

## Name

**First name**

margaret

**Last name**

jackson

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

camden, nsw, 2570

**Submission**

As a concerned resident of the Macarthur region for the past 20 years, I don't see any mention of a train? Lots of talk about roads/bridges but how on earth are these 15,000 families meant to travel to work (not everyone will be working locally in Maldon!) More cars/more congestion/more accidents. Why not finish the Dumbarton rail link or god forbid, put in a new rail line from Picton to Wollongong?

**I agree to the above statement**

Yes



## Name

**First name**

Christina

**Last name**

Guy

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

MINTO, 2566, NSW

**Submission**

I have little faith in developers following through with any Conditions of Consent and I feel there is not enough research on impact to koalas. This is an area that has always been well known to have koala colonies as well as significant indigenous and colonial history. Of all the areas chosen this one will be a major mistake. It should be left as it is and protected.

**I agree to the above statement**

Yes



# Name

First name

██████

Last name

██████

Name withheld

Yes

# Info

Email

██

Suburb/Town & Postcode

Wilton

Submission

You say that

1. Wilton will have direct access to Greater Macarthur, Wollongong, and the new Western Sydney Airport! Though the draft shows nothing of the when, how and huge, expensive and time poor infrastructure needed to achieve this! No mention of traffic flows onto and off Picton Road or the M31 currently one way only needs to be able to have access on and off both north and south....before construction phase....what it will be like during or after construction phase! There is no public transport apart from a couple of buses a day....the rail line needs to be extended to Wilton and it needs to be electrified NOW!!! it needs to be frequent, consistent and enough carriages to support this huge population and also be extended to Wollongong.
2. Wilton will be known for its protection and conservation of the natural environment, particularly its koala corridor! When it is already known that DPE and Walker Corp use exclusion fencing to lock XHONDO out!..that means all Koalas..this is already happening!
3. Wilton will have a well-developed network of services and infrastructure supporting its residents, visitors and workers....but again doesn't say when, how and at what cost this will be...Wollondilly doesn't have enough potable water as it is, the dams are at an all time lowest level that feed Wilton, not greater Sydney..Wilton doesn't have a big enough recycled water plant as is..often stops or produces filthy water and the cost to the proposed residents are not addressed! No mention of a hospital to service this massive increase in population to be the size of a Port Macquarie! Or the amount of schools etc!
4. Job opportunities for the increased population are very limited...again road and rail infrastructure needs to be completed before construction phase begins.

I agree to the above statement

Yes



## Name

First name

████

Last name

██████

Name withheld

██

## Info

Email

██

Suburb/Town & Postcode

2571

### Submission

Draft Wilton Growth Area Development Control Plan Please advise if there has been any thought put into an added Water supply for this new venture. We are in the middle of a reasonably severe drought and have been watching our local Dam (Cordeaux) and others in the area (Avon, Nepean and Cataract) drastically reduce to well below 50%. Are there any plans whatsoever to supply water from any other sources to meet the needs of the additional population when we experience more droughts? We would also like to know if the minimum block size for housing will be in keeping with this Rural area i.e minimum of say 700 sq metres. We don't wish to see Wilton become another Oran Park with its sea of grey roofs almost touching each other thereby creating increased heat. We need to keep trees in Wilton and keep the rural feel

**I agree to the above statement**

Yes



## Name

First name

[REDACTED]

Last name

[REDACTED]

Name withheld

Yes

## Info

Email

[REDACTED]

Suburb/Town & Postcode

Wilton 2571

### Submission

What about public transport ? We can't even get a bus to Wollongong, Campbelltown or Picton from Bingara Gorge. So what's going to improve with the development?

It looks fantastic and I'm all for it but public transport needs to a priority not just in 20 years but now for those already living in the first stage of the development. Many people are now already moving out of Bingara due to lack of public transport access.

I agree to the above statement

Yes



# Name

**First name**

██████

**Last name**

██████

**Name withheld**

Yes

# Info

**Email**

██

**Suburb/Town & Postcode**

Cecil Hills

**Submission**

I disagree with the Draft Wilton Growth Area Development Control Plan 2019. This should not have been approved by the government in the first place. Wilton is in the middle of no where and no infrastructure. This Masterplan will have a huge population and will take 20 years or more to provide all the facilities for such a large community. Council have approved this Masterplan for the wrong reasons which we will never know why. I have approached this Council and they do not care what the community thinks which is wrong because we pay our rates. Our feedback is not taken into consideration. I am very surprised the the government let this Masterplan to get even bigger knowing that the Badgerys Creek Airport was going ahead. This area is not even close to the Bagderys Creek Airport. Wollondilly has areas within the Shire which are closer to the new Badgerys Creek Airport which they refuse to develop. Developers have been approaching them to develop these areas. Council has refused the developments although they were areas under the governments potential greenfield sites. A lot of questions to be answered by this Council. They are approving planning proposals addressing the governments polices to only approve the planning proposals that they are interested in which is in and around Wilton. This is not right. The Greater Sydney Commission need to see what is going on here and get more involved and have their say. If this Draft Wilton Growth Area Development Control Plan 2019 Masterplan goes ahead with government approval I would be very surprised because I believe we have a great government that has delivered a lot in such a short time being in government. Future growth around the airport is what we need plan and to look at. I am not a town planner but I can see this planning proposal is definately not right.

**I agree to the above statement**

Yes



## Name

**First name**

Craig

**Last name**

Butler

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Wilton

**Submission**

Infrastructure needs to be developed concurrently with or before development. Water and transport are high concern areas. Rail should be electrified to a new Maldon station if a commuter line is not established to new Wilton. This would help service the new areotropilas at badgerys creek and keep many cars off the road. Fast trains should operate to both the city and parramatta from this point.

**I agree to the above statement**

Yes



## Name

**First name**

Andrew

**Last name**

Mackay

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Wilton / 2571

**Submission**

The proposed upgrade(s) to the intersection of Pembroke Pde and Picton Rd will not accommodate the residents or amount of vehicular traffic - in particular the traffic leaving the Bingara Gorge development / Wilton Township from Pembroke Pde out onto Picton Rd.

This intersection must include two turning lanes (facing south) from Pembroke Pde out onto Picton Road (to head West).

In addition, the turning lane (facing south) from Pembroke Pde out onto Picton Road (to head East) must be increased.

In short, the entire intersection must be increased.

**I agree to the above statement**

Yes



## Name

**First name**

Davi

**Last name**

Winterbottom

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Gwynneville 2500

**Submission file**

[19910-wilton-new-town\\_0.pdf](#)

**Submission**

Submission pdf above.

If you cannot read this please advise how I can email a letter to you.

David

**I agree to the above statement**

Yes



## **Neighbourhood Forum 5**

### **Wollongong's Heartland**



**Coniston, Figtree,  
Gwynneville, Keiraville,  
Mangerton, Mount  
Keira, Mount St  
Thomas, North  
Wollongong, West  
Wollongong,  
Wollongong City.**

Tuesday, 10 September 2019

Director, Land Release  
NSW Department of Planning, Industry and Environment

Greetings

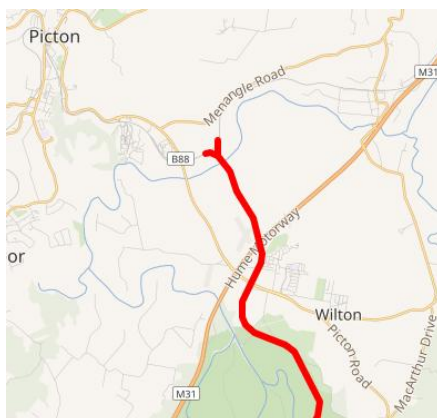
#### **New Town at Wilton**

The Forum has been set up Wollongong City Council to act a bridge between the community and Council. It has long promoted the Maldon Dombarton rail link between Wollongong and Western Sydney and in particular the proposed new Aeotropolis.

As a result it supports the proposed new town at Wilton and, in particular, the reservation for the Maldon Dombarton rail link serving its centre,

Yours Faithfully

David Winterbottom,  
Secretary





## Name

**First name**

Peter

**Last name**

Zipkis

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

2061

**Submission**

Provision must be made for at least 1 or 2 strategically placed rail stations. The Wentworth deviation will eventually be built & provision should be included now & not added on at greater cost later. It will also provide easier access in & out of the area for all residents.

**I agree to the above statement**

Yes



# Name

**First name**

Colin

**Last name**

Tyson

**Name withheld**

No

# Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

WILTON

**Submission**

An important planning aspiration for the Wilton New Town is the the ability of the the project to create/encourage employment within the area rather than for the working population to travel away from the town for employment. The size of the housing lots however does not encourage self employment or home based industry. On a 400 sq m housing lot there is no space for a trades person to have a work vehicle/trailer in addition to the household vehicles and certainly no space for parking on the street. A similar problem exists for the 5% of households that will have a recreational vehicle such as a boat, caravan or trailer in addition to the cars.

The DCP has no provision for residential lots of a size that could allow an intergenerational family group to have separate dwellings, recreational facility, be off the grid and to run a low impact self employment activity. As such the DCP fails to provide for a housing solution that provides:

- A range of housing solutions that reflect common multi cultural family arrangements such as intergenerational living,
- the capacity for home based industry other than for the knowledge economy.
- makes provision for recreational or work vehicles, or
- low impact off the grid living.

The DCP should at the very least contain land use zonings that allow for residential land to be of a size that would allow the above.

Finally, if the application of the DCP is specifically restricted to the North and South East precincts why does the Appendices contain seven maps that apply planning to the West Wilton Precinct ?. If the DCP is to be limited to two precincts then any reference to the West Precinct should be removed.

Regards

Colin Tyson



## Name

First name

██████

Last name

██████

Name withheld

Yes

## Info

Email

██

Suburb/Town & Postcode

Wilton

**Submission**

Further development at Wilton should not take place until water management and supply, and traffic management plans have been implemented.

**I agree to the above statement**

Yes



# Name

**First name**

Ian

**Last name**

Noy

**Name withheld**

No

# Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

WILTON

**Submission**

The DCP fails to consider existing buildings in the vicinity to Picton Road. Since the upgrade of Picton Road and a speed reduction to 80 km/h truck air brake noise has increased alarmingly. The Walker Group have proposed an intersection opposite Pembroke Road to service their development. I cannot imagine the noise that will occur from the trucks using their air brakes to stop. My house has no noise screen because I was not part of the Lend Lease development but certainly noise levels have increased over the last years and I am concerned what the levels will emanate once the intersection and lights are installed.

It has been shown that there is a NSW Government requirement to divert major freeways around country town centres ie Mittagong, Goulburn, Coffs Harbour all are bypassed. However in Wilton we are building developments around the major heavy vehicle route to ports and quarries which are serviced 24 hours a day. Why is this different.

As a small land owner I am confused why landowners such as Lend Lease, Bradcorp and Walker have their land rezoned so quickly when small land owners such as myself and my neighbours are still pending. I would think that if an area is set aside for growth the whole area would be planned not just major developers.

I was advised at a meeting between landowners and the government that as each subdivision is constructed a kit sewage plant would be added to the existing plant along the Hume Highway. This will create the look of numerous green tanks along the eastern boundary of the Hume Highway. Is this correct.

Yours faithfully,

Ian Noy



# Name

**First name**

Steve

**Last name**

Hearn

**Name withheld**

No

# Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Bella Vista 2153

**Submission**

Please find below some comments from McDonald Jones Homes in regards to the Draft Wilton Growth Area DCP2019.

Being the largest residential builder in NSW we obviously deal with a lot of DCP's & the NSW Housing Code, we have made some comments below on areas where we believe some consideration should be given to.

Happy to discuss any of this personally, I can be contacted on [REDACTED] or by email at [REDACTED]

Thanks you for giving these comments your consideration.

2.5.1.9 Refers to the possibility of additional requirements for stormwater. This would need to be undertaken at the subdivision stage and not passed on to an individual lot requirement.

3.1.2.17/4.2.4.7 – no encroachment of gutters into zero lot or other easements. The majority of DCP's allow gutters and fascia for single storey homes and also allow eaves for upper floor of two storey homes.

4.1.2.2 – max 500mm cut / max 500mm fill. This should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

4.1.2.11 – Max 600mm high retaining walls, and combine cut/fill on boundary at 1200mm, Extra "Note only" states fill must be at least 2m from property boundaries. This should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.



4.2.1 – Site Coverage calculations are used rather than Floor Space Ratio calculations and upper floor areas are limited. This should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

4.2.1 Table 13 – Upper floor setbacks are more onerous having increased from 1.2m to 1.5m for 9-15m wide lots above the zero lot garage. This should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

4.2.2.4 – 450mm eaves to whole house, although state some flexibility for architectural merit. Should take into account under eave extensions and architectural parapet walls.

4.2.5.4 – FFL not to be higher than 1m above NGL, which reinforces the 500mm fill policy, but forces house splits rather than DEBs. Restricts bearers and Joist construction and should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

4.2.8.14 – minimum internal dimension for double garage is 5.6m which is 0.070m wider than our current garages. Garage sizes should be determined by Australian Standard.

4.2.8.16 – Should state “garage door” rather than “garage”, triple garages should be allowed on an appropriate width lot (16.21m). Should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

4.2.9.4 – avoiding windows overlooking neighbours will be a minefield, and on narrow lots actually extends beyond the adjacent lot to the one beyond that since the ruling applies up to 9m each side! Should not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

**I agree to the above statement**

Yes



## Name

**First name**

Jason

**Last name**

Duda

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

2027

**Submission file**

[2019.09.17-wwog-dcp-submisson.pdf](#)

**Submission**

Please find attached PDF submission made on behalf of the West Wilton Owners Group (WWOG).

**I agree to the above statement**

Yes





17 September 2019

Att: Director, Land Release  
NSW Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

## Submission to Draft Wilton Growth Area Development Control Plan

This submission has been prepared on behalf of the West Wilton Owners Group (WWOG). LFA has been engaged by the WWOG to assist with planning advice and preliminary structure planning for West Wilton to inform a future precinct structure plan and planning proposal.

The WWOG represents a consortium of parties that control approximately 366ha of West Wilton including 56% (281ha) of the precinct's identified urban capable land. A map of lots that are confirmed as controlled by members of the WWOG or lots that are controlled by owners who are currently in discussions with the WWOG is included in Attachment A.

The WWOG supports the exhibition of the Draft Wilton Growth Area DCP and provides the following comments:

### Draft DCP Figure 1 ( p.8 )

West Wilton is identified as 'in planning' in *Wilton 2040*, which is referenced as the source for draft DCP Figure 1. It suggested that the following issues should be reviewed and documentation amended:

- There is a map legend drafting error in relation to the 'in planning' item.
- The inclusion of a local centre should be shown in West Wilton Precinct on the map in accordance with the Department's previous advice that it was omitted in *Wilton 2040*.
- Figure 1 does not appear to be directly referenced in the provisions of the DCP. It is arguable that a figure that fully outlines the land to which the plan applies would be more appropriate.

### Cumberland Plain Conservation Plan (CPCP) and Biodiversity-Certification

It is acknowledged in the draft DCP that:

*'bio-certification process will be implemented through the preparation of the Cumberland Plain Conservation Plan (CPCP), which will be finalised in 2020.'* p.11





The WWOG requests that efforts be made to expedite the definition of the *Cumberland Plain Conservation Plan* and Biodiversity certification to assist precinct planning and subsequent land release in Wilton.

### **Application of the DCP**

While the DCP does not apply to West Wilton given the Precinct Planning has not been completed, it is understood that the DCP will be amended at the time that West Wilton Precinct Planning is finalised and an additional Schedule for West Wilton will be inserted into the DCP. According it would be helpful indicative timing for the finalisation of West Wilton Precinct Planning could be provided.

*Wilton 2040* indicated first homes in West Wilton from 2025. To achieve this objective, Precinct Planning should commence immediately.

In that context the WWOG and LFA have made numerous requests, attended meetings and carried out a site inspections in conjunction with Department staff to progress West Wilton as an 'accelerated precinct' funded via a Voluntary Planning Agreement. An offer to include funding for staff in the Department to progress the rezoning of the precinct as part of that agreement has been put forward.

To date the Department has continually deferred LFA's request to progress the offer into a formal VPA (refer to Attachment B). It is also noted that an in-principle agreement has been reached with South 32 to relinquish mining rights. Accordingly, it is requested that the Department progress the VPA offer so that Precinct Planning can occur at no additional cost to NSW Government.

Delay in precinct planning not only constrains housing supply, but also limits the level of competition which would result in improved housing diversity and affordability which form part of the DCP purpose (Section 1.2 (f)).

LFA would be pleased to provide any further information that the Department may require.

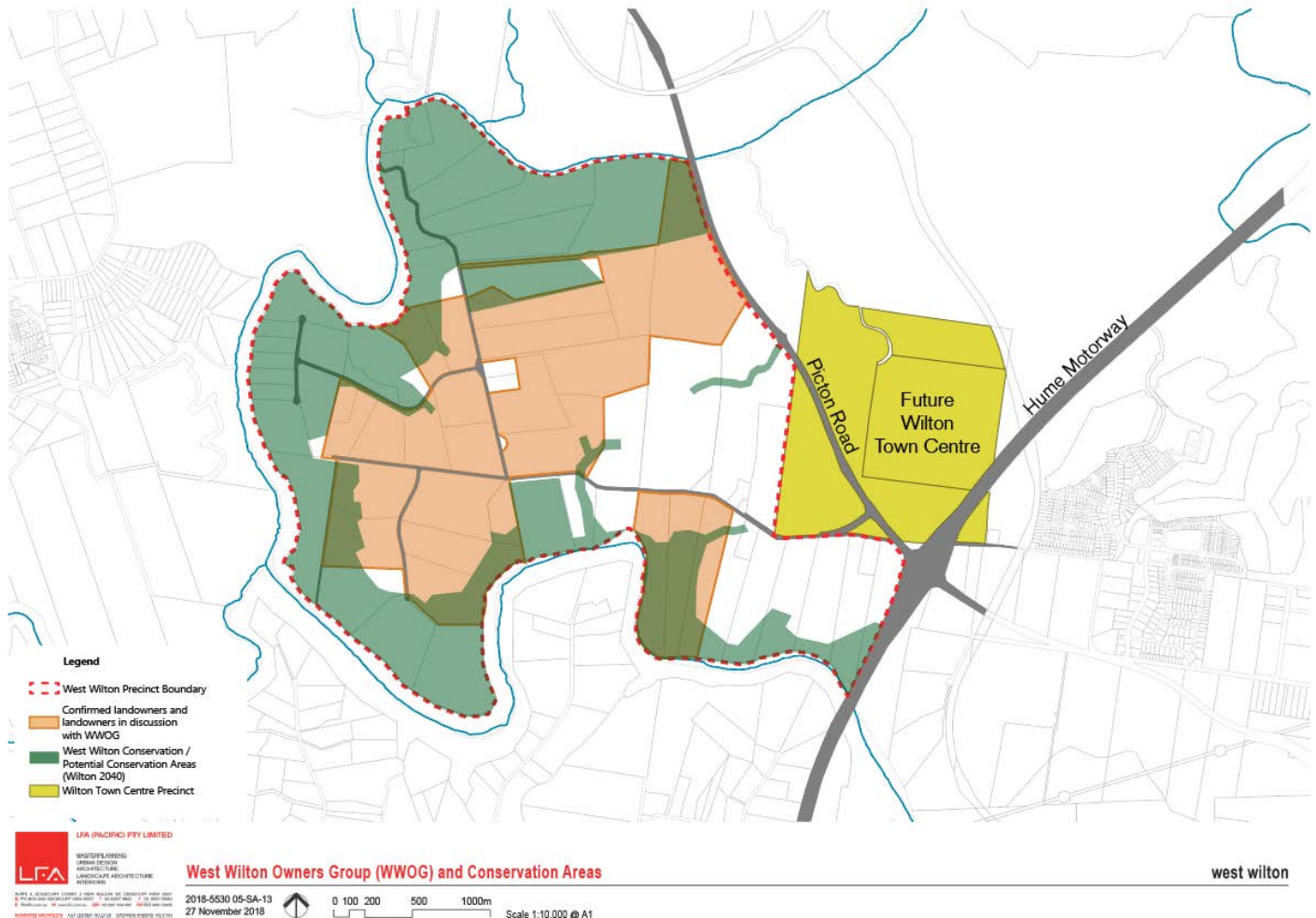
Yours sincerely,  
LFA (Pacific) Pty Ltd

**Jason Duda**





## Attachment A – West Wilton lots controlled by WWOG landowners and landowners in discussion with WWOG







## **Attachment B – Timeline of offer to enter into VPA for Precinct Planning Costs for West Wilton Precinct**

**2 November 2018:** At a meeting with Department officers, West Wilton Owners Group (WVOG) offer to enter into VPA for Precinct Planning Costs for West Wilton Precinct

**28 November 2018:** LFA issue letter to Department formally offering to enter into VPA for Precinct Planning Costs for West Wilton Precinct at the Department's request.

**22 February 2019:** Department advised LFA in a letter that:  
*'...the rezoning of the Precinct cannot progress until a commercial agreement between the proponent and South32 to relinquish the existing mining leases has been reached.'*  
 and  
*'Once a commercial agreement has been reached between the WVOG and South32, discussions may then proceed with the Department on whether the Precinct Acceleration Protocol (PAP) process is appropriate.'*

**20 March 2019:** Department reinforced mining lease commercial agreement to be progressed further prior to West Wilton Precinct Planning at meeting with WVOG and LFA.

**9 May 2019:** LFA advise Department that South32 have in-principle accepted an offer to relinquish part of the mining extraction lease that affects the West Wilton precinct.

**16 May 2019:** Department officer advises LFA that the Department has sought advice from the Minister's Office regarding use of Precinct Acceleration Protocol (PAP) process.

**17 June 2019:** LFA advise Department with letter from South32 (mining leaseholder) dated 15 June 2019 stating that:  
*'It is expected that a formal agreement will be in place between Illawarra Coal and MacLands-Reward Homes within the next 2 months.'*

**16 July 2019:** Department advise LFA that it will not be in a position to meet on West Wilton until internal review process of priority precincts is complete in approximately one month from time of call.

**2 September 2019:** Department advise LFA that restructuring and review of precincts still on-going and that there is no timeframe for when review will be complete / priorities will be set.



# Name

**First name**

Steve

**Last name**

Hearn

**Name withheld**

No

# Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Bella Vista 2153

**Submission**

We have submitted comments recently and just realised that we missed one in regards to the rear setbacks plus another comment regarding clarification of what is allowed in a Maintenance Easement in regards to the burdened block.

**Side and Rear Setbacks**

4.2.4 - Single Storey setback at 4m, this should be 3m and not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

**4.2.4.7 Maintenance Easements.**

Any services and projections permitted under clause 4.2.4 (6) within the easement to the burdened lot dwelling should not impede the ability for maintenance to be undertaken to the benefitted lot.

The problem with this is that it is left to interpretation, someone has to decide whether it does or doesn't impede the ability for maintenance. This may be ok some of the services and projections listed but it should be clear that facia and gutters for a single storey and facia, gutters and eaves for a two storey part of a home are allowed.

**I agree to the above statement**

Yes



## Name

**First name**

Sophie

**Last name**

Perry

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

2500

**Submission file**

[letter-001-submission-to-draft-wilton-dcp-cardno.pdf](#)

**Submission**

See uploaded letter

**I agree to the above statement**

Yes



Our Ref: Letter 001 82019253 01 SP  
Contact: Sophie Perry

18 September 2019

Director: Land Release

Department of Planning, Industry and Environment  
GPO Box 39  
**SYDNEY NSW 2001**

(And lodged electronically)

Dear Sir/Madam,

Cardno (NSW/ACT) Pty Ltd  
ABN 95 001 145 035

16 Burelli Street  
Wollongong NSW 2500  
Australia

Phone +61 2 4228 4133  
Fax +61 2 4228 6811

[www.cardno.com](http://www.cardno.com)

## **SUBMISSION TO THE PUBLIC EXHIBITION OF THE DRAFT WILTON GROWTH AREA DEVELOPMENT CONTROL PLAN**

This letter is a submission to the public exhibition of the draft Wilton Growth Area Development Control Plan (Draft DCP). We request the following issues are addressed and resolved prior to the adoption of the final version of the DCP.

### **Compatibility with the Maldon Dombarton Rail Corridor**

The consistency between controls in Sections 2.10 and 2.11 to the Draft DCP needs to be resolved.

These controls currently state as follows (our emphasis added):

#### *“Section 2.10 Noise*

*Control 2. Development for sensitive uses (childcare centres, hospitals, aged care facilities, schools and residences) adjacent to the Maldon to Dombarton Freight Rail Corridor must ensure that **acoustic building treatments to be provided within 100m of the corridor** to achieve recommended internal noise levels.”*

#### *“Section 2.11 Air Quality Setbacks*

*Control 1. Development including childcare centres, hospitals, aged care facilities, schools, residential dwellings and other sensitive uses adjoining the Maldon to Dombarton Freight Rail Corridor **must be setback a minimum of 100m from the location of future rail operations in the corridor, with a minimum 10m within this setback to be densely planted for dust mitigation.**”*

Control 2 in Section 2.10 potentially allows buildings for sensitive uses to be located within 100m of the corridor subject to acoustic treatment.

Control 1 in Section 2.11 requires a minimum 100m setback to buildings for sensitive uses “from the location of future rail operations”.

There is an inconsistency as to whether buildings will be located within 100m of the corridor. There is also a lack of clarity as to what point the setback is measured. Is the measurement from the corridor or from future rail operations as these may not be the same reference points.

Schedule 1 which applies to the South East Wilton Precinct and Schedule 2 which applies to North Wilton are also inconsistent with the abovementioned draft controls. Schedule 1 Section 2.6.1 Acoustic Amenity and Precinct Interface includes the following controls 3 and 4 (our emphasis added):

*“3. Development Applications for **residential buildings** within the areas shown on Figure 3-6 that are: a. **80m from the tracks of the proposed Maldon to Dombarton Railway**; and b. **20m from the edge of the Hume Highway Corridor**; must be accompanied by an acoustic report outlining the noise*



*attenuation measures proposed to attenuate noise within dwellings and in external Principal Private Open Space areas in accordance with the noise criteria in Development Near Rail Corridors and Busy Roads - Interim Guideline (Department of Planning 2008).*

*4. If the Maldon to Dombarton Railway is not constructed, then an acoustic report will not be required."*

Schedule 2 Section 3.3.3 Acoustic Amenity and Precinct Interface includes the following controls 3, 4 and 5 (our emphasis added):

*"3. Development Applications for **residential buildings** within the areas shown on Figure 4-2 that are: a. **70m from the tracks of the proposed Maldon to Dombarton Railway**; and, b. 20m from the edge of the Hume Highway Corridor.*

*4. must be accompanied by an acoustic report outlining the noise attenuation measures proposed to attenuate noise within dwellings and in external Principal Private Open Space areas in accordance with the noise criteria in Development Near Rail Corridors and Busy Roads - Interim Guideline (Department of Planning 2008).*

*5. If the Maldon to Dombarton Railway is not constructed, then an acoustic report will not be required."*

The abovementioned controls are inconsistent in the point of measurement – if the rail line is not yet constructed, then a 70m or 80m reference point cannot be applied.

An acoustic report is necessary at subdivision stage to ensure that any buffer and separation distances, any noise barriers and any acoustic construction standards are included in future Section 88B instruments applicable to new lots and that all future buildings and land uses on those lots can achieve the noise attenuation requirements. Therefore we request Control 3 in Section 2.6.1 to Schedule 1 and Control 3 in Schedule 2 Section 3.3.3 be amended to replace "residential buildings" with "subdivision and sensitive land uses".

An acoustic report should be necessary regardless of whether the rail tracks are constructed to establish long term compatibility of land uses. Therefore we request Control 4 in Schedule 1 Section 2.6.1 be deleted and Control 5 in Schedule 2 Section 3.3.3 be deleted.

### **Compatibility with Jemena Gas Easements**

Figure 23 and Table 9 require further clarification. Table 9 clearly states there must be a minimum 30m "no build zone" between the gas easement boundary and any dwelling. However, the cross section in Figure 23 shows the separation distance between the edge of the gas easement and a dwelling as (4.5m setback + 1.3m planted strip + 1.5m path + 5.5m road pavement) = 12.8m.

### **Insufficient Consideration of Crossings of the Maldon Dombarton Rail Line**

The Draft DCP does not contain sufficient information regarding the requirements for road and pathway connections that cross the Maldon Dombarton Rail line. Further information is considered necessary to clarify the standard of construction, clearances, grades and the like for all crossing points to be suitably compatible with the future operation of the Maldon Dombarton Rail line. This information is essential to maintain connectivity and efficient movement by a range of transport options as well as ensuring the design of crossings is safe, functional and compatible with surrounding subdivision and use of land in close proximity to the rail line reserved lands.

### **Lack of Emphasis on Employment Lands and Employment Generating Land uses**

Insufficient emphasis has been given to objectives and controls for the delivery of job targets and employment generating land uses. The Vision and Key Development Objectives for Schedules 1 and 2 and the overall provisions of the draft DCP do not give adequate attention to employment generating land uses despite the delivery of employment targets and land use diversity being a key commitment and principle of Wilton 2040: A Plan for the Wilton Growth Area.

Figures 4-4 and 4-5 to Schedule 2 North Wilton Precinct focus predominantly on mixed uses and residential lands with no detail as to non-residential lands, density, commercial gross floor area and the like which are necessary to provide employment and services to support the broader North Wilton Precinct.



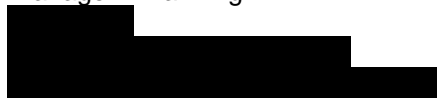
I trust the information in this letter is clear and comprehensive.

Please don't hesitate to contact me, should you have any questions or queries.

Yours sincerely,



Sophie Perry  
Manager - Planning





# Name

**First name**

Ben

**Last name**

Setchfield

**Name withheld**

No

# Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

GPO Box 1390, Brisbane QLD 4001

**Submission file**

[20190918\\_lo\\_443541\\_draft-wilton-growth-area-dcp\\_v2.pdf](#)

**Submission**

Dear Sir / Madam,

Thank you for the opportunity to provide comment on the Draft Wilton Growth Plan - Development Control Plan 2019.

Please find attached APA's submission, for your consideration.

Any questions, feel free to give me a call.

Kind regards,

Ben Setchfield  
Senior Urban Planner  
Infrastructure Planning and Protection  
APA Group  
T: 07 3223 3385  
M: 0472 829 943  
E: [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au)

**I agree to the above statement**

Yes







APA Ref: 443541

18 September 2019

Att: Director, Land Release  
Department of Planning, Industry and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Sir / Madam,

RE: Submission on Draft Wilton Growth Area Development Control Plan 2019

Thank you for the opportunity to review and provide comment on the *Draft Wilton Growth Area Development Control Plan 2019* (the Plan). APA has a keen interest in this Plan given two of APA's pipelines run through the area. APA has recently established an Urban Planning Team that seeks to be involved early in planning processes to ensure that relevant issues are addressed at an appropriate stage (such as this Development Control Plan process). APA appreciates the notice provided and opportunity to provide input.

This submission is structured in three parts. Firstly, background information is provided on APA, and our obligations in managing and operating high pressure gas transmission pipelines. This background is important to understand in relation to the submission we are making. The second part contains specific information in relation to the document on public exhibition. Lastly is a summary of key points.

1. Background to APA and High Pressure Gas Transmission Pipelines

About APA

APA Group (APA) is Australia's largest natural gas infrastructure business and has direct management and operational control over its assets and investments. APA's gas transmission pipelines span across Australia, delivering approximately half of the nation's gas usage. APA owns and operates over 15,000 km's of high pressure gas transmission pipelines (HPGTPs) across Australia.

The high pressure gas pipeline infrastructure plays an important role in:

- supplying energy needs to residential customers;
- supplying power generators; and
- providing energy needs to business and industry and thereby supporting economic activity in New South Wales.

APA owns and operates two pipelines that run in parallel north-east through the South East Wilton Precinct and Bingarra Gorge. The two pipelines are located within an approximately 24.385m wide easement (see Table 1 for details):



Table 1: Transmission gas pipelines in the area of consideration

| Pipeline  | Pipeline Licence | Diameter (mm) | Measurement Length (m) |
|---|------------------|---------------|------------------------|
| Moomba – Sydney Ethane Pipeline                                     | 15               | 200           | 600                    |
| Moomba – Wilton Natural Gas Pipeline                                | 16               | 850           | 675                    |
| Note: measurement length is applied to either side of the pipeline. |                  |               |                        |

Both pipelines are located in the north-west corner of the South East Wilton Precinct. As shown in Figure 2-7 of the South East Wilton Precinct, the above pipeline Measurement Lengths (ML) extend across several stages of this pre-dominantly residential development and adjoining Bingarra Gorge land within the overall Draft Wilton Growth Area. For further detail refer to heading 'Measurement Length (ML) and Safety' below.

#### APA's statutory obligations

As a licence holder for HPGTPs APA has statutory obligations under the *Pipelines Act 1967 (the Act)*. The *Pipelines Regulation 2013* states a licensee must ensure the design, construction, operation and maintenance of a pipeline is in accordance with Australian Standards 2885 (AS2885).

APA also has a role to play in ensuring development compliance with Clause 66C 'Development adjacent to pipeline corridors' in Division 12A of SEPP (Infrastructure) 2007, which states the following.

*(1) Before determining a development application for development adjacent to land in a pipeline corridor, the consent authority must:*

- (a) be satisfied that the potential safety risks or risks to the integrity of the pipeline that are associated with the development to which the application relates have been identified, and*
- (b) take those risks into consideration, and*
- (c) give written notice of the application to the pipeline operator concerned within 7 days after the application is made, and*
- (d) take into consideration any response to the notice that is received from the pipeline operator within 21 days after the notice is given.*

In considering a development proposal or rezoning APA is obligated to ensure its pipelines are not damaged, nor subject to development which may increase the future risk of damage. Furthermore, APA must ensure the pipeline is designed to "reflect the threats to pipeline integrity, and risks to people, property and the environment" (AS2885, s4.3.1). Location classes which classify an area based upon the threats to the pipeline from land usage and the consequences for the surrounding population in the event of a loss of containment, are used to determine the appropriate pipeline design and management of an area. If the location class changes a Safety Management Study (SMS) is required to assess the additional risk and ensure the risk is reduced to an acceptable level.

An SMS was completed by Walker Corporation c/- Venton & Associates for the South East Wilton Precinct Development (Issue Date – 13 November 2017, Revision No. – 0) with APA attendance. The primary location class for the two pipelines changed from Rural Residential (R2) to Residential (T1) as part of the SMS process for the predominantly residential development.

The SMS requirement remains relevant to any proposed AS2885 sensitive uses within the pipeline Measurement Length. Refer to Part 2 – Submission Specifics below for further comment in this regard.

Changes in land use may require that both procedural and physical controls be put in place to ensure new development is appropriately located and the pipeline is sufficiently protected in its new



environment. These measures can be costly and require substantial forward planning. Therefore, it is in the interests of the plan makers and development proponents to communicate with the pipeline operator as early as possible in the planning process. The earlier that notice of planning proposals affecting APA's pipelines is provided to APA, the better the information available to address public safety and the better equipped planners and APA will be to design efficient and effective outcomes, including ensuring safety near transmission pipelines both during development and after public settlement in the new areas.

Under AS2885, APA is not only responsible for activities or development on its easements but it also has responsibilities for managing the risks associated with land use well outside of the pipeline easements. This includes both increased risk of physical damage to the pipeline from development and ongoing land use activities, as well as the risk to surrounding development from a loss of containment. The two risks are related and are explained in more detail below under the heading 'Measurement Length (ML) and Safety'.

#### Measurement Length (ML) and Safety

In managing HPGTPs and considering land use changes APA must focus on that area geographically defined by the ML. The ML area is the heat radiation zone associated with a full-bore pipeline rupture. APA is mandated to consider community safety in the ML due to the high consequences of pipeline rupture to life, property and the economy. The ML is determined taking account:

- design criteria of the pipe (driven by the environment within which it was designed for at the time of construction), and
- Maximum Allowable Operating Pressure (MAOP) of the pipe.

Due to the factors above the ML can vary significantly, and in the case of the subject area the ML (maximum) is approximately 675m either side of the pipeline.

AS2885 requires APA to consider community and operational safety aspects in the event of a change in land use or significant increase in population density within the ML of the pipeline. This consideration is typically undertaken through a SMS which as mentioned above has already been carried out. APA wishes to review the previous Safety Management Study (SMS) with Walker Corporation to ensure all SMS recommendations / actions have been completed.

#### Sensitive Uses

APA seeks to limit sensitive uses from establishing within the ML to retain a high level of compliance with applicable safety standards. AS2885 defines a sensitive use as one which may increase the consequences of failure due to its use by members of the community who may be unable to protect themselves from the consequences of a pipeline failure.

To this end, APA's preferred position is that all land uses listed below be located outside of the ML:

- |                        |                             |
|------------------------|-----------------------------|
| • Child care centres   | • Place of worship          |
| • Detention facility   | • Residential care facility |
| • Educational facility | • Retirement facility       |
| • Function facility    | • Service station           |
| • Health care services | • Shop                      |
| • Hospital             | • Shopping centre           |
| • Hotel                | • Theatre                   |

While the issue of sensitive uses would be addressed in the SMS, it is suggested that this Draft Development Control Plan include reference to the ML and restrictions on the location of sensitive uses within it.



## Easement Management

APA is the beneficiary of a pipeline easement in which the subject pipelines are located. The following details on easement restrictions are provided for the Department's general information.

To ensure compliance with the safety requirements of AS2885, APA needs to ensure our easement is managed to an appropriate standard. This includes:

- ensuring the easement is maintained free of inappropriate vegetation and structures (standard agricultural cultivation practices are permitted)
- place warning signs at various mandated points along the pipeline route, including any change in property description/boundaries
- maintain a constant line of sight between warning signs
- undertake physical patrols and inspections of the easement.

APA will not accept outcomes that do not enable us to achieve our safety responsibilities to the surrounding community. APA seeks to limit crossings of the pipeline easement and works within the easement. Any proposed works within the easement must only occur following assessment by APA, and authorisation through our Third Party Works process. This process will ensure all works are undertaken in a safe manner that does not physically affect the pipeline. Works within the easement include landscaping, changes in ground level, road/driveway crossings, and services crossings. APA will not allow roads running along the easement and any road crossings should be perpendicular to the easement and only as necessary to facilitate access.

Any party seeking to undertake works on property containing a pipeline, or are seeking details on the physical location of the pipeline, must contact Dial Before You Dig on 1100 or APA directly at [APAprotection@apa.com.au](mailto:APAprotection@apa.com.au).

APA does not seek to unnecessarily inhibit future development proximate to our assets and is happy to work with Planning Authorities and development proponents to achieve mutually acceptable and compliant outcomes. Any interested parties are strongly encouraged to contact APA early to discuss the process of integrating APA assets into future urban developments. It should be noted that State and local government can access pipeline information via the Australian Pipelines and Gas Association which maintain an online mapping database from which data can be exported as an ESRI Shapefile or Google KML file.

This includes the measurement length for all APA transmission pipelines as well as other pipelines. Registration is available at <https://maps.landpartners.com.au/apd/APGALogin.aspx>.



## 2. Submission specifics

Overall, APA is generally supportive of the *Draft Wilton Growth Area Development Control Plan 2019*. However, it is considered that the Plan would benefit from several amendments in consideration of APA's existing HPGTPs and easement within the Plan area. The following comments are provided for the Department's further consideration.

### 4.1.5 Development Near or on Gas Easements

#### Objectives

- a. To ensure that development on or near **high pressure gas pipeline** easements (**including associated pipeline measurement length**) considers potential impacts on the integrity and safety of the **high pressure gas pipeline**.
- b. To ensure reasonable standards of residential amenity and a high-quality residential environment in the vicinity of **high pressure gas pipeline** easements.
- c. To minimise risks to property and people associated with gas pipelines.

#### Controls

1. The locations of roads in the vicinity of **high pressure gas pipeline** easements are to be consistent with the relevant structure plans and relevant neighbourhood plan, and the arrangement of development, including the subdivision pattern, location of dwellings and vehicular access is to be consistent with Figure 23.

2. Dwellings, **garages and driveways** are to be oriented toward public roads ~~and the gas easement~~. Residential lots which front the road reserve that is adjoining the easement in Low Density Residential areas must have a minimum width of 20m and a minimum depth of 40m.

3. **AS2885 sensitive uses listed below should not be located within the pipeline Measurement Length (greatest applied, 675 metres either side of pipe), wherever possible.**

- |                        |                             |
|------------------------|-----------------------------|
| • Child care centres   | • Place of worship          |
| • Detention facility   | • Residential care facility |
| • Educational facility | • Retirement facility       |
| • Function facility    | • Service station           |
| • Health care services | • Shop                      |
| • Hospital             | • Shopping centre           |
| • Hotel                | • Theatre                   |

Where proposed within the pipeline Measurement Length, AS2885 sensitive uses must be referred to the relevant pipeline operator for comment prior to determination. Refer to Figure 2-7 for further details.

~~3. Dwellings on residential lots located within 76m from the easement boundary are to be oriented toward public roads and the gas easement.~~

~~4. There is to be a 30m no build zone from the easement boundary, which will need to be included in the neighbourhood plan.~~

~~5. Garages and driveways are not to cross or be located within the high pressure gas pipeline easement. Where residential blocks are located within the easement or where Residential lots that front the easement and a public road, vehicle access to these properties is to be from the rear (i.e. the side of the block farthest from the easement).~~



46. Development and use of land within the easement is restricted by the conditions of the easement and applicants should demonstrate compliance with any restrictions imposed by the easement when submitting applications for development.

57. Any improvements, landscaping or works proposed ~~The following development~~ within the high-pressure gas pipeline easement must be referred to the pipeline operator for approval prior to any works being completed, and evidence of the pipeline operator's agreement must be submitted with the DA.:

- ~~Excavation, blasting or other earthworks.~~
- ~~Any improvements or installations (e.g. buildings, fencing or other structures).~~
- ~~Transport or parking of heavy vehicles.~~
- ~~Planting or cultivating trees within 5m of the pipeline.~~

8. ~~Fencing within the easement is not permitted without pre approval from the pipeline operator.~~

69. Consultation with the gas pipeline operator must be undertaken for all Development Applications and applications for Neighbourhood Plans for South East Wilton Precinct (including for subdivision and/or development for low, medium or high density housing, or sensitive land uses (such as schools, childcare centres, seniors living, health care facilities, open space, or town centres and employment uses) located on land within the pipeline's measurement length. Reference should be made to the requirements of AS2885 and the recommendations of the Safety Management Study (SMS) undertaken for the proposed development.

(Note: All proposals for subdivision and development must comply with the Department of Planning, Industry and Environment's Hazardous Industry's Planning Advisory Paper No. 10 'Land Use Safety Planning' (HIPAP 10).

Figure 23 – Example of road cross section

It is understood Figure 23 is intended to illustrate how s4.1.5, Control 1 of the Draft Plan is to be achieved.

In review of Figure 23, APA wishes to bring the following to the Department's attention.

- '24m Jemena Gas Easement' should be amended to be '24.385m high-pressure gas pipeline Easement'. This pipeline easement contains two (2) high-pressure transmission gas pipelines – Moomba to Wilton Natural Gas Pipeline and the Moomba to Sydney Ethane Pipeline owned and operated by APA not Jemena.
- 'No landscaping within 5 metres of the pipeline' should be removed. Any proposed improvements within the high-pressure pipeline easement must be referred to APA for review and approval.
- 'Shared path to be between lot and road' and 'road reserve to move outside of easement' annotations to Figure 23 are supported. It is considered these annotations have been made to better align with the amended subdivision plans (Stage 1) for the South East Wilton Precinct received from Wollondilly Shire Council in January 2019.

Figure 2-6 – Open Space and Recreation Network

APA supports treatment of APA's easement as a 'passive open space' linear corridor. This ensures APA continues to have line of sight along the pipeline easement, and the pipeline is retained in an environment that best facilitates its management and ongoing integrity.

APA can accept limited landscaping on the easement where there is negligible risk to the pipeline's integrity or inhibit the ability for APA to manage and maintain the high-pressure gas pipeline easement. Any landscaping considered as part of this proposal, must be submitted to APA for consideration.



### Figure 2-7 – Gas Infrastructure

While the Figure identifies the 'gas easement', it is not clearly marked as being for two (2) high pressure gas transmission pipeline. Therefore, the level of risk associated with any intrusion into the easement is not adequately communicated to those undertaking site works. The easement should be clearly identified as an easement for two (2) high-pressure gas transmission pipelines on all relevant plans. In addition, the easement should be hatched and notated as '*no works to occur without the prior authorisation of the pipeline operator*'.

For development for "sensitive uses" within the hatched area 'referral to APA' should be annotated as the pipeline Measurement Length (greatest applied, 675 metres either side of pipe).

The list of AS2885 "sensitive uses" should reflect the list provided under the 'Sensitive Uses' section earlier in this submission.

### SMS Review

The Location Classification of the pipeline in this location is T1 (Residential) which is consistent with the proposed development. However, APA wishes to review the previous Safety Management Study (SMS) with Walker Corporation to ensure all SMS recommendations / actions have been completed.

In addition, to ensure proponents are aware of potential SMS requirements for any AS2885 sensitive uses proposed within the pipeline Measurement Length (greatest applied, 675 metres either side of pipe).

### 3. Summary

As a licence holder of HPGTPs APA has significant statutory obligations. This is the key driver for APA in seeking the outcomes outlined in the submission. APA is not opposed to urban development around its pipelines, but seeks to ensure it meets its statutory obligations and contributes towards good urban outcomes.

APA thanks Department of Planning, Industry and Environment for the opportunity to comment on the *Draft Wilton Growth Area Development Control Plan 2019*. APA would welcome the opportunity to discuss the contents of this submission in a meeting with the Department, if required to clarify any issues and advance the Development Control Plan process.

Please contact Ben Setchfield on 07 3223 3385 or email [planningnsw@apa.com.au](mailto:planningnsw@apa.com.au) to further discuss the contents of this correspondence.

Yours faithfully,



Ben Setchfield  
Senior Urban Planner  
Infrastructure Planning and Protection

Att: Part of Wilton Growth Area with APA Pipeline Mapping Aerial Extract







## Name

**First name**

Saul

**Last name**

Deane

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Surry Hills

**Submission file**

[190918-sewilton-dcp-\(3.pdf\)](#)

**Submission**

This submission is being made on behalf of the Total Environment Centre, and is addresses the Koala concerns.

We object to this Schedule 1 - Koala fencing.

**I agree to the above statement**

Yes





P.O. Box K61, Haymarket NSW 1240  
Ph 02 9211 5022 Fx 02 9211 5033  
[www.tec.org.au](http://www.tec.org.au)  
ABN 54 152 721 302

18th September 2019

Dear Minister of Planning and Public Spaces,

**RE: Submission to the Draft Wilton Growth Area Development Control Plan 2019**

TEC agrees with the principles in this DCP relating to Part 5 that outline ‘**Sustainability and Biodiversity Controls**’, they also reflect OEH’s **Conserving Koalas in Wollondilly and Campbelltown LGAs** (2018). However, **Schedule 1** that is attached to this DCP and the SE Wilton masterplan do not in anyway reflect these principles. **Schedule 1 must be rejected and replaced by the fencing and conservation requirements already outlined in OEH’s Conserving Koalas report**, these should be applied across the whole of Wilton. If developers pick and choose which bits to apply you no longer have a whole of landscape strategy.

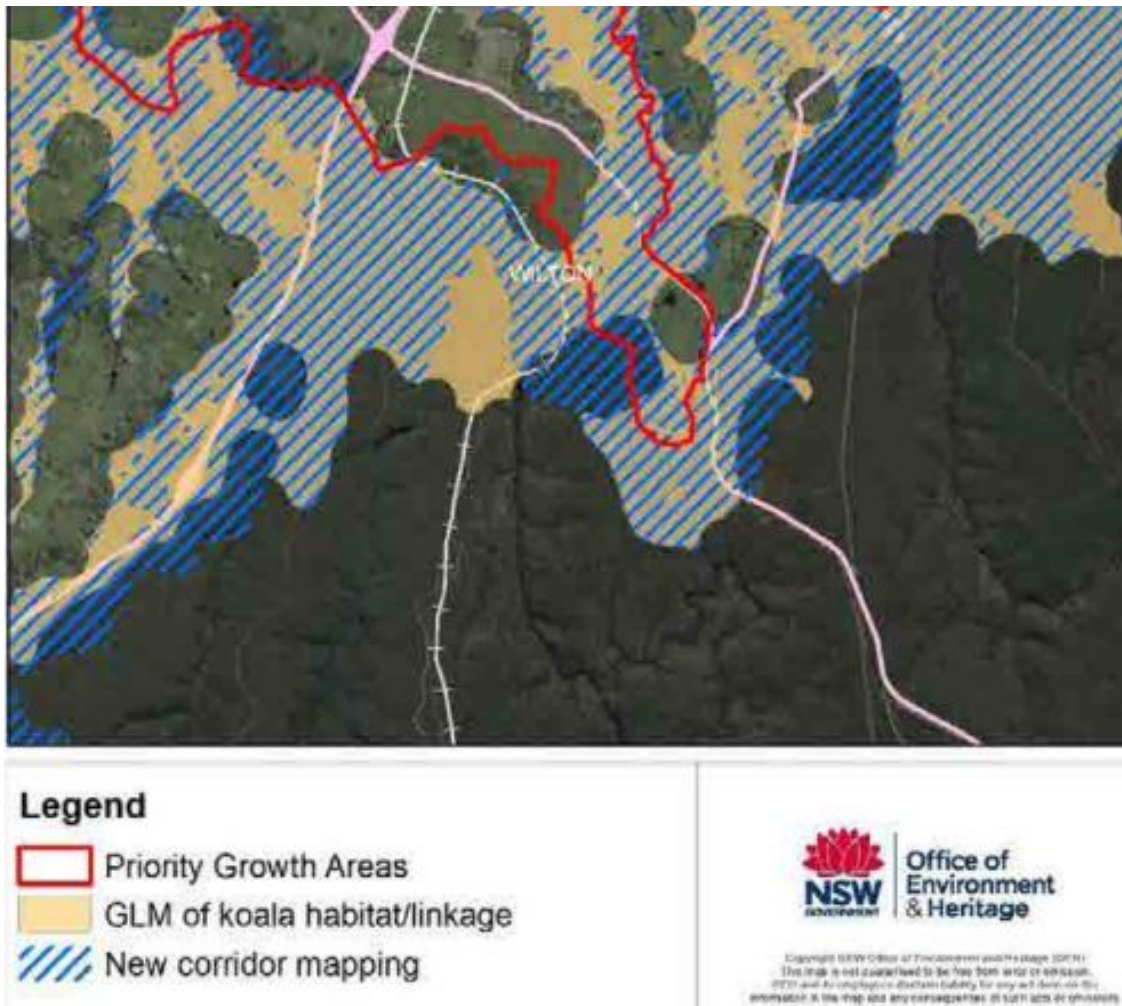
Walker’s **Wilton South East** has not been through any **Biodiversity Certification** process, as developments must do, therefore **there are no offsets or biobanks** being put aside, for the Koala habitat that Walker will exclude Koalas from, or the Allen’s Creek corridor they are dramatically constricting. So it must first be assessed as a stand alone development or under the Cumberland Plain Conservation Plan (CPCP), to have any type of conservation outcomes.

Walker’s masterplan and the DPE’s spot rezoning outlined in Schedule 1 makes a mockery out of all the **Biodiversity Planning Principles** outlined under chapter 5.3.2 of this DCP. It states that the *Precinct Schedule and neighbourhood plan must* (we identify the relevant clauses applicable to Koalas) below:

- 1. Provide buffers to conservation areas including existing and future bushland sites.*
- 3. Be consistent with the Office of Environment and Heritage strategy to protect and rehabilitate preferred koala habitat and migration corridors.*



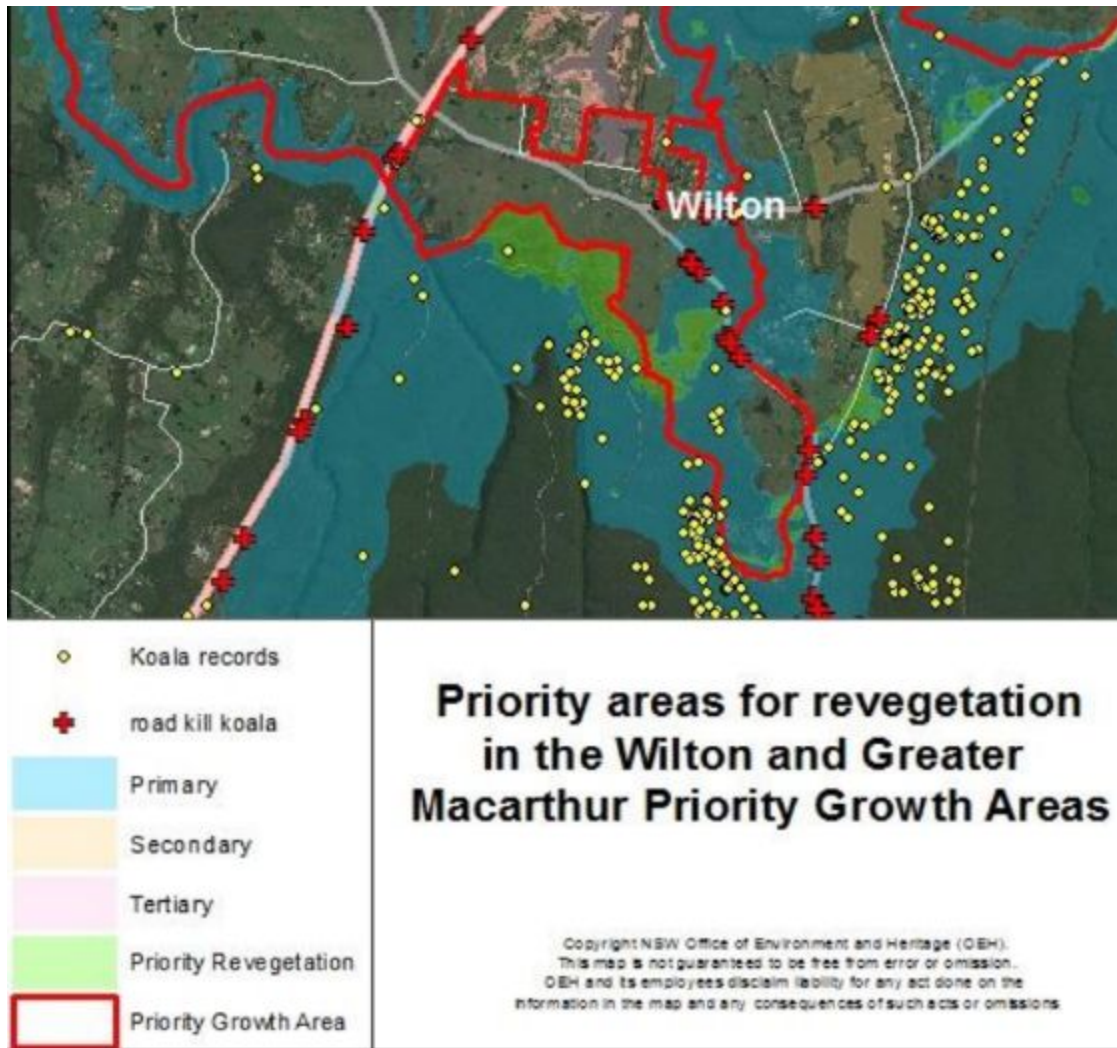
OEH's own **Conserving Koalas in Wollondilly and Campbelltown LGAs** (2018) p18, has identified the Allens creek corridor as such a corridor.



*5. Retain vegetation inside corridors in open space networks. Decision-making should not contribute to habitat fragmentation and where possible, should increase landscape connectivity.*

In OEH's **Conserving Koalas et al** (2018) p27, these conservation areas have been clearly identified.





11. *Protect land with biodiversity value and provide a sensitive urban interface that supports and enhances the significance of corridors and reserves.*

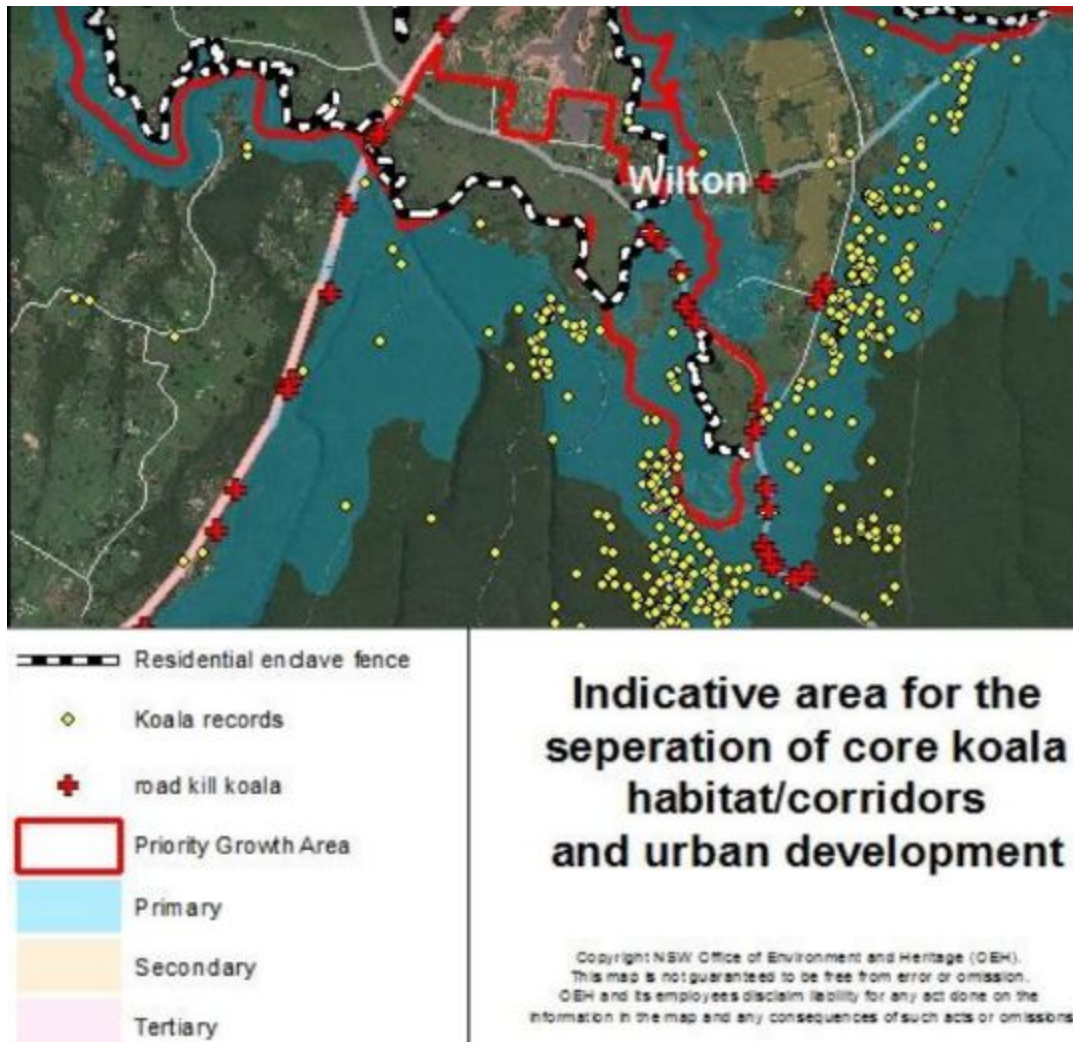
14. *Small patches of habitat should be retained where possible and measures taken to mitigate edge effects, maintain patch diversity and other relevant threats.*

15. *Protect the integrity and continuity of wildlife by ensuring:*

- a. *Sufficient corridors to support koala communities, with a minimum preferred width of 425m for primary corridors*
- b. *Dedicated public land with an appropriate management regime*
- c. *Expansion of corridors is possible if impacted by utility installations or access*
- d. *Protection through the treatment of barriers such as major roads with exclusion fencing.*



OEH's **Conserving Koalas et al** (2018) p25, clearly identifies where this exclusion fencing should go.



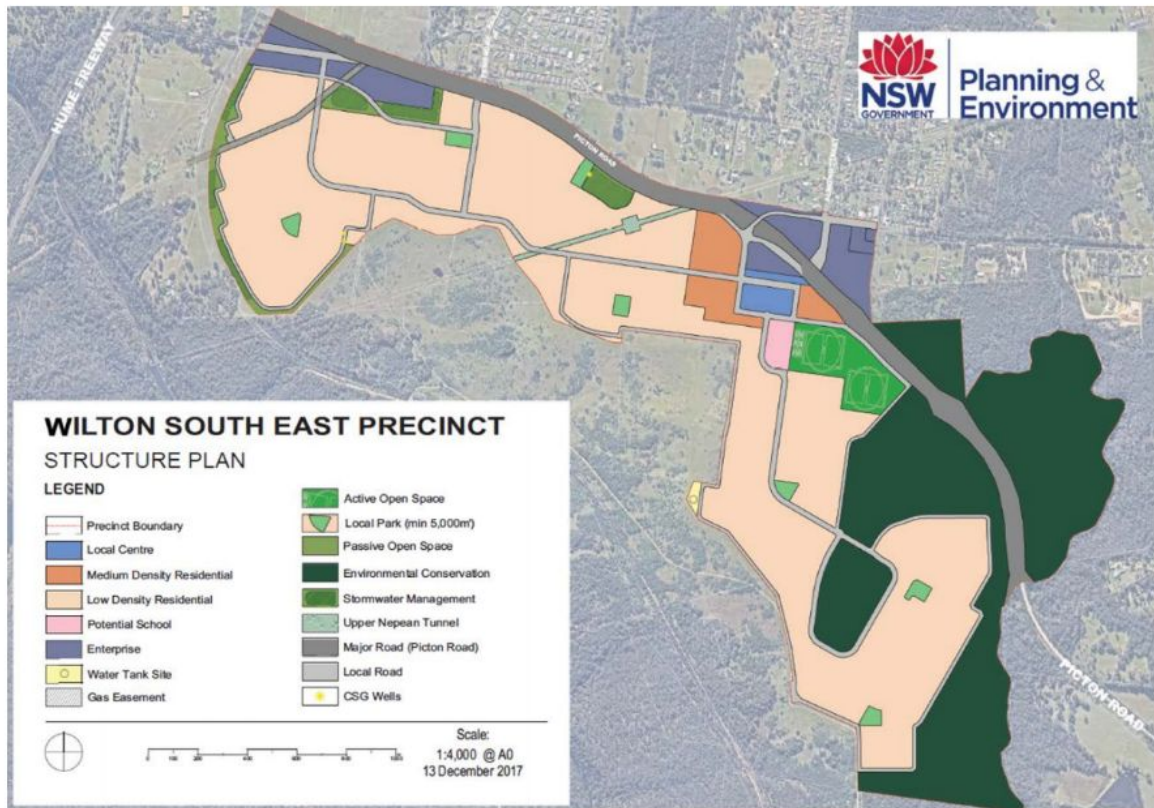
- e. Restrict land uses within secondary wildlife corridors to support wildlife movement.*
- f. Key fauna habitat resources should be retained and where possible enhanced.*

OEH's **Conserving Koalas in Wollondilly and Campbelltown LGAs** reiterates all of these principles, however when they are applied to South East Wilton, in the schedule 1 that is attached to this DCP, those principles are completely missing.

Clause 1 above states *buffers are necessary to the conservation areas including existing and future bushland sites*, Clause 11 also talks of this interface *provide a sensitive urban interface that supports and enhances the significance of corridors and reserves*. however we have a road wrapping around the whole site there is nothing to mitigate the edge effects of conservation areas meeting either stage 1 or stage 5 & 6.



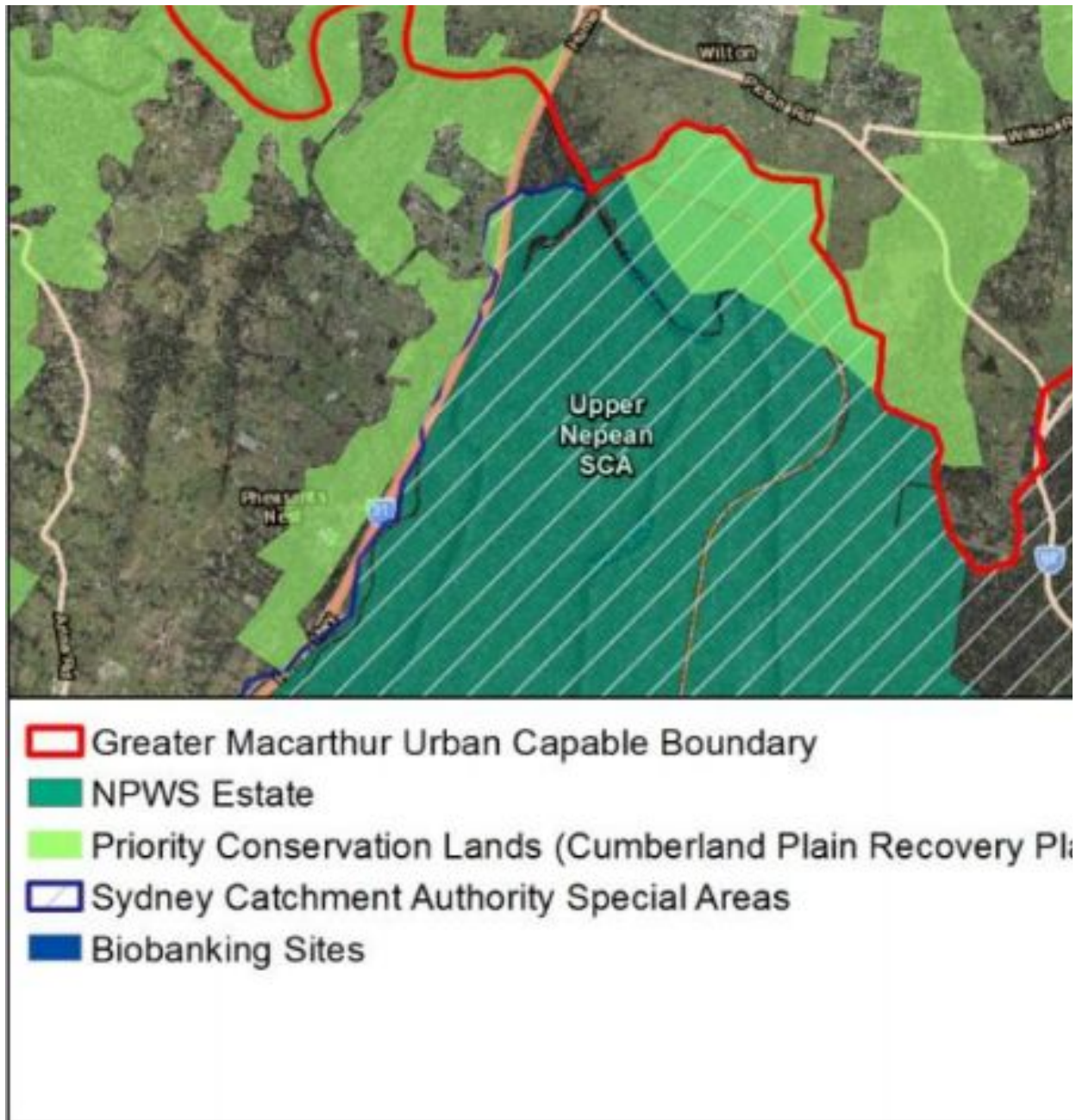
Figure 1-2



South East Wilton Precinct Structure Plan

However the most disturbing thing in this report is how it relates to South East Wilton's so called 'Koala thumb'. The **Baseline Koala Survey for Wollondilly Shire** (April-May 2016) tracked a tagged female Koala 'Xhondo' across this landscape, and the **Greater Macarthur Investigation Area : Biodiversity Assessment Report** (September 2015) prepared for the NSW Department of Planning and Environment by Ecological Australia also identified this 'Koala Thumb' as a Priority Conservation Land under the Cumberland Plain Recovery Plan see the diagram on page 24 shown below.





**Figure 5: Priority Conservation Lands from the Cumberland Plain Recovery Plan and Biobank Sites**

However under figure 3-5 of this Schedule 1, we can see this Koala Thumb in greater detail. And all of the principles of the DCPS and the OEHS have been abandoned.



Figure 3-5



Wilton South East Precinct  
Koala Corridor



Koala Corridor

Clause 14 states that *Small patches of habitat should be retained where possible and measures taken to mitigate edge effects, maintain patch diversity and other relevant threats.* We can see



that in the Koala thumb all the small patches are to be removed, and rather than mitigating edge effects we just get a road, one road in fact cuts right through the bush.

Clause 15 aims to *Protect the integrity and continuity of wildlife by ensuring; a. **Sufficient corridors** to support koala communities, with a minimum preferred **width of 425m for primary corridors***. We can see in the above diagram nowhere on this site is a 425 m corridor protected or added to. Subclauses *b & c* are also ignored but the most egregious disdain for any concern about Koalas must be the complete undermining of sub clause *d. **Protection through the treatment of barriers such as major roads with exclusion fencing***. In the Koala thumb we can see that exclusion fencing is not used to keep them off the road as much as it is to keep them out of land put aside for them !, it cuts across E2 land ! The exclusion fencing then creates a convoluted maze for Koalas to pass through in order to get to a culvert to cross Picton road. This exclusion fencing diagram is of such hideous disregard for Koala usage and survival that if it is to stand the whole of Part 5 of this DCP may as well be torn up, for lack of enforceability. Here is the DCP koala objectives so thoroughly ignored in the schedule 1 -figure 3.5.

#### *DCP 5.3.4.4 Koala Habitat Objectives*

- a. To retain, protect and increase koala populations and their habitats.
- b. To provide for the improved management of retained koala habitat.
- c. To mitigate indirect and ongoing impacts of development on koala populations and their habitats.
- d. To provide appropriate signage regarding threats to Koalas and the use and management of koala habitat adjacent to urban areas.

The fencing plan must follow the **Conserving Koalas in Wollondilly and Campbelltown LGAs** (2018) guideline that **allows Koala movement across the whole of the Koala Thumb area**, including all the E2 areas and the E2 encircled UDZ zoned areas. Look forward to action being taken to secure Koalas survival in Wilton.

Yours Sincerely



Saul Deane  
Urban Sustainability Campaigner



## Name

**First name**

Stephen

**Last name**

McMahon

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Wilton 2571

**Submission file**

[190917-submission.draft .wiltondcp.pdf](#)

**Submission**

Please see attached submission

**I agree to the above statement**

Yes



16 September 2019

Our Ref: 06015: Wilton

The Secretary  
Department of Planning, Industry and Environment  
380 Pitt Street  
SYDNEY NSW, 2000

PO Box 7277 South Sydney Business Hub NSW 2015 t. 0411 486 768 e. [stephen@inspireplanning.com](mailto:stephen@inspireplanning.com) w. [www.inspireplanning.com](http://www.inspireplanning.com)

Dear Sir,

### **Submission by Governor's Hill on Draft Wilton Development Control Plan**

We write on behalf of Governor's Hill regarding the Department's invitation to comment on the Draft Development Control Plan (DCP) for the Wilton New Town Priority Growth Area.

Governor's Hill's is the owner of the parcel of land in Wilton that contains the future Wilton Town Centre. The Centre will be the focus of the employment opportunities and delivery of community, commercial, recreation, leisure, health, education and retail services to meet the needs of both the residents of Wilton New Town and also, to a certain extent, the needs of the existing residents of the Wollondilly Shire's rural towns and villages.

As such, Governor's Hill has a significant interest in the adoption of appropriate and commercially realistic development controls for the Wilton New Town.

We have reviewed the draft DCP and note a number of concerns with the document. We list our concerns, with an explanation, below and we request that the draft DCP be amended to address these concerns.

### **Request 1: The adoption of the Draft DCP be deferred until Biodiversity Certification is conferred on The Wilton New Town Growth Area.**

Clauses 1.4.3 and 1.4.4 note, essentially, that the DCP will operate in tandem with the Cumberland Plain Conservation Management Plan (CPCP). It will require the land subject to the DCP to be biocertified in order for the DCP to operate effectively. The programme for the adoption of the CPCP was originally advised to be July 2018. We understand that it will now go exhibition in early 2020. We suggest that, on the grounds of practicality and workability, the Draft DCP should not be adopted until Bio certification is conferred.



**Request 2: The prohibition of the application of the Exempt and Complying Codes SEPP in the Urban Development Zone be repealed.**

Clause 1.6 advises that the Exempt and Complying Codes SEPP will not operate in the Urban Development Zone. Either we are misunderstanding this clause, or it is an error for we could not contemplate that Government would suggest a return to an era when minor proposals such as TV aeries and cubby houses would require development consent. This situation would incur a significant and costly unnecessarily bureaucratic burden on both Council and the proponents and be a regressive planning outcome.

**Request 3: Replace the requirement for a Neighbourhood Plan with that of a Site Structure Plan or Master Plan development application**

Clause 1.7 requires the preparation of a Neighbourhood Plan prior to lodgement of the development application. This approach has been adopted in the Illawarra and we note three practical issues:

1. The level of detailed included in the plan is inflexible and does not allow for change and innovation over time;
2. The extent of investigation is significant and essentially matches that of a development application, questioning the usefulness of such an approach (and the bureaucratic and finical burden on both Council and the proponent); and
3. The approach is not suited to land with fragmented land ownership as the proponent has no jurisdiction to suggest land uses and infrastructure on land owned by a third party. This also introduces potential probity concerns relating to fairness and influence.

With these recognised concerns we note that Planning Authorities in the Illawarra are seeking to move away from the current approach.

That said, we recognise that the Urban Development Zone does not provide sufficient certainty to either Council, as Planning Authority, or proponent in terms of location of key important land uses or linkages.

With this in mind we suggest two alternative approaches for consideration:

1. A requirement for the preparation of a more detailed "structure plan" that identifies location of key roads (collector status and above), major open space, drainage requirements, residential densities and fine grain land uses and the like. In areas where there is a boundary interface between two major landholdings, or land is held in fragmented ownership, the Council should be the party to prepare that plan (and recoup the costs via its S.7.11 Contributions Plan); and / or
2. A requirement for an initial development application for site areas that exceed a certain size (for example 20 hectares) to be a Concept Development Application pursuant to Section 4.22 of the Environmental Planning and Assessment Act 1979. The use of concept DAs has been guided by significant case law in the Land and Environment Court recently and will provide the level of certainty required by all parties.



**Request 4: Amend Clause 2.7 to remove the ambiguity between its requirements and the ability to remove vegetation that has been offset by the conferral of Biodiversity Certification**

Clause 2.7 seeks the protection of trees in bio certified areas, the removal of which, have already been offset by the conferral of bio certification. The landowner has already provided compensation for the offset by the payment of a Special Infrastructure Contribution that includes a proportion of funding for the delivery of the Cumberland Plain Conservation Management Plan (CPCP).

This is also relevant to our Request No.1 above and reinforces the need for the conferral of Biodiversity Certification prior to the adoption of the DCP to ensure that there is certainty, and no ambiguity, for all stakeholders, Council and landowners.

It is also relevant to our Request No.s 24, 25 and 26 below.

**Request 5: Review Clause 2.7 to test the practicality of a requirement to provide 40% Tree Canopy at Completion and 50% ultimately. Replace it with an Objective based guideline.**

This clause introduces a new and, to the best of our knowledge, untested requirement on new greenfield development. We are not aware of any suburban environment anywhere, either new or established, where this level of tree canopy has been accomplished.

We therefore question the workability and reasonableness of its achievement. While we support the aspirational goal of significantly increasing the density of the tree canopy in new release areas, and can confirm that this is a commitment of Governor's Hill in its vision for the development of the Wilton Town Centre precinct, we are concerned that the target is unrealistic, unachievable and, ultimately unenforceable, particularly where trees are located on private land (refer to our request No. 9 below).

**Request No. 6: Amend Bushfire Hazard Management in Clause 2.8 to be consistent with other Growth Centre Precinct DCPs.**

Clause 2.8 introduces a number of new requirements not found in the existing Growth Centre Precinct DCPs:

- The maximum BAL that will be permitted for residential development will be BAL 29 and for Special Bushfire Protection Purposes BAL 12.5. This not specifically stated in other current Growth Centre DCPs; and
- APZ's may incorporate private residential land, but only within the front setback to the perimeter road (no buildings are to be located within the APZ). This is different to other current Growth Centre DCPs which allow APZs to incorporate land, but only within the building setback (no dwellings are located within the APZ).

The introduction of these additional clauses is unnecessary as the objective of achievement of an appropriate level of bushfire management can be achieved by other measures. Furthermore, no evidence is provided to suggest that development adjoining bushfire risk areas in Wilton should be treated any differently to similar development elsewhere in New South Wales.



**Request No.7: Remove setback requirements in Clause 2.11 for certain land uses from road and rail corridors to permit development to take place in accordance with LUIIP and common practice.**

Clause 2.11 introduces requirements that impose significant setbacks from road and rail corridors for certain uses without mechanical ventilation except employment uses. No evidence is provided to justify the need for such requirements and comprehensive studies of schools along major road corridors such as Parramatta Road have found such concerns to be unfounded.

On the contrary, current Government policy seeks to encourage the concentration of mixed land uses including residential close to major roads and rail corridors without the need for mechanical ventilation.

Furthermore, there is no evidence that rail activity on the Maldon Dumbarton Railway Line will become a significant generator of dust. Previous business cases for the development of the railway line have confirmed that, for example, coal freight will not be a user of the railway line and this conclusion is given more weight with the anticipated decline of the coal industry in this part of Sydney.

This is a particular concern for the Wilton Town Centre Precinct, which is bound by the Maldon Dumbarton Rail corridor and Hume Highway. The imposition of this requirement would fetter the LUIIP and draft Structure Plan for the precinct (presented in [Attachment 1](#)) that supports the location of non-employment uses close to the corridor.

**Request No. 8: Remove the requirement in Clause 3.2 for Maximum Dwelling Caps and Density Bands (and similarly remove Dwelling Caps from the Growth Centre SEPP).**

While we acknowledge that maximum dwelling caps are given weight by inclusion in the Growth Centre SEPP they are implemented by the maximum Residential Density bands in the DCP.

For the Wilton Town Centre the imposition of a maximum dwelling cap and maximum density bands is particularly problematic.

Town Centres undergo a number of eras (or 'evolutions') of development. They generally commence at low scale and comparatively low density and progress to high density and more intense use. Infrastructure is naturally augmented to meet the increased demand. There is nothing unusual in this characteristic and it has been taking place in urban centres for hundreds of years.

The imposition of an artificial dwelling cap on an urban area based on a perceived concerns of impact on road and other infrastructure capacity is short-sighted and fails to recognise that urban areas constantly growth and evolve. There is no town centre in the world that has been subject to a cap on its growth and where it has it has not stopped growth.

Importantly for the Wilton Town Centre this approach will ultimately fetter its evolution, depriving Wilton and broader Wollondilly residents of the benefits and improvements to quality of life by a constantly evolving, maturing and growing town centre that responds to new technology and urban demands as well as meeting their growing and evolving needs.



**Request No. 9: Remove the Requirement in Clause 3.1.2 for variable Street block widths**

While we recognise the intent of this requirement, it has been proven in practice that housing diversity is better achieved by master planning different lot sizes within a super block (for example at the ends of super blocks). Imposing a requirement for varied width of super block introduces inefficiencies and wasted land in a subdivision as the larger sized lots that result only serve to create underutilised land and an increased lot cost. It does not, in itself, promote housing diversity.

**Request No. 10: Remove the Requirement in Clause 3.1.2 for 40% tree canopy of 8 metre height at completion of development.**

**Request No. 11: Remove the requirement in Clause 3.1.2 for 50% of the landscaped area for each lot to be provided with a tree canopy.**

**Request No. 12: Identify strategies for practical and achievable increased tree planting in the public domain.**

Similar to our comments in Request No. 5 above, we recognise the aspirational nature of these controls and support their intent. However, requirements of this nature can be impractical and unenforceable. For example:

- Council standards, driven by maintenance and public liability requirements significantly fetter tree planting in road verges of street blocks;
- The location of utilities and footpaths can limit tree planting in road verges and private lots; and
- The presence of retaining walls, the pursuit of small lots (both by Government policy and to meet affordability constraints), the provision of swimming pools and other backyard activities that are rightly undertaken by property owners undermine the accomplishment of this requirement. Neither a developer nor Government will be in a position to enforce the retention of any tree planting on private property.

Governor's Hill has researched this issue in terms of its vision for the Town Centre Precinct and has concluded that the most practical approach to increase tree canopy coverage is to increase the density of planting in public domain areas, where the ability to retain trees is stronger. This is not unrealistic given that anywhere between 30 and 40 percent of urban land is publicly owned, or in the public domain (i.e. publicly accessible). This includes drainage basins, road reserves, parks and community spaces (including education and other facilities). A more realistic approach that has better potential to deliver greater density of tree canopy would be to focus development controls on these matters.

**Request 13: Remove the requirement in Clause 3.1.2 that in areas with a minimum residential density of  $\leq 25dw/Ha$ , no more than 40% of the total residential lots proposed in a street block may have a frontage of less than 10m wide.**

This control only applies to areas with a minimum residential density of  $\leq 20dw/Ha$  under other current Growth Centre Precinct DCPs. Its application to higher densities will prove problematic for the delivery of small lot (terrace) housing and other "missing middle" housing forms in higher density areas.



Not only is the achievement of this dwelling outcome a stated goal of Government, it is particularly relevant to the Town Centre Precinct where Governor's Hill intends, as part of its vision, to implement the Government's Housing Diversity strategy to enable the provision of higher densities around the town centre. This will, in turn, maximise the amenity, quality of life and convenience that it can offer households as well as promote broader "healthy living" objectives.

**Request 14: Amend the requirement in Clause 3.1.3 that limits the use of battle axe lots to two dwelling by increasing it to four dwellings.**

This requirement is not provided in other Growth Centre Precinct DCPs. While we recognise the intent of this requirement, it has been proven in practice, and we can point the Department to examples, that illustrate that generally the maximum number of dwellings that can comfortably and practically be serviced by a shared driveway (i.e. via battle axe handle lot configurations) is four.

**Request 15: Amend the requirements in Clause 3.2 that require BEPs and dwelling designs on lots less than 225 sqm.**

While we appreciate that this requirement is common to Growth Centre DCPs, this requirement was introduced in the first Growth Centre Precinct DCPs in 2006. Since that time the small lot housing market has grown, evolved and learnt. By experience the industry can now prove that the products it delivers do not need to be so heavily regulated as in the past (conversely we can also point to early examples of small lot housing that were developed in accordance with the proposed requirement in the Wilton DCP that resulted in poor built outcomes).

Ultimately today, this requirement is unnecessary and merely serves to increase the bureaucratic burden and cost at the subdivision development application stage for all parties (Council as well as applicant) and, due to its inflexible character, stifles innovation in design and evolution of the final built product.

**Request 16: Amend the requirement in Clause 3.3 (6) to promote renewable resources during construction**

We assume that this is an error for obvious reasons.

**Request 17: Remove the requirement in Clause 3.4.2 that limits secondary dwellings or strata studios to no more than 25%.**

This restriction serves no purpose except appeasing personal aesthetic choice. However the limitation significantly and unnecessarily restricts the achievement of other important objectives including housing diversity, choice and affordability as well as erode CPTED (casual surveillance through environmental design) and laneway activation.

**Request 18: Remove the requirement in Clause 3.4.4 that requires 88b restriction to lots with frontage to a sub arterial road.**

This restriction serves no purpose in a contemporary master planned development subject to a neighbourhood plan, and ultimately development consent with integrated approval from the RMS; and is unnecessary.



**Request 19: Amend the requirements in Clause 4.1.2 that limit the extent of bulk earthworks and impose new requirements on retaining walls to match the controls in other Growth Centre Precinct DCPs as they do not reflect the practical requirements of land development.**

The requirements in this clause (many of which are not found in other Growth Centre Precinct DCPs or propose stricter limitations) would collectively fetter development or introduce significant construction and housing affordability implications.

Contemporary subdivision construction often (driven by natural landform character) requires significant cut and fill that may exceed 500 mm to meet stringent road and stormwater gradient requirements. This coupled with the push for higher densities via smaller lots requires maximum final gradients in the order of 4% and less for narrow terrace type lots.

Furthermore, controls that require retaining walls to be located away from shared (common) boundaries would require an increase in the size of the burdened lot. In reality this would not achieve any practical benefit for any party as there would still exist a 'burdened' and a 'benefitted' lot wherever the wall is located. It would also reduce the functionality of the burdened lot (which would now be required to incorporate a split level and be increased in size (with a resulting cost and affordability implication)).

**Request 20: Remove the unnecessary requirement in Clause 4.1.5 for an additional 30 metre setback from a gas easement boundary unless evidence can be provided to confirm that, due to hazard, the easement is not 'fit for purpose.'**

This restriction serves no purpose except to question the role of an easement. Conventionally a utility easement serves to protect the interests of the utility. On face value this clause implies that the easement has a greater role in protecting adjoining uses from a hazard from the presence of the utility infrastructure. The hazard is so great that the current easement cannot achieve this.

We are not aware that there is any scientific research that can provide evidence to question the usefulness or not of utility easements and if there is, it should be subject to a wider discussion than in the confines of the Wilton DCP. Without this evidence the DCP should not be proposing such restrictions.

**Request No. 21: Remove the Requirement in Clause 4.1.6 requiring the planting of trees on lots and identify strategies for practical and achievable increased tree planting in public domain areas**

Residential lots are privately owned land and while we appreciate the intent of this clause it relies on the inclination and co-operation of the property owner to maintain the trees after planting by the developer or builder. It also relies on the practical ability to fit such trees within dwelling setback areas, which will be naturally constrained in a small, narrow lot.

In many instances the support of a private property owner may not be forthcoming. This places Council (we assume) as the enforcer of tree planting into the future. As we note in request No's 5, 10, 11 and 12 above, a more reliable and effective approach would be to adopt strategies for comprehensive street planting by the developer in public domain areas a part of subdivision construction.



**Request No. 22: Remove Requirements in Clauses 4.3.4 and 4.3.5 that are inconsistent with SEPP 65.**

These clauses introduce controls, such as site coverage, that seek to constrain the operation of State Environmental Planning Policy (SEPP) 65 'Design Quality of Residential Apartment Development'. The DCP is subservient to the SEPP. These controls serve no purpose, are unnecessary and should be removed.

**Request No. 23: Review the practicality of the implementation of some 'Smart Places' initiatives in Clause 5.2.**

**Request No. 24: Include Smart City / Place planning principles in supporting planning documents.**

We appreciate and support the adoption of smart city (place) initiatives and it is an objective of Governor's Hill to establish the Wilton Town centre as a leader in the adoption of Smart City infrastructure. However we question whether the DCP is the place to promote such infrastructure.

Ultimately these initiatives should be explored in Council's Community Facility and public domain plans as they have significant implications for S.7.11 Contributions Plans and long term maintenance burdens for Council. It is also questionable that IPART would support such an initiative.

We suggest that these initiatives be removed from the DCP and located in broader Council Policy plans.

**Request No. 25: Review the need to include biodiversity planning principles in Clause 5.2 of the DCP.**

**Request No. 26: Review the need to include Wilton Green Plan principles in Appendices D, H and I of the DCP.**

**Request No. 27: Given the DCP area will be bio certified, include Green Plan and biodiversity planning principles in supporting planning documents.**

We recognise that the adoption of the Green Plan underwrites much of the land use planning in Western Sydney (and we support its principles). However, given the goal of creating a succinct user friendly development control plan and the expectation that the Wilton new Town Growth Area will be biodiversity certified during the life of the operation of the DCP, we question whether including this level of information is necessary.

Furthermore the principles contained in these parts contain additional controls, that if interpreted literally would expand vegetation protection into areas that are already agreed to be offset and that the offset of which has been adequately compensated for. This creates ambiguity in the operation of the DCP (refer to our comments in Request No. 4 above).

We suggest that these initiatives be removed from the DCP and located in broader Council Policy plans.



Request No. 28: Amend the road network map (Figure 3.1) in Clause 3.2 in the North Wilton Precinct Schedule to improve connectivity to the town centre and enhance access to the town centre for Wilton North residents as shown in Figure 1 below.

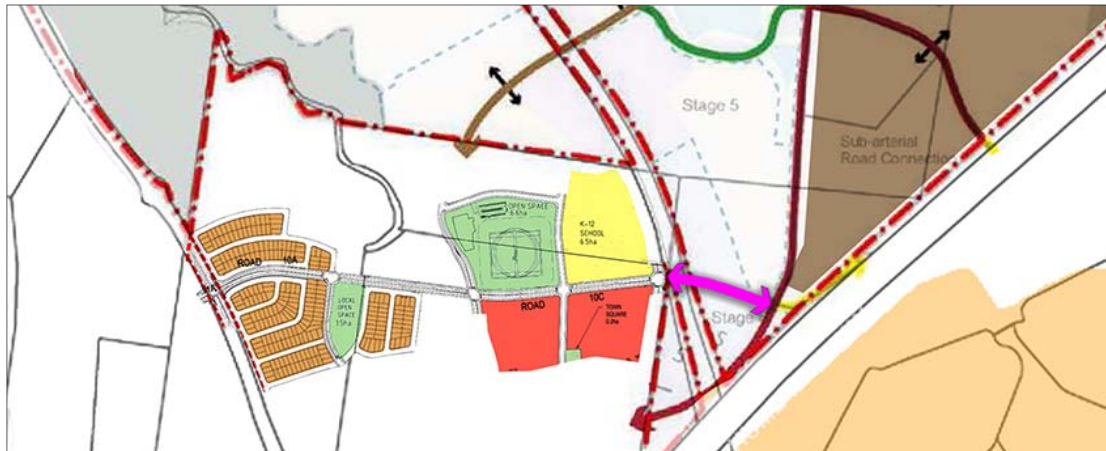


Figure 1: Requested Amendment to DCP North Wilton Schedule Figure 3.1 to remove Stage 1 Staging “road gap” and improve long term connectivity to town centre

The road network map (figure 3.1) when correlated with the Wilton North Staging Plan (Figure 2.1) and the staging by Governor's Hill of the Town Centre Precinct illustrates a significant concern regarding connectivity to the town centre.

There is no direct between the northern part town centre (school and recreation facilities) and the Wilton North Precinct, Bingara Gorge and the Hume Highway, particularly in the early stages of the development of both precincts. (refer Staging Plan and road network plan in Attachment 2 and Figure 1 above).

There are three implications of the rad network as currently proposed:

1. The location of the proposed new (southbound) Hume Highway Off-ramp provides an indirect circuitous route to the town centre and the broader collector road network from the Hume Highway. (It effectively by-passes the north of the town centre in favour of the commercial activity around the Lakeside Hub in the Wilton North Precinct);
2. The circuitous route introduces an unattractive and inefficient route for pedestrian and cycle use discouraging residents from adopting this form of movement; and
3. In the longer term the intersection that comprises the southern entry into the town centre will become subject to significant congestion and its performance will fail, hindering access to the town centre from the south east, south and Hume Highway. Governor's Hill has commissioned consultants to model the performance of this intersection. The study can be provided on request.

These concerns suggest the need to provide a short collector road link that directly connects stage 1 of the Town Centre Precinct with Stage 1 of the Wilton North Precinct and Hume Highway intersection (refer to Plan in Figure 1). Relevantly we note that:

- This link is supported by investigation by consultants Urbis for DPIE in its “*Wilton Strategic Road Network Urban Design Assessment*” June 2018; and
- Investigations by consultants for Governor’s Hill have confirmed that there are no urban design, civil or environmental constraints to including this short road link and it can be accommodated in the Wilton North Structure Plan with minimal impact. These studies can be provided on request.



Request No. 29: Include the requirement in the Wilton Town Centre Precinct in Appendix D for development to *"Support the early delivery of a mix of uses to gain a foothold in the market and momentum to reach maturity"* in the other Precinct Schedules "Wilton North" and "Wilton South East."

Request No. 30: Amend Clause 3.5 in the North Wilton Precinct Schedule to prohibit the provision of a 2,500 sqm supermarket in the Lakeside Activity Hub as it is inconsistent with the adopted LUIP and to enable the Wilton Town Centre retail activities to become established.

By virtue of the role of the town centre, its viability, particularly in the early phases of its development, needs to be supported and safe guarded from neighbouring land use precincts that may offer competing sites that could accommodate town centre activities.

It is vital that the early commencement of the centre is not threatened by the development of any competing "out of centre" uses that would be most appropriately located within the town centre in the early stages of the development of the New Town.

We are comforted that this is recognised in the Draft DCP. However, notwithstanding the best intentions of the planning process, controls need to be strong and a commitment made to their enforcement to ensure that the early establishment and role of the centre is nurtured and protected.

We note that the Wilton North Precinct Schedule provides for a 2,500 sqm supermarket in its Lakeside Hub. The Lakeside hub is located less than 1.0 kilometre from the town centre. There is no timing proposed on when it could be delivered.

Furthermore, and most importantly, it is inconsistent with the Department's adopted LUIP and we are puzzled how this significant anomaly could appear in the draft DCP.

The adopted LUIP provides for a supermarket in the northern centre of the Wilton North Precinct and this is appropriate as the close proximity of the Lakeside Hub to the town centre makes it unnecessary to provide a supermarket in the Lakeside Hub. Furthermore, the risk of any supermarket in this location to delay the early establishment of the centre is high.

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In conclusion, we welcome and support the exhibition of the Draft Wilton DCP by Government. It is an important milestone in the delivery of the New Town. We have made a number of requests for amendments to the DCP and, given their large number and the relative significance of some of them, we request an opportunity meet with DPIE planning staff to present our comments.

If you have any queries please contact me.

Yours sincerely

**INSPIRE URBAN DESIGN & PLANNING PTY LTD**



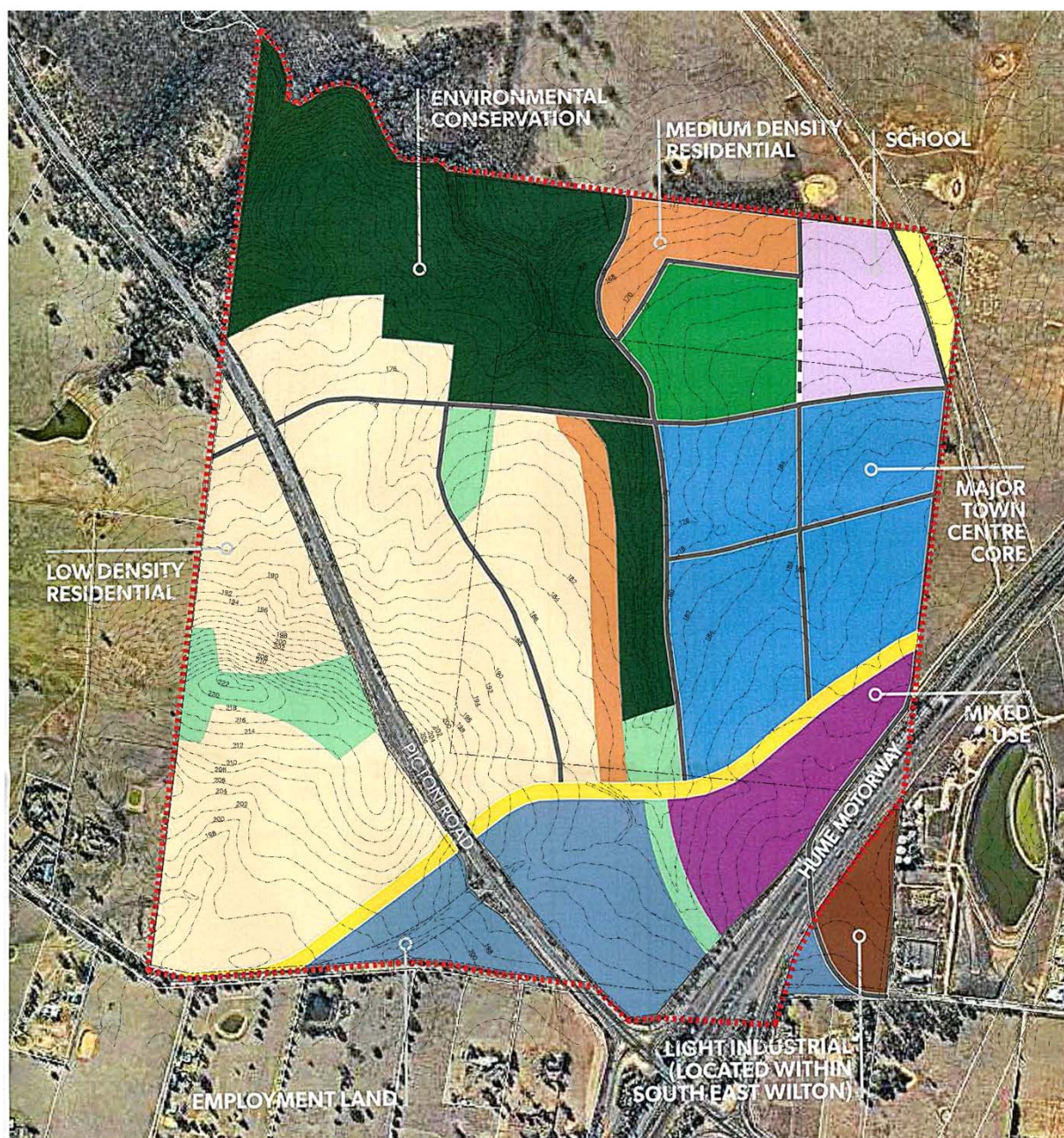
Stephen McMahon  
Director



# ATTACHMENT 1

## DRAFT STRUCTURE PLAN FOR

### WILTON TOWN CENTRE PRECINCT



**Wilton Town Centre Precinct Structure Plan** 13 February 2019

|                                      | Maximum building height |
|--------------------------------------|-------------------------|
| Wilton Town Centre Precinct Boundary |                         |
| Low Density Residential              | 9.5m                    |
| Medium Density Residential           | 18m                     |
| Employment Land                      | 18m                     |
| Mixed Use                            | 24m                     |
| School                               | 18m                     |
| Major Town Centre                    | 30m                     |
| Shareway                             |                         |
| Local Road                           |                         |
| Sub Arterial Road                    |                         |
| Local Open Space                     |                         |
| Playing Fields                       |                         |
| Environmental Conservation           |                         |
| Light Industrial                     |                         |
| Maldon-Dombarton                     |                         |
| Freight Rail Corridor                |                         |

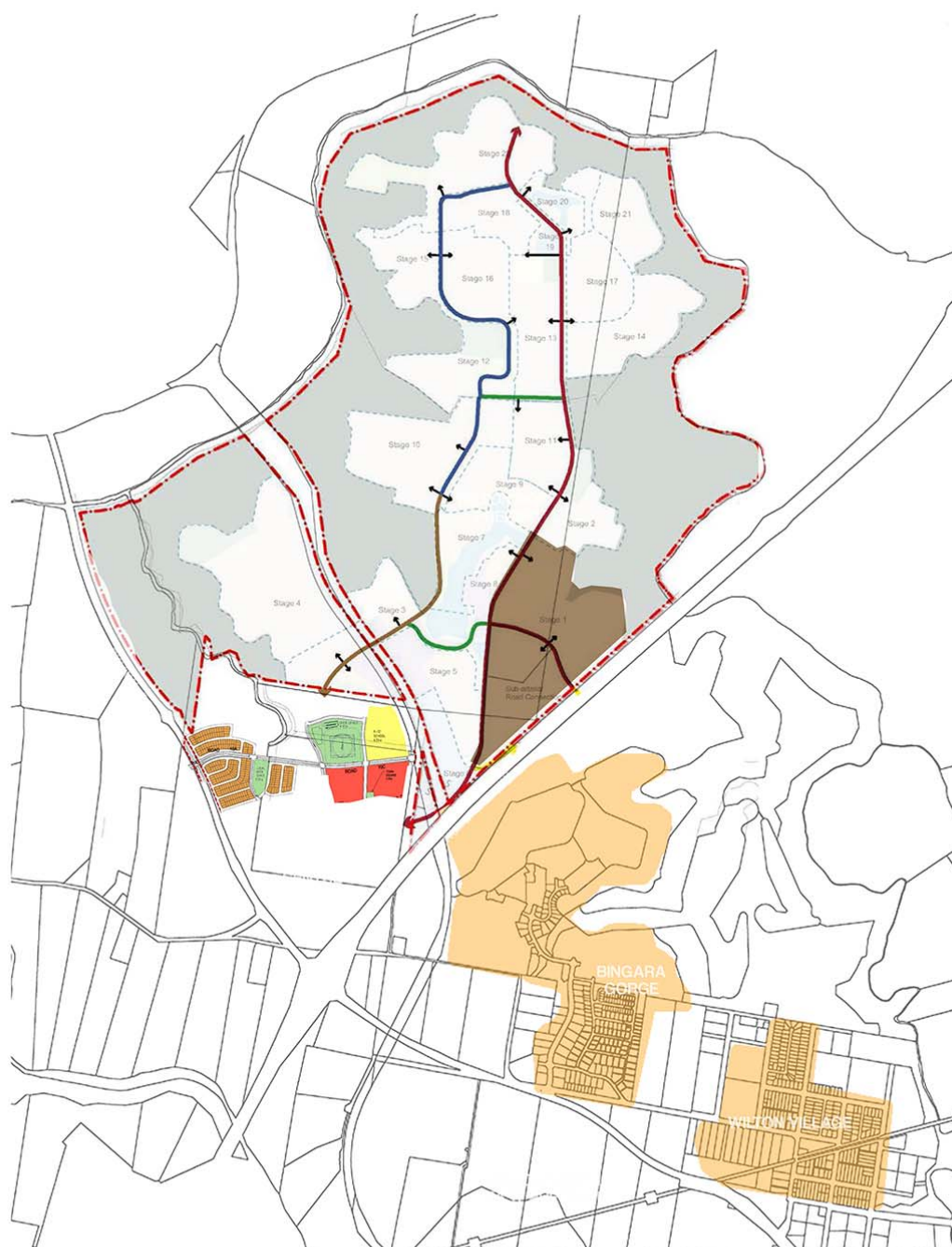


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# ATTACHMENT 2

## PLAN ILLUSTRATING POOR CONNECTIVITY BETWEEN TOWN CENTRE, WILTON NORTH AND HUME HIGHWAY AND ROAD GAP IN EARLY STAGES





## Name

**First name**

David

**Last name**

Bare

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Macquarie Park

**Submission file**

[hia-submission---draft-wilton-growth-area-dcp-2019.pdf](#)

**Submission**

Please find attached a submission from the Housing Industry Association on the Draft Wilton Growth Area Development Control Plan 2019.

**I agree to the above statement**

Yes





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18 September 2019

Director, Land Release  
Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Director, Land Release

### **HIA Submission - Draft Wilton Growth Area Development Control Plan 2019**

The Housing Industry Association (HIA) welcomes the opportunity to comment on the Draft Wilton Growth Area Development Control Plan 2019 (draft DCP). HIA has reviewed the draft DCP and met with Brett Whitworth, Acting Deputy Secretary, Planning + Design, and Eleanor Robertson, Acting Director Western to present our serious concerns about Clause 1.6 of the draft DCP relating to *Exempt and Complying Development*. This meeting was held on Thursday 29 August 2019, at the Department of Planning, Industry and Environment's (DPIE) Pitt Street offices.

HIA is a membership based organisation representing individuals and groups involved in residential building across Australia. HIA exists to service the 60,000 members it represents by lobbying for the best possible business environment and encouraging a responsible and quality driven industry that supplies affordable housing options for new homebuyers. The residential building industry is one of Australia's most dynamic, innovative and efficient service industries and is a key driver of the Australian economy.

Following a review of the draft DCP, HIA was alarmed to read the statement (Clause 1.6, page 12) that the State Environmental Planning Policy (Exempt and Complying Codes) 2008 (Codes SEPP) will not apply to the Wilton Growth Area (the growth area). The statement reads as follows:

*The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, does not apply to land within the Urban Development Zone.*

In response to this, HIA submits a failure to allow exempt and complying development within the growth area will result in longer timeframes for housing approvals as well as increasing the cost of the approvals process for the industry.



This position is itself supported by DPIE with the statement made on its website, as follows:

*Complying development is a combined planning and construction approval for straightforward development that can be determined through a fast-tracked assessment by a council or private certifier...Approvals under the fast-track complying development pathway can be issued in as little as 20 days. Homeowners can save up to \$15,000 when building a house under complying development...*

It is HIA's opinion that not allowing the use of the Codes SEPP within the growth area, conflicts with the intent of the NSW Planning Scheme to make provision for complying development, and also with the strategic planning framework for the growth area.

In regard to the strategic planning framework, the former Department of Planning and Environment's (DPE) *Wilton 2040 Plan* clearly states (refer page 30) that:

*The provision of housing in the Wilton Growth Area will be supported by two new housing codes developed by the NSW Government: the Greenfield Housing Code and the Low Rise Medium Density Housing Code.*

HIA is fully supportive of the reasons given by DPE in *Wilton 2040* for using the Greenfield Housing Code and the Low Rise Medium Density Housing Code in the growth area.

The reasons given by DPE are provided below:

*The new Greenfield Housing Code (GHC) will speed up the delivery of new homes in greenfield areas (new release areas such as the Wilton Growth Area) across NSW to meet the needs of the NSW Government's growing population and improve housing affordability. The GHC will allow one to two storey homes, alterations and additions to be carried out under the fast track complying development approval pathway, saving homeowner time and money.*

*The GHC also requires a tree to be planted in the front and rear yard of each new home approved under complying development. The landscaping requirements in the GHC ensure new release areas are leafier and more sustainable.*

*The Low Rise Medium Density Housing Code will allow one and two storey dual occupancies, manor houses and terraces to be carried out under a fast track complying development approval. This code will provide more housing choice to meet different housing needs and improve housing affordability. It forms part of the NSW Government's commitment to facilitate faster housing approvals and deliver a diverse range of housing options to support NSW's changing demographics.*

Therefore, for the reasons outlined, HIA submits that Clause 1.6 Exempt and Complying Development (on page 12) of the draft DCP **should be deleted** as clearly is not aligned with the intent of the NSW Government to provide a choice of approval pathways within new release areas, including the Wilton Growth Area.

Land has been rezoned for development in the South East Wilton Precinct Plan and North Wilton Precinct Plan under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth centres SEPP).



The land use zones under the two Precinct Plans are:

- UD Urban Development
- SP2 Infrastructure
- E2 Environmental Conservation

Residential development is permitted with consent in the UD Urban Development Zone.

HIA has always understood that DPIE will amend the Codes SEPP to allow complying development in the UD Zone, under both the Greenfield Housing Code (GHC) and the Low Rise Medium Density Housing Code (LRMDHC). This is consistent with advice given by the Acting Deputy Secretary, Planning + Design, at our meeting on 29 August 2019.

HIA therefore submits that the required changes to the GHC and LRMDHC should be expedited, as follows:

- Clause 3C.2 (3) (a) Lot requirements of the GHC amended to include Zone UD
- Clause 3B.1 (3) (a) Lot requirements of the LRMDHC amended to include Zone UD

In addition to the matters discussed above, HIA members have also raised some very specific comments about individual controls in the draft DCP. In particular, members are concerned that a number of the controls in the draft DCP are more restrictive than the controls in the NSW Housing Code or GHC. For example, some of the setback and the cut & fill controls are more restrictive in the draft DCP than in the Codes. This is contrary to what HIA and its members would expect from a DCP, and therefore HIA would be interested to learn if there is an underlying town planning reason for this.

If you require any further information about any of the matters raised in this submission, please contact either Brad Armitage, Assistant Director – Building & Planning  
[REDACTED] or Cathy Towers, Planning Adviser  
[REDACTED]

I would also be pleased to meet with you to discuss HIA's comments.

Yours sincerely  
HOUSING INDUSTRY ASSOCIATION LIMITED



David Bare  
Executive Director - NSW



## Name

**First name**

Bron

**Last name**

King

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

2560

**Submission**

Objection to this Wilton Growth Development!

Where is the water coming from & where is the storm water & sewerage going to?

Our Emergency Departments and hospital are bursting at the seams with ridiculous waiting times.

How about we sort out existing major problems and issues first before we develop?

**I agree to the above statement**

Yes



## Name

**First name**

Gerry

**Last name**

Beasley

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Sydney 2000

**Submission file**

[walker-corporation-submission-to-wilton-draft-dcp.pdf](#)

**Submission**

See downloaded submission.

**I agree to the above statement**

Yes





18 September 2019

Jim Betts  
Secretary  
Department Planning, Infrastructure and Environment  
GPO Box 39  
Sydney NSW 2001

## DRAFT WILTON GROWTH AREA DEVELOPMENT CONTROL PLAN 2019 SUBMISSION

Walker welcomes the opportunity to provide a submission to the Department Planning Infrastructure and Environment (**DPiE**) on the exhibition of the Draft Wilton Growth Area Development Control Plan 2019 (**Wilton DCP**).

Due to our background in development, our recommended changes to the draft DCP will focus on delivering better outcomes within the South East Wilton Precinct (**SEWP**) consistent with the objectives in the DCP.

### The Neighbourhood Plan (Section 1.7)

The requirement for a Neighbourhood Plan is a significant addition to the Wilton draft DCP. The DCP identifies the Neighbourhood Plan approval process as well as considerations for the content of a Neighbourhood Plan.

The intent of the Neighbourhood Plan is to allow issues to be considered on a neighbourhood scale and coordinate relevant matters to achieve a sustainable and consistent development outcome.

However, the proposed content of a Neighbourhood Plan indicates that the information required would duplicate the information to be provided at DA stage or previously provided as part of the Precinct Planning, structure planning and rezoning process and subsequent Precinct Schedule of the Wilton DCP.

Therefore without a mechanism in place to recognise work already undertaken the Neighbourhood Plan process will lead to unnecessary delays to the planning and assessment process which will slow the delivery of homes, jobs and infrastructure needed by the existing community.

### RECOMMENDED CHANGES

1. The DCP should acknowledge the work already undertaken in the SEWP including the preparation of detailed Neighbourhood Plans with the Stage 1 development application, which have subsequently been assessed by Council;
2. The DCP should state that if Council refuses to progress the Neighbourhood Plan within the 60 day timeframe, Council must assess and determine a DA that has been lodged as if a Neighbourhood Plan was not required; and



3. The DCP should state that the Neighbourhood Plan must only address matters not included previously in either the Precinct Structure Plan or the Precinct Schedule of the Wilton DCP

#### Relationship between Plans (Section 2.4)

Control 3 of *Section 2.4.1 Relationship between a Neighbourhood Plan and the Relevant Structure Plans* requires that a variation proposed in the Neighbourhood Plan that would constitute an inconsistency with the relevant Structure Plan will require an amendment to the Growth Centres SEPP.

If amendments to the Growth Centres SEPP are required, even for minor or necessary variations that are justifiable, this would require further consideration in relation to any future design changes being considered, particularly in relation to the road network and land use configuration identified in the SEWP Structure Plan.

#### RECOMMENDED CHANGE

1. DPIE to consider inclusion of parameters that identify the trigger that would require the amendment to the Structure Plan in the Growth Centres SEPP. In this regard, it is recommended that the trigger should only be for inconsistencies that would have a material impact on the delivery of the Precinct vision.

#### Native Vegetation and Ecology (Section 2.7)

Section 2.7 of the draft DCP controls the retention of vegetation.

Control 1 requires that where practical, existing vegetation in urban capable land should be retained, in road reserves, open space or lots. This places additional design constraints that may lead to poor urban and connectivity outcomes.

Control 5 requires 40% tree canopy cover, as well as demonstrating the potential to achieve 50% coverage over landscaped areas within 15 years of completion of the development.

This provision may be inconsistent with CPTED principles such as unobstructed street lighting and may raise inconsistencies with bushfire hazard management.

Overall there is a concern that the focus on retaining and or introducing significant tree planting ignores the reality that residents are often not supportive of trees particularly in smaller lots but even where there is sufficient land. Tree canopy policies need to be sustainable so they need to be based on community support. This in our experience is not currently the case. A compromise position would be that the canopy rules applies only to public domain areas leaving owners to voluntarily decide whether to plant substantial trees on their land.

#### RECOMMENDED CHANGE

1. The DCP should be clear on whether this policy takes precedence over other policies and it should clarify whether the canopy cover rule applies only to the street reserve and local parks or whether it also includes residential land. The Department is strongly advised to not impose conditions that mandate tree planting on residential lots without first ensuring this planting will be nurtured and developed by future owners.



## Noise Controls (Section 2.10)

Section 2.10 of the Wilton DCP introduces minimum requirements for uses affected by noise emitting sources, such as roads and the Maldon Dombarton Rail Corridor (MDRC).

Control 2 specifically requires sensitive land uses including residences, to have attenuation if they are within 100m of the MDRC.

This control conflicts with the SEWP Schedule, which identifies the need for a noise report for dwellings within 80m of the rail line and only if the MDRC is operational. This provision is based upon an assessment of potential noise impact by an acoustic consultant.

### RECOMMENDED CHANGE

1. Amend Control 2 within Section 2.10 to add the statement "*unless otherwise directed in the Precinct Schedule*".

## Air Quality Setbacks (Section 2.11)

Section 2.11 of the Wilton DCP establishes setbacks for certain types of development from source of poor air quality, particularly roads and the MDRC. This section of the DCP is new to the Growth Area DCPs and has not been applied in the North and South West Growth Areas. Control 1 requires residential dwellings to be setback 100m from MDRC, with at least 10m of that area to be densely vegetated.

This control will have a significant impact on the western boundary of the SEWP, rendering a substantial portion of the area undevelopable without any factual basis for the control.

The MDRC is not a rail line and even if it were to be built for this purpose there is no reason to believe it would impact on air quality to require a 100 m setback for all development.

It is noted the mapping provided in the Precinct schedule depicts a vegetation buffer along the corridor of minimum width 20 metres and dwellings are set back from the envisaged centrally located track by between 50 – 70 metres.

### RECOMMENDED CHANGE

1. Control 1 within section 2.11 be amended to clarify that it does not apply where it is inconsistent with the designs adopted within the SEWP Schedule.

## General Subdivision and Building Design Controls (Section 3)

Control 4 requires subdivision plans to show locations of existing and proposed substations, kiosks, sewer manholes and vents that affect corner lots. This is far too early in the process and should be required at CC stage.

### RECOMMENDED CHANGE

1. Control 4 be amended to make it clear that the level of detail proposed is required for the Construction stage of the planning process rather than the DA stage.



This section of the DCP deals with the erection of dwellings within a lot.

### Section 4.1.2 Cut and Fill

Control 2 limits cut and fill to 500mm from the present surface level of the property. Given that this control is within a part of the DCP that deals with the development of residential dwellings on a lot, it is assumed that this control refers to post civil works. However, this should be clarified.

#### RECOMMENDED CHANGE

1. Clarify section 4.1.2 to make clear that the control does not apply to site grading undertaken as part of subdivision works.

### Section 4.1.5 Development near Gas Easements

Section 4.1.5 provides specific controls relating to development that is adjacent to gas easements. These controls would have had an impact on the design of the SEW Precinct. As a result a Safety Management Study (SMS) was undertaken with APA and has been reflected within the plans proposed in Schedule 1 of the DCP and the SEWP Neighbourhood Plan. Accordingly, controls no. 2, 3 and 4 do not apply to the SEWP.

#### RECOMMENDED CHANGE

1. Delete controls 2, 3 and 4 for the SEWP.

### 4.2.4 Setbacks

The proposed single storey setback at 4 metres should be 3 metres and not be more restrictive than the NSW Housing Code or Greenfield Housing Code.

Section 4.2.4 (6) & (7) requires an easement ensuring overhangs and other intrusions from the benefited lot to not impede maintenance on the burdened property. This should be clarified to ensure that facia and gutters for a single storey and facia, gutters and eaves for a two storey are allowed to intrude.

#### RECOMMENDED CHANGES

1. Amend Section 4.2.4 to be 3 metres.
2. Amend Sections 4.2.4 (6) & (7) to clarify that facia and gutters for a single storey and facia, gutters and eaves for a two storey are allowed to intrude.

### Section 4.2.6 Landscaped Area

Control's 5 and 6 require the planting of at least one (1) tree in rear and front yards. For rear yards, the tree is to have a mature height of 8m, while the tree in the front yard is to have a mature height of 5m. For corner lots, a tree must be planted on both primary and secondary frontages. It is assumed that this control would apply to small lots as well as larger lots.

#### RECOMMENDED CHANGE

1. DPIE to clarify the application of the control, particularly whether it includes small lots.



Section 5 of the draft DCP discusses the retention and protection of existing native vegetation. The DCP calls up Appendix I, which imposes setbacks and other controls, designed to protect native vegetation.

At the outset, it is suggested that Appendix I is not applicable to land which has been zoned for Urban Development including land within the SEWP.

The reason why Appendix I is not applicable is that it is superseded by various policies, assessment processes and offset schemes as follows.

Firstly, DPIE is preparing a conservation plan for Western Sydney, which will balance the needs of people and biodiversity in Western Sydney including Wilton. The Plan will be funded by Special Infrastructure Contributions (SIC) and will build on the existing Growth Centres Biodiversity Offset Program. The effect of the plan will be to identify and conserve consolidated areas of native vegetation and habitat as offsets for the impacts imposed by development in Wilton and other development areas in Western Sydney. While the fine-grained controls in Appendix I are relevant to the rezoning process once rezoning has occurred the small remaining impacts are offset through the Western Sydney Conservation Plan funded under the SIC.

Secondly, a draft SIC has been created for Wilton and has been placed on exhibition. The draft SIC identifies a contribution of approximately \$4,000 / lot for Biodiversity Conservation. Once adopted this contribution will be paid to government to offset native vegetation and habitat that needs to be removed to allow development within the Urban Development Zone. If Appendix I is retained the government will be "*double dipping*" - collecting funds for offsetting native vegetation while prohibiting the removal of native vegetation planned to be offset under the SIC funding arrangement.

Finally, the rezoning and Precinct Planning process for the SEWP considered a substantial body of work in relation to ecology and biodiversity.

The result of this work was the subsequent zoning of the SEWP, with a clear delineation between urban land (i.e. the Urban Development zoned land) and recognised bushland conservation (i.e. the E2 Environmental Conservation zone).

The SEWP Structure Plan, draft DCP Precinct Schedule and Wilton 2040 reinforces the land use configuration based on important site constraints including riparian land and native vegetation.

For example, proposed Bushfire Asset Protection Zones and perimeter roads in the Precinct Schedule (refer Figure 2-4) have been located outside the boundaries of the E2 land as required in the draft DCP.

In addition to the reasons why the use of Appendix I is not appropriate there are also concerns about the lack of clarity within the Appendix itself as follows:

1. There needs to be an explanation as to how ecological setbacks apply to over-cleared NSW Landscapes - the subject lands lie within such a landscape; therefore, application of the setback is unclear.
2. Regarding threatened species and significant species, ecological setbacks are the same for all species (30m). No distinction is made between sedentary or highly mobile threatened species. No consideration is given to territory size or home ranges of individual species.
3. The definition of a 'significant species' is not presented within the DCP.
4. The definition of a 'Species Polygon' is not included in the DCP. This may relate to the Biodiversity Assessment Method or 'BAM' (OEH 2017).



5. The DCP provides no information regarding how setbacks apply to historical streams (such as those mapped within cleared areas that do not contain riparian or aquatic vegetation).
6. The DCP contains no definition for a 'very large tree'.
7. The setback for raptor nests is 250m. The DCP provides no explanation as to whether this setback applies to all raptor species or only threatened raptor species.

It is submitted that biodiversity impacts within the proposed urban development zone have been exhaustively addressed through the rezoning process, the Structure Plan, the Precinct Schedule maps and the potential offset scheme envisaged under the SIC.

As a result, a further assessment round as outlined in Appendix I of the draft DCP is not justified on ecological grounds and is contrary to the public policy intentions of the Western Sydney conservation Plan and the envisaged SIC.

#### RECOMMENDED CHANGES

1. The DCP to include a control which clearly states Appendix I does not apply to the assessment of DA's within the SEWP where development is consistent with the Precinct Structure Plan and the Precinct Schedule.

### Water cycle management (Section 5)

Control 8 requires rainwater tanks to be installed.

Sydney Water is likely to confirm a third pipe reticulation system will be implemented to supply recycled water to all households within Wilton. The primary driver for the third pipe reticulation system is to reduce the nutrient discharge to the receiving environment in order to meet the stringent EPA regulatory requirements.

Mandating rainwater tanks would compromise the effectiveness of this wastewater strategy as the homeowner would be less reliant on the recycled water and as such, more recycled water would be forced to discharge directly to the receiving environment.

We believe it would be more appropriate for the DCP to actually prohibit the implementation of rainwater tanks at all locations where a recycled water reticulation system is available.

#### RECOMMENDED CHANGE

1. Control 8 be deleted or alternatively amended to not apply where recycled water is available.

### State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The Wilton Priority Growth Area must be included within the Exempt and Complying Development State Environmental Planning Policy to allow home buyers to apply the same standards that are applied in other areas of Sydney.

#### RECOMMENDED CHANGE

1. Amend Part 3 Clause 3.1(3) (a) of the Housing Code to include *Zone 1 Urban Development*.



## Conclusion

In concluding we would again like to thank the Department for the opportunity to make this submission and we trust the matters raised will be considered carefully because if they are adopted they will improve the ability of developers and future home owners to better deliver the vision behind the Wilton New Town project.

Please do not hesitate to call Nicole Topple on [REDACTED] if you have any questions.

Yours faithfully



Nicole Topple  
Senior Planner  
Walker Corporation Pty Limited  
Walker Group Holdings Pty Limited



## Name

First name

[REDACTED]

Last name

[REDACTED]

Name withheld

Yes

## Info

Email

[REDACTED]

Suburb/Town & Postcode

Wollongong nsw 2500

Submission

See attached

I agree to the above statement

Yes



## **Draft Wilton Grove area DCP 2019 submission**

Given the extensive documents and shortage of time, a few concerns are as follows:

### **1. Railway**

The DCP page 8 shows the Maldon-Dombarton Freight Rail Corridor traversing the area, which is good.

But it is expected in the not-too-distant future it will also become a passenger line to provide an essential linkage between the major Badgerys Creek airport development areas and the Wollongong area

Therefore it is requested that:

- a) Allowances be made for the M-D line to become a passenger line in future
- b) A station be provided on the main existing rail line at the intersection of the M-D line
- c) A station be provided on the M-D line at the Wilton Town Centre

### **2. Roads and Cycleways**

Roads in residential areas are planned for 50kph, whereas max 40kph is safer

It is requested that:

- a) Roads in residential areas be planned for maximum 40kph
- b) Adequate vehicle-free and Shared 10kph zones be provided within town centres to ensure pedestrian safety and amenity

Road verges are shown only 3.5m wide except for collector roads 4.5m. Over many years this has proven to be too narrow to properly accommodate services, pedestrian paths & plantings

- c) All verges to be minimum 4.5m wide

There is mention of movement networks, but priority seems to be given to vehicles rather than also suitable cycling networks.

For example road cross sections do not seem to make provision for cyclists

The North Wilton Precinct seems to show cycle routes along a sub-arterial road, but no provision shown within the cross sections

The South East Wilton area seems to show mainly shared paths 2.5m wide (not 3m) which have proven elsewhere to exacerbate conflicts between cyclists and pedestrians and compromise safety for both

- d) Shared paths be minimum 3m wide
- e) Safe cycling networks and facilities be provided, preferably off-road

### **3. Overall**

Sadly the DCP and documents seem to demonstrate a lost opportunity. They replicate and compound past and recent mistakes in development of greenfield sites. Lots of fine words, but a massive fail for liveability, community and quality of life.

DCP purpose including the following have not been met, ie:

- *Promote high quality urban design outcomes within the context of environmental, social and economic sustainability*
- *Promote a network of green spaces, natural systems and semi-natural systems*
- *Support the health and wellbeing of local residents and workers*

Thankyou for the opportunity to make a submission



## Name

**First name**

Susan

**Last name**

Gay

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Appin

**Submission file**

[submission-of-objection-wilton.docx](#)

**Submission**

Submission of objection to DCP Wilton.

**I agree to the above statement**

Yes



## SUBMISSION OF OBJECTION

We have the 3 basic necessities in life to survive.

**AIR.** We breath it, the south west is the hub for all of Sydney's air pollution, it travels down from the Sydney Basin, & arrives in the South West, this fact has been recognised, in many reports. Yet in the Greater Sydney commission report, it is not addressed to its full extent, & in fact ignored. We have 3 active coal mines 2 in Appin, and 1 at Douglas Park. Westcliffe mine, whilst it is no longer producing coal, it is a coal washery facility, with huge man mountains of coal wash. The particle matter from this blows all over the catchment & the town of Appin, these mountains are visible from some 20 kilometres away. We have 1 facility for coal seam gas, tucked away, within a very close proximity to Campbelltown, close to those & dotted throughout the areas of Menangle & Camden, we have many coal seam gas wells, we have fracking of both the Georges & Nepean Rivers, with active Methane Gas still bubbling from the earth. Dotted throughout the catchment are many Methane gas air outlets. We also have many ventilations air shafts. In Appin the blue smoke that comes from the coal gas turbines is visible of a night time. We have active earth quakes documented, in these areas, & yes related to coal mining. Why the air pollution was was monitors removed in this area.

**WATER.** We need it to survive. Throughout this area we have 5 catchment dams, which supply drinking water to Sydney. Cataract, Cordeaux, Avon, Nepean & Warragamba. Appin has one of the largest filtration plants in the Southern Hampshire, we have the upper canal, gravity fed all the way from Appin to prospect resivor, and it is still in operation for over a century, and it & the catchment area were constructed with a vision & foresight. Yet twice now I have heard the South West commissioner state, the Upper canal would make a nice Bicycle track running along its length, with nice green areas, I was very surprised by this as the upper Canal is patrolled by security guards since the threat of the terrorism came to this country. Long wall mining is responsible for damage to the canal. We have the Nepean & Georges River, both starting in the area of Appin. Yet both rivers have cracked river bed because of mining, the Nepean River has warnings, at Menangle Bridge for people not to swim there anymore because it's too polluted. Why has the cataract river dried up? The very fact that the drinking water for Sydney, starts on Sydney South West



sends alarm bells. The coal washery facility & development in & around Appin is already having an impact on both of these 2 river systems. Two questions I ask myself, why was the Sydney catchment authority disbanded. Why was the pollution monitors for a vast stretch of the Nepean River removed.

**FOOD.** Without it we will die. The area of the Macarthur is known for its rich agriculture farm land, since the Cowpastures were recognised for this during colonisation, the area is steeped in farming History. Most of the Cowpastures were rich & yielded high food production that was until Developers arrive in the area. Already 2 major properties have been earmarked by developers those been Morrisons Dairy & Mt. Gilead. Morrison's dairy used to produce vast amounts of milk within close to the Sydney food bowl that has now ceased as Developers own it all. Mt. Gilead has over 1000 head of prime beef cattle, and yet again another Developer has this property earmarked for mass urbanisation. The vast area of prime agriculture land between Campbelltown & Wilton is owned by multinational Developers, except for maybe 1 or 2 very small pockets still owned by the private sector. Many studies have been done, with damning evidence that unless protect and renew what little agricultural land is left close to Sydney's food bowl, we will face catastrophic disaster. This huge track of land has huge potential to help sustain Sydney's food bowl, and within very close proximity to already established urban areas. May I suggest that a visit to the small Isle of Tasmania, it will enlighten people that with the help of the Government it is sustainable and done with huge PRIDE, one of the things that is slowly been eroded on mainland Australia.

IN CLOSING I WILL ASK, PLEASE CONSIDER WHAT LEGACY WE WILL BE LEAVING FOR OUR CHILDREN, GRANDCHILDREN AND FUTURE GENERATIONS. IS BIG AUSTRALIA GOING TO WORK? THE ANSWER IS NO

Kind regards Sue & John Gay Help Save Appin Inc.



## Name

**First name**

Last name

██████████

**Name withheld**

Yes

## Info

## Email

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Suburb/Town &amp; Postcode

Wollongong 2500

## Submission

It seems inevitable that before too long the main rail line south of Sydney towards Melbourne will need to be re-aligned to avoid the slow, circuitous, dangerous route through Picton and enable fast rail freight.

This may require a corridor through the Wilton development area.

Please ensure reservation of this occurs, rather than continue the carnage on the Hume highway, which is a national disgrace

**I agree to the above statement**

Yes



## Name

**First name**

Michael

**Last name**

File

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Wilton

**Submission file**

[wilton-dcp-submission-180919.pdf](#)

**Submission**

See Attached

**I agree to the above statement**

Yes



18 September 2019

Ms Catherine Van Laeren  
Executive Director, West Region  
Department of Planning, Industry and Environment  
GPO Box 39,  
Sydney NSW 2001.

**Submission on Draft Wilton Growth Area DCP**

Dear Catherine,

Thank you for the opportunity to make a submission on the Draft Wilton Growth Area DCP. I write on behalf on Billbergia who have had a planning proposal lodged for land at 40,70 and 102 Hornby Street, Wilton with Wollodilly Council since mid 2018.

From a review of the Draft DCP it is unclear to what extent the proposed controls are to apply to the planning proposal area, the site is shown in the DCP as "in planning" and the controls are located in the Wollondilly LEP rather than the Urban Development Zone in the Growth Centres SEPP. The land however is clearly shown as urban capable in the Wilton 2040 Plan.

While the proposed planning processes in the DCP may seem appropriate for new major greenfield precincts we **object** to them applying to a planning proposal already lodged for more than a year.

We have recently had discussions with both Wollondilly Council and DPIE regarding the planning for the area, both parties seem to hold the other responsible for the planning for the area.

We acknowledge the challenges faced in the development of such a significant new area and the need for an orderly approach to the development of the Growth area. We are however concerned that we have had a planning proposal in since mid 2018 and the process for progression of the proposal still remains unclear.

We do however note the following key facts;

- A significant parcel of land has been advanced to the south east of our proposal and to the south of Picton Road. It seems that a further major release in the North is now proposed. We understand that the proposal in the SE is at development application stage with Council and is now awaiting a determination. This land is substantially less well served by infrastructure than the land nearer the existing Wilton Town centre.
- Our site sits to the north of Picton Road and while it is envisaged for residential development under the Wilton 2040 plan, it is not included in the Urban Development Zone and its current zoning resides in the Wollodilly LEP, a review of the draft DCP fails to clarify the planning process proposed for this land, it appears to be shown as "in planning".



- Picton Road represent a significant Barrier and land to the north relates more closely to the Bingara Gorge/Wilton Plaza local centre and there are only 3 main infill sites left to complete this local area. Our site in particular is surrounded by land zoned R2 General Residential on both its east and west sides.

Our recent advice is that the State government is committed to more strategic planning for this area being done at the local government level. They have also mentioned that they are happy to assist in a facilitating role as required.

We are very much of the view that the appropriate sequencing for this area would be to immediately look at completing land use planning for the substantially more mature area to the North of Picton Road in close proximity to the existing local centre. This area is well serviced by retail amenity, schools and open space and delivery of this area does not present the significant new challenges faced by other areas in the growth area.

We are of the view that DPIE and Council should form a policy position of completing the planning for the land north of Picton Road before/or concurrent with embarking on any new rezoning of substantially more greenfield sites to the South or North. Billbergia have embarked on detailed investigations as to the facilitating infrastructure required to support this precinct and are committed to working with Council and DPIE in the delivery of this area. We will also consult with relevant state agencies to determine any further infrastructure needs or constraints on the land.

The lodged planning proposal applies Wollondilly LEP controls entirely consistent with those which apply in the adjoining Bingara George development including the following:

- the R2 Low Density Residential Density zone (rather than RE1 General Residential zone),
- a minimum lot size of 250sqm, and
- a maximum height of buildings of 9m.

The concept plan also contains:

- a mix of lot sizes, including small affordable lots down to 250sqm
- a dwelling density of 18.5 dwellings per hectare consistent with the stated range of 15-25 in the Wilton 2040 plan, and
- consolidated areas of open space, including within the green corridor along the heritage water pipeline.

The proposal is entirely consistent with Wilton 2040 and aligns with key local government policy including the Wollondilly Growth Management Strategy and Create Wollondilly 2033.

Further, my client is committed to negotiating a planning agreement with Council to deliver the required estate works and dedication and embellishment of open space. They are open to discussion regarding any other infrastructure provision Council deems necessary to service the proposal.

As mentioned above we remain committed to working with Council on the delivery of the remaining land in this precinct and would like to suggest an ongoing working arrangement with Council and DPIE along with an agreed time-line. This could be in the form of an ongoing working group or periodic meetings as required.



In order to facilitate the progression of this area we feel there is a key role for DPIE to guide the planning for this area and would welcome your assistance in convening a meeting of parties.

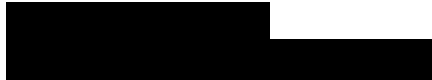
Please do not hesitate to contact me should you wish to discuss any aspect of the above. We will be in touch shortly to ascertain your availability for a meeting.

Regards,

A handwritten signature in dark ink, appearing to read "Michael File", is centered within a light gray rectangular box.

Michael File

**Director**





## Name

First name

████

Last name

██████

Name withheld

Yes

## Info

Email

████████████████████

Suburb/Town & Postcode

2000

Submission file

[dcp-wilton-submission\\_redacted.pdf](#)

Submission

See attached

I agree to the above statement

Yes



DCP WILTON

SUBMISSION

[REDACTED]

[REDACTED]

To [REDACTED] Catherine Van Laeren

**DCP submission**

Please find enclosed my submission. I'm afraid it has been an exhausting effort with limited hours to complete. I would like to review and provide more comment, but it is way too difficult to do so with limited time. (I haven't had time to proof read it – so expect some typos).

In summary,

- there are some critical errors and omissions with this DCP.
- It is poorly laid out and not user friendly
- there are some prescriptive measures where the evidence for such measures are not clear to me, and yet they tend to conveniently satisfy what the WSE DA
- the extent of intensification of density outcomes in the low density areas is social undesirable. The flexible urban development zone can provide the developer with options to distribute this intensification closer to core amenities.
- Much more is needed in respect to Water availability from dams, proper integrated urban water management, and protection of Koalas and significant vegetation.
- Chapter 5 Sustainability and Biodiversity – only contains text book objectives and is incomplete. It contains no performance measures or examples of acceptable solutions. Without these matters being rectified, the DCP is unsuitable for the purposes of development assessment.

Ideally the next revision of the DCP should undergo further community consultation.

[REDACTED]

[REDACTED]

[REDACTED]



I believe there are so many in



## Part 1

### Setting the context

| Section1 – DCP framework  |  | Reason  |
|---|--|---|
| 1.2   | Revise, what is presented is a narrow set of design objectives.  | Reduced confusion for reader  |
| 1.2c “as envisaged by Wilton 2040”  | Note, the Act & Regs state that stage 1,2 and 3 are as envisaged by the LUIPP August 2017 and structure plan December 2017. Check the legislation R275A  | Correct statements  |
| Schedules   | The structure plan map in the schedule is the wrong structure plan (as above)  | Correct the map.  |
| Appendix D – Precinct planning principles                                     | For WSE stage 1,2 and 3 the precinct planning principles are found in the LUIPP chapter 7, not Wilton 2040. –check the Act/Regs  | Correct statements  |
| 1.4.3 biodiversity conservation Act does not apply to Wilton                  | Check Biodiversity Conservation (Savings and Transitional) Regulation 2017. Wilton appears to fall under the requirements of the TSA Act   | Correct statements  |
| 1.4.4 clarification on how all stages of Wilton will achieve biocertification | To-date no biocertification has been undertaken. Biocertification for Wilton North and South falls under the TSA Act under transition arrangements   | Correct statements  |
| 1.4.4. Biocertification   | Add development consent should not be granted until biocertification and biobanking arrangements are approved.   | E2 land in Wilton South East has bypassed biocertification and bio-banking. As a consequence of this, the proposed development does not provide any biodiversity offsets.   |
| 1.4.5 Summary of applicable planning documents                                | List Threatened Species Act as it applies to Wilton South and North.   | Provide clarity   |
| Other   | Make it easy for the developer by listing the LUIPP vision and planning principles and the Wilton 2040 vision and planning principles  | Important information is contained within the DCP   |
| 1.7 Neighbourhood Plan Approval process<br>- Step 6<br>-pg 14 comments        | Revise step 6, to only apply “if the council endorsement of a neighbourhood plan has not occurred with 60 days “<br>Subsequently, revise paragraph on page 14 to reflect the above intent. Noting also, if the Council does not endorse an amendment to the DCP for a neighbourhood plan, the developer should not be able to double dip and tie | Opportunity for developers to avoid steps 1-5, makes a mockery of steps 1-5. It is procedurally unfair to have a second chance of approving a neighbourhood plan (in the case of council not endorsing a consulted neighbourhood plan). There should be limited |



|   |   |   |
|---|---|---|
|   | up planning assessment resources at the DA stage.   | circumstances where step 6 can apply.<br>Wilton South East stage 1, is currently having its neighbourhood plan assessed against the draft DCP and the DA. It is a nightmare!  |
| 1.7 Neighbourhood Plan approval process | <b>Add:</b> - Application for DA assessment shall not be assessed until all neighbourhoods of an enclosed precinct (i.e precinct has a solid edge on 3 sides, permitting entry from only one side. i.e not inter-connected to an existing development) have been approved.<br><b>Add:</b> A medium grain neighbourhood plan for the entire precinct is required to demonstrate the how the precinct vision will be achieved, including distribution of lot yield and density. | When a DA proceeds before the whole integrated picture of the precinct development is finalised, there are risks and uncertainties in respect to: <ul style="list-style-type: none"> <li>- Road network alignments</li> <li>- Development viability</li> <li>- Social and economic outcomes.</li> <li>- Newly identified environmental constraints in later neighbourhoods jeopardising the arrangement of land use functions.</li> </ul> |
| 1.8 DA process                          | <b>Delete</b> “ a development application may be submitted with a draft neighbourhood plan and assessed concurrently.   | As above  |
| UDZ                                     | <b>IMPROVE</b> information about the purpose and intention of the UDZ . The intent of the UDZ (as described by DPE exhibited documents) is that it gives some flexibility to incorporate new constraints not previously identified at the DA stage.   | People are unclear on what it means. Some seem to think it means the developer can do what he wants   |

| Section 2 Precinct Planning outcomes   |  | Reasons  |
|--|--|--|
| 2.1 Precinct planning outcomes         | As above Wilton 2040 and LUIIP both apply  | As above   |
| 2.1 Precinct planning outcomes -para 2 | Delete “the expression of strategic intent contained in the Precinct Planning Principles supports the application of the Urban Development Zone” | Not clear on how the UDZ and strategic intent are tied together. |
| 2.2 Precinct planning principles       | <b>Add</b> LUIIP   | As above   |
| 2.4 Neighbourhood plans                | Move this section to align with section 1.7. Note comment above that a master plan for the entire precinct                                       | As above 1.7   |



|  |  |  |
|--|--|--|
|  | must first be approved.  |  |
| 2.5 Subdivision site analysis<br><br>And 4.1.1 | <p>This section is about constraints and their controls. i.e about water management; soil, vegetation, pollution controls.</p> <p>Site analysis should be at the front of the DCO as a Plan that is required with the DA /neighbourhood plan proposal.</p> <p><b>Add</b> the requirements for a proper site analysis. AMCORD says this is a most important aspect which can lead to higher-quality urban design outcomes and greater acceptance of new housing projects in established areas</p> <p>site analysis would document the site in terms of: • contours; • existing vegetation; • buildings (including any that could be retained); • views to and from the site; • access and connection points; • drainage and services; • orientation, microclimate and noise sources; • where relevant, any contaminated soils and filled areas; • fences, boundaries and easements; • any other notable features; and the surrounds in terms of: • the location and use of adjacent and opposite buildings and out-buildings; • abutting private open spaces and habitable room windows which have outlooks towards the site, particularly those within 9 m of the site; •views to and from the site •views and solar access enjoyed by adjacent residents; • major trees on adjacent properties, particularly those within 9 m of the site; • location and height of walls built to the site’s boundary; • characteristics of any adjacent public open space; • street-frontage features such as services poles, street trees, kerb crossovers, bus stops, services; • the built form and character of adjacent and nearby development, including characteristic fencing and garden styles; • direction and distances to local shops, schools, public transport, parks and community</p> | <p>Site analysis is a standard requirement for neighbourhood planning and DA applications.</p> <p>Note in all the plans provided by Walker, they are missing site analysis elements, such as views to and from the site.</p> |



|                                    |   |   |
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|                                    | facilities; • the difference in levels between the site and adjacent properties • easements etc   |   |
| Site character context             | <b>Add</b> the requirement to identify the elements of local character that are to be retained within the future character.   | Integration with local surrounds, and local support for development   |
| 2.5.1 – control 3                  | Given the pristine river systems, more controls are required to increase WSUD within the road network, to slow and minimise the discharge rates.  | Reliance on civil engineering alone is not supporting good water management.  |
| 2.5.1 control 6                    | For the reason above, it is insufficient to “minimise urban water run-off pollutants into water courses”. Is this statement connected to table 4?   | As above  |
| Table 4                            | Stormwater quality targets – how is this monitored  |   |
| NEW integrated water management    | <b>ADD</b> development consent should not be granted unless a concept plan for servicing integrated water management is provided with the DA which shows the staging of utilities and land use requirements for the utilities.          | This must be addressed to ensure the development is viable and the community find the solution to be socially and environmentally acceptable.   |
| New – drought management plan      | A control should be added to plan water management requirements under a drought scenario. Typical drought management controls are required.   | The area is drought prone and dependent on limited supply of raw water from the Upper Nepean Dams.  |
| New – long term water availability | <b>ADD</b> – before submitting a neighbourhood plan for a precinct, the developer must seek assurance that long-term water needs for the precinct can be met, taking into consideration climate change and a minimum 30 year prediction | It is highly probable based on current dam levels, and climate change, that there is a risk that water supplies cannot be met into the future. Sydney Water do not provide assurance in this areas. It is the responsibility of DPIE and the developer to ensure water is available from the Dams into the long term. New changes to the Ministers Planning Directions were made Feb 2019 - that proposals in the Wollondilly MRA areas would need to demonstrate water availability. The Growth Centre area should also be required to demonstrate this. |
| 2.5.2 para 2                       | The purpose of identifying water dependent ecosystems is not supported by any protection measures, and acceptable solutions.  | Ground-truthing is not a development control. It requires actions that may require EIS, and specific water management controls.   |
| 2.5.3 Salinity management          | <b>Add:</b> development more information to how design should respond to  | The expected treatment of salinity and avoidance of development in  |



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|                                       | salinity – see Wagga Wagga DCP  | contaminated areas is not well articulated.   |
| 2.7 Native vegetation, control 1      | Retaining native trees “where possible” – is not tight enough. WSE has not attempted to retain trees. The control should seek designs to demonstrate how they attempted to retain significant trees   | Make the control meaningful.  |
| 2.7 Native vegetation, control 2      | The relocation of native animals should not have to occur!  |   |
| 2.7 Native vegetation, control 2 (E2) | There are no performance measures and acceptable solutions for development on land adjoining E2. The SEPP requires the consent authority to be satisfied with a ‘holistic vegetation management plan’. The plan when done, should indicate the controls required. It is necessary to do this before neighbourhood plans are endorsed, in case the environmental buffer extends into the planned built form areas, which would therefore require subdivision adjustments. Good practice in other LGAs, is to add a 10 m arbitrary buffer from E2, and then establish site buffer requirements based on a number of performance-based objectives. | This control is required in accordance with the SRGC SEPP<br><br>To ensure there are no detrimental impacts, the plan must provide evidence-based controls.   |
| 2.7 Native vegetation                 | Housing that are subject to any level of bushfire attack, (BAL) should require vegetation that is resilient to fire.  | Public safety   |
| 2.7 Native vegetation, Control 5      | Add the control: Every effort should be made to have the design respond to retaining existing mature trees.<br><br>The requirement for 40% mature canopy from the completion of the development & 50% canopy coverage over 15 yrs from completion of development - is unclear. If the developer has moved on before the 15 yrs – who will be responsible for the 50% required coverage and remaining 50%? This is a very prescriptive measure, which cannot be guaranteed in a drought. Recommend <b>adding a control</b> - a drought management plan is required   | Climate change and natural heritage reasons<br><br>Difficult to assess and implement.<br><br>The area is drought prone and tree survival is risky.<br><br>Note the drought management plan should also consider management of nature strips and public parks, and private open space. |



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|                                  | to develop sustainable water supply to growing trees.<br>Further that before the developer leaves any tree losses are replaced.  |  |
| 2.7 Native vegetation, Control 5 | There is no performance-based control to ensure trees do not interfere with surveillance and street lighting.<br>There should be an acceptable solution to inform the desired height of trees, and clearance height below mature canopy  |  |
| 2.8 Bushfire Hazard management   | <b>Add objective</b> to minimise the impact on emergency services resources.<br><br>Street trees in the hazard prone area where they fall with in the 10/50 zone may be problematic.<br><br>Design response should aim to have large lot subdivisions adjoining bushfire prone vegetation. | Public safety,   |
| Dust control (new)               | Construction staging should be managed under a dust control plan during drought conditions<br><br>Construction staging should take into account the prevailing winds, and proximity to existing neighbourhoods. Staging to councils satisfaction.  | Minimise impact to Public health                                     |
| 2.10 Noise control               | Modify b. to 'encourage buffers and avoid use of sound walls'<br>The design response should demonstrate why sound walls cannot be avoided.<br>Any proposed wall must be viable to maintain   | To avoid not exploring better design alternatives.                   |
| 2.10.2                           | Must ensure the proposed 100 m buffer to the Maldon Dombarton is sufficient to achieve the future rail proposal and construction thereof.  | Illawarra Business chamber have indicated the 100 m is insufficient. |
| 2.10.4                           | The WSE referred advice from RMS, indicates the vista/gateway entry at Bingara could be compromised due to the potential of have to install acoustic walls at the Pembroke intersection<br><br>Therefore the development should not require acoustic walls to be                           | Adjoining impacts to be mitigated                                    |



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|                                   | installed at existing developments.  |   |
| 2.11 1                            | The buffer requirement for the Maldon Dombarton is likely to be more than 100 metres due to construction space requirements and the vision for passenger /freight rail.  | Housing should not impede the vision for Maldon Dombarton line  |
| 2.11 2b                           | If ducted ventilation is required, because setbacks are not achievable – who pays for the ongoing upkeep of these ventilations systems?<br>The developments must demonstrate why setbacks are not achievable, and provide ongoing contributions for maintenance and renewal  | Unexpected infrastructure costs burdening rate payers,<br>Loss of rural amenity in gateway corridor.              |
| Table 5                           | The minimum residential set back of 30 metres from the motorway is insufficient. Noise and air quality assessment is required at the neighbourhood planning stage to determine suitable setbacks<br>The rural amenity of the freeway should be maintained for visual and noise purposes. The Wilton Junction is a gateway to Wollondilly, and the character of the Shire should be represented at this gateway for tourism purposes.<br><br>Traffic volumes along Picton Rd/Hume Highway represent more than 25% of vehicle movements. The setbacks are not reflective of the extent of heavy vehicle traffic. | Public health and amenity<br>Review suitability of controls<br>Protect visual amenity for Shire tourism purposes. |
| Table 5 – enterprise corridor     | The table does not address controls required for enterprises adjoining Picton road.<br><b>Add</b> air-quality/noise controls for enterprise corridors  | Additional controls required.   |
| New - Transport impact assessment | As each neighbourhood plan is prepared, a transport impact assessment should be required so as to assess the safety issues and queuing times to cross Picton Road in particular.   | To ensure future road works are aligning to the growth impacts at each stage.<br>Public safety..                  |

### Part 3 Neighbourhood and Subdivision Design

|   |   |                                      |
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|   |   |                                      |
| 3.1 - net developable area paragraph 3. | The Landcom guideline advise that the net developable area is | Proper assessment of density impacts |



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|                 | <p>not a sufficient means for assessing the development.<br/><b>ADD</b> Gross density is also required</p> <p>Delete the word parks from this statement “more intense around centres OR parks”. To</p>  | <p>Reliance on parks alone as providing suitable amenity is wrong. Urban design guidelines require that amenity includes much more than parks. Without proper amenity there are social and health impacts where housing intensity is concentrated.</p>   |
| 3.1 para 3      | <p>In low density areas of the structure plan – more intense development around parks and quieter back streets is not supported.</p> <p>Amend to – intensification areas in low density areas are to be within 800 metres of core amenity – transport, shops, schools, recreation parks and services.</p> <p>Intensification in back streets away from core service is not supported.</p> <p>The required amenity to</p>  | <p>Development around back streets and parks are insufficient merit for intensification/small lot housing.</p> <p>Back streets and higher densities are known to create social problems</p> <p>The Landcom guidelines and other urban design guidelines clearly articulate that intensification needs to be near core amenity.</p> <p>The low density character of the WSE structure plan should not be compromised by excessive small lots that resemble medium density outcomes.</p> |
| 3.1 density map | <p>A medium grain density map is required for the whole precinct that is overlaid with constraints:</p> <ul style="list-style-type: none"> <li>- Density bands</li> <li>- Existing and relocated Transmission easements</li> <li>- Gas pipeline buffer, or other approved APA risk management measure</li> <li>- E2 and other vegetation &amp; development buffers</li> <li>- Biobanking sites</li> <li>- Koala fencing</li> <li>- Staging and sub staging</li> </ul> | <p>The intention of the Udz zone is to have some flexibility in design as finer grain investigations may reveal further land use constraints. To ensure the density and yield is well planned and not subject to unplanned development creep, it is imperative that already known constraints (such as those on the left) are identified at the precinct scale. This could be achieved as a medium grain plan, which informs the finer grain neighbourhood planning.</p>               |



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|                                       | <ul style="list-style-type: none"> <li>- Noise &amp; air quality set backs</li> <li>- Temporary water utilities and irrigation areas</li> <li>- Water reservoir</li> <li>- Detention basins</li> <li>- Storm water discharge</li> <li>- Telecom towers</li> <li>- APZ setbacks</li> <li>- Fire trails</li> </ul>   |   |
| 3.1 density map                       | The density map should be consistent with the intent of the LUIPP vision (stages 1,2 3) and Wilton 2040 for future stages, and importantly the structure plan map. There should be a clear achievement of character transition between low density and medium density form. With larger lifestyle lots trending further away from core amenity areas.  |   |
| 3.1 Gross density calculation missing | <p>As per the Landcom Density guideline, it is important for the gross density to be calculated to determine the land use budget. The gross compared to net density helps analyse whether there is an over or under supply of open space and public facilities. Whilst the standard rule of thumb of gross being 87% of net, this figure is moving downwards where density is increasing and loss of backyards is occurring.</p> <p>The distribution of open space and amenity according to neighbourhoods must be measured for these greenfield precincts</p> | <p>This is necessary to determine whether the places are liveable and sustainable.</p> <p>For WSE Treasury (or someone else) added 600 homes at the rezoning stage, so the original concepts may have been severely compromised for liveability.</p> <p>We need to be certain all stages of the WSE have appropriate level of amenity according to the level of intensity.</p> <p>It also helps assess whether there is an oversupply of amenity that will burden the future ratepayers ( a common problem with new urbanism)</p> |
| Term net developer area               | <b>Remove</b> the Term used in the DCP is a common industry term that excludes parks and roads. This correlates to site density, not “net density” as per the Landcom guidelines   | Use of incorrect term   |
| 3.1.1 Residential development         | Correct the sentence “density  |   |



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| controls #1                      | band identified in ... SEPP... and the fine grain ..neighbourhood plan.”<br>Amend to the band identified in the SEPP and relevant statutory structure plan   |   |
| 3.1.1 #2 residential density     | As above remove development consistent with “neighbourhood plan”. The consistency should be with the structure plan (map).   |   |
| 3.1.1 #3 Residential density cap | The density cap should not be based on individual neighbourhood plans, assessed separately.<br>To ensure the cap is not exceed and the density distributed is ideal, <b>ADD</b> that a full suite of neighbourhood plans is required to be completed and adopted by Council before the lodgement of the first DA. This provides the checks and balances. | The Landcom density guideline encourages that density controls are established to achieve the project vision over time.<br><br>Planning of all neighbourhoods, at one time helps establish how intensification can be properly managed by locating as much intensification as possible near the core.<br><br>At present we are seeing the first stage of WSE which is more than 1km from the core, yet small block intensification is extensive. With the UDZ provision there is flexibility to address over development of areas, but density planning of the central core areas is an early requirement to get the best density distribution outcomes and to ensure dwelling cap is not exceeded. |
| Table 6                          | Remove the reference to 10-15dw/Ha if it does not apply to Wilton structure plan   |   |
| Table 7                          | <b>Amend</b> the 15-25 ha band for front loaded sites from 9 to 11 metres.<br><b>Amend</b> the 15-25 ha band for rear loaded sites from 4.5 to 7 m. The rear loaded width is the same for the higher density and this should not be the case – there should be a transition from low density to high   | WSE DA has proven that this measure is achievable. This change in urban character should avoid significant change to peri-urban character and resist intensification in areas with limited access to broad range of amenity<br><br>Whilst the low density may be  |



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|                 | <p>density</p> <p><b>Remove</b> the column for 10-15 Ha if this does not apply to the structure plans for Wilton (it would be nice if it did)</p>   | <p>infiltrated with medium density forms, there should be a transition effect, so as not to have such obvious disruption in urban 'rhythm'.</p> |
| Street types    | <p>Control – where higher density form on street parking increases, regardless of on site provision. Landcom recommend where streets have lots widths less than 15 m wide - on street parking lanes are required both sides, with few kerb cuts to maximise on street parking. Where widths of less than 15m – a local street type should be used (17.4 m total reserve).</p>   |   |
| 3.1.2 blocks #1 | <p>It is weak control to say that “all” neighbourhoods will be designed for accessibility, etc around parks, retail etc. ADD performance based objectives for walkability/access within neighbourhoods.</p> <p>The urban design needs to show that walkability will be achieved by locating core movement corridors close to blocks and along routes with scenic values and other functions that exist along the wa.</p>            | <p>People don't walk unless there are people around, and a variety of functions to pass along the way.</p>                                      |
| 3.1.2 blocks #5 | <p>Note is the requirement for 40% tree coverage the same as 2.7.5?</p> <p>Where does 40% come from? Different trees will have different span? How is it measured /assessed? What is more important the 8 metres, is the clearance below the tree canopy, which should be about 2.5 metres so as to provide lines of sight. Also a minimum height of eight metres is prescriptive. The street tree coverage should be dependent</p> | <p>The 40% seems like a figure that is just made up to suit the developer!</p>  |



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|                | on a number of performance objectives, to ensure no consequences to - lines of sight, transmission lines, cycleways etc  |   |
| 3.1.2 lots #6  | As above this is confusing when reading 2.7.5. How will this private open space control for a 2 metre tree be monitored?<br>Won't the DA's for housing lots be coming to council to assess – and well after the developer has handed back the development to Council<br>The small lots are going to struggle to achieve this requirement.<br>Larger lots – larger trees  | How can this control be enforced  |
| 3.1.2 lots #9  | Change the word 'minimum' to 'maximum'<br>Why the prescriptive figure of 40% for lots less than 10 m?<br>There are better performance based controls to describe the limits of housing intensification in small lots. Other criteria include street width, access to amenity, car parking space, lot orientation for small lots.   | The assessment cannot rely on just the 40% measure. This has just been provided to mirror what the WSE developer has put in his plan. |
| 3.1.2 lots #10 | Same as point above  |   |
| 3.1.2 lots #10 | A lot more work is required on lot orientation to achieve solar access.<br>For example, it should ensure east-west detached house lots and those fronting the south side of an east-west street are at least 13m wide to allow for good solar access.<br>East – west lots should be wider to prevent overshadowing and provide north facing courtyards.<br>Smaller lots should be concentrated on northern slopes and larger lots on southern slopes | A lot more work required here! Standard urban design principles are missing.  |
| Zero lot lines | They should be within 400 metres of amenity – not just stuck anywhere.   |   |
| Heat island    | The agglomeration of building  |   |



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|   | <p>envelopes in an area which occupy the majority of lot, will generate heat islands. Only one side of a block should be allowed to produce large building envelopes.</p> <p>A control is required to assess the effect of roof/building massing in a block.</p> |  |
| <b>Building envelope plans for small lots</b> | BEPs should also show how the site responds to water conservation measures and solar power.  |  |
| <b>Street parking</b>                         | Trees should not be permitted in the road parking or narrow streets, except near commercial areas where it provides entry features   |  |
| <b>3.4.1. #7</b>                              | <p>One control is to provide views and vistas to landscape features and visual connections to nodal points and centres.</p> <p>This requirement of views, vistas and landscape features needs to be a requirement of a site analysis</p>                         | I cannot find a site analysis from Walkers DA that addresses this. |
| <b>3.4.1. #18</b>                             | <p>It states that street trees must provide solar access in winter. How is this achieved without planting a deciduous tree?</p> <p>Ornamental trees are no longer part of the schedule ???</p>   |  |
| <b>3.4.1 #26</b>                              | This statement doesn't make sense  | Requires a rewrite   |
| <b>Street section figures</b>                 | <b>ADD</b> a street section in the list of Figures that shows how a WSUD swale would be located in the verge, or centre of road.   |  |
| <b>New - 3 side streets around schools</b>    | Schools should be encompassed by 3 roads to reduce traffic congestion.   |  |
| <b>Public realm</b>                           | <p>More is required to establish the public realm objectives and measures'</p> <p>E.g Detention basins cannot be used to satisfy public park provisions.</p> <p>Parks should be located along connector streets</p> <p>Linear space is ideal along</p>           |  |



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|                | ridgelines<br>Water conservation and drought management of the public realm   |  |
| <b>Garages</b> | Small lots BEPs – need to have utility storage ideally added to the garage space. This is essential for 3 bedroom lots. |  |



## Name

**First name**

Joel

**Last name**

Wooby

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

Unanderra 2526

**Submission file**

[30092019164315-0001.pdf](#)

**Submission**

See attached

**I agree to the above statement**

Yes



30 September 2019

South32  
Illawarra Metallurgical Coal  
PO Box 514  
Unanderra NSW 2526

Director, Land Release  
Department of Planning, Industry and Environment  
GPO Box 39  
Sydney NSW 2001

**Subject: Draft Wilton Growth Area Development Control Plan**

**Background**

South32 Illawarra Metallurgical Coal (IMC) produces high-quality metallurgical coal used for steelmaking. The coal within the mining leases that IMC operate are considered some of the best in the world and our operations are extremely important to the region and to New South Wales through our significant economic and employment contributions.

The BlueScope Steelworks at Port Kembla is the largest steel production facility in Australia, and one of only two primary iron and steel making facilities in Australia. IMC supplies the Steelworks with approximately 60% of their coking coal requirements. There is currently no economically viable alternative to the use of metallurgical coal in the blast furnace method of steelmaking used at the Port Kembla Steelworks.

IMC directly employs 1,800 people, 90% of whom live locally. In 2017-2018, IMC spent \$160 million with locally based suppliers and purchased from around 400 local businesses. There is an estimated resource of approximately 52 million tonnes of coal within the proposed Wilton area and IMC's current approval footprint, with the potential to generate substantial royalty payments for the NSW Government.

**Leases and Development Consent**

IMC holds mining lease CCL767, which covers the Wilton Growth Area (WGA) and is a consolidation of leases which were in place since the late 1950s. In 2008, IMC submitted an application for the Bulli Seam Operations (BSO) Project. The BSO Project identifies a mining footprint for the next 30 years, including CCL767. This approval provides IMC, Government and the community with certainty in mine planning and clearly established our future mining footprint. As part of this approvals process IMC conducted extensive consultation with the community, other land users in the area and Government.

The BSO Project is a commitment from the Company to clearly identify our activities in a strategic planning timeframe. Having regard to IMC's commitment to long-term mine planning demonstrated by the BSO Project, land use conflicts within the approved mining area are avoidable. Avoiding such conflicts will provide certainty to all industries in the region and respects existing Government approvals.



Mining areas and layouts are evaluated through an integrated planning process. Multiple scenarios are evaluated to determine the optimal mining sequence and layout configuration. Detailed mine designs are not typically 'locked-in' more than five years prior to extraction. The key inputs to the planning process are tenure, geological exploration data, surface features, infrastructure and economic assumptions. Mine layouts are designed to enable the most economic, efficient and sustainable extraction of the available resource. Once determined, mining domains are relatively inflexible in that long lead times are required to enable significant changes to mine layouts. By way of example, development for the Appin Area 9 domain (north-west of Douglas Park) commenced some eight years prior to the planned start of the first longwall in that domain.

It is planned to mine the Appin Area 7 and Appin Area 9 domains before proceeding to Appin Area 8 (beneath the Wilton Priority Precinct). The main reason for this sequence is that, until Appin Area 9 is developed, underground access to Appin Area 8 cannot economically occur.

Appin Areas 7 and 9 domains have sufficient resources defined to continue our concurrent (two longwall) operations in the Bulli coal seam for approximately 15-20 years. Therefore, it is anticipated, at this time, that mining in Appin Area 8 would not commence before this timeframe.

### **Exploration**

Exploration is undertaken to define the coal resource and for mine planning. This is undertaken from the surface using drill holes, seismic and other remote sensing technologies. Exploration must be undertaken prior to any high-density urban development. The nature of the work dictates that it is incompatible with residential areas.

### **Infrastructure Management**

Underground longwall mining results in subsidence of the surface. The magnitude of predicted vertical subsidence in the BSO project area is up to 1.6m, depending on factors such as strata composition, depth of cover and longwall geometry. Infrastructure such as houses, highways, railways, bridges, canals, pipelines and transmission towers have been mined under safely with the application of rigorous engineering and monitoring controls.

IMC is committed to working closely with all infrastructure stakeholders to implement an infrastructure management program.

### **Conclusion**

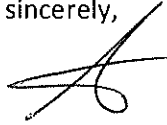
Urban development within approved mining areas should occur after mining is complete. In this circumstance subsidence movements have finished and there are no impacts to private or public infrastructure such as houses and roads. This is to ensure the NSW Government and the community receive the benefits of both mining and housing development.

Development sensitive to mining movements such as high-density housing should not be approved in areas approved for mining until this mining has been completed. IMC has worked with the NSW Department of Planning Industry and Environment, the Mining Regulator and Developers to assist the NSW Government achieve its aim of 'Affordable Housing'. In the Wilton North and Bingara Gorge sections of the WGA, agreements have been reached with several Developers to expedite development and ensure the benefits of mining are not compromised. IMC is committed to continuing to work with the NSW Government and Developers in the



WGA. IMC objects to the WGA unless acceptable agreements are in place between IMC and Developers prior to rezoning.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. Hyslop', written over a horizontal line.

30-9-19.

Andy Hyslop

General Manager Mining Services

South32 Illawarra Metallurgical Coal



## Name

First name

[REDACTED]

Last name

[REDACTED]

Name withheld

Yes

## Info

Email

[REDACTED]

Suburb/Town & Postcode

2000

Submission file

[REDACTED] [dcp\\_submission\\_redacted.pdf](#)

Submission

see attached

I agree to the above statement

Yes



Ms Catherine Van Laeren

A/Executive Director, Central River City and Western Parkland City

Department of Planning, Industry and Environment

GPO Box 39,

Sydney NSW 2001.

Dear Catherine,

Please find below my personal submission on the draft Wilton DCP. I also give permission for my name and town of residence to be published.

Regards,

[REDACTED]

Wilton NSW

[REDACTED]

Personal submission on the draft Wilton DCP follows:

- I believe that the DCP is too long and complex, and could be replaced by a simple document that just contained measurable objectives, such as the ones below. Having a more simple document would make it easier to administer and enforce. I found the DCP in its current format very onerous to read and comprehend as it had related pieces of a jigsaw puzzle scattered throughout, was quite prescriptive in some parts and totally lacked measurable outcomes in others. I know that a lot of work has gone into this document, I can see that, and it is good work, but we cant have something that is difficult to administer, as it wont achieve what it sets out to do.
- As outlined in <https://www.environment.nsw.gov.au/resources/grants/urban-ecology-renewal-investigation-project-summary.pdf> ,To avoid biodiversity loss, we need to protect and conserve what exists (which does not include trading the protection of one habitat for another), and reduce the individual and collective ecological pressures through adequate and enforced standards.
- Performance-based development application and assessment tools are required to support urban ecological outcomes at the lot-to precinct scale. Environmental planning instruments can be developed and applied to advance the sustainability of cities, including urban ecology. Such tools should be spatially specific (e.g. connecting green grids and linking to regional parks), offer flexibility (e.g. in the choice of plantings and setting limits on house-to-land development ratios), and support diverse and appropriate habitat form and function that is relevant to species and community.
- Whilst it is clear that all levels of government need to step up to achieve this, I believe that the DCP could be modified to achieve some of the above aims - by making it more performance based, and less prescriptive and wordy. If you specify the outcome you want to achieve, you can leave the market to decide how it gets there. This is how you drive innovation.
- Protect areas of significant vegetation (and by protect, I do not mean isolate and fence - it is important for residents to be able to access natural spaces, to be allowed to stroll through the bush -



this gives it a value and helps to alleviate the impacts such as mental health and stress which is often associated with urban intensification. It also allows kids to grow up being allowed to play in the dirt, have stick sword fights, and go catching grasshoppers and beetles. The small impact of such activities on sensitive areas is far outweighed by the uplift in human wellbeing that it brings, and the value that is then placed on preserving native habitat by those who have grown up with a connection to it. This is important if we want the generations of the future to also value natural spaces, to also want to preserve it in perpetuity.

- ensure development minimises loss of vegetation - there needs to be some radical change to the bulldozing and re-forming of the entire geography of the area. Where possible, ground cover should be left in place. Minimise the scarring of the landscape wherever you can. This will preserve more of the seeds of the native species and make regeneration afterwards far more likely. It will reduce damaging runoff into creeks and rivers. More innovation in stormwater management and infiltration in the design of the urban environment will reduce the need to reshape the land so much. The use of Pressure sewage pumping already means that the sewage system does not wholly rely on gravity for it to work, also reducing the need to reshape the land. This progress, however, has not transferred to the way that developers plan their initial earthworks. Some strong measurable objectives need to be set in this area to drive a change in their practices.
- preserve existing trees and other vegetation, which will give a head start to the canopy goals. Even an existing non-native tree has value in the fact that it has a mature canopy. More could be done to shape the development around these trees, and there is no reason that a tree cannot be left on a residential block, and the house put up beside or in front of it. I have with pleasure built close to a mature tree, which is still growing strongly. It buffers the look of new construction, and is a pleasure to behold. I do not understand why lots in subdivisions are not sold with any mature vegetation on them.
- recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance. Those glossy brochures of the developer should expound the values of the local environment, and encourage native landscaping and minimal lawns.
- enhance habitat and habitat corridors for indigenous fauna, including through residential areas. I do not believe that the promotion of fencing for privacy is in keeping with a natural environment, or an urban environment that allows species free movement within it. Perhaps screening, if required, could be achieved in a more natural way, such as a row of native spiky plants that give refuge to wrens and other small birds.
- encourage the regeneration of native vegetation
- optimization and organisation of spaces with a human focus - walkable, interlinked, social spaces, with essential public transport allowances such as train stations and bus stations.
- thermal comfort levels - design of buildings so that they do not require air conditioning (heat wave blackout proof) through the use of passive solar design principles, utilising properly sized eaves, north facing living spaces, with adequate well placed thermal mass, cross flow ventilation and ceiling fans. This can be achieved in this climate (I live in one). If aircon is fitted at a later date, at least the building performs well thermally to not need it turned on as often.
- air quality, toxin levels and ventilation - eg 100m buffer zones to major roads such as Picton road, Hume highway and rail corridors (at their projected maximum size, probably 6 lanes / 2 rail



lines). This buffer will significantly reduce the particulate matter being breathed in by residents. It has recently been shown that these particles can even cross the placenta into unborn babies.

- acoustic comfort - use of acoustic batts in roof and wall insulation and double glazing in areas abutting major road and rail corridors, and encouraged in other areas of the development as well. The use of natural building methods can also achieve a more sound proof building, and should be encouraged - eg Rammed earth, cob, adobe etc and should be encouraged also due to their low embodied energy (building regulations have not yet started to specify embodied energy, but it is likely that this will be required in the future, why not start now?).
- improved natural and artificial lighting - design of lighting to be related to lux levels acceptable for tasks, optimising the amount of light, and discouraging over lighting, which is wasteful.
- internal and external views onto nature
- the use of natural materials textures, patterns and colours
- aesthetic environment - particularly on smaller blocks, there needs to be some symmetry and repetition in order to make these areas aesthetically pleasing.
- I also believe that staging of the whole Wilton development should be centred around orderly development of the Wastewater scheme, which is yet to enter detailed design phase. The DCP should specify this to ensure that multiple temporary arrangements are not put in place by the competing developer interests. The developers went to the Government as a group, they need to be forced to continue to act as a group in the realisation of the Wilton New Town development as a whole. Peoples needs must come first. Put the human element, and the environment, back on the top of the planning agenda.

I hope that my suggestions above can help drive a better designed urban development with enhanced sustainability goals.



## Name

**First name**

Brian

**Last name**

Williams

**Name withheld**

No

## Info

**Email**

[REDACTED]

**Suburb/Town & Postcode**

2000

**Submission file**

[wag -draft-wilton-growth-area-dcp submission-to-dpie 3-october-2019.pdf](#)

**Submission**

See attached

**I agree to the above statement**

Yes





DRAFT WILTON GROWTH AREA DCP – SUBMISSION TO DPIE

3 October 2019

Ms Catherine Van Laeren

A/Executive Director, Central River City and Western Parkland City

Department of Planning, Industry and Environment

GPO Box 39,

Sydney NSW 2001

Dear Catherine,

Please find below our Wilton Action Group submission on the draft Wilton DCP. I also give permission for my name and town of residence to be published.

Kind regards

Brian Williams

President

Wilton Action Group

Tel: [REDACTED]

Email: [REDACTED]

[www.facebook.com/wiltonactiongroup](https://www.facebook.com/wiltonactiongroup)

**Preamble:**

Wilton Action Group was established in early 2018 to advocate for a better planned Wilton New Town development that would be co-ordinated, sustainable, innovative, and environmentally responsible. To be a model for best practice for the largest greenfield site to be developed as a city with a projected population of over 60,000 people – the largest regional city in NSW to be built in over 100 years. <https://www.wollondillyadvertiser.com.au/story/5315216/wilton-action-group-calls-for-better-planning/?cs=1552>

Wilton Action Group – Draft Wilton Growth Area DCP- DPIE Submission - 3 October 2019



We have continued to advocate for such a sustainable development in meetings and consultations with State agencies and local government and through submissions to and correspondence with relevant agencies like DPIE, EPA, Sydney Water, Office of the Chief Scientist and Wollondilly Shire Council.

The release of this draft District Control Plan reinforces our already expressed concerns about the total Wilton development:

- Genuine protection of koala habitat and endangered flora and fauna
- No predictable water supply for a projected population of 60,000 people in a time of increasing climate extremes in temperature and reduced rainfall
- Non-existent integrated water management strategy for the whole growth centre and water quality base line data for the precious, intact upper Nepean river system
- Water quality monitoring and conservation management arrangements
- Non-existent public transport
- Road infrastructure and traffic management
- No hospital or public school
- No jobs
- The false reality of the NSW government commitment that the development will be delivered at no-cost to government

Further major concerns

- With the DCP emphasis on non-rail public transport solutions (buses) and therefore cumulative increase in car dependency, and no provision for rail transport, the future Wilton households will not be able to achieve a 30 minute access to a metropolitan centre cluster, or a 30 minute public transport journey to a strategic centre
- Affordable rental housing schemes are not provided
- Increased access to open space is poorly supported with a preference to access pocket parks and tree lined roads, which do not provide enough functional interest to foster active lifestyles.
- Limited land use has been provided to produce the conditions for a stronger economy. Limited local jobs are limited to basic services, which will not meet the employment demands of home occupants.
- The development will produce significant transport related greenhouse gas emissions, and there is no indication that energy costs per capita will be reduced,

Wilton is supposed to be a city of 60,000 people. And the fundamental integrated planning required for such a city is absent in this draft DCP.

We note the last page of the draft DCP has a final category for consideration.



#### **5.3.4.7 Climate Change**

##### **Objectives**

- a. Ensure that the management of retained and protected environmentally sensitive areas minimises any adverse impacts of climate change on biodiversity.
- b. Improve the ability of flora and fauna populations to adapt and respond to climate change.
- c. Mitigate indirect and ongoing impacts of development that may exacerbate the impacts of climate change on biodiversity.

To have this as the very last category for objectives of the draft DCP when there is such a huge focus on the global impacts of climate change really underlines the utter inadequacy of such a placement of this totally critical issue at the end of this draft DCP.

This is not just about ‘mitigating impacts on flora and fauna’ but adopting a rigorous planning approach to adapting to and minimising if possible climate impact that will have a direct impact on almost every aspect of daily life. This DCP seems to propose that concepts like water sensitive urban design and tree canopies can somehow mitigate these impacts and they may have some benefit. But the bigger picture of the looming impacts of climate change and its implications from everything from water to health to jobs to transport etc are ignored in this DCP.

### **Climate Change – Flipping the Script**

Boston Consulting Group has just released a paper from its European partnership which underlines the gravity of and the urgency of responses required to the climate emergency: Flipping the Script

<https://www.bcg.com/en-au/publications/2019/flipping-script-on-climate-action.aspx>

#### **The Global Risks of Inaction Are Escalating**

‘The debate in climate science is no longer about whether climate change is occurring or whether human activity is the dominant cause. It is about how bad its impact could become. On the economic front, several papers have attempted to quantify the effect of ecosystem changes on world GDP. A detailed analysis by researchers at Stanford University concluded that the current trajectory—which would see global temperatures rise by up to 4°C by 2100—would result in 30% lower per capita GDP than a scenario without additional warming. The IPCC projects that if the rise were instead limited to 1.5°C, GDP would be only 8% lower.<sup>1</sup> Such estimates are sobering, but they do not come close to telling the whole story.

First, global GDP increasingly appears to be what is known as a “vanity metric” in the startup world. Cash-strapped entrepreneurs can go bankrupt despite positive growth and EBIT. Similarly, a world that currently achieves 3.3% annual GDP growth, but burns through resources at breakneck pace (“1.75 planets” worth of resources each year, according to the Global Footprint Network) and accumulates a rapidly growing carbon debt is in dire straits—environmentally and economically

Second, we are still ill-equipped to grasp—let alone quantify—all of the ripple effects of a changing climate. But the more fully scientists understand these effects, the more dire their forecasts are becoming. For example:



- **Sea Level Rise.** The speed of sea level rise has been underestimated. The collapse of the Larsen B Ice Shelf in West Antarctica has dramatically demonstrated how rapidly underwater destabilization is already taking place today.
- **Fires.** This year has seen large-scale fires in the Russian taiga and the Brazilian Amazon, two of the largest global ecosystems and critical reservoirs and absorbers of CO<sub>2</sub>. Such threats will only increase as temperatures rise, but today's climate models hardly reflect their follow-on effects.
- **Heat Waves and Droughts.** Forests are already dying and farmland is degrading. Yet what we have seen in the Middle East, Europe, and parts of North America over the past several years marks only the onset of longer-term decline.
- **Water Shortages.** In global megacities such as Chennai and Cape Town, increasingly severe shortages of drinking water threaten the physical and economic well-being of millions of citizens. More will follow, even if we limit warming to 2°C

The rear view mirror is flattering, which means we likely underestimate the true force of what is coming. As the frequency and scale of such events will only continue to increase, their full economic impact almost defies quantification. Worse yet, we must accelerate the transformation to a carbon-neutral economy at a time when societies are under increasing ecosystem stress, putting further pressure on the very political systems that need to enforce this transformation.'

And that really underlines the mindset of this draft DCP - the rear view mirror approach

### **Facts about local climate change**

- The Wilton region is now in drought along with much of NSW
- Recent studies by the OEH found average temperatures in Sydney are projected to rise by 0.7 degrees in the period to 2030 and by 1.9 degrees by 2060. This is on top of the average 1 degree rise we have seen across Australia since the beginning of the 20<sup>th</sup> century
- <https://climatechange.environment.nsw.gov.au/Climate-projections-for-NSW/Climate-projections-for-your-region/Metro-Sydney-Climate-Change-Downloads>
- The CSIRO predicts much drier and hotter conditions with continuing much reduced rainfall across much of Australia



## Rainfall

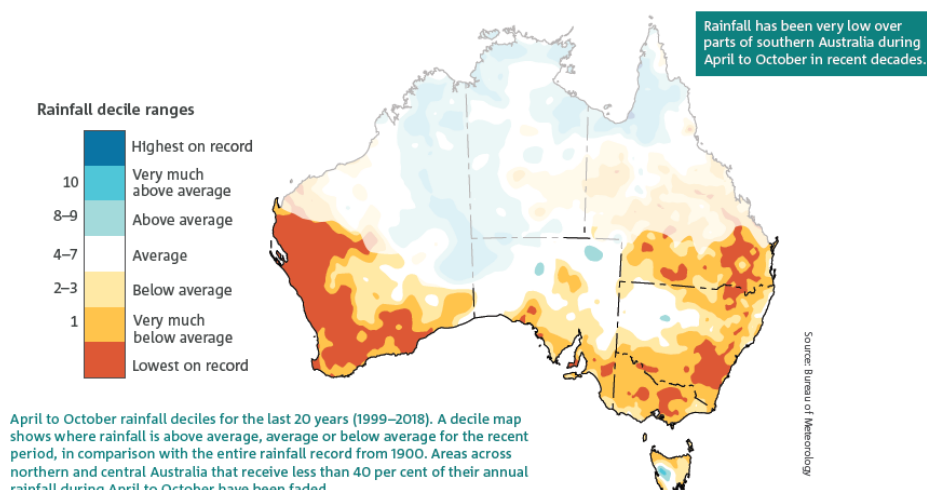


- April to October rainfall across southeastern and southwestern Australia has declined.
- Rainfall has increased across parts of northern Australia since the 1970s.

Australian rainfall is highly variable and is strongly influenced by phenomena such as El Niño, La Niña, and the Indian Ocean Dipole. Despite this large natural variability, underlying long-term

trends are evident in some regions. There has been a shift towards drier conditions across southwestern and southeastern Australia during April to

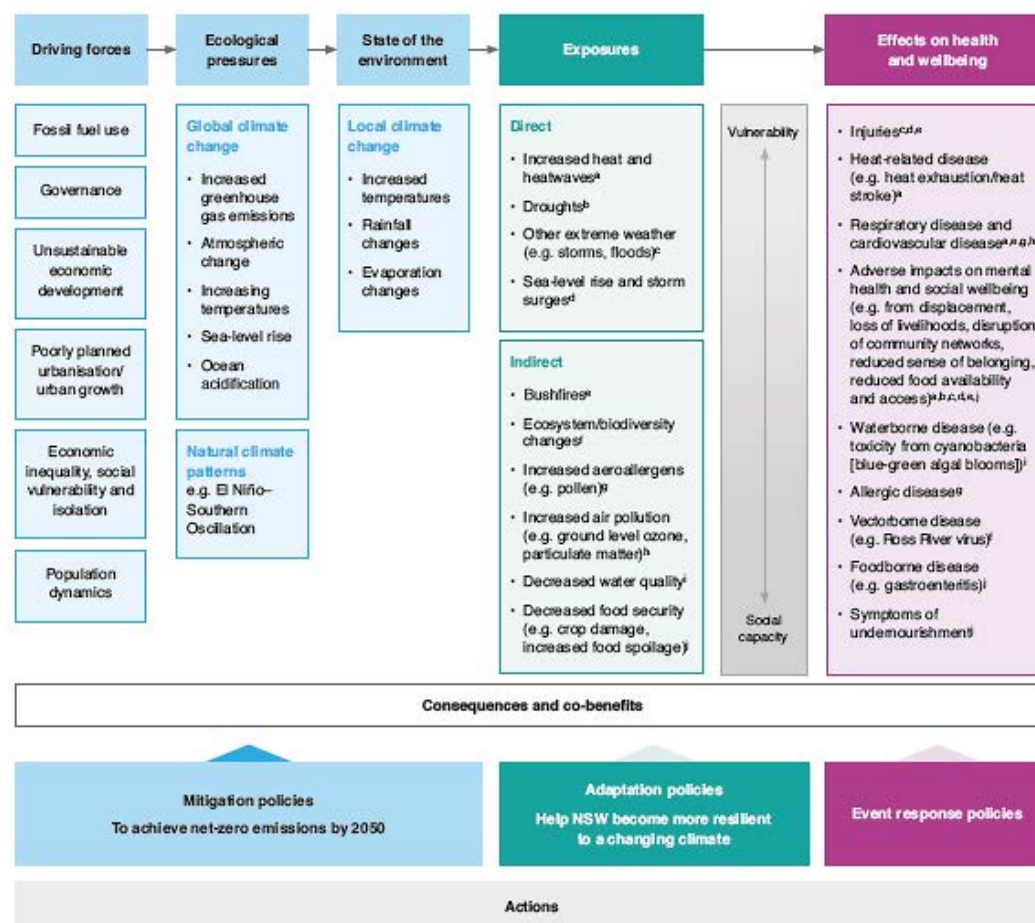
October. Northern Australia has been wetter across all seasons, but especially in the northwest during the tropical wet season.



This DCP makes mention of the adaptation for climate change in terms of green grid design to mitigate heat island effects. However, it does not mention or demonstrate measures to adapt to those effects and its major impact on human health. We present the diagram from the Public Health Research and Practice group below for consideration of a conceptual framework for climate change impacts on human health and well-being in NSW and its benefits relevant to OEH recommendations on green canopy cover.



Figure 1. Proposed conceptual framework for climate change impacts on human health and wellbeing in NSW



Note: Superscript letters denote relationships between specific exposures and effects on health and wellbeing.

### Consideration of vulnerability, social cohesion and support

One central issue in this framework is differential vulnerability to climate change risks. Climate change will disproportionately affect socially, culturally and economically vulnerable groups and individuals who may lack the basic capabilities, social networks and resources to respond to exposures and shock events.<sup>19</sup> The framework identifies that vulnerability is a mediating factor between exposure and effect, and a threat multiplier – it is, for example, a key concept that helps to differentiate between broad exposures and risks, and more specific vulnerabilities and impacts. In addition to the usual socio-economic indicators, vulnerabilities include housing quality, ability to travel/retreat and social networks.

Strong social cohesion and support networks between individuals, communities and institutions are essential for building the adaptive capacity of vulnerable populations.<sup>9</sup> Studies on adaptive capacity, vulnerability and climate change have shown how a focus on capabilities and social cohesion in adaptation policy can strengthen support networks, adaptive capacity and wellbeing on individual, community and institutional levels.<sup>20</sup> Residents without such support systems tend to be more vulnerable to climate risks, such as heatwaves.



## Benefits of the framework

### Co-benefits of climate change adaptation policies

One of the key ways in which the framework can lead to action is by illustrating effective and efficient policy pathways. Specifically, climate change adaptation policies that have co-benefits for health are to be encouraged.<sup>17</sup> For example, the NSW OEH guidelines to support urban green cover may have not only environmental benefits such as improving air quality and filtering waste water, but also more direct health benefits (e.g. by reducing exposure to urban heat, lowering stress and behavioural disorders, increasing physical activity and creating community cohesion).<sup>18</sup> This initiative is important given that almost 90% of the NSW population live in urban environments.<sup>18</sup> The structure of the framework enables the multiple benefits of policies to be understood – leading to more likely policy adoption.

WAG recommends the adoption by the DPIE of this proposed conceptual framework for climate change impacts on health in NSW above for any future planning by the DPIE.

## 1.2 Purpose of this Plan

The purpose of this DCP is to:

- a. Communicate the planning, design and environmental objectives and controls against which the Consent Authority will assess Development Applications (DAs).
- b. Consolidate the planning controls for the Wollondilly Shire Council's Growth Area Precincts.
- c. Ensure the orderly, efficient and environmentally sensitive development of the Precincts as envisaged by *Wilton 2040: A Plan for the Wilton Growth Area* (Wilton 2040) and *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP).
- d. Promote high quality urban design outcomes within the context of environmental, social and economic sustainability by providing clear, consistent and rigorous objectives to achieve good design throughout the development process.
- e. Promote a network of green spaces, natural systems and semi-natural systems including parks, rivers, bushland and private gardens that are strategically planned, designed and managed to support a good quality of life in an urban environment.
- f. Support the health and wellbeing of local residents and workers by promoting physical activity, transport choice and accessibility, access to employment and education opportunities, social infrastructure, housing diversity and affordability, access to healthy food, a desirable and safe public domain, opportunities for recreation and entertainment, access to the natural environment, and a sense of place and community identity.

From the above we note that point C should include the LUIIP August 2017 and Wilton SE structure plan December 2017 as the other key instruments for the Wilton Development.

On point (f) we note that the draft DCP has no detailed, deliverable strategy for 'transport choice, access to employment and education opportunities, housing diversity and affordability and a sense of place and community identity'.

Therefor the draft DCP does not demonstrate how it will enhance social cohesion and support networks between individuals for a community that will be vulnerable as in Fig 1 above of the



proposed conceptual framework for climate change impacts on human health above – because it lacks the services and support networks to minimise such vulnerability.

The non delivery of ‘promoted’ outcomes by developers and government is an experience that is very familiar to residents of the Wilton Area particularly in Bingara Gorge who will bear the brunt of much of the immediate impact of inadequately planned infrastructure and loss of amenity from the proposed Wilton developments. This loss of amenity includes continuing impacts on air quality from the construction of Wilton South East and the proposed upgrades to Picton Road which will create large traffic bottlenecks for residents that will further create huge delays for travel to jobs out of the area. This will only be exacerbated when the other quadrant of Wilton North commences construction which will require ‘a rat run’ of trucks through Bingara Gorge which will have air quality and other health and safety impacts on residents and the Wilton Public School.

WAG response to this DCP Purpose will focus, inter alia on the overarching SEPP Growth Centres 2006 legislation although we note the derived key actions of the Wilton 2040 LUIP of August 2017 as: The DCP does not recognise the LUIPP and it has to because some stages of Wilton South East fall under the guidance of the LUIPP not Wilton 2040, as prescribed in the SEPP

### **Prominent matters not addressed**

#### **Key actions**

- + **rezoning** of Wilton Growth Area precincts for urban development following public exhibition
- + **finalisation** of draft Wilton Special Infrastructure Contribution (SIC)
- + **strategic** bio-certification of the Wilton Growth Area through the preparation of the Cumberland Plain Conservation Plan
- + **finalisation** of the Wilton Growth Area Development Control Plan to guide approval of neighbourhood plans within the precincts
- + **finalisation** of an Infrastructure Phasing Plan for the Wilton Growth Area
- + **preparation** of a jobs creation strategy for employment areas in the Wilton Growth Area
- + **collaboration** with Transport for NSW on business case for public transport improvements

In Wilton 2040 there is also a summary of community consultation – p.9 below – however the draft DCP does not deliver measurable outcomes for the prominent issues raised below, eg provision of adequate health facilities, upgrade to existing rail network, no aged care, no public high school, adequate provision of employment lands and major employment facility eg hospital or university to deliver jobs that have been promised with housing delivery. There should be defined job numbers and hold points on release of further lots for development if these jobs have not been delivered



### **What we heard**

The prominent issues raised in these submissions included:

- ✦ the road network, particularly the alignment of local roads on individual properties
- ✦ upgrades to public transport and the existing rail network
- ✦ the provision of employment and business space
- ✦ the provision of educational infrastructure
- ✦ environmental preservation and fauna habitat protection
- ✦ the provision of health facilities and emergency services
- ✦ the land use planning controls proposed for building densities and heights
- ✦ the location and quantity of open space.

These issues have informed the finalisation of this plan. How this plan responds is detailed in the following sections on Place, Landscape, Land Use, Built Form and Movement.

## **DCP alignment with Growth Centres SEPP aims**

### **State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – as amended**

These are the heads of consideration pertaining to the 2006 SEPP growth Centre and the objectives

## **2 Aims of Policy**

The aims of this Policy are (in conjunction with amendments to the regulations under the Act relating to precinct planning) as follows:

- (a) to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre and the Wilton Growth Area

**WAG argue** the release of land is not properly coordinated, as the SIC contributions plan, final infrastructure implementation plan, and an integrated urban water management solution for the entire Wilton Growth Area has not been forthcoming. It is therefore impossible to assess the merits of this development in a coordinated and efficient way. The town centre has not yet been rezoned, yet it is a critical part of the Wilton 2040 plan. Without the town centre, the whole development would need to be reconsidered.

Development controls are necessary to ensure orderly and economic development:

The Structure plan makes clear that early activation of precincts is dependent on local employment generation, which has not yet been actioned.

The Structure plans (P 17 background analysis) states residential development should not dominate in the absence of employment growth. This requires clear staging objectives within in the DCP to ensure housing proceeds in alignment with job growth precincts.

It also requires DCP controls to ensure residential subdivisions are approved in line with job growth. The draft DCP has not adequately addressed this.

The Plan states there is supposed to be one job provided for each household. Where is the employment growth strategy?



*(b) to enable the Minister from time to time to designate land in growth centres as ready for release for development,*

*(c) to provide for comprehensive planning for growth centres,*

**WAG argue** the planning of this growth centre has lacked a number of essential planning requirements that would enable the site to be properly assessed. For instance, the impact to the sensitive water supply for the Sydney Basin and the impact to the koala habitat in stage 5 of Wilton South East has been ignored. In addition, there are new plans to mine within the catchment which will impact the water supply quantity and quality for the Wilton Growth Area

The WSUD controls are very weak and Integrated urban water management solutions do not exist. The city development standard should require integration of stormwater and recycled water solutions – to demonstrate innovation, water conservation, and protection of vital river ecology.

*(d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,*

Stronger definition of amenity is required to demonstrate medium density controls are being satisfied properly. We are seeing a neighbourhood parks used in DA's to satisfy intense development, however there is much more to amenity than a park: - jobs, commercial centres, transport to jobs, services. Intense development <300 m should be located within 1 km of a range of amenities and not directed to back streets.

**WAG argue** that this Wilton Growth Area DCP will be an extremely costly public realm environment that will best service the real estate goals of the housing supplier, and have little gain for sustainable and liveable neighbourhoods that contribute to community wellbeing. There is excessive embellishment of the public realm which will be passed on to housing consumers and the asset custodians. Controls are required to ensure council is not left with an unaffordable asset portfolio. Mere beautification should be limited unless it is demonstrated there is a health/active use of space.

*(e) to provide controls for the sustainability of land in growth centres that has conservation value,*

**WAG argue below** a number of areas where the land growth in this sensitive region is not sustainable and contributing to conservation values. eg the size of the finger of land in the Wilton SE development, that is critical Koala corridor and vital link to habitat either side of the proposed development, with a significant bottle neck caused by proposed housing layout, Picton road and future widening, and a poorly placed koala fence.

*(f) to provide for the orderly and economic provision of infrastructure in and to growth centres,*

**WAG argue** there is no orderly provision of infrastructure. As presented in this DCP, it is haphazard, and uncoordinated. The release of the core social & economic infrastructure is not satisfactory, and we question why this stage was not released first to support orderly development and economic growth.



The LUIIP vision requires employment infrastructure to come on line in tangent with residential development. The lodgement of Stage 1 WSE (with no employment lands), shows this requirement is not occurring.

(g) to provide development controls in order to protect the health of the waterways in growth centres,

**WAG argue** no performance based development controls will be provided and this is of critical concern due to the range of water management issues we have documented below. There are performance based controls in the plan for management of discharge. Whether they are adequate, will be properly monitored, and whether point source pollution can be identified in a contamination event is in question.

(h) to protect and enhance land with natural and cultural heritage value,

**WAG argue** the land adjoins Special area water catchment and the values of this area are not transitioned into the new development. The design of the estate is in contrast with the natural environment and the heritage significance of the river is not protected, rather it is jeopardised by the intensification and proximity to the river.

(i) to provide land use and development controls that will contribute to the conservation of biodiversity.

Biodiversity buffers have not been established. The impact of urban interface on E2 and SCA land must be properly managed so as to preserve its current state, without the reliance on conservation efforts

Significant vegetation requires an arbitrary extension, say 10- 15 metres to exclude any built form. This provides a protective buffer and area that can receive urban contaminants (which the controls should aim to prevent) and therefore a suitable risk management strategy. The DCP then needs to describe the performance measures and acceptable solutions for built form adjoining this buffer area. This will depend on slope run-off of individual sites, the type of development, irrigation and weed management etc.

The SEPP requires a holistic vegetation management plan to the satisfaction of council for adjoining land uses. The DCP does not indicate this, nor how it will be achieved. The vegetation management controls are required to in place so neighbourhood plans can provide a design response accordingly. This is a significant weakness in the current DCP document.

**WAG argue** that there are no land use and development controls provided to contribute to the biodiversity of the area in this draft DCP. The intensification of the urban area with housing bulk and tree lined streets has the potential to bring decline to biodiversity outcomes. Biodiversity is not just trees, it is understory, rocks, sticks, groundcover, tree hollows, water ponds and variety in the urban environment, providing habitat diversity and food for a variety of organisms. There is nothing in the DCP to encourage the preservation or restoration of this variation within the urban footprint



#### 1.4.4 Growth Centres Biodiversity Certification

Land within the Wilton Growth Area is not included in the area subject to the Biodiversity Certification Order made in 2007 (and as applied to existing Growth Centres at that time). A new bio-certification process will be implemented through the preparation of the *Cumberland Plain Conservation Plan* (CPCP), which will be finalised in 2020. The CPCP aims to facilitate the best conservation outcomes in new Growth Areas by addressing the costs of offsetting and impacts on development viability; identifying land for conservation; providing certainty for the development industry; and optimising conservation outcomes.

Future land development and infrastructure in the Wilton Growth Area will need to avoid areas of high biodiversity values where possible and implement strategies to mitigate avoidable impacts. The CPCP will detail a comprehensive assessment strategy that will include a methodology for assessing biodiversity loss and gain.

This lack of bio-certification for the Wilton Growth Area which lags the ongoing rezoning and likely approval of DAs by proponents has been a concern of WAG for some time. The above statement also appears to make it the priority of the CPCP to 'facilitate the best conservation outcomes in the new Growth Areas by addressing the costs of offsetting and impacts on development viability' and 'providing certainty for the development industry'.

What a failure of the environmental planning process to have reached such a point of surrender to the developer in an area of such high conservation value with some of the largest biodiversity constraints in place!

Development consent should not be granted until biocertification and biobanking arrangements are approved.

It appears the Wilton development has had significant changes in bio-diversity assessment between 2015 to 2017 which has expanded development within the urban capable footprint below.

We note that Wilton Growth Area is still operating under the Threatened Species Act and the DCP does not reflect this.

**We refer to our January 2019 Submission on Draft Terms of Reference for the Strategic Impact Assessment Report for the Cumberland Plain Conservation Plan**



## Detailed concerns:

Extract from the Draft Terms of Reference

### 1. PURPOSE OF THE STRATEGIC IMPACT ASSESSMENT REPORT

- 1.1. The purpose of the Report is to assess the impacts of actions taken under the Cumberland Plain Conservation Plan (Plan) on all matters protected by Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) ('protected matters').

### 2. DESCRIPTION OF THE PLAN BEING ASSESSED

#### 2.1. The Report must describe the Plan:

1. The Report must provide a summary outlining its overall purpose, key elements, spatial extent, and timeframes, including how long the Plan will be in effect.
2. The Report must provide details about the key elements, including:
  - a. The conservation commitments and outcomes to be delivered for protected matters.
  - b. The actions likely to be taken under the Plan over the short, medium and long term.
  - c. The legal and administrative frameworks to implement the Plan and the persons and authorities responsible for implementation, including:
    - i. How the Plan has been developed and its legal standing under New South Wales law.
    - ii. The relationship of the Plan to other relevant policies, plans, guidelines, commitments, regulations and legislation including existing approvals under Commonwealth legislation for the Western Sydney Airport and the Western Sydney Growth Centres.
    - iii. Management, approval and funding arrangements for implementing the Plan.
3. The Report must describe the need and justification for the Plan including the environmental, social and economic drivers for its development.
4. The Report must describe the decision-making framework used in considering alternatives and developing conservation outcomes of the Plan. It should identify where alternative options that have been evaluated to reach the final Plan have been published.
5. The Report must describe how the principles of ecologically sustainable development (ESD) (as set out in section 3A of the EPBC Act) are considered and promoted in the development of the Plan.

## WAG concerns re TOR (2) (b) and (C) above:

The reports by Ecological Australia attached – Biodiversity Study – Wilton and Greater Macarthur Growth 2017 and Greater Macarthur Investigation Area Biodiversity Assessment 2015 – show apparently significant differences in their assessment of

- Vegetation types (p.12 2017/ p.17.2015)
- Endangered Ecological Communities (p.13, 2017/ p.18/2015)
- Red flagged area p.19/2015 but missing in the 2017 report
- Biodiversity 2015
- <https://www.planning.nsw.gov.au/-/media/Files/DPE/Reports/greater-macarthur-investigation-area-biodiversity-assessment-report-2015-09.pdf>
- Biodiversity 2017
- <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Biodiversity-study-Wilton-and-Greater-Macarthur-Priority-Areas.pdf>
-



## 2017 report

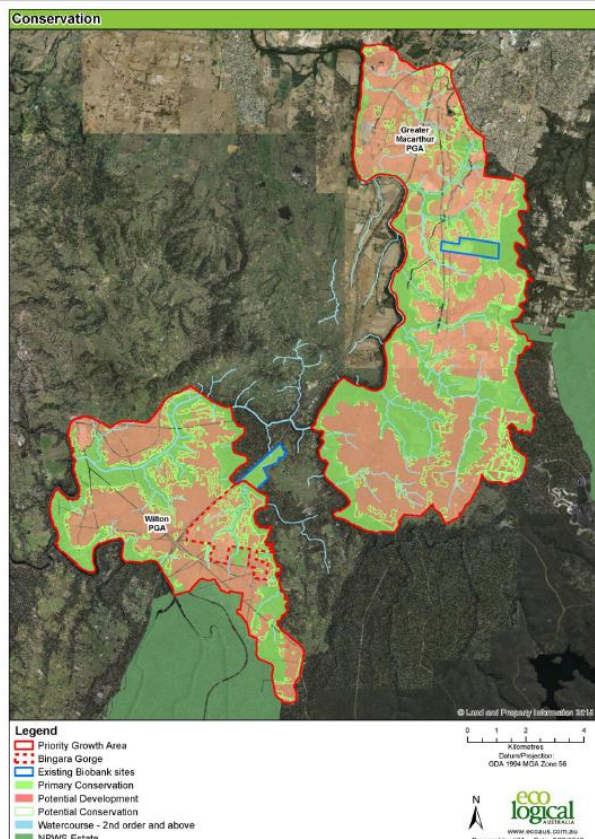
Fig 1 – Biodiversity Context



Figure 1: Biodiversity Conservation Planning Context

1. Figure 5 below is where the finger on Wilton South East becomes "potential development"





2. In the 2017 Report Conclusion p30 paragraph 4. The conservation network includes all lands identified in the "priority conservation lands" except for an area in the southern extent of the Wilton PGA where there is no vegetation. This is the finger, & derived native grass.
3. Figure 6 shows the priority conservation land with the finger included



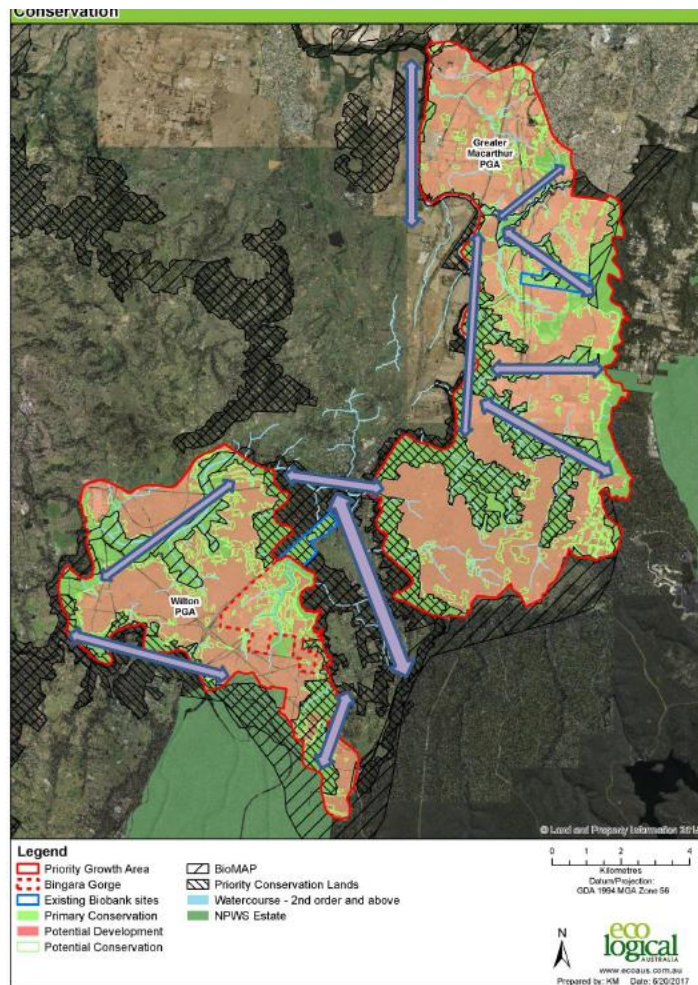


Figure 6 Connectivity and PCL analysis

If you compare to the 2015 report: Figure 5 below you will see the priority conservation land area overlaid on the finger above. So this is how the 2017 maps look different, and how one sentence in the 2017 report, supported a change to the Interim Land Use Infrastructure Implementation Plan, which was then used to support the rezoning in 2018.



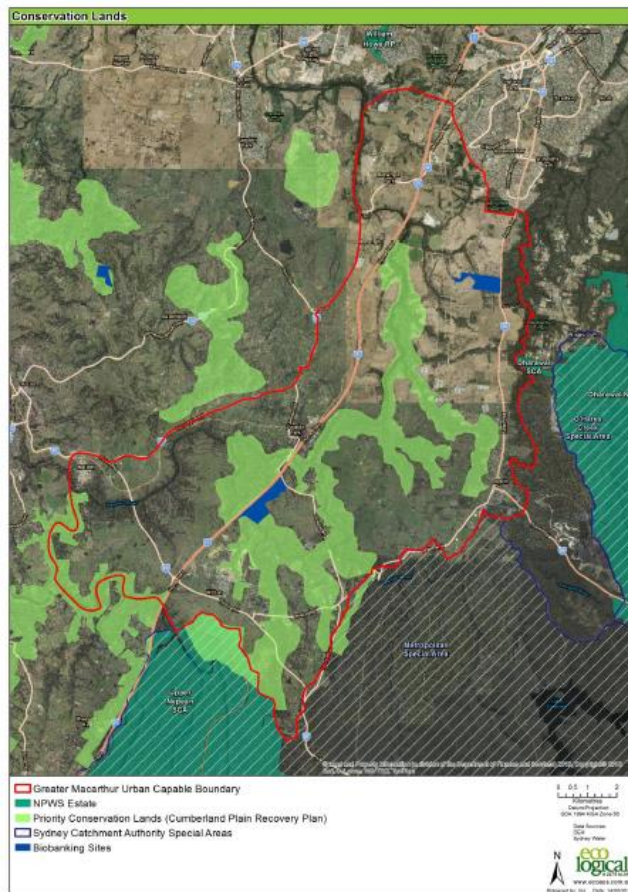


Figure 5: Priority Conservation Lands from the Cumberland Plain Recovery Plan (DECCW 2010) and Biobank Sites

It appears therefore that development within the Urban Capable Boundary that was smaller in the 2015 report has been expanded in the 2017 report and the removal of the 2015 red flagged areas in the 2017 report is therefore of great concern. Therefore it is curious that the Document Tracking (ii) page of the 2017 report states that

This report should be cited as 'Eco Logical Australia 2015. *Wilton and Greater Macarthur Priority Growth Areas –Biodiversity Study*. Prepared for NSW Department of Planning and Environment.'

This raises a significant issue for the finalisation of the Cumberland Plain Conservation Plan in Wilton.

As the Wilton South East and Wilton North rezonings have been legally approved by the NSW Minister for Planning on the basis of the consideration of these reports inter alia, how will TOR 2c have any legal standing now for Wilton and if there is a conflict with a future State BC Act or Commonwealth law (EPBC Act)?

How will such a conflict be resolved and by which State or Federal agency? Will the final Cumberland Plain Conservation Plan be able to effectively override such rezoning decisions? Or is this just a public relations exercise to enable development proceed regardless of what the final Cumberland Plain Conservation Plan might be? (See Terms of reference 6.1 in particular below



## 6. ADDRESSING UNCERTAINTY AND ADAPTIVE MANAGEMENT

- 6.1. The Report must identify key uncertainties and risks associated with implementing the Plan, responses to these and proposed adaptations to changing circumstances. Key uncertainties may include:
  1. Knowledge gaps in scientific understanding and responding to new knowledge.
  2. Assumptions made in assessing potential impacts and benefits.
  3. How changes to State and Commonwealth legislation, policies, plans and advice is to be accounted for in the management of the areas impacted by the Plan.
  4. Effectiveness or capacity to ensure the Plan is implemented.
- 6.2. The Report must describe and assess the adequacy of the procedures proposed in the Plan to ensure an adaptive approach to implementation of the Plan. This must include:
  1. How the results of monitoring will be used to understand the effectiveness of conservation outcomes for protected matters and improve implementation.
  2. How new information relating to protected matters and biodiversity, including legislative changes, may be assessed and accounted for in implementation of the Plan.

## 3. DESCRIPTION OF THE PROTECTED MATTERS IMPACTED BY THE PLAN

- 3.1. The Report must describe the nature of the environment within the strategic assessment area, and of areas outside the strategic assessment area that may be impacted by actions taken under the Plan. The must include (at a minimum):
  1. A description of historical and current land use.
  2. The extent and quality of native vegetation present including detailed mapping of ecological communities and habitat for threatened species listed under the EPBC Act.
  3. The nature of the environment, including ecosystem processes and threatening processes.
  4. A description of the landscape context for key environmental matters, including connectivity, habitat fragmentation and ecological processes.
  5. A spatial map of areas that are already protected for environmental purposes, including Bio-banking and Biodiversity Stewardship sites.

### **WAG Concerns for TOR (3) above include:**

Point 5. We have seen that no biobanking site have been identified. Any public bushland reserve should not be allowed to be an offset in the Cumberland Plain Conservation Plan. They should be included in the definitions of land already protected (3.1.5) . as the use of the existing already protected reserve results in a net loss by attributing it as an offset for further development, that should protect lands not already preserved.

And we agree with the Greater Sydney Landcare Network in its analysis of the crisis facing the Cumberland Plain. <https://greater-sydney-landcare.org/wp-content/uploads/2018/10/GSLN-CCN-State-of-the-Cumberland-2018-GSLN.pdf>

And we note the existing Cumberland Plan losses are already factored in as inadequate for avoiding and minimising biodiversity to Wilton in the submission below of OEHL to the DPE of September 2017. This supports our analysis on the Cumberland Plain and Biodiversity assessment problems above.



## **ATTACHMENT 1. Office of Environment and Heritage (OEH) comments on the Wilton Priority Growth Interim Land Use and Infrastructure Implementation Plan (LUIIP) and the Wilton South East Planning Proposal**

### **PART 1 Interim Land Use and Infrastructure Implementation Plan (LUIIP)**

#### **2.4 Critically Endangered Ecological Communities**

The ESR quantifies losses of 8.7 ha Cumberland Shale Plains Woodland (CPW), 6.89 ha of DNG and 0.47 ha of Shale Sandstone Transition Forest (SSTF) with 248 ha of low diversity native/exotic grassland. In total, a loss of 16 ha of CPW has been identified within the development footprint. This still does not meet an avoid and minimise approach to biodiversity impacts.

In addition to the above calculation there is an area of approximately 3.5 ha of Shale Plains Woodland mapped in the northwest of the site alongside Picton Road (Cumberland Plain West Vegetation Mapping OEH 2013). This area has not been included in the ecological assessment area or included in the loss calculations. OEH considers it should be included as a loss based on the draft LEP map that shows this land zoned B5 and the associated losses arising from the proposed road widening to facilitate the precinct development. Road widening is also expected to occur further south along Picton Road which will result in the removal of further vegetation. This loss also does not appear to have been considered in the ecological assessment.

#### **2.5 Derived Native Grasslands (DNG)**

OEH has previously commented that the adequacy of the DNG survey and assessment. The ESR updates previous mapping to now include DNG along the western edge of the central 'finger' of vegetation. This vegetation is within the development area and is proposed to be zoned R2 Low Density Residential and RU2 Rural Landscape.

However, the ESR refers to 252.53 ha of low diversity native/exotic grasslands on the site. This is likely to be an underestimate of DNG across the site. A survey in accordance with OEH's recommended approach to the mapping of DNG as provided in comments dated July 2017 would enable more confidence that the potential for DNG to be impacted across the site had been adequately considered.

In relation to impacts of the development on the koala population on Wilton South East We note the following from the Bio Blink report to OEH of Dr Stephen Phillips of 2 February 2018 – ***Independent review of koala habitat issues in Wilton South East Precinct***



*What are the risks to the koala population by developing in Area 4?*

In my opinion, development in Area 4 as proposed by Walker Corp will result in the following risks to the koala population:

- development will result in creation of a blind pocket of habitat which will minimise opportunities for dispersal and longer-term occupancy and so work to the detriment of ongoing koala recovery in this area. Depending on their width, blind habitat pockets typically offer limited entrance / exit opportunities for koalas which functions to increase levels of agonistic interaction.
- Development will result in creation of a koala-movement pinch-point along the eastern edge and in the north-eastern corner of Area 4, which, for reasons I identify below, has the capacity to block koala movement at an important connectivity 'hub' by limiting access to the existing infrastructure of culverts, arches and large diameter pipes that occur beneath Picton Road. The pinch-point is too narrow to effectively accommodate movement.

*What additional mitigation measures would be needed to address risks if development proceeded in Area 4 (i.e. new culverts along Picton Road)?*

I have presumed this question refers to development proceeding as envisaged by Walker Corporation. If this is the case then I expect to see further detail regarding the following:

- the extent and precise placement of exclusion fencing along Picton Road that is intended to both optimise underpass use and keep koalas from entering the exclusion area,
- the full extent and specifications for fencing and other infrastructure that will be used to enclave resulting residential areas, including provisions that will impede koala access to such areas, and others that will enable limited public access to adjoining habitat areas,
- detailed assessments of retro-fitting measures required to optimise utility of the additional underpass structures I have identified above, and
- a final design solution for the widening of the Allen's Creek corridor that is (ideally) responsive to the interface principles and associated considerations of size and necessary dimension such as I have outlined in preceding sections.

WAG submits that the current koala fencing strategy for Wilton has too many questions about its effectiveness. And the refusal of Wilton South East proponent Walker Corporation to allow full disclosure of the Koala Deed of Agreement with Wollondilly Council for reasons of 'commercial in confidence' is not acceptable. It has denied the community the opportunity to comment on the existing Koala Management Plan, even though WAG has read the full Deed at Wollondilly Council together with the EDO on 7 February this year.

## **Section 2 – Precinct Planning Outcomes**

*The Executive Summary of **Wilton 2040** structure plan states:*

***Many neighbourhoods with a Town Centre at the heart of Wilton***

- + **well connected** precincts focused on the Wilton Town Centre and local employment areas
- + **a series** of walkable neighbourhoods catering for all age groups
- + **strong pedestrian** and cycling links to the Wilton Town Centre and public transport hub, and connecting open space areas



- + **green streets** and innovative water and energy solutions
- + **conservation** of natural areas and habitat in the river gorges

### *Delivering facilities for a growing town*

- + **the Wilton Special Infrastructure Contribution (SIC)** will provide funding for NSW Government infrastructure required to support the growth of Wilton
- + **phasing** of infrastructure delivery aims to optimise availability of facilities and services
- + **early activation** of Wilton Town Centre will include a potential K-12 education facility, playing fields, community facilities, and stage 1 of the retail centre for the first residents
- + **early development** will include local jobs and the initial stages of the employment areas
- + **the growing** community will be able to have input into the services and facilities to be prioritised

### *Key actions*

- + **rezoning** of Wilton Growth Area precincts for urban development following public exhibition
- + **finalisation** of draft Wilton Special Infrastructure Contribution (SIC)
- + **strategic** bio-certification of the Wilton Growth Area through the preparation of the Cumberland Plain Conservation Plan
- + **finalisation** of the Wilton Growth Area Development Control Plan to guide approval of neighbourhood plans within the precincts
- + **finalisation** of an Infrastructure Phasing Plan for the Wilton Growth Area
- + **preparation** of a jobs creation strategy for employment areas in the Wilton Growth Area
- + **collaboration** with Transport for NSW on business case for public transport improvements

### **WAG Concerns for Precinct Planning Outcomes above include:**

Wilton South East Precinct is the first precinct presently being assessed at DA Stage. This demonstrates the fracturing and failure to deliver the Precinct Planning Outcomes as described in the Draft Wilton Growth Area Development Control Plan 2019.

### *Many neighbourhoods with a Town Centre at the heart of Wilton*

- + **well connected** precincts focused on the Wilton Town Centre and local employment areas

### *Delivering facilities for a growing town*

- + **early activation** of Wilton Town Centre will include a potential K-12 education facility, playing fields, community facilities, and stage 1 of the retail centre for the first residents

The development of Wilton South East Precinct and Wilton North, prior to the development of the Wilton Town Centre does not create a focus on the Wilton Town Centre. The second precinct presently under design by the separate Developer – Bradcorp is Wilton North, not Wilton Town Centre. This further delays the creation of a "Resilient and Sustainable Community".

### *Key actions of –*

- + **strategic** bio-certification of the Wilton Growth Area through the preparation of the Cumberland Plain Conservation Plan

The **CPCP** is still yet to be finalised.

- + **finalisation** of an Infrastructure Phasing Plan for the Wilton Growth Area

No Infrastructure Phasing Plan has been prepared for the **WGA**. The Wilton South East Precinct Plan does not include any phasing. ie no details of the finalisation of electrical, potable and waste water



rectulation systems have been finalised nor has its integration into the whole of the **WGA** been detailed.

**The application of the Precinct Planning Principles to the Precinct Schedule have not been complied with in the Draft WGA DCP 2019.**

**Futhermore the delivery of Stages should consider the logical development of the wastewater system to void unecessary temporary arrangements and ensure effective performance is achieved across the entire WGA.**

There is presently before Wollondilly Shire Council – **WSC**, the South East Wilton Precinct Plan - **SEWPP**. Walker Corporation, the Developer, has applied for DA approval of Stage 1 of the **SEWPP**. The proposed Staging of the Precinct Plan itself does not adopt the core Precinct Planning Outcomes and Principles as detailed in the Draft WGA - DCP 2019. The creation of a Local Centre, education and community facilities and Public Playing fields etc is proposed to be constructed in Stage 4 of the Precinct Plan, the elements of **“Phasing Infrastructure and Early activation”**, have been ignored.

We note that the

### **State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Wilton) 2016**

under the

Environmental Planning and Assessment Act 1979

Contains this clause:

#### **[14] Clause 18B Electricity generating works and water recycling facilities**

Insert at the end of the clause:

- (2) This clause does not apply to land in the Wilton Priority Growth Area.

For any future development of Wilton to be vialble in a time of extreme climate changes impacting water supply and its treament, we submit that this 2016 SEPP Amendment preventing water recycling in Wilton cannot stand.

See Sydney Water presentation – Upfront Servicing decsions from Sydney Wate presentation to WAG 8 May 2019 with its recommendation to that effect.



## Upfront servicing decisions

### Recycled water

Maximised within the catchment through a **dual reticulation** system, **irrigation** of active and passive open space and landscaping, **commercial and light industrial** reuse

- ✓ Potable water substitution
- ✓ Reduced volumetric and nutrient loads to receiving waters
- ✓ Water source during periods of drought/low rainfall for greening the community

Recommendation has been put forward to Department of Planning and Environment as currently not required in the State Environmental Planning Policy.



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### 2.5.1 Flooding and Water Cycle Management

#### Objectives

- To manage the flow of stormwater from urban parts of the Precinct to replicate, as closely as possible, pre-development flows.
- To promote, at Precinct and Growth Area scale, an integrated approach to the provision of potable water, and the management of wastewater and stormwater.
- To define the flood constraints and standards applicable to urban development in the Precinct.
- To minimise the potential of flooding impacts on development.
- To protect high value waterways and riparian vegetation.
- To ensure that water management measures for development incorporate key principles of water sensitive urban design being to:
  - protect existing hydrological and ecological processes of natural features and systems including watercourses, wetlands, lagoons and aquatic, riparian and groundwater dependant ecosystems
  - maintain the natural hydrological behaviour of the catchment
  - protect the water quality of surface and groundwaters
  - minimise demand on reticulated water supply system
  - integrate water into the landscape to enhance ecological, visual, social, economic and cultural values.

All worthy objectives but avoids the elephant in the room – future predictable water supply from dams. The developer should be able to demonstrate that long-term water supply from dams will be made available. Sydney Water presentation to WAG 8 May 2019 slide below



## Upfront servicing decisions

### Drinking water

Bulk water supply from **Macarthur Water Filtration Plant**

- ✓ Assets primarily along existing infrastructure routes
- ✓ Capacity available at Macarthur
- Supply from Nepean Water Filtration Plant requires extensive upgrades of pipelines and treatment plant
- Local supply (new Water Filtration Plant) requires extraction licence, potential Environmental Impact Statement, significant cost, and carries risk of single source of supply, water quality



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- There is no integrated water management plan – stormwater is treated differently in this DCP with OEH recommended target for storm water quality – Table 4 – but no other detailed controls described for waste water
- There is no investigation or strategy for raw water supply
- Sydney Water have not provided a finalised concept for waste water services - see the extract of their presentation to WAG of 8 May 2019

## Wastewater treatment

Two 2046 adaptive pathways identify a centralized wastewater treatment plant within Wilton as the preferred wastewater treatment strategy

Options are identified for interim wastewater servicing:

1. Package wastewater treatment plants and irrigation within the Wilton study area
2. Transfer wastewater to local wastewater treatment plant



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- **Where is the wastewater going?**



- Wastewater is currently at options planning stage, and yet to commence concept design. No decisions have been made as to how or where the wastewater will be treated, or discharged. There are no easements or land reserved in this DA for any pipelines, pump stations, overflow lagoons, treatment infrastructure or irrigation lands. Connection to existing infrastructure at Bingara is not assured due to a Private operator under a WICA licence. The community has long maintained that we do not want multiple sewerage treatment plants in our town. It is possible that this infrastructure will not keep pace with the development if this DA is approved prematurely, and a long term trucking away of sewage will occur. This trucking is high cost and will have high odour, noise and traffic impact on residents and the environment.
- The DA should not be approved prior to full public exhibition of wastewater strategy for the site.
- A proper wastewater strategy across the whole Wilton Junction development is required, including the town centre that has not yet been exhibited or rezoned. Sizing and design of infrastructure is compromised by the developer rushing to market with this offering of house lots – I can't help but wonder, why the rush?
- There will likely also be construction of an easement across Picton road to interconnect into the wastewater system. I strongly recommend the panel does not approve the DA allowing future conditions of consent. These measures must be subject public scrutiny. In the interests of good, sustainable design, do not approve this development without a comprehensively planned wastewater strategy.
- There is insufficient detail provided to determine if the Structure plan goal (*LUIIP page iii*) that "Water systems will be designed to protect in-stream water quality." is going to be achieved.
- **Water infrastructure**
- Upgrade to trunk infrastructure yet to be determined. Costs of such upgrades are likely to be significant (new pipeline crossing Broughton Pass, new pumping station etc). Raw water supply not evaluated or assured.
- As above with Sydney Water slide of Upfront Servicing decisions any plan to connect Greater Sydney supply to the upper Nepean system would be a state significant investment. Who pays? Why should this development go ahead without knowing if this significant investment is required and if it can be delivered in time to ensure water does not run out? How will this fulfil the structure plan aim of appropriate infrastructure to support new and changing communities at no additional cost to government (*LUIIP page 3*)?
- Page 37 of Walkers development application states that the proponent will decide whether to incorporate recycled water reticulation following completion of the Options Design Study.
- Without knowing if recycled water is to be implemented, the water demand of the proposed development cannot be accurately determined. The DA should not be determined until this is known.



- There is insufficient investigation done to determine whether the concept is viable, and consent should not be given until the water strategy is finalised and made publicly available for comment.
- These and other matters I made in my submission have not been properly assessed.
- It is clear that the journey to adequate arrangements for essential water services has not yet been achieved
- Summary of Sydney Water's role and responsibility for Wilton New Town below from presentation to Wag of 8 May 2019 below.

## **Sydney Water's role and responsibility for Wilton New Town**

Sydney Water will plan for drinking water, wastewater and recycled water services for Wilton New Town. To do this we will:

- consider the lease cost and acceptable risk option
- consult with Department of Planning and Environment (DPE) and developers to determine growth take up rates
- work with developers to determine best locations for infrastructure to meet operational needs
- meet Environment Protection Authority (EPA) nutrient discharge targets for the Nepean River
- obtain all relevant approvals for construction
- provide advice to customers about drinking water, wastewater and recycled water connections
- keep the community informed throughout the project and be open and transparent about the decisions we make.

WaterNSW is responsible for any study in relation to drinking water catchments.



### **Other controls - and analysis**

#### **2.5.1 – control 3**

Given the pristine river systems, more controls are required to increase WSUD within the road network, to slow and minimise the discharge rates. Reliance on civil engineering alone is not supporting good water management.



### 2.5.1 control 6

For the reason above, it is insufficient to “minimise urban water run-off pollutants into water courses”. Is this statement connected to table 4?

Table 4 OEH Stormwater quality targets – how is this monitored?

New – drought management plan .A control should be added to plan water management requirements under a drought scenario.

Typical drought management controls are required. The area is drought prone and dependent on limited supply of raw water from the Upper Nepean Dams.

2.5.2 para 2 The purpose of identifying water dependent ecosystems is not supported by any protection measures, and acceptable solutions. Ground-truthing is not a development control. It requires actions that may require EIS, and specific water management controls.

We also note this section 2:5:13 –.

13. Applications may be required to indicate that permanent fail-safe, maintenance-free measures are incorporated in the development to ensure the timely, orderly and safe evacuation of people from the area should a flood occur. In addition, it may also be necessary to demonstrate that the displacement of these people during times of flood will not significantly add to the overall community cost and community disruption caused by the flood.

How a fail safe emergency measure for evacuation can be maintenance free is not explained and how displacement of people during times of flood will not add significantly add to the overall community cost and community disruption caused by the flood simply defies logic and lived experience of major flooding in NSW alone.

### **Water Supply Security**

For Wilton to be a viable and ecologically sustainable development, there must be a reliable and predictable water supply and best practice waste water treatment.



### Facts about our local water storages

- Our supply is limited by small local storages of the Upper Nepean, (map attached) totalling 260,000 ML compared to Warragamba of 2 Million mega litres.
- In the last year alone we have seen the Sydney main supply of Warragamba Dam drop below 50% capacity for the first time since 2004. But the dams that service our region, have seen levels decline by 25% - to an average of 40% in the 4 Upper Nepean scheme dams, due to increased drought, low inflows and accelerated evaporation.
- <https://www.waternsw.com.au/supply/Greater-Sydney/greater-sydneys-dam-levels>
- Information obtained from the *Water NSW Greater Sydney Water Supply Yield 2018 report* states 41.61 GL/annual is supplied to Macarthur, and Picton and Bargo (which is serviced by the Nepean Dam). Based on the planned growth to 2040 and average consumption, our calculations show the water demands will rise to 58.14GL/p.a. This will well exceed the current availability of 41.61GL without considering climate change impact
- How much population can our water supply withstand is the unanswered question?

It's not likely there is going to be more water over the longer term, and the dams must cope with new demands for housing growth that doubles the Wollondilly population in addition to mining, climate change and drought impacts.

At the Special Community Forum as part of the Wollondilly Shire Council Extraordinary meeting held on 30 April 2018 at Wilton, WAG called for:

*Commissioning of a full hydrological analysis to determine the future adequacy of the water supply for Wilton New Town's projected population of 50-60,000 people - allowing for impacts of factors like climate change and future mine closures on that critical, limited water supply from the local dams.*

We also note the evidence in August 2018 of the Chief Scientist NSW about record low inflows into the catchment

The inflows into the system over the past 15 months have been worse than the lowest on record. Let me give you some figures to illustrate what that means. The previous lowest annual inflows were in 1944 and they were 136 gegalitres. The second lowest inflows were in 2004 during the Millennium Drought at 234 gegalitres. So 136 gegalitres was the worst and 234 gegalitres was the second worst. By the way, it is a big gap which shows that it is a long tail. If the inflows continue along the path they have been going in the past few months, this year's inflows in total will be 83 gegalitres. So 99 per cent lowest was 136 gegalitres; this year's will be 83.<sup>12</sup>



<sup>12</sup> Transcript, Friday 31 August 2018. Estimates hearings of Portfolio Committee No. 6 Planning and Environment.

### **Sections.2.5.3 - 2.5.11 - p21- 28 - covering salinity/odour control/air quality etc p.21-28**

In line with Fig 1. P5: Reducing pollution exposure should be a priority. Health impacts of poor air quality are now considered to cause significant disease and life threatening illnesses. The DCP should specify that design must avoid exposure to traffic related air pollution. Buffers of a minimum of 100 metres should be maintained for Picton Road as well as the Maldon Dombarton. A 100 metre buffer achieves a 90 percent reduction in air pollution exposure.

Air quality measures should factor in the significant number of cars that the Wilton Growth Area will generate along with the major freight corridor movements of Picton Road, which will only increase once the second airport at Badgery's Creek comes on line.

There are insufficient controls for dust management. Construction staging should be managed under a dust control plan during drought conditions. Construction staging should take into account the prevailing winds, and proximity to existing neighbourhoods.

Design should respond to the more affordable option of buffers, and if no buffer provided, the developer should demonstrate why buffers can not be applied.

### **2.7 Native Vegetation and Ecology**

This is a prescriptive measure that may not be achieved in a drought term. It is not clear why this is prescribed this way and the evidence to support these measures. Better performance-based measures are required, as different tree species will grow at different rates. A drought management plan is required to ensure viability of tree species. This could include swale drains along verges. Controls for tree replacement should fall on the developer before the developer exits the development

### **2.10.2 Controls - Noise**

Must ensure the proposed 100 m buffer to the Maldon Dombarton is sufficient to achieve the future rail proposal and construction thereof.

### **2.11. 1**

The buffer requirement for the Maldon Dombarton rail corridor is likely to be more than 100 metres due to construction space requirements and the vision for passenger /freight rail



**Table 5.p28 Setbacks from kerb**

The minimum residential set back of 30 metres form the motorway is insufficient. Noise and air quality assessment is required at the neighbourhood planning stage to determine suitable setbacks

The rural amenity of the freeway should be maintained for visual and noise purposes. The Wilton Junction is a gateway to Wollondilly, and the character of the Shire should be represented at this gateway for tourism purposes.

Traffic volumes along Picton Rd/Hume Highway represent more than 25% of vehicle movements. The setbacks are not reflective of the extent of heavy vehicle traffic.

**Section 3 Neighbourhood and Subdivision Design - p.29-57**

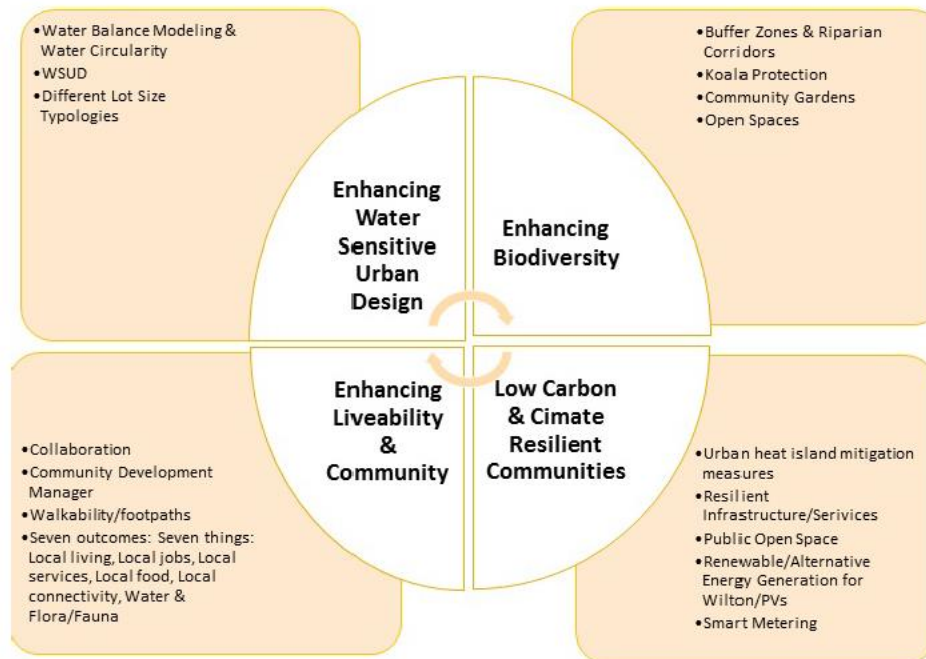
Good clear access should be incorporated and applied to the design and layout of all public carriageways, private roads, lanes and access roads for the provision of public transport, waste removal and emergency services.



## 5.1 Enhancing Sustainability

Multiple possible sustainability measures all having positive impacts for neighbourhoods are outlined in Figure 36. Many sustainability measures are reinforcing and complementary, producing dual or even multiple benefits. Sustainability action early in the planning and development cycle can have proportionally greater benefits, where there is often the most to gain from the introduction of new technologies and practices, e.g. alternative energy generation and water management.

**Figure 36**



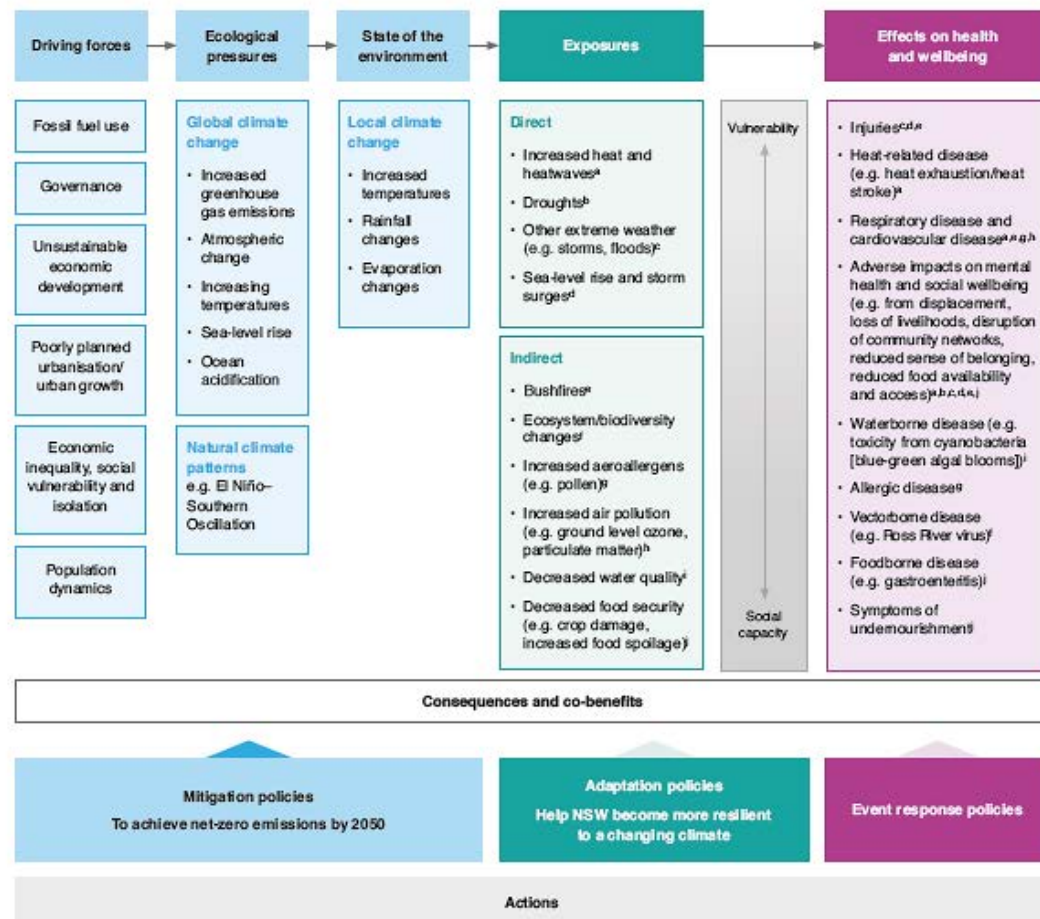
Priority Sustainability Action Areas for Wilton Growth Area

Compare with Fig. 1 p5 below:

Does the proposed Wilton Growth Area deliver serious mitigation or even adaptation to climate change exposures direct and indirect?



Figure 1. Proposed conceptual framework for climate change impacts on human health and wellbeing in NSW



Note: Superscript letters denote relationships between specific exposures and effects on health and wellbeing.

Relevant comment from OEH on Precinct Plan Sept 2017

## 2.9 Sustainability and climate change

Although the LUIIP incorporates climate resilience, liveability and sustainability principles there is little detail in the precinct plan to demonstrate how these have been considered or will be implemented. For example, the LUIIP suggests precinct plans will incorporate green cover to avoid increasing

urban heat, design infrastructure to be climate resilient and to investigate the potential for new development to achieve zero emissions.

WAG argues therefore that this draft WGA DCP has not sufficient measurable outcomes for sustainability in design and precinct planning.



### 5.3 Sections on Biodiversity - objectives

To mitigate the climate change exposures, Planting of trees for canopy cover should start now as continuing rises in mean temperatures will mean that trees will take that much longer to reach maturity.

5.3.1 Protecting Biodiversity - Repeats the Cumberland Plain material of 1.4.4 above with these High Level objectives which have too many loopholes. Who actually enforces these objectives and measures their effectiveness?

High level objectives include the following:

- To retain and restore native vegetation and habitats for native species in patches of a size and configuration that will enable existing plant and animal communities to survive in the long term.
- To ensure that construction and operational impacts of development are avoided and/or mitigated using best practice.
- Provide guidance and information required for informed decision-making on improving the ecological value of the area.
- To provide guidance on acceptable measures to avoid or minimise the impact of proposed development on biodiversity including for proposals affected by Part 7 of the *Biodiversity Conservation Act 2016*.
- To compensate for unavoidable habitat losses in accordance with applicable legislation, or in the absence of such legislation, contemporary best practice.
- To provide for development controls intended to prevent the degradation of ecological values.

This last objective will be implemented through this DCP, which contains biodiversity planning principles and objectives in this Chapter, and controls at Appendix I.

The application of the biodiversity planning principles at Section 5.3.2 to inform the neighbourhood plan will be critical in achieving the biodiversity outcomes required under the draft CSCP. Subsequent development in accordance with Development Applications that are consistent with the neighbourhood plan will assure the delivery of these outcomes.

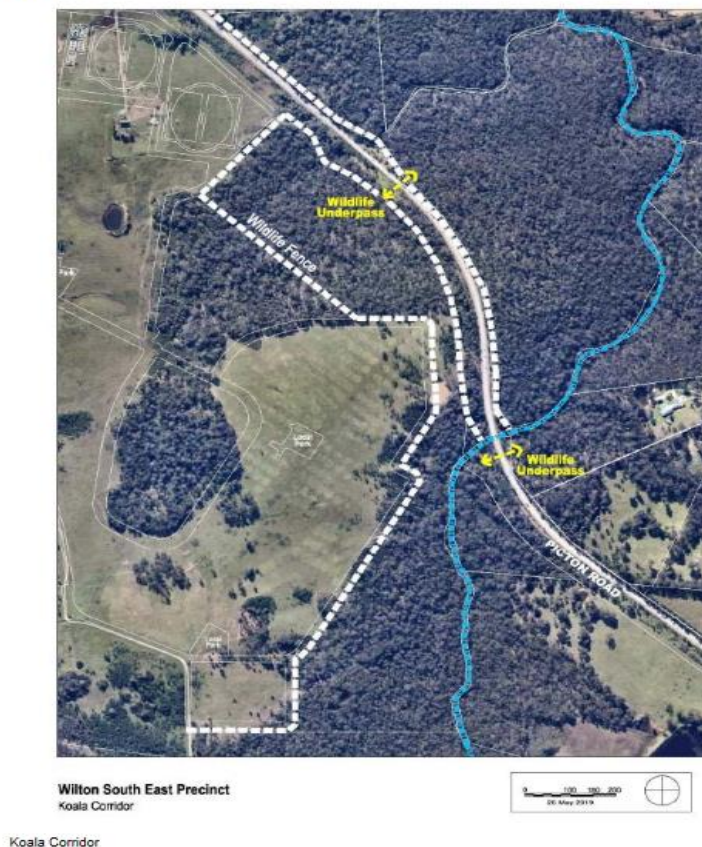
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With 5.3.2 below - koala fencing on Wilton Stage 5 that violates point 5 below.

A koala fencing strategy for the entire Wilton New Town is required and to be included in the supporting Schedules and should include independent scientific assessment. A fencing plan at neighbourhood level does not provide sufficient information to analyse the impact on Koala movement across the region. A piecemeal approach to koala fencing is not a suitable performance measure. See image on p21 of Wilton South East Wilton Precinct Schedule below to see the limitations of the koala fencing as per Bio Blink report of 2 February 2018 quoted again below:



Figure 3-5



*What additional mitigation measures would be needed to address risks if development proceeded in Area 4 (i.e. new culverts along Picton Road)?*

I have presumed this question refers to development proceeding as envisaged by Walker Corporation. If this is the case then I expect to see further detail regarding the following:

- the extent and precise placement of exclusion fencing along Picton Road that is intended to both optimise underpass use and keep koalas from entering the exclusion area,
- the full extent and specifications for fencing and other infrastructure that will be used to enclave resulting residential areas, including provisions that will impede koala access to such areas, and others that will enable limited public access to adjoining habitat areas,
- detailed assessments of retro-fitting measures required to optimise utility of the additional underpass structures I have identified above, and
- a final design solution for the widening of the Allen's Creek corridor that is (ideally) responsive to the interface principles and associated considerations of size and necessary dimension such as I have outlined in preceding sections.



## Name

First name

[REDACTED]

Last name

[REDACTED]

Name withheld

Yes

## Info

Email

[REDACTED]

Suburb/Town & Postcode

2000

Submission file

[wilton-submission\\_redacted.pdf](#)

Submission

See attached

I agree to the above statement

Yes



Submission on Wilton Development

For the attention of:

Ms Catherine Van Laeren

A/Executive Director, Central River City and Western Parkland City

Department of Planning, Industry and Environment

GPO Box 39,

Sydney NSW 2001.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Topics listed:

Current major infrastructure issues

Intersection Picton Road & Hume Highway - This is already beyond working capacity

Access roads to Picton road - Macarthur Drive and Almond Street are currently incredibly dangerous to turn right onto Picton road.

Wilton South East, Why does the fence not circumnavigate the whole of the finger shape bush area?

Why is there a road through this pristine environment?

What fence will keep cats out of this pristine bush?

No to Community Title Developments, its segregation!

Why No south bound on/off ramps for Wilton North?

Railway facilities - Nothing new provided

Serious consideration of railway connectivity is desperately needed



As a resident, living and using the totally inadequate current infrastructure, being the roads system (as we don't have any local train or bus service) I just have to wonder, what are you doing? Why can't you fix and improve before adding population?

### **Current infrastructure issues**

#### **Intersection Picton Road & Hume Highway.**

This is already beyond working capacity. Every morning, the daily commute is backed up on Picton road to Pembroke parade with huge semi trailers, Cat & Dog trucks, you name it, and it's stuck at the lights. Due to the slow crawl through the lights, cars are bypassing the traffic jam by doing an illegal u-turn in front of the parachuting centre.

This intersection is smack in the middle of the total development. If this doesn't work correctly, the whole place grinds to a halt. Heads up people – It already has!

Have any of you considered that the lights at this intersection are not the best solution? Have you looked around the world to see what keeps traffic moving? Have you considered looking at creating a very large round-a-bout? That is what is used in the UK over all the motorways, and the traffic keeps moving. Yes it will cost, but surely with the city you are intending to build, it's a no brainer.

#### **Access roads to Picton road**

Macarthur Drive and Almond Street are currently incredibly dangerous to turn right onto Picton road. Most locals avoid using them at all cost and take the back road to Pembroke Parade. Pembroke has good vision as long as the traffic from the Hume Highway intersection isn't in the way.

Stage 1 of Wilton South East, first intersection is a revamp of Pembroke Parade with lights. This will just escalate the current issue with the intersection of Picton Road & Hume Highway.

Have you considered that the current residents need to have at least one working intersection out of the current three in existence? Maybe I sound a little annoyed? You would be too if you were the ones trying to use these roads daily.

From Wilton South East there will be five intersections. Surely it would be common sense (and maybe you might even get locals onside?) to do the bridge at Almond street first? This would give locals an option and divert traffic away from Pembroke parade.

Each section of this development is very separate. Its only when each section comes up for DA that it's announced the order that infrastructure is going to be built. So yes, I can see how the roads will impact from Wilton South East and the first stage of Wilton North. The rest of it still looks to be a big secrete.

#### **Wilton South East**

#### **The Koala fence**



Taken From Your Report

### **5.3.3 Threats to Biodiversity from Urban Development**

*Clearing and habitat disturbance in areas zoned Environmental Conservation E2 adjacent to urban development areas will be mostly avoided, however there are residual threats to koalas and other species that will need to be mitigated. This can be achieved through conservation development controls that aim to reduce the impacts of vehicle strike, dog attacks and other key threats as well as development controls. These threats are common to some species and can be addressed through management measures, which in turn can be translated in to development controls.*

### **5.3.4 Biodiversity Themes and Objectives**

*The key biodiversity themes and objectives for the Wilton Growth Area are outlined below.*

#### **5.3.4.1 Bushland**

*Objectives:*

- a. To retain and protect bushland in patches of a size and configuration which will enable existing plant and animal communities to survive and develop in the long term.*
- b. To configure neighbourhood and subdivision design to provide spaces for ecological restoration of bushland that will support new habitat for plant and animal communities.*
- c. To provide for the improved management of remnant bushland habitat.*
- d. To mitigate indirect and ongoing impacts of development on bushland values.*
- e. To educate the public on the conservation value and species residing in bushland.*
- f. To integrate remanent bushland with open space provisions for neighbourhoods and include these areas as part of management provisions for neighbourhoods.*

#### **5.3.4.2 Wildlife Corridors**

*Objectives*

- a. To retain and protect bushland habitat within existing wildlife corridors.*
- b. To encourage restoration and revegetation of bushland to increase habitat connectivity.*
- c. To mitigate indirect and ongoing impacts of development on wildlife corridors.*
- d. To provide appropriate signage for the public on the management, use and conservation value of wildlife corridors.*

#### **5.3.4.3 Threatened and Significant Species**

*Objectives*

- a. To retain, protect and enhance habitat features necessary to maintain and increase populations of threatened and other significant plants, animals and communities.*
- b. To improve the management of retained and protected habitat features.*
- c. To mitigate indirect and ongoing impacts of development on threatened and other significant plants and animals.*

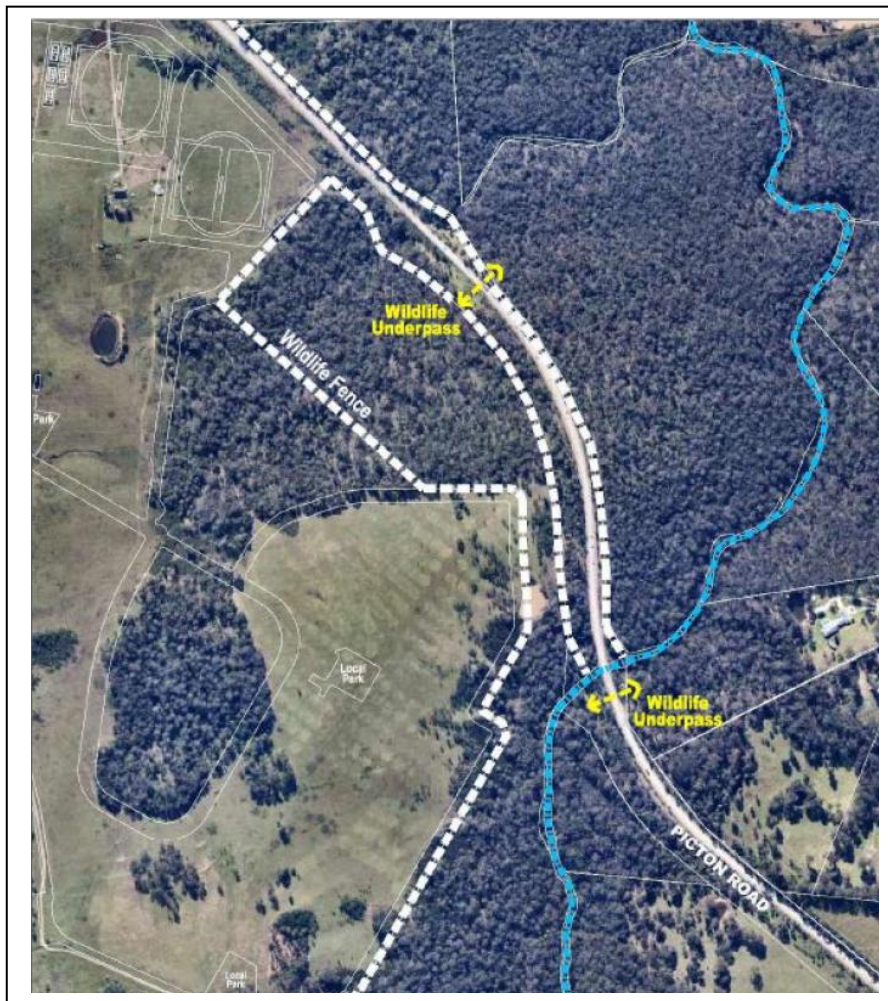
#### **5.3.4.4 Koala Habitat**

*Objectives*

- a. To retain, protect and increase koala populations and their habitats.*
- b. To provide for the improved management of retained koala habitat.*
- c. To mitigate indirect and ongoing impacts of development on koala populations and their habitats.*
- d. To provide appropriate signage regarding threats to Koalas and the use and management of koala habitat adjacent to urban areas.*



Figure 3.5 showing your Koala fence cutting the bush land of this important location in half.



So much talk about protecting our wildlife. So much talk about protecting the Koala corridors. Please explain then why the area of priceless Koala corridor bushland is fenced off stopping the wildlife from this area? Why does the fence not circumnavigate the whole of the finger shape bush area? If you must have a road through, add an under/over pass for the wildlife.

But why do you need a road through the middle of this bush in the first place? The homes will be built to the standard BAL 29, this means shelter in place for bush fires. With this standard build, people are not meant to leave. This is vital bushland in preserving our wildlife. Fencing across this bush is in complete contradiction to all your above statements of:

*5.3.3 Threats to Biodiversity from Urban Development*

*5.3.4 Biodiversity Themes and Objectives*

*5.3.4.1 Bushland*

*5.3.4.2 Wildlife Corridors*

*5.3.4.3 Threatened and Significant Species*

*5.3.4.4 Koala Habitat*

Once it's gone, it's gone.



Fencing to protect the wildlife from the roads. Fencing to stop dogs from entering the bushland. Please, what type of fencing will keep out cats? Yes, lots of talk about protecting the Koalas, but it's not just the Koalas at stake from the urban sprawl. Possums, Sugar gliders, Lizards, Bird life, Frogs, these are all so venerable to cats. With this urban sprawl, cats will come. They are born hunters. So the question to be answered is: What fence will keep cats out of this pristine bush?

### **Community Title Development**

Wilton South East, first stage development is just under 700 homes with absolutely no infrastructure. Across the road is Bingara. Lots of facilities, Golf course, Club house, Tennis courts, swimming pool, just to name a few. Yes it's lovely but this is a Community Title Development. These facilities are not open to the general public. So kids going to the primary school are not allowed to use the swimming pool if they don't live in Bingara. Children playing at the park will be asked to leave the park if they don't live in Bingara. Just under 700 homes, with no where for children to play, no community facilities. This is your first development with nothing provided.

### **Wilton North**

Taken From Your Report Page 6

*Residents of North Wilton will have direct access to their homes with the construction of a new south bound off-ramp from the Hume Highway to the existing Niloc Bridge, duplication of Niloc Bridge and a north bound on-ramp to the Hume Highway. The main north-south spine road is aligned on the highest point of the site to create an elevated entry that maximises the views across the project, particularly to the expansive lake in the foreground and the Razorback Mountain Range backdrop.*

*The integration of the new off ramp, on-ramp, Niloc Bridge and internal road network will allow residents direct access into and out of North Wilton and provide a road network where residents can safely avoid the freight movements associated with the Picton Road and Hume Highway Interchange.*

From the Hume Highway you are only offering on/off ramps to & from the North. The south bound off ramp is from the North. Any traffic needing to enter Wilton North from the South, West or East must travel through the residential streets of Bingara. So during the construction of Wilton North, without the development of the final stage bounding Picton Road, all facilities to create Wilton North will be coming through the residential roads of Bingara. How is that fare to this community? So anyone choosing to live in the Wilton North community wanting to travel East to the coast, or South to the Highlands or West to Picton will have to drive through Bingara. It's the same for anything being delivered during the construction of this development. Anything coming from East, West or South can only come through the narrow suburban streets of Bingara.

How can you do this to a community?

Why No south bound on/off ramps for Wilton North?

Seriously, this is just cruel to the residents of Bingara!



### **Railway facilities**

Nothing new provided. This is to be the first new planned city in Australia since maybe Canberra? How many cities around the world don't have rail? How many planned cities don't have rail? Our closest university of technology is in Wollongong. Engineering, computers, legal, just to name a few. The only access for our children, fresh out of school, new young drivers will have to be on Picton road. It's not just the wild life that will be road kill. Without rail to the coast, you are sentencing our children. The land, the pathway is in place. Surely getting that was the hard bit? Why can't this development be a connected development?

The logic of a planned city is infrastructure. Roads, Railway, connectivity, communities working together, not isolated with Community Title creating a Us & Them society that is currently in place. With no planned sewage system, No guarantee of water supply, a totally add hock plan of development with all the developers acting completely independent, it is clear that this development is greatly lacking.

Serious consideration of railway connectivity must be put in first with the location of railway stations allocated now, not in ten years time when homes will need to be purchased back & bulldozed. This has happened in other poorly developed estates. It is a known fact that towns with railway thrive. This is a City, surely it deserves a well connected railway to the coast, not only for freight but also for commuters.

### **Seriously people!**

With proper planning, putting in a connective railway system, Wilton is perfectly located to be an industrial hub that would create major business opportunities. Creating a rail interchange at Maldon rather than the current one at Macarthur – there are so many options that have been overlooked.

There are so many forces pushing for this development to go ahead. How about making a quality connected development with functioning roads, rail for commuters and freight without destroying our children's legacy in our wildlife.