the intersection of Bringelly Road and Byron Road northern extension. The extensive floodplain has also influenced the final location of this intersection as Bringelly Road needs to be designed to be above the 1 in 100 year flood extent as it will be utilized as a major flood evacuation route in such an event.
B588503	Clarification is required regarding the future intersection treatment of Edmondson Avenue and Fifteenth Avenue as it appears part of the existing service station may need to be acquired and may have impacts on the continued operation of the service station.	Road widening for the intersection of Edmondson Avenue and Fifteenth Avenue has been located on eastern side of Edmondson Avenue based on the current concept sketch and road cross section contained within the Transport Assessment prepared by AECOM. Until detailed design for Edmondson Avenue and Fifteenth Avenue is carried out, no further details of any additional land acquisition can be confirmed. As such, the existing service station can continue to operate until the intersection is upgraded, which will be some years into the future. Detailed design of the intersection will consider existing constraints including existing businesses and will aim to avoid impacts or mitigate impacts if they are unavoidable.
B608562	The proposed re-alignment of Browns Road will cause safety concerns for pedestrians and vehicles around the existing Dolphin child care centre on Browns Road. The proposed bend is located immediately outside the child care centre entrance. Liverpool Council would not have approved the DA for the child care centre in this location had the road re-alignment been proposed at that time.	The Department consulted with Liverpool Council in relation to this issue. Council's traffic engineer initially advised that there are no safety issues associated with the existing child care centre and the proposed re-alignment of Browns Road. However, further advice from Council supported re-alignment of the road from that shown on the draft ILP to reduce the risk of accidents. The Department also referred this issue to AECOM, the transport planners engaged as part of Precinct Planning. AECOM's response is that any potential issues can be dealt with in the detailed design of the road, which would comply with relevant engineering standards to ensure safety. If necessary measures such as safety barriers or other traffic control devices can be incorporated in the detailed design of the road upgrade.

Submission ID	Issue	Response
		To reduce the potential risk of accidents at the child care centre, the alignment of Browns Road has been adjusted so that the proposed curves in the road are less sharp. Also, the point where the re-aligned road joins the current Browns Road alignment further south has been moved. These adjustments aim to substantially reduce the risk of cars running off the road and into the child care centre. The changed alignment impacts on part of one property west of Browns Road that was previously unaffected by the road re-alignment. The alignment of the road has also been determined with consideration to the current access driveway locations into the child care centre and after school care (two separate entrances). The locations of driveways, relative to the location of the re-aligned road, are not considered to present any significant safety risks.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Employment and Retail

Submission ID	Issue	Response
B553402	Increasing the size of the West Hoxton Shopping Centre will kill the existing Austral Village.	The retail demand analysis undertaken by Hill PDA indicates that there will be sufficient demand within the Precinct (with an estimated future population of more than 50,000 people) to support 60,000 square metres of shop front space. This includes a new town centre at Austral with 25-30,000 square metres of retail floorspace, and an additional three village centres each with floorspace of 5,000 to 10,000 square metres including a supermarket. The existing centre at Austral includes a small supermarket and specialty retail stores, along with some small scale commercial office space. The existing centre is well located to capture trade from the surrounding residential areas, and from passing trade on Edmondson Avenue. The Precinct Plan is intended to support the retention and potential expansion of retail floorspace in Austral Village up to 30,000 square metres.
B576047	The existing Austral Village should be expanded as it is better placed to meet the needs of the future community. The expansion of Austral Village will strengthen its position (compared to West Hoxton Shopping Centre) and ensure that businesses will remain local and provide convenient shopping.	The projected growth in population is sufficient to support the centres as proposed in the Precinct Plan. The proposed planning controls, including expansion of the B1 zone to the property east of the existing centre, will allow for some growth in retail floorspace at Austral Village, consistent with its role as a Neighbourhood Centre. Advice from Hill PDA in relation to the likely retail catchments of the centres indicates that expansion of Austral Village to take on the role of a Town Centre (as currently proposed for Austral town centre at Fifteenth Avenue) would be constrained by its proximity to Leppington Major Centre. The hierarchy of centres as proposed in the Precinct Plan is considered to best respond to likely retail demand, and the spatial distribution of other uses that typically located in centres, such as community facilities. The Austral Town Centre is well located at the intersection of Fifteenth Avenue and Edmondson Avenue to be accessible to a larger residential catchment that comprises the northern half of the Precincts, without overlapping the local retail catchment that would be served by Leppington Major Centre.

Submission ID	Issue	Response
B576047	Should West Hoxton Shopping Centre be increased in size, it will undermine the existing Austral Village as businesses will likely relocate to higher order centres, it would erode convenience of shopping currently offered to the community, provide poor streetscape and amenity in the Austral Village (ie. due to businesses relocating and leaving vacant shops) and rental returns will be diminished for the Austral Village.	The retail demand analysis undertaken by Hill PDA indicates that there will be sufficient demand within the Precinct (with an estimated future population of more than 50,000 people) to support 60,000 square metres of shop front space. This includes a new town centre at Fifteenth Avenue with 25-30,000 square metres of retail floorspace, and an additional three village centres each with floorspace of 5,000 to 10,000 square metres including a supermarket. The existing centre on Edmondson Avenue near Tenth Avenue will be a village centre anchored by a supermarket. Fifteenth Avenue is better located for the larger town centre being 3.5km north of Leppington major centre and having a larger trade area surrounding it. The proposed village centre at Tenth Avenue is closer to Leppington (being only 2km away) and it has a smaller residential catchment. Its role will be more appropriate as a supermarket centre rather than a town centre anchored by a discount department store. Notwithstanding there will be ample population and demand for retail services to support both centres in Austral.
B575673	The report prepared by Hill PDA supports zoning of the land for Light Industrial land uses instead of rural land uses.	The Hill PDA report identifies the area west of Leppington Major Centre as suitable for a light industrial area. However, it does not address the issue of physical constraints that may affect the ability to develop particular properties for light industrial purposes. The issue of the future zoning of this land is addressed in the Land Use Zoning issue category.
B579943	The proposed zoning and ILP will result in the existing business not being able to continue operation and loss of 50 jobs (site affected by acquisition and flooding).	The Precinct Plan has not significantly altered the status of the subject property in relation to flooding constraints. The proposed change of zoning does not affect the ability to continue to operate businesses that are operating lawfully prior to the rezoning. Should the business relocate from this site in the future the Precinct Plan provides ample opportunity for businesses of this kind to locate in light industrial zones. There is nothing in the Precinct Plan that would force the closure of the business. Should the business choose to close, the provision of land for employment and industrial purposes will more than offset the job losses associated with this business. Should the business choose to relocate, the jobs that it provides would relocate with it.
B592903	Has Leppington Major Centre been sized to ensure it will have the appropriate capacity to service the South West Growth Centre?	The allocation of land to the various land use zones within the centre has generally accounted for demand to be generated by the entire South West Growth Centre, where those uses have a catchment that extends across the Growth Centre. The area of land zoned for Business Park slightly exceeds the area required to cater for this type of employment as modelled for the entire South West Growth Centre by Hill PDA. The area of land available for retail uses within the Commercial Core zone is consistent with the results of retail floorspace modelling and distribution, as recommended by Hill PDA, to ensure that Leppington Major Centre operates as a major centre as defined under the Structure Plan and the Metropolitan Plan for Sydney. Appropriate allowance has also been made for civic, cultural and community uses, based on the advice from Elton Consulting, the Councils and relevant agencies for facilities that will serve a regional or sub-regional catchment area.

Submission ID	Issue	Response
B594566	The Desired Future Layout diagram for the Austral Town Centre should be amended to allow each of the existing allotments on the eastern side of Edmondson Avenue to be able to be designed and operated independently of a retail centre as the current layout would require consolidation of two blocks and may potentially render development of the site cost prohibitive (alternative layout provided).	Retail development in the Austral Local Centre is anticipated to consist of 'anchor' retailers such as supermarkets and discount department stores in association with smaller 'specialty' retailers. Each of the current land parcels in the Austral Local Centre is around one hectare in area. One hectare is unlikely to provide sufficient space for an anchor retailer plus specialty retail, along with the required car parking and loading areas. It is therefore likely that, for the centre to develop (even in stages) there will need to be consolidation of two or more land holdings. The figure provided in the submission showing the development of a supermarket and specialty retail on one lot east of Edmondson Avenue does not take into account parking and loading requirements and demonstrates that there is insufficient space within the existing lot to accommodate this type of development. It is not unreasonable to anticipate that at least two separate land holdings could come into a single ownership to enable development to occur in the centre. It is also preferred that the centre develops in accordance with the desired future layout in the DCP to ensure that development results in an attractive and functional town centre that meets the needs of the community and retailers. Advice has been obtained from retail specialists to inform the layout of the Austral Local Centre, to ensure that the desired future layout meets the requirements of retailers.
B594566	The Desired Future Layout diagram for the Austral Town Centre should be amended to allow existing developments that are considered to be viable to be retained (alternative layout provided).	The desired future layout diagram in the DCP has been amended to simplify the controls. Basic principles such as the orientation of active street frontages and the preferred locations for vehicle access are still shown on the diagram, but building footprints have been generally removed. Indicative locations for 'anchor' retail stores (supermarkets and discount department stores are shown but these are flexible, as long as the basic principles contained in the controls are achieved. These amendments to the diagram are consistent with the submission in that there is flexibility for existing shops to be retained, or for redevelopment to occur. The alternative layout diagram provided in the submission is not supported as it would result in car parking fronting Edmondson Avenue, and buildings set back from the street, creating a car-dominant centre that is not consistent with the design principles in the Growth Centres Development Code.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Heritage

Submission ID	Issue	Response
B576026	Whilst the technical studies identify the site as being a 'High Archaeological Sensitivity Area' and containing an item of low cultural significance, this should not be seen as a constraint to residential development. Residential development would still be possible by obtaining an Aboriginal Heritage Impact Permit by implementing the recommendations of the technical study.	AMBS has recommended that areas of high archaeological sensitivity should be incorporated into conservation zones where possible, and that impact to these areas be avoided. However, if impact cannot be avoided in these areas, detailed Aboriginal heritage impact assessment of specific proposed development is recommended. Archaeological test excavations under the Code of Practice, and/or AHIPs, may be required for these areas; however, this cannot be determined until a detailed Aboriginal heritage impact assessment of specific proposed development is undertaken.
B568748	Properties identified as Heritage Items and properties within the Heritage Conservation Area at Austral Village do not have any heritage value and have been incorrectly included and identified on the draft SEPP maps.	The Australia ICOMOS <i>Burra Charter</i> defines heritage value as <i>aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.</i> In order to maintain consistency, the NSW Heritage Council has defined 7 assessment criteria which encompass the values defined by the <i>Burra Charter</i>. An item is considered to have State or local heritage significance if it meets one or more of these criteria. AMBS has assessed the proposed Austral Town Centre Conservation Area against the criteria and it meets a) historical significance, b) historical association significance, c) aesthetic significance, and g) representativeness at a local level. This assessment was undertaken in consultation with the Liverpool Council Heritage Officer. AMBS has assessed the proposed heritage item Ian's Hardware and House against the criteria and it meets a) historical significance, b) historical association significance, c) aesthetic significance, and f) rarity and g) representativeness at a local level. This assessment was undertaken in consultation with the Liverpool Council Heritage Officer and the present tenant of the hardware store. AMBS has assessed the HJ Starr Progress Hall against the criteria and it meets a) historical significance, b) historical association significance, d) social significance, and g) representativeness at a local level. This assessment was undertaken in consultation with the Liverpool Council Heritage Officer and the present Secretary of the Austral Progress Association. It is difficult to reassess these items without knowing more specifically which criteria are in dispute. AMBS' full heritage assessments are contained in the draft Heritage

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		Inventories in Volume 2 of the Historic Heritage report.
B584638	Concern is raised as to how the heritage significance of key buildings within Leppington Primary School will be retained once the school no longer operates if the fate of the buildings will be decided by developers.	SEPP Growth Centres 2006 includes provisions for the conservation of buildings listed as heritage items in the SEPP Heritage Schedule. These provisions are the same as those contained in the Standard Instrument (Principal Local Environmental Plans). Listing the school on the SEPP Growth Centres 2006 Heritage Schedule should ensure that the heritage significance of the school buildings is preserved during the development process. Leppington Public School is included in the list of items recommended for inclusion in the SEPP Heritage Schedule, as part of the SEPP amendment (see Recommendation 1 in Volume 1 of the Historic Heritage report). The draft Heritage Inventory for the school identifies the elements that should be conserved as part of any future redevelopment (see Volume 2 of the Historic Heritage report).
B584638	Currently, individuals significant to public education in Leppington have been memorialised within the school (ie. through naming). How can these people and others like them be remembered under the current planning process?	The draft Heritage Inventory for Leppington Public School, included in Volume 2 of the Historic Heritage report, can be updated to include additional background information and recommendations regarding the memorialisation of individuals significant to public education in Leppington. This can be done as part of the Precinct Planning process, or subsequently in consultation with Camden Council. The Heritage Inventory will be the primary guiding document regarding heritage significance following listing on the SEPP. There may also be some opportunity to conserve the memory of these people in the naming of local streets in the vicinity of the school.
B584638	The Scott War Memorial was identified as being historically significant and that it will be incorporated into a future recreational facility. It is imperative that the memorial be respectfully preserved and the community must be involved in decision making.	AMBS' recommendations regarding the future management of the WV Scott Memorial and Memorial Park are listed in the draft Heritage Inventory for the place, contained in Volume 2 of the Historic Heritage report: • <i>List on State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 and Liverpool LEP.</i> • <i>Consult with property owner and local community regarding ongoing management. Community stakeholders may include descendants of WV Scott, Austral Public School, and Liverpool RSL.</i> • <i>Carry out interpretation:</i> ○ <i>Retention and maintenance of memorial playing fields (or similar community sports/recreational facility) on site;</i> ○ <i>Conservation of W V Scott war memorial within garden setting, at main entrance to playing fields (or similar sports/recreational facility);</i> ○ <i>Retention of name of W V Scott Memorial Park;</i> ○ <i>Permanent signage.</i> • <i>Prepare a Statement of Heritage Impact (SHI) prior to redevelopment or modification of the site.</i> Listing the memorial on the SEPP Growth Centres 2006 Heritage Schedule should ensure that the heritage significance of the memorial is preserved during the development process. This should include respectful preservation of the memorial and

Submission ID	Issue	Response
		community consultation regarding ongoing management of the memorial and memorial park. The draft Heritage Inventory for the memorial can be updated to specify additional stakeholders.
B584624	The items proposed for Heritage listing within the Heritage Conservation Area at Austral do not contain any features that make them historically significant other than being very old and very poorly constructed, common and existing in great numbers throughout western Sydney. There are better quality/condition examples that are located on small farm type allotments that are much more significant to the post war development of Austral.	For general comments on the heritage values of the proposed Conservation Area, see B568748 above. The historical background research undertaken for the Historic Heritage report supports the assessment of historic significance and historic association significance for the proposed Austral Town Centre Conservation Area. The notion of aesthetic value may be considered inappropriate in the context of vernacular architecture. However, the buildings within the proposed Conservation Area collectively illustrate a particular period of development and way of life, and therefore have representative value as an intact grouping of residential, commercial, and community buildings of the mid-twentieth century. The Progress Hall and the Hardware Store are unique in the local area. The houses are by no means unique in the area, but in this case form part of an important historical grouping. They are therefore not recommended for individual heritage listing, but should be addressed as contributory elements within the proposed Conservation Area. The DCP incorporates controls to show how contributory elements can be sympathetically altered, added to or extended in such a way as to allow for additional floor space etc where appropriate, based on Recommendation 13 in Volume 1 of the Historic Heritage report. AMBS' full heritage assessments are contained in the draft Heritage Inventories in Volume 2 of the Historic Heritage report.
B584624	The cottage at 248 Edmondson Avenue that accommodates the post office and chiropractor has been significantly altered during ongoing maintenance works and little remains of the original cottage.	The house at 246-248 Edmondson Ave has not been identified for individual heritage listing; it has been identified as a contributory element in the proposed Austral Town Centre Conservation Area. The contribution is historic and historical association, as well as aesthetic. AMBS did not receive permission to inspect the property for the Historic Heritage assessment. However, preliminary visual inspection from the street indicated that the street-facing elevation was sufficiently intact to contribute to the representativeness of the proposed Conservation Area. Listing as a contributory element does not preclude sensitive redevelopment of the interior of the building or the rear of the property.
B584624	The cottage at 252 Edmondson Avenue is in very poor condition and has extensive structural issues and its long term viability or potential for re-use would be	The house at 250-252 Edmondson Ave has not been identified for individual heritage listing; it has been identified as a contributory element in the proposed Austral Town Centre Conservation Area.

Submission ID	Issue	Response
	compromised.	AMBS did not receive permission to inspect the property for the Historic Heritage assessment. However, preliminary visual inspection from the street indicated that the street-facing elevation was sufficiently intact to contribute to the representativeness of the proposed Conservation Area. Listing as a contributory element does not preclude sensitive redevelopment of the interior of the building or the rear of the property. AMBS can undertake a more detailed inspection if required, but structural issues should be assessed by a structural engineer.
B584624	The hardware building and cottage at 256 Edmondson Avenue have been significantly altered, are in poor condition and do not retain much of the original structure and features.	AMBS has assessed Ian's Hardware and House at 256 Edmonson Avenue as meeting the criteria for individual heritage listing. They are also contributory elements in the proposed Austral Town Centre Conservation Area. The full assessments are included in the draft Heritage Inventory in Volume 2 of the Historic Heritage report. The significance assessment concluded that the various alterations to the store did not detract from the overall heritage value of the place. Indeed, the continuity of use of the hardware store for retail purposes contributes to the historic value of the building, which was the first general store in Austral Town Centre. AMBS' preliminary assessment of the public section of the store indicated that it was in good condition for its age and type. AMBS can undertake a more detailed inspection if required, but structural issues should be assessed by a structural engineer. AMBS did not receive permission to inspect the interior of the House; a detailed inspection of the house would further contribute to an understanding of the aesthetic significance and representative value of the house. However it is unlikely to contribute substantively to what is already known about the historic value of the house.
B584624	The block at 260 Edmondson Avenue is vacant, contains no structures and is grassed in exotic kikuyu grass.	The vacant block at 260 Edmonson lies between two proposed individual heritage items: the HJ Starr Progress Hall and Ian's Hardware and House. The inclusion of the block within the proposed Austral Town Centre Conservation area does not preclude infill development on the block. On the contrary, new retail, community or other commercial development would contribute positively to the ongoing use of significant heritage buildings as active elements of a neighbourhood centre. That being said, infill development should be sensitive to the overall heritage significance and character of the Conservation Area. The DCP provides guidelines for new development in the vicinity of the conservation area, based on Recommendation 13 in Volume 1 of the Historic Heritage report.
B584624	The buildings located within the conservation area are generally in poor condition and in time could become a health risk due to asbestos cladding deteriorating with time and age.	Recommendation 13 in Volume 1 of the Historic Heritage report suggests DCP controls address potential WHS issues related to asbestos cladding and these have been included in the DCPs.
B584624	The landowner does not have the financial resources to maintain the proposed heritage items to a suitable standard. Restoration works are likely to be cost	The following advice was provided by the Heritage Branch in its 2010 circular to the Department of Planning: <i>Preparing Local Environmental Plans: Local Heritage Listing - LEP Gateway Process for Planning Proposals (Built Heritage)</i> :

Submission ID	Issue	Response
	prohibitive for viable adaptive re-use to optimise the use of land that is zoned for retail uses.	<i>If a property owner objects to the proposed heritage listing on the grounds that the listing may have potential implications for the economic use of the land, the owner will need to provide justification for the concerns. The immediate and long term costs associated with the ongoing management and conservation of the item once listed must be examined in light of the economic use of the land. If the information provided indicates that the conservation (such as essential repair costs and remedial works) of the item is such that the costs will be greater than the final economic value of the conserved property, the council should review the heritage listing and consider alternatives to off-set costs. Alternatives could include adaptive re-use and/or the use of heritage incentives. If a council is considering not listing a property on these grounds, all options for the ongoing conservation and use of the property should be carefully considered and examined prior to resolving not to list the item.</i> The owner would need to provide detailed costings to demonstrate implications for future economic use of the land. Note: an owner's objection to a listing is only one part of the assessment to be considered and should not in itself be a reason for not listing a heritage item.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Demographics and Social Infrastructure

Submission ID	Issue	Response
B575698	Land without vegetation is developable and should not be used for open space purposes.	A variety of open space types is required to serve the demands of future residents. Areas of existing vegetation are not the sole determining factor influencing the location of open space in the Precincts. The site does contain a stand of trees. The conservation significance of this vegetation has been reviewed based on further field assessment and consultation with the land owners and their ecological consultant. This review has concluded that the vegetation has moderate conservation significance (reference should be made to the post exhibition ecological assessment report by Cardno for details of the assessment). The area of the park that does not contain vegetation would be suitable for other passive recreation uses such as picnic areas, childrens play equipment or informal ball sports. The combination of open areas and remnant vegetation means that this park will provide a range of passive recreation opportunities for residents of the surrounding areas.
B575698	Best practice urban design suggests that parks should be located in the centre of neighbourhoods or surrounded by medium or high density residential areas. Zoning of the subject site for open space fails to address these principles and location in a low density residential area would result in the parks under-utilisation.	This open space is located to be accessible to a residential catchment that includes low density and medium density areas. The low density residential areas have a minimum density of either 15 or 20 dwellings per hectare, and this density is considered appropriate to support a local park. The positioning of parks needs to ensure that all residents (regardless of the density of residential land) have access to a park within walking distance from their home. This park achieves that objective. The open space is located adjacent to a future school site and therefore achieves the objective of co-locating parks with other community facilities.
B574381	Land identified as open space is unsuitable as the existing vegetation and large trees keep falling down naturally and would be dangerous if incorporated into a park.	The existing trees are an opportunity to provide a high quality park without the need to wait for new trees to establish and grow to provide shade and character. It is considered that these advantages outweigh safety concerns which can be managed by Council.
B574381, B571357	Open space should be relocated closer to the existing creek systems so that the wildlife can be enjoy by future residents.	A variety of open space types is required to serve the demands of future residents. A significant proportion of open space within the Precincts has been concentrated along the existing watercourses so that future residents will be able to enjoy the amenity and wildlife found along the creek systems. However, parks are still required in other parts of the Precincts to ensure that all residents have access to open space within a reasonable distance from their home. Additionally, flooding constraints along the major creek corridors mean that parks located close to creeks will be unusable for periods of time. For this reason, some parks and sports fields must be located outside flood prone land on higher ground. Parks on higher ground also mean that park users can enjoy local or district views.

Submission ID	Issue	Response
B560260	The existing house is located within land zoned for open space. Can the zoning be changed to retain the existing house.	The size and shape of this park remains as proposed in the draft Precinct Plan. The area of land, as indicated, is required to ensure there is sufficient space for sporting facilities, parking, landscaping and passive recreation facilities. While impacts on the existing house are acknowledged, re-configuration of the park to avoid these would result in impacts on other properties. It is not possible to avoid acquisition of all houses when providing adequate land for open space in the Precincts.
B575689	There is opportunity for part of the property zoned for open space, but outside of the 1 in 100 year flood, to be zoned for residential development to allow a single dwelling.	Only a small area of this property is located outside the 100 year flood extent, and it therefore has limited development potential. The park that is located on these properties is part of a network of open space that forms a green corridor along Bonds Creek and Scalabrini Creek. The location and size of the park is appropriate as part of this green link, and to provide passive recreation opportunities for residents in the nearby areas.
B566049	The extent of open space can be reduced as land is not flood prone and can be developed for residential purposes. This will also simplify the land acquisition process as only one property would need to be acquired.	The front half of this property is now entirely zoned Low Density Residential. The rear of the property is zoned partly for drainage and partly for Public Recreation as part of a district park that contains a combination of passive and active open space integrated with drainage channels, remnant native vegetation and a stormwater detention basin.
B558708	The site is not needed for open space as there are sufficient amounts elsewhere in the Precincts and in adjoining Western Sydney Parklands.	The Social Infrastructure Assessment prepared by Elton Consulting has identified the need for a hierarchy of open space types to be provided. Core to the provision of Open Space within the Precincts is the need for Local and District level Open Space. Regional Open Space (such as the Western Sydney Parklands) tends to serve a larger residential catchment. Whilst the Precincts are in close proximity to the Western Sydney Parklands, and some residents may access the Parklands on a regular basis, it is also important to ensure that local open space opportunities are provided within the Precincts to ensure good access to parks and a range of recreational opportunities. The draft Precinct Plan proposed a local park on this property. The property is partly affected by a creek line and the 100 year flood extent. The final Precinct Plan proposes a stormwater detention basin on the land that was proposed to be open space and drainage in the draft Precinct Plan. This basin has been moved upstream from the previous location near Seventeenth Avenue because of significant constraints (including the Jemena Gas Networks pipeline) that would have prevented the basin being constructed appropriately at the previous location.
B577580	The proposed active open space area should be relocated to be incorporated with the passive open space area located to the north to provide a better multipurpose facility.	The active recreation area has been retained on this property and adjoining properties as per the draft Precinct Plan. This park is appropriately located to ensure that surrounding residents have access to sporting facilities and passive recreation space. The open space incorporates part of an existing electricity easement. Moving the playing fields further north is not considered to improve the ability to create a multi-purpose recreation facility. The proposed location also provides a transition between approved non-residential uses to the south (fronting Bringelly Road) and residential areas to the north.

Submission ID	Issue	Response
B557706	Land should not be zoned for open space as this will unfairly disadvantage the landowners in terms of remuneration.	A significant portion of the site is constrained for development by existing conditions such as flooding, creek-lines and vegetation. These constraints will be the primary determinants of the value of the land. Land for open space will be acquired by Liverpool Council and will be funded by a Section 94 Contribution Plan. The Land Acquisition (Just Terms Compensation) Act sets out the considerations for how the value of land is determined when it needs to be acquired by a public authority to protect landowner and public authority interests. The Act requires that the land is purchased at the market value regardless of the public purpose zoning. The open space zoning therefore does not affect the value of the land.
B575661	The Active Open Space within Leppington Major Centre is located in a poor position and should be relocated (alternate locations provided).	The position of the Active Open Space within Leppington Major Centre is considered to be located in the best position to allow access and use by the majority of the future residential and working community. A thorough review of the location of this park was undertaken as part of the preparation of a Public Domain Strategy for Leppington Major Centre, which contributed to the finalization of the Indicative Layout Plan. That review concluded that the location, as proposed in the draft Precinct Plan, is the most appropriate as it provides opportunities for access by both residents and workers. It is also located on key pedestrian and cycle routes through and to the major centre and on a major road with good vehicle access.
B588570	The proposed Indicative School Site is inappropriate as it is located very close to an existing school. All other proposed Indicative School Sites are further separated from each other in the remainder of the Precincts.	The size of the school proposed in this location has been reduced as a result of further consultation with the Department of Education and Communities and it no longer impacts on the property that is the subject of this submission.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Demographics and Social Infrastructure

Submission ID	Issue	Response
B575698	Land without vegetation is developable and should not be used for open space purposes.	A variety of open space types is required to serve the demands of future residents. Areas of existing vegetation are not the sole determining factor influencing the location of open space in the Precincts. The site does contain a stand of trees. The conservation significance of this vegetation has been reviewed based on further field assessment and consultation with the land owners and their ecological consultant. This review has concluded that the vegetation has moderate conservation significance (reference should be made to the post exhibition ecological assessment report by Cardno for details of the assessment). The area of the park that does not contain vegetation would be suitable for other passive recreation uses such as picnic areas, childrens play equipment or informal ball sports. The combination of open areas and remnant vegetation means that this park will provide a range of passive recreation opportunities for residents of the surrounding areas.
B575698	Best practice urban design suggests that parks should be located in the centre of neighbourhoods or surrounded by medium or high density residential areas. Zoning of the subject site for open space fails to address these principles and location in a low density residential area would result in the parks under-utilisation.	This open space is located to be accessible to a residential catchment that includes low density and medium density areas. The low density residential areas have a minimum density of either 15 or 20 dwellings per hectare, and this density is considered appropriate to support a local park. The positioning of parks needs to ensure that all residents (regardless of the density of residential land) have access to a park within walking distance from their home. This park achieves that objective. The open space is located adjacent to a future school site and therefore achieves the objective of co-locating parks with other community facilities.
B574381	Land identified as open space is unsuitable as the existing vegetation and large trees keep falling down naturally and would be dangerous if incorporated into a park.	The existing trees are an opportunity to provide a high quality park without the need to wait for new trees to establish and grow to provide shade and character. It is considered that these advantages outweigh safety concerns which can be managed by Council.
B574381, B571357	Open space should be relocated closer to the existing creek systems so that the wildlife can be enjoy by future residents.	A variety of open space types is required to serve the demands of future residents. A significant proportion of open space within the Precincts has been concentrated along the existing watercourses so that future residents will be able to enjoy the amenity and wildlife found along the creek systems. However, parks are still required in other parts of the Precincts to ensure that all residents have access to open space within a reasonable distance from their home. Additionally, flooding constraints along the major creek corridors mean that parks located close to creeks will be unusable for periods of time. For this reason, some parks and sports fields must be located outside flood prone land on higher ground. Parks on higher ground also mean that park users can enjoy local or district views.

Submission ID	Issue	Response
B560260	The existing house is located within land zoned for open space. Can the zoning be changed to retain the existing house.	The size and shape of this park remains as proposed in the draft Precinct Plan. The area of land, as indicated, is required to ensure there is sufficient space for sporting facilities, parking, landscaping and passive recreation facilities. While impacts on the existing house are acknowledged, re-configuration of the park to avoid these would result in impacts on other properties. It is not possible to avoid acquisition of all houses when providing adequate land for open space in the Precincts.
B575689	There is opportunity for part of the property zoned for open space, but outside of the 1 in 100 year flood, to be zoned for residential development to allow a single dwelling.	Only a small area of this property is located outside the 100 year flood extent, and it therefore has limited development potential. The park that is located on these properties is part of a network of open space that forms a green corridor along Bonds Creek and Scalabrini Creek. The location and size of the park is appropriate as part of this green link, and to provide passive recreation opportunities for residents in the nearby areas.
B566049	The extent of open space can be reduced as land is not flood prone and can be developed for residential purposes. This will also simplify the land acquisition process as only one property would need to be acquired.	The front half of this property is now entirely zoned Low Density Residential. The rear of the property is zoned partly for drainage and partly for Public Recreation as part of a district park that contains a combination of passive and active open space integrated with drainage channels, remnant native vegetation and a stormwater detention basin.
B558708	The site is not needed for open space as there are sufficient amounts elsewhere in the Precincts and in adjoining Western Sydney Parklands.	The Social Infrastructure Assessment prepared by Elton Consulting has identified the need for a hierarchy of open space types to be provided. Core to the provision of Open Space within the Precincts is the need for Local and District level Open Space. Regional Open Space (such as the Western Sydney Parklands) tends to serve a larger residential catchment. Whilst the Precincts are in close proximity to the Western Sydney Parklands, and some residents may access the Parklands on a regular basis, it is also important to ensure that local open space opportunities are provided within the Precincts to ensure good access to parks and a range of recreational opportunities. The draft Precinct Plan proposed a local park on this property. The property is partly affected by a creek line and the 100 year flood extent. The final Precinct Plan proposes a stormwater detention basin on the land that was proposed to be open space and drainage in the draft Precinct Plan. This basin has been moved upstream from the previous location near Seventeenth Avenue because of significant constraints (including the Jemena Gas Networks pipeline) that would have prevented the basin being constructed appropriately at the previous location.
B577580	The proposed active open space area should be relocated to be incorporated with the passive open space area located to the north to provide a better multipurpose facility.	The active recreation area has been retained on this property and adjoining properties as per the draft Precinct Plan. This park is appropriately located to ensure that surrounding residents have access to sporting facilities and passive recreation space. The open space incorporates part of an existing electricity easement. Moving the playing fields further north is not considered to improve the ability to create a multi-purpose recreation facility. The proposed location also provides a transition between approved non-residential uses to the south (fronting Bringelly Road) and residential areas to the north.

Submission ID	Issue	Response
B557706	Land should not be zoned for open space as this will unfairly disadvantage the landowners in terms of remuneration.	A significant portion of the site is constrained for development by existing conditions such as flooding, creek-lines and vegetation. These constraints will be the primary determinants of the value of the land. Land for open space will be acquired by Liverpool Council and will be funded by a Section 94 Contribution Plan. The Land Acquisition (Just Terms Compensation) Act sets out the considerations for how the value of land is determined when it needs to be acquired by a public authority to protect landowner and public authority interests. The Act requires that the land is purchased at the market value regardless of the public purpose zoning. The open space zoning therefore does not affect the value of the land.
B575661	The Active Open Space within Leppington Major Centre is located in a poor position and should be relocated (alternate locations provided).	The position of the Active Open Space within Leppington Major Centre is considered to be located in the best position to allow access and use by the majority of the future residential and working community. A thorough review of the location of this park was undertaken as part of the preparation of a Public Domain Strategy for Leppington Major Centre, which contributed to the finalization of the Indicative Layout Plan. That review concluded that the location, as proposed in the draft Precinct Plan, is the most appropriate as it provides opportunities for access by both residents and workers. It is also located on key pedestrian and cycle routes through and to the major centre and on a major road with good vehicle access.
B588570	The proposed Indicative School Site is inappropriate as it is located very close to an existing school. All other proposed Indicative School Sites are further separated from each other in the remainder of the Precincts.	The size of the school proposed in this location has been reduced as a result of further consultation with the Department of Education and Communities and it no longer impacts on the property that is the subject of this submission.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Contamination

Submission ID	Issue	Response
B576182	Land has been identified as being at high risk of contamination due to filling of a dam that had taken place prior to the purchase of this land. What implications does this have for development. Can anything be done to reduce this?	The identification of a high risk of contamination does not preclude development, but is an indication that further assessment is required as part of the preparation of a development application to confirm the presence and severity of any contamination, and to define a remediation strategy if necessary. Appropriate controls have been included in the Development Control Plan to provide further guidance on addressing this issue.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Odour

Submission ID	Issue	Response
B576714	Zoning of land for light industrial use will create an increased risk of air pollution on surrounding land.	Over the development life of the Precincts, there will be significant changes to the local environment and amenity as the land transitions from rural to urban land uses. The Light Industrial zone prohibits hazardous and offensive industries that would typically have greater potential to be a source of air pollution. Future development will need to comply with the relevant guidelines regarding air quality and will be considered by Liverpool Council through the Development Assessment process.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Noise

Submission ID	Issue	Response
B567792	Land is not suitable for residential development due to noise impacts from the Train Stabling Facility.	The noise impacts associated with the South West Rail Link have previously been considered by the Department of Planning and Infrastructure during the assessment of the Major Project Application for the rail line. The SWRL was deemed suitable for approval subject to the imposition of appropriate conditions to manage any associated impacts on existing residential receivers. As part of the Project Approval for the SWRL, Transport for NSW (TfNSW) is required to determine the operational noise criteria with regard to the relevant legislation and guidelines for the rail line and fixed activities (including the train stabling facility). The Minister's Conditions of Approval also require the proponent to work with the Department to investigate potential land use planning measures to mitigate noise impacts from the stabling facility. The Department has considered this approach and has concluded that land use zoning and planning controls are not effective measures to mitigate the noise impacts from the stabling facility. This is primarily because the area of land affected by noise impacts is very large and it is not appropriate to zone all the affected land for non-residential purposes. Non-residential uses have been included in some noise affected areas where those land uses are consistent with other land use planning objectives for the Precinct. However, further extension of non-residential uses into land north of Bringelly Road is not justified based on the demand assessment for industrial and employment related uses. While less sensitive land uses could be encouraged through appropriate land use zones, managing noise impacts from the stabling facility is not a reason on its own to apply a particular land use zone to land that is affected by noise. There must be sufficient market demand for the particular land uses and they must be appropriately located based on other planning considerations. In relation to this property, the issue of alternative non-residential land uses has been considered elsewhere in this submissions report, and the conclusion is that non-residential land uses are not appropriate in this location. TfNSW is required to undertake an Operational Noise and Vibration Review to confirm the noise and vibration impacts and control measures to be implemented for the operation of the rail line for existing residential receivers. Given that there are existing residential dwellings in close proximity that will need to be considered to ensure operational noise criteria are met, land north of Bringelly Road is considered to be suitable for residential development subject to appropriate acoustic treatment measurements. Requirements for these measures have been included in the Development Control Plan.

Submission ID	Issue	Response
B567792	Land is not suitable for residential development due to noise impacts from Bringelly Road upgrade.	This issue has been addressed within the Land Use Zoning issue category.
B576714	Land zoned for light industrial land uses may cause a noise impact for properties where landowners choose to stay and not develop.	Future development within the Light Industrial zone will need to comply with the Industrial Noise Policy and appropriate controls have been included within the Development Control Plan to manage the interface between industrial and residential land uses.

AUSTRAL AND LEPPINGTON NORTH

Issue Category Summary

Leppington Major Centre

Submission ID	Issue	Response
B573378, B573384	The proposed commuter car park should be relocated to make better use of land in State Government ownership which is surplus to the South West Rail Line operational corridor, and also to achieve better road access and urban design outcomes for the Leppington Major Centre. Alternate sites provided.	The potential future commuter car park location has been moved to the northern side of the South West Rail Line, on land that is already in Government ownership, so as to minimize impacts on the development potential of land south of the line that is in private ownership.
B578532, B584638	Proposed minimum dwelling densities for Medium Density Residential land within the Leppington Major Centre are considered to be low compared to densities around other smaller scale centres and should be increased.	Dwelling densities for residential areas around the Leppington Major Centre have been established to meet short to medium term market demand for housing to encourage earlier development within close proximity to the retail core and Leppington Station. The minimum density does not prevent denser forms of residential development occurring should the market demand exist. It is anticipated that residential densities will evolve in Leppington Major Centre as access to services and facilities in the centre improves. Should early development indicate that denser residential development is attractive to the market, planning controls such as minimum densities, building heights and floor space ratios can be reviewed by the Department of Planning and Infrastructure in conjunction with Camden Council.
B562486	A commuter car park has been shown on the zoning map over two properties that have not been consulted. Confirmation is required that the land is not needed for a commuter car park (and hence does not need to be acquired).	The potential future commuter car park location has been moved to the northern side of the South West Rail Line, on land that is already in Government ownership, so as to minimize impacts on the development potential of land south of the line that is in private ownership. The commuter car park is indicative only at this stage of planning and will be confirmed as planning for the long term transport arrangements around Leppington Station is refined.
B576743	The physical separation of the retail centre, to the south of Leppington Station, and the civic, commercial and mixed use areas will divide the major centre and slow private sector investment/development on the northern side of the station.	Civic and community uses have been clustered north of the train station so that they can all benefit from close proximity to the station and so that complementary services can be located close to each other. Since exhibition, the zoning of land in the 'civic precinct' has been reviewed. The zoning of the TAFE, Integrated Primary Health Care Centre and the Civic/Cultural Centre is now Mixed Use to enable greater flexibility in the development of community services that might incorporate other land uses. The relevant Government agencies are still nominated as acquisition authorities for this land under the Growth Centres SEPP. The main retail core has been located on land that has fewer individual land owners as this will encourage early development of retailing in the centre.

Submission ID	Issue	Response
B576743	No residential development, other than 2 storey shop top housing in the mixed use land, is within 400m of Leppington Station or bus interchange. There is not a successful example of an entire precinct of 2 storey shop top housing anywhere in Australia. Greater height limits (4 to 6 storeys) and FSR provisions for residential development are required to better utilise the Station and bus interchange.	The Growth Centres SEPP does not specify maximum building heights in the Leppington Major Centre, however, the DCP does include indicative height controls. The height controls have been amended to enable taller residential or mixed use buildings in the retail core than were proposed in the draft Precinct Plan.
B576743	The 2 storey mixed use zone is separated from the retail core by civic buildings and the South West Rail Link. It is highly unlikely that shoppers will utilise two competing shopping precincts on the north and south of the railway line. Retail Precincts should be clearly visible to pedestrians and motorists and be easily accessible. Health and educational facilities are attractors (ie. will draw people regardless of where they are) and do not require prominent real estate in town centres. Education and Health facilities are better located to the west of their current location (ie. where mixed use land is now) in close proximity to the future commuter car park. Land fronting Rickard Road, currently identified as a TAFE, could be developed for ground floor retail with commercial or residential uses above.	It is not anticipated that the mixed use land north of Leppington Station will serve a primary retail function. The primary retail function for Leppington Major Centre and the greater South West Growth Centre has been concentrated and located in the retail core to the south of Leppington Station. The mixed use land to the north of the Leppington Station has been identified as being capable of accommodating additional office/commercial space for civic land uses (and other supporting private land uses). Whilst retail uses are permissible, the scale of these uses is anticipated to be small, providing daily convenience retail opportunities related to residential development in the mixed use zone or uses that complement the civic and community uses nearby. The core retail area has clearly been identified with frontage to Rickard Road and the southern side of Leppington Station, and has good vehicle, public transport and pedestrian access. Retail uses, such as bulky goods, that rely on high visibility from major roads, are located on the major roads including Bringelly Road, Camden Valley Way and Cowpasture Road. The Health and TAFE facilities have been located to benefit from access to public and private transport. Locating these facilities further west of their current proposed location would serve to erode the access and usability of the facilities. The mixed use zoning of these sites in the final Precinct Plan creates opportunities for retail or other land uses to be integrated with these facilities.
B576743	There will be a lack of activity on the northern side of the railway line. Introduction of residential apartments within walking distance to the Civic Precinct, railway station and retail core will create walkable and active areas that promote a sustainable compact city that is vibrant and safe.	Land uses within the Civic Precinct are likely to be used inside and outside of traditional business hours (ie. Access to Health facility services after hours, evening education classes at TAFE and events/facilities within the Community Facility). Land in the Civic Precinct is now zoned Mixed Use to provide more flexibility and potential for activity and residential development in this part of the centre. Height and FSR controls have also been adjusted to allow for mixed use development in this part of the centre.
B575661	There are better alternative locations for the Active Open Space within the Leppington Town Centre and this space should be relocated (alternate locations provided).	Alternative locations for the active open space have been considered by Council and DP&I. However, this review has concluded that the proposed location is appropriate as it will ensure access to this facility by residents and workers in the Business Park area.

Submission ID	Issue	Response
B575661	Development of the Active Open Space will generally require a flat grade. Existing topography would have significant cost implications.	The existing topography of the site of the playing fields has been reviewed and a preliminary section has been prepared to determine cut and fill requirements. A concept design for the active open space has been prepared as part of the Public Domain Strategy. This concept design confirms that the site is suitable and that the slope of the land creates opportunities for elevated spectator areas, particularly on the southern and western sides of the playing field. This is considered to be an advantage rather than a constraint.
B575661	Location of open space is approximately 1km from Leppington Station. It should be located closer to key transport linkages and so that it provides more direct pedestrian linkages.	The active open space has been positioned to maximize benefit for future residents and workers that will be located within the Leppington Major Centre. The active open space only serves a local function (ie. not a greater district or regional scale facility), and has been positioned to be accessible to the resident and worker populations it will serve. As such, it is not considered necessary for the active open space to be located closer to regional transport nodes. It is located on Byron Road, which is expected to accommodate at least local bus routes in the future.
B575661	The proposed Active Open Space does not take advantage of any co-location with schools or community facilities or allow for increased usability between future residents and the working community.	The location of the active open space has been chosen to maximize use and access by the future residential and working community as it is located between the business park (the primary source of office workers who will take advantage of the sports facilities for things like lunchtime sport) and the medium density residential area. The Department of Education and Communities has advised that due to the changing nature of land uses and development in the vicinity of Leppington Primary School, it will no longer be a suitable location for a primary school and will be relocated at some point in the future. As such, there is not an opportunity within Leppington Major Centre to co-locate the active open space with schools. Locating the active open space near the civic precinct does not take best advantage of land in close proximity to the train station, nor would it benefit the local resident or business park worker populations.
B575661	The proposed Active Open Space does not take advantage of any view corridors that have been identified nor does it allow for direct connectivity to other recreational areas.	The active open space has been intentionally located at a point where it links to major pedestrian routes and green corridors. A green corridor is proposed to follow roads that run east from Scalabrini Creek (following a minor drainage line) to Rickard Road, past the Leppington Public School heritage item, and east towards the intersection of Cowpasture Road and Camden Valley Way. That intersection will be signalized and it is therefore anticipated that it will become a major pedestrian route into the centre from the East Leppington Precinct. North of the playing fields, a drainage channel links to the green corridor along Bonds Creek. The playing field is therefore part of a system of green links and pedestrian routes that will connect different parts of the centre.
B575661	The proposed Active Open Space land should be shared over more landowners as at present hardship/impact on development rights is placed on 1 landowner.	The active open space comprises 3 lots that are owned by 2 different landowners. Minimising the number of properties reduces the overall impacts of acquisition and demolition of dwellings. Locating the active open space on additional properties would complicate the acquisition process.
B592903	Given the inclusion of Private Open Space and a	The extent of filling of the flood plain has been assessed by Cardno based on

Submission ID	Issue	Response
	Drainage Basin on 116 Dickson Road, the resultant land zoned for Mixed Use will be undevelopable. Further filling should be allowed to reduce the extent of Private Open Space to allow the lot to be developed. Alternatively, development incentives such as increased FSR etc should be applied to the land within Leppington Major Centre to encourage consolidation and appropriate development outcomes.	parameters agreed upon between Camden Council and the Department of Planning and Infrastructure to ensure flooding conditions downstream and upstream are not impacted upon or worsened by filling in the floodplain. Further filling of the floodplain, other than that proposed, is not supported. However, the flood modeling has been revised following exhibition and the extent of the 100 year flood has in many locations been reduced, meaning that floodplain filling can extend slightly further west on this property. The approach to stormwater detention has also been modified with the incorporation of an on-line basin (replacing off-line basins on Scalibrini Creek south of the rail line) and inclusion of requirements for on-site detention in the retail and industrial areas. The extent of land that is zoned for development purposes has therefore been maximized. Non-developable land is zoned for either drainage or public recreation purposes.
B592903	What is the intent of the Private Open Space in Leppington Major Centre? Who will benefit from it? How will it be maintained? It is problematic to rely on private landowners to manage and maintain open space and could result in a detrimental effect on development of adjoining sites.	The private open space has been changed to Public Recreation, and will provide a district passive recreation area associated with Scalibrini Creek and the retail core/mixed use areas of the town centre. The district park will be accessible to residents in the centre and south of Ingleburn Road.
B592903	The size of the land set aside for the Health Facility in Leppington Major Centre is questioned given typical hospitals require 16 hectare sites.	The size of the Health Facility included in Leppington Major Centre has been determined based on the requirements NSW Health. NSW Health has advised that the facility will be a Regional Integrated Primary Care facility which is a step down from a hospital. The facility will include space for General Practitioners, specialists and day surgery, but not the full range of patient services normally provided in a hospital. Higher order hospital demand for the Precincts will be served by Liverpool Hospital, which will be supported by the facility at Leppington by reducing demand for out-patient and short stay treatments that might otherwise be provided at Liverpool. The mixed use zoning around the health facility provides opportunities to establish related private health care providers near the public health facility.
B592903	There is more land identified for open space than required in Leppington Major Centre. This needs to be reconsidered in light of impacts on development yields.	The majority of land identified for open space within Leppington Major Centre has been located on land that is predominantly constrained by flooding. It is necessary for some open space to be located in unconstrained land to ensure access and usability is maximized. The higher provision of open space than baseline residential standards is also necessary to cater for the future working population that needs access to open space. In addition, the passive open space along Scalibrini Creek will cater for a larger population than is contained within the Leppington Precinct, also serving future residential development in the Leppington Precinct to the south. The costs of open space in the Leppington Major Centre are apportioned appropriately between residential development, commercial and retail development, and residential development in the Leppington Precinct to the south.

Appendix C: Key Stakeholders notified by mail of the public exhibition



24 October 2011

Contact: Community Relations Team
Phone: 1300 730 550
Email: community@planning.nsw.gov.au
Fax: (02) 9895 7670

Dear Sir / Madam

RE: Austral and Leppington North Draft Precinct Plan on exhibition

I am writing to advise you of the exhibition of the draft Precinct Plan for the Austral and Leppington North Precincts in the South West Growth Centre from **Wednesday 26 October 2011** until **Friday 2 December 2011**.

The Plan proposes changes to planning controls, land uses and the provision of new infrastructure for the Austral and Leppington North Precincts. Stakeholders are encouraged to view the information and provide their input.

The exhibition material can be viewed at:

- Department of Planning & Infrastructure, L5, 10 Valentine Avenue, Parramatta
- Department of Planning & Infrastructure, 23 – 33 Bridge Street, Sydney
- Liverpool City Council, L2, 33 Moore St, Liverpool
- Camden Council, 37 John St, Camden
- Camden Council, Narellan Office, 19 Queen St, Narellan

Exhibition material will also be available from October 26 on the Austral or Leppington North webpages at www.growthcentres.nsw.gov.au and can be ordered on CD by calling the Growth Centres Information Line on 1300 730 550.

The Department of Planning & Infrastructure encourages stakeholders to put their opinions on the draft plan forward via the submission process. Submissions must be received by **5pm Friday 2 December 2011** and can be:

- Posted to GPO Box 39, Sydney NSW 2001
- Emailed to community@planning.nsw.gov.au
- Faxed to (02) 9895 7670

Yours sincerely

Robert Black
Executive Director, Land Release

AUSTRAL AND LEPPINGTON NORTH

Key Stakeholder List

Organisation	Contact
Premier and Minister for Western Sydney	The Hon Barry O'Farrell MP
Minister for the Environment and Minister for Heritage	The Hon Robyn Parker MLC
Minister for Roads and Ports	The Hon. Duncan Gay MLC
State Member for Macquarie Fields	Dr Andrew McDonald MP
Minister for Transport	The Hon. Gladys Berejiklian MP
State Member for Liverpool	Mr Paul Lynch MP
State Member for Camden	Mr Chris Patterson MP
State Member for Mulgoa	Mrs Tanya Davies MP
Landcom	Mr Sean O'Toole Managing Director
Office of Environment and Heritage - Planning and Aboriginal Heritage	Ms Lisa Corbyn Chief Executive
NSW Office of Water	Mr David Harris NSW Commissioner for Water
Endeavour Energy, Department of Trade and Investment	Mr Vince Graham Chief Executive
Housing NSW	Mr Mike Allen Chief Executive
Office of Strategic Lands	Ms Deidre Stewart Senior Manager, Acquisition
The Treasury	Mr Michael Schur Secretary
NSW Department of Education & Communities	Ms Pam Christie Acting Director General
Transport for NSW	Mr Les Wielinga Director General
Department of Premier and Cabinet	Mr Chris Eccles Director General
NSW Department of Health	Dr Mary Foley Director General
NSW Industry and Investment	Dr Richard Sheldrake Director General
Division of Local Government, Department of Premier and Cabinet	Mr Ross Woodward Chief Executive
Sydney Water Corporation	Mr Kevin Young Managing Director
Department of Aboriginal Affairs	Mr James Christian Chief Executive
RailCorp, Transport for NSW	Mr Rob Mason Chief Executive
Department of State and Regional Development	Mr Barry Buffier Director General
NSW Police Force	Supt Alan Baines
NSW State Emergency Service	Mr Murray Kear Director General
Council of Social Service of NSW	Ms Pam Batkin President
Local Government and Shires Assoc	Cr Keith Rhoades President

Growth Areas Authority Victoria	
Gorodok	Mr Mark Walker General Manager
NSW Fire and Rescue	Mr Greg Mullins AFSM Commissioner
Sydney West Area Health Service, Nepean Hospital	Ms Kim Lyle Director, Public Relations, Area Executive Officer
Sydney South West Area Health Service	Mr David Lawrence Deputy Director
NBN Co.	Mr Michael Quigley CEO and Director
Sydney Water	Mr Adrian Miller Manager, Urban Growth Strategy and Planning
Western Sydney Parklands	Mrs Suellen Fitzgerald Executive Director
Property Council of Australia	Mr Ken Morrison Chief Operating Officer
Real Estate Institute of NSW	Mr Wayne Stewart President
UDIA NSW	Mr Stephen Albin Chief Executive
Housing Industry Association	Mr Graham Wolfe Chief Executive
Regional Development Australia - Sydney Committee	Mr Bob Germaine Executive Officer
Western Sydney Business Connection	Dr David Low President
Greening Australia	Dr David Butcher CEO
Nature Conservation Council of NSW (NCC)	Prof Don White Chair
Total Environment Centre (TEC)	Mr Jeff Angel
Action for Public Transport	Mr Jim Donovan
National Trust of Australia (NSW)	Ms Jacqui Goddard
Western Sydney Community Forum	Ms Mary Waterford Executive Officer
Shelter NSW	Ms Mary Perkins Executive Director
Clubs NSW	Mr Josh Landis Executive Manager – Policy & Government
Darug Tribal Aboriginal Corporation	Mr John Reilly President
Darug Aboriginal Cultural Heritage Assessments	Mr Gordon Morton
Tharawal Local Aboriginal Land Council	Mr Greg Bondar Chief Executive Officer
Cubbitch Barta Native Title Claimants Aboriginal Corporation	Mrs Glenda Chalker
DLO	Mr Gordon Workman

Aboriginal Elder's Group, Hoxton Park	Aunty Norma Shelley
Darug Custodian Aboriginal Corporation	Ms Leanne Watson Director
Gandangara Local Aboriginal Land Council	Ms Cinderella Cronan Chairperson
Darug Aboriginal Land Care	Mr Des Dyer Chairperson
Tocumwal/Yarrawalk	Mr Scott Franks
Camden Council	Mr Greg Wright General Manager
Liverpool Council	Mr Farooq Portelli General Manager
NSW Office of Environment and Heritage	Mrs Petula Samios Director (Heritage), Office of Environment & Heritage
Railcorp	Mr Rob Mason CEO
NSW Rural Fire Service	Mr Shane Fitzsimmons AFSM Commissioner
Office of Western Sydney, DPC	Mrs Adrienne Riddell Manager
Dept of Family & Community Services	Mrs Annette Gallard Chief Executive
Sydney Catchment Authority	Mr Michael Bullen Chief Executive
Dept of Transport, Roads & Traffic Authority	Mr Michael Bushby CEO
Ambulance Service	Mr Greg Rochford Director
WSROC	Ms Karin Bishop Deputy CEO
Jemena	Mr Paul Adams Managing Director
Dept of Sustainability, Water, Population & Communities	Dr Paul Grimes PSM Secretary
Transgrid	Mr Peter Holland Manager, Property
Urban Taskforce of Australia	Mr Aaron Gadiel CEO
Planning Institute of Australia	Ms Robyn Vincin Division Manager (NSW)
Australian Conservation Foundation	ACF Board
Bicycle NSW	Ms Elizabeth Hole
Historic House Trust of Australia	Ms Kate Clarke Director

Appendix D: Consistency with the Growth Centres Biodiversity Certification

Growth Centres Biodiversity Certification

Assessment of Consistency between the Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

December 2012

1. Introduction

In July 2008 an amendment was made under Schedule 7 Part 7 to the *Threatened Species Conservation Act 1995* (TSC Act) to confer biodiversity certification on the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). Compliance with the relevant biodiversity measures (RBMs) in the biodiversity certification order (dated 14 December 2007) is required to maintain the certification. The RBMs require (among other things) the retention of 2000 hectares of existing native vegetation within the Growth Centres and additional offsetting outside the Growth Centre boundaries.

This report has been prepared to fulfil the requirement of RBM 35 for an assessment of the consistency of proposed precinct plans with the biodiversity certification and the RBMs.

This report has been prepared in a table format and addresses all RBMs that are relevant to precinct planning. It is noted that many of the RBMs are not specific to precinct planning and have therefore not been included in the report.

A complete copy of the biodiversity certification order (including all relevant biodiversity measures) can be found on the Office of Environmental and Heritage website at <http://www.environment.nsw.gov.au/biocertification/notcert.htm>

Where the report indicates that precinct planning is inconsistent with the biodiversity certification, full justification for the inconsistency is provided as part of the ecological assessment for the precinct.

Definitions

Terms defined below appear in **bold** in the table. Where the terms are also defined in the Biodiversity Certification Order, the definitions provided are consistent with those in the Order.

- *Biodiversity Certification Maps* means the maps marked “North West Growth Centre – Biodiversity Certification” and “South West Growth Centre – Biodiversity Certification” dated November 2007 and included in Schedule 2 of the Biodiversity Certification Order.
- *Certified Area* means an area marked as a certified area on a biodiversity certification map.
- *Clearing* of existing native vegetation means any one or more of the following:
 - a) cutting down, felling, thinning, logging or removing existing native vegetation in whole or in part,
 - b) killing, destroying, poisoning, ringbarking, uprooting or burning existing native vegetation in whole or in part.
- *Existing Native Vegetation (ENV)* means areas of indigenous trees (including any sapling) that:
 - a) had 10% or greater over storey canopy cover present,
 - b) were equal to or greater than 0.5 ha in area, and
 - c) were identified as “vegetation” on maps 4 and 5 of the draft Growth Centres Conservation Plan.
- *DECCW* means the Department of Environment, Climate Change and Water (which was the former Department of Environment and Climate Change, DECC, and is now the Office of Environment and Heritage (OEH)).
- *DoPI* means the Department of Planning and Infrastructure (which was the former Growth Centres Commission, GCC).
- *Minister* means the Minister administering the TSC Act.
- *Non-certified Area* means an area marked as a non-certified area on a biodiversity certification map.
- *Protection/Protected* in relation to land means land that is protected by a land use zoning under an environmental planning instrument or public ownership arrangements that provide for the protection of biodiversity values as a priority, or another arrangement that provides in perpetuity security for biodiversity on the subject land.
- *Relevant Biodiversity Measures* means the conditions in Schedule 1 of the Biodiversity Certification Order.
- *TSC Act* means the *Threatened Species Conservation Act 1995*.

2. Assessment

Table 1: Assessment of consistency between the relevant biodiversity measures of the Biodiversity Certification Order and Austral and Leppington North Precincts.

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
General				
4	Copies of all final reports, maps, reviews, plans and monitoring data referred to in the conditions of biodiversity certification must be held by the DoPI and made publicly available, either on request and/or by a mechanism that is broadly publicly accessible. This does not apply to material that is commercially sensitive or contains sensitive information regarding the location of threatened species, populations or ecological communities or their habitat.	All information required by the RBMs for the Austral and Leppington North Precincts will be publicly exhibited at a date yet to be determined, and an assessment of consistency (this report) will be updated where necessary after exhibition.	Yes	The following information will be publicly exhibited and available following gazettal: • This report in accordance with RBM 35; • Information required by RBM 8, as contained in this report; • Information as required by RBM 13 (Figures 1-2 of Annex A);
Native vegetation to be retained within the Growth Centres				
6	A minimum of 2,000 hectares of existing native vegetation must be retained and protected within the Growth Centres, either within the certified areas and/or the non-certified areas , subject to conditions 7 to 13 below.	The draft Conservation Plan identifies: • 48 ha of ENV to be protected in the Austral Precinct (prior to the impact from the SWRL and excluding ENV in the Kemps Ck Nature Reserve); • 52 ha of ENV to be protected in the Leppington North	Yes	The Biodiversity Certification Map (Figure 1 of Annex A) identifies ENV within the Precincts which is required to be retained. The draft precinct plan (based on the final ILP, at Figure 1 of Annex B) protects 116.62ha of ENV within the Precincts through appropriate zoning of land, mapping of Existing Native Vegetation Areas on the Native Vegetation Protection Map and provisions that prohibit clearing of

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
		Precinct (prior to the impact from the SWRL); 7.14ha of ENV in the Investigation Areas is to be protected. This is a total area of 107.14 ha of ENV that is required to be protected across the Precincts to maintain parity with the draft Conservation Plan. 0.61 ha of ENV in the Investigation areas will be impacted by the South West Rail Link. Of this 0.61 ha, 0.52ha is on land which is currently non-certified and will be separately offset by TfNSW - When the non-certified ENV to be impacted (and offset) by the SWRL is taken into account, the target for protection of ENV to maintain the 2,000 hectares of ENV across the Growth Centres is 106.62 hectares. - The total area of ENV protected in the Precincts and investigation areas is 116.62ha		ENV as mapped. Changes to the non-certified land boundaries (Annex E) are also proposed, to be consistent with the ENV to be protected under the Precinct Plan.

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
Retention of existing native vegetation during precinct planning				
7	During the precinct planning process, the DoPI may determine to make areas of existing native vegetation within the non-certified areas available for development if the clearance of such vegetation is considered necessary for either the provision of essential infrastructure and/or to meet the required Development Parameters specified in the Growth Centres Development Code.	4.03ha of ENV on non-certified land will be removed as per the draft Precinct Plan (Figure 1 and Figure 2 of Annex D) to enable development parameters to be met and to allow for essential infrastructure.	Yes	The area of non-certified ENV to be removed will be more than offset by the protection of a total of 116.62ha of ENV across the Precincts, 10.00ha more than is required by the biodiversity certification order The total area of currently non-certified ENV proposed to be certified is 4.03ha. The total area of currently certified ENV proposed to be non-certified is 22.48ha. The calculations of protected ENV are based on ground-truthed ENV (see RBM 13) and this explains differences in totals when compared to the amount of ENV required to be protected.
8	In making a determination under condition 7, the DoPI must demonstrate by way of information provided during the public exhibition of the precinct plan (where that exhibition occurs after this order takes effect) that the clearing of any existing native vegetation in the non-certified areas will be offset by: (a) the protection of an equal or greater area of existing native vegetation elsewhere in the Growth Centres; and/or (b) the revegetation and/or restoration of an area of land elsewhere in the Growth Centres, subject to satisfying the following, (i) that the clearance of existing native vegetation in the non-certified areas will not affect the capacity to achieve overall improvement or maintenance of biodiversity values for threatened species, populations and ecological communities and their habitats, (ii) the revegetated and/or restored areas will be protected,	Offsetting of the impacts described for condition 7 will be achieved by the protection of an equal or greater area of ENV in accordance with condition 8(a) (as shown on Figure 1 and Figure 2 of Annex D).	Yes	The offsetting of impacts on non-certified ENV is required to enable the efficient development of the Precincts, including the provision of essential infrastructure. The 4.03ha of non-certified ENV to be cleared throughout the Precinct will be offset by the protection of an additional 10ha of ENV, above what is required under the draft Conservation Plan. The proposed offsets are in most cases connected with or adjacent to existing non-certified areas along the major creeks to form part of continuous vegetation and habitat

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
	(iii) the extent of revegetation and/or restoration compared to clearing of existing native vegetation must be undertaken at a ratio of at least 3:1 (to reflect the greater ecological risks relative to retaining existing native vegetation), (iv) areas subject to revegetation and/or restoration must be of a suitable boundary configuration and design to support long-term management, (v) revegetation and/or restoration of the proposed areas would not be undertaken under another scheme or regulatory requirement already in operation at the time that the clearing is approved (this includes but is not limited to any approvals, and associated conditions of such approvals, that may be required under the <i>Rivers and Foreshores Improvement Act 1948</i> and <i>Water Management Act 2000</i>), (vi) revegetation and/or restoration will be undertaken by suitably qualified and experienced persons using indigenous plant stock, and (vii) sufficient resources will be made available to undertake the revegetation and/or restoration and any necessary follow-up maintenance and monitoring for a minimum period of 5 years following the commencement of the revegetation and/or restoration.			links through the Precincts. The offset areas of ENV are to be protected through zoning controls, native vegetation protection provisions and changes to the boundaries of certified and non-certified land as described for RBM 6 above.
9	Revegetation and/or restoration may be partly counted towards meeting the overall requirement to protect 2,000 hectares of existing vegetation required in condition 6. The amount that may be counted shall be calculated by dividing the total area of revegetation and/or restoration required under condition 8b (iii) by 3. Note: for example, if 9 hectares of revegetation is undertaken then 3 hectares may be counted.	N/A	N/A	N/A

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

Retention of existing native vegetation shown in areas marked with red hatching				
12	Notwithstanding any other conditions of biodiversity certification, in the lands marked by a red hatching on the biodiversity certification maps existing native vegetation must not be cleared unless it is in accordance with a plan of management or unless such clearance has been agreed to by the DECC .	Part of the Kemps Creek Nature Reserve (covered by Condition 12) is within the Precinct boundary however the Precinct Plan does not apply to this land (as shown on the ILP at Annex B). An area that is subject to Condition 12 (but is not part of the Kemps Creek Nature Reserve), is within the Austral Precinct boundary and within the boundary of the draft Precinct Plan (see Annex A, Figure 1). No clearing of Existing Native Vegetation is proposed on this land as part of the Precinct Plan. These lands are proposed to be protected by maintaining the status of the land as non-certified, zoning areas that contain ENV as Environmental Conservation, and by applying the provision in the draft SEPP that prohibits clearing of vegetation on areas of ENV mapped under the SEPP.	Yes	Areas subject to condition 12 that are within the boundary of the draft Precinct Plan will be protected by the provisions of the draft SEPP.

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
Ground-truthing of existing native vegetation				
13	If new information becomes available after the biodiversity certification order took effect that demonstrates that the vegetation within an area does not otherwise meet the definition of existing native vegetation , then for the purposes of conditions 7 to 8 and condition 11 to 12 only the area of confirmed existing native vegetation shall be considered.	The mapping of ENV (identified on maps 4 and 5 of the draft <i>Growth Centres Conservation Plan</i>) generally corresponds with the findings of additional ground truthing investigations completed in 2010 and 2012 to inform the precinct planning process and only minor changes are recommended. Figure 2 of Annex A provides the results of ground truthing of ENV conducted as part of Precinct Planning. The ground truthing has identified 14.81ha of ENV (in both certified and non-certified lands) that is no longer considered to meet the definition of ENV.	Yes	Mapping resulting from ground truthing is provided in Figure 2 of Annex A. The draft conservation plan maps 107.14 ha of ENV within non-certified areas in the Precincts. Field surveys 101.58 Ha of ENV in non-certified areas. 43.6 Ha of additional high conservation value vegetation. (AHCVV) was identified in the Precincts as part of the Precinct Planning investigations. 17.4 Ha of this is in non-certified lands. For the purposes of conditions 7, 8, 11 and 12, only the area of confirmed ENV has been taken into account (as shown at Annex C). A total of 3.37ha of ENV is in Kemps Creek Nature Reserve (see Condition 12). Because the Precinct Plan does not apply to this land and no impacts on this vegetation are proposed, this vegetation has been excluded from calculations of protected ENV in this report (as shown on Figure 1 of Annex C).

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
Additional conservation actions within the Growth Centres – native vegetation				
14	During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code, a further detailed assessment must be undertaken of the areas adjoining or proximate to the Shanes Park Air Services Australia site marked in blue hatching on the biodiversity certification maps .	The study area does not adjoin the Shanes Park Air Services Australia site.	N/A	NA
15	The assessment referred to in condition 14 must examine whether the areas meet the criteria specified in Schedule 3.	The study area does not adjoin the Shanes Park Air Services Australia site.	NA	NA
16	Based on the outcomes of the assessment the OEH shall provide advice to the Minister on whether the areas should be included within the certified areas or the non-certified areas shown on the biodiversity certification maps .	The study area does not adjoin the Shanes Park Air Services Australia site.	NA	NA
Additional conservation actions within the Growth Centres – plants				
17	During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code relating to the areas referred to in the table below, the following actions must be undertaken:	NA (the land that is subject to condition 17 is outside the Austral and Leppington	Yes	NA

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
	Species <i>Acacia pubescens</i> Required action Potential populations at Cross Street, Kemps Creek and Thirty-second Avenue, Austral – as shown in black hatching on the biodiversity certification maps: • survey to confirm the presence of the species, and • if the species is present, provide for the protection of the area of suitable habitat for the species to the satisfaction of the OEH.	North Precinct boundaries).		

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification		
Additional conservation actions within the Growth Centres – animals						
18	During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code relating to the area referred to in the table below, the following actions must be undertaken: <table><tr><td>Species Green and Golden Bell Frog</td><td>Required action Potential population at Riverstone – as shown in black hatching on the biodiversity certification maps: <i>Option 1</i> - survey to confirm the presence of the species, and - if the species is present, provide protection of the area of suitable habitat for the species to the satisfaction of the OEH. <i>Option 2</i> - if the species is present at Riverstone but cannot be adequately protected to the satisfaction of the OEH, then: a) undertake targeted survey to confirm the presence of the species elsewhere in the Growth Centres, and b) if the species is present elsewhere in the Growth Centres, provide for the protection of an area(s) of suitable habitat for the species to the satisfaction of the OEH. </td></tr></table> Note: On completion of the above actions the Minister may decide that it is appropriate to amend the boundaries of the area subject to biodiversity certification, in accordance with condition 3.	Species Green and Golden Bell Frog	Required action Potential population at Riverstone – as shown in black hatching on the biodiversity certification maps : <i>Option 1</i> - survey to confirm the presence of the species, and - if the species is present, provide protection of the area of suitable habitat for the species to the satisfaction of the OEH. <i>Option 2</i> - if the species is present at Riverstone but cannot be adequately protected to the satisfaction of the OEH, then: a) undertake targeted survey to confirm the presence of the species elsewhere in the Growth Centres, and b) if the species is present elsewhere in the Growth Centres, provide for the protection of an area(s) of suitable habitat for the species to the satisfaction of the OEH.	N/A	N/A	N/A
Species Green and Golden Bell Frog	Required action Potential population at Riverstone – as shown in black hatching on the biodiversity certification maps : <i>Option 1</i> - survey to confirm the presence of the species, and - if the species is present, provide protection of the area of suitable habitat for the species to the satisfaction of the OEH. <i>Option 2</i> - if the species is present at Riverstone but cannot be adequately protected to the satisfaction of the OEH, then: a) undertake targeted survey to confirm the presence of the species elsewhere in the Growth Centres, and b) if the species is present elsewhere in the Growth Centres, provide for the protection of an area(s) of suitable habitat for the species to the satisfaction of the OEH.					

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
Additional conservation actions within the Growth Centres – development sites				
19	Within twelve months of the biodiversity certification order taking effect, the DoPI (in consultation with the OEH) must put in place procedures so that all future precinct plans (excluding any plans that were publicly exhibited before the biodiversity certification order took effect), where practicable, provide for the appropriate re-use of: (a) native plants (including but not limited to seed collection) and the re-location of native animals from development sites, prior to development commencing; and (b) top soil from development sites that contain known or potential native seed bank. For the purposes of condition 19a and 19b appropriate uses may include, but are not limited to, application in revegetation or restoration works and landscaping in the Growth Centres.	These provisions are incorporated into the Development Control Plans (DCP) for the Precincts.	Yes	N/A
Future precinct plans				
35	During the preparation of future precinct plans (excluding any precinct plans already publicly exhibited before this order took effect) the DoPI must undertake and make publicly available an assessment of the consistency of the proposed precinct plan with the conditions of biodiversity certification. This may occur during or before any public exhibition of future draft precinct plans.	This assessment of consistency has been prepared to satisfy this RBM. This report will be publicly exhibited with the full precinct planning package.	Yes	This assessment addresses all RBMs applicable to the planning of the Austral and Leppington North Precincts.
Future threatened species listings or discoveries				
36	Where a preliminary determination is made under the Act to list a species, population or ecological community, and that species, population or ecological community may or is known to occur within the Growth Centres, then the Growth Centres Commission must	The DoPI is not aware of any subsequent Preliminary determinations that would apply to the Austral and	Yes	N/A

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Relevant Biodiversity Measure	Austral and Leppington North Precincts - Comment	Consistent with RBMs and Schedule 7 Part 7 of TSC Act	Justification
	(as soon as practicable) provide advice to the OEH on whether: (a) the species, population or ecological community is known or likely to be present in the Growth Centres; (b) it was considered during the preparation of the draft Growth Centres Conservation Plan by the DoPI; and (c) whether the SEPP, and related measures, provides adequate protection for the species, population or ecological community.	Leppington North Precincts.		
37	Based on the information provided in accordance with condition 36, and any other relevant matters, the OEH shall advise the Minister on whether to formally review, maintain, modify, suspend or revoke the biodiversity certification of the SEPP if the species, population or ecological community is listed under the Act.	N/A	N/A	N/A

3. Conclusion

This report has undertaken an assessment of the consistency of the Austral and Leppington North Precincts planning with the biodiversity certification and the applicable relevant biodiversity measures.

It is concluded that the Austral and Leppington North Precincts planning is consistent with the biodiversity certification of the Growth Centres SEPP, as follows:

- Under the final Precinct Plan 116.62ha of ENV will be protected within the Austral and Leppington North Precincts and the investigation areas. This is approximately 10.00ha more than required under the Biodiversity Certification Order to contribute to the 2,000ha of ENV to be protected across the Growth Centres.
- ENV will be protected through a number of different zones under the draft Precinct Plan (refer to Figure 2 in **Annex C**), including Environmental Conservation, Public Recreation, and Infrastructure. The reasons for applying the proposed zones are discussed further below.
- Development controls are proposed in the draft SEPP to prohibit the clearing of protected ENV as shown on the Native Vegetation Protection Map.
- The 2010 and 2012 (post-exhibition) ground truthing surveys recorded 101.58 Ha of validated ENV in non-certified areas in the Precincts. Only ground-truthed ENV has been included in the calculation of the total area of ENV to be protected. Figure 2 of **Annex B** shows the results of the ground-truthing.

Amendments to the boundaries of certified and non-certified land are proposed as shown at **Annex E**. The boundary amendments are proposed to reflect the outcomes of Precinct Planning, and to ensure the protection of ENV to maintain consistency with the Certification.

Land use zones have been selected based on advice from the OEH in relation to appropriate zoning of land containing ENV, and with consideration of other land use planning factors, including the future ownership, acquisition and use of land in accordance with the draft Precinct Plan and the EP&A Act. While the use of Environment Protection zones is preferred by OEH, in many cases it is not possible to apply this zoning to land containing ENV because of restrictions on the ability of Council to acquire the land under section 94 of the EP&A Act. In accordance with the hierarchy of land use zones preferred by OEH, land use zones have been applied to ENV that is proposed to be protected as follows:

- Where ENV to be protected is on land that is currently in Council or State Government ownership, the E2 Environmental Conservation zone has been used. The exception to this is Craik Park, in the centre of the Precincts, which is an existing Council reserve that contains a sports field and remnant ENV. The RE1 Public Recreation zone has been applied to this land to enable continued use of the sports fields.
- Where ENV to be protected is within large land holdings (and the area of ENV comprises only small part of the total area of land in the one ownership) the E2 zone has been applied. This land is not proposed to be acquired by a public authority, but the

land owner may seek to dedicate the land to Council subject to Council agreement, and if this did occur, the ENV would be protected by the combination of zoning and public ownership. Regardless, the application of the E2 zone to land that is to remain in private ownership is consistent with OEH requirements for protection of ENV.

- Within flood affected land along Kemps Creek and Bonds Creek, and adjacent to a number of other unnamed watercourses, existing rural properties that partly contain ENV are proposed to have a “split” zoning, with the land containing ENV zoned E2 Environmental Conservation and the remainder of the property zoned for a purpose that enables some commercial return either through limited subdivision or construction of a dwelling, or continued agricultural production. Generally, where the existing rural lot is partly within and partly outside the 100 year ARI flood extent, the combination of E4 Environmental Living and E2 (for the land that contains ENV) has been used. This approach also applies to a property on the eastern side of the Precincts at Eighth Avenue, which contains patches of ENV that are linked to a large remnant to the north and east in land owned by the Sydney Catchment Authority. This enables limited subdivision and construction of dwellings on relatively large lots consistent with the flooding and vegetation constraints on the land. Where the existing rural lot is entirely affected by flooding (such as along the northern parts of the Kemps Creek floodplain) the RU6 Rural Transition zone and E2 zone (for the land that contains ENV) has been used. The Rural Transition zone will enable agricultural uses that do not cause significant amenity impacts for nearby residential areas. The ability to further subdivide this land is limited, with minimum lot size controls established to limit further subdivision of land that contains ENV. In both these situations, the land that contains ENV is anticipated to remain in private ownership.
- Where land that contains ENV is to be acquired as part of a larger acquisition for a public purpose (usually for public recreation or drainage) the RE1 Public Recreation and SP2 Infrastructure (drainage zones) have been used. These approaches have generally been applied along the larger watercourses (eg. Bonds Creek and Scalabrini Creek) where the creek channel and margins are to be acquired by Council as part of the drainage network or where ENV is located on land that is to be acquired for public parks and sporting fields (these are often located within floodprone land near the major creeks). Land in these zones will be acquired by the relevant Council

These zones, in combination with the existing native vegetation provisions (refer to Figure 3 in **Annex C**) and the proposed certification boundaries (refer to **Annex E**), will protect the ENV.

Annex A

Biodiversity Certification Map for Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

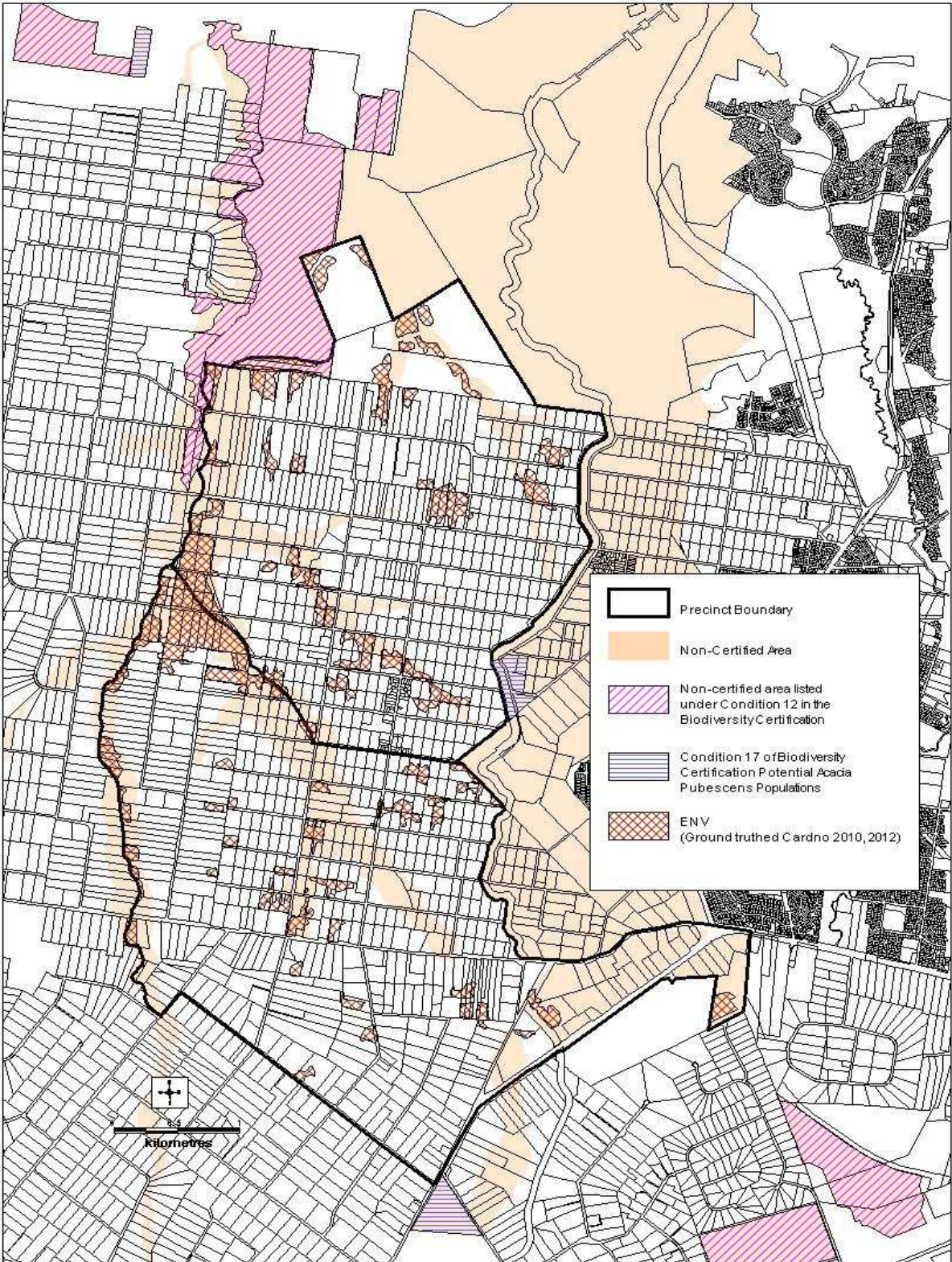


Figure 1: Austral and Leppington North Precincts – Biodiversity Certification Map showing Existing Native Vegetation (as confirmed by 2010 and 2012 ground truthing) and areas listed under Condition 12 and Condition 17 of the Biodiversity Certification.

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

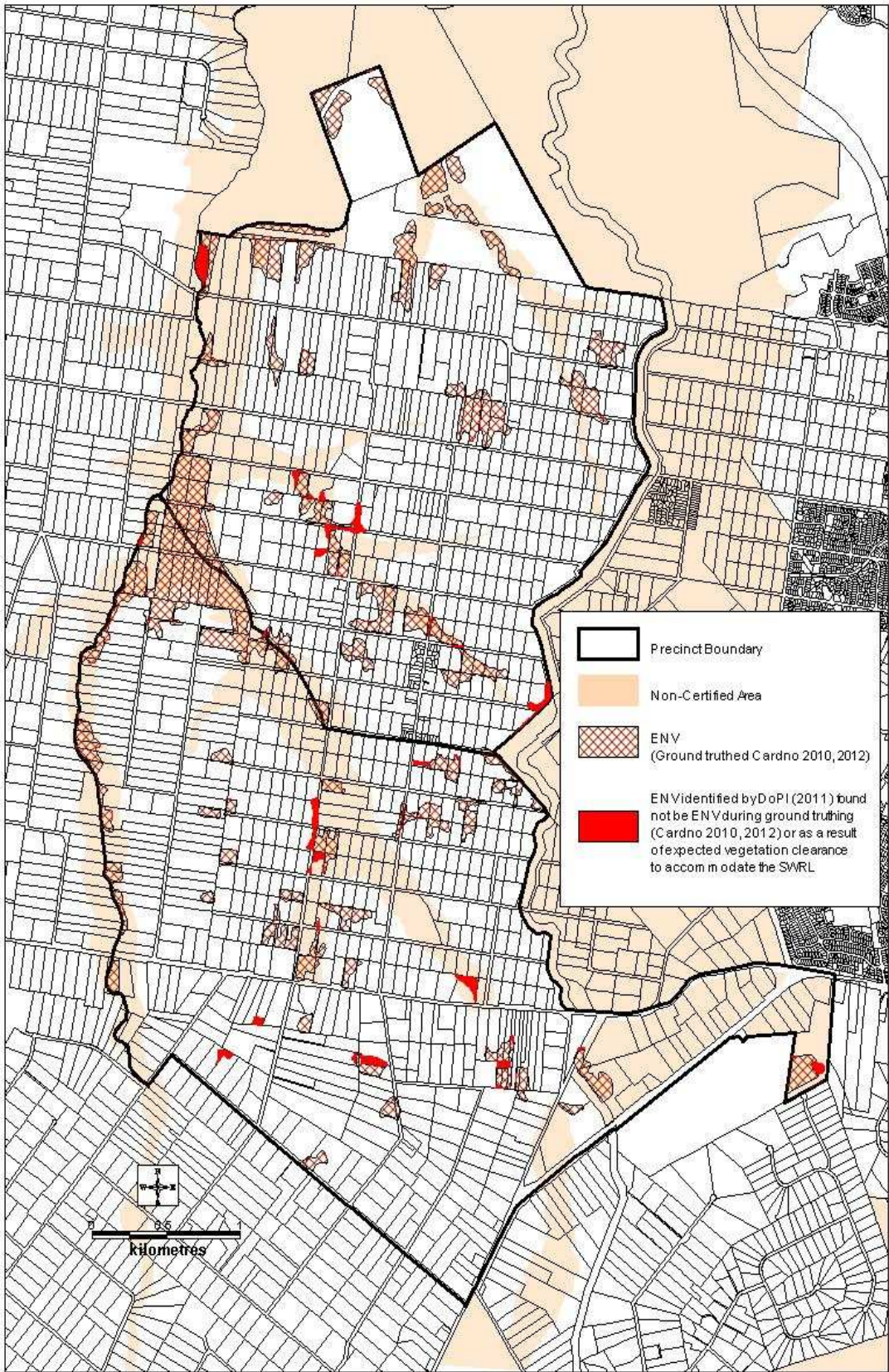


Figure 2 Existing Native Vegetation and vegetation areas found not to meet the criteria of ENV during ground truthing in 2010, 2012.

Annex B

Proposed Indicative Layout Plan for Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

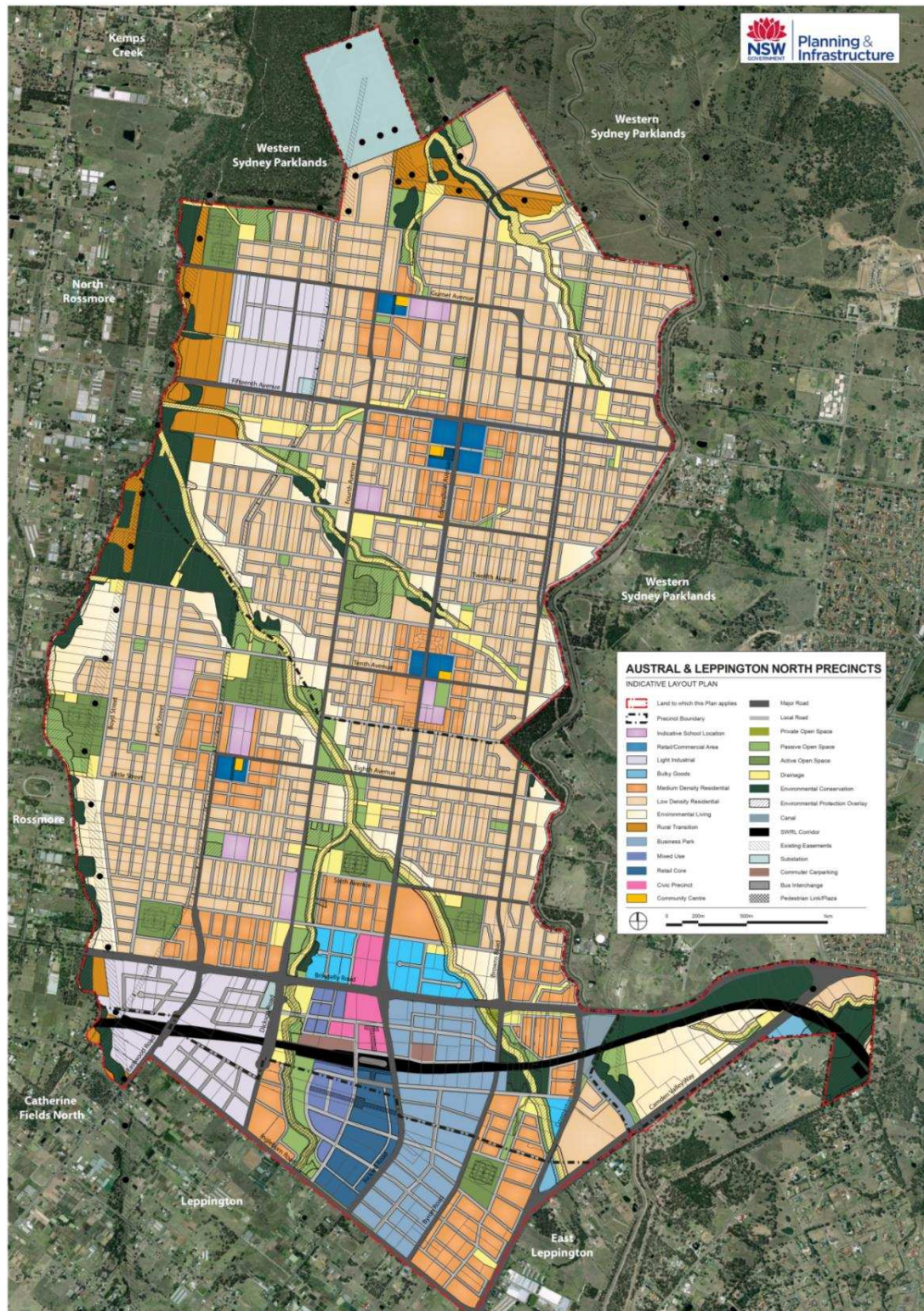


Figure 1 Final Indicative Layout Plan for Austral and Leppington North Precincts (June 2012).

Annex C

Proposed Protection Measures Plan for Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and
Austral and Leppington North Precincts

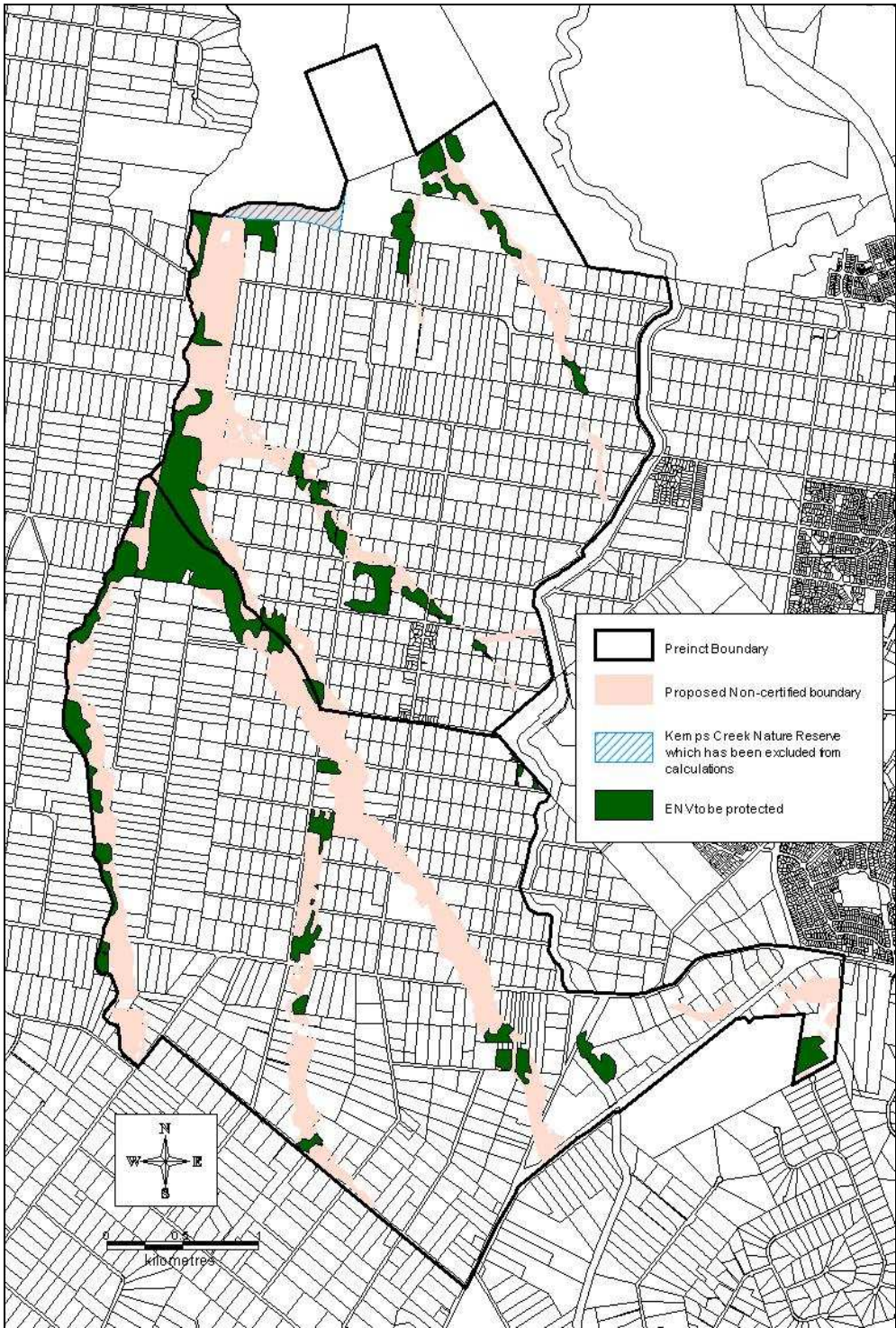


Figure 1 ENV to be protected

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

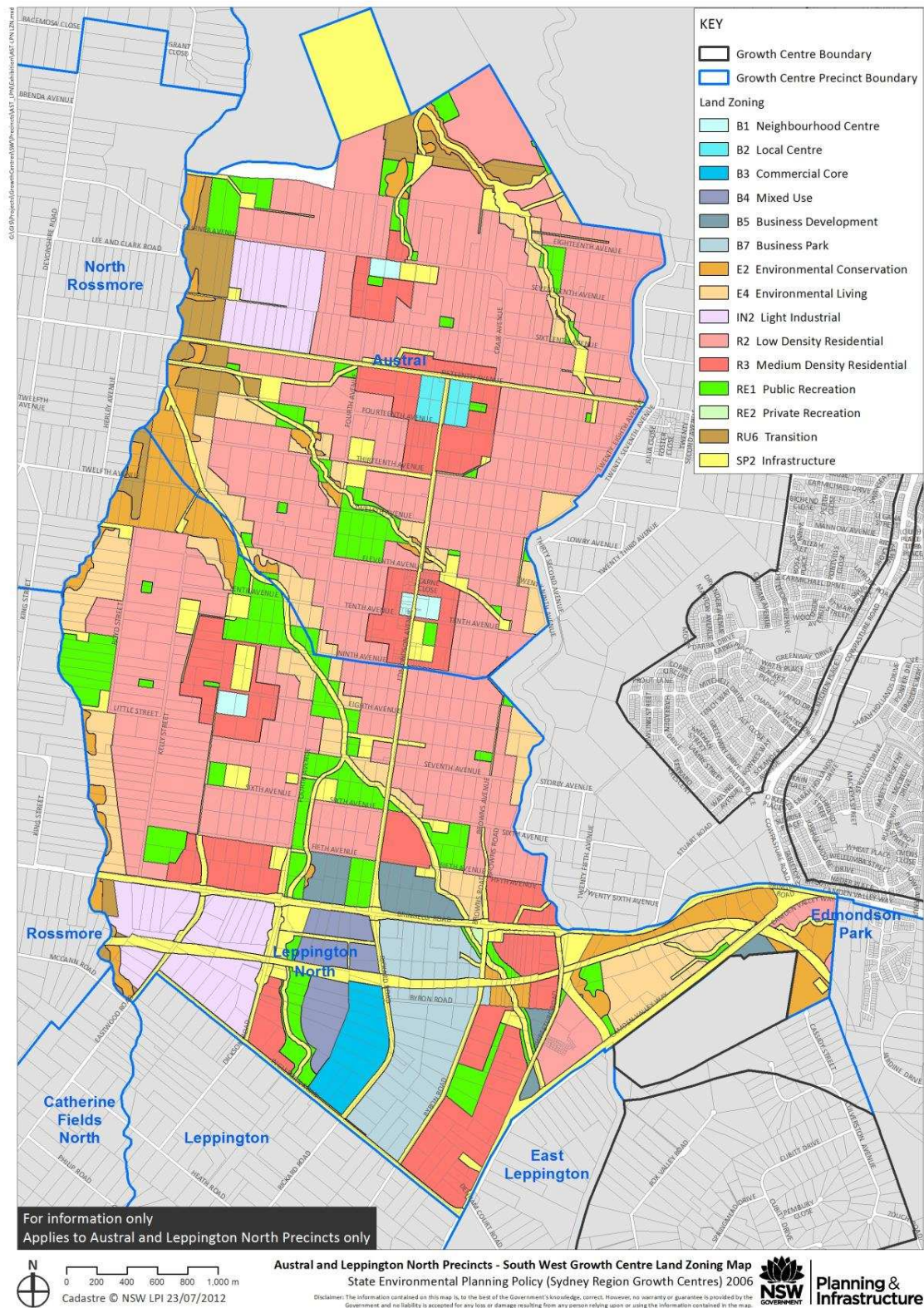


Figure 2 Land Zoning Map

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

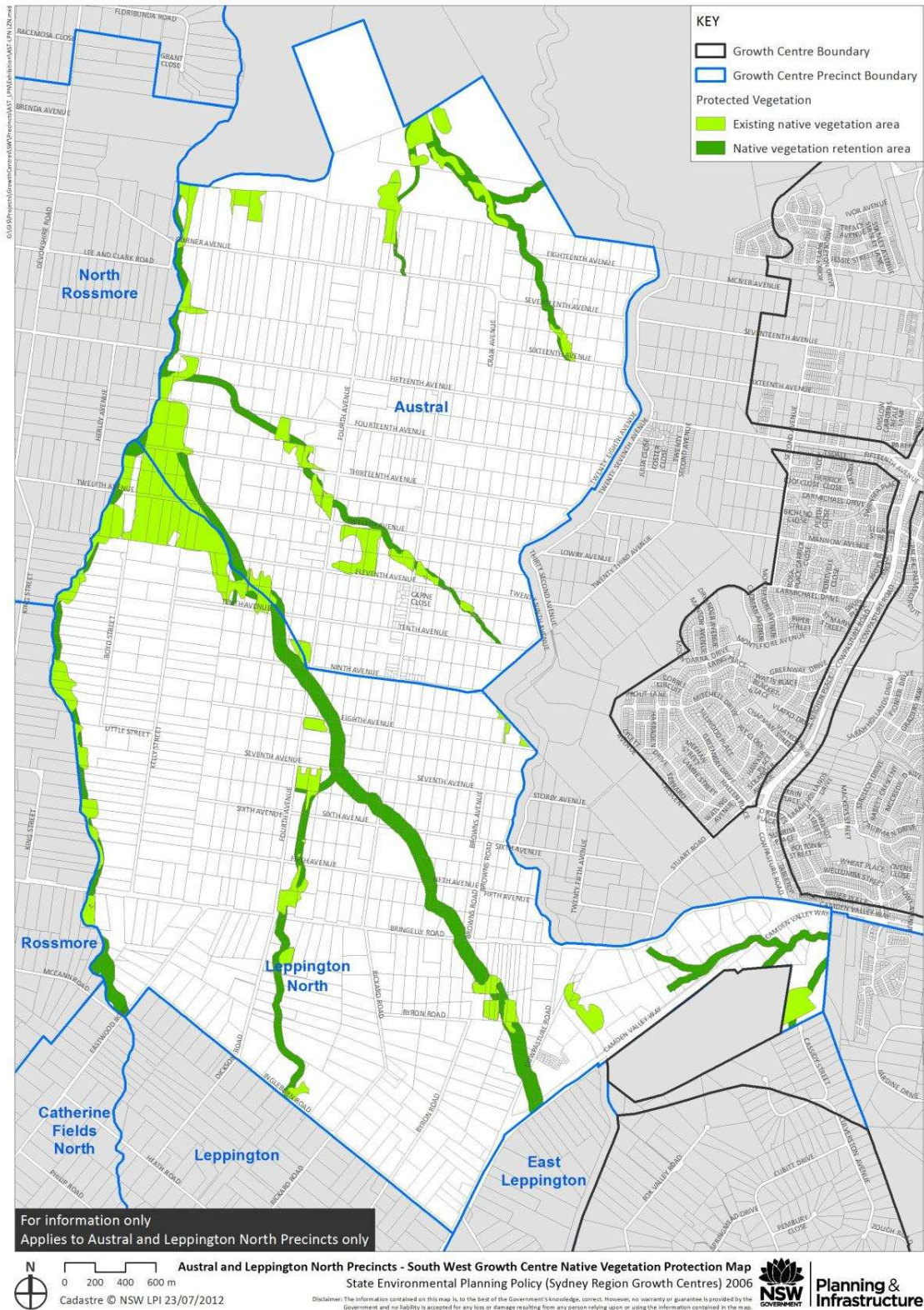


Figure 3 Native Vegetation Protection Areas Map

Annex D

Proposed Offsets Areas Precinct

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

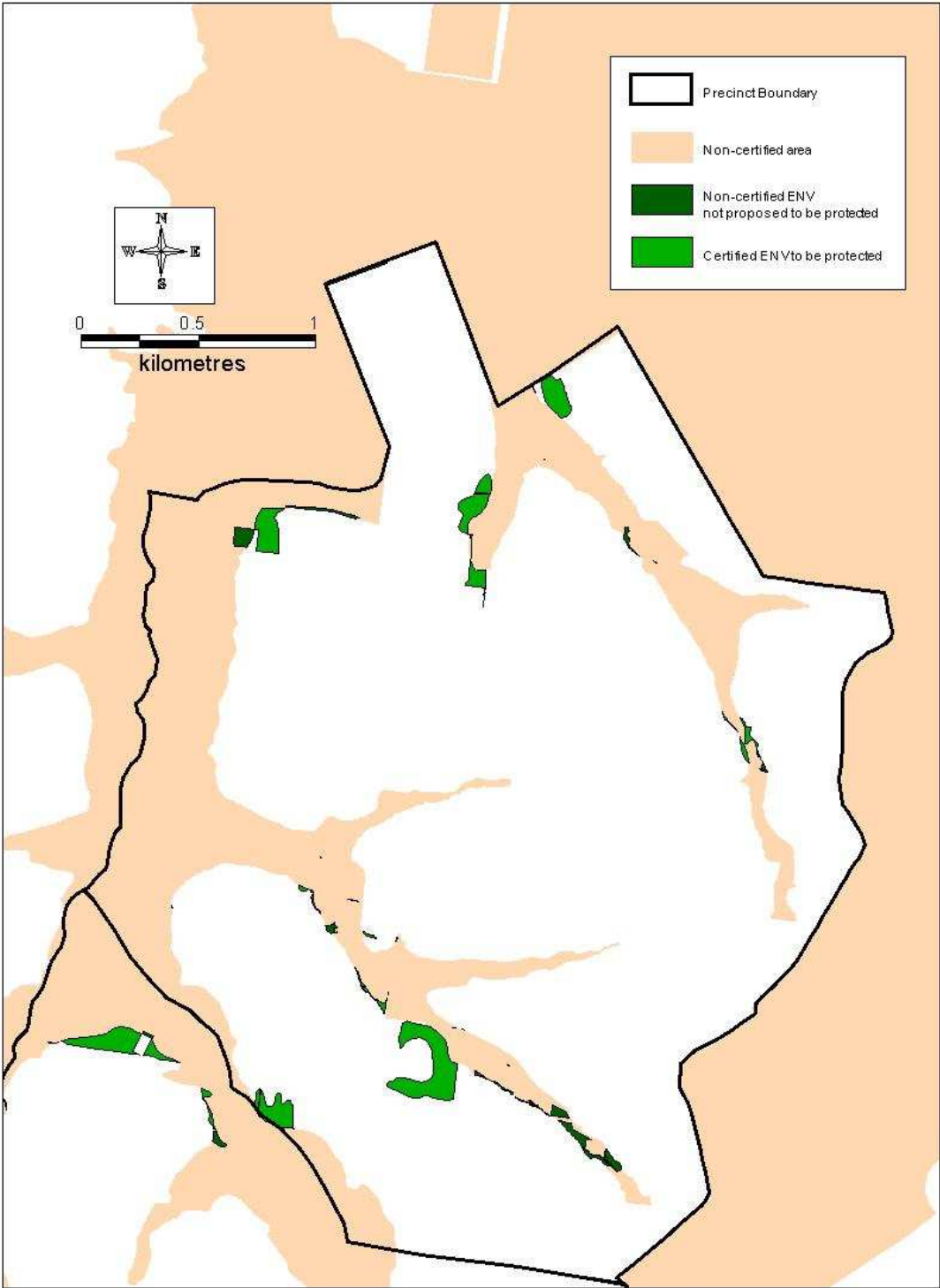


Figure 1: Certified ENV to be protected and Non-certified ENV not proposed to be protected in Austral

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

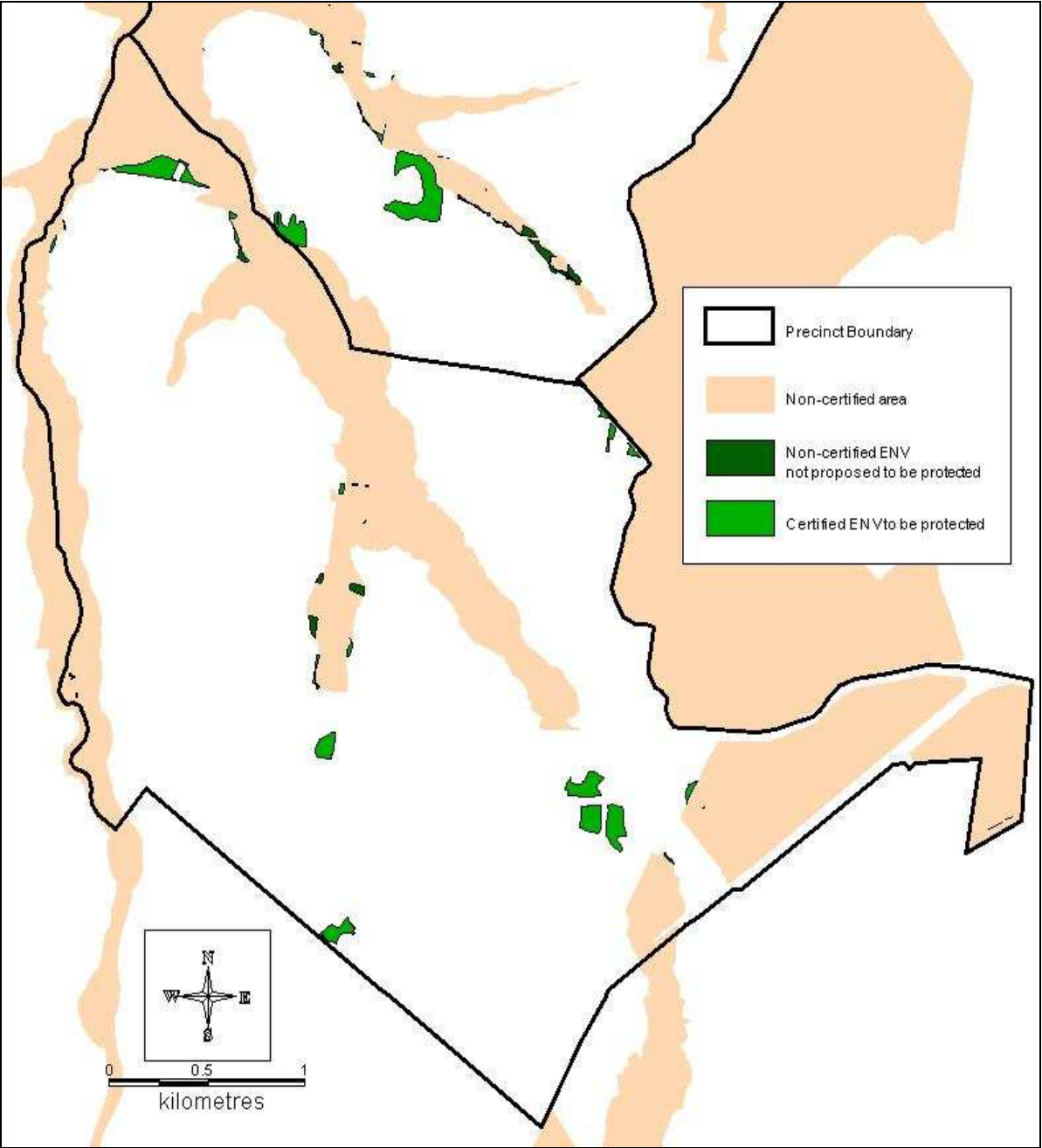


Figure 2: Certified ENV to be protected and Non-certified ENV not proposed to be protected in Leppington

Annex E

Proposed Amendments to Biodiversity Certification Map

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

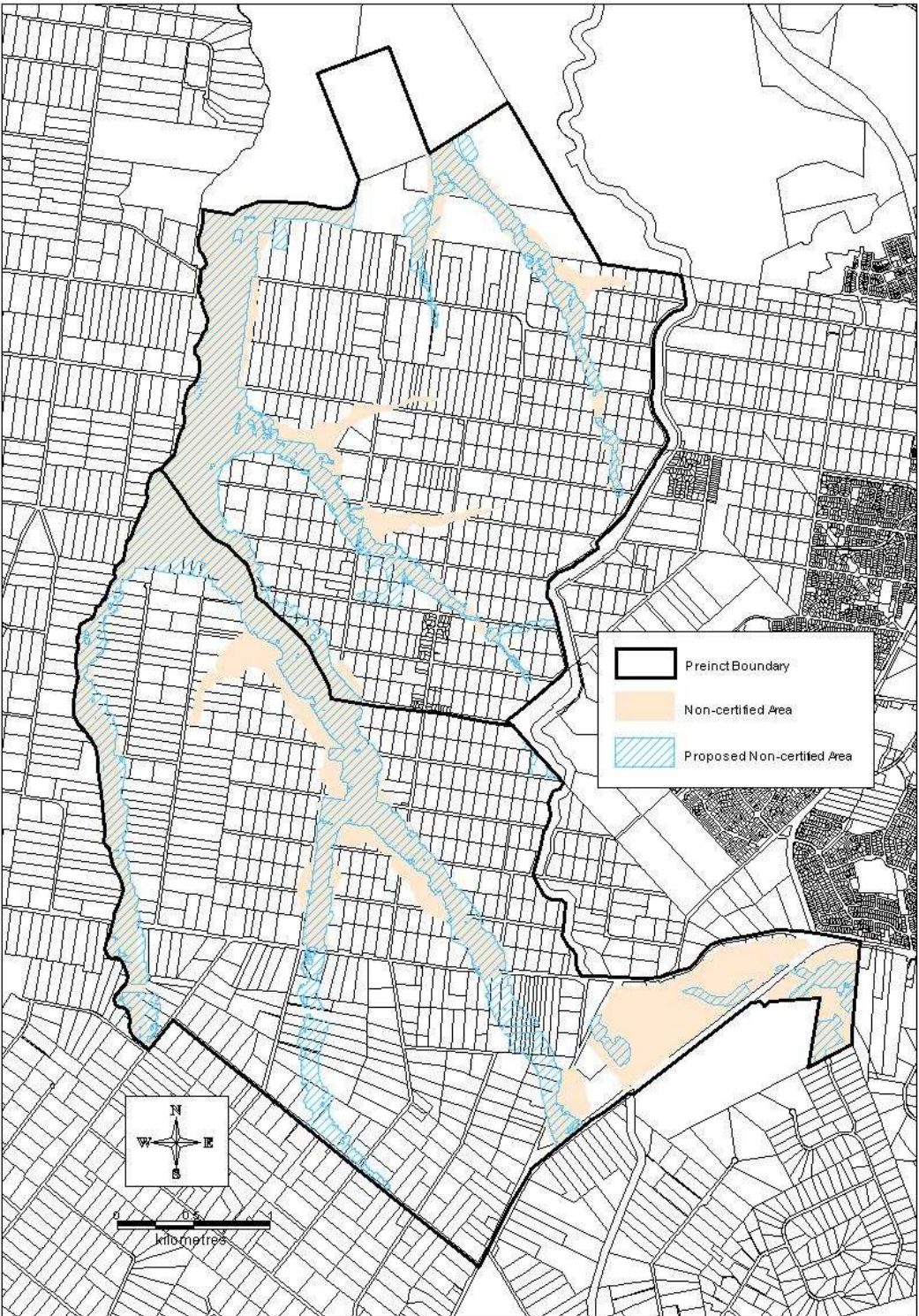


Figure 1: Proposed new boundaries of non-certified area and current non-certified area within the Austral and Leppington North precincts

Appendix E: Consistency with the Growth Centres Strategic Assessment Program

Growth Centres Strategic Assessment Program

Assessment of Consistency between the Commitments of the Strategic Assessment Program
and the Austral and Leppington North Precincts

December 2012

1. Introduction

In December 2011 the Federal Government endorsed the Sydney Growth Centres Strategic Assessment Program Report and in February 2012 approved the classes of actions in the Growth Centres that if undertaken in accordance with the approved program do not require separate approval under the *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

The Program includes a range of commitments for matters of national environmental significance protected under the EPBC Act. The commitments are drawn from the analysis in the Supplementary Assessment Report and Draft Strategic Assessment Report (Part B), and build upon the Relevant Biodiversity Measures for the Growth Centres Biodiversity Certification.

This report has been prepared to assess of the consistency of proposed precinct plans with the commitments of the Strategic Assessment Program and to satisfy the evaluation and reporting requirements for the Program. Consistency with the Strategic Assessment Program is required to ensure proposals in the Growth Centres benefit from the Commonwealth approval.

This report has been prepared in a table format and addresses all commitments that are relevant to precinct planning. It is noted that some of the commitments are not specific to precinct planning and have therefore not been included in the report.

The Strategic Assessment Program can be viewed in full at <http://www.growthcentres.nsw.gov.au/strategicassessment-94.html>

Where the report indicates that precinct planning is inconsistent with the Biodiversity Certification or the Strategic Assessment Program, full justification for the inconsistency is provided as part of the ecological assessment for the precinct.

Both the Growth Centres Biodiversity Certification Relevant Biodiversity Measures and Strategic Assessment require a consistency report be prepared and publicly exhibited when the precinct plan is exhibited.

The draft Austral and Leppington North Precinct Plan was publicly exhibited from 26 October to 2 December 2011, prior to the Sydney Growth Centres Strategic Assessment Program coming into effect. Therefore, a consistency report was not part of the public exhibition. This report has been prepared since exhibition and is based on the final Precinct Plan (the final Indicative Layout Plan is at **Annex B**).

Definitions

Terms defined below appear in **bold** in the table. Where the terms are also defined in the Biodiversity Certification Order, the definitions provided are consistent with those in the Order.

- Biodiversity Certification Maps means the maps marked “North West Growth Centre – Biodiversity Certification” and “South West Growth Centre – Biodiversity Certification” dated November 2007 and included in Schedule 2 of the Biodiversity Certification Order.
- *Certified Area* means an area marked as a certified area on a biodiversity certification map.
- *Clearing* of vegetation means any one or more of the following:
 - a) cutting down, felling, thinning, logging or removing native vegetation in whole or in part,
 - b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation in whole or in part.
- *Commitments* means the commitments set out in section 4 of the Sydney Growth Centres Strategic Assessment Program Report.
- *DECCW* means the Department of Environment, Climate Change and Water (which is now the Office of Environment and Heritage).
- *EPBC Act* means Environmental Protection and Biodiversity Conservation Act 1999
- *GCC* means the Growth Centres Commission constituted under the *Growth Centres (Development Corporations) Act 1974* (which is now the Department of Planning and Infrastructure).
- *Minister* means the Minister administering the EPBC Act.
- *Protection or Protected* in relation to land means land that is protected by a land use zoning under an environmental planning instrument or public ownership arrangements that provide for the protection of biodiversity values as a priority, or another arrangement that provides in perpetuity security for biodiversity on the subject land.
- *Relevant Biodiversity Measures* means the conditions in Schedule 1 of the Biodiversity Certification Order.
- *TSC Act* means the *Threatened Species Conservation Act 1995*.

2. Assessment

Table 1: Assessment of consistency between the commitments of the Strategic Assessment Program and the Austral and Leppington North Precincts.

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
Review of Zoning				
3	Review the provisions of the Environment Conservation and Public Recreation - Regional zones in the Growth Centres SEPP to confirm they are adequate for conservation purposes. Note this commitment is being undertaken for the Growth Centres as one exercise as does not need to be addressed separately for each precinct.	Undertake a review of the zone objectives, permitted land uses and development controls to ensure the conservation values of the land are adequately protected.	Yes	
Threatened Ecological Communities				
4	Retention and protection of a minimum 998 ha of CPW within the Growth Centres, including a minimum of 363 ha of HMV CPW. i) Retention and protection of CPW in the following areas of the Growth Centres: a) 138 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP or through zoning and/or development controls following completion of precinct planning. b) 424 ha within Environment Conservation and Public Recreation – Regional zoning to be protected. RBM 12 which states that clearing of these areas is not	The total area of Commonwealth listed CPW as mapped in the Strategic Assessment in the precincts is 88 ha. Of this 2.65 ha is in the Kemps Creek Nature Reserve and 3.35 ha is within the former Western Sydney Parklands Area. The Kemps Creek Nature Reserve area has been excluded from all further calculations, and the Western Sydney Parklands Area is addressed under condition 4i)c) below. Of the 138 hectares of CPW to be protected across the Growth Centres, 22.13ha is within the Austral and Leppington North Precincts. None of the CPW in the Precincts is HMV CPW. This is the 'target' amount of CPW to be protected to maintain consistency with condition 4(i)(a) of the Strategic Assessment.	Yes	Annex A contains a map showing the current boundaries of non-certified land in the Precincts, and ENV that is required to be protected. Annex D highlights ENV in non-certified areas that is proposed to be impacted by the Precinct Plan, and ENV in certified areas that is proposed to be protected by the Precinct Plan. Annex E shows

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
	permitted unless it is in accordance with a Plan of Management endorsed by DECCW; - the zoning and vegetation clearing controls under the Growth Centres SEPP; and - the Growth Centres Conservation Fund which provides funding to acquire the land.	Cardno's groundtruthing identified 121.84 ha of CPW in the precincts which is mapped as ENV. Of this 3.03 ha is in Kemps Creek Nature Reserve and 6.39 ha is within the former Western Sydney Parklands area. (These areas are based on vegetation community mapping as per the strategic assessment). Using the Ground-truthed mapping of CPW, under the Precinct Plan, 39.62 ha of CPW is to be protected. Of this: 24.55ha of CPW that is currently non-certified is to be protected. 15.07ha of CPW is to be protected in currently certified areas. 3.17ha of CPW that is currently non-certified is proposed to be cleared.		proposed amendments to the certified/non-certified land boundaries to ensure protection of ENV as proposed by the Precinct Plan. The Land Zoning Map and Native Vegetation Protection Map give effect to provisions in the Precinct Plan that will protect the 39.62 hectares of ENV in the Precincts. Protection measures are further described in the Conclusion of this report.
	c) 280 ha to be protected within existing reserved areas including the Westlink M7 Motorway Offsets area, the Kemps Creek Nature Reserve, and the Western Sydney Parklands.	A small part of the Kemps Creek Nature Reserve (which is subject to RBM 12 and condition 4(i)(c) of the Strategic Assessment) is within the Austral Precinct (refer to Figure 1 and Annex A). There is 3.03ha of ground truthed CPW mapped within this part of the Precinct. The Precinct Plan does not apply to this land (see Annex B) and there will be no impacts on it. Therefore, this vegetation is not included in the calculations in this report. In the former Western Sydney Parklands, there is 3.39 ha of Commonwealth listed CPW while ground truthed CPW, classified as ENV, shows 6.39 ha. All of the 6.39 ha of CPW ENV will be		Some ENV within the former Western Sydney Parklands area will be impacted by the South West Rail Line construction. These impacts have been separately assessed and offset in accordance with the Minister's Conditions of Approval for the project. ENV to be protected within this area takes into account the impacts of the rail line. The protection measures

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
		protected by the Precinct Plan.		maps at Annex C identify ENV that is proposed to be protected in the former Parklands area. Annex E shows proposed amendments to the certified/non-certified land boundaries.
	d) 79 ha to be protected within protected zones within Edmondson Park. e) 77 ha to be retained within non-certified and transitional lands. These areas will be retained subject to the confirmation of the presence of the community through survey at the precinct planning stage. ii) If for any reason the above targets cannot be achieved then the NSW Government will ensure that 998 ha of CPW is protected within the Growth Centres through the measures contained in either RBM 8a or 8b.	Not Applicable	Not Applicable	Not Applicable
5	Assessment of 14 ha HVM CPW within Marsden Park & Marsden Park Industrial Precincts to confirm its presence and if present protect, shown in red hatching on the Biodiversity Certification maps a) Assessment of the HVM CPW in accordance with RBM 14 and 15. b) Based on the outcomes of the assessment, DECCW will advise the NSW Minister for the Environment whether the area should be protected in accordance with RBM 16.	Not Applicable	Not Applicable	Not Applicable

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
Shale Sandstone Transition Forest (SSTF)				
8	Retention and protection of a minimum of 58 ha of SSTF within the Growth Centres. i) Retention and protection of SSTF in the following areas of the North West Growth Centre: a) 5.5 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP. b) 5.5 ha within Public Recreation – Regional zoning to be protected. - RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; - the zoning and vegetation clearing controls under the Growth Centres SEPP; and - the Growth Centres Conservation Fund which provides funding to acquire the land. c) 0.5 ha within the Westlink M7 Motorway Offsets area to be protected through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets). d) 46.5 ha within the E3 Environmental	There is no mapped Shale Sandstone Transition Forest in the Austral and Leppington North Precincts.	Not Applicable	Not Applicable

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
	Management zone in North Kellyville to be protected under the existing native vegetation and native vegetation retention controls under the North Kellyville Precinct Plan.			
Additional conservation actions within the Growth Centres – plants				
11. and 12. 				

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
27.	<i>Pultenaea parviflora</i> populations of <i>Dillwynia tenuifolia</i> and <i>Pultenaea parviflora</i> known to occur within the Growth Centres through acquisition of land for environmental conservation. a) Protection of the Marsden Park North population within Environment Conservation zoning in accordance with the measures outlined in commitment 8.b) b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: • RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and • the zoning and vegetation clearing controls under the Growth Centres SEPP. c) Protection of the majority of the large population within Kemps Creek in accordance with the measures outlined in commitment 15.b) above.			
17.	d) Protection of the large population that occurs within the Westlink M7 Motorway			

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment		Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
18. and 19.		offset adjacent to the Colebee Precinct through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).			
23. 24. and 25.	<i>Pimelea spicata</i>	Potential populations at Denham Court Road within the East Leppington Precinct - as shown in red hatching on the Biodiversity Certification maps: • survey to confirm the presence of population, and • if the population is present and identified as significant relative to adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW.			
20.	<i>Grevillea parviflora subsp. parviflora</i> <i>Persoonia nutans</i>	Retention and protection of habitat supporting the population known to occur within the Growth Centres through acquisition of land in Kemps Creek. a) Protection of the majority of the large population within Kemps Creek through: • RBM 12 which states that clearing of these areas is not permitted unless it is in			

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
22.		accordance with a Plan of Management endorsed by DECCW; and - the zoning and vegetation clearing controls under the Growth Centres SEPP. Potential populations at Kemps Creek Precinct - as shown in red hatching on the Biodiversity Certification maps: - survey to confirm the presence of population, and - if the species is present and population is identified as significant relative to adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW.		
	<i>Micromyrtus minutiflora</i>	Retention and protection of habitat supporting the two important populations known to occur within the Growth Centres. a) Protection of the Marsden Park North population within Environment Conservation zoning through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management		

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
14.	endorsed by DECCW; - the zoning and vegetation clearing controls under the Growth Centres SEPP; and - the Growth Centres Conservation Fund which provides funding to acquire the land. b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: - RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and - the zoning and vegetation clearing controls under the Growth Centres SEPP.			
	<i>Persoonia hirsuta</i> Potential habitat at North Kellyville – as shown in red hatching on the Biodiversity Certification maps: - survey to confirm the presence of the species, and - if the species is present,			

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment		Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
	<i>Darwinia biflora</i>	provide for the protection of the habitat within the Precinct through zoning as E3 Environmental Management and existing native vegetation or native vegetation retention development controls. Known populations at North Kellyville - as shown in red hatching on the Biodiversity Certification maps: • survey to confirm the extent of the populations, and • provide for the protection and ongoing management of key populations within the Precinct through zoning as E3 Environmental Management and existing native vegetation controls. Note: On completion of the above actions the Minister may decide that it is appropriate to amend the boundaries of the area subject to biodiversity certification, in accordance with condition 3.			
Additional conservation actions within the Growth Centres – animals					
During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code relating to the area referred to in the table below, the following actions must be undertaken:			Commitments in relation to the Swift Parrot and Grey-Headed Flying Fox are relevant and have been satisfied for the Austral and Leppington North Precincts by the protection of 116.62 hectares of ENV across the Precincts, this is 10 hectares more ENV than is required to maintain parity with the 2,000 hectares of ENV across the Growth Centres	Yes	116.62 hectares of ENV will be protected in the Austral and Leppington North Precincts, this is 10 hectares more ENV than is required to maintain parity with the target identified in the draft
32.	Species <i>Swift Parrot</i>	Required action Protection of potential habitat for the Swift Parrot within the Growth			

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

		Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
34. and 35.		Centres. a) Protection of 2,000 ha native vegetation within the Growth Centres through: - RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and - the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation.	in accordance with RBM 6. This will include any existing potential habitat for the Swift Parrot and Grey-headed Flying Fox found within this area.		Growth Centres Conservation Plan. Refer to the Maps in Annex B and C which show the Indicative Layout Plan and zoning. The Maps at Annex D shown ENV that is proposed to be protected, including currently non-certified ENV proposed to be cleared and currently certified ENV that is to be protected.
36. 38.	<i>Green and Golden Bell Frog</i>	Potential population at Riverstone – as shown in red hatching on the Biodiversity Certification maps : a) Incorporation of habitat protection and enhancement features (as per the agreed concept design) in the Riverstone Precinct Development Control Plan for the trunk drainage land. b) Inclusion of provisions in the Riverstone Precinct Plan and Development Control Plan to require the design and assessment of development on subject lands to be consistent with any recovery plan for the species and the Best Practice Guidelines for Green and Golden Bell Frog			

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

	Commitment	Austral and Leppington North Precincts – Comment	Consistent with Commitment	Justification
	Habitat (DECC 2008b). Retention of major drainage lines and associated vegetation throughout the Growth Centres through Growth Centres SEPP development controls for major creeks and flood prone areas.			
<i>Large-eared Pied Bat</i>	Retention of potential roosting habitat and immediately adjacent potential foraging habitat along Cattai Creek in North Kellyville through development controls associated with the E3 Environmental Management and E4 Environmental Living zones.			
<i>Grey-headed Flying Fox</i>	Protection of potential habitat for the Grey-headed Flying Fox within the Growth Centres. b) Protection of 2,000 ha native vegetation within the Growth Centres through: • RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and • the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation.			
Note: On completion of the above actions the Minister may decide that it is appropriate to amend the boundaries of the area subject to biodiversity certification, in accordance with condition 3.				

3. Conclusion

This report has undertaken an assessment of the consistency of the Austral and Leppington North Precinct Plan with the Strategic Assessment and the applicable commitments.

It is concluded that the Austral and Leppington North Precinct Plan is consistent with the Strategic Assessment of the Growth Centres SEPP, as follows:

- 116.62 hectares of ENV will be protected by the Precinct Plan, 10 hectares more than is required under the Biodiversity Certification.
- 24.55 hectares of CPW ENV that is currently non-certified will be protected by the Precinct Plan.
- 3.17 hectares of non-certified CPW ENV is proposed to be cleared to enable efficient urban development of the Precincts and to ensure that essential infrastructure can be constructed. To more than offset these impacts, 15.07 hectares of CPW ENV that is currently certified will be protected by the Precinct Plan and by amendments to the boundaries of certified and non-certified land.
- The total area of ENV (that is also Cumberland Plain Woodland as mapped under the Strategic Assessment Program) protected by the Precinct Plan is 39.62 hectares. This is 17.49 hectares more than the amount of CPW ENV (22.13 hectares) that is currently on non-certified land. The 39.62 hectares of CPW ENV will be protected by a combination of zoning, vegetation clearing controls and amendments to the boundaries of non-certified land. The proposed zoning of protected ENV is explained below.
- Amendments to the certification maps are proposed to ensure that all ENV that is protected by the Precinct Plan is also on non-certified land (see **Annex E**).

Land use zones have been selected based on advice from the OEH in relation to appropriate zoning of land containing ENV, and with consideration of other land use planning factors, including the future ownership, acquisition and use of land in accordance with the draft Precinct Plan and the EP&A Act. While the use of Environment Protection zones is preferred by OEH, in many cases it is not possible to apply this zoning to land containing ENV because of restrictions on the ability of Council to acquire the land under section 94 of the EP&A Act. In accordance with the hierarchy of land use zones preferred by OEH, land use zones have been applied to ENV that is proposed to be protected as follows:

- Where ENV to be protected is on land that is currently in Council or State Government ownership, the E2 Environmental Conservation zone has been used. The exception to this is Craik Park, in the centre of the Precincts, which is an existing Council reserve that contains a sports field and remnant ENV. The RE1 Public Recreation zone has been applied to this land to enable continued use of the sports fields.
- Where ENV to be protected is within large land holdings (and the area of ENV comprises only small part of the total area of land in the one ownership) the E2 zone has been applied. This land is not proposed to be acquired by a public authority, but the land owner may seek to dedicate the land to Council subject to Council agreement, and if this did occur, the ENV would be

protected by the combination of zoning and public ownership. Regardless, the application of the E2 zone to land that is to remain in private ownership is consistent with OEH requirements for protection of ENV.

- Within flood affected land along Kemps Creek and Bonds Creek, and adjacent to a number of other unnamed watercourses, existing rural properties that partly contain ENV are proposed to have a “split” zoning, with the land containing ENV zoned E2 Environmental Conservation and the remainder of the property zoned for a purpose that enables some commercial return either through limited subdivision or construction of a dwelling, or continued agricultural production. Generally, where the existing rural lot is partly within and partly outside the 100 year ARI flood extent, the combination of E4 Environmental Living and E2 (for the land that contains ENV) has been used. This approach also applies to a property on the eastern side of the Precincts at Eighth Avenue, which contains patches of ENV that are linked to a large remnant to the north and east in land owned by the Sydney Catchment Authority. This enables limited subdivision and construction of dwellings on relatively large lots consistent with the flooding and vegetation constraints on the land. Where the existing rural lot is entirely affected by flooding (such as along the northern parts of the Kemps Creek floodplain) the RU6 Rural Transition zone and E2 zone (for the land that contains ENV) has been used. The Rural Transition zone will enable agricultural uses that do not cause significant amenity impacts for nearby residential areas. The ability to further subdivide this land is limited, with minimum lot size controls established to limit further subdivision of land that contains ENV. In both these situations, the land that contains ENV is anticipated to remain in private ownership.
- Where land that contains ENV is to be acquired as part of a larger acquisition for a public purpose (usually for public recreation or drainage) the RE1 Public Recreation and SP2 Infrastructure (drainage zones) have been used. These approaches have generally been applied along the larger watercourses (eg. Bonds Creek and Scalabrini Creek) where the creek channel and margins are to be acquired by Council as part of the drainage network or where ENV is located on land that is to be acquired for public parks and sporting fields (these are often located within floodprone land near the major creeks). Land in these zones will be acquired by the relevant Council.

Annex A

Biodiversity Certification Map for the Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

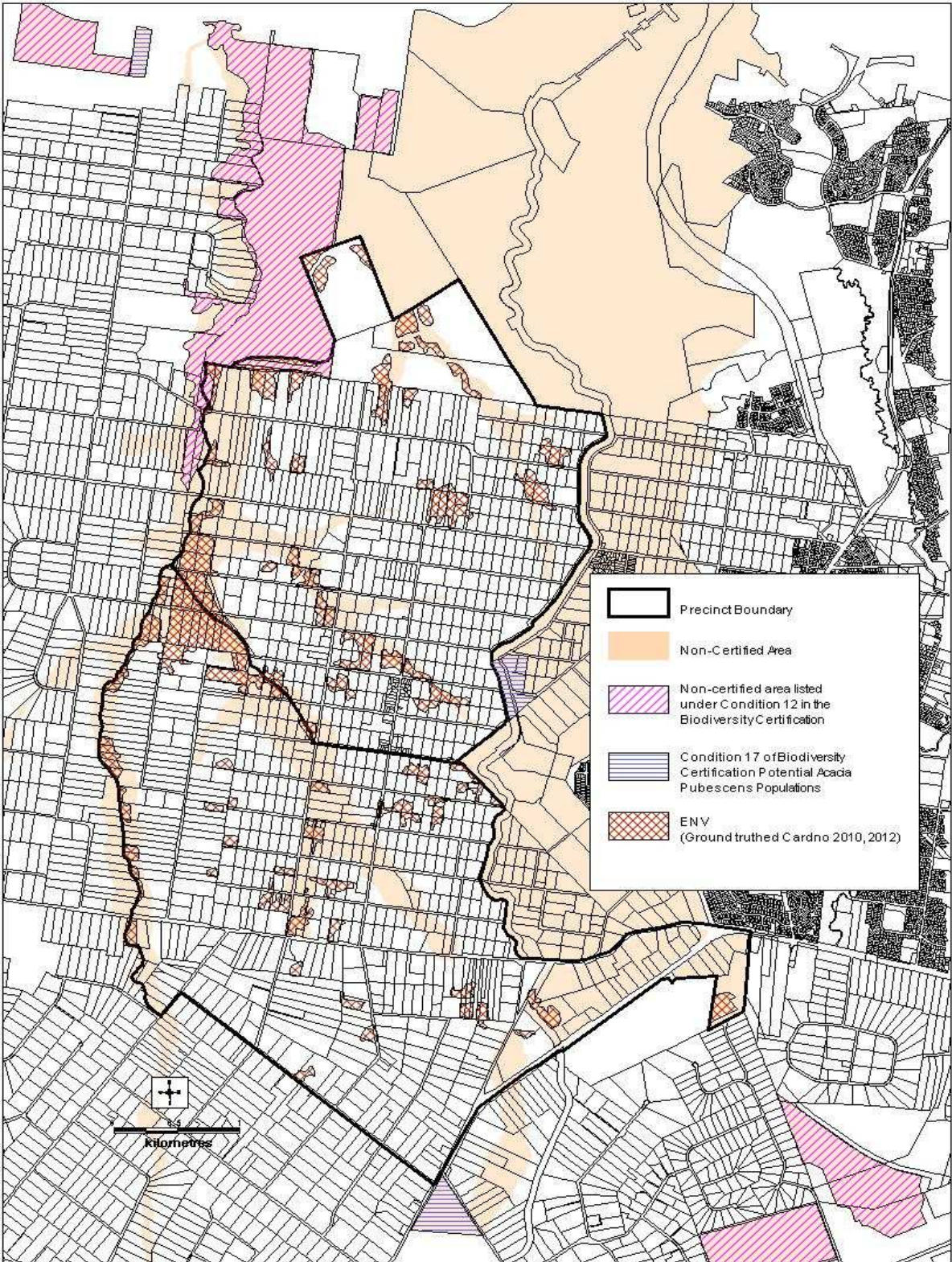


Figure 1: Austral and Leppington North Precincts – Biodiversity Certification Map showing Existing Native Vegetation (as confirmed by 2010 and 2012 ground truthing) and areas listed under Condition 12 and Condition 17 of the Biodiversity Certification.

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

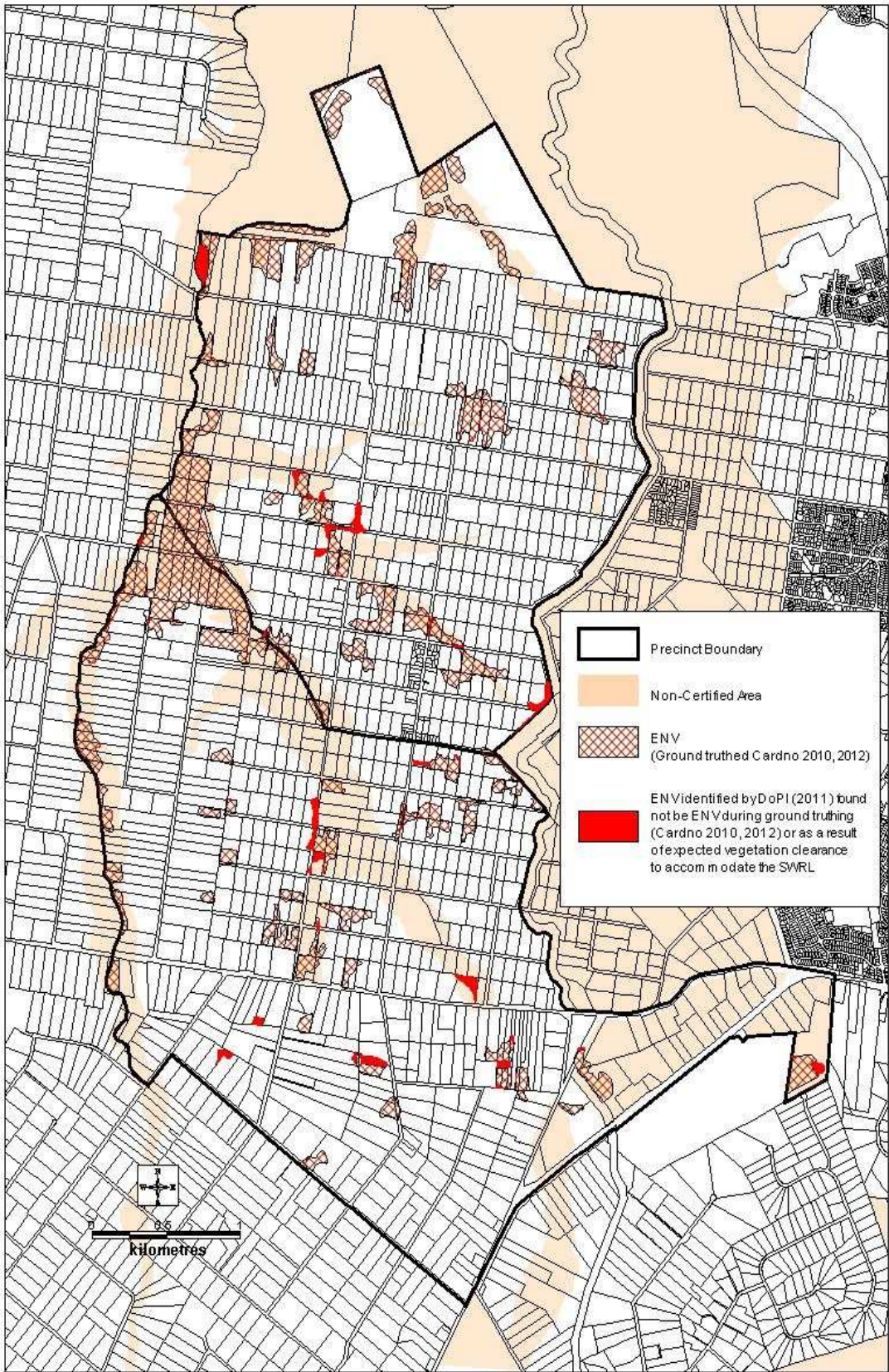


Figure 2 Existing Native Vegetation and vegetation areas found not to meet the criteria of ENV during ground truthing in 2010, 2012.

Annex B

Indicative Layout Plan for the Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

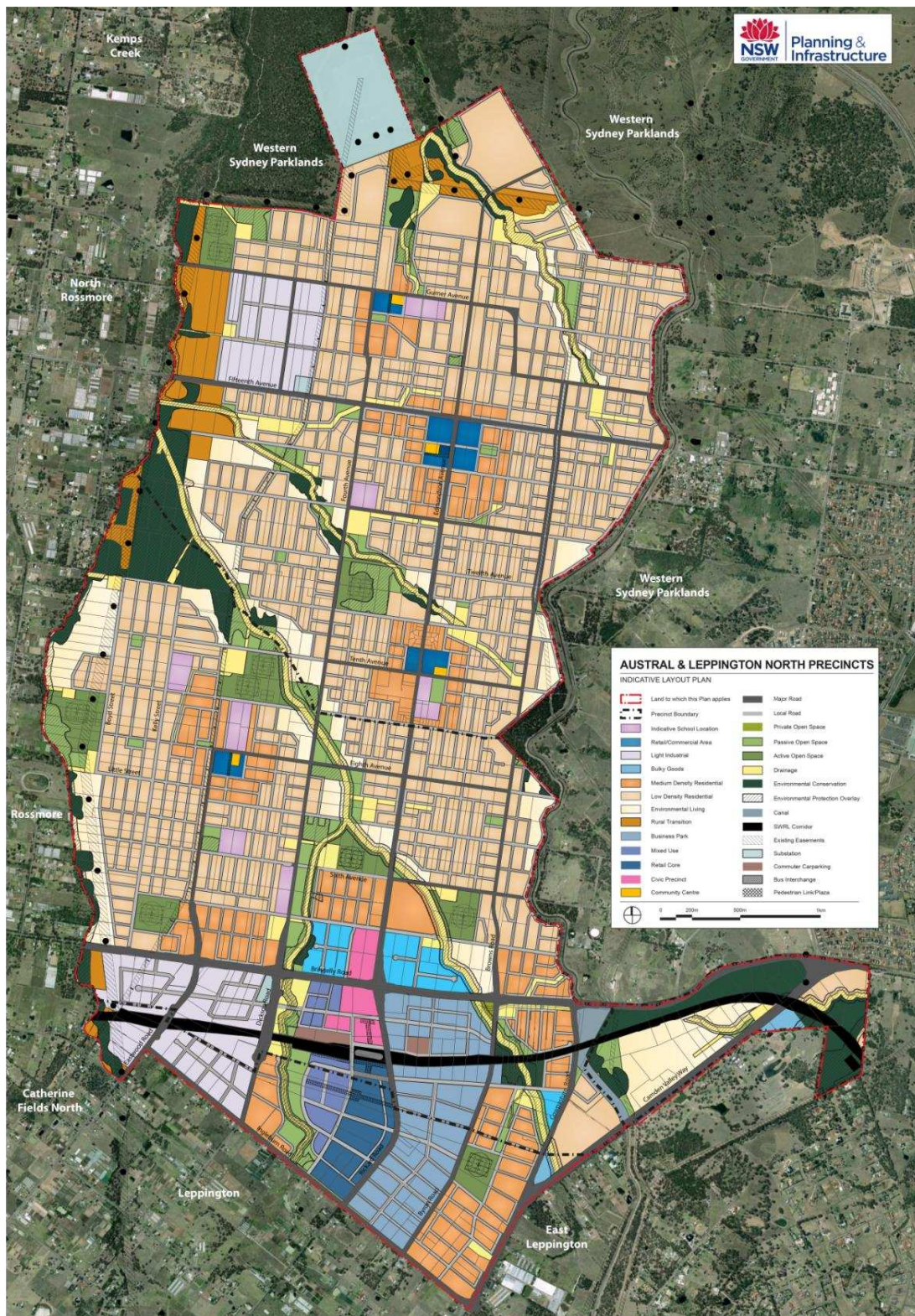


Figure 1 Final Indicative Layout Plan for Austral and Leppington North Precincts (June 2012).

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

Annex C

Proposed Protection Measures Plan for the Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

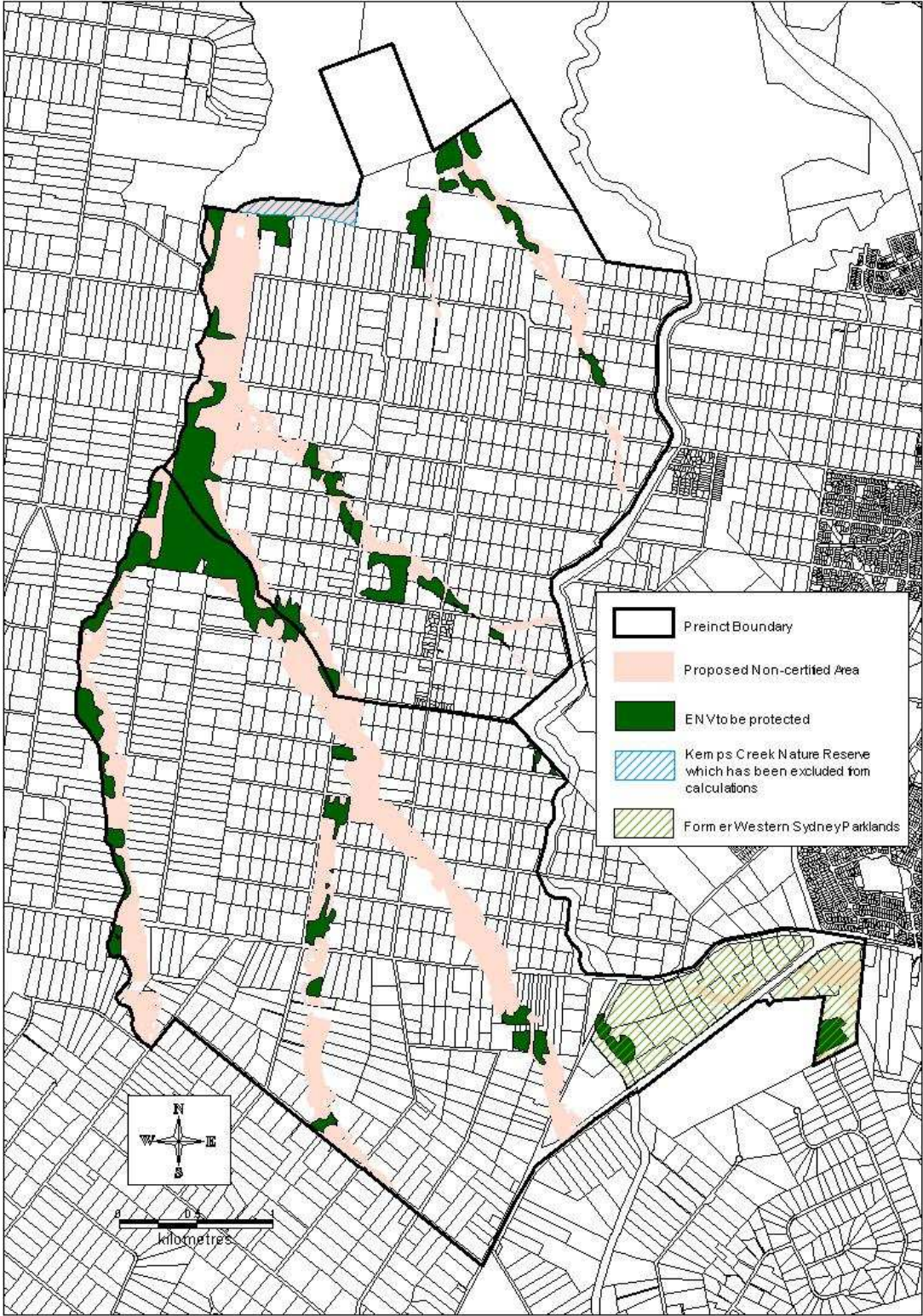


Figure 1 ENV to be protected

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

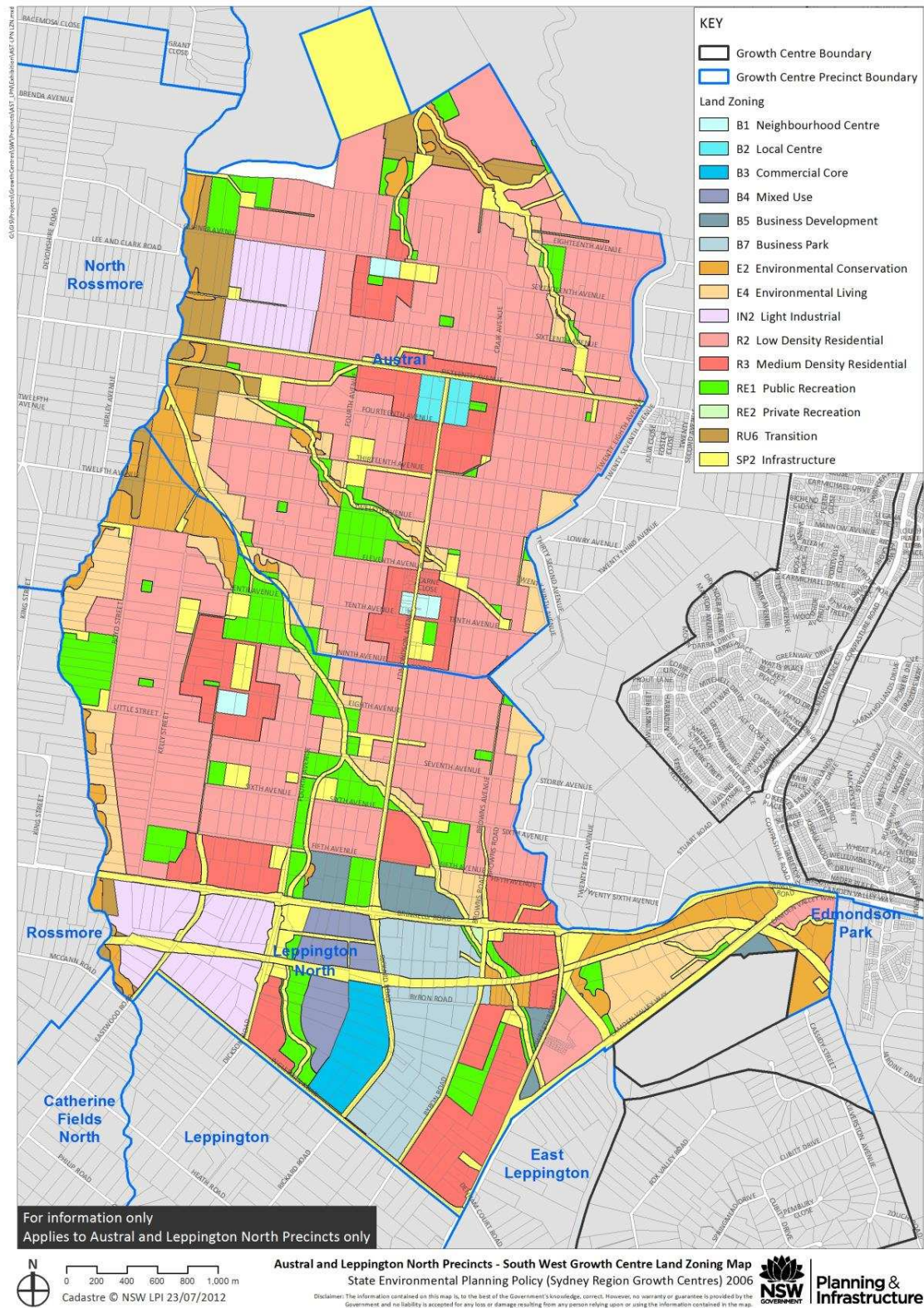


Figure 2 Land Zoning Map

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

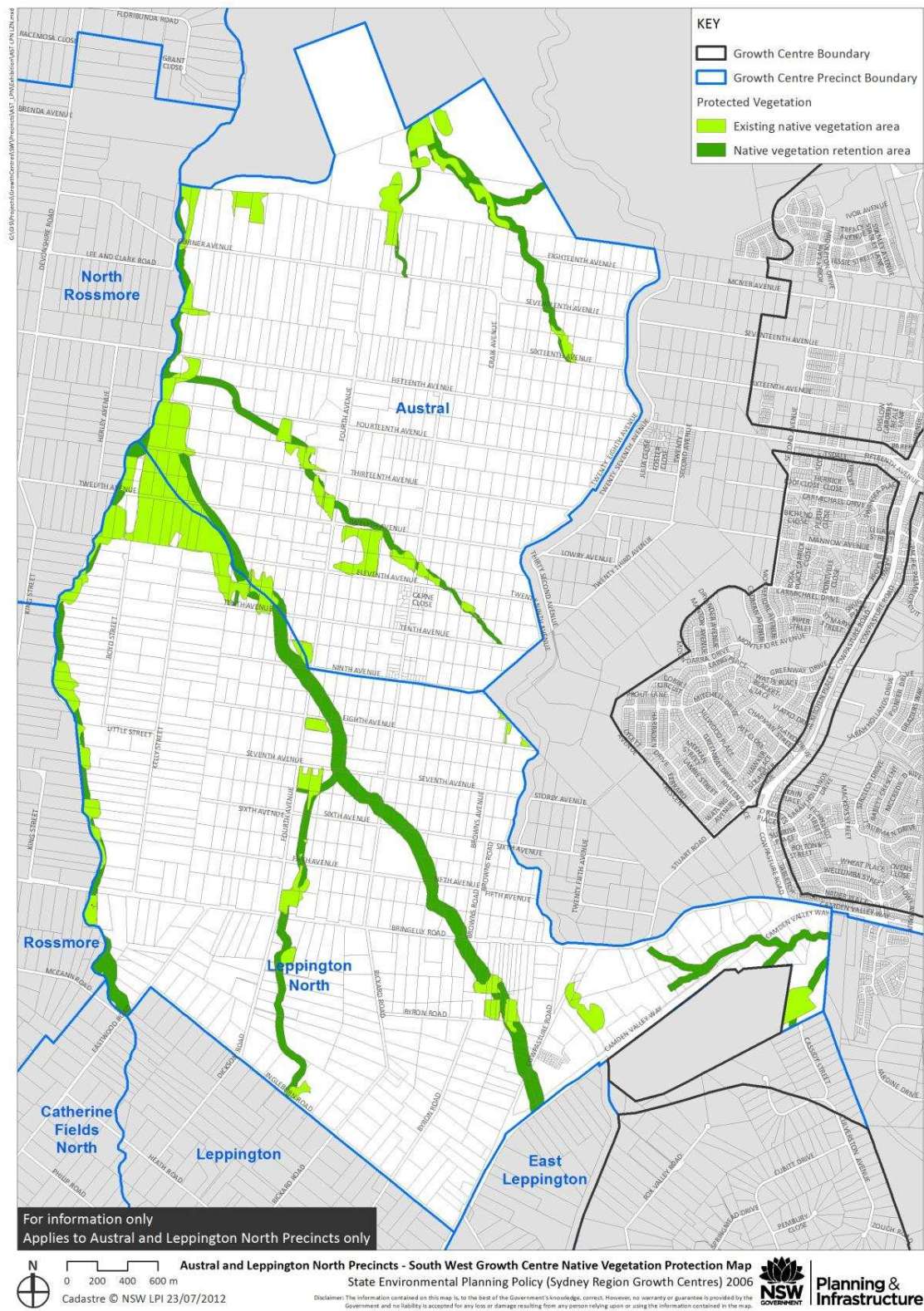


Figure 3 Native Vegetation Protection Areas Map

Annex D

Proposed Offsets Areas the Austral and Leppington North Precincts

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

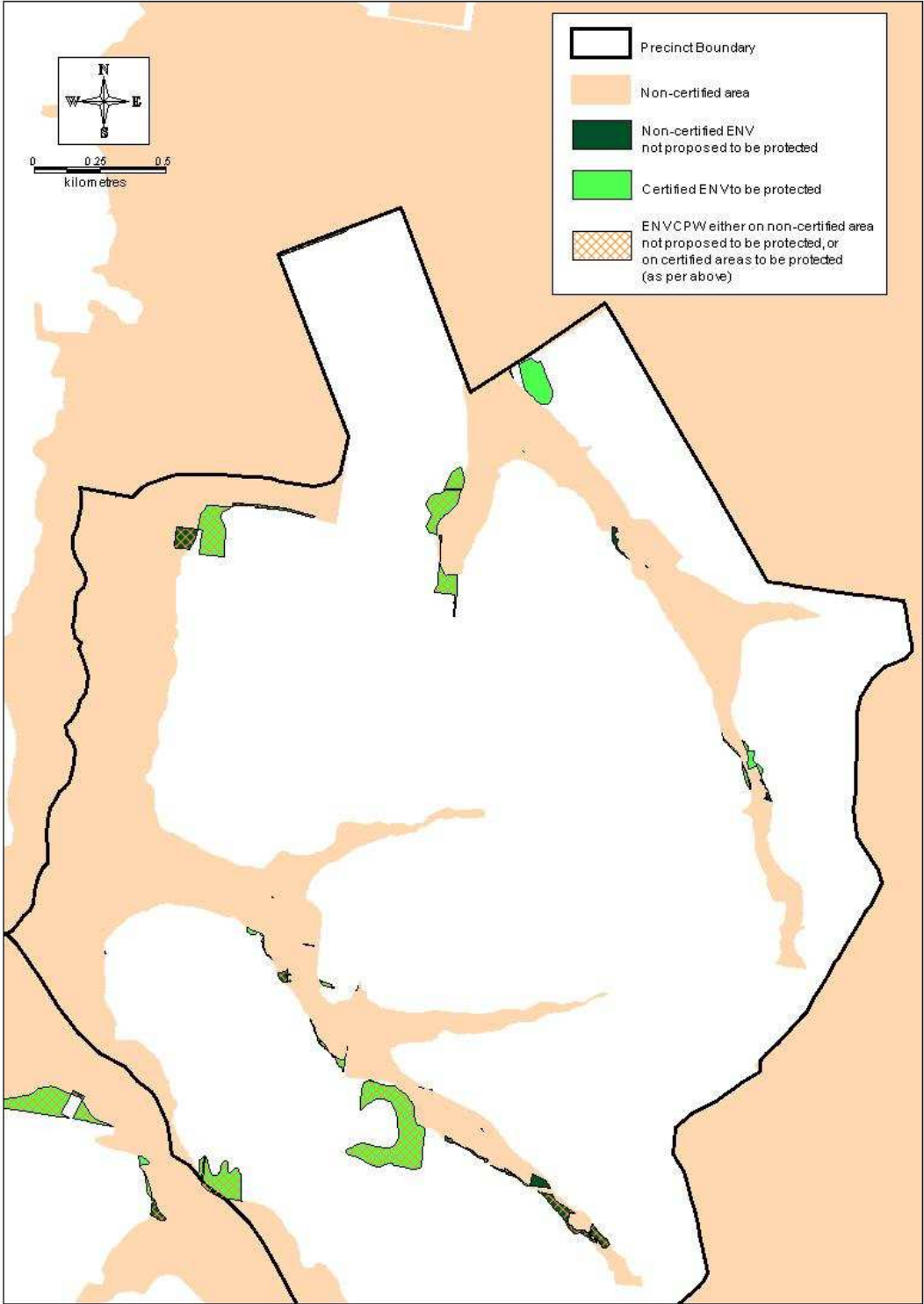


Figure 1: Certified ENV to be protected and Non-certified ENV not proposed to be protected in Austral

Assessment of consistency between Relevant Biodiversity Measures of the Biodiversity Certification Order and Austral and Leppington North Precincts

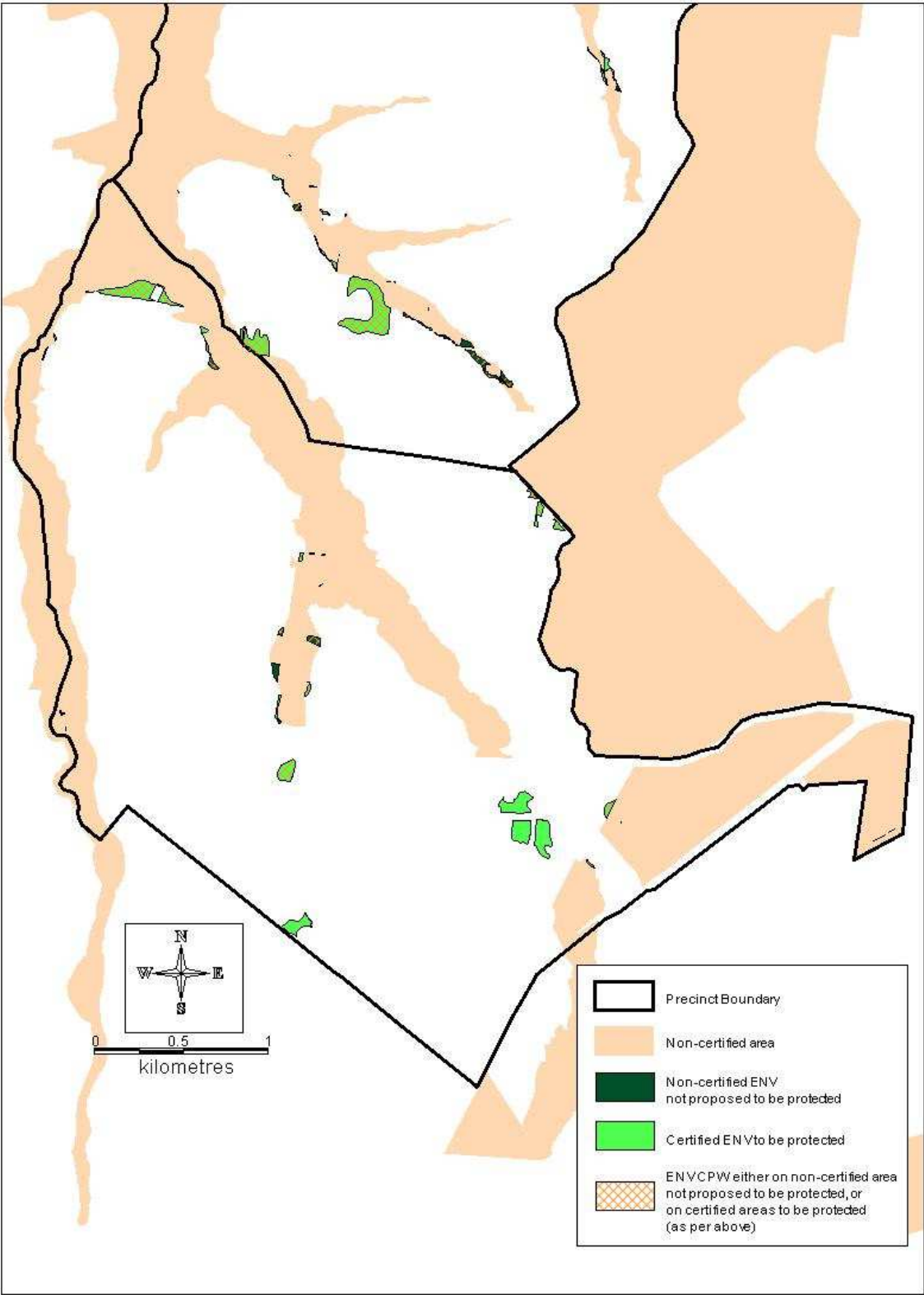


Figure 2: Certified ENV to be protected and Non-certified ENV not proposed to be protected in Leppington

Annex E

Proposed Amendments to Biodiversity Certification Map

Assessment of consistency between commitments of the Strategic Assessment and the Austral and Leppington North Precincts

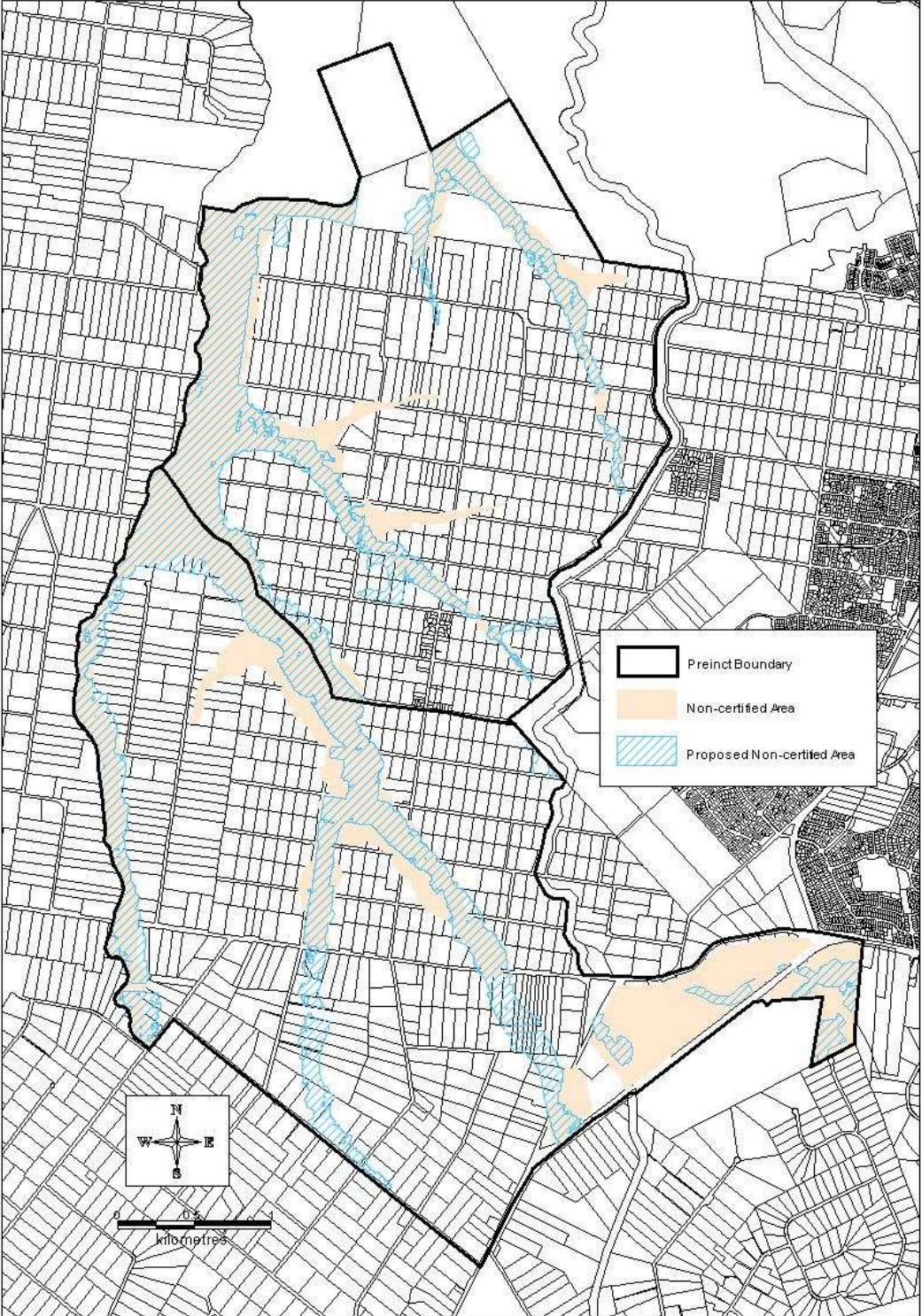


Figure 1: Proposed new boundaries of non-certified area and current non-certified area within the Austral and Leppington North precincts