

13603

18 November 2015

Paul Robilliard
Director, Housing Land Release
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Paul

GREATER MACARTHUR LAND RELEASE INVESTIGATION

This submission has been prepared on behalf Mr Antonio Saraceno in relation to the Greater Macarthur Land Release Investigation. In particular, this submission relates to approximately 132ha of land located to the south of Wilton Junction, which is owned by our client (the site).

This submission specifically addresses the location of the precinct boundaries. Despite all parts of the site having the same characteristics, the precinct boundary runs through the centre of the site. A more appropriate response would be to include the whole of the site within the Wilton Precinct.

This submission also addresses the potential future use of the site, which is demonstrated to be acceptable for a rural residential subdivision with a 3ha minimum lot size. Due to the size of the land (which cannot be increased due the neighbouring uses), it is not viable for long term agricultural issues. Allowing 3ha rural residential lots would be consistent with the objectives for the locality and neatly resolve the previously raised concerns of safe vehicular access to the southern portion of the site. It should be noted that further detailed investigations may reveal that the site is suitable for more intensive residential development.

1.0 THE SITE AND EXISTING USES

The site is located at the south eastern extremity of the Wilton Precinct area, 3km to the south of Wilton township. The site is dissected by Picton Road into two portions, as follows:

- The southern portion is bounded by the Walker Corp owned land to west and Picton Road to the north and east.
- The northern portion is bounded by Picton Road to the south and west, Macarthur Drive to the east and property fronting Lisa Road to the north¹.

The site is shown in **Figure 1** overleaf, and the table below details the legal description and ownership of the lots that make up the site.

¹ The northern portion is in two parcels, separated by land owned by a separate party. Although in separate ownership, the land between the parcels has the same characteristics, in that it is generally cleared and level.

Lot	DP	Portion
32	812178	Southern
1	883647	
61	814316	
36 and 60	812178	Northern
3 and 4	242048	
15	242871	

The entire site is largely cleared with small stands of scattered trees. The site is relatively flat, and accommodates a number of small dams.

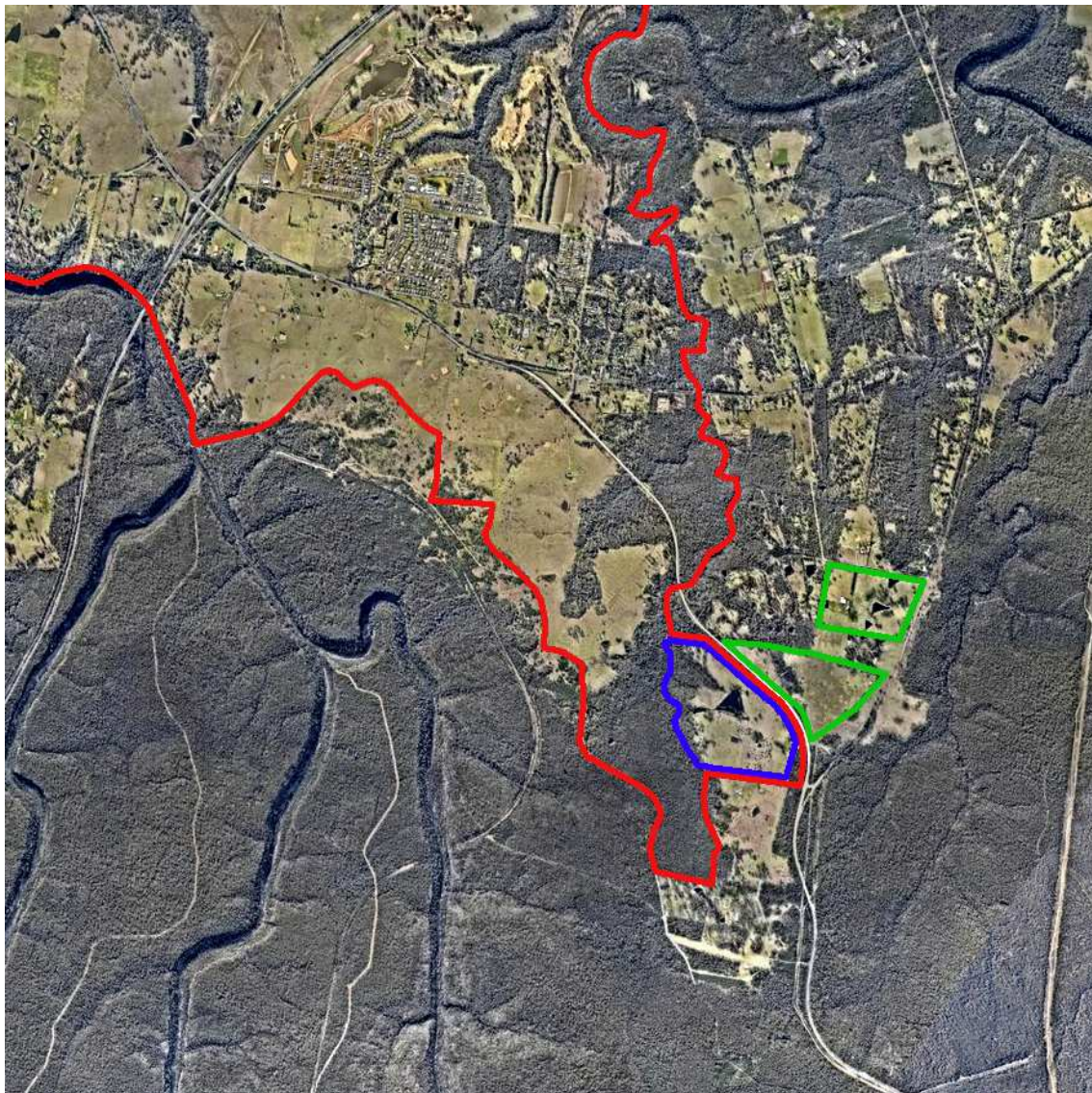


Figure 1 – Wilton Precinct (red), and the northern portion (green) and southern portion (blue) of the site.

Source: Nearmap and JBA

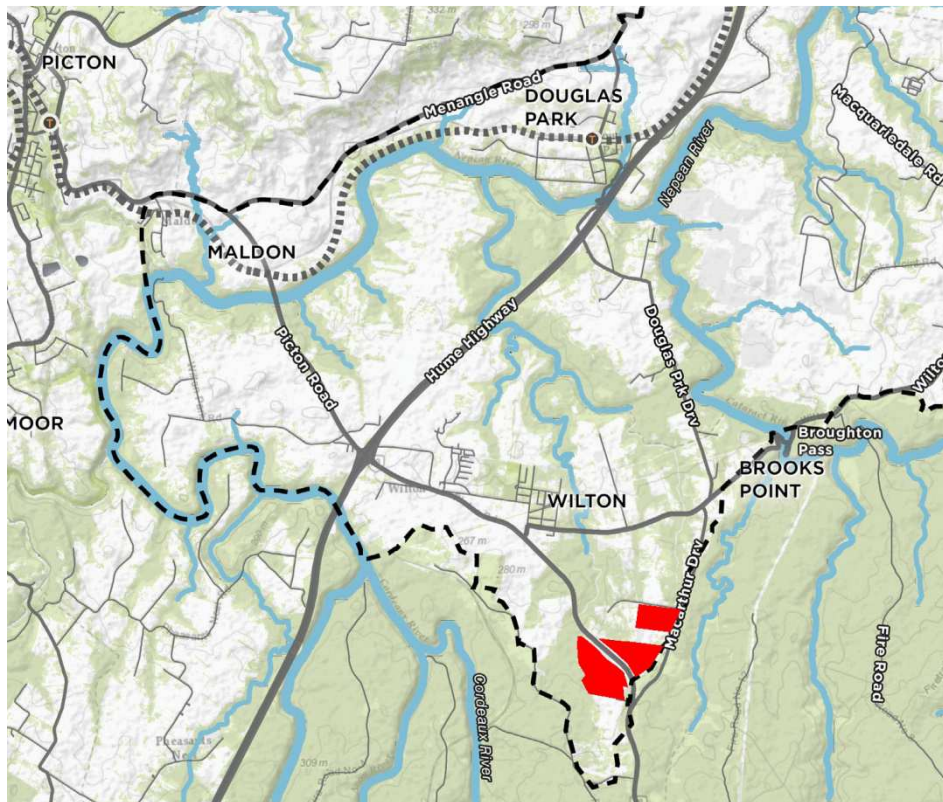


Figure 2 – Urban Capable Boundary of the Greater Macarthur Land Release Investigation Area, and the site (red).

Source: Greater Macarthur Land Release Investigation Land Use and Infrastructure Analysis and JBA

2.0 BACKGROUND

In January 2014 and August 2015, we made submissions on behalf of our clients in relation to the proposed rural residential lots within the Wilton Junction Planning Proposal. The submissions related to land within the Wilton Junction Planning Proposal investigation area.

The first submission detailed why it would be appropriate to impose a minimum lot size of 3ha on the lots owned by Mr Saraceno. An indicative concept plan was presented which required traffic to access the site via the Alkoomie Place – Picton Road intersection. Discussions with relevant stakeholders, in particular the Roads and Maritime Service (RMS), indicated that this access arrangement would not be supported due to safety concerns resulting from additional traffic accessing this intersection and the potential disruption of any mitigation measures.

Subsequent to the RMS advice, discussions between Mr Saraceno and the Wilton Junction Planning Proposal Project Manager indicated that the potential for creating a vehicular link across Picton Road should be explored, as this would alleviate the traffic concerns. Mr Saraceno owns the majority of this additional land, thus avoiding potential land ownership issues.

Accordingly, an alternative indicative concept plan was been prepared and detailed in the August 2015 submission. Importantly, it included a trafficable bridge across Picton Road, allowing all vehicles accessing the residential lots to travel via Macarthur Drive. The proposed lots are located on land that is already substantially cleared. This also plan retained the 3ha minimum lot size.

Significantly, the RMS reviewed this scheme and indicated support, advising that 'RMS would not object to further investigation of this proposed subdivision' (refer **Attachment A**).

3.0 PRECINCT AREAS

The two portions of the site, either side of Picton Road, are consistent in ownership, landform, existing vegetation and zoning. However, the exhibited *Greater Macarthur Land Release Investigation Land Use and Infrastructure Analysis* locates the southern portion of the site within the Wilton Precinct and the northern portion within the Cataract Precinct. It appears that the precinct boundary has simply followed that of the Wilton Junction Investigation Area, and has not been reconsidered in light of the background studies prepared to support the analysis. Given the consistency of the site, and the fact that it is equally developable and serviceable, it should all be included within the Wilton Precinct.

The exhibited *Greater Macarthur Land Release Investigation Land Use and Infrastructure Analysis* explicitly confirms the following about the site:

- Both the northern and southern portions are within the '*Urban Capable Boundary*';
- Neither portion of the site is constrained by flooding, high constraint biodiversity or heritage;
- Neither portion of the site is encumbered by coal mining activities;
- Neither portion of the site is identified as high value agricultural land;
- Both portions of the site have gentle slopes;
- Both portions of the site are generally cleared with extensively altered landscapes;
- Both portions of the site have access to existing and future infrastructure, including potable water, sewer and electricity; and
- Both portions of the site have the same level of access to social infrastructure services.

The aerial photos at **Figures 3 and 4** illustrate the above and clearly demonstrate that it is reasonable to extend the precinct area to include the northern portion of the site. This portion is bounded by existing rural residential subdivisions, bushland that extends to the Escarpment and Picton Road. These boundaries mean that the portion is contained, and there is no opportunity for it to 'creep' into adjoining areas.



Figure 3 –The site (circled) lies either side of Picton Road. It can clearly be seen that the land each side of Picton Road has similar characteristics (cleared and level), and does not have the potential to creep into neighbouring land uses.



Figure 4 – The southern portion of the site (foreground) has similar characteristics to the northern portion (background). Despite this, the precinct boundary runs close to the road alignment.

The *Greater Macarthur Land Release Investigation Land Use and Infrastructure Analysis* identifies the Cataract Precinct within the group of 'Other Precincts'. These precincts are not identified for release as they 'as they have significant environmental constraints and/or the costs of infrastructure to service growth would be extremely high'. However, as demonstrated above, these constraints do not apply to the northern portion of the site, as follows:

- The northern portion is not isolated by waterways or vegetation;
- The northern portion is not encumbered by mining or heritage issues;
- The northern portion is not in the vicinity of the Upper Canal.

It should also be noted that contrary to the claim in the Analysis, there is private sector interest in developing this land, as detailed in this and previous submissions.

Given the above, it is considered that the northern portion should also be included in the Wilton Precinct and nominated as 'unencumbered land which is suitable for development', consistent with the southern portion.

4.0 LOT SIZE CONTROL

The January 2014 and August 2015 submissions to the Wilton Junction Planning Proposal detailed the reasons why a minimum 3ha lot size requirement over the southern portion of the site should be introduced. Given the similar context of the northern and southern portions of the site, and the fact that they form an 'island' of cleared land surrounded by vegetation, it is appropriate that the same 3ha minimum lot size be applied to both sites.

Such a proposal:

- responds to its environment context by providing a low scale rural subdivision that benefits from the surrounding natural setting and escarpment views, and lots that are large enough that the existing landscape characteristics are not compromised (i.e.: clearing, filling of dams, and the like);
- proposes a road layout that is a low speed environment and does not present an opportunity to create connections or rat runs from the broader Study Area to Picton Road that could have undesirable traffic impacts;
- proposes sufficiently large lots which are capable of accommodating future residential dwellings which do not necessitate the removal of existing vegetation, and in fact, provide adequately sized clearings for future dwellings and associated structures to retain the predominantly rural character of the remainder of the lots; and
- preserve existing vegetative buffers along Picton Road.

The 3ha minimum lot size requirement is appropriate on the basis that it will:

- have a large residential lot capacity whilst providing an alternative housing choice complimentary to the remainder of the Wilton Junction and Greater Macarthur investigation areas;
- ensuring the lots are large enough to be serviced by on site effluent management systems in the form of septic tanks and associated absorption beds, and therefore there will not be a requirement for connection to major sewer infrastructure; and
- maintain the environmentally sensitive and scenic quality whilst promoting an appropriate scale of development, continuing to satisfy the RU2 zone objectives.

The topography of the site, existing vegetation and proposed road layout and subdivision pattern reinforces the low scale and passive use of the property with minimal external impacts on

infrastructure. A 3ha minimum lot size would still enable the location of rural style dwellings that would not generate significant impacts on neighbours with respect to privacy and loss of views.

5.0 CONCLUSION

We are of the view that the Greater Macarthur Land Release Investigation should give careful consideration to including all of the site within the Wilton Precinct, and subsequently provide for rural residential lots (with a minimum lot size restriction of 3ha) having regard to the context and existing conditions of the site, the function of the existing uses, the future vision for the site, and minimal impacts expected on adjoining properties. Ensuring that strategic planning is extended to this portion will better satisfy the objectives of the *Environmental Planning and Assessment Act, 1979* which promote the economic, efficient and orderly development of land.

Our client would be pleased to meet with you to expand on any of the issues raised within this submission. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or rstark@jbaurban.com.au.

Yours faithfully



Robert Stark
Principal Planner

cc The General Manager
 Wollondilly Council
 Attention: Strategic Growth Management Team

Robert Stark

From: MILLET Chris P <Chris.MILLET@rms.nsw.gov.au>
Sent: Monday, 21 September 2015 11:47 AM
To: Robert Stark
Subject: Proposed Subdivision - around Alkoomie Place and Macarthur Drive, Wilton (RMS ref: STH13/00150)
Attachments: Bridge cross section.pdf; Vertical clearance - Austroads.pdf; 20150807 Developer referral#2.pdf; 20150807 Developer Referral - Map#2.pdf

Dear Robert

I refer to your attached letter dated 7 August 2015.

RMS notes that your proposed subdivision layout includes a bridge across Picton Road and that this bridge is intended to ensure that the subdivision would not result in additional movements through the Alkoomie Place/Picton Road. RMS supports the endeavour to eliminate movements through Alkoomie Place. RMS would not support any proposal which intensified movements at the junction of Alkoomie Place/Picton Road. I understand from our discussions that the site would not require a rezoning, but it would require amendments to the minimum lot size, hence it would need to be progressed via a planning proposal.

RMS would not object to further investigation of this proposed subdivision. If the proponent wishes to investigate this proposal further, RMS would expect that the following issues be addressed:

- The subdivision would need to provide connectivity into the existing Alkoomie Place (and thereby access to the existing lots on the southern side of Alkoomie Place) AND the junction of Alkoomie Place and Picton Road would need to be closed.
- The design of the bridge would need to be considered and agreed, this include the horizontal and vertical clearances. The horizontal clearance would need to allow for three lanes in either direction, separated by a central median and with appropriate shoulders and a median. Whether or not three lanes in each direction would be required in the long term is difficult to predict, but given the extent of proposed development in the surrounding area RMS would need to ensure the bridge allowed for it. On this basis, the likely horizontal clearance would need to be in the order of 32m (refer to attached similar design for a bridge proposed on the Princes Highway). The bridge would almost certainly need to be a single span bridge (no central pier). The road is used for over height vehicles and I understand a 6.5m vertical clearance may be required, however there may be some flexibility with this height. Both these clearances are indicative at this stage and RMS is open to further discussion if your proposal is developed further and you have an idea of a concept design for the bridge.
- Ownership and maintenance of the bridge would need to be considered and agreed.
- A traffic impact study would need to be undertaken to identify the impact of the subdivision on the junction of Picton Road and Macarthur Drive as well as the proposed site access with Macarthur Drive.
- The developer considers the impact of road traffic noise on the proposal and where appropriate, design the development such that road traffic noise from road is mitigated in accordance with NSW Government's Development Near Rail Corridors and Busy Roads – Interim Guideline, 2008.

Cheers

Chris Millet
Manager, Land Use
Southern Region
Roads and Maritime Services

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