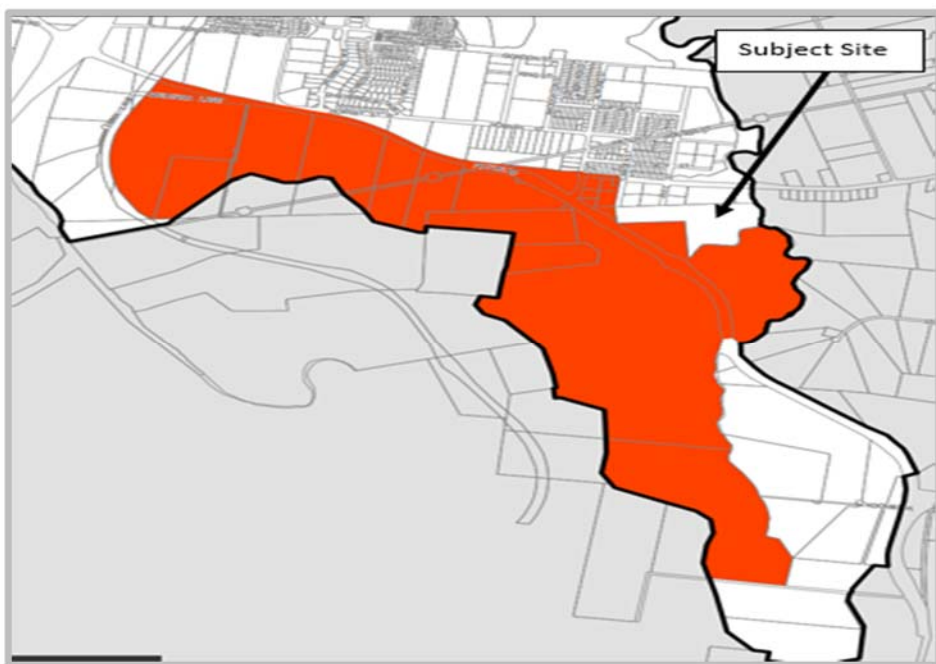


PLANNING PROPOSAL SUBMISSION

WILTON SOUTH EAST PRECINCT REZONING

LOT 8 DP616274, PEEL STREET, WILTON



CONTENTS

1.0 INTRODUCTION	1
2.0 SITE AND SURROUNDS	2
3.0 Current Planning	3
<i>Zoning and Permissible Uses</i>	<i>3</i>
<i>Minimum Lot Size</i>	<i>5</i>
<i>Heritage.....</i>	<i>6</i>
4.0 PROPOSED ZONING – SEPP (WLEP 2011 AMENDMENT)	7
<i>Wilton South East Precinct (WSEP).....</i>	<i>10</i>
<i>Interim Land Use and Infrastructure Implementation Plan (August 2017)</i>	<i>12</i>
<i>Wilton South East Precinct Draft Precinct Plan August 2017</i>	<i>13</i>
<i>SEPP (Wollondilly LEP 2011 Amendment)</i>	<i>16</i>
5.0 Lot 8, No. 107 PEEL STREET, WILTON – SUBMISSION	18
<i>Proposed Zoning.....</i>	<i>21</i>
<i>Desktop Review - Environmental Assessment (Lot 8 DP 616274)</i>	<i>23</i>
<i>Ecology</i>	<i>24</i>
<i>Agricultural Land</i>	<i>28</i>
<i>Bushfire Hazard</i>	<i>29</i>
<i>Contamination.....</i>	<i>31</i>
<i>Aboriginal Cultural and Historical Heritage Assessment.....</i>	<i>32</i>
<i>Mine Subsidence.....</i>	<i>33</i>
<i>Noise.....</i>	<i>35</i>
6.0 Assessment of Proposed Submission against State Planning Policy.....	39
<i>Consistency with applicable State Environmental Planning Policies</i>	<i>39</i>
<i>Consistency applicable Ministerial Directions (s.117 directions).....</i>	<i>40</i>
7.0 CONCLUSION	45
REFERENCES	47

1.0 INTRODUCTION

JV Urban has been commissioned by the landowners of Lot 8 DP 616274, No. 107 Peel Street, Wilton to make a submission on their behalf to the Department of Planning and Environment regarding the proposed State Environmental Planning Policy to amend Wollondilly Shire Council Local Environmental Plan 2011.

The property is identified as part of the Wilton Junction and Greater Macarthur Land Release Investigation but has not been included in the urban land release area generally known as Wilton South East Precinct (WSEP).

This submission seeks the Department's support for the inclusion of part of the subject site as residential and the residual of the site as environmental conservation. The land is a sizable site (just under 20 hectares in area), contains a range of vegetation from low to excellent quality, has been partly disturbed in the past, is directly contiguous with the proposed business development (B5) zone to the north-west and is within 1km (via proposed road) to the new B2 Local Centre, primary school and playing fields. It also adjoins the environmental conservation zone to the south and can provide a significant environmental connection between the E2 land located to the north of Wilton Road/Argyle Street and south of the site, thus preserving highly valued areas along Allens Creek. These areas have been identified as 'sensitive areas' and may contain aboriginal cultural items. There is some value in gaining their protection through this proposed rezoning.

It is proposed that approximately 6.5 hectares of the site (the western portion, closest to Picton Road) be zoned R2 Low Density Residential, with a residential density of between 15-25 dwellings per hectare. This area would be capable of accommodating between 75 - 162 dwellings with good access to schools, jobs, shops and services. The remaining 11.82ha of land, including the area around Allens Creek, would be zoned E2 Environmental Conservation, becoming a valuable addition to the conservation lands already identified in the WSEP precinct to the south and south-west of the subject site.

2.0 SITE AND SURROUNDS

The site is identified as Lot 8 DP 616274, No. 107 Peel Street, Wilton (refer to Figures 1 & 2 below). The site is an irregular shaped lot, with a site area of approximately 18.32ha (as per Council's on-line information). Access to site is available via two unformed road reserves, being the extension of Camden Street and Peel Street, south of Argyle Street/Wilton Road. The south-western corner of the site intersects the western boundary of Picton Road. The site is currently vacant.

The site is located between the existing village of Wilton, Picton Road, Wilton Road and Allens Creek. Immediately north of the site are large lot residential lots and the Crown Land running along Allens Creek. To the east (across Allens Creek) is rural land. To the south is heavily vegetated, undeveloped land (proposed to be zoned E2 Environmental Conservation under the current planning). To the west, across Picton Road, is predominantly cleared RU2 zoned land, proposed to be the site of the new local centre, primary school and public open space.

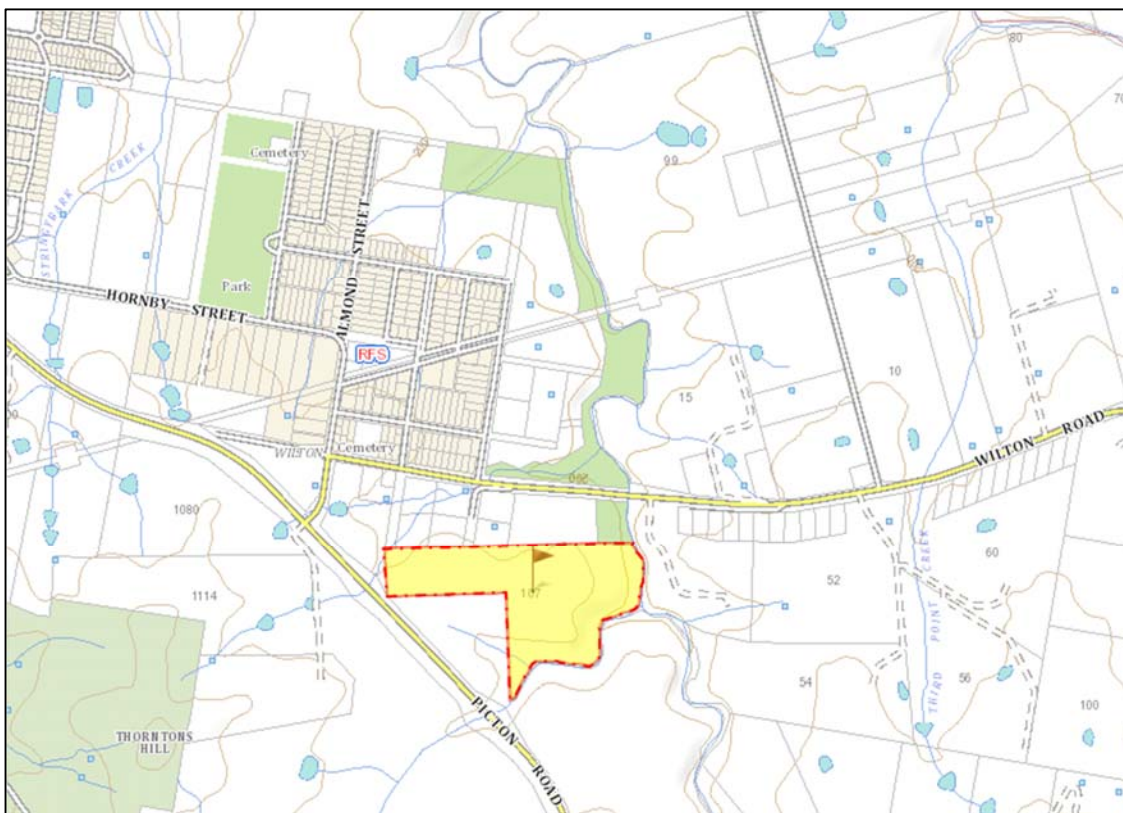


Figure 1: Location of subject site



Figure 2: Aerial of subject site

3.0 CURRENT PLANNING

Zoning and Permissible Uses

The subject site is currently zoned RU2 Rural Landscape pursuant to the Wollondilly Local Environmental Plan 2011. The zoning of the site and surrounding land is shown in Figure 3 below. It is noted that the zoning of the land is the same as the large majority of the land that makes up the WSEP precinct that is proposed to be rezoned as part of the SEPP.

The landuse table of the RU2 zone states:

Zone RU2 Rural Landscape

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*

- *To provide areas where the density of development is limited in order to maintain a separation between urban areas.*

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Agriculture; Airports; Animal boarding or training establishments; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Funeral homes; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hospitals; Information and education facilities; Landscaping material supplies; Mortuaries; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Signage; Transport depots; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Stock and sale yards; Turf farming; Any other development not specified in item 2 or 3.

The landuse table indicates that the landowners could seek approval for a variety of landuses, broader than the zone title suggests. That is, not just rural. Places of worship, animal boarding kennels, educational establishments, industrial based uses such as transport and freight depots are permissible. This means that highly commercial/industrial activities are possible on the land. This does not reflect what is understood to be the underlying broad-based master planning and urban land release for this area.

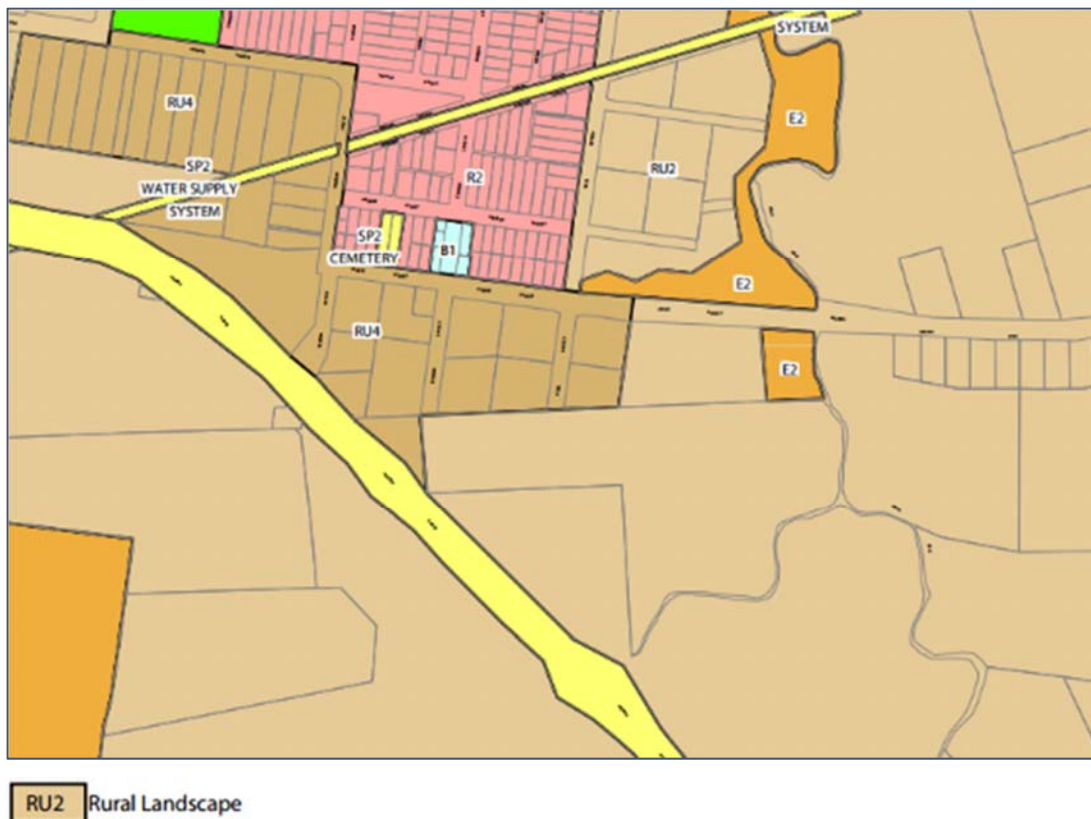
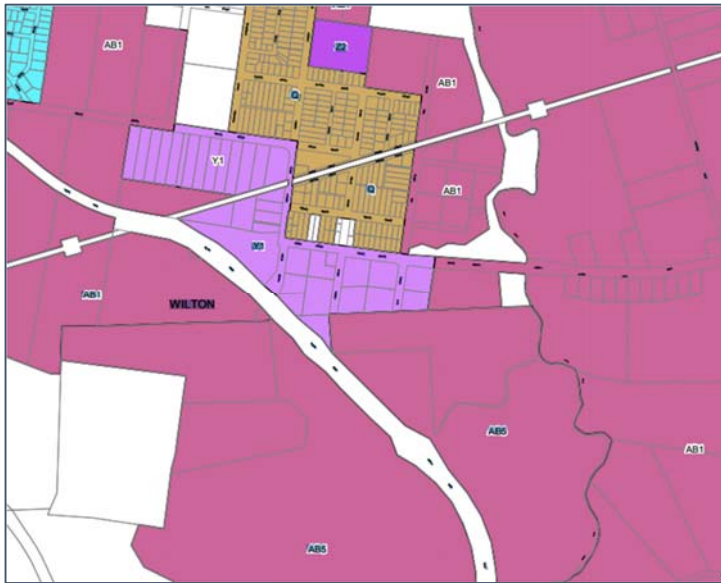


Figure 3: Extract of current WLEP 2011 - Zoning Map (11C)

Minimum Lot Size

The minimum lot size that applies to the subject site is AB5 or 40ha (refer to Figure 4). This is the same as the land immediately opposite the site on the western side of Picton Road that makes up the proposed local centre, school and public open space.

The land immediately north of the subject site is zoned RU4 Rural Small Holdings with a minimum lot size of “Y1” or 1 hectare. The north-west portion of this land and the triangular parcel immediately west of the subject site are proposed to make up the new business development zone. The large lot residential lots (individually owned) along Camden Street and Peel Street (south of Argyle Street) have been excluded from the rezoning, based on ownership, not development potential.



Heritage

Wilton	Cottage	1090 Argyle Street	Lot 32, DP 814280	Local	1275
Wilton	St Luke's Anglican Church	1096-1099 Argyle Street	Lots 4-7, Sec 1, DP 759094	Local	1276



J V Urban | Page 6

Water Protection

Clause 7.3 Water Protection of WLEP 2011 applies to the subject site. Figure 6 below shows the location of Allens Creek (purple line) and a tributary (red line) along the southern boundary of the site.

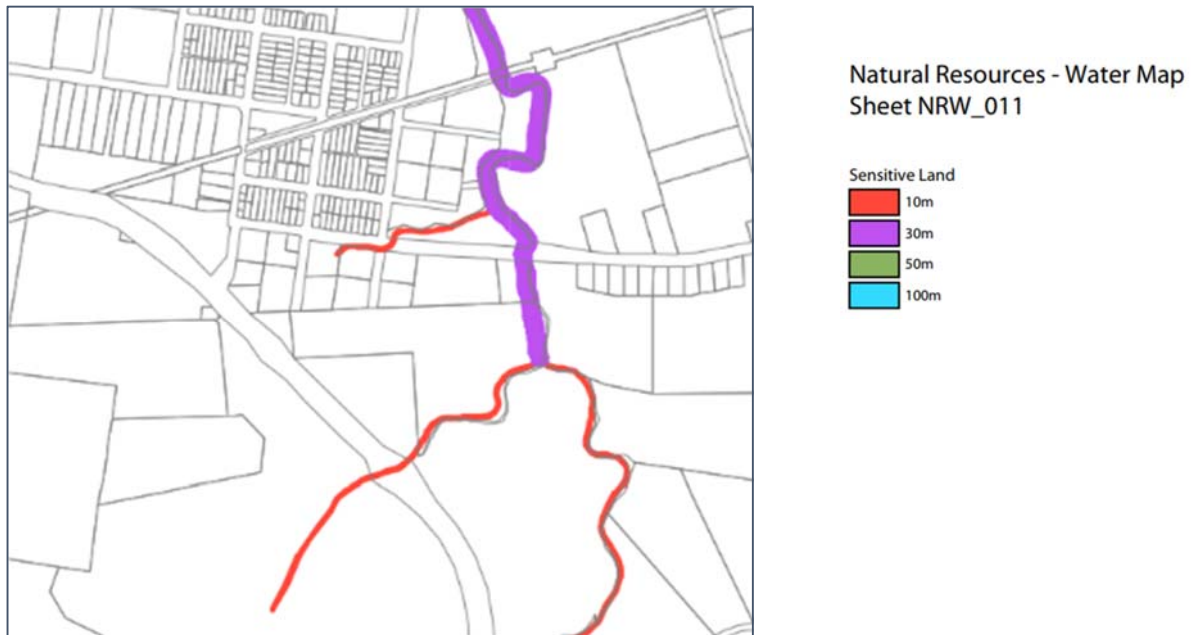


Figure 6: Extract of WLEP 2011 – Natural Resources – Water Map (11C)

4.0 PROPOSED ZONING – SEPP (WLEP 2011 AMENDMENT)

Wilton Priority Growth Areas

Wilton is one of the adopted Priority Growth Areas (PGA) and Precincts within NSW under the auspices of the NSW Department of Planning and Environment. The PGA's are currently being investigated with staged urban land releases occurring over time.

The WILTON JUNCTION PGA (refer to Figure 8) consists of six precincts, being:

- Bingara Gorge (under construction, 1,800 dwelling site rezoned, 500 commenced)
- Wilton South East (Figure 7 below: current planning proposal)
- Wilton Town Centre
- North Wilton
- West Wilton
- Wilton Rural Residential

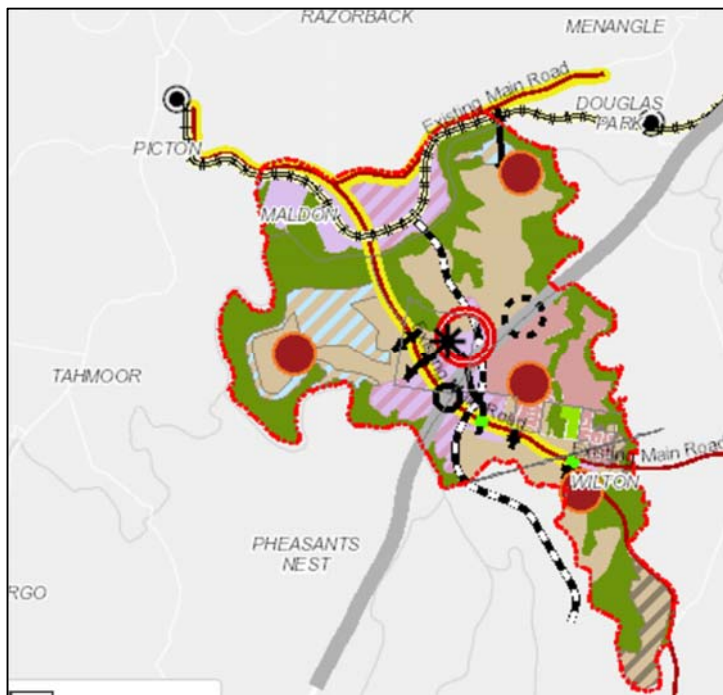
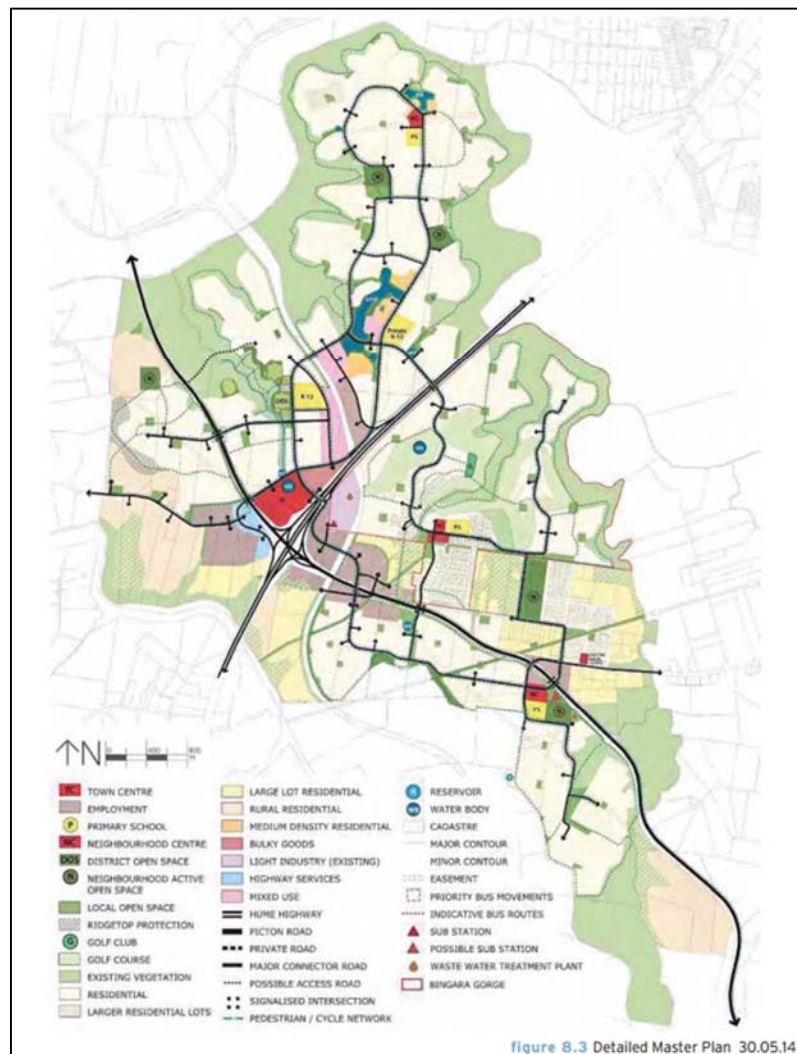


Figure 7: Wilton Priority Growth Area (Source NSW Government Planning & Environment website <http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton/Map>)

By way of summary, Wilton Junction is master planned to contain:

- 35,000 new residents in 15,000 new homes and 15,000 new jobs over the next 20 to 30 years.
- Each precinct is to incorporate employment land – shops, businesses and industrial activities.
- Good connections via walking and cycling.
- New infrastructure to support land releases.
- Environmental conservation to conserve biodiversity and habitat for fauna.



**Figure 8: Wilton
Junction Masterplan
(June 2014)**

Wilton South East Precinct (WSEP)

Wilton South East Precinct (refer to Figure 9) is planned to contain:

- 8,500 new residents and 1,900 new jobs over the next 20 to 30 years
- A variety of housing blocks and homes
- Up to 3,000 new homes
- Village centre, supermarket, community facilities, primary school and sports oval
- New bridge over Picton Road at Almond Street
- Work towards an east-west bus route through the precinct
- Environmental conservation zones to conversation habitat and manage bushfire prone vegetation

The WSEP precinct area is best identified in the following map extract.

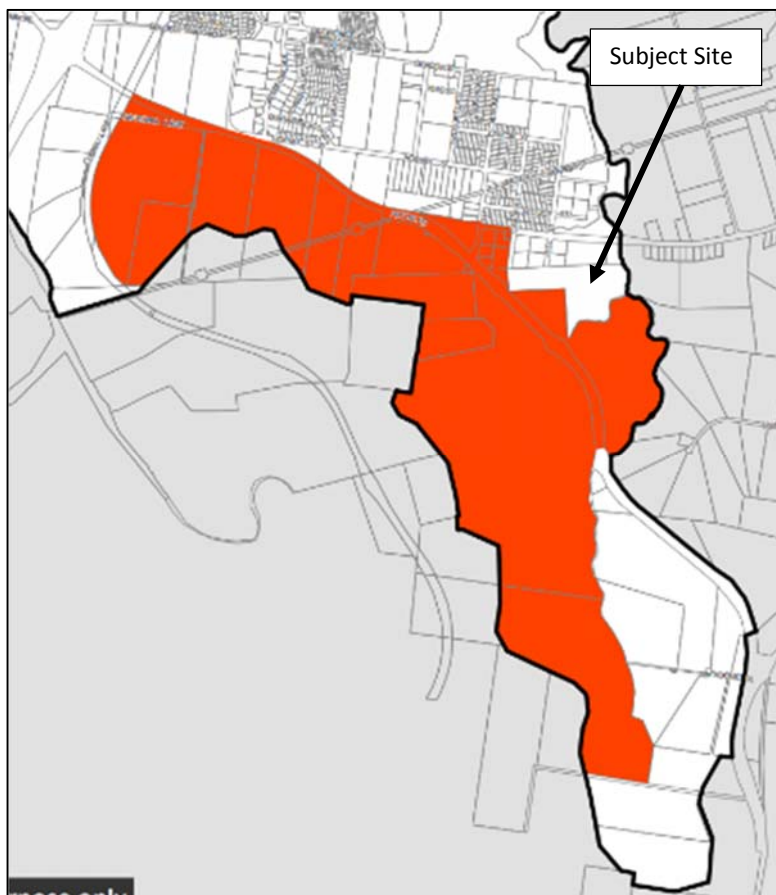


Figure 9: WSEP area, showing location of subject site

The WSEP is located generally south of the existing Wilton Village and Bingara Gorge and south east of the Hume Highway/Picton Road intersection. It has been adopted as the nominated ‘urban release area’ within the proposed SEPP (shown red in Figure 8 above).

The Department of Planning has publicly exhibited a series of planning documents that propose the following:

- 1) rezoning land in part of the Wilton South East Precinct Urban Release Area;
- 2) amending the map in the Growth Centres SEPP to identify the Wilton Growth Area precincts; and
- 3) making consequential operative amendments to the operative provisions of the Wollondilly LEP to reflect the rezoning.

As part of the documentation, Walker Corporation, in July 2016 submitted their Wilton South East Precinct Planning Proposal report. The report states:

“The WSEP planning proposal has been prepared based on the master plan prepared by the Wilton Junction Landowners Group and the Greater Macarthur Land Release Investigation. The intent of the planning proposal is to rezone the site from rural purposes to support a mix of residential, commercial, employment and environmental land uses.”

While the proposed area included in Walker’s Planning Proposal has been expanded over time (due to more recent land purchases by Walker Corp), it is noted that only two properties not owned by them at the time of lodging the planning proposal report, were included in the proposed rezoning. These were included as they “adjoin land owned by Walker and are a logical extension to the proposal”.

Page 19 of the Planning Proposal states:

“The subject planning proposal seeks a rezoning to the south-east precinct of the nominated Wilton Growth Area as it is relatively unconstrained i.e. it is not affected by coal mining, coal seam gas or agriculture.”

In terms of the rezoning pathway the report (page 20) states:

“A portion of the site is affected by biodiversity constraints and 27 hectares of bushland are proposed to be cleared for development. A state Voluntary Planning Agreement (VPA) is proposed which will commit the proponent to gaining biodiversity certification in two years of the proposal’s gazettal achieving an “improve or maintain” outcome notwithstanding the proposed clearing. This approach is recommended because it is important an overall zoning position be established so that infrastructure, community and financial planning for the project can proceed with certainty around the number of dwellings ultimately being developed.”

Interim Land Use and Infrastructure Implementation Plan (August 2017)

As part of the overall planning, the Interim Land Use and Infrastructure Implementation Plan (refer to Figure 10) was released by the Department of Planning and Environment in August 2017. It is aimed at guiding the provision of facilities, services and infrastructure necessary for the Wilton community to function and grow.

The Plan is based on nine technical studies dealing with aboriginal and historic heritage, biodiversity, economic and social infrastructure needs, retailing and utilities. The public exhibition of this plan ran from 5th August 2017 to 20th September 2017.

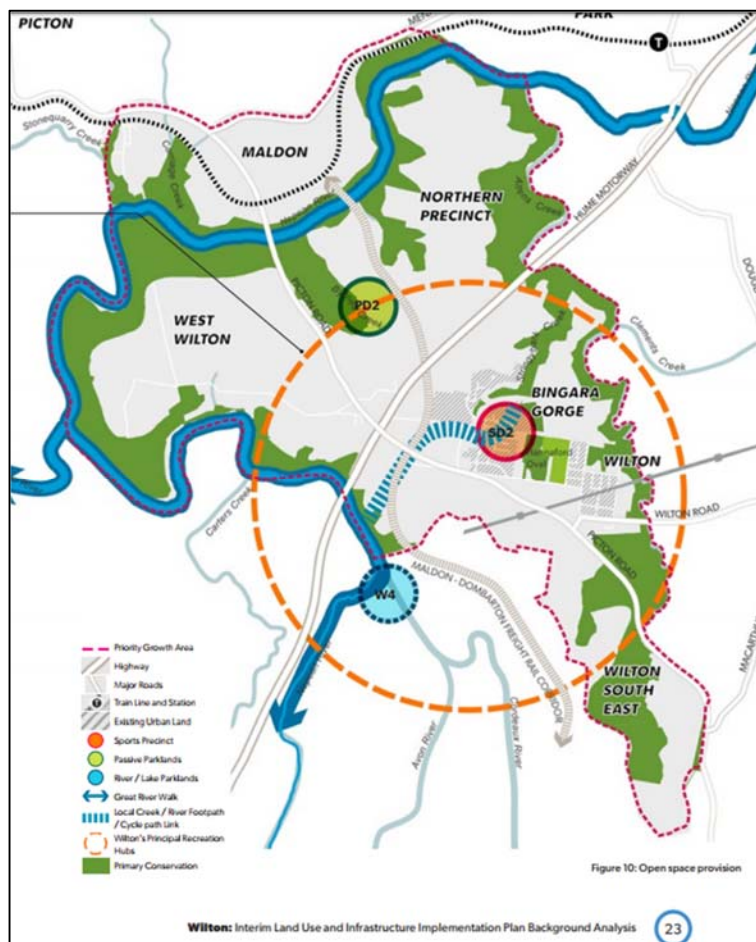


Figure 10: Interim Land Use and Infrastructure Implementation Plan

Wilton South East Precinct Draft Precinct Plan August 2017

The Department and landowner (Walker Corp) worked together to prepare the draft precinct plan, as refined over time. It provides future guidance for development within the precinct and has been guided by the Interim Wilton Land Use and Infrastructure Implementation Plan. The Draft Plan is a more detailed plan for the precinct.

It is noted that in the documentation that it may be amended after public consultation.

The following are excerpts from the Draft Plan. These are reproduced here as they provide some of the basis for the landowners' submission that the inclusion of their large site will assist in achieving the State Government's vision and objectives for the WSEP, particularly housing supply and environmental conservation initiatives. The site is well placed to be developed as a highly sustainable residential community.

Housing

The precinct has the potential to accommodate around 3,000 new homes for 8,500 residents over the next 20 years. Homes will be built in stages to align with the delivery of new infrastructure. The precinct will deliver a mix of housing types. Low density housing is expected to make up the majority of homes with opportunities for medium density housing adjacent to the local centre and homes on smaller lots located adjacent to local open space and areas with access to bus routes. The demand for smaller lots, semidetached homes, townhouses and low-rise apartments is expected to grow over time as Wilton New Town becomes established. Large lot housing could also be developed at the south-eastern edge of the precinct.

Affordable housing

Homes in Wilton South East on smaller allotments will provide home purchasers with more housing choice. The NSW Government's District Plans propose that affordable rental housing be provided in all parts of Sydney. Wollondilly Council will prepare a development control plan for Wilton and, at a later stage, a housing strategy. The development control plan can include requirements for the developer to provide a proportion of homes to community housing providers for affordable rental housing. We will work with Council and the landowner to identify how this requirement will be applied in practice.

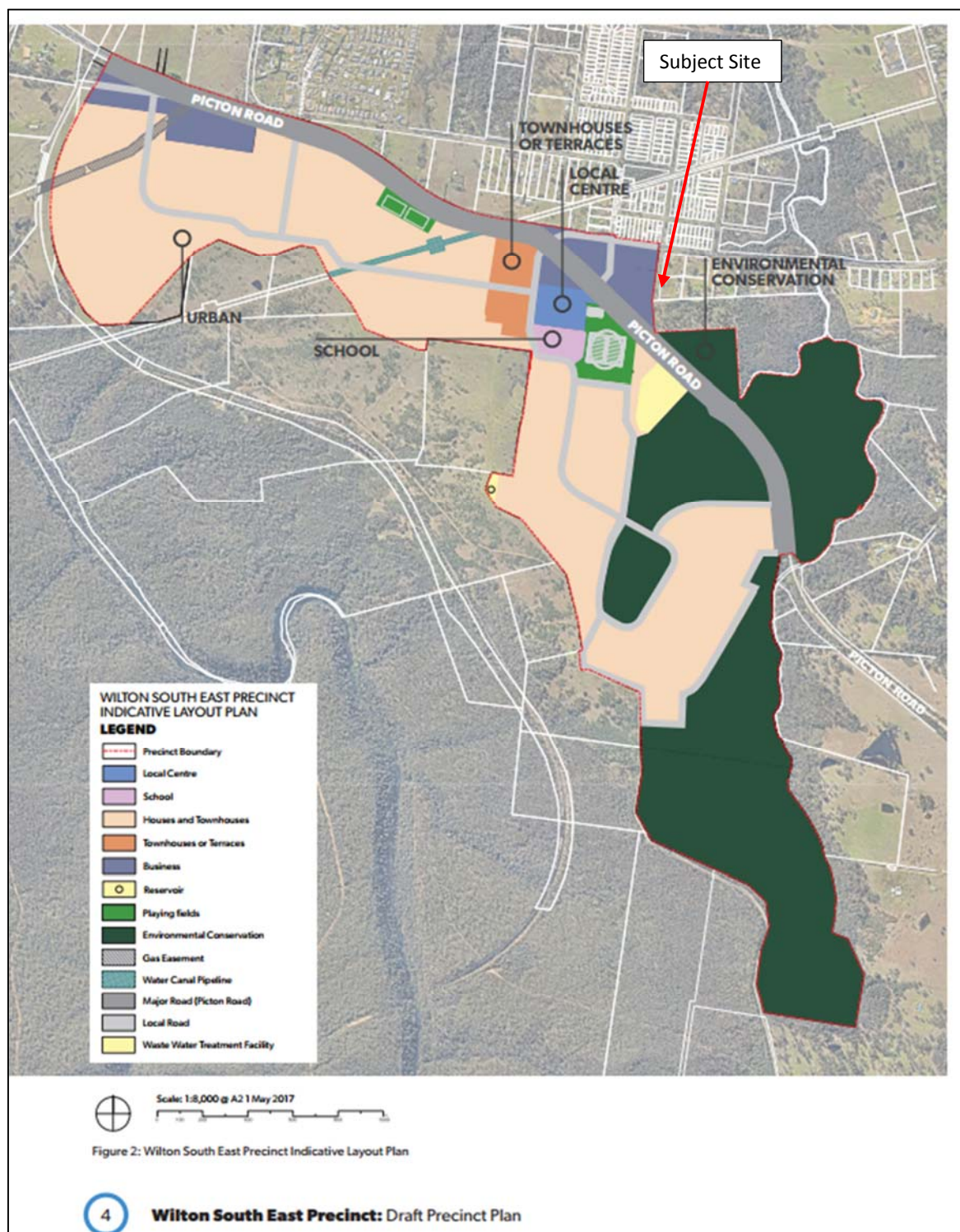


Figure 11: WSEP – Draft Precinct Plan

Employment

There will be a local centre in the middle of the precinct ensuring that residents are within 2km of local shops and services, including shops, a supermarket, medical centre and child care. The local centre will be strategically located near the proposed primary school, sporting field, neighbourhood community centre and local open space, which could be used for community markets and other gatherings. The local centre will be linked to all residents by an east-west main street, bus route and off-road cycle paths. This will encourage local employment while reducing the need to drive for both residents and locally employed people. Employment will also be located to the north of the precinct, which is easily accessible to Picton Road. These jobs could be in a variety of industries, including business and warehousing, bulky goods and other light industrial uses.

Transport

A bus route will run east-west through the precinct so that 90% of residents will be within 400m of a bus route. Walking and off-road cycling paths will encourage active travel. The landowner will provide new road and pedestrian bridges over Picton Road to provide safe access for pedestrians and cyclists between the precinct and the existing Wilton village. These walking and cycling links will allow the community to use open space and other facilities on each side of Wilton. Development in the Wilton South East Precinct may have significant impacts on the capacity and safety of Picton Road and the existing junction of Picton Road and Hume Highway. To support access for the future community, new transport infrastructure or upgrades include:

- *Duplication of Picton Road between Hume Highway and Almond Street*
- *Upgrade of Pembroke Road and Picton Road intersection*
- *Upgrade of Almond Street and Picton Road intersection with a new overpass*
- *Initial upgrade of the Picton Road and Hume Highway interchange*
- *A new overpass at Pembroke Parade West. We are continuing to work on transport to determine the final road network and public transport requirements.*

Bushfire protection

A high level bushfire protection assessment has identified that land within the southern part of the precinct contains bushfire prone vegetation. Most of this land is located within the proposed environmental conservation zone. The land outside the precinct to the south also contains bushfire prone vegetation. The bushfire protection assessment has identified the buffer zones required between these hazardous areas and homes, in accordance with the NSW Rural Fire Services Planning for Bushfire Protection 2006. To plan for bushfire protection, the precinct will generally have perimeter roads next to bushland areas and it is intended that an outer Asset Protection Zone will be included within road reserves wherever possible.

Biodiversity Certification

To enhance and protect the precinct's natural assets, we are pursuing biodiversity certification, a process that addresses biodiversity issues upfront, allows for the offsetting of the biodiversity impacts of development and certifies land as appropriate for development. Biodiversity Certification will allow the management of any unavoidable clearing for essential infrastructure to be offset within the precinct or adjoining lands.

Environment

The precinct contains areas of high biodiversity value, including threatened ecological communities of Cumberland Shale Plain Woodland and Shale Sandstone Transition Forest. Around 160 hectares of land containing high biodiversity value will be conserved in the southern part of the precinct. This land will include substantial areas of both ecological communities and will form part of a large, well connected reserve network along the Nepean River and Allens Creek valley. These measures will also conserve habitats for threatened species that are known or considered likely to occur here. The Biodiversity Certification process will address the potential impacts of urban development and the delivery of infrastructure on ecologically sensitive land.

Planning controls

The draft precinct plan includes new draft planning controls to enable rezoning for the precinct and a draft Indicative Layout Plan to support rezoning. The rezoning would occur through an amendment to the current local environmental plan. Once rezoning occurs, Wollondilly Shire Council will be responsible for implementing the precinct plan.

Funding

Regional infrastructure including major roads and land for health and education will be incorporated in a Special Infrastructure Contributions Scheme. Council will prepare a Section 94 Contributions Plan to identify infrastructure. This will require developers to fund local infrastructure through contributions. Funding sourced from these contributions will fund essential infrastructure such as local roads, drainage infrastructure, open space or land for community uses.

SEPP (Wollondilly LEP 2011 Amendment)

Subsequent to the WSEP Planning is the proposed SEPP and WLEP 2011 Amendment, as shown in Figures 12 and 13 below. The red star shows the proximal location of the subject site in relation to the proposed land release via the SEPP and consequential LEP amendment.

Following on from the logic of the adding the two individual properties that are located within the proposed B5 Business Development zone, the inclusion of the subject site is a logical inclusion of R2 Low Density Residential on that part of the site that is capable and suitable for development.

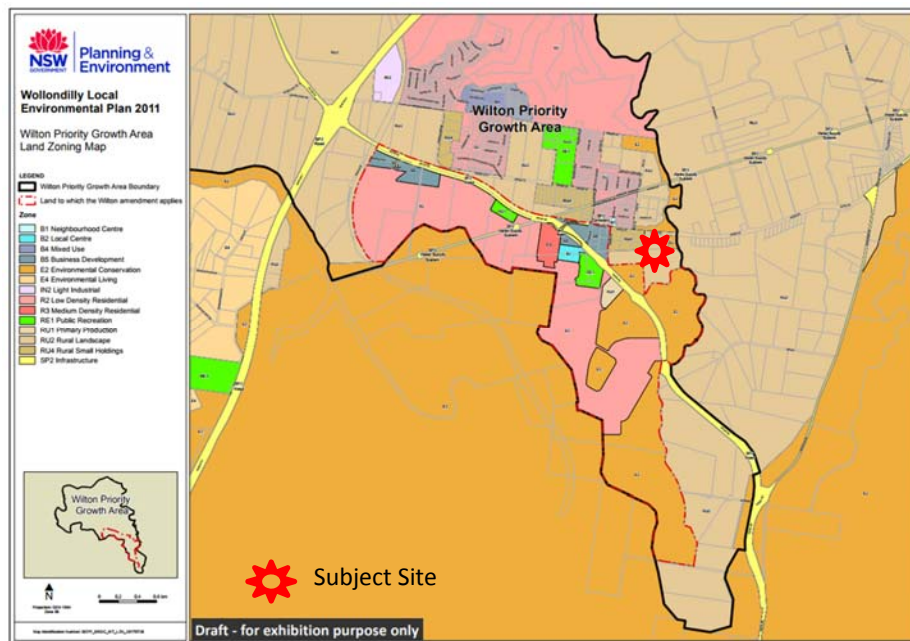


Figure 12: Proposed Land Zoning Map of WSEP

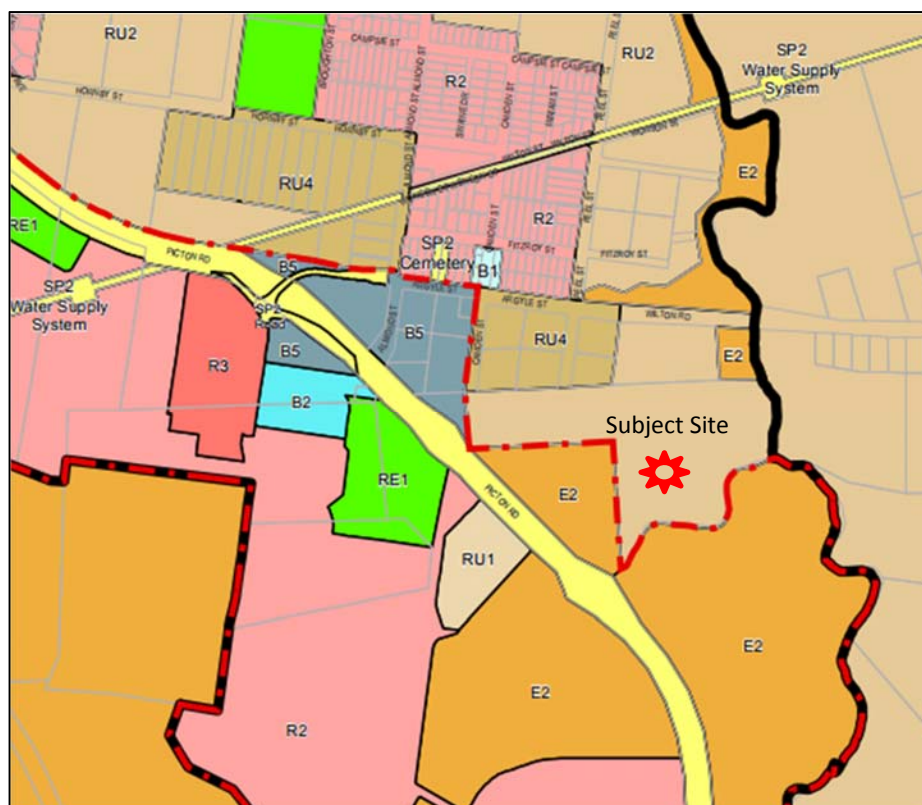


Figure 13: Proposed Land Zoning in vicinity of subject site

5.0 LOT 8, NO. 107 PEEL STREET, WILTON – SUBMISSION

The site, as described in Section 2 above, is approximately 18.32ha. The contour plan below (Figure 14) demonstrates that the western side of the site (the portion proposed to be zoned residential) is relatively flat in terms of developable land. The two access points lead directly into the western portion of the site.

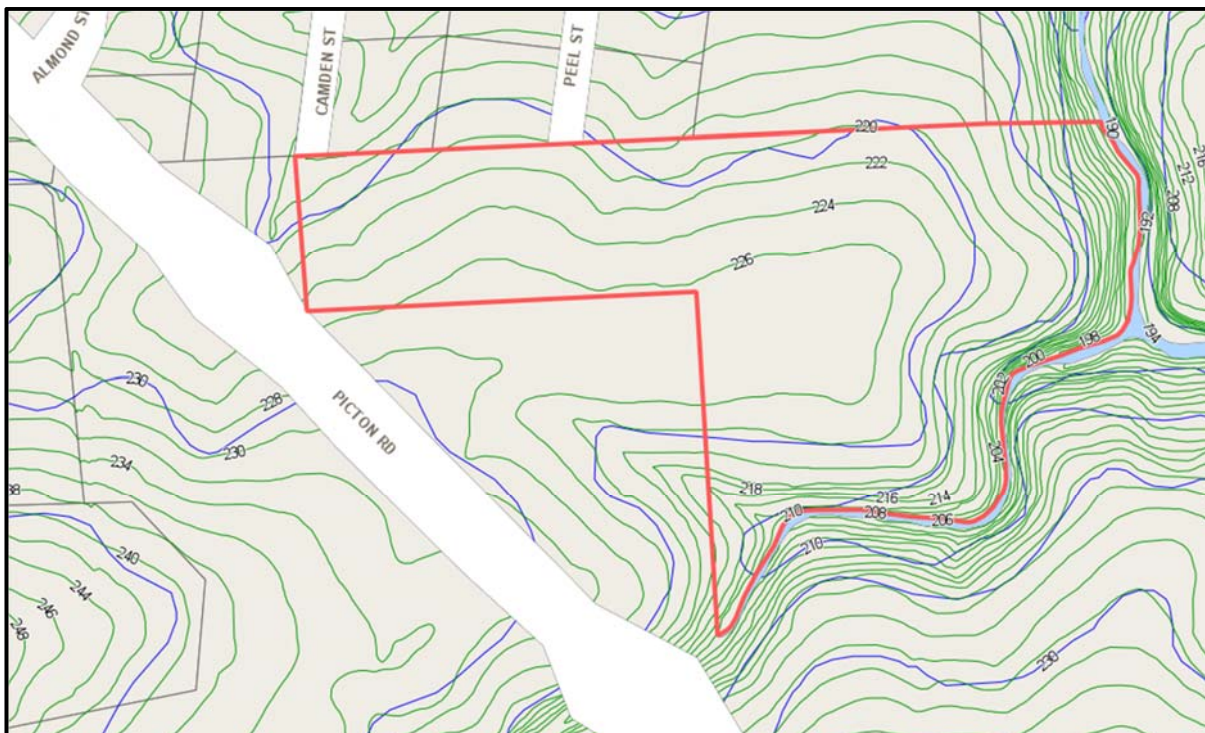


Figure 14: Subject site, including 2 metre contours

As demonstrated in the Figures above the site is located adjoining and contiguous to the B5 Business Development zone and is north of the E2 Environmental Conservation zone that has been identified on the eastern side of Picton Road.

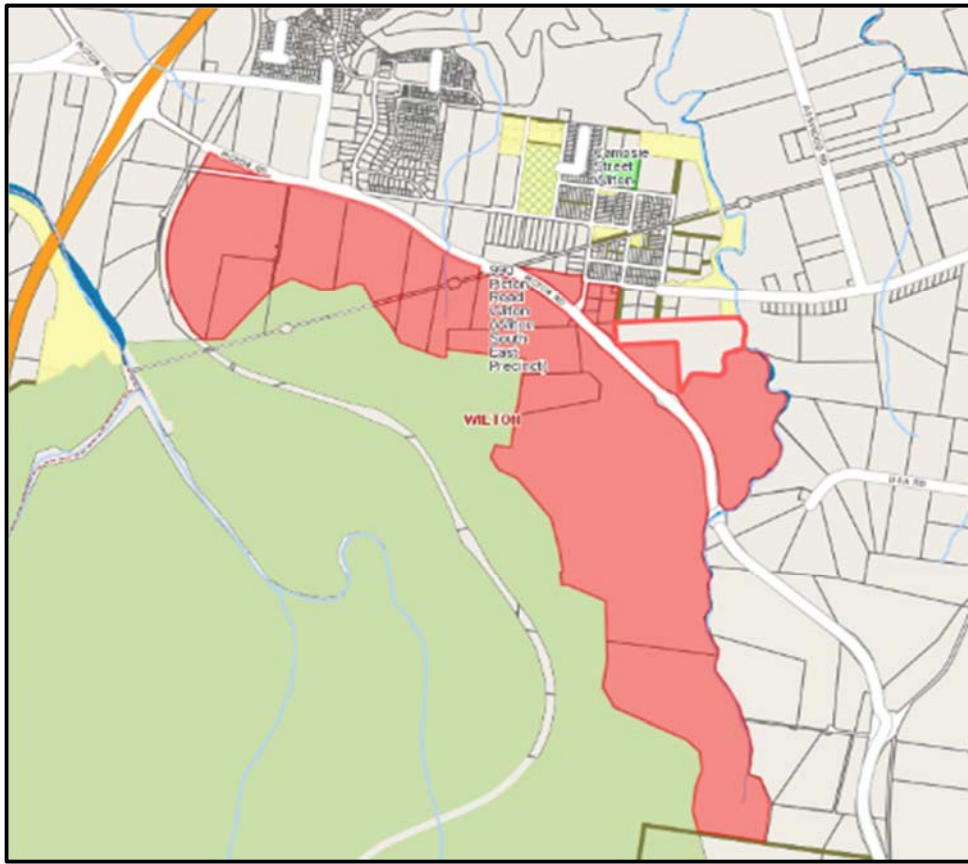


Figure 15: Location of subject site relative to the Wilton South East Precinct Planning Proposal

The Department of Planning and Environment have been very clear in the documents placed on public exhibition that they have undertaken the planning of the Wilton Growth Precinct Area in conjunction with the major property owners and Wollondilly Council. Further, in the case of the Wilton South East Precinct (the red area is Figure 15 above), Walker Corporation have taken on the planning initiative and prepared much of the documentation in order to facilitate the release of land in the Wilton South East Precinct.

This is evidenced in the various references above and clear within the Walker Corp Planning Proposal submitted to the Department of Planning and Environment in mid-2016. It was acknowledged then that only two individual properties were added to the Walker Corp portfolio for urban release.

It is understandable that the major landowner, Council and the Department have supported this approach as it provides a much clearer basis for broader based planning and negotiation in the public interest. Small individual landowners can possess unrealistic expectations for their land and fail to be able to see the

bigger picture at this level of planning.

Notwithstanding this, the landowner of No. 107 Peel Street, Wilton seeks to have their land included into the current round of planning being undertaken by the Department and Council.

In summary the landowners submit:

- ✓ The size of the subject site is large enough to warrant inclusion into the urban land release area;
- ✓ The land is contiguous with the nominated urban land release area (as per Figures 8, 11, 12 & 14);
- ✓ The site is located within 400m of the local centre, primary school and sports oval (directly) and approximately 1km by car or foot via the new bridge over Picton Road (as per Figure 16);
- ✓ That part of the land proposed to be zoned residential is degraded vegetation, not prime environmental habitat (as per Figure 19);
- ✓ The residue portion of the land (the eastern section) is proposed to be zoned E2 Environmental Conservation (as per Figure 16);
- ✓ The provision of conservation land significantly adds to the creation and achievement of the Allens Creek north-south environmental corridor;
- ✓ The conservation land provides a direct offset to the less valuable land that would be cleared;
- ✓ The developable land has unformed road access that can provide two access points to any future subdivision, thereby providing best practice bushfire management for the area.
- ✓ The land is contiguous with the B5 Business Development zone fronting Picton Road.
- ✓ Only a very small section of the site would be impacted by noise from Picton Road and is capable of being ameliorated within the subdivision design.

The following two Figures area maps which provide a quick visual overview of the basis for this submission and why the landowners believe their land is worthy of inclusion now. The following desktop review of the studies, reports and plans that cover this site serve to confirm that the subject site is capable and suitable (in part) for urban development. Further the desktop environmental review provides the necessary evidence for addressing the State Planning Policy and Ministerial Directions.

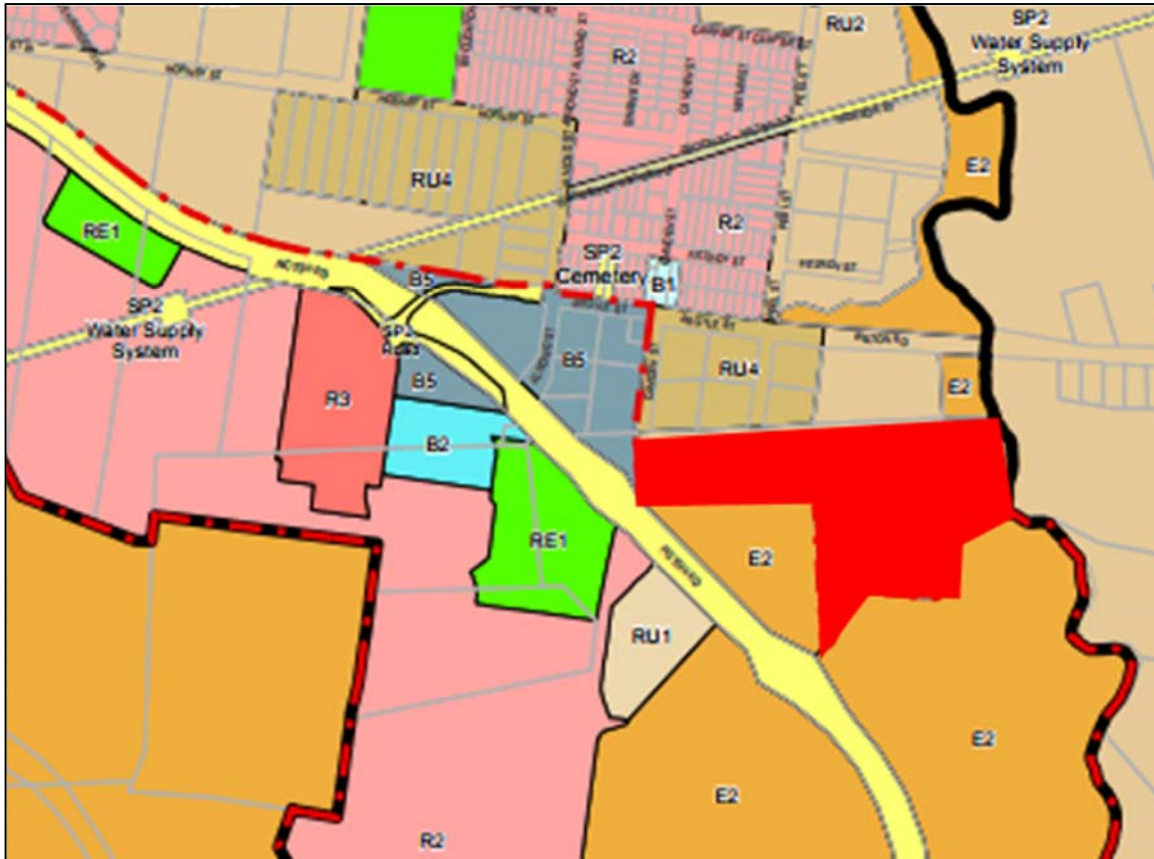


Figure 16: Proposed Land Zoning Map, showing area of subject site to be included in red

Proposed Zoning

The landowners submission is that it is appropriate to rezone the western portion of the site from RU2 Rural Landscape to R2 Low Density Residential. The remainder of the land would be rezoned from RU2 Rural Landscape to E2 Environmental Conservation. The approximate location of the new zone boundaries is shown in Figure 17 below.

The areas of the proposed zones are R2 Low Density Residential - 6.5ha; E2 Environmental Conservation - 11.82ha

The R2 zone boundaries measure:

- Northern boundary = approx. 475m
- Southern boundary = approx. 465m
- Western boundary – as per existing lot boundary (closest to Picton Rd) = approx. 138m
- Eastern boundary = approx. 138m

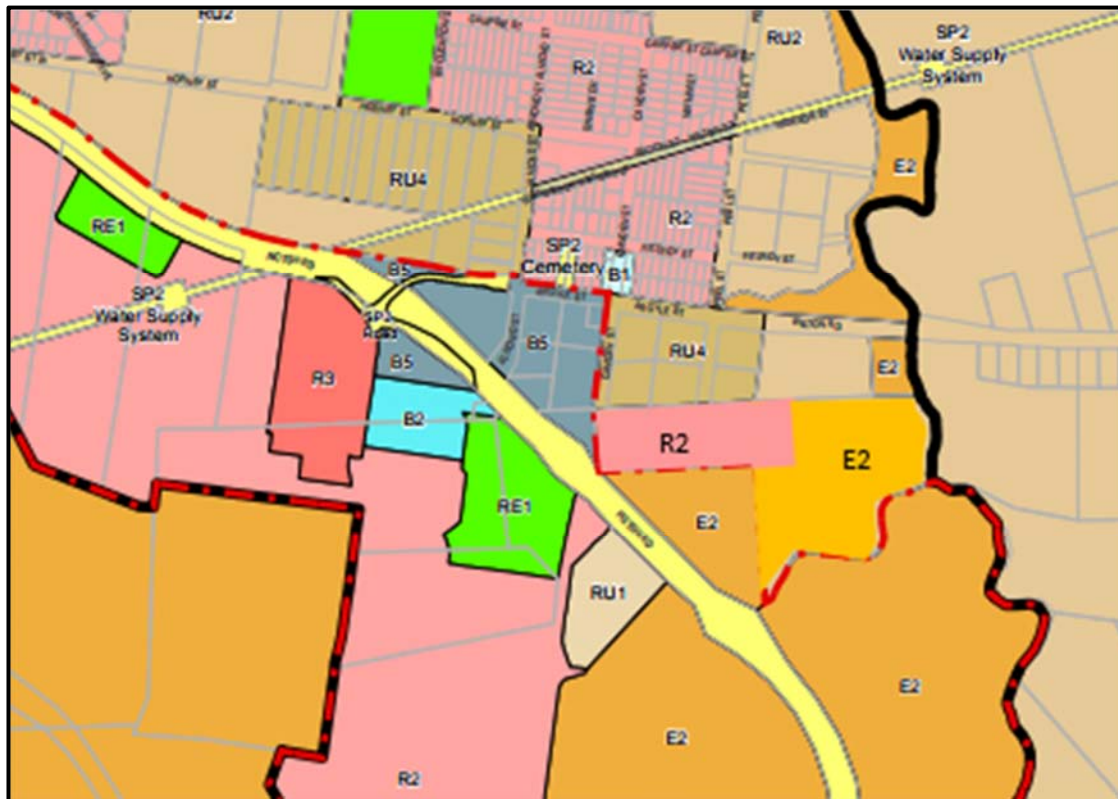


Figure 17: Proposed Land Zoning Map, showing proposed zoning of subject site

Desktop Review - Environmental Assessment (Lot 8 DP 616274)

There has been a significant amount of study of the “Investigation Area” (as defined in Figure 18 below) by various environmental, planning, engineering and other industry experts which has formed the background to the Wilton Junction Masterplan and subsequent WSEP Precinct planning.

The following is a desktop review of the relevant environmental assessments as they apply to the subject site. combination of the preliminary findings of the studies demonstrate that part of the site is both capable and suitable for urban development. the remainder is best protected by an environmental conservation zone.

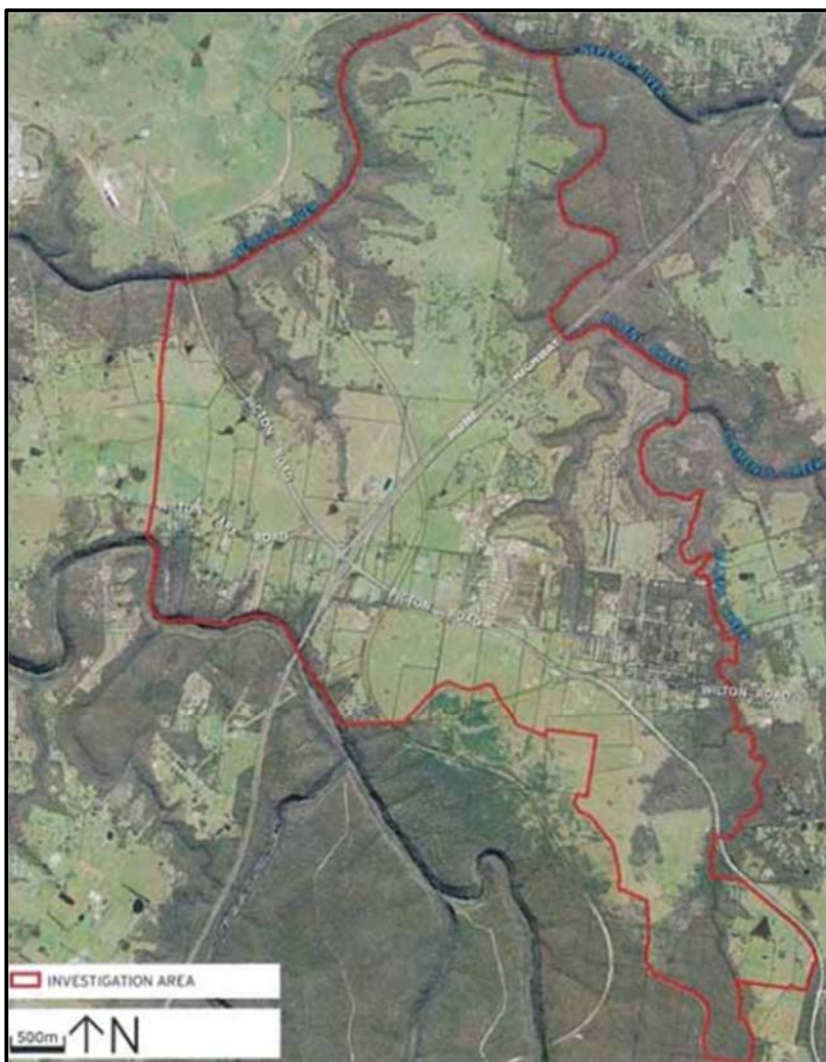


Figure 18: copy of “Investigation Area” map adopted for Wilton Junction studies

A new Ecological Report has been prepared specifically dealing with the subject site. It provides more detail about the vegetation communities than previously reported. It has been prepared by Dominic Fanning of *Gunninah*. Mr Fanning has been extensively involved in the environmental investigations of the Wilton precinct for several years including whilst working with *SLR* and in collaboration with *Cumberland Ecology*. It is essentially the work that he has been responsible for that has been relied upon by DoPE in supporting the WSEP urban land release.

The proposed zone boundary between that part of the site suitable for urban development and that part to be conserved is predominantly based on an updated Ecological Report which consolidates and updates previous studies and is specific to the owners' submission to the planning proposal and request for inclusion/rezoning for urban development. The remainder of the reports serve more to reinforce the findings of the Ecological report and respond to State government requirements for the planning proposal process.

Ecology

Report: Ecological and Riparian Issues Lot 8 DP 616274, Peel Street, Wilton

Prepared by: Dominic Fanning, October 2017.

Investigation area: Subject site only.

Subject site: included in broad ecological investigations previously

Findings: there is a balance of urban development and environmental conservation potential for the site

The Ecological Report, October 2017 identifies (with caveats) the following vegetation types on the subject site:

- *Two types of riparian forest in the eastern and southern parts of the site – along Allens Creek and the Allens Creek tributary (dominated by a canopy of Grey Gum and Peppermint or Grey Gum, Rough-barked Apple and/or Woollybutt - SLR 2014). These correspond to either the Sydney Hinterland Transition Woodland community (Tozer et al 2010) or the Sandstone Gully Forest community. None of this vegetation type is listed as a “threatened ecological community” (TEC) in either the BC Act or the EPBC Act.*
- *A more xeric forest community along the slopes above Allens Creek and the Allens Creek tributary (dominated by a canopy of Blackbutt and Grey Gum - SLR 2014). This vegetation type is not listed as a “threatened ecological community” (TEC) in either the BC Act or the EPBC Act.*
- *A xeric (dry) open forest vegetation type on the upper slopes and plateau in the central part of the subject site (dominated by a canopy of Grey Gum, Stringybark, Scribbly Gum, Bloodwood and/or Ironbark - SLR 2014).*

- *A second xeric (dry) open forest vegetation type on the upper slopes and plateau in the western part of the subject site (dominated by a canopy of Red Gum, Grey Box and/or Ironbark - SLR 2014). This vegetation type (as mapped by SLR 2014) corresponds (floristically at least) to the SSTF – Low Sandstone Influence community – which is listed as an EEC in both the BC Act and the EPBC Act.*



The report states:

“The relatively high ecological values of vegetation through most of the eastern parts of the subject site determine that these areas are most suited to retention and protection in the long term for biodiversity conservation purposes. Notwithstanding some previous logging and clearing activities in the eastern part of the subject site, and current disturbance by tracks and unmanaged access, the open forest in this part of the site has relatively high biodiversity values.

Any proposal to clear vegetation in the eastern part of the site would engender substantial and punitive financial costs – on the basis of the relevant legislation in NSW (the Biodiversity Conservation Act 2016). These parts of the subject site should be set aside for such purposes as an offset for the clearing of other more disturbed vegetation in the western parts of the site.

In contrast, the western part of the subject site contains vegetation which has been cleared at various times and used for agricultural purposes. Currently, the vegetation in this portion of the site consists of an open woodland of Grey Box and Forest Red Gum, with a predominantly native groundcover. It has been slashed in recent times for grazing purposes consistent with its current zoning as RU2 – Rural Landscape.

Whilst the vegetation in this part of the subject site has a native tree canopy, it has been modified over a long period. There is a mix of native plants and introduced pasture grass species in the groundcover layer; and the shrub layer is maintained in a slashed condition.

As also discussed, there is a patch of dense regrowth vegetation in the centre of the subject site – an area regenerating naturally from previous clearing of vegetation (most likely for grazing purposes). This area of vegetation is of relatively limited ecological value – because of the dense shrub layer present and the limited array of resources of value to most native fauna species.

With respect to native flora and fauna, including threatened species, it is noted that the areas proposed for rezoning to R2 – Residential are the most disturbed and modified on the subject site. They are also immediately adjacent to existing (large-lot rural) or proposed future (‘Business’) development areas; and are thus subject to the edge effects associated with such land uses (or will be).

No threatened flora were recorded on the subject site by SLR Consulting, and the most likely location for any threatened plant species would be along Allens Creek and the Allens Creek tributary (consistent with other information from the Wilton Junction New Town project investigations).

The most likely threatened fauna on the subject site (based on the extensive investigations conducted by SLR Consulting for the Wilton Junction New Town project) are highly mobile species – such as microchiropteran bats, the Grey-headed Flying Fox and a number of woodland bird species (such as the Varied Sittella, Square-tailed Kite, Little Eagle and occasional other nomadic species). The proposed development of the subject site, as depicted in the indicative Zoning Plan, would not likely adversely affect any such species to any relevant extent.

No evidence of Koalas (scats, scratches on trees or sightings) was recorded in the SLR 2013 investigation of the subject site; and there are no known records in the immediate vicinity. It is possible, however, that Koalas moving through the landscape could potentially use the open forest present (particularly in the eastern 'half' of the site).

The report also notes that the watercourse of Allens Creek and Allens Creek Tributary are deeply incised in the landscape and are generally in good to excellent condition. As these areas are proposed to be protected within the E2 Environmental Conservation Zone and are located well over 40m from the boundary of the proposed R2 urban zone, the Water Management Act 2000 will not be triggered.

[illegible]

Figure 19b: Vegetation map overlain with approximate location of R2 zone

Agricultural Land

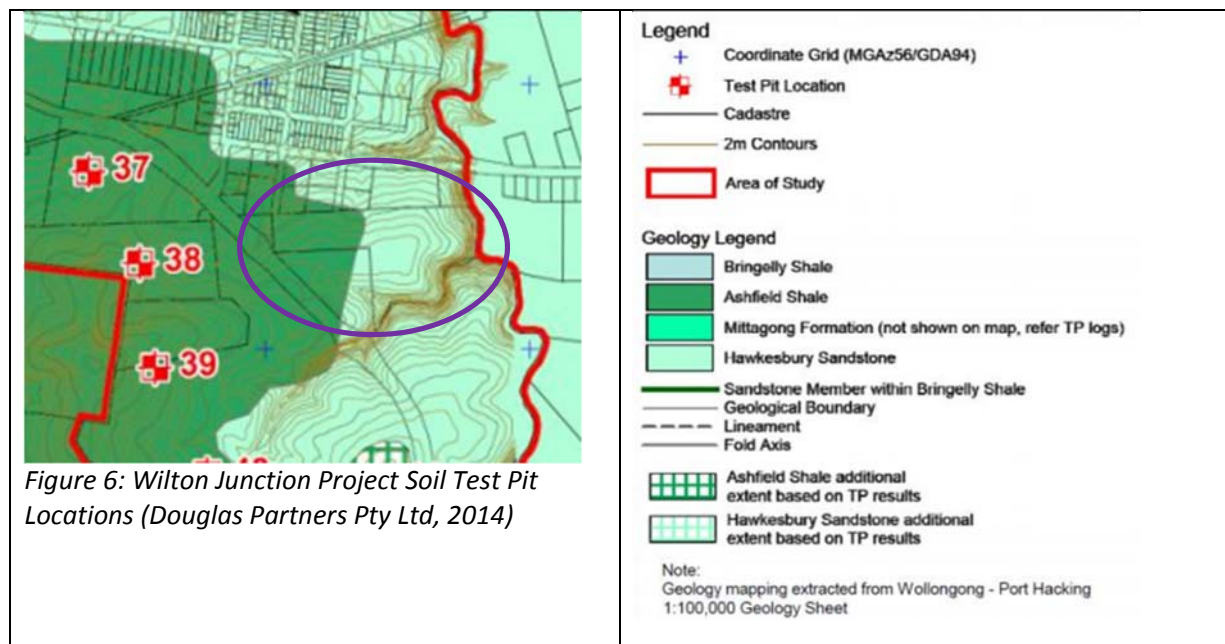
Report: Agricultural Lands Assessment for the Proposed Wilton Junction New Town

Prepared by: Harvest Scientific Services. Job Reference 201381, 6 June 2014.

Investigation area: included subject site.

Subject site: Ashfield Shale geology & Blacktown Soil Landscape.

Findings: subject site not suitable for agriculture (See Figure 20 below)



The report contains land classifications results based on the established methodology and assumptions outlined. It concludes that there are no Class 1 or 2 lands within the investigation area, 620ha of Class 3 land, 673ha of Class 4 land and 993ha of Class 5 land.

Lands not suited to agriculture are shown un-hatched in Figure 9 of the Report. An extract of Figure 9 is below and includes the subject site (shown by the purple circle).

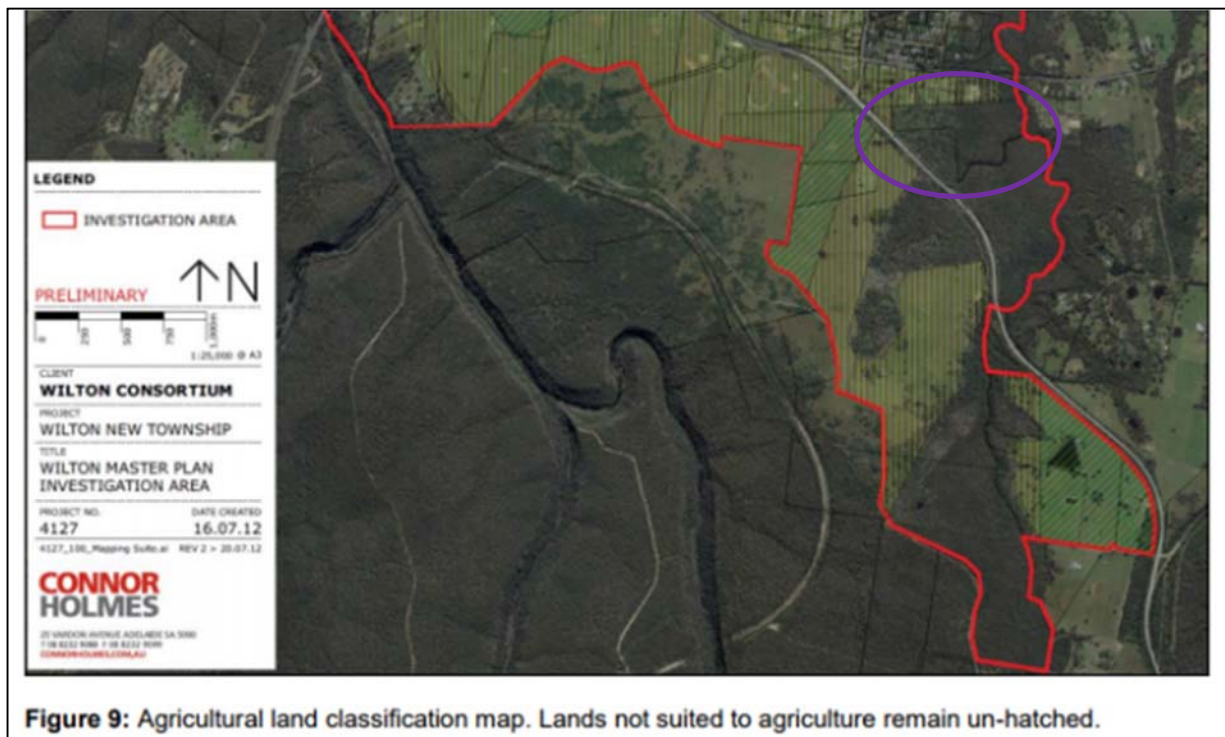


Figure 20: Land not suited to agriculture shown un-hatched on map

Bushfire Hazard

Report: The Wilton Junction Bushfire Protection Assessment
Prepared by: Insites Development Consultants, dated June 2014.
Investigation area: included subject site.
Subject site: Category 1 bushfire prone area.
Findings: subject site is 'manageable'

The site is mapped as bushfire prone land. See Figure 21 below.

The report assessed the whole Wilton Junction area in terms of slope and vegetation. It identified the subject site as part of the Wilton South area – Section No. 1.8 (See Wilton South – Table 1 and Figure 22 below).

In terms of Bushfire Risk Assessment, the report determined that the area would be manageable. While this study may not have contemplated the site's potential urban development at the time, the risk assessment does serve to establish that the area can be managed in terms of bushfire risk management with opportunities given the retracted area of development for asset protection zones. This is to be addressed as is ordinarily the case at the design and development application stage. For the purposes of this submission this is sufficient to warrant inclusion in the current rezoning and is capable of complying with the provisions of the RFS's *Planning for Bush Fire Protection 2006*.

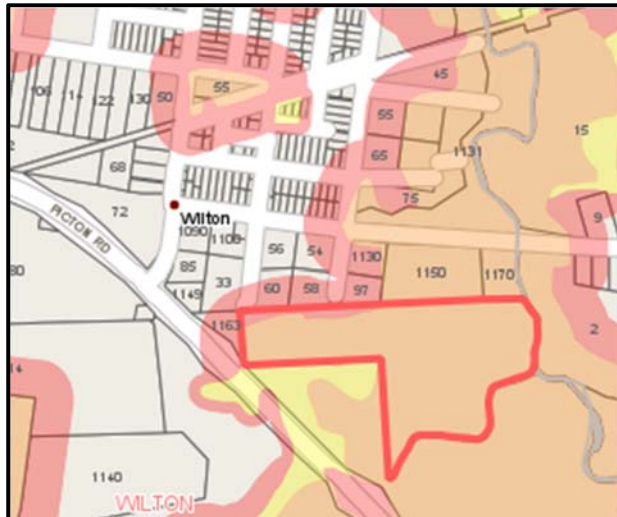


Figure 21: extract of bushfire prone land map showing

Wilton South – Table 1

1.8	South	Forest	>0°-5°	25m	Area to the west is low scrub re-growth and can be managed
-----	-------	--------	--------	-----	--



Figure 22: extract of bushfire risk assessment map (Ref: Wilton Rezoning; D376SW, P52-2/G)

Contamination

Report: Report on Phase 1 Contamination Assessment

Prepared by: Douglas Partners, June 2013.

Investigation area: included subject site.

Subject site: No identified areas of environmental concerns (subject to site inspection)

Findings: No identified potential areas of concern for the subject site

This report focused on the major landowners sites, particularly in respect of site inspections of Areas of Environmental Concern (identified initially via a desktop review). Notwithstanding, where desktop reviews identified areas outside of the Wilton Junction Landowners' Group property areas, these were recorded and mapped, as follows. In the case of the subject site, no potential areas of environmental concern were identified (refer to Figure 23). It is therefore anticipated that potential contamination is not a limitation to the site's inclusion for future urban development. Notwithstanding, this is to be addressed as is ordinarily the case at the design and development application stage, whereby SEPP 55 assessments are required.

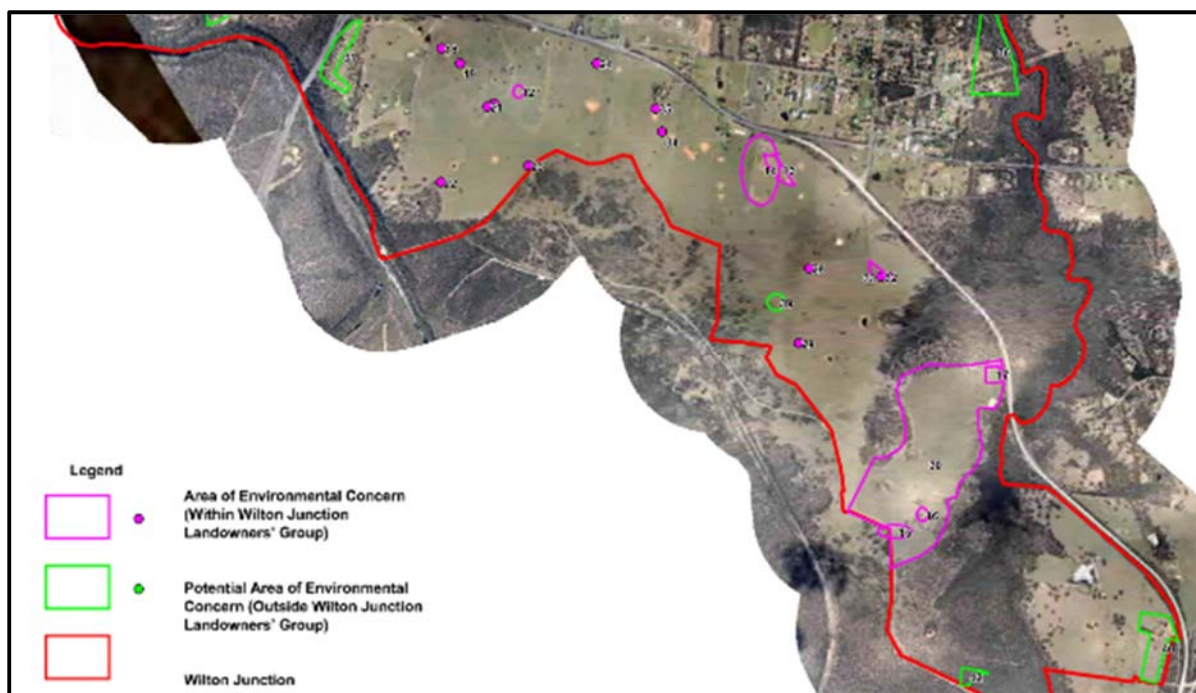


Figure 23: extract of Douglas Partners Areas of Environmental Concern (ref: 73467.00, drawing No. 13/A, 19.6.13)

Aboriginal Cultural and Historical Heritage Assessment

Report: Proposed Rezoning “Wilton Junction” Aboriginal Cultural Heritage Assessment and Historic Heritage Assessment

Prepared by: Kayandel Archaeological Services, June 2014.

Investigation area: included subject site.

Subject site: no specific survey work was undertaken across the site. Desktop study only.

Findings: A 10km x 10km search of the AHIMS sites did not reveal any known sites on the subject land, as mapped below (refer to Figure 24).



Figure 24: extract of distribution of AHIMS Sites Regional Scale (figure 15; page 54)

There has been no known site specific archaeological study of the subject site. Notwithstanding the eastern portion of the site (containing Allens Creek and its surrounds) is identified as ‘areas of sensitivity and/or potential archaeological deposit’. (See Figure 25 below). This area is east of the proposed R2 zone. Should additional reporting be required this would be addressed at the subdivision DA stage.

The areas shown yellow hatched are the ‘likely areas’, including the Allens Creek area. The Allens Creek area is proposed to be zoned E2 Environmental Conservation, protecting any sensitive or important sites that may exist within the site and creating an important north-south green corridor and linkage along Allens Creek. It is anticipated that the proposed Environmental Trust would be interested in the opportunity to have this area zoned and recognised as conservation land as soon as reasonably possible.



Figure 25: Map showing areas of sensitivity and/or potential archaeological deposit

Mine Subsidence

Report: Potential Impacts of Mine Subsidence due to the Future Extraction of Coal Resources

Prepared by: MSEC Mine Subsidence Engineering Consultants

Investigation area: included subject site.

Subject site: no impact.

Findings: no proposed future mining under the subject site

Illawarra Coal Holdings Pty Ltd (IC) propose to continue its underground coal mining operations in the Bulli Seam at Appin Colliery and West Cliff Colliery. This will be done by extracting future longwalls in five distinct areas – Area 3, Area 5, Area 7, Area 8 and Area 9 (refer to Figure 26).

In relation to the subject site the closest area proposed to be mined is Area 3. It is located on the eastern side of Allens Creek. Area 3 is not currently being mined and will be subject to future investigation and mine approvals.

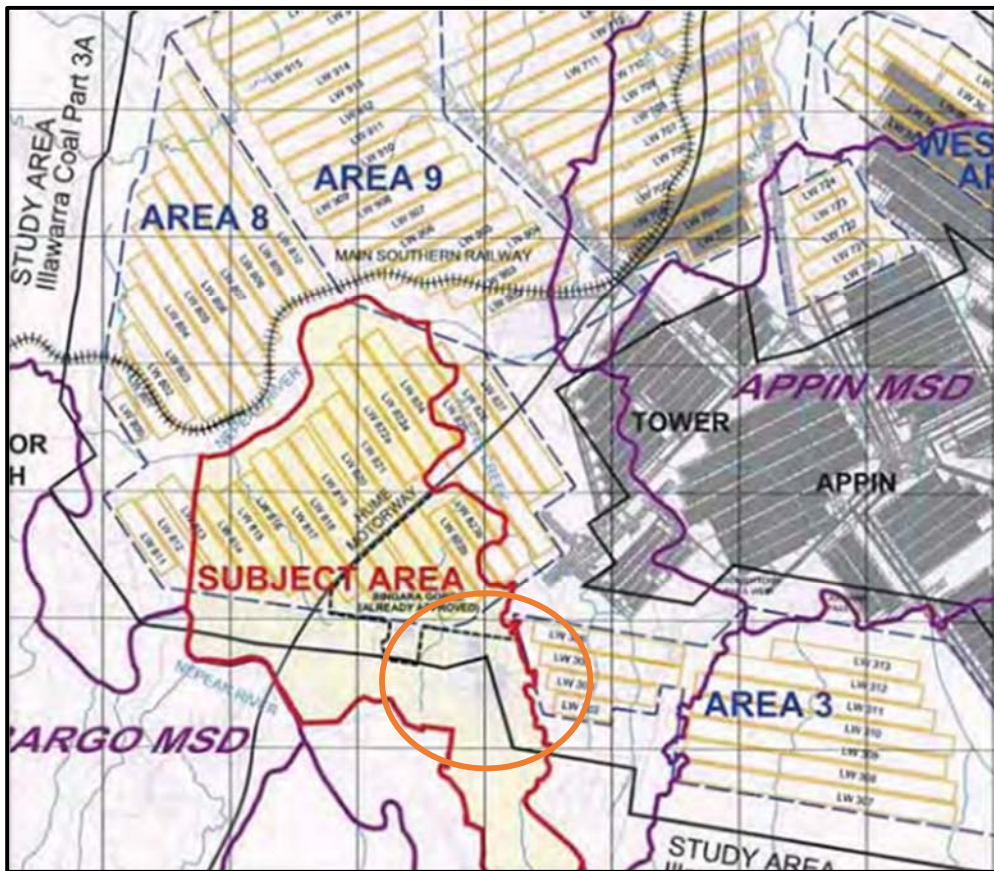


Figure 26: Overall location plan of mining in the area

The Walker Corp Planning Proposal notes the following in relation to the WSEP precinct area. As the subject site directly abuts this area the findings are the same.

“The WSEP is designated within the Wilton Mine Subsidence Area. There are no proposals to mine under the WSEP and the Mine Subsidence Board (MSB) and Department of Primary production do not object to the development subject to normal mine subsidence controls being implemented. There are no identified stability risk issues which would preclude rezoning the WSEP for urban development (Douglas; June 2014) however further detailed investigations will be needed as part of any development application and construction assessment.”

Noise

Report: Wilton Junction Master Plan Rezoning Study – Noise and Vibration Management Assessment

Prepared by: Atkins Acoustics and Assoc, May 2014

Investigation area: included subject site.

Subject site: western edge may be impacted by noise from Picton Road. Able to be addressed at subdivision stage, subject to refinement of noise study at the DA stage and negotiations with government regarding upgrades to Picton Road.

The following extract of the Conceptual Sound Barrier Locations (Road Noise) (Figure 7, page 25 of the report) indicates that that section of Picton Road in the vicinity of the subject site would be an area where sound barriers would be one appropriate measure to address noise impacts on new urban development. (Refer to Figure 27)

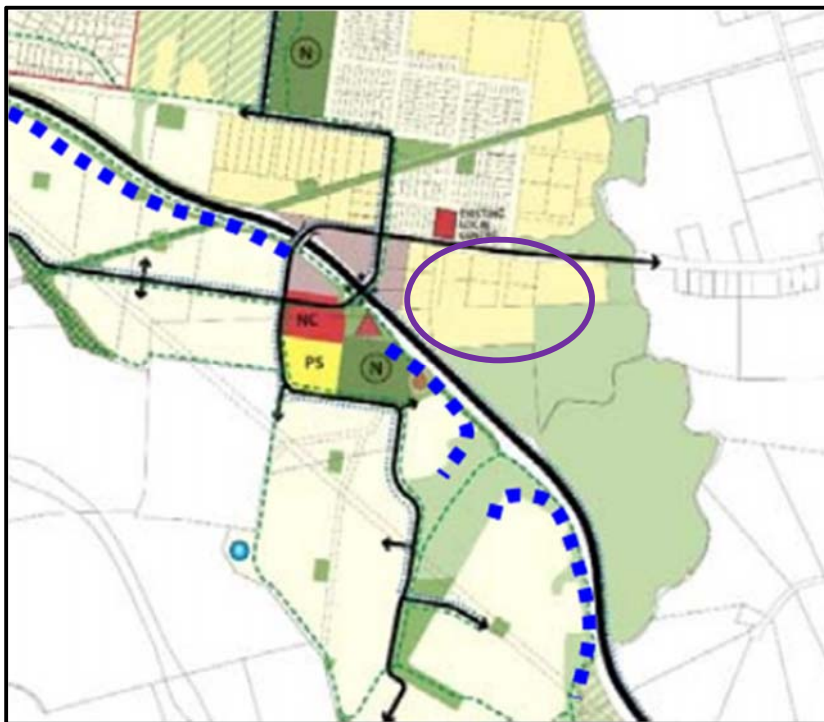


Figure 27: Concept plan of potential location of sound barriers (Road Noise)

Section 5.3.1 Acoustic Barriers of the report notes:

“Depending on the final sub-division layout and locations of residential dwellings, typical set-backs are considered and the location and heights of noise barriers can be considered to assess effectiveness. In some areas existing road cuttings can provide a degree of noise attenuation. The final barrier locations and heights will be dependent on finished site topography and building floor levels. Barrier heights and locations could alter during the detail subdivision planning or design development and/or construction. The final details for barriers should be reviewed during the detailed design development and construction phase of each subdivision.”

The following preliminary results from road noise modelling for day and night hours in the relation to that section of Picton that adjoins the south-western corner of the subject site state:

Hume Highway (North of Picton Road)

Noise modelling for the Hume Highway (north of Picton Road) assumed the following;

- 2023 traffic volumes (51687 (day 15 hours), 9517 (night 9 hours))
- 110kph traffic speed
- 16% heavy vehicles day
- 34% heavy vehicle night
- 180° angle of view
- No screening from intervening structures or topography
- Receptor source height 6.5m above road surface
- +2.5dB façade correction
- Offset distances for dwellings 20m, 50m, 100m, 200m, 400m, 600m and 800m

Table 13. Daytime Hours (Hume Highway North Picton Road)

Distance from boundary m	Sound Pressure Level LAeq 15 hour					
	No Barrier	4m Barrier	5m Barrier	6m Barrier	7m Barrier	8m Barrier
20	73 (13)	69 (9)	66 (6)	64 (6)	61 (1)	59
50	70 (10)	64 (4)	62 (2)	60 (2)	59	57)
100	69 (9)	61 (1)	59	58	56	55
200	67 (7)	58	57	55	54	53
400	65 (5)	56	54	53	52	51
600	63 (3)	54	52	51	50	50
800	61 (1)	52	50	49	48	48

- Numbers in brackets () indicate addition noise reduction required compared to standard glazing
- Areas shaded green assume acoustic rated single glazed windows/doors
- Areas shaded yellow assume acoustic rated double glazed windows/doors
- Areas shaded orange would require specific architectural and acoustic detailing

Table 14. Night Hours (Hume Highway North Picton Road)

Distance from boundary m	Sound Pressure Level LAeq 9 hour					
	No Barrier	4m Barrier	5m Barrier	6m Barrier	7m Barrier	8m Barrier
20	72 (17)	68 (13)	65 (10)	63 (8)	61 (6)	59 (4)
50	70 (15)	63 (8)	61 (6)	59 (4)	58 (3)	56 (1)
100	68 (13)	60 (5)	59 (4)	57 (2)	56 (1)	55
200	66 (11)	57 (2)	56 (1)	55	54	53
400	64 (9)	55	53	52	51	50
600	63 (8)	53	52	51	50	49
800	61 (6)	51	50	49	48	47

- Numbers in brackets () indicate addition noise reduction required compared to standard glazing
- Areas shaded green assume acoustic rated single glazed windows/doors
- Areas shaded yellow assume acoustic rated double glazed windows/doors
- Areas shaded orange would require specific architectural and acoustic detailing

(Source: Page 26 of Acoustic Report – Atkins Acoustics, May 2014)

Ecologically Sustainable Development

Report: Wilton Junction Ecologically Sustainable Development Report State Environmental Planning Policy – Study Requirements

Prepared by: Elton Consulting, June 2014.

Investigation area: included subject site.

Subject site: the proposed E2 Environmental Conservation zoned land, which includes an important green corridor link along Allens Creek would be of significant interest to the proposed Environmental Trust.

The rezoning of the western portion of the site to R2 residential also contributes to the self-containment approach enunciated in the report by providing opportunities for new residences that are well located in terms of access to employment, construction jobs, a walkable neighbourhood in proximity to the new local centre, primary school and open space.

Economic Development, Employment and Economic Assessment

Report: Wilton Junction Economic Development and Employment Strategy; Employment Projections and Land Need; Economic Impact Assessment

Prepared by: MacroPlan Dimasi, May 2014; May 2014; July 2016

Investigation area: included subject site.

Subject site: the site is proposed to be partly zoned for residential purposes (approx. 6ha). This will provide construction jobs during its land release and ongoing residential accommodation adjoining the B5 Business Development zone.

It is noted that the subject site is contiguous with the proposed B5 Business Development zone and could be zoned as the southern extent of that employment area. The land is capable of accommodating business based landuses. However, based on an initial review of the abovementioned studies, further investigation into the need for additional business zoned land would be required.

The rezoning of the land to residential will provide residential accommodation and has merit in terms of proximity and its ability to address the adjoining E2 zoned lands to the south and east.

Community Consultation

Report: Community Engagement Outcomes Report

Prepared by: Elton Consulting, June 2014

Investigation area: included subject site.

Subject site: no specific matters raised.

It is noted from the draft Wilton Junction Master Plan that was utilised for consultation purposes that the western portion of the site is hatched green and noted as 'existing vegetation – requires further consideration. The eastern portion of the site (containing Allens Creek and more dense vegetation) is noted as 'bushland/existing vegetation'.



Figure 28: extract of community consultation draft masterplan

Access and Traffic Management

A substantial amount of investigation has been undertaken in relation to traffic generation and what traffic management measures are required to implement the WSEP plan. Significant inputs into transport infrastructure is required to achieve the whole master plan.

There is an existing safety issue recognised at the intersection of Picton Road and Almond Street. While a bridge over Picton Road is the long-term design solution to connect the Walker Corp land to Wilton Village, the shorter-term design solution identified within the Walker Corp Planning Proposal document is to signalise and upgrade the intersection into the WSEP area – Almond Street.

In relation to the subject site, access into the western portion of the site can be created via the existing road reserves, being Camden Street and Peel Street. The development capacity of the area is estimated at between 75- 160 dwellings. Access and intersections with Wilton Road will need to be upgraded.

Utilities

Electricity: available to the site from Wilton Road.

Water and wastewater: Both services are currently available to the Wilton Road properties. Water mains are located along Wilton Road to the north of the subject site. Planned upgrades of both services will be able to cater for the number of dwellings able to be constructed on the R2 zoned portion of the subject site.

Stormwater Management: A Stormwater Management Plan would be required to be prepared by the landowner should the submission be accepted and the subject site included in the rezoning. It is anticipated that this will be able to be integrated within the Stormwater Management Plan prepared for the remainder of the WSEP. J.Wyndham Prince Engineers have undertaken extensive modelling of the area and determined that each of the areas and stages identified can be satisfactorily designed to control the water cycle needs as development progress over time.

Gas: It is anticipated that with the advice received to date that there is sufficient capacity within the main supplying Bingara Gorge for WSEP to be supplied with gas, this small amount of additional residential land within the subject site would also be able to be supplied. This issue is not a limitation to the rezoning of the land.

6.0 ASSESSMENT OF PROPOSED SUBMISSION AGAINST STATE PLANNING POLICY

Consistency with applicable State Environmental Planning Policies

SEPP	Consistent	Reason for inconsistency or comment
SEPP – BASIX 2004	Yes	Future dwellings will comply with the water and energy efficiency requirements stipulated within the BASIX SEPP.
SEPP – Infrastructure	Yes	Applications will be lodged and assessed in accordance of the iSEPP as required. The site will not have access to Picton Road.
SEPP – Mining, Petroleum Production & Extractive Industries	Yes	There is no known proposal to mine under the subject site.
SEPP – Rural Lands 2008	Yes	The site is approx. 18.3 ha in area. It is currently vacant, not used for any agricultural purpose. Approximately 5-6ha are proposed to be rezoned to residential, the remainder zoned to environmental conservation. There site has been assessed as generally not suitable for agricultural use. The limited loss of rural land as a result of the inclusion of this land in the urban release area is acceptable in this case, offset by a significant gain in conservation land due to its location near Allens Creek.
No 44 - Koala Habitat Protection	Yes	The Ecological Report, prepared by Dominic Fanning, October 2017 states: <i>“With respect to State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP 44), parts of the subject site could constitute “potential koala habitat” given the prevalence of preferred Koala food trees in several areas. However, there is no evidence of a “breeding population” of Koalas on the site; and it does not therefore constitute “core koala habitat” pursuant to SEPP 44. There is, therefore, no requirement for the preparation of a Koala Plan of Management for the proposal. It is noted that this</i>

		<i>matter would be re-visited during the preparation of any Development Applications for future development of the site; but no adverse impacts on the Koala are considered likely."</i>
No 55 - Remediation of Land	Yes	See Phase 1 reports. No identified potential areas of contamination based on desktop review of the site.

Consistency applicable Ministerial Directions (s.117 directions)

1. Employment and Resources

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
1.2 - Rural Zones	No	<p><i>The objective of this direction is to protect the agricultural production value of rural land.</i></p> <p>The proposal is inconsistent with the terms of this direction because a proposal must not rezone land from a rural zone to a residential zone.</p> <p>The urban release area has been previously assessed and found to be acceptable as it was identified as a potential urban area in the 2015 Plan for Growing Sydney and the subsequent Greater Macarthur Land Release Investigation (Preliminary Strategy and Action Plan).</p> <p>The land is not agriculturally viable.</p>
1.3 Mining, Petroleum Production & Extractive Industries	No	<p>As per the WSEP Planning Proposal:</p> <p><i>The WSEP contains an existing coal resource but as there are no active mine proposals the proposed development is unlikely to constrain future extraction provided development is regulated under the Mine Subsidence Act. This approach is consistent with other land releases in the region.</i></p>
1.5 Rural Lands	Yes	<p><i>This direction aims to protect the agricultural production value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes.</i></p> <p>As above in 1.2 above.</p>

2. Environment and Heritage

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
2.1 Environmental Protection Zones	Yes	<p><i>The objective of this direction is to protect and conserve environmentally sensitive areas.</i></p> <p>It is proposed to fully retain the high value high area in the eastern portion of the site and zone it to E2 Environmental Conservation zone. This will add approximately 11-12ha of land to the E2 zone and significantly contribute to the Allens Creek Valley north-south environmental corridor.</p>
2.3 - Heritage Conservation	Yes	<p><i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p> <p>The proposal includes the protection of the land along Allens Creek – the area where aboriginal artefacts or items are most likely to be located.</p>

3. Housing, Infrastructure and Urban Development

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
No 3.1 - Residential Zones	Yes	<p><i>The objectives of this direction are to provide for existing/future housing needs, make efficient use of existing infrastructure and minimise the impact of residential development on the environment and resource lands.</i></p> <p>The proposal includes rezoning part of the land to R2 Low Density Residential. The site will be able to utilise existing services and infrastructure. Significant ecological values on the land are to be zoned E2 Environmental Conservation.</p>
No 3.3 - Home Occupations	Yes	<p><i>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</i></p> <p>WLEP 2011, R2 zone would permit home occupations as exempt development and allow homes businesses subject to development consent.</p>
No 3.4 - Integrating Land Use and Transport	Yes	<p><i>This direction aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <p><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p>

		<p><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight.</i></p> <p>The land is contiguous with the proposed B5 Business Development zoned land, has direct access available to Argyle Street/Wilton Road and will be serviced by the east-west bus service proposed to service the village area. The site is a walkable distance to the proposed local centre, primary school and sports oval.</p>
--	--	---

4. Hazard and Risk

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
4.1 - Acid Sulfate Soils	Yes	<p><i>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.</i></p> <p>No requirements.</p>
4.3 - Flood Prone Land	Yes	<p><i>This direction aims to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and that the provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.</i></p> <p>The site is not mapped as flood prone land under Council's flood policy.</p>
4.4 - Planning for Bushfire Protection	Yes	<p><i>The objectives of this direction are to protect life, property and the environment from bush fire hazards by discouraging the establishment of incompatible land uses in bush fire prone areas; and to encourage sound management of bush fire prone areas.</i></p> <p>The site is mapped bushfire prone land.</p> <p>An initial bushfire report indicates bushfire management provisions have been updated and upgraded since the original development was granted approval. Planning for Bushfire Protection commenced in 2006, at least seven years after DA1999/752.</p>

		<p>For new development on the cleared portion of the site, a review of APZ's has been undertaken based on the PBFP 2006 provisions. This resulted in the following APZ's:</p> <p>Eastern side: 27m (increased 12m) Southern side: 21m (increased 1m) Western side: 11m (decreased 19m) Northern side: 33m (not previously identified – based on no clearing of adjoining land to the north).</p> <p>Due to existing non-compliances by existing dwellings on the eastern side of the development, these dwellings will be required to be upgraded in terms of ember attack, improved formation of the perimeter fire trail and development of a fire management plan to be the responsibility of the body corporate. Further, new development would require setbacks from boundaries of new lots equivalent to the required APZ's.</p> <p>It is considered that the planning proposal:</p> <ul style="list-style-type: none"> a) has regard to Planning for Bushfire Protection 2006, and b) provides for APZs to be contained within the residential zone to ensure future development will not be located in hazardous areas. Future development will be subject to Planning for Bush Fire Protection 2006 and the grant of a Bushfire Safety Authority to ensure adequate controls are imposed through development consent conditions, and c) ensures bushfire hazard reduction is permissible within the required APZs, and d) will allow for adequate APZs to be provided, and e) will provide for an upgraded perimeter fire trail around the residential lots, and f) allows development that will have access to adequate water supply for fire fighting purposes, and
--	--	--

		<p>g) will enable consent conditions to control placement of combustible materials in the Inner Protection Area.</p> <p>Consultation with the RFS is proposed after a Gateway determination, as required by the Direction.</p>
--	--	--

5. Regional Planning

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
5.1 Implementation of Regional Strategies	Yes	<p><i>The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</i></p> <p>The Regional Strategy identifies the need to conserve the natural environment and to extend areas of high biodiversity value. The proposal is consistent with these objectives by zoning the undeveloped part of the site as RU1 Primary Production and E3 Environmental Management (as they are currently). The proposal is only for a very small amount of infill residential development on existing cleared land and represents a minor amendment to the urban growth area in this location.</p>

6. Local Plan Making

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
6.1 Approval and Referral Requirements	Yes	<p><i>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i></p> <p>The proposal is consistent with this direction.</p>

7. Metropolitan Planning

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
7.1 Implementation of A Plan for Growing Sydney	Yes	<p>As per the Planning Proposal for the WSEP:</p> <p>The WSEP planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation		<p>As per the Planning Proposal for the WSEP:</p> <p>The WSEP planning proposal is broadly consistent with the GMLRI Preliminary Strategy and Action Plan published in September 2015.</p>

7.0 CONCLUSION

The planning of the Wilton Priority Growth Area has been based on extensive study and investigations to date. That planning has been undertaken by the Department of Planning and Environment, Wollondilly Council and four major landowners in the PGA area. The PGA consists of six precincts, one being the Wilton South East Precinct. The majority landowner within the precinct is Walker Corporation. They have undertaken to fund and prepare the detailed precinct planning that now comprises the proposed Draft Wilton South East Precinct Plan, WSEP urban land release, Draft SEPP and Draft WLEP 2011 amendment.

Individual landowners have excluded from the urban land release area to date to ensure that the broad-based precinct level planning has been able to achieve the State's desired planning outcomes.

The landowner of Lot 8 DP 616274, No. 107 Peel Street, Wilton seeks to have their large site included in the current WSEP Urban Land Release Area, Draft SEPP and Draft WLEP 2011 Amendment.

This submission has undertaken a desktop review of the studies, reports and Walker Corp Planning Proposal that have been prepared and form the basis of the current Draft Plans and Draft Planning Instruments. It is demonstrated that in each case, for each environmental consideration, the subject site is both capable and suitable for urban development. On behalf of the landowners we submit the following key considerations in support of the proposition as to the suitability of the site for inclusion for urban development as part of this phase of the release:

- It is a substantial landholding allowing for orderly and economic development in terms of infrastructure provision relative to the potential yield;
- The land is contiguous with the nominated urban land release area;
- The site is located within 400m of the local centre, primary school and sports oval (directly) and approximately 1km by car or foot via the bridge over Picton Road;
- That part of the land proposed to be zoned residential is degraded and modified vegetation, not prime environmental habitat;
- The residue portion of the land (the eastern section) equates to 65% of the subject land and is proposed to be zoned E2 Environmental Conservation;

- The land proposed to zoned E2 Environmental Conservation is very good to excellent condition and will significantly add to the creation and achievement of the Allens Creek Valley north-south environmental corridor;
- The conservation land provides a direct offset to the less valuable land required to be cleared for urban development;
- The developable land has dedicated road access that can provide two access points to any future subdivision, thereby providing best practice bushfire management for the area.
- The land is contiguous with the B5 Business Development zone that fronts Picton Road.
- Only a very small section of the site would be impacted by noise from Picton Road and is capable of being ameliorated within the subdivision design.
- Overall, the proposed zoning conservation achieves an appropriate and reasonable balance between development opportunities and biodiversity conservation goals.

Based on the review of all of the environmental opportunities and constraints of the site and further site specific ecological assessment, the site (in part) is capable and suitable for urban development. It is therefore proposed that the site be included in the WSEP urban land release area and be zoned Part R2 Low Residential and Part E2 Environmental Conservation as indicated in Section 5.

The desktop review undertaken as part of this submission also serves to address the relevant State Planning Policies and Ministerial Directions required to be satisfied in order for the site to be considered as satisfying the statutory provisions of the *Environmental Planning and Assessment Act 1979*.

REFERENCES

Wollondilly Local Environmental Plan 2011
Wollondilly Council

Wilton Priority Growth Area
Wilton South East Precinct – Draft Precinct Plan August 2017
NSW Government Planning and Environment

Maps: NSW Government Planning and Environment
Draft Wollondilly Local Environmental Plan 2011
Height of Buildings Map
Land Reservation Acquisition Map
Lot Size Map
Land Zoning Map
Residential Density Map
Urban Release Area Map

Interim Land Use and Infrastructure Implementation Plan for Wilton
NSW Government Planning and Environment

Reports and Studies

Wilton South East Precinct Planning Proposal: 990 Picton Road, Wilton
Walker Corporation, July 2016

Wilton Junction Master Plan
Connor Holmes June 2014

Agricultural Lands Assessment for the Proposed Wilton Junction New Town
Harvest Scientific Services Job reference 201381, 6 June 2014

The Wilton Junction Bushfire Protection Assessment
Insites Development Consultants, dated June 2014.

Report on Phase 1 Contamination Assessment
Douglas Partners, June 2013.

Proposed Rezoning “Wilton Junction” Aboriginal Cultural Heritage Assessment and Historic Heritage Assessment
Kayandel Archaeological Services, June 2014.

Potential Impacts of Mine Subsidence due to the Future Extraction of Coal Resources
MSEC Mine Subsidence Engineering Consultants

Wilton Junction Master Plan Rezoning Study – Noise and Vibration Management Assessment
Atkins Acoustics and Assoc, May 2014

*Wilton Junction Ecologically Sustainable Development Report State Environmental Planning Policy –
Study Requirements*
Elton Consulting, June 2014.

*Wilton Junction Economic Development and Employment Strategy
Employment Projections and Land Need
Economic Impact Assessment*
MacroPlan Dimasi, May 2014; May 2014; July 2016

Community Engagement Outcomes Report
Elton Consulting, June 2014

Ecological and Riparian Issues
Gunninah (Dominic Fanning), October 2017

APPENDIX 1

GUNNINAH

Ecological Issues and Assessment Report