

Greenspot Scoping Proposal Assessment Report

Executive Summary

The purpose of this report is to provide a high-level assessment of the Scoping proposal for the Wallerawang Power Station and Surrounds Rezoning. This assessment will form the basis of written advice issued to the proponent to:

- provide early feedback about the strategic and site merits of the proposal.
- understand the expectations for what justification and key supporting studies are required to support the planning proposal.
- facilitate early consultation with key agencies to understand and resolve agency issues earlier in the process.
- identify infrastructure needs and determine what form of infrastructure funding may be needed to support the proposal.
- identify and resolve planning issues upfront.

This advice is not a full merit assessment of the proposal but should be considered by the proponent in proceeding with and preparing a full Planning Proposal.

Council officers have been assisted in the assessment of this Scoping Proposal by Gyde Consulting Pty Ltd who were engaged by NSW Department of Planning and Environment to provide additional resources to this important proposal.

On 19 April 2023, a scoping proposal was submitted to Council by Urbis and Arup on behalf of Greenspot Wallerawang Pty Ltd (Greenspot).

It proposes the rezoning of the Wallerawang Power Station, including the surrounding land, which was decommissioned in 2014 and was acquired by Greenspot in 2020. In addition to Greenspot, the boundary of the proposal includes land owned by NSW Electricity Operations Pty Limited, Water NSW and Perpetual Trustee Company Limited.

In accordance with the Lithgow Local Environmental Plan 2014, the site is currently zoned a mix of SP2 Electricity Generating Works, RU1 Primary Production, IN1 General Industrial and E5 Heavy Industrial. Therefore, future development of the site requires a Planning Proposal to amend the Local Environmental Plan. It is proposed to rezone the land, into several different industrial, commercial, tourism, environmental and residential precincts. Specific land uses zones have not been proposed at this stage, but a wide range of potential uses have been nominated for the precincts. The Scoping Proposal identifies that the proposed rezoning could accommodate the delivery of 1,500 - 4,500 jobs and 600 - 800 dwellings.

Given the size of this proposal, Council referred the proposal to external authorities and government agencies for initial comment and identification of requirements necessary to progress the proposal. A summary of the consultation feedback is provided in Table 9, which outlines that whilst no objection has been raised to the objectives of the proposal, more specific detail is required, and there are several matters that require further clarification and justification, in particular, where the proposal is inconsistent with strategic policy.

Whilst the reuse of the decommissioned powerplant and adjoining employment land is consistent with the Central West and Orana Regional Plan 2041, the quantum of jobs and residential dwellings being proposed has the potential to be inconsistent with the regional plan, given it could impact the hierarchy of centres within the region. Additionally, the inclusion of residential dwellings is inconsistent with the Wallerawang Structure Plan in the Lithgow 2040 Local Strategic Planning Statement.

Key Emerging Local Planning Considerations

The following key local planning considerations have been identified during both the early engagement and consultations with the proponent and the assessment of the Scoping Proposal. These considerations are to be further addressed within any future Planning Proposal:

- The Planning Proposal is to consider its consistency with the objectives, actions, and desired outcomes of the Lithgow Emerging Economies Transition Plan.
- The quantum of land to be rezoned is extensive (610ha). Consideration should be given to the efficient staging/phasing of this land release to ensure that it is appropriately aligned with required infrastructure provision and market demand through appropriate planning mechanisms/ controls.
- The proposed land uses and zoning to be accommodated by the Planning Proposal are to be further refined and consistent with the Standard Planning Instrument. Excessive use of Schedule 1 Additional Permitted Uses should be avoided.
- The primary focus of the Planning Proposal should be directed towards the delivery of employment lands. The provision of residential land uses should be directly linked to the take-up of employment lands within the site through appropriate LEP provisions.
- The business and commercial land uses within the site should not detract from the established centres hierarchy and/or lead to diminished service provision within those centres.
- The provision of new housing precincts should not detract from the established and identified future residential growth areas such as Marrangaroo Urban Release Area. The Planning Proposal will need to justify the demand and suitability for additional housing areas on this site as opposed to those future residential areas identified within the LSPS.
- The issue of local and regional water access sharing and security as it relates to Lake Wallace and Cox's River to be further investigated and reconciled with all relevant stakeholders. To this end, Council will facilitate a working group of all relevant stakeholders during the next phase of the Planning Proposal development.
- Local connectivity and public access to Lake Wallace foreshores and other existing recreational and cultural areas on the site is important to the local community and visitors to the area. The Planning Proposal should include an open space and recreation strategy for the site to determine the quantum and quality of open space and recreational land. This strategy should include:
 - A **concept plan** of the integrated network of active and passive recreation areas to be developed within the site and their connectivity to the town centre.
 - A **written statement** demonstrating how the public open space concept design will conform to the following contemporary best practice principles for open space:
 - In what way does the concept design respond to the specific Place and Community?
 - How does the concept design integrate Multi-functionality and Adaptability?
 - What are the means by which the concept design achieves Diversity?
 - How does the design encourage Social Interaction?
 - In what way does the concept design promote community Health and Wellbeing?
 - How does the concept design provide for Equity and Accessibility?
 - What initiatives does the concept design incorporate to promote Environmental Sustainability?

- How will the design be financially sustainable over the life of the open space?
- The Planning Proposal is to identify a funding mechanism for local and state infrastructure contributions. Should state infrastructure be required the Planning Proposal should identify an appropriate satisfactory arrangements provision in the LEP.
Should public benefits be proposed within the development, Council would welcome negotiation of a Voluntary Planning Agreement prior to lodgement of the Planning Proposal.
Council is happy to facilitate a working party to address the issues around infrastructure provision and funding with all key stakeholders.
- Planning Proposal to address the future management and governance structure of the green corridor and any proposed shared infrastructure within the site. Details of how that structure would work and its long-term sustainability is to be provided.

The assessment report outlines several additional matters which require further consideration and /or the provision of further technical studies and reports should Greenspot proceed to prepare and lodge a planning proposal.

Declaration of Interests

Council has the following declarations of interest in relation to the Greenspot Site:

- Council is currently investigating the relocation of the Oakey Park Water Treatment to a site within the Greenspot land holding. Discussions with Greenspot commenced prior to the lodgement of the Scoping Proposal and are continuing in relation to this matter. Council will declare any or all interests in the site to the Department of Planning and Environment, should a gateway determination be requested.
- Council has a lease agreement with Greenspot as transferred from Energy Australia for part of the foreshores of Lake Wallace which obligates Council to manage and maintain the areas under lease.
- Council also recently facilitated with Greenspot the use of the “Old Wallerawang Schoolhouse” building to provide a temporary guest transfer area and vehicle compound to service the Emirates One and Only Wolgan Resort due to natural disaster impacts resulting from the closure of Wolgan Road and suitability of the temporary road access via the “Donkey Steps Road”.

Planning Proposal Process

The lodgement of a scoping proposal is the first step in the planning proposal process (refer to Figure 1). It is not a legislative requirement but is highly recommended as early alignment with the strategic planning framework can reduce time and cost later in the preparation of a full Planning Proposal and making of a Local Environmental Plan.

It is important to note this step does not involve Council making a decision or determination on whether to proceed with the planning proposal. Rather this step is to ensure the proposal is aligned with the strategic planning framework and any matters of concern are raised early in the rezoning process.

Following this step, the proponent will be required to prepare a planning proposal, which will be accompanied by a number of specialist consultant studies. The planning proposal will need to include specific details of the proposal, detailed justification of the proposed amendments, outline consistency with strategic plans/documentation, address the matters raised in this

report and outline a methodology to undertake engagement with the community and government agencies.



Stage	Overview	Benchmark timeframe for assessment by relevant authority
1	PRE-LODGE MENT Preparing the Planning Proposal Scoping - early analysis of the development potential of the relevant land including key environmental or site constraints, review of the strategic planning framework, obtaining advice and consultation with authorities and government agencies and identification of study requirements to underpin a planning proposal. Preparing the planning proposal documentation package for lodgement.	60 days
2	PLANNING PROPOSAL Council review of the planning proposal Council reviews and assesses the planning proposal and decides whether to support and submit it to the Department for a Gateway determination. Involves internal (within Council) referrals and may include referrals to select government agencies or infrastructure providers.	120 days
	REZONING REVIEW A proponent may request a rezoning review if a planning proposal is not supported by Council, or no decision is made within 115 days for complex planning proposals or 90 days for all other types of planning proposals. The review is conducted by an independent planning panel, which is usually the Regional Planning Panel.	90* days
3	GATEWAY DETERMINATION Department review of the planning proposal Department assesses the strategic and site-specific merit of a planning proposal and issues a Gateway determination specifying if the planning proposal should proceed and whether consultation with authorities and government agencies is required.	45 days
	GATEWAY REVIEW A proponent/Planning Proposal Authority may request review of the decision (e.g., refusal) or of unfavourable conditions within 42 days of Gateway determination date. The review is conducted by the Independent Planning Commission.	90* days
4	POST-GATEWAY Actioning Gateway determination conditions The Planning Proposal Authority (usually Council) reviews the Gateway determination and actions any required conditions prior to public exhibition.	70 days
5	PUBLIC EXHIBITION AND ASSESSMENT Engaging with the community Consultation with the community, key authorities, and government agencies (as required). Review of the planning proposal to address conditions of Gateway determination and submissions.	115 days
6	FINALISATION Making the LEP Final assessment of the planning proposal and if supported, preparation of the draft LEP, review and finalisation. Once finalised, the LEP may be made, notified and come into effect.	70 days

Figure 1: Planning Proposal Process (Source Department of Planning and Environment)

The Site

The site is located in the township of Wallerawang-. The site covers approximately 620 hectares and comprises 34 allotments.



Figure 2: The Site (Source: Scoping Proposal, Urbis)

The majority of the allotments are owned by Greenspot; however, the site also includes other allotments owned by NSW Electricity Operations Pty Limited, Water NSW and Perpetual Trustee Company Limited.

Table 1: Legal description and ownership

Legal Description	Owner
Lot 1-2 DP 1131955, Lot 3 DP 1087684, Lot 171 DP 1131959, Lot C-D DP 394440, Lot 171 1131952, Lot 10-11 DP 1139978, Lot 1 DP 1278148, Lot E DP 394440, Lot 100 DP 1043966, Lot 3 DP 1181412, Lot 4 DP 1016725, Lot 3 DP 1018958, Lot 3-4 DP 1226927, Lot 1 DP 1181412, Lot 6-8 DP 1016725, Lot 1 DP 443235, Lot 3-4 DP 778400, Lot 2 DP 1181412, Lot 231 DP 622326, Lot 1 DP 1196274, Lot 32 DP 827807, Lot 4 DP 1087684, Lot 3 DP 1278145.	Greenspot
Lot 101 DP 1043966	NSW Electricity Operations Pty Limited
Lot 1-2 DP 778400	Water NSW
Lot 1 DP 371608	Perpetual Trustee Company Limited

The site comprises a mix of different land uses, including:

- Wallerawang Power Station, a former power station (including ancillary structures and infrastructure) which has now been decommissioned. The power station was closed in 2014 and was acquired by Greenspot in 2020. Structures and infrastructure that have been retained include a private rail siding, service bridges, vehicular accessway over Coxs River, high-capacity Fish River Water Supply Scheme connections and Lake Wallace cooling water supply pumping station.
- Heritage-listed Wallerawang Public School.
- Lithgow City Rangers Soccer Club fields, which is under a licence agreement with Greenspot.
- Coxs River, which bisects the former power station footprint.
- 330kV transmission line easement that runs parallel to the Coxs River.
- Lake Wallace, a regulated dam constructed to supply cooling water to the former power station. The majority of the north/eastern lake foreshore is subject to a lease from Greenspot to Council and is currently used for recreational purposes such as fishing and boating.
- Areas around the lake are also used for caravanning, camping, sailing, rowing and sport and recreation activities.
- Areas previously used for commercial pine forests. Some of these areas still vegetated, with other areas having been cleared.

The site will soon accommodate a battery energy storage, along the Castlereagh Highway frontage (adjacent to the Wallerawang substation). State Significant Development (SSD) consent for a battery energy storage system was granted in August 2022. Greenspot has partnered with Shell Energy to deliver the project.

Existing Planning Controls

The Lithgow Local Environmental Plan 2014 (LLEP) is the principal environmental planning instrument applicable to the site. The site is zoned a mix of SP2 Electricity Generating Works, RU1 Primary Production, IN1 General Industrial and E5 Heavy Industrial (refer to Figure 3). Pursuant to the LLEP the site is also mapped as having the following:

- Environmentally sensitive area.
- Sensitive land areas.
- Groundwater vulnerable.
- Watercourse/sensitive waterways.
- Heritage item, specifically the Old Wallerawang School (former National School).

The site is not subject to any height or floor space ratio provisions.

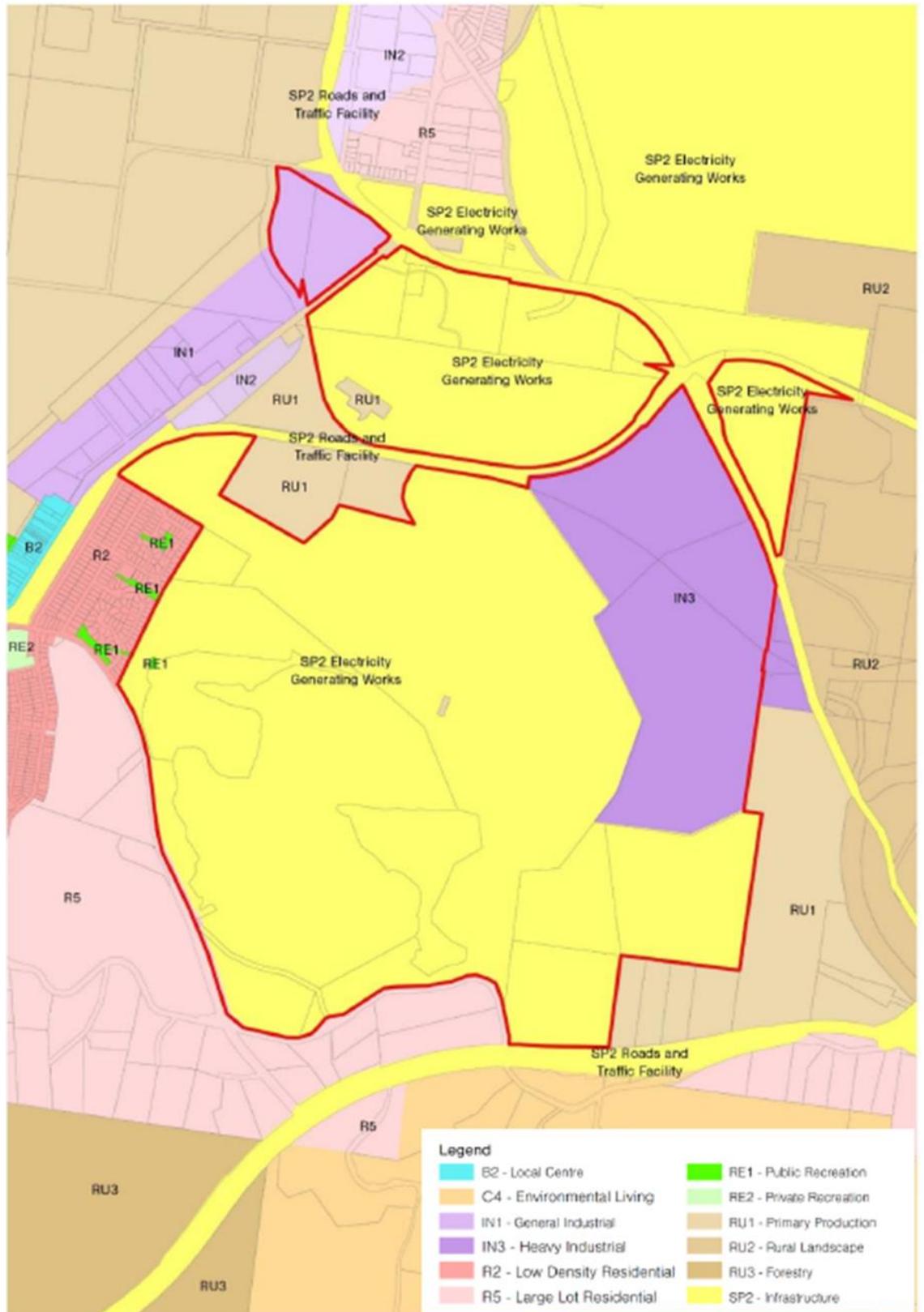


Figure 3: Existing zoning, site highlighted in red (Source: Scoping Proposal, Urbis)

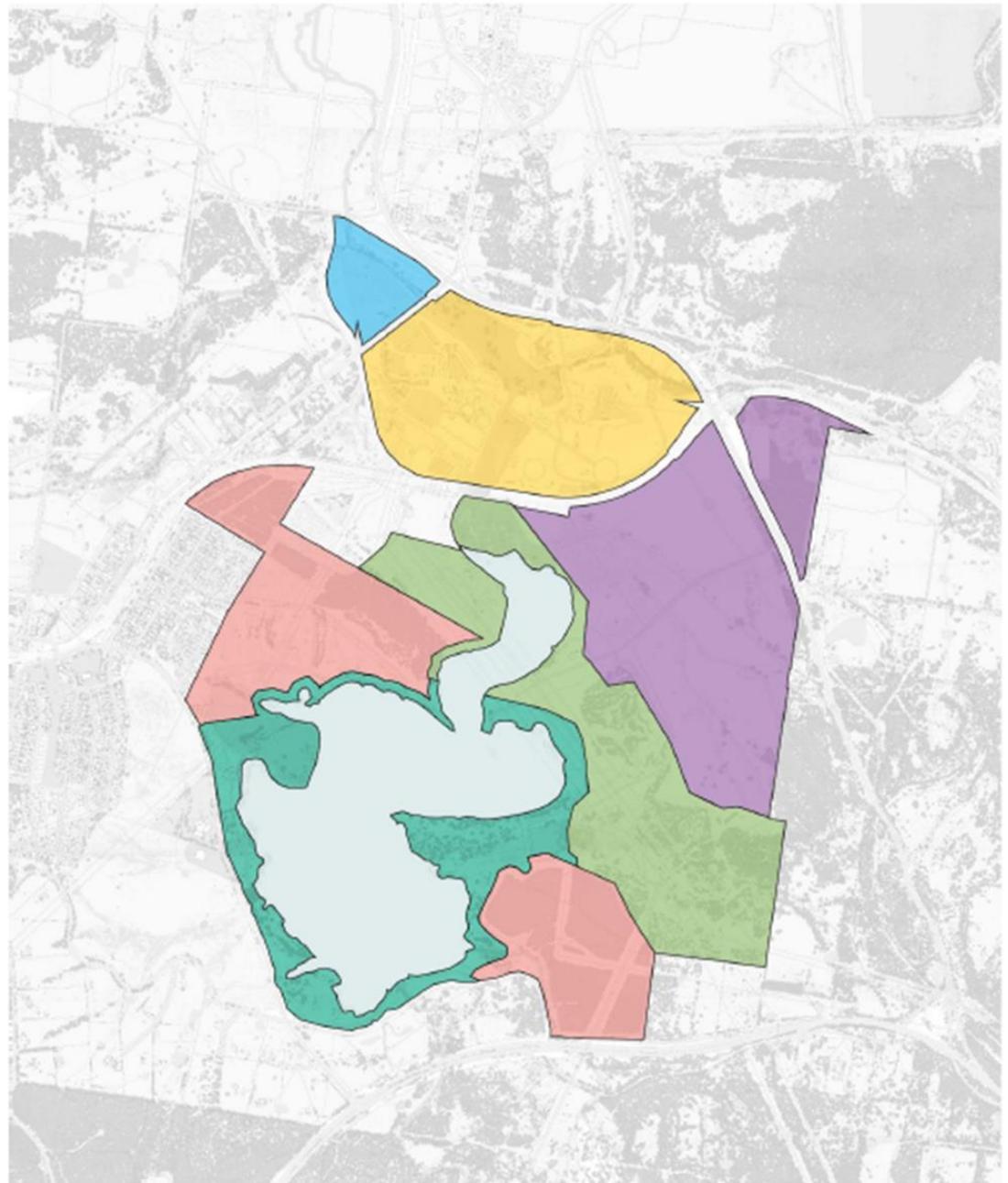
Summary of Scoping Proposal

Greenspot have prepared a preliminary draft land use concept plan for the site, which has been divided into the following precincts. A wide range of potential land uses have been identified that align with the proponents' vision and preferred character of the precincts.

These potential land uses will be further investigated and tested against the outcomes from the relevant social, environmental, and economic studies being undertaken.

- **Old Power Station Precinct**, including the following land uses: education and training facilities, pilot plants, warehousing, manufacturing, resource recovery, battery storage, data centres, hydrogen production, hydrogen refuelling, ammonia production, road to rail intermodal, aeronautics/heliport, and minerals processing.
- **Industrial and Commercial Precinct**, including the following land uses: education and training facilities, pilot plants, construction materials, resource recovery, manufacturing, battery storage, data centres, hydrogen production, ammonia production, hydrogen refuelling, heavy vehicle service station/mechanical repairs, road to rail intermodal, aeronautics/heliport, minerals processing, food processing, water treatment facilities, warehousing, plant and equipment hire, depots, commercial premises, call centres, aquaculture and protected cropping.
- **Tourism and Recreation Precinct**, including the following land uses: optimisation and enhancement of existing recreational uses (sailing club, rowing/dragon boating club, baseball, caravanning and camping, giant tree arboretum, children's playground, off leash dog park, public amenities block and Bicentennial National Trail), publicly accessible open space, sporting facilities, markets, waterpark/adventure playground, water recreation structures, restaurants, cafes, short term accommodation, community facilities, function centre, seniors housing, information and education facilities, cultural centre.
- **Residential Precinct**, including a mix of housing typologies including large lots, medium lots, small lots, and residential flat buildings. It is proposed that this precinct will also include a provision of local services as an extension of the Wallerawang Main Street.
- **Old School Precinct**, including the adaptive reuse of existing heritage listed School building, education and training facilities, pilot plants, shared working spaces, light industrial complexes, depots, warehousing, manufacturing, water treatment facilities, community facilities and temporary workers accommodation.
- **Environmental Management**, including active and passive recreation, bike and pedestrian pathways, roads, environmental management, bush regeneration, education facilities and a **cultural centre**.
- **Lake Wallace**, including recreational use, floating solar, riparian, and aquatic regeneration, floating gardens/biofiltration, reservoir to enable water storage, access, and reticulation for various on-site uses and potentially for broader regional benefit.

The above proposed precincts will transform the Wallerawang town, by introducing new residential, tourism and environmental management precincts and the retention of employment areas. The proposed concept plan could accommodate 1,500 - 4,500 jobs and between 600 -800 dwellings.



Wallerawang Precincts
Legend
 Old School Precinct
 Old Power Station Precinct
 Industrial Commercial Precinct
 Lake Wallace
 Tourism and Recreation Precinct
 Environmental Management Zone
 Residential Precinct

Figure 4: Proposed Precincts (Source: Scoping Proposal, Urbis)

Draft Planning Proposal Program

At the time the scoping proposal was submitted it was the intention of the proponent to develop and lodge a full Planning Proposal in August 2023 with baseline technical assessments well underway.

This program has been revised and Urbis have advised that the Planning Proposal is now targeted for lodgement with Council in December 2023. A revised working program is attached to this report.

Strategic Assessment

Regional Plan

The following table provides a preliminary assessment of the scoping proposal against the objectives of the Central West and Orana Regional Plan 2041. The plan is structured around four themes: "Region-Shaping Investment, "A Sustainable and Resilient Place", "People, Centres, Housing and Communities" and "Prosperity, Productivity and Innovation."

The proposal has the potential to be substantially consistent with the plan, subject to either amendments being made to the proposal or providing additional information and justification with any future planning proposal submission.

Table 2: Regional Plan Assessment

Planning Objective	Comment
Part 1 – Region Shaping Investment	
Objective 1: Deliver the Parkes Special Activation Precinct and share its benefits across the region	N/A the site is not part of the Parkes Special Activation Precinct.
Objective 2: Support the State's transition to Net Zero by 2050 and deliver the Central-West Orana Renewable Energy Zone	N/A the site is not in the Central-West Orana Renewable Energy Zone (REZ). The site is well placed to be part of the solution to energy transition. The Site's proximity to existing high voltage transmission infrastructure can provide grid support to the Central West and Orana REZ and Sydney. The site's strategic location, in proximity to good transport connections could attract regional energy-intensive industries.
Objective 3: Sustainably manage extractive resource land and grow the critical minerals sector	The proposed rezoning is in response to the decommissioning of the site's power plant. It has the potential to repurpose the site for a range of possible uses, whilst capitalising on the site's locational advantages, adjacent to existing infrastructure. From the information provided, renewable energy industries could be supported on the site, however further information is required at planning proposal stage to confirm the specific land uses being proposed.
Objective 4: Leverage inter-regional transport connections	The site is currently serviced by the Main Western Rail Line which connects the site to the wider area, including Port Botany. The Great Western Highway upgrade between Katoomba and Lithgow will improve the connection between Central West NSW and Western Sydney. Inland Rail will be a freight rail line connecting Melbourne and Brisbane via regional NSW. It is expected to be operational by 2027 and will improve freight efficiencies and better access to north-south freight destinations. The above infrastructure projects, have the potential to improve the site's connectivity with the greater region.
Part 2 – A Sustainable and Resilient Place	
Objective 5: Identify, protect, and connect important environmental assets	The site is mapped as having "environmentally sensitive" areas and "sensitive waterways." An environmental management precinct is proposed, where the Cox's River runs through the middle of the site. The site's biodiversity values must be considered at planning proposal stage, to avoid or better manage

Planning Objective	Comment
	impacts on sensitive areas from new development. Where impacts cannot be avoided, the proponent must consider how to minimise or offset impacts through environmental management or the conservation mechanisms.
Objective 6: Support connected and healthy communities	The proposed rezoning has the potential to include new parks and improved foreshore access to Lake Wallace. There are a number of existing uses on the site, including recreational uses to the north of the site. The planning proposal should outline how these uses will be managed as the site is developed (i.e., whether these uses will remain, be relocated, or removed).
Objective 7: Plan for resilient places and communities	The planning proposal must include specialist consultant studies, addressing the site's environmental affectations. Any new development must avoid areas affected by relevant hazards or mitigate the effects of hazards within affected areas.
Objective 8: Secure resilient regional water resources	<p>The site is located in a "groundwater vulnerable" location and is also within the Sydney water drinking catchment. The planning proposal is to include relevant specialist consultant studies to ensure the proposed rezoning does not impact and potentially improve the surrounding environment.</p> <p>The Fish River Scheme is also located within the boundary of the site. This includes a treated water pipeline which transects the site west to east across Lake Wallace, and other raw water and treated water pipelines that occur in the north-west of the site. This infrastructure will need to be protected during rezoning and redevelopment of the area.</p> <p>Lake Wallace forms part of an overall water scheme allocated and owned by Energy Australia for the purposes of energy production and is held under high security licences making access to the water held in that water body difficult if not impossible under the current system.</p> <p>The planning proposal must address the issue of local and regional water security involving Lake Wallace should the development being proposed involve access to water from the Cox's River Catchment and Lake Wallace.</p>
Objective 9: Ensure site selection and design embraces and respects the region's landscapes, character, and cultural heritage	The site comprises both Aboriginal and non-Aboriginal heritage significance. The planning proposal must address the significance of the site, provide opportunities to reuse heritage items for appropriate uses and provide opportunities to connect with Country.
Part 3 – People, Centres, Housing and Communities	
Objective 10: Protect Australia's first Dark Sky Park	N/A
Objective 11: Strengthen Bathurst, Dubbo, and Orange as innovative and progressive regional centres	Bathurst and Orange, which are in the general vicinity of the site are expanding and with Lithgow, will form a growth corridor that links the region, to Greater Sydney. The site is within this growth corridor and could assist in provide economic benefits to the wider region.
Objective 12: Sustain a network of healthy and prosperous centres	The Wallerawang township currently comprises 964 dwellings and a population of 2,450 people. Additionally, the scoping proposal outlines that local services will be provided which will form an extension of the Wallerawang Main Street. Should the rezoning proceed, it has the potential to nearly double the population of Wallerawang. The new population has the potential to provide new trade to existing businesses, whilst new business spaces have the potential to compete with businesses in Wallerawang and Lithgow. Further evidence should be provided at planning proposal stage justifying the proposed land uses, yields and assessing any impacts to neighbouring centres such as Lithgow.

Planning Objective	Comment
Objective 13: Provide well located housing options to meet demand	The proposed rezoning includes two residential development precincts. The proposed residential uses (in particular the northern residential precinct), are proposed in locations which might be better utilised for industrial development. The planning proposal must include substantial justification for the location of residential land uses and whether it could be more suited for employment land.
Objective 14: Plan for diverse, affordable, resilient, and inclusive housing	The planning proposal has the potential to include a range of public benefits, including access to waterfront land and protection of environmental values. Further information should be provided in any future submission.
Objective 15: Manage rural residential development	The proposal has the potential to deliver a wider range of housing typologies. Further information and justification on the type and location of different typologies should be provided within any future planning proposal.
Objective 16: Provide accommodation options for seasonal, temporary, and key workers	Further information should be provided in any future submission.
Objective 17: Coordinate smart and resilient utility infrastructure	The planning proposal is to include a cumulative infrastructure assessment, outlining whether there is capacity for the infrastructure network to accommodate the proposed rezoning. The assessment should also include potential funding mechanisms for the proponent to upgrade infrastructure, where needed.
Part 4 – Prosperity, Productivity, and Innovation	
Objective 18: Leverage existing industries and employment areas and support new and innovative economic enterprises	This objective outlines that the retention and management of employment lands can create new opportunities for further growth in employment related development. Any planning proposal should provide justification for the proposed rezoning, specifically the potential loss for land which could currently be used for employment land uses.
Objective 19: Protect agricultural production values and promote agricultural innovation, sustainability, and value-add opportunities	The proposed employment precincts could support the agricultural industry from the wider regional area.
Objective 20: Protect and leverage the existing and future road, rail and air transport networks and infrastructure	The planning proposal must include substantial justification for the location of residential land uses and whether it could be more suited for employment land.
Objective 21: Implement a precinct-based approach to planning for higher education and health facilities	N/A
Objective 22: Support a diverse visitor economy	The rezoning could potentially include improved access to and utilisation of Lake Wallace, which could attract visitors to the local area.
Objective 23: Supporting Aboriginal aspirations through land use planning	The planning proposal is to be accompanied by an engagement strategy, which should include engagement with local communities and Aboriginal land councils. Feedback obtained should be considered in the design and development of the proposed masterplan for the site.

Lithgow Local Strategic Planning Statement 2040

The Lithgow 2040 Local Strategic Planning Statement (2020) sets out a 20-year land use vision for the Lithgow region and manage growth in a way that supports and contributes to the local identity/character of the area and protects the values of existing residents. The statement identifies and gives effect to the strategic directions outlined in the previous iteration of the Central West and Orana Regional Plan 2041.

The LSPS has a Structure Plan for Wallerawang (refer to Figure 5), which envisages the following for the site:

- Electricity Generating Areas.
- Parks and Recreational Spaces.
- Existing Industrial.
- Riparian Areas.
- Investigation for “eco-industrial park”.

At the time of the development of the LSPS the site was undergoing the final stages of transfer to the current owners Greenspot from Energy Australia. The concept future land use identified through consultation with Greenspot was for a “eco-industrial park” combining elements of the circular economy as notated on the Wallerawang Structure Plan. This notation flagged the potential for alternative landuses other than electricity generation once Energy Australia divested the site. Therefore, the LSPS made no direct future directions for this site. This now requires detailed consideration through the Planning Proposal process.

The scoping proposal is partially inconsistent with the LSPS, given that it identifies two new residential precincts delivering between 600-800 dwellings within the site.

The LSPS Wallerawang Structure Plan identifies a future residential investigation to the west of the Wallerawang township. The planning proposal should demonstrate why provision of residential lands on the site, is preferable to its provision within the nominated investigation area.

Additional information should also be provided at planning proposal stage, to justify the loss or transition of some 90 ha of potential employment land given past land use.

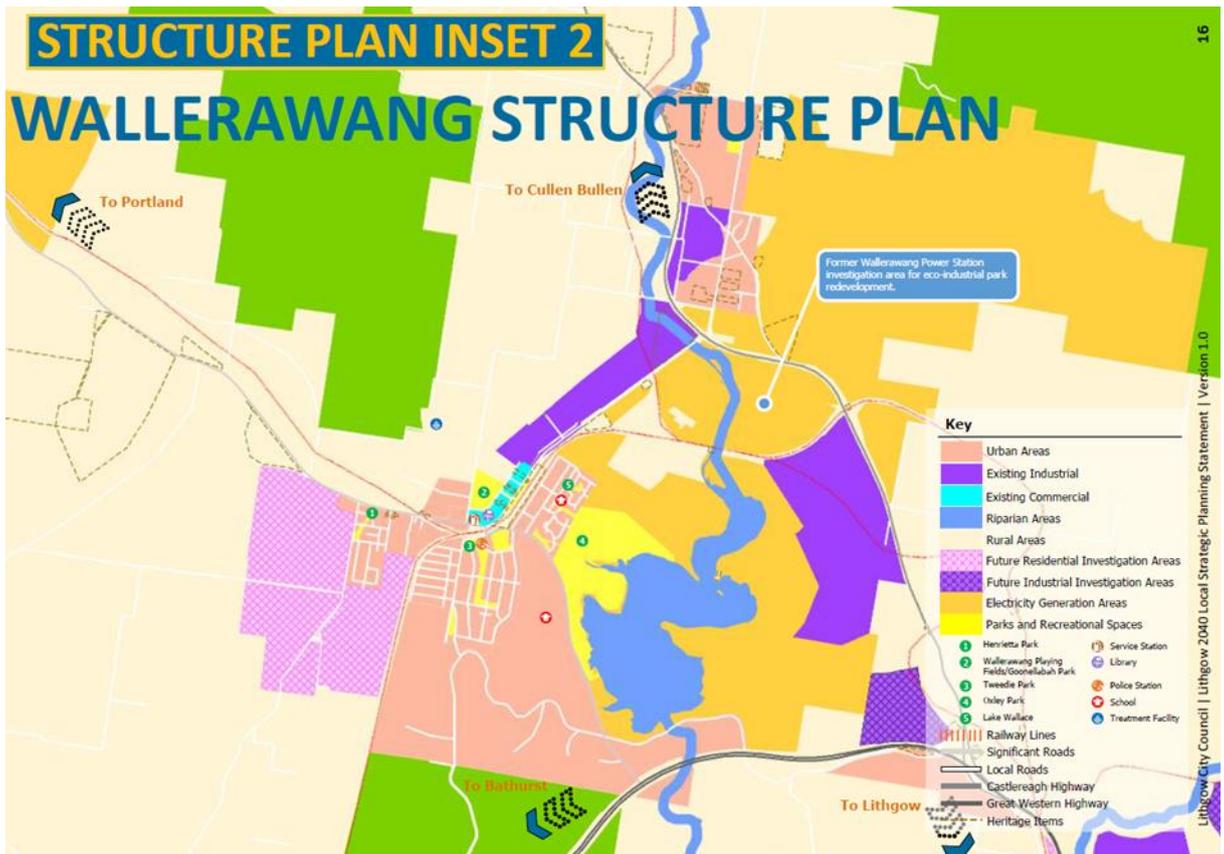


Figure 5: Wallerawang Structure Plan, (Source: Lithgow LSPS 2040)

The following table provides a preliminary assessment against the Planning Priorities and principles of the Lithgow Local Strategic Planning Statement (LSPS).

The proposal has the potential to be substantially consistent with the employment lands directions of the plan, subject to either amendments being made to the proposal or providing additional information and justification with any future planning proposal submission. However, the proposal is inconsistent with local planning direction as it relates to local settlement strategy of the LSPS.

Table 3: LSPS Assessment

Planning Priority	Comment
Priority 1: Establish a Framework for Suitable Growth	<p>Council has committed to underpinning its future planning decisions and policies to the adopted growth targets proposed in the LSPS, committing itself to growing its residential population by almost 4,000 people by the end of 2040. The scoping proposal identifies the potential for an additional 600-800 new dwellings which will almost double the population in the Wallerawang/Lidsdale precinct. The LSPS did not envisage this quantum of potential residential growth in this precinct up to 2040. For Council to consider supporting the redevelopment of part of the site for residential purposes including any temporary worker accommodation, concessions (in relation to other potential developable land identified in the LSPS) would need to be made to ensure long term sustainable growth.</p> <p>The Planning Proposal will need to justify the strategic and site-specific merit of the site compared with other zoned and nominated areas for growth within the LSPS and provide evidence base for bringing forward a new supply area and its impact on the adopted settlement strategy.</p>

Planning Priority	Comment
	It will also need to demonstrate how land use conflict within and between the planned precincts and the adjoining township will be managed at a strategic level.
Priority 2: Plan for a Diversity of Housing	<p>The scoping proposal has identified that a variety of housing typologies is being considered in the residential precincts, ranging from detached dwellings to residential flat buildings located on the periphery of existing residential areas of the Wallerawang township.</p> <p>The site conforms to the directions of the LSPS to provide growth in the town centres, however consideration must be given to the quantum of growth having regard to the provision of physical and social infrastructure that the smaller centre of Wallerawang can support.</p> <p>The Planning Proposal will need to address the demand and supply of proposed housing typologies at the wider LGA level as well as how the site can respond to any identified housing demand, including temporary worker accommodation, social and affordable key worker housing.</p>
Priority 5: Align Development with Essential Infrastructure	<p>While the proposal site is located in close proximity to the town centre of Wallerawang, it is outside the boundaries of the adopted servicing plans, <i>Lithgow Development Servicing Plans for Water Supply and Sewerage 2018</i>.</p> <p>As part of the Planning Proposal, the applicant will need to provide justification on how the site is to be serviced in regard to the residential and industrial demand for utilities, roads, and social infrastructure.</p>
Priority 6: Provide the Community with Access to Attractive, Healthy, and Green Public Spaces and Places.	<p>The foreshores of Lake Wallace are a highly regarded community space to the township of Wallerawang and further beyond for their recreational use (i.e., camping, softball court, fishing etc.). The scoping proposal generally reinforces the community and recreational uses of the land that are currently undertaken on the site in addition of potential new recreational uses in the future. This is in conjunction with the green corridor running through the centre of the site which also has the potential for passive and active recreational uses.</p> <p>The Planning Proposal should provide an Open Space and Recreation Strategy for the site and consider, amongst other things, any proposed public benefits offer to Council.</p>
Priority 7: Increase the Visitor Economy	<p>The Lake Wallace Foreshore is a major tourist attractor for the Lithgow LGA, particularly for camping and caravanning uses.</p> <p>The scoping proposal indicates that the foreshore areas surrounding as a “Tourism and Recreational Precinct”. It has the vision of establishing the area as a tourism destination.</p> <p>Whilst Council is supportive of capitalising on the endowments of Lake Wallace to increase the visitor economy, any new development must also demonstrate how it supports continued and improved public access and benefits and how it will manage any land use conflicts.</p> <p>The allied tourism support services proposed for the site should not detract from the established town centres.</p> <p>The Planning Proposal should address how the appropriate use of zoning and site-specific provisions facilitates these land uses consistent with the Standard Instrument LEP</p>
Priority 9: Attract Investment and Grow Local Jobs: Industrial	The redevelopment of the Wallerawang Power Station is a significant undertaking which has the potential to act as a catalyst to generate interest and investment from new and emerging industries to the Lithgow LGA. A significant portion of the eastern half of the site (210ha), including the

Planning Priority	Comment
	<p>former power station, has been identified for industrial uses to capitalise on the residual infrastructure unique to the immediate area.</p> <p>It conforms to the principles of the LSPS and LEEP Transition Plan to cluster industries to build upon business synergies, reduce land use conflict and provide for the efficient delivery of supporting infrastructure.</p> <p>However, consideration should be given within the Planning Proposal to the potential impact the additional quantum of employment lands will have upon the planned local employment land areas, yet to be developed such as adjacent to the Marrangaroo Urban Release Area on Reserve Road, in addition to land on Ian Holt Drive in Lidsdale identified in the LSPS.</p>
Priority 10: Manage Natural Waterways and Water Resources	<p>As the Coxs River runs directly through the site and is dammed at Lake Wallace, it is important to ensure both water quality and quantity are maintained for both environmental and community uses. New land uses that are in proximity to waterways and riparian areas can potentially lead to deterioration of water quality and quantity if not appropriately managed. In addition, further consideration must be given to water quality as the site is located within the Sydney Drinking Water Catchment area, ensuring that a neutral or net benefit is achieved in water quality.</p> <p>The planning proposal will need to demonstrate how any proposed future land uses are compatible to land and water capability and how the ecology within the waterway and riparian areas will be maintained/enhanced.</p>
Priority 11: Protect Areas of High Environmental Value and Significance	<p>The LSPS recognises the importance of protecting and conserving areas of high environmental value and significance from incompatible development.</p> <p>Council is supportive of the use of the environmental corridor to protect and manage the areas of high biodiversity and environmental significance identified within the site.</p> <p>The Planning Proposal should provide appropriate environmental assessment to identify areas of high environmental value as well as identifying the appropriate zoning framework to direct and locate new development away from these areas and to ensure their long-term sustainability.</p>
Priority 12: Adapt to Natural Hazards and Climate Change	<p>Council committed in the LSPS to resist development in areas of significant risk from natural hazards.</p> <p>The Planning Proposal will need to undertake relevant environmental investigations and reports to determine the level of risk from the proposed development concept and identify the measures to eliminate or mitigate the impact from natural hazards including climate change.</p>

Section 9.1 Ministerial Directions

The scoping proposal's consistency with relevant section 9.1 Directions is discussed below. Further information is required at planning proposal stage to demonstrate consistency with the objectives of each ministerial direction.

Table 4: Section 9.1 Ministerial Directions

Directions	Comment
1.1 Implementation of Regional Plans	<p>Table 2 outlines that the scoping proposal has the potential to be mostly consistent with the plan, subject to either amendments being made to the proposal or providing additional information and justification with any future planning proposal submission.</p> <p>Any future planning proposal is to outline consistency with the plan and provide detailed justification for any inconsistencies.</p>
1.4 Site Specific Provisions	<p>The scoping proposal outlines a number of potential land uses. Any future planning proposal must include the proposed zones for consideration.</p> <p>A site-specific provision may be required, to stage the proposed employment land to align with the release of residential GFA, to ensure the employment lands are activated.</p>
3.1 Conservation Zones	Any future planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.
3.2 Heritage Conservation	Any future planning proposal must contain provisions that facilitate the conservation of the site's heritage item and significance.
3.3 Sydney Drinking Water Catchments	<p>Any future planning proposal must be prepared to ensure new development has a neutral or beneficial effect on water quality (including groundwater), be matched to land and water capability and the ecological values of land within a Special Area should be maintained.</p> <p>Detailed feedback has been received from Water NSW (refer to Table 9). Further consultation should be undertaken with Water NSW, prior to the lodgement of the planning proposal, so any outstanding concerns have been addressed.</p>
4.1 Flooding	<p>There is limited flood information available for the site, with some evidence suggesting the proposed school precinct is flood prone. A flood study is required to support any planning proposal.</p> <p>Any future planning proposal must not rezone land within the flood planning area from recreation, rural, special purpose, or conservation zones to a residential, employment, mixed use, working waterfront or special purpose zones. Consideration must also be given to the relevant flooding provisions and guidelines.</p>
4.3 Planning for Bushfire Protection	Any future planning proposal must be prepared in consultation with the NSW Rural Fire Service, consider <i>Planning for Bushfire Protection 2019</i> , introduce controls that avoid placing inappropriate developments in hazardous areas, ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ) and comply with the relevant bushfire guidelines and provisions.
4.4 Remediation of Contaminated Land	Given the site's historical land uses, a contamination assessment (i.e. PSI, DSI and/or RAP) will be required to confirm that the site is suitable for the proposed use. Several agencies (including NSW Environment Protection Authority (EPA), Water NSW, Department of Planning and Environment – Western Region and NSW Health – Nepean Blue Mountains Local Health District) have also requested contamination investigations be undertaken across a wider area, given potential contaminants may have migrated from the former power station.
5.1 Integrating Land Use and Transport	Consideration of this direction is required, as the scoping proposal proposes to rezone land for residential and employment land uses.
5.2 Reserving land for public purposes	Any future planning proposal is to describe the envisaged ownership and maintenance structure of future lands in particular new roads, parks, Lake Wallace, and environmental corridors. It should not be assumed that Council will take ownership.

Directions	Comment
6.1 Residential zones	Any future planning proposal must not propose the rezoning of any land to a residential zone that cannot be adequately serviced. A cumulative infrastructure assessment should be prepared and funding mechanism for any infrastructure upgrades should be proposed for Council's consideration, noting that any upgrades required to support the rezoning are to be funded at no cost to Council.
7.1 Business and industrial zones	The scoping proposal has the potential to reduce the total potential floor space area for employment uses and related public services. An economic impact assessment is required outlining the number of existing and proposed jobs and provide sufficient justification to support the rezoning and any reduction in employment floorspace.
9.2 Rural Lands	Given the proposal includes land zoned for rural purposes, consideration of this direction is required.

State Environmental Planning Policies

The table below outlines the relevant State Environmental Planning Policies which will require consideration with any planning proposal submission.

Table 5: Key Relevant State Environmental Planning Policies

State Environmental Planning Policies	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Given the site comprises “environmentally sensitive areas” and waterways, a biodiversity assessment report will be required to address this SEPP, in particular the significance of the site’s vegetation, the impact of the proposed rezoning and whether any offset schemes/arrangements are required. The site is located within the Sydney Drinking Water Catchment. The Planning Proposal will be required to address Part 6.5 of this SEPP to ensure that proposed land uses can achieve a neutral or beneficial effect on water quality.
State Environmental Planning Policy (Housing) 2021	Consideration of this SEPP may be required, dependent on the type of housing being proposed.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Should residential flat buildings be proposed, an urban design report will be required outlining high-level compliance with the SEPP and the Apartment Design Guide can be achieved.
State Environmental Planning Policy (Resilience and Hazards) 2021	A Phase 1 contamination report must be prepared, which concludes that the entire site area is capable of accommodating the proposed mixed-use rezoning. A Phase 2 contamination report will also likely be required and potentially a Remediation Action Plan to demonstrate consistency with this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consideration of this SEPP and its relevant chapters will be required in any planning proposal, given the site comprises existing infrastructure, such as electrical easements, freight train lines, train sidings and the site’s location adjacent to classified roads.

Lithgow Emerging Economies Project

Lithgow City Council and the NSW Government have collaborated on the Lithgow Emerging Economies Project (LEEP) and have produced the Lithgow Emerging Economy Transition Plan.

This Plan identifies opportunities for Lithgow’s economic diversification and growth. The Transition Plan identifies the following key priority sectors relevant to this proposal:

- **Industrials: Renewable energy**, particularly solar power, pumped hydro, battery storage and green hydrogen production
- **Industrials: Manufacturing**, including:
 - Defence and related metal fabrication and components
 - Renewable energy components and clean technology innovation, such as green building materials
 - Circular economy manufacturing
 - Transport equipment manufacturing.
- **Tourism**, which includes accommodation and food services, arts and recreation services, and retail trade.

The concept proposal has the potential to align closely with these priority sectors and be a critical catalyst to the LGA’s transition from coal reliant energy generation. The Planning Proposal is to consider its consistency with the objectives, actions, and desired outcomes of the LEEP Transition Plan when refining the scope and scale of proposed land use change.

Site Specific Assessment

Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 6: Environmental Impact Assessment

Issue Area	Commentary
Water Access and Security	<p><u>Background:</u></p> <ul style="list-style-type: none"> • Council is currently reviewing the strategic planning for its water and sewerage infrastructure including identifying and reviewing various sources of water supply in the LGA and region for potable water treatment and delivery to service the LGA. • Lake Wallace has been identified as a potential raw water source to supplement other local sources. • Lake Wallace water body and Cox’s River Catchment is currently under licence to Energy Australia • Work is being undertaken to review water licencing and security issues. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal must identify and address any requirement to access water from Lake Wallace and reconcile the licencing and water allocation with local and regional stakeholders. • Council will convene a working group of all stakeholders to further investigate this issue.
Contamination	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The site is located within the Sydney drinking water catchment. • The site has historically accommodated a powerplant.

Issue Area	Commentary
	<ul style="list-style-type: none"> • Most of the remaining site area is zoned for either General/Heavy Industrial. • It is proposed to rezone parts of the site for more sensitive land uses, such as residential and recreational uses. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal must address and adequately satisfy the State Environmental Planning Policy (Resilience and Hazards) 2021. A Phase 1 contamination report must be prepared, which concludes that the entire site area is capable of accommodating the proposed mixed-use rezoning. Should it be required, a Phase 2 report and potentially a Remediation Action Plan may also be required to support the planning proposal. • Scoping report references historical photos. Any contamination report should provide copies of these photos for Council's reference and assessment. • Contamination report should also assess any impacts to drinking water, given the site is located within the Sydney drinking water catchment and is mapped as being "groundwater vulnerable." • Planning proposal should identify if there any governance issues tied to the contractual obligations of the proponent that would introduce any complexity to the rehabilitation of the site and ability to deliver the proposal,
Ecology:	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The site is mapped as being within an environmentally sensitive area (groundwater/sensitive waterways). • The proposal needs discharge/offtake from Lake Wallace, which could have impact on the wider region requires assessment. • Coxs River runs through the north of the site. • Significant land clearing will be required to accommodate the "residential precinct." <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal must be accompanied by a Biodiversity Assessment report addressing the potential impacts and the relevant legislation. It should be prepared by an accredited assessor, in order to give a clear understanding of threatened species on the site. There is potential for Commonwealth listed threatened species to exist on site, therefore early discussions with the Commonwealth should be undertaken. • Planning Proposal to categorise and assess the watercourses running through the site and assess any impacts associated. • Planning Proposal must outline whether the rezoning requires Lake Wallace for stormwater discharge etc, as this may impact the recreational potential and uses of the land surrounding the lake. A Stormwater report is needed addressing any potential stormwater impacts to Lake Wallace and also Coxs River. • Planning Proposal must be accompanied by a geotechnical Report addressing any potential groundwater impacts.
Existing uses	<p><u>Background:</u></p> <ul style="list-style-type: none"> • There are a number of existing uses on the site, including recreational uses to the north of the site (i.e., the Lithgow City Rangers Soccer Club), rail infrastructure, electrical easements, a rowing club etc. • The Lake Wallace foreshores are currently managed and maintained by Council under the obligations of a lease agreement with Greenspot. This has been a long-standing arrangement that rolled over with each successive ownership of the area.

Issue Area	Commentary
	<p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal to include details of all existing uses on the site and outline how these uses will be managed as the site is developed, specifically, whether these uses will be proposed to remain, be relocated to other parts of the site, or removed. • The Planning Proposal will need to address the ambiguities of the tenure and ongoing management of the foreshore areas. Council encourages the proponent to form a separate working party to address these issues in the next phase of the Planning Proposal development.
Aboriginal Heritage	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The site contains several Aboriginal items/places recorded on the AHIMS website. • The Connecting with Country design framework provides the means to better understand the values and attributes of a site, so they can be incorporated into development to improve its relationship to the environment and improve the human experience. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal is to be accompanied by an Aboriginal archaeological assessment addressing all relevant guidelines. Assessment should be prepared in conjunction with the Bathurst Local Aboriginal Land Council. • The Planning Proposal must demonstrate how the proposed planning frameworks is aligned with the Connecting with Country framework (Draft Connecting with Country framework – Government Architect NSW)
Heritage	<p><u>Background:</u></p> <ul style="list-style-type: none"> • It is proposed to retain the site's heritage item (i.e., the Old Wallerawang School (former National School)), which is supported. It is a concern that it proposed to redevelop/rezone the adjacent land for industrial uses, which may impact the significance of the item. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal to be accompanied by a Heritage Impact Statement assessing the significance of the item, the impact of the proposed rezoning and any opportunities to adaptive reuse the item for potentially community/educational infrastructure.
Cumulative Impact	<p><u>Background:</u></p> <ul style="list-style-type: none"> • There are other developments being proposed in the surrounding area, including the Marrangaroo Urban Release Area, which could accommodate up to 1,500 dwellings. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal to undertake a cumulative assessment of the impacts associated with the proposed rezoning, in conjunction with surrounding proposed/approved developments.
Development within a designated buffer area	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The site is mapped as having a “designated buffer area” in order to protect the operation of the site's sewerage treatment plant from surrounding sensitive land uses. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal to outline whether it is proposed to retain this buffer. This will ultimately depend on the proposed land uses being considered within the buffer area. Further information and clarity on the specific land uses being considered is required.

Social and Economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 7: Social and economic impact assessment

Issue Area	Commentary
Residential yield:	<p data-bbox="376 461 523 488"><u>Background:</u></p> <ul style="list-style-type: none"> <li data-bbox="523 488 1399 667">• The scoping report identifies the proponent's intention to request rezoning of two precincts (residential north and residential) with a combined area of 90 hectares, for residential purposes. Residential north is located between the eastern edge of town and the lake (Coxs River). Residential south is located between the Great Western motorway and the lake (Coxs River). <li data-bbox="523 667 1399 824">• The residential precincts are identified as having the potential for 600-800 new dwellings, in a variety of forms. The scoping report does not specify the proposed land use zone. Residential flat buildings are proposed, however there are no residential flat buildings in the Wallerawang town centre. <li data-bbox="523 824 1399 913">• Wallerawang has 964 dwellings and a population of 2,450 people. Should the rezoning proceed, it has the potential to nearly double the population of Wallerawang. <li data-bbox="523 913 1399 1048">• Council's analysis identifies that the following residential development capacity exists in existing zones areas within Wallerawang (Wallerawang – Lidsdale) R2: 326 dwellings (22.4% of total LGA supply) and R5: 326 dwellings (46.8% of total LGA supply). <li data-bbox="523 1048 1399 1227">• The Marrangaroo Urban Release Area is the primary area designated for growth in Lithgow (1600 lots). Council is working with TfNSW to facilitate access from the Great Western Highway for the URA and with DPE to progress the removal of planning barriers for the release of the land including appropriate state and local infrastructure contribution mechanisms. <li data-bbox="523 1227 1399 1294">• Department of Regional NSW is preparing Regional Housing Delivery Plans for functional economic regions. <li data-bbox="523 1294 1399 1361">• Council proposes to prepare a Local Housing Strategy as part of the broader strategic review of the Growth Management Strategy. <li data-bbox="523 1361 1399 1429">• The LSPS includes a structure plan for Wallerawang, which identifies a future residential investigation area on western edge of town. <li data-bbox="523 1429 1399 1541">• Future development in the area including the Great Western Highway upgrade and battery projects (including an onsite battery and Mt Piper battery energy storage system) will lead to an increased demand for temporary worker accommodation. <p data-bbox="376 1541 507 1568"><u>Discussion</u></p> <ul style="list-style-type: none"> <li data-bbox="523 1568 1399 1697">• The proposed residential areas have positive attributes, including lake front amenity, proximity to town (north precinct), access to infrastructure and single ownership, which increases their desirability, deliverability, and the potential for new housing in the area. <li data-bbox="523 1697 1399 1787">• Rezoning of the precincts before completion of the Regional Housing Delivery plan and Housing strategy, may undermine any strategic outcomes identified in those plans. <li data-bbox="523 1787 1399 1877">• The strategic/site specific merits of the future residential investigation area on the western edge of town are unknown and whether they are superior lands for residential use. <li data-bbox="523 1877 1399 1944">• It is unclear whether the potential of the Marrangaroo URA will be realised, and if so, when. <p data-bbox="376 1944 587 1971"><u>To be addressed:</u></p> <ul style="list-style-type: none"> <li data-bbox="523 1971 1399 2033">• Planning proposal must justify the demand for proposed housing, having regard to the capacity and capability of the Marrangaroo URA and

Issue Area	Commentary
	<p>the identified future residential investigation area on the western side of Wallerawang.</p> <ul style="list-style-type: none"> • Planning proposal must identify legislative mechanisms that can be adopted to stage the delivery of housing to align with the uptake of employment lands, so the development's focus is not only on residential development. • Planning proposal must evaluate the potential for the site to accommodate temporary workers accommodation. • Planning proposal must address and justify the proposed development's inconsistency with the Wallerawang Structure Plan in Council's LSPS, which outlines that the site should be used for "electricity generation" and "industrial" development. • Planning proposal to outline the location for different housing typologies, including large lot residential and residential flat buildings and provide justification for the location of each typology. • Planning proposal must identify the form and scale of retail uses envisaged. The impact of such use on the main street must then be considered in the retail/social Impact Assessment to confirm that the proposed rezoning will not impact the established retail/town centre's hierarchy and "main street" of the Wallerawang.
Employment:	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The scoping report outlines a large range of potential jobs being provided (1400-4500 jobs). • Additional employment and job creation is supported; however, it is unclear as to the how this number has been calculated and whether there is demand for this quantum of jobs in this location. • Additionally, the scoping report outlines numerous possibilities of the types of land uses which could be accommodated. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal must be accompanied by an Economic Impact Assessment to quantify the number of jobs being proposed, determine whether there is demand for jobs in this location, the types of industries which could be supported in this location and the likely take-rate up for non-residential development (i.e., how long it will take for all the land to be developed). The assessment must clearly outline new jobs vs net increase in jobs (when compared to the site's existing uses). • The Economic Impact Assessment is to address the priorities and actions of the Central West and Orana Regional Plan 2041 and the Lithgow 2040 Local Strategic Planning Statement. It should specifically address and justify any inconsistencies, in particular it should address whether the rezoning will impact the hierarchy of centres and whether it has the potential to compete with other centres such as Lithgow. • Planning proposed must outline specific employment zones being proposed. This will assist in understanding the vision for the precinct, avoiding land use conflicts, and assessing the cumulative impacts of the proposed development (e.g., different land uses may have different traffic generation rates and infrastructure requirements). • Planning proposal must demonstrate why residential uses represent the best use of land that is well serviced and located for employment uses. • Planning proposal must include suitable provisions to link housing to employment outcomes. One potential provision could be the inclusion of a staging provision in the LEP, which releases residential GFA as the employment land is developed.
Social Impact Assessment and Community	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The proposed land uses would generate greater demand for social infrastructure, such as schools, hospitals, parks, and libraries.

Issue Area	Commentary
Infrastructure Assessment	<p><u>Discussion</u></p> <ul style="list-style-type: none"> • Important for SIA to include consultation with community and government, to ensure a comprehensive understanding of social impacts. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal to be accompanied by a Social Impact Assessment and Community Infrastructure Assessment assessing the demand and capacity of surrounding infrastructure and outline any upgrades required to accommodate the rezoning.
Potential public benefits:	<p><u>Background:</u></p> <ul style="list-style-type: none"> • Given the size of the proposed rezoning, there are various opportunities to provide considerable public benefit to the local community and wider regional area. Some potential ideas could include: <ul style="list-style-type: none"> ○ Improved connectivity with Wallerawang town centre. ○ Improved public pedestrian access along the Lake Wallace foreshore. ○ Embellishment of the Lake Wallace foreshore. ○ New/improved public parks. ○ Affordable/key worker housing dedicated to Council or a community housing provided in perpetuity. There is an increased demand for temporary worker accommodation given large infrastructure projects including the Great Western Highway upgrade and battery projects (including onsite battery and Mt Piper battery energy storage system). <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal should include a draft letter of offer outlining the potential public benefits which could be offered to the local community, including funding for future maintenance. Once the public benefits (including its value) are agreed to with Council, a VPA will need to be drafted prior to exhibition.
Management of lands	<p><u>Background:</u></p> <ul style="list-style-type: none"> • We are concerned about the proponent seeking to provide Council with land which would be burden for them to maintain. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal is to describe the envisaged ownership and maintenance structure of future lands in particular new roads, parks, Lake Wallace, and environmental corridors. It should not be assumed that Council will take ownership.
Other powerplants and mines	<p><u>Background:</u></p> <ul style="list-style-type: none"> • There are a number of powerplants and mines in the immediate area. • This rezoning may act as a catalyst for the preparation of other rezoning applications, should these powerplants and mines be decommissioned in the near future. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning Proposal is to undertake an assessment of surrounding powerplants and mines to outline the intentions of these operators and the operational lifespan of these developments/infrastructure (based on publicly available information). This is to ensure the orderly development of land within the Lithgow LGA.

Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the scoping proposal and what infrastructure is proposed in support of the proposal.

Table 8: Social and economic impact assessment

Issue Area	Commentary
Infrastructure	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The proposed land uses would generate greater demand for local and state infrastructure, including: <ul style="list-style-type: none"> ○ New local roads ○ Upgrades to local and state roads ○ Upgrades to utility infrastructure (such as wastewater, water, electrical etc). ○ Social infrastructure (such as parks, schools, and hospitals etc). • Council is the waste/wastewater utility provider. The Wallerawang wastewater treatment plant was upgraded less than 10 years ago based on planned growth and forecast demand, and there is limited surplus capacity. • In accordance with Council's "Development Servicing Plans for Water Supply and Sewerage" the proposed development would be classified as "out of sequence development." Therefore, the developer would be required to pay the full capital cost of the assets required. • There are several high-voltage powerlines traversing the site. • Several potential funding mechanisms would likely need to be considered to accommodate the rezoning, including the following (noting the below is in addition to the required s7.12 contributions): <ul style="list-style-type: none"> ○ Local VPA – to include public benefits associated with the rezoning such as new roads, public access (and embellishment) to the Lake Wallace foreshore, new parks, social/key worker housing etc). Any VPA is to be prepared in accordance with Council's Voluntary Planning Agreements Policy (Version 2). ○ Contributions under section 305 of the Water Management Act 2000 – upgrades to water and wastewater infrastructure. ○ State VPA - state infrastructure. ○ Alternatively – a state funding LEP provisions could be proposed, whereby concurrence from Planning Secretary required prior to development consent. <p><u>To be addressed:</u></p> <ul style="list-style-type: none"> • Planning proposal to include sufficient investigations to determine demand and supply of infrastructure, to allow for appropriate costings to be undertaken. Specific land uses are required to understand the demand for infrastructure and the required infrastructure upgrades. Any investigations must include a cumulative assessment of the supply/demand of infrastructure, considering other large-scale developments approved or currently under assessment by Council. • Planning Proposal to outline whether it is proposed to relocate the high-voltage powerlines or retail in the existing location. Investigations should be undertaken to determine whether there are any land use restrictions (such as residential subdivisions) in the vicinity of the easements. • Planning Proposal to include potential funding mechanisms for upgrades to state infrastructure.
Transport:	<p><u>Background:</u></p> <ul style="list-style-type: none"> • The site is in an advantageous position with access to the Castlereagh Highway and Great Western motorway. TfNSW has expressed a preliminary view that traffic should be directed to the Castlereagh Highway rather than Barton Avenue and Great Western Highway.

Issue Area	Commentary
	<ul style="list-style-type: none"> • TfNSW has expressed a preliminary view that there is limited capacity for additional freight to be accommodated on the rail line. <p><u>To be addressed.</u></p> <ul style="list-style-type: none"> • Planning Proposal must be accompanied by a Transport Impact Assessment outlining traffic impacts associated with construction and operational phases of development. Assessment should outline the traffic generation of specific land uses, the traffic associated with the staging of the development and potential for pedestrian/cycling linkages. The assessment should also utilise the existing traffic model which can be obtained from Transport for NSW. • Planning Proposal to outline whether the future industrial uses require the use of the freight line and whether the freight line has any surplus capacity.

Site –Specific Development Control Plan

Given the size of the development and the various land uses being proposed, a site-specific development control plan should be prepared. If the DCP is not submitted with the planning proposal, a satisfactory arrangement clause should be applied preventing development of the land until it is in place or consideration given to an Urban Release Area designation that would trigger Part 6 provisions of the LEP.

The draft site-specific DCP which could be included as a separate chapter to Council’s DCP 2021, to address at least the following matters:

- Land application
- Precinct vision and key outcomes
- Precinct structure plan
- Staging of development
- Site remediation and groundwater treatment
- Public domain, pedestrian, and cycle network
- Open Space Network and Management
- Foreshore access and enhancement
- Vegetation management
- Hydrology, stormwater, and flood management
- Infrastructure
- Building form and design
- Land use and community infrastructure
- Sustainability
- Transportation and parking.

Consultation

Proponent

The below provides a summary of the key consultation undertaken between Council and the proponent over the last 6 months:

- **6 December 2022** – the proponent presented its Strategic Roadmap and concept proposal to Council and representatives of Department of Regional NSW
- **30 March 2023** – the proponent presented the proposal to Council officers.
- **12 April 2023** – the proponent presented the proposal to Councillors.
- **19 April 2023** – the proponent submitted the scoping proposal to Council.
- **22 May 2023** – Council and Gyde Consulting met with the proponent to discuss the scoping proposal.

- **30 May 2023** – Council and the proponent met for an update discussion on the scoping proposal.
- **20 June 2023** - Council and Gyde Consulting met with the proponent to discuss the scoping proposal.

In addition to the above key consultation, Council's Strategic Planning Team have met with the proponent and its consultants on a regular basis since January 2023 to discuss process and update of environmental investigations.

Community

To-date no community consultation has been undertaken in relation to the Scoping Proposal. Given the size of the project, the rezoning has the potential to significantly impact the local community and change the size and character of the Wallerawang town. Additionally, there are numerous other landowners within the boundaries of the planning proposal area.

The planning proposal is to be accompanied by a Community Engagement Report. Early community engagement is encouraged, to obtain feedback from residents and business within the local community. The proponents have advised that they are preparing a Community Engagement Plan to be implemented throughout the process. Council welcomes the opportunity to be involved in the development of the community engagement plan to ensure that the community is brought along in the process, and to manage consistency of information and expectation of what the proposal can deliver. Feedback obtained should be considered in the design and development of the proposed masterplan concept for the site. The Community Engagement Report should clearly outline how the feedback has been considered and incorporated.

It should be noted that the Local Environmental Plan (LEP) making process does not require formal (public exhibition) community consultation prior to the proponent submitting a planning proposal to Council. The most appropriate time for formal community consultation is after a Gateway Determination is issued and all relevant studies and reports have been completed. This ensures that the community has clear and evidence-based information available to help them make informed comments on the proposal.

Government Authorities/Agencies

Council with the assistance of the western region office of Department of Planning and Environment identified some 23 key relevant government authorities/agencies to refer the Scoping Proposal to. These authorities were given 28 days to provide written feedback.

On 25 May 2023, half-way in the feedback period, Council held a workshop with various government agencies to provide an overview of the Scoping Proposal, provide further clarification of the proposal and to receive preliminary feedback from the agencies. This workshop was well attended.

Council received 14 written responses. Copies of the submissions received are provided in the attachment to this report with a summary provided in the table below. These written responses were also forwarded direct to the proponents' consultants at the end of the feedback period.

Council is yet to receive a response from the following key agencies. Council will continue to reach out to these agencies and invite further and ongoing consultation with Council and the proponent during the pre-lodgement phase of the process.

- Department of Planning, Industry and Environment (DPIE) – Water
- NSW Health

- Bathurst Aboriginal Lands Council
- Dams Safety NSW

As local and regional water access and security is a key issue emerging from this proposal, early engagement with DPIE- Water is critical. To facilitate this Council will be bringing together the key stakeholders with the proponent to form a working party to work through the issues and identify solutions to balance the needs of all parties.

Table 9: Summary of agency feedback

Agency	Comment
NSW Environment Protection Authority (EPA)	<p>The site is not currently listed on the Contaminated Land Record.</p> <p>Given the responsibilities of the EPA under the Contaminated Land Management Act (1997) (CLM Act) the site may still be regulated by the EPA depending on the proposed use and existing contaminants on each site.</p> <p>The State Environmental Planning Policy (Resilience and Hazards) 2021 requires assessment of potential land contamination to determine whether the land is suitable for its proposed use. Under section 60 of the CLM Act, the EPA must be notified of any contamination that meets certain triggers.</p> <p>Additionally, any contamination study should not be limited to the Wallerawang Power Station footprint as geological and groundwater activity can spread contaminants some distance.</p> <p>EPA has offered to be involved in a Project Control Group for the project to ensure the contaminants on site are adequately assessed and addressed.</p>
Heritage NSW	<p>A comprehensive Aboriginal cultural heritage assessment report is needed and should inform any future planning proposal. It should consider impacts to the Aboriginal cultural landscape, including potential impacts on visual corridors.</p> <p>Early assessment provides an opportunity to identify and protect Aboriginal cultural heritage values. It also provides certainty to all parties about any future Aboriginal cultural heritage management requirements.</p> <p>Based on the information provided, the proposal will unlikely impact any items listed on the State Heritage Register.</p>
NSW Rural Fire Service (RFS)	<p>A strategic bush fire study must be undertaken to ensure that businesses and future residential developments are not exposed to an unacceptable risk of bush fire, and consider the following:</p> <ul style="list-style-type: none"> • Future land uses are in appropriate locations to minimise the risk to life and property from bush fire attack. • Provision of perimeter roads along bush fire interface to separate bush land from urban areas, allowing more efficient use of firefighting resources. • Ensuring adequate separation of residential development with an interface with green space. • Services and infrastructure that facilitate effective suppression of bush fires. • Firefighting access and evacuation potential, and an assessment of traffic volumes and evacuation routes. The potential for development to be isolated in the event of a bush fire must also be considered. • Increase in demand for emergency services responding to a bush fire emergency including the need for new stations/brigades; and impact on the ability of emergency services to carry out fire suppression in a bush fire emergency.

Agency	Comment
	<ul style="list-style-type: none"> • Significant fire history and recognised fire paths. • Implications of a change in land use on adjoining land including increased pressure on bush fire protection measures .
Transport for NSW	<p>1.A traffic impact assessment prepared in accordance with Austroads Guide to Traffic Management Part 12 needs to be prepared. Specifically, the assessment needs to identify and address:</p> <ol style="list-style-type: none"> a. Current traffic volumes, vehicle classes and peak hours operating on adjoining and nearby roads. b. An analysis of key intersections servicing the proposed amendment area between the site and Lithgow and necessary upgrades to accommodate additional traffic generated by the proposal. c. Traffic generated by the proposed amendment (both construction and operation in stages) and the impact of this traffic on the surrounding road network. d. Measures to be employed to minimise reliance on motor vehicle trips including road safety, public and active transport linkages/infrastructure. e. Intermodal transport linkages. <p>2.Road linkages to Lithgow are via the Great Western Highway via two intersections being the intersection with the Castlereagh Highway and the intersection with Barton Avenue. Castlereagh Highway provides a grade separated access for vehicles turning right from the Great Western Highway into Castlereagh Highway, providing a higher level of safety and traffic efficiency for vehicles performing this movement and their interaction with through traffic in a high-speed environment. In this regard, internal transport networks within the site need to be orientated and designed to utilise this intersection instead of the Barton Avenue intersection.</p> <p>3.At grade crossings of the Western Rail line should be avoided.</p> <p>4.Interfaces and interactions with rail land and potential risks or hazards introduced by the proposal.</p> <p>TfNSW has offered to be involved in the preparation of the traffic impact assessment and is willing to share data and information to assist the proponent.</p>
Transport for NSW - Freight	<p>The following clarification has been requested:</p> <ul style="list-style-type: none"> • Provide traffic counts of before, during construction and after proposal. • Where possible, include HV counts. • How will the rail and private siding be used? These will impact current passenger and freight rail. • Make sure no adverse impact to state roads and freight routes. • How will the dwellings be serviced? Are there any additional retail and commercial requirements? • Proposed Residential North – utilising this area for residential is discouraged. This area is strategically placed adjacent to a rail corridor. This land should be protected for future industrial use with rail access.
Transgrid	<p>For the proposed residential area to be re-zoned, Transgrid requests no residential subdivisions occur within Transgrid's Transmission Line Easement corridor.</p> <p>Transgrid requests to be involved in the official consultation process and a copy of the Flood Impact Assessment once available.</p>

Agency	Comment
DPI Fisheries	<p>Lake Wallace provides important recreational fishing opportunities, particularly for trout. The rezoning may provide an opportunity for improved public access and recreational fishing facilities.</p> <p>There should be no net increase in runoff and no reduction in water quality of the receiving waters, including Lake Wallace and the Coxs River.</p> <p>Detention ponds and other stormwater treatment devices should be off-line and at-source, so they do not interfere with fish passage.</p> <p>There should be no blockages to fish passage, particularly in relation to gross pollutant traps, detention ponds, instream weirs, flood mitigation measures such as levee banks or waterway crossings. Roads or subdivision access across watercourses are potential fish blockages. Single access points across a watercourse should be incorporated into planning. E.g., a single road easement across a watercourse to subdivisions.</p>
Water NSW	<ul style="list-style-type: none"> • The proposal will generate additional demands for water including for new industry and residential development. • The site sits within the Sydney drinking water catchment which is a declared catchment under the Water NSW Act 2014 and associated 2020 Regulation. The Planning Proposal will need to address the requirements of s 9.1 Ministerial Direction 3.3 Sydney Drinking Water Catchment. Part 6.5 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 will also apply including the need for new development to have a neutral or beneficial effect on water quality. • To protect water quality, it is recommended that the new zoning for areas proposed for Heavy Industry prohibit “Hazardous and Offensive Industries” and related “Storage Establishments” are not located in flood prone areas. • Contamination assessments target ponds or dams associated with the former power station site or other industrial uses in the area. • The scope of any assessment should be expanded to cover a much wider range of water-related issues than currently proposed. • Planning Proposal will need to be much more explicit regarding the proposed zonings and land uses proposed. • Lots 1 and 2 DP 778400 should be zoned SP2 Infrastructure (Water Supply Systems). The location of, and access to these pipelines will need to be factored into the planning design and protected from impacts associated with new development. • Consideration to be given to the interaction of flooding and water quality risk in devising the land use tables and proposed land uses for this Precinct. • Flooding risk controls should be incorporated into the site specific DCP regulating heavy industry below the PMF with a view to minimising water quality risks and protecting water quality. • Consideration to be given to allocating an Environmental Management zoning for the higher frequency flood risk areas. • The western boundaries of the Industrial Commercial Precinct should be adjusted slightly, and consideration given to allocating an Environmental Management Zone for land up to the 1% (or at least 5% AEP) and along the waterway that drains from the east into Lake Wallace. • The proposed Strategy should include consideration of stormwater management, sewerage management, groundwater, and water access opportunities/ demands.

Agency	Comment
	<ul style="list-style-type: none"> • A hydrology map should be prepared showing the location of existing waterways and water features with respect to the layout of the proposed precincts. • The proposal should include consideration regarding how waterways and riparian areas will be protected, flag matters such as decommissioning and/ or repurposing of ponds and dams, include consideration of water sensitive urban design principles in allocating areas and/or measures for stormwater management, water retention and water quality treatment and consider the capacity of the existing sewerage treatment plant and whether upgrades or a new treatment plant would be required. • Consideration should be given to the site's 'groundwater vulnerable' affectation. • Modelling would need to consider flooding risks from riverine flooding (Coxs River and Lake Wallace) as well as potential overland flow (stormwater runoff) given current and future predicted impervious areas, including under climate change scenarios.
Endeavour Energy	<p>There are several electrical easements running through the site. Construction of habitable buildings shall not be erected within the easement area. No encroachment into an overhead Transmission easement will be permitted within 10 metres of the closest steel structure and 5 metres of the closest pole. No encroachment into an overhead Distribution easement will be permitted within 5 metres of the closest pole. Changes to ground levels within the easement area are not permitted without the prior written approval of Endeavour Energy.</p>
Department of Planning and Environment – Western Region	<ul style="list-style-type: none"> • Lithgow Emerging Economy Plan - the planning proposal is to consider its consistency with the objectives, actions, and desired outcomes of the plan. • Planning proposal must demonstrate consistency with LSPS and Central West and Orana Regional Plan 2041, in particular: <ul style="list-style-type: none"> ○ Will the proposed land uses impact the LGA's hierarchy of centres? ○ Are the proposed land uses situated in an appropriate location? ○ Is there demand for the proposed land uses? ○ Is there capacity in the surrounding infrastructure network and what is the proposed funding mechanism for any required infrastructure upgrades? ○ Will the rezoning result in potential land use conflicts? • Specific land uses and zones should be proposed. • Contaminating land uses should be located away from Lake Wallace and non-industrial uses. • All easements should be identified and considered when determining appropriate land zones. • Early consultation with the Australian Department of Climate Change, Energy, the Environment and Water is recommended. • Planning proposal to address suitability of the future use of Lake Wallace. • Flooding Impact and Risk Assessment should take into consideration the locality's overland flow / localised flooding characteristics. • A high-level Noise and Vibration assessment should be submitted with the Planning Proposal which considers the potential impacts non-residential uses/precincts will create onto the proposed and existing residential areas of Wallerawang and surrounding land. • Planning proposal will be classified as "complex."

Agency	Comment
Department of Regional NSW	The Department of Regional NSW is supportive of the proposal, give the site is well placed to foster future business investment in the region.
NSW Health – Nepean Blue Mountains Local Health District	<p>The increase in residential population will not translate to a significant impact on the health infrastructure and services in the Lithgow LGA, given the Lithgow population is predicted to plateau by 2036 (NSW Department of Planning and Environment – 2022 Population Projections).</p> <p>The proposal of new residential precincts provides an opportunity to introduce affordable, public, and Aboriginal housing to support the housing supply demands of the Lithgow LGA to 2041. Wallerawang has a local First Nations community, and we would advocate for a dedicated cultural centre in consultation with the local elder population.</p> <p>Should tourism and recreational uses be proposed, consideration may need to be given to potential impact on health services of any large-scale events held.</p>
Department of Planning Industry and Environment – Biodiversity Conservation and Science (BCS)	<p>BCS supports the use of environmental management zone to conserve and enhance area of native vegetation.</p> <p>BCS provided a series of attachments outlining their standard approach for planning proposals to assess biodiversity impacts on high environmental value land (HEV), the HEV criteria and recommended methods of investigating land for the presence of HEV, recommended guidance for avoiding and minimising impacts on HEV lands.</p> <p>BCS encourages early engagement between the Department, Council, and the proponent.</p> <p>BCS recommends an accredited assessor is engaged to complete a Stage 1 of the Biodiversity Assessment Method. (BAM)</p> <p>BCS notes that based on the Biodiversity Development Assessment Report for the Wallerawang Battery project, the scoping report indicates the potential for threatened species on the site which are considered at risk of serious and irreversible impact. These entities at risk have additional assessment requirements under the BAM.</p> <p>BCS recommends that the Commonwealth be contacted for early discussion in relation to Commonwealth Environment Protection and Biodiversity Conservation Act 1999 listed communities and species.</p> <p>BCS provided standard environmental assessment requirements for environmental assessment relating to flooding impacts.</p>
Department of Planning & Industry - DPI Agriculture	Notes the proposal is of minor consequence to primary production.

Required Documentation

Should Greenspot proceed to the lodgement of a planning proposal, the following deliverables (but not limited to) should be provided:

- Planning proposal report prepared in accordance with the Department of Planning and Environment’s “Local Environmental Plan Making Guideline” dated September 2022.
- Community and Government Agency Engagement strategy.
- Flood impact assessment.
- Bushfire assessment.
- Heritage impact assessment.
- Aboriginal cultural heritage assessment.
- High-level noise impact assessment.
- Phase 1 contamination report Should it be required, a Phase 2 report and potentially a Remediation Action Plan may also be required.
- Biodiversity assessment report.

- Economic/retail impact assessment.
- Social impact assessment.
- Community infrastructure assessment
- Open Space and Recreation Strategy/Plan
- Draft public benefits offer (should public benefits be proposed) to inform a Voluntary Planning Agreement
- Draft site-specific Development Control Plan.
- Urban design report.
- Infrastructure assessment and servicing strategy
- Transport impact assessment.
- Housing needs analysis demonstrating the need for new housing and the potential impacts on existing and planned urban release areas.

The above deliverables should be prepared taking into account the matters raised in this report.

Administration

Planning Proposal Category

In accordance with the Department of Planning and Environment's "Local Environmental Plan Making Guideline" dated September 2022, the proposed rezoning would be categorised as a "complex" planning proposal.

Council Fees and Charges

In accordance with Council's Fees and Charges Report 2023/2024, the proposal is subject to a fee of \$25,000 paid in two stages: \$17,000 paid at initial lodgement and a further \$7,000 paid following Council resolution to proceed to Gateway referral.

Recommendation

It is recommended that Council invites Greenspot to prepare a planning proposal, addressing all matters outlined in this report and the preliminary agency feedback.