

# Attachments

**Monday 18 April 2017**

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PE1, PE2, PE3, PE4, PE5, PE6, GO2 CO2, & IN2



# PE1 Attachment

1. Draft Amendments to Wollondilly Development Control Plan 2016

**Tuesday 18 April 2017**

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PE1 – Draft Amendments to Wollondilly Development Control Plan

# Draft Amendments to Wollondilly Development Control Plan 2016 for Bronzewing Street Planning Proposal

## Volume 3 – Subdivision of Land

### Part 3 Controls for Specific Locations

#### 3.11 Bronzewing Street Planning Proposal

##### Application

1. This section applies to the land identified on the map below:



##### Objectives

1. To ensure that contaminated land is suitably assessed and remediated prior to residential development.
2. To ensure that potential archaeological heritage is assessed.
3. To improve road efficiency and permeability between residential areas.
4. To protect large native trees to achieve connectivity for native animals.
5. To ensure local indigenous vegetation is used for landscaping.
6. To ensure asset protection zones do not impact on native vegetation
- ~~7. To minimise rural land use conflict. (deleted)~~

## Controls

1. For the purpose of Clause 7(4) of State Environmental Planning Policy No. 55 – Remediation of Land the site is taken to contain potentially contaminated land and shall require further assessment and remediation prior to any development consent being granted for subdivision.
2. Prior to construction of any subdivision a Baseline Archaeological Assessment should be undertaken by an appropriately experienced and qualified Historical Archaeologist. A process for locating excavating, recording and conserving any potential archaeological relics shall be detailed. Should the assessment find that the proposed works are likely to discover, expose, move, damage or destroy any archaeological relics an excavation permit under Section 139 of the Heritage Act 1977 is to be submitted for the approval of the Heritage Council.
3. A road and shared pathway link to connect to Manarina Place adjoining to the north shall be provided.
4. A shared pathway shall be constructed along the frontage of the site on Bronzewing Street and across to Milne Street.
5. A road connection to land adjoining to the west of the site shall be provided for future potential residential development.
6. A vegetation and bushfire management plan that:
  - i) protects mature native trees providing connectivity to adjoining bushland and;
  - ii) locates Asset Protection Zones outside of vegetated land and;
  - iii) incorporates larger lot sizes in the north west corner of the site to protect bushland and;
  - iv) includes a recommended Restriction on the Title detailing these measures to be registered on the title of affected lots.
7. A landscaping plan shall be submitted detailing use of local indigenous species for street tree planting.
- ~~8. *Details of a suitable landscape or physical buffer along the western boundary to mitigate potential conflict from rural activities shall be submitted with any application for subdivision and shall include larger lots to enable greater separation of dwellings from the western boundary. A landscape buffer shall use local indigenous vegetation and the buffer shall be in place prior to release of any subdivision certificate. Details of the means of ensuring the long term provision of the buffer on title shall be submitted with any development application for subdivision. (deleted)*~~



# PE2 Attachment

1. Draft Planning Proposal Policy

**Tuesday 18 April 2017**

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PE2 – Draft Planning Proposal Policy

## 1. POLICY OBJECTIVES

- 1.1 The objectives of this policy are to:
- a) Establish Council's requirements for the submission of planning proposals by proponents,
  - b) Establish the minimum requirements for preliminary community consultation,
  - c) To provide guidance for the processing of planning proposals so that Council can be consistent in its approach.

## 2. BACKGROUND

- 2.1 The *Wollondilly Local Environmental Plan 2011* is legislation that guides planning decisions on development and land use within Wollondilly. It does this through zoning land and development controls which set out what can and cannot be undertaken on the land. It is made up of a written document (legislation) and a series of maps.
- 2.2 The *Wollondilly Local Environmental Plan 2011* is one of Council's core documents and is key to delivering on the long term strategic planning for the Shire. It supports the implementation of the Wollondilly Community Strategic Plan by implementing those actions which are influenced through land use planning.
- 2.3 The statutory process for amending Local Environmental Plans (LEPs) is through the preparation of a Planning Proposal. A Planning Proposal is a written document which explains the intended effect of a proposed amendment to a Local Environmental Plan and considers potential impacts and sets out the justification for the change(s). It is used and read by Council's and NSW Government, public agencies and other key stakeholders, as well as the general community to inform and make decisions, provide technical advice and local input.
- 2.4 Amendments to a local environmental plan, and the related Planning Proposal explain the change, can deal with many different matters such as, but not limited to, heritage listing buildings, rezoning land to enable urban development for a few or thousands of houses through to a comprehensive review of a local environmental plan.
- 2.5 The NSW State Government Department of Planning & Environment determines the statutory process for amending Local Environmental Plan's through legislation and through the preparation of guidance documents.
- 2.6 The guidance documents which include *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* although detailed are focussed on the content within a planning proposal and the statutory process in terms of who can initiate an amendment to the local environmental plan and the process once a planning proposal has been submitted to the Department. The guides do not cover matters such as how a proposal is submitted to Council, any fees and charges or other local procedures.

- 2.7 Council is a Relevant Authority under the *Environmental Planning and Assessment Act 1979*. This means that Council is required to assess and prepare planning proposals to amend its LEP.

### 3. APPLICABILITY

- 3.1 This policy applies to all Planning Proposals. This includes proposals submitted to Council for consideration and also proposals initiated by Council.
- 3.2 Where this Policy is inconsistent with statutory provisions or guidance documents prepared by the NSW Government Department of Planning and Environment those provisions shall prevail.

### 4. GUIDELINES

#### 4.1 Definitions

In this policy words and phrases have the following meaning:

**Draft Planning Proposal** refers to a planning proposal which has not been considered by Council. For example, when a planning proposal is submitted to Council it is referred to as a “draft planning proposal” until Council resolves to support it and forward it to the Greater Sydney Commission or delegate with a request for a Gateway Determination.

**Gateway Determination** means a document issued by the Minister for Planning, the Greater Sydney Commission or their delegate that specifies whether a planning proposal is to proceed and, if so, in what circumstances.

**Planning Proposal** means a written document that explains the intended effect of a proposed local environmental plan and sets out the justification for making that plan which has been prepared in accordance with the NSW Government Department of Planning & Environment’s *A guide to preparing planning proposals*.

**Preliminary Consultation** means consultation undertaken at the start of the process prior to a proposal being considered at an Ordinary Meeting of Council and prior to a Gateway Determination.

Preliminary consultation is not a statutory requirement but in is considered by Council to be good practice.

**Proponent** means the person or organisation who submits/initiate a planning proposal. Where a planning proposal is submitted to Council for consideration the proponent will most likely be a landowner, developer or consultant. Where Council initiates a planning proposal, Council is the proponent.

#### 4.2 Different types of planning proposals

- 4.2.1 In this policy, planning proposals are categorised into one of five (5) categories as detailed below:

| <b>Category/Type of Planning Proposal</b> | <b>Description</b>  |
|---|---|
| Housekeeping Amendment                    | A Council initiated planning proposal that seeks to correct an error or an anomaly in the local environmental plan.   |
| Council Initiated Planning Proposal       | Any Council initiated planning proposal that is not a Housekeeping Amendment.   |
| Minor Planning Proposal                   | <p>A proponent initiated planning proposal that Council considers to be:</p> <ul style="list-style-type: none"> <li>a) Small/minor in scale, and</li> <li>b) Simple in nature, and</li> <li>c) Unlikely to have significant impacts on the natural, built, social and economic environment (i.e. unlikely to require a number of specialist studies).</li> </ul> <p>A proposal to rezone land is unlikely to be considered a minor planning proposal except where the rezoning was not for the purposes of growth (i.e. to subdivide the land to create additional lots for houses).</p> <p>An example of a Minor Planning Proposal would be where a correction/minor change to the local environmental plan is sought which has not resulted from an error on Council's account.</p> |
| Major Planning Proposal (low complexity)  | A proponent initiated planning proposal. Most planning proposals to rezone land and which require specialist studies would fall into this category  |
| Major Planning Proposal (high complexity) | A proponent initiated planning proposal for a major greenfield release area.  |

## **4.2 Requirements for Submitting a Planning Proposal**

- 4.2.1 Proponents are encouraged to have a pre-lodgement meeting prior to preparing and submitting a planning proposal with Council.
- 4.2.2 The “Proponent” is to be identified on the application form. Council will deal with the proponent nominated on the form as our first point of call.
- 4.2.3 Planning proposals must be submitted along with a completed Planning Proposal Application Form.
- 4.2.4 The submission date for a planning proposal will be the date on which Council has received all of the following:
- i. Planning Proposal, and
  - ii. Payment of the relevant initial planning proposal fee, and
  - iii. Completed Planning Proposal application form



Note: for explanation, if the above requirements are submitted/paid on different dates, the submission date will be the date on which the last submission requirement is made.

4.2.5 Council will not process a planning proposal until 4.3 has been met.

### 4.3 Planning Proposal Fees

4.3.1 The following fees apply to **minor and major planning proposals** where relevant:

| Fee                                  | When is it relevant to a planning a minor/major planning proposal?                          |
|--------------------------------------|---|
| Initial Planning Proposal Fee        | All planning proposals  |
| Environmental Study Finalisation Fee | All planning proposals where a specialist study is required to inform the planning proposal |
| Planning Proposal Mapping Fee        | All proposals lodged which require an amendment to one of the maps.                         |
| LEP Amendment Mapping Fee            | All proposals lodged which require an amendment to one of the maps.                         |
| DCP Amendment                        | Where a proponent initiates site specific controls.   |
| Other fees                           | Refer to legislative ability.   |

4.3.2 Fees will be determined based on Council's Fees and Charges as at the date of:

- lodgement of the Planning Proposal in the case of initial planning proposal and mapping fees,
- lodgement of the last completed specialist study in the case of the Environmental Study Finalisation Fee.

A table to summarise when the various fees came into place is provided at Attachment 1.

4.3.3 Council will charge an Initial Planning Proposal Fee for Minor and Major Planning Proposals. This fee will be set out in Council's adopted Fees and Charges and will be payable when the proposal is submitted.

4.3.4 Council will charge an Environmental Study Finalisation Fee to review and finalise the specialist studies for Minor and Major (low and high complexity) planning proposals.

This fee will be levied once all the specialist studies have been completed to the satisfaction of Council. Council will not formally exhibit a planning proposal unless the relevant specialist study review fee has been paid.

4.3.5 The Environmental Study Finalisation Fee is a proportional fee and is calculated on the basis of the total cost, exclusive of GST, of preparing each required study. The proponent is to provide a copy of the invoice for each study once the study has been finalised to Council's satisfaction.

4.3.6 A Planning Proposal Mapping Fee will be charged to prepare any maps for the public exhibition.

Council will not formally exhibit a planning proposal unless the relevant mapping fee has been paid.

- 4.3.7 An LEP Amendment Mapping Fee will be charged to prepare the final LEP Maps according to the standards.

Council will not forward a planning proposal to the Department of Planning and Environment to finalise the amendment unless the relevant mapping fee has been paid.

- 4.3.8 No refund of fees is applicable except for the circumstances under section 4.11.

#### **4.4 Minimum Requirements for Preliminary Consultation**

- 4.4.1 Council is committed to engaging with the community and key stakeholders early and throughout the planning proposal process.
- 4.4.2 As a part of its preliminary assessment for any planning proposal Council will undertake community engagement by way of preliminary consultation to better understand planning considerations and local attitudes to the planning proposal.
- 4.4.3 All preliminary consultation will provide a submission period of no less than 15 calendar days for minor planning proposals; council initiated planning proposals and certain housekeeping amendments. The minimum consultation period will be 28 calendar days for Major planning proposals.
- 4.4.4 The minimum consultation period may be longer at staff discretion for particularly complex or large proposals or during holiday periods.
- 4.4.5 The minimum requirements for Preliminary Consultation for all draft planning proposals are summarised in the table below:

| <b>Category/Type of Planning Proposal</b> | <b>Minimum consultation period</b> | <b>Minimum Requirements for Preliminary Consultation</b>   |
|---|------------------------------------|--|
| Minor Planning Proposals                  | 15 days                            | Council will: <ol style="list-style-type: none"> <li>i. write to landowners within the site, and</li> <li>ii. write to landowners and occupants immediately adjoining the site(s) of the proposal, and</li> <li>iii. place an advertisement in a newspaper circulating in the locality, and</li> <li>iv. provide the draft planning proposal on Council's website and at Wollondilly library, and</li> <li>v. write to any adjoining Council if the site is located near the edge of the Shire.</li> </ol> |

|   |         |  |
|---|---------|--|
| Major Planning Proposals  | 28 days | Same as for Minor Planning Proposals   |
| Housekeeping Amendments<br>(where they apply to specific individual lots) | 15 days | Council will write to the landowner and occupant.  |
| Housekeeping Amendments<br>(apply across the Shire or to specific zones)  | Nil     | No preliminary consultation will be undertaken where the error or anomaly is general in nature and applies broadly.  |
| Council Initiated Planning Proposals                                      | 15 days | Council will:<br>vi. place an advertisement in a newspaper circulating in the locality, and<br>vii. provide the draft planning proposal on Council's website and at Wollondilly library, and<br>viii. write to landowners/occupants where practicable. |

4.4.6 The outcome of any preliminary consultation will be reported to Council to inform the initial decision on whether a planning proposal is supported and should be forwarded to the Greater Sydney Commission or their delegate with a request for a Gateway Determination.

4.4.8 If a planning proposal is modified following initial consultation the Council will undertake additional consultation as outlined at 4.4.5 but will also notify any previous submitters. This clause does not apply to minor amendments.

#### **4.5 Consulting the Community – Public Exhibition**

4.5.1 The main consultation period for planning proposals will be the formal public exhibition held in accordance with the Environmental Planning and Assessment Act, 1979 and required by a Gateway Determination.

4.5.2 The minimum requirements for a public exhibition are set out by the NSW Government Department of Planning and Environment.

4.5.3 As part of any formal public exhibition Council will notify any submitters from previous community engagement.

4.5.4 Where a planning proposal is to be supported by an action under a separate statutory process (for example a planning agreement under the *Environmental Planning & Assessment Act 1979* or a biodiversity certification application under the *Threatened Species Conservation Act 1995*), the public exhibitions should be coordinated and held at the same time.

4.5.5 The provisions described under 4.5.4 do not apply to planning controls proposed to be included within the Development Control Plan.

4.5.6 Where considered appropriate, due to reasons of public holidays, Christmas closures, or large complex proposals affecting many people Council may choose to undertake exhibition activities additional to those detailed in the Gateway Determination and/or conduct additional consultation activities like holding a special Community Forum or drop-in session.

#### **4.6 Consideration of Submissions**

4.6.1 Where more than one response is received from the same address, the submission will be counted as individual submissions where submitted by different people except where the content of the submissions is identical.

4.6.2 Where a response is submitted by more than one (1) person from the same address (for example Mr & Mrs Smith) this will be considered as one (1) submission.

4.6.3 Where a person submits more than one response those responses shall be considered as one (1) submission.

4.6.4 Where a petition is received, Council will advise the head petitioner only of the outcome of the consultation.

Note: The head petitioner is considered to be the person who submitted the petition and if this is not clear than the first person listed on the petition.

4.6.5 Late submissions will be accepted but will only be considered where these are received in sufficient time to allow for their reporting.

#### **4.7 Consultation with Public Agencies**

4.7.1 Consultation with public agencies prior to a Gateway Determination will be undertaken where there is considered to be a potential critical threshold issue.

4.7.2 Council will consult with relevant public agencies after the Gateway Determination to identify the scope of any specialist study and as required by the Gateway Determination.

#### **4.8 Including Additional Land and Removing Land**

4.8.1 The Council may add land to a planning proposal and likewise may remove land from a planning proposal.

4.8.2 Council will only do this if:

- i. It has consulted with the landowner of the land to be added or removed,
- ii. It has consulted with the proponents and to fund any specialist studies likely to be required after the amendments, and
- iii. It is satisfied that the addition and/or subtraction will lead to a better planning outcome.

#### **4.9 Preparation of Specialist Studies**

4.9.1 The Council may be required to prepare (or cause to be prepared) specialist studies in relation to a planning proposal. In the case of a Minor or Major Planning Proposal, the studies are to be commissioned and funded by the proponents.

- 4.9.2 Council maintains absolute discretion in relation to specialist studies and will not adopt a study unless it is satisfied that it addresses all relevant matters.
- 4.9.3 Council will review briefs for specialist studies before the studies are commissioned and will provide technical advice for its requirement.
- 4.9.4 If necessary, the studies may be amended to address deficiencies identified by the Council.
- 4.9.5 Council will only request studies that it believes are necessary for the thorough and proper assessment of the planning proposal. Studies that trivialise issues and are dismissive of the need for proper investigation and reporting will not be investigated.

#### **4.10 CHANGING THE PROPONENT**

- 4.10.1 A request to change the proponent should be supported by acknowledgment, in writing, from the previous proponent.

#### **4.11 Withdrawing a Planning Proposal**

- 4.11.1 A draft planning proposal can only be withdrawn by the proponent prior to a request for a Gateway Determination.
- 4.11.2 If withdrawn prior to being considered at a Council meeting, 50% refund of Planning Proposal Fee.
- 4.11.3 After this point no refund.
- 4.11.4 Any refund will be made to the same person or company who made the original payment.

### **5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 Executive
- 5.2 Director Planning
- 5.3 Manager Growth & Strategic Planning
- 5.4 Strategic Planning
- 5.5 Growth

### **6. RELATED POLICIES/PROTOCOLS**

- 6.1 Planning Agreements – PLA0037
- 6.2 Interaction with Developers, Lobbyists & Submitters – GOV0071
- 6.3 Environmental Protection Zones – AP0014

### **7. RELATED PROCEDURES**

- 7.1 Nil

## 8. RELATED LEGISLATION

- 8.1 Part 3 of the *Environmental Planning and Assessment Act 1979*
- 8.2 Part 2 of the *Environmental Planning and Assessment Regulation 2000*
- 8.3 State Environmental Planning Policies (SEPPs)
- 8.4 *Wollondilly Local Environmental Plan 2011*

## 9. ATTACHMENTS

- 9.1 Attachment 1 – Summary of Dates for when Fees apply to Planning Proposal

## 10. RESOURCES

- 10.1 Nil

## 11. IMPLEMENTATION STATEMENT

- 11.1 To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at Councillors, staff and council representatives and will involve:
  - 11.1.1 a regular review of the legislation and guidelines from the Department of Planning and Environment to ensure that any relevant changes that affect planning agreements are incorporated into this Policy. This will be particularly important should new planning legislation be introduced;
  - 11.1.2 regular emphasis on relevant sections of the Policy when planning agreements are reported to Council,
  - 11.1.3 a review of this policy every 12 months. This will include consideration of the impact of this policy on the preparation of planning proposals, review of similar policies prepared by other Councils, and obtaining legal advice where appropriate.

## 12. POLICY HISTORY

- 12.1 Date First Adopted                    ## / ## / ##
- 12.2 Most Recent Adoption                ## / ## / ##
- 12.3 Next Review Date                      ## / ## / ##
- 12.4 Responsible Officer                    Manager Growth & Strategic Planning

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Rural Living [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au)

## Attachment 1 – Applicability of Mapping Fee

| <b>Fee/Charge</b>             | <b>This fee applies to proposal lodged after the date below</b> |
|-------------------------------|---|
| Planning Proposal Mapping Fee | 1 July 2013   |
| LEP Amendment Mapping Fee     | 1 July 2013   |



# PE3 Attachments

1. Site Location Plan
2. Zoning Map
3. Acquisition Map
4. Planning Agreement
5. Review against Planning Agreements Policy

**Tuesday 18 April 2017**

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PE3 – Planning Agreement for land at 83 Menangle Street,  
Picton





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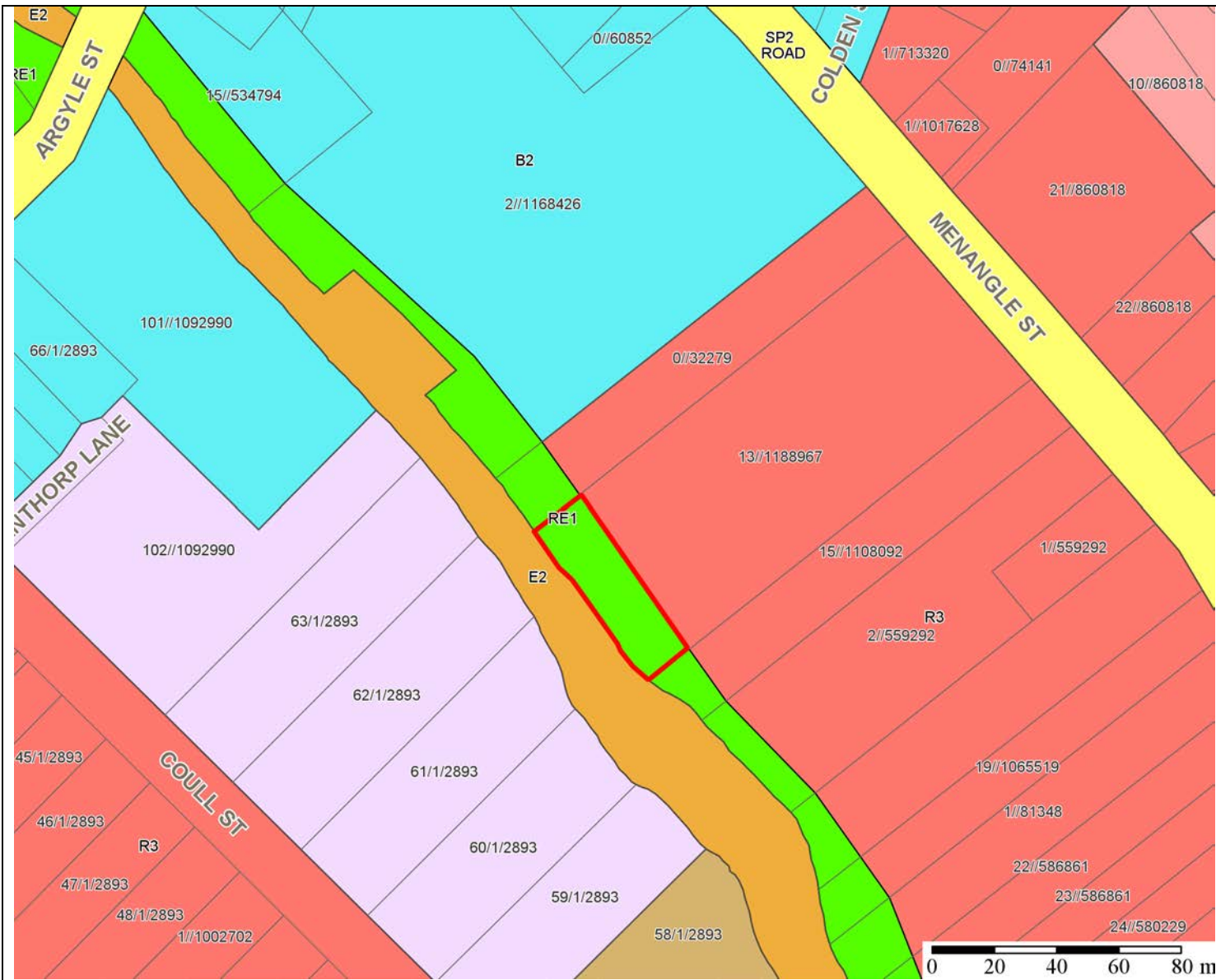
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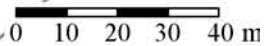
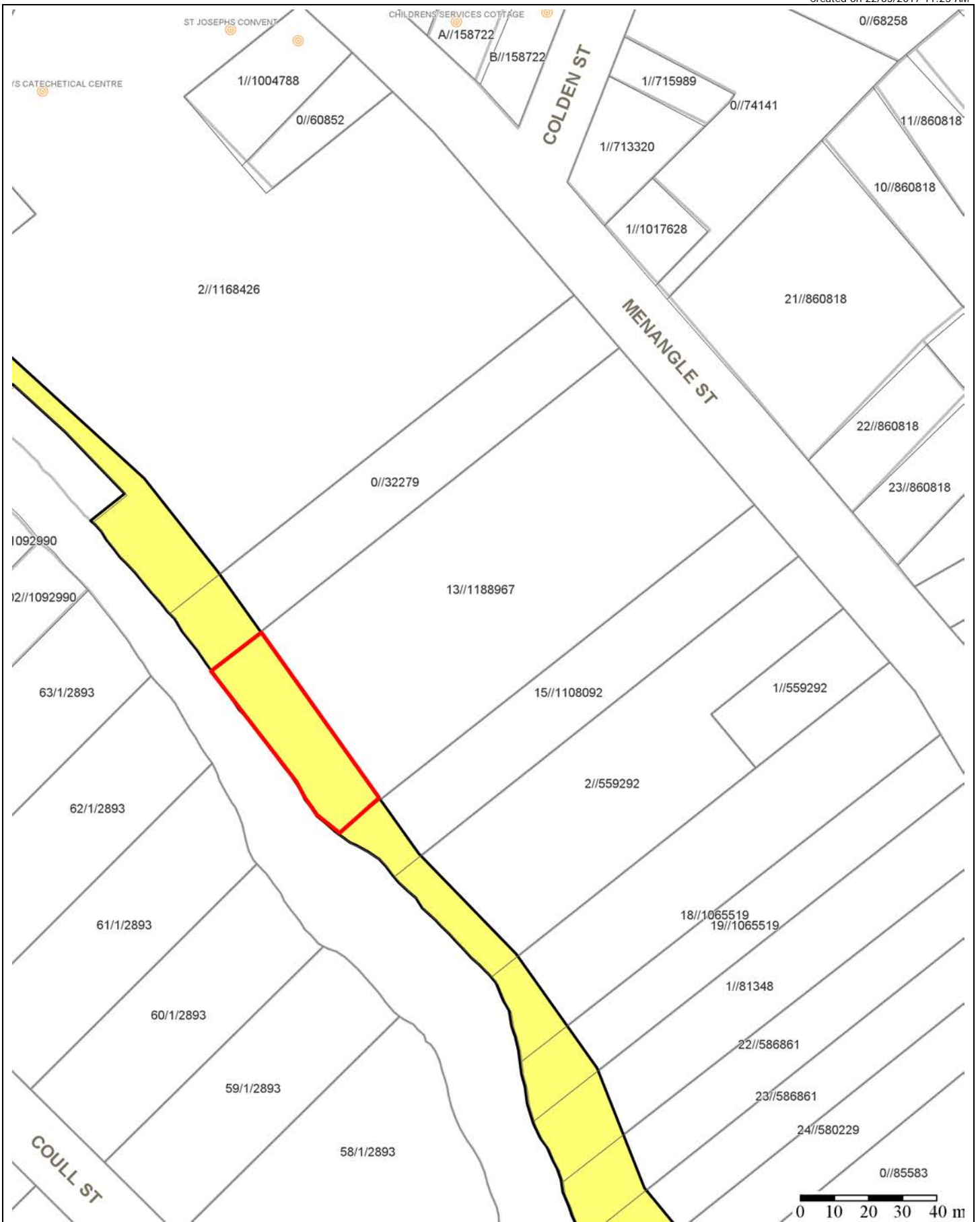
Projection: GDA94 / MGA zone 56

Date: 22/03/2017 11:23 AM

## Site Location Plan



- Az Road Text
- Az Lot Text
- Az Small Lots
- Az Large Lots
- ∧ Council Cadastre
- Local Environment Plan 2011
- Land Zoning (LZN)
  - B1 - Neighbourhood Centre
  - B2 - Local Centre
  - B4 - Mixed Use
  - B5 - Business Development
  - E1 - National Parks and Nature
  - E2 - Environmental Conservation
  - E3 - Environmental Management
  - E4 - Environmental Living
  - IN1 - General Industrial
  - IN2 - Light Industrial
  - IN3 - Heavy Industrial
  - R2 - Low Density Residential
  - R3 - Medium Density Residential
  - R5 - Large Lot Residential
  - RE1 - Public Recreation
  - RE2 - Private Recreation
  - RU1 - Primary Production
  - RU2 - Rural Landscape
  - RU4 - Primary Production Small Lots
  - SP1 - Special Activities
  - SP2 - Infrastructure



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Date: 22/03/2017 11:25 AM

## Acquisition Map (from LEP 2011)



**Lot 13 DP 1188967, No 83 Menangle  
Street, Picton**

**Planning Agreement**

**Under s93F of the Environmental Planning and Assessment  
Act 1979**

**Wollondilly Shire Council**

**&**

**Deemkies Pty Ltd**

Dated

2017

## **Planning Agreement**

### **Parties**

**Wollondilly Shire Council ABN 93 723 245 808** of 62-64 Menangle Street, Picton, New South Wales 2571 (**Council**)

**Deemkies Pty Limited ABN 71 593 183 027** of 55 Victoria Street, Potts Point, New South Wales 2011 (**Owner**)

### **Background**

- A. The Owner wishes to carry out the construction of the Development.
- B. On 14 January 2013, the Council approved a Development Application for the Development on the Land under the provisions of *Wollondilly Local Environmental Plan 1991*.
- C. Council is seeking to acquire the RE1 Land.
- D. The Parties agree that the Owner will dedicate the RE1 Land for public open space, which forms part of the Stonequarry Creek Riparian Corridor. The total area of land to be dedicated is 1074m<sup>2</sup> (refer to plan at Schedule 2). Dedication of the RE1 Land is in accordance with Council's "*Dedication of Land*" Policy PLA0036.
- E. Condition 23(1) of the Development Consent for the Development requires the payment of development contributions under s94 of the Act.
- F. The Owner is desirous to dedicate the RE1 Land to Council in part satisfaction of condition 23(1).
- G. The Owner proposes to lodge an application pursuant to s96 of the Act to modify the Development Consent for the Development to vary condition 23(1). The proposed modification, if granted will permit the dedication of the RE1 Land and the consequent reduction of the s94 Contributions payable by the Owner by the Reduction Amount.
- H. The Parties have agreed to enter into this Deed for the purpose of setting out the terms and conditions upon which the Owner will dedicate the RE1 Land to the Council and it will reduce the amount of the contributions stated in Condition 23(1) of Development Consent to the Development.

- I. Until the Deed operates, this agreement constitutes the Owner's irrevocable offer to make a dedication of the land in connection with the Development Consent to the Development, on the terms and conditions set out in this Deed.

## **Operative provisions**

### 1 Definitions & Interpretation

- 1.1 In this agreement the following definitions apply:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**Charge Land** means the RE1 Land.

**Claim** includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action.

**Construction Certificate** has the same meaning as the Act.

**Costs** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.

**Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.

**Development** means the construction of a staged 36 residential units and strata title subdivision approved pursuant to Development Application ID788/2005 as amended.

**Development Application** has the same meaning as in the Act.

**Development Consent** has the same meaning as in the Act, and includes a development consent as modified from time to time in accordance with the Act.

**Development Contribution** means a monetary contribution, the dedication of land free of cost, the carrying out of a Council Works, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards, a public purpose.

**Dispute** means a dispute or difference between the Parties under or in relation to this Deed.

**Drainage Easement** means the easement for drainage that is 3m wide through the RE1 Land.

**GST** has the same meaning as in the GST Law.

**GST Law** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

**Just Terms Act** means the *Land Acquisition (Just Terms Compensation) Act 1991*.

**Land** means the land legally described as Lot 13 in DP 1188967, No 83 Menangle Street, Picton and shown in Schedule 1.

**Party** means a party to this agreement, including their successors and assigns.

**Public land** has the same meaning as in the *Local Government Act 1993*.

**Note.** The term is defined as follows:

**public land** means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*.

**Public Reserve** has the same meaning as in the *Local Government Act 1993*.

**RE1 Land** means that part of the Land to be dedicated to Council and shown in Green on the map attached to Schedule 2.

**Reduction Amount** means an amount of \$321,500.00, being an amount agreed between the parties based on 2 independent valuations of the RE1 Land.

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**S94 Contribution** means a monetary contribution or the dedication of land free of costs pursuant to s94 of the Act.

- 1.2 In the interpretation of this agreement, the following provisions apply unless the context otherwise requires:
- 1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this agreement.
  - 1.2.2 A reference in this agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
  - 1.2.3 If the day on which any act, matter or thing is to be done under this agreement is not a business day, the act, matter or thing must be done on the next business day.
  - 1.2.4 A reference in this agreement to dollars or \$ means Australian dollars and all amounts payable under this agreement are payable in Australian dollars.
  - 1.2.5 A reference in this agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
  - 1.2.6 A reference in this agreement to any agreement, deed or agreement is to that agreement, deed or agreement as amended, novated, supplemented or replaced.
  - 1.2.7 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this agreement.
  - 1.2.8 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
  - 1.2.9 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
  - 1.2.10 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.



- 1.2.11 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.12 A reference to this agreement includes the agreement recorded in this agreement.
- 1.2.13 A reference to a party to this agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.
- 1.2.14 Any schedules, appendices and attachments form part of this agreement.

**2 Application of this Deed**

- 2.1 This Deed applies to the Development and the Land.

**3 Commencement**

- 3.1 This Deed commences and has force and effect on and from the date upon the grant of consent to the modification application under s96 of the Act to modify condition 23(1) of the Development Consent to the Development.

**4 Status of this agreement**

- 4.1 Until the Deed operates, this agreement constitutes the Owner's irrevocable offer to enter into the Deed in accordance with the Development Consent to the Development, as amended.
- 4.2 The Deed operates only if:
  - 4.2.1 the carrying out of the Development is subject to a condition imposed under s93I(3) of the Act requiring this Deed to be entered into; and
  - 4.2.2 the Deed is:
    - (a) executed by both Parties; or
    - (b) each party has executed separate counterparts of this Deed and exchanged counterparts.
- 4.3 This Deed does not exclude:
  - 4.3.1 the application of s94 of the Act to the Development,

- 4.3.2 the application of s94A of the Act to the Development,
- 4.3.3 the application of s94EF of the Act to the Development.

**5 Warranties**

- 5.1 The Parties warrant to each other that they:
  - 5.1.1 have full capacity to enter into this Deed, and
  - 5.1.2 are able to fully comply with their obligations under this Deed.

**6 Surrender of right of appeal, etc**

- 6.1 The Owner is not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Deed, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Deed.

**7 Land Dedication**

- 7.1 The Owner must dedicate the RE1 Land to Council prior to the issue of a Construction Certificate for the Development.
- 7.2 Except as modified by this Deed, the Owner will pay the s94 Contributions as set out in the Development Consent to the Development.
- 7.3 Upon dedication of the RE1 Land the s94 Contribution payable pursuant to the Act and set out in condition 23(1) of the Development Consent to the Development shall be reduced by the Reduction Amount.
- 7.4 This dedication of the RE1 Land is conditional upon the Owner preparing and procuring the registration of:
  - 7.4.1 a plan of subdivision to create the RE1 Land generally in accordance with Schedule 2, and
  - 7.4.2 an instrument pursuant to s88B of the *Conveyancing Act 1919* creating the Drainage Easement on the RE1 Land generally in accordance the map attached to Schedule 2.

**8 Dedication**

- 8.1 Upon notification of registration of the deposited plan and s88B instrument referred to in clause 7.4, Council will confirm in writing to the Owner that the required s94 Contribution stated in Condition 23(1) of the Development Consent to the Development will be reduced by the Reduction Amount.
- 8.2 Council is not required to pay any compensation in respect of the dedication of the RE1 Land.
- 8.3 The Owner must ensure that the RE1 Land is dedicated to Council free of all encumbrances and affectations, other than the Drainage Easement.

**9 Condition of the RE1 Land**

- 9.1 The Owner warrants that the RE1 Land, as at the time of registration of the deposited plan and s88B instrument referred to in clause 7.4, is in a condition that is fit for the purpose of being used as a Public Reserve.
- 9.2 The Council acknowledges the existence of the Drainage Easement.

**10 Licence for Access**

- 10.1 The Owner will grant to Council a licence, at no cost to Council, and procure the agreement of future owners agree to such a licence, for Council to enter the Land:
- 10.1.1 up to 20 times per year for the purpose of gaining access to the RE1 Land to enable the RE1 Land to be maintained, and
- 10.1.2 in the event of any emergency,
- until such time as alternative access is provided along the Stonequarry Creek corridor.
- 10.2 The licence will permit pedestrian and vehicular access for vehicles such as a small truck, utility or ride-on mower access and shall continue until Council notifies the Owner or the owners of the land at the time, that alternative permanent access to the RE1 Land has been obtained by Council and

access through the Land is no longer required. This right of access does not permit the general public access through No 83 Menangle Street land.

**11 Costs**

11.1 The Owner is to pay Council's reasonable costs in regards to the drafting and negotiation of the Deed and any valuation report that is required in relation to the Reduction Amount.

**12 Further agreements relating to this Deed**

12.1 The Parties may, at any time, enter into such other agreements relating to the subject-matter of this Deed that they consider are necessary or desirable in order to give effect to this Deed.

12.2 An agreement referred to in clause 12.1 is not to be inconsistent with this Deed.

**13 Breach of obligations**

13.1 If the Council reasonably considers that the Owner is in breach of any obligation under this Deed, it may give a written notice to the Owner:

13.1.1 specifying the nature and extent of the breach,

13.1.2 requiring the Owner to:

(a) rectify the breach if it reasonably considers it is capable of rectification, or

(b) pay compensation to the reasonable satisfaction of the Council in lieu of rectifying the breach if it reasonably considers the breach is not capable of rectification,

13.1.3 specifying the period within which the breach is to be rectified or compensation paid, being a period that is reasonable in the circumstances.

13.2 Any costs incurred by the Council in remedying a breach in accordance with clause 13.1 may be recovered by the Council as a debt due in a court of competent jurisdiction.

13.3 For the purpose of clause 13.2, the Council's costs of remedying a breach the subject of a notice given under clause 13.1 include, but are not limited to:

13.3.1 the costs of the Council's servants, agents and contractors reasonably incurred for that purpose,

13.3.2 all fees and charges necessarily or reasonably incurred by the Council in remedying the breach, and

13.3.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.

13.4 Nothing in this clause 13 prevents the Council from exercising any rights it may have at law or in equity in relation to a breach of this Deed by the Owner, including but not limited to seeking relief in an appropriate court.

#### **14 Enforcement**

14.1 Without limiting any other remedies available to the Parties, this Deed may be enforced by either Party in any court of competent jurisdiction.

14.2 For the avoidance of doubt, nothing in this Deed prevents:

14.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this Deed relates,

14.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

#### **15 Registration of this Deed**

15.1 The Parties agree to register this Deed for the purposes of s93H(1) of the Act.

15.2 Not later than 10 days after the execution of this Deed, the Owner is to deliver to the Council in registrable form:

15.2.1 an instrument requesting registration of this Deed on the title to the Land duly executed by the Owner, and

15.2.2 the written irrevocable consent of each person referred to in s93H(1) of the Act to that registration.

- 15.3 The Owner is to do such other things as are reasonably necessary to enable registration of this Deed to occur.
- 15.4 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land once the Owner has completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.

**16 Grant of Charge**

- 16.1 On the date of execution of this Deed, the Owner grants to the Council a fixed and specific charge over the Owner's right, title and interest in the Charge Land, to secure:
- 16.1.1 the performance of the Owner's obligation under this Deed, and
- 16.1.2 any damages that may be payable to the Council, or any costs which may be incurred by the Council in the event of a breach of this Deed by the Owner.
- 16.2 Upon the execution of this Deed, the Owner is to give to the Council an instrument in registrable form under the *Real Property Act 1900* duly executed by the Owner that is effective to register the Charge on the title to the Charge Land.
- 16.3 If the Charge Land comprises part only of a lot in a deposited plan at the time that the instrument referred to in clause 16.2 is required to be given, the Owner is to give the Council an instrument that charges a greater area of the Land which includes the whole of the Charge Land.
- 16.4 The Owner is to do all other things necessary, including execute all other documents, to allow for the registration of the Charge.

**17 Caveat and Discharge**

- 17.1 The Owner agrees that:
- 17.1.1 the Council may lodge a caveat on the title of the Land to which the Charge applies,

17.1.2 the Council is to release the caveat from any part of the Land to which the Charge applies that is not the Charge Land once that part of the Land is contained in a separate lot to the Charge Land, and

17.1.3 the Council cannot be required to have the caveat removed from the title to the Charge Land other than in accordance with clause 17.2.

17.2 The Council is to release the Charge and withdraw the caveat from the title to the Land on satisfaction by the Owner of its obligations under this Deed.

17.3 For the purposes of clause 17.2 the Council is to use its reasonable endeavours to provide any documentation necessary to enable the release of the Charge and withdrawal of the caveat from the title of the Land.

17.4 Nothing in this Deed prevents the registration of a plan of subdivision in respect of the Charge Land.

## **18 Acquisition of land required to be dedicated**

18.1 If the Owner does not dedicate the RE1 Land under this Deed at the time at which it is required to be dedicated, the Owner consents to the Council compulsorily acquiring the land for compensation in the amount of \$1 without having to follow the pre-acquisition procedure under the Just Terms Act.

18.2 The Council is to only acquire land pursuant to clause 18.1 if it considers it reasonable to do so having regard to the circumstances surrounding the failure by the Owner to dedicate the land required to be dedicated under this Deed.

18.3 Clause 18.1 constitutes an agreement for the purposes of s30 of the Just Terms Act.

18.4 If, as a result of the acquisition referred to in clause 18.1, the Council is required to pay compensation to any person other than the Owner the Owner is to reimburse the Council that amount, upon a written request being made by the Council.

18.5 The Owner indemnifies and keeps indemnified the Council against all Claims made against the Council as a result of any acquisition by the Council of the whole or any part of the land concerned except if, and to the extent that, the Claim arises because of the Council's negligence or default.

18.6 The Owner is to promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 18, including without limitation:

18.6.1 signing any documents or forms,

18.6.2 giving land owner's consent for lodgement of any Development Application,

18.6.3 producing certificates of title to the Registrar-General under the *Real Property Act 1900*, and

18.6.4 paying the Council's costs arising under this clause 18.

**19 Sale of the Land**

19.1 The Owner must not to sell, transfer or otherwise deal with the Land or part of the Land unless:

19.1.1 The Owner has, at no cost to the Council, first procured the execution by the person with whom the Owner are dealing of a deed with the Council (on terms reasonably acceptable to the Council, including in respect of the provision of security) under which that person agrees to be bound by this agreement in the same way as the Owner, and

19.1.2 the Council, by notice in writing to the Owner, has stated that evidence satisfactory to the Council has been produced by the Owner to show that the person with whom the Owner is dealing reasonably capable of performing its obligations under this Deed,

19.1.3 the Owner is not in breach of this Deed,

19.2 the Owner remains liable to perform its obligations under this Deed until it has complied with clause 19.1.

**20 Transfer, assignment or novation of rights and obligations by Owner under this agreement**

20.1 The Owner must not, assign, novate or otherwise deal with its rights and obligations under this Deed unless:



- 20.1.1 the Owner has, at no cost to the Council, first procured the execution by the person with whom the Owner is dealing of a Deed with the Council (on terms reasonably acceptable to the Council, including in respect of the provision of security) under which that person agrees to perform the Owner's obligations under this agreement, and
  - 20.1.2 the Council, by notice in writing to the Owner, has stated that evidence satisfactory to the Council has been produced by the Owner to show that the person with whom the Owner is dealing reasonably capable of performing its obligations under this agreement, and
  - 20.1.3 the Owner is not in breach of this agreement.
- 20.2 The Owner remains liable to perform its obligations under this Deed until it has complied with clause 20.1.

**21 Dispute resolution – expert determination**

- 21.1 This clause applies to a Dispute between any of the Parties to this Deed concerning a matter arising in connection with this Deed that can be determined by an appropriately qualified expert if:
  - 21.1.1 the Parties to the Dispute agree that it can be so determined, or
  - 21.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.
- 21.2 A Dispute to which this clause applies is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 21.3 If a notice is given under clause 21.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 21.4 If the Dispute is not resolved within a further 28 days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.

- 21.5 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 21.6 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.
- 21.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

## **22 Dispute Resolution - mediation**

- 22.1 This clause applies to any Dispute arising in connection with this Deed other than a Dispute to which clause 21 applies.
- 22.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 22.3 If a notice is given under clause 22.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 22.4 If the Dispute is not resolved within a further 28 days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 22.5 If the Dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.
- 22.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 22.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

## **23 Release**

- 23.1 The Owner releases the Council from any Claim it may have against the Council arising in connection with the performance of the Owner's obligations

under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

**24 Indemnity**

24.1 The Owner indemnifies the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Owner's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

**25 Annual report by Owner**

25.1 The Owner is to provide to the Council by not later than each anniversary of the date on which this Deed is entered into a report detailing the performance of its obligations under this Deed.

25.2 The report referred is to be in such a form and to address such matters as required by the Council from time to time.

**26 Review of Deed**

26.1 The Parties agree to review this Deed if either party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.

26.2 For the purposes of clause 26.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.

26.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 26.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.

26.4 If this Deed becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that

an enforceable agreement of the same or similar effect to this Deed is entered into.

- 26.5 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause 26.1 (but not 26.4) is not a Dispute for the purposes of this Deed and is not a breach of this Deed.

## **27 Notices**

- 27.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this agreement is only given or made if it is in writing and sent in one of the following ways:
- 27.1.1 delivered or posted to that Party at its address set out in Schedule 3.
  - 27.1.2 faxed to that Party at its fax number set out in Schedule 3.
  - 27.1.3 emailed to that Party at its email address set out in Schedule 3.
- 27.2 If a Party gives the other Party 3 business days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 27.3 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 27.3.1 delivered, when it is left at the relevant address.
  - 27.3.2 sent by post, 2 business days after it is posted.
  - 27.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.
- 27.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

**28 Entire agreement**

This agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier agreement, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this agreement was executed, except as permitted by law.

**29 Further Acts**

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this agreement and all transactions incidental to it.

**30 Governing Law and Jurisdiction**

This agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

**31 Joint and Individual Liability and Benefits**

Except as otherwise set out in this agreement, any agreement, covenant, representation or warranty under this agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

**32 No Fetter**

Nothing in this agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

**33 Representations and Warranties**

The Parties represent and warrant that they have power to enter into this agreement and comply with their obligations under the agreement and that entry into this agreement will not result in the breach of any law.

**34 Severability**

If a clause or part of a clause of this agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this agreement, but the rest of this agreement is not affected.

**35 Modification**

No modification of this agreement will be of any force or effect unless it is in writing and signed by the Parties to this agreement.

**36 Waiver**

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given.

It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

**37 GST Provisions**

37.1 In this clause:

**Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice** have the meaning given by the GST Law.

**GST Amount** means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

**GST Law** has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

**Taxable Supply** has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

- 37.2 Subject to clause 37.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this agreement, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 37.3 Clause 37.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this agreement to be GST inclusive.
- 37.4 No additional amount shall be payable by the Council under clause 37.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 37.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this agreement by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 37.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 37.5.2 that any amounts payable by the Parties in accordance with clause 37.2 (as limited by clause 37.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 37.6 No payment of any amount pursuant to this clause 37, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 37.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred

by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.

37.8 This clause continues to apply after expiration or termination of this agreement.

**38 Explanatory Note Relating to this agreement**

38.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.

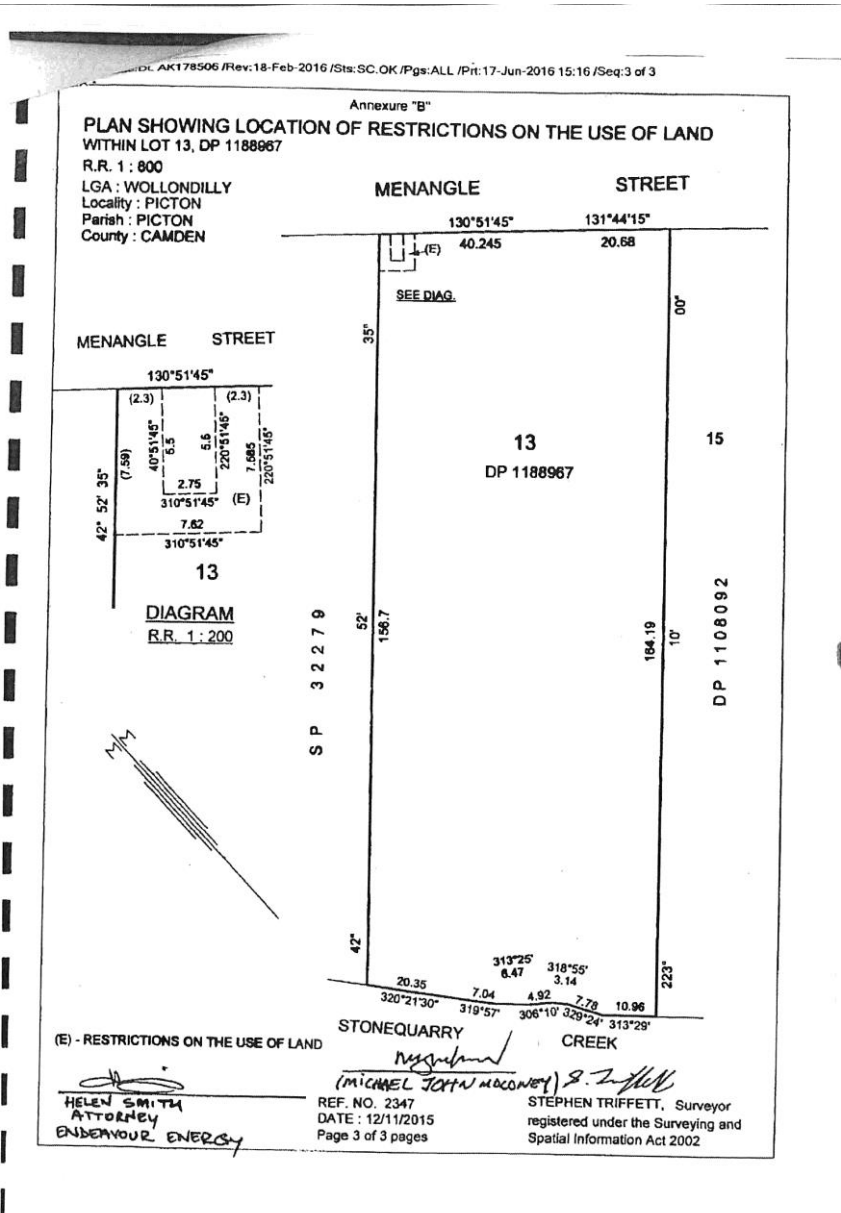
38.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note in the Appendix 1 is not to be used to assist in construing this Deed.



Schedule 1

(Clause 1.1)

The Land



Schedule 2  
Subdivision Plan

PLAN FORM 6 (2013)      WARNING: Creasing or folding will lead to rejection

| DEPOSITED PLAN ADMINISTRATION SHEET   |  | Sheet 1 of 2 sheet(s) |
|---|--|-----------------------|
| <p style="text-align: center;">Office Use Only</p> Registered:<br>Title System: TORRENS<br>Purpose: SUBDIVISION<br><b>PLAN OF SUBDIVISION OF LOT 13,<br/> DP 1188967</b>  | <p style="text-align: center;">Office Use Only</p> LGA: WOLLONDILLY<br>Locality: PICTON<br>Parish: PICTON<br>County: CAMDEN  |                       |
| <p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> I, ..... (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.<br>Signature: .....<br>Date: .....<br>File Number: .....<br>Office: .....  | <p style="text-align: center;">Survey Certificate</p> I, STEPHEN TRIFFETT<br>of 33 Folkes Street, Elderslie, NSW, 2570<br>a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that:<br>*(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i> , is accurate and the survey was completed on 12-3-2015.<br><del>*(b) The part of the land shown in the plan (*being*excluding ^ ..... ) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>, is accurate and the survey was completed on, ..... the part not surveyed was compiled in accordance with that Regulation.</del><br>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2012</i> .<br>Signature: <i>B. Triffett</i> Dated: 16-3-2015<br>Surveyor ID: 2118<br>Datum Line: 'A' - 'B'<br>Type: Urban<br>*Strike through if inapplicable.<br>^Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey. |                       |
| <p style="text-align: center;">Subdivision Certificate</p> I, .....<br>*Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.<br>Signature: .....<br>Accreditation number: .....<br>Consent Authority: .....<br>Date of endorsement: .....<br>Subdivision Certificate number: .....<br>File number: .....<br>*Strike through if inapplicable. | Plans used in the preparation of survey.<br>DP 1188967<br><br><br><p style="text-align: center;">If space is insufficient continue on PLAN FORM 6A</p>   |                       |
| Statements of intention to dedicate public roads create public reserves and drainage reserves, acquire/resume land.<br>IT IS INTENDED THAT LOT 2 WILL BE DEDICATED TO WOLLONDILLY SHIRE COUNCIL AS PUBLIC RESERVE.  | Surveyor's Reference: 2347   |                       |
| Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A  |  |                       |



**Schedule 3**

(Clause 27)

**Contact for Notices**

**Council**

Attention: The General Manager  
Address: 62-64 Menangle Street, Picton, New South Wales  
2571  
Fax Number: (02) 46771100

**Owner**

Attention: Mr Michael Moloney  
Address: 55 Victoria Street, Potts Point, New South Wales  
2011

**Execution**

**Dated:** 2017

**Executed as an agreement:**

**On behalf of the Council:**

Signed by **WOLLONDILLY SHIRE COUNCIL** )  
(ABN 93 723 245 808), by the General Manager )  
pursuant to delegation granted pursuant to )  
Council resolution on ) \_\_\_\_\_  
[ ] )  
)  
) \_\_\_\_\_

Witness  
\_\_\_\_\_

**On behalf of the Owner:**

**Signed for DEEMKIES PTY LIMITED** in  
accordance with section 127 of the  
Corporations Act 2001 (Cth)

\_\_\_\_\_  
Signature of Sole Director/Secretary  
Michael Moloney  
\_\_\_\_\_  
Name of Sole Director/Secretary (print)

## **Appendix 1**

(Clause 38)

*Environmental Planning and Assessment Regulation 2000*

### **Explanatory Note**

#### **Draft Planning Agreement**

Under s93F of the Environmental Planning and Assessment Act 1979

##### **Parties**

**Wollondilly Shire Council** of 62-64 Menangle Street, Picton, New South Wales, 2571 (**Council**)

**Deemkies Pty Limited** of c/- 55 Victoria Street, Potts Point NSW 2011 (**Owner**)

##### **1 Description of Subject Land**

Lot 13 in DP 1188967, No 83 Menangle Street, Picton

##### **2 Description of Proposed Change to Environmental Planning Instrument/Development Application**

The planning agreement relates to Development Application numbered **ID788/2005** for the staged 36 residential units and strata subdivision (**Development Application**).

##### **3 Summary of Objectives, Nature and Effect of the Draft Planning Agreement**

The Planning Agreement will allow:

- the dedication of the part of the subject land, which is has an area of 1074m<sup>2</sup> and forms part of the Stonequarry Creek Riparian Corridor (**RE1 Land**), and
- the reduction of the s94 Contribution payable in accordance with condition 23(1) to the Development Consent to the Development Application

**4 Assessment of the Merits of the Draft Planning Agreement**

**4.1 The Planning Purposes Served by the Draft Planning Agreement**

The following planning purposes are served by the proposed agreement:

Dedication of the RE1 Land to the public and provide public access to the Stonequarry Creek environs.

**4.2 How the Draft Planning Agreement Promotes the Public Interest**

The proposed agreement promotes the public interest by addressing the objects of the EP&A Act, LG Act and the Council Charter. It provides certainty for Council through a contractual relationship. The end use of the dedicated land will provide benefits through improved access to public open space along the Stonequarry Creek riparian corridor to the local community.

**4.3 For Planning Authorities:**

**4.3.1 Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities**

N/A

**4.3.2 Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under Which it is Constituted**

N/A

**4.3.3 Councils – How the Draft Planning Agreement Promotes the Elements of the Council’s Charter**

The following elements of the Council’s Charter are promoted by the proposed agreement:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate access to public open space for the community and to ensure that the public open space is managed efficiently and effectively;

The contributions made under the proposed agreement will promote improved public access to the Stonequarry Creek environs for existing and future residents and provide an open space corridor network within the Picton Town Centre.

**4.3.4 All Planning Authorities – Whether the Draft Planning Agreement Conforms with the Authority’s Capital Works Program**

The dedication of the RE1 Land is not listed in Council’s Capital Works Program, however, the dedication of this land is supported by Council as it will contribute to the provision of a public walkway along Stonequarry Creek, thereby providing some important open space in and adjacent to the Picton town centre;.

**4.3.5 All Planning Authorities – Whether the Draft Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued**

The RE1 Land must be dedicated to Council before a construction certificate is issued in relation to the Development.

**Dated: 2016**

**On behalf of the Council:**

|   |   |       |
|---|---|-------|
| Signed by <b>WOLLONDILLY SHIRE COUNCIL,</b> | ) |       |
| by the General Manager                      | ) |       |
|   | ) |       |
|   | ) | _____ |
|   | ) |       |
|   | ) |       |
| Witness                                     | ) |       |
| _____                                       | ) | _____ |



**Planning Agreement  
Wollondilly Shire Council  
Deemkies Pty Limited**

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**On behalf of the Owner:**

**Signed** for **DEEMKIES PTY LIMITED** in  
accordance with section 127 of the  
Corporations Act 2001 (Cth)

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Signature of Sole Director/Secretary

Michael Moloney

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Name of Sole Director/Secretary (print)

| Matter for Consideration   | Comment  |
|--|--|
| What benefits are proposed under the Agreement (any land to be dedicated should be identified)?  | The dedication of the land along Stonequarry Creek to be used as a public walkway and recreation area.   |
| Does the agreement accompany a DA or Planning proposal?  | It is associated with a DA for 36 medium density units for which consent was granted in December 2012.   |
| Does the agreement exclude Council's Sec 94/94A Plan?  | No, but an allowance has been made for the value of the land which entirely offsets the contribution.  |
| Is there likely to be significant community interest in the agreement or associated application? | No submissions were made during the public exhibition period suggesting no great interest from the community.  |
| Are any special probity considerations required (eg Probity Plan or Probity Advisor)             | No.  |
| Does the agreement comply with the mandatory content requirements (s93f of Act)?                 | Yes.   |
| Does it comply with Council's strategic objectives for VPAs (cl 4.2)?                            | <p>The Agreement complies generally complies with these objectives and complies in particular with the following:</p> <p>(a) to generally advance Council's Mission for the Local Government Area as stated in the Wollondilly Community Strategic Plan 2033: "(to) create opportunities in partnership with the Community to enhance the quality of life and the environment, by managing growth and providing sustainable services and facilities".</p> <p>The dedication of land to be used as a public reserve is consistent with this objective purpose.</p> <p>(b) to demonstrate consistency with at least one of the specific objectives of the Wollondilly Strategic Plan that were referred to in clause 1.1(g) of this Policy;</p> <p>The Planning Agreement is consistent with the following objectives of the Wollondilly Strategic Plan;</p> <p>EN1 - Biodiversity resilience "protect and conserve biodiversity and natural resources including waterways riparian lands and groundwater dependent ecosystems"</p> <p>IN3 - Provision of facilities "Provide a range of recreation and community facilities to meet the needs of the community"</p> <p>(c) to provide an enhanced and more flexible development contributions system for the Council, and</p> |

| Matter for Consideration   | Comment  |
|--|--|
|  | <p>(d) to supplement or replace, as appropriate, the application of s94 or s94A of the Act to development (refer also to Cls 4.5(d) and 4.5(j)).</p> <p>The Planning Agreement has been used as a more flexible option than Councils Section 94 Plan for this DA and has resulted in a community benefit that would not otherwise have been achieved;</p>  |
| <p>Is the agreement for a legitimate planning purpose? (cl 4.3)</p>                                  | <p>The Agreement is consistent with the following purposes for which Council may consider the negotiation of a Planning Agreement:</p> <p>(b) meet the demands created by the development for new public infrastructure, and services that may be outside those of the current Development Contributions Plan;</p> <ul style="list-style-type: none"> <li>- the provision of additional open space land will help meet the demands for such land by future development.</li> </ul> <p>(c) address a particular deficiency or deficiencies in the existing provision of public facilities in the Council's area;</p> <ul style="list-style-type: none"> <li>- whilst in a quantitative sense Picton may have a sufficient amount of open space, the location of this land adjacent to a riparian area adds an important qualitative dimension to Picton's supply of open space land.</li> </ul>   |
| <p>Is it consistent with Council's principles regarding the use of planning agreements (cl 4.4)?</p> | <p>The planning agreement is consistent with all of Councils adopted principles regarding the use of planning agreements, specifically:</p> <p>(a) planning decisions shall not be bought or sold through planning agreements,</p> <p>(b) development that is unacceptable on planning grounds will not be permitted because of benefits offered by planning agreements that do not make the development acceptable in planning terms,</p> <p>(c) the Council will not allow planning agreements to improperly fetter the exercise of its functions under the Act, the Environmental Planning and Assessment Regulation 2000 (Regulation) or any other Act or law,</p> <p>(d) the Council will not use planning agreements for any purpose other than a proper public purpose (note: a public purpose is defined in Sec 93F2 of the Act),</p> <p>(e) the Council will not actively seek benefits under a planning agreement that are wholly unrelated to the</p> |

| Matter for Consideration   | Comment  |
|--|--|
|  | <p>development the subject of that planning agreement, but may consider offers made by a developer,</p> <p>(f) the Council will not allow the interests of individuals or interest groups to outweigh the public interest when considering a proposed planning agreement,</p> <p>(g) the Council will not improperly rely on its statutory position in order to extract unreasonable public benefits from developers under planning agreements,</p> <p>(h) if the Council has a commercial stake in development the subject of a proposed planning agreement, it will take appropriate steps to ensure that it avoids a conflict of interest between its role as a planning authority and its interest in the development, and</p> <p>(i) planning agreements should not be used to justify a dispensation with applicable development standards under clause 4.6 of the Wollondilly Local Environmental Plan 2011(Wollondilly LEP).</p>   |
| <p>Does it meet the acceptability test for planning agreements (cl 4.5)?</p> | <p>The Council will consider all planning agreements against the following "Acceptability Test":</p> <p>(a) is the proposed planning agreement directed towards a proper or legitimate planning purpose having regard to the statutory planning controls and other adopted planning policies and the circumstances of the case?</p> <p>Yes, the rationale for the Planning Agreement is described in the accompanying Council report.</p> <p>(b) does the proposed planning agreement provide a reasonable means of achieving the relevant purpose?</p> <p>Yes because land can only be dedicated to Council through a Planning Agreement.</p> <p>(c) can the proposed planning agreement be taken into consideration in the assessment of the relevant application for an instrument change or development application?</p> <p>n/a - consent has already been granted. One outcome of adopting this Agreement will be the need to modify the development consent.</p> <p>(d) will the planning agreement produce outcomes that meet the general values and expectations of the community and protect the overall public interest? This should be considered (inter alia) particularly with the public interest and impact on community values associated with varying Council's relevant Developer Contributions Plan as per clause 4.2(d) that may</p> |

| Matter for Consideration                                       | Comment  |
|--|--|
|  | <p>apply in order to accept the benefits proposed under the Planning Agreement (refer also Clause 4.5 (j) below)</p> <p>See item (j) below.</p> <p>(e) does the agreement provide public benefits that are not wholly unrelated to the development?</p> <p>No.</p> <p>(f) does the proposed planning agreement promote the Council's strategic objectives in relation to the use of planning agreements?</p> <p>Yes - as explained earlier in this Table.</p> <p>(g) does the proposed planning agreement conform to the fundamental principles governing the Council's use of planning agreements?</p> <p>Yes - as explained earlier in this Table.</p> <p>(h) are there any relevant circumstances that may operate to preclude the Council from entering into the proposed planning agreement?</p> <p>No.</p> <p>(i) is the Agreement consistent with other relevant Council Policies (eg the Dedication of Land Policy) and with the Wollondilly Community Strategic Plan 2033?</p> <p>Yes.</p> <p>(j) is it appropriate to forego the benefits that would otherwise be paid under Council's Developer Contributions Plan in exchange for the benefits proposed under the planning agreement? (this applies to those agreements which seek to offset contributions made under Council's relevant Developer Contributions Plan).</p> <p>Yes, because Council will receive a unique asset, being a strip of land with significantly higher value than what would be obtained as a Section 94 contribution. Council has a clear strategic intent to acquire this corridor as evidenced by the inclusion of the land in the Acquisition Map in the LEP and its RE1 zoning.</p> |
| Does it comply with other clauses of Councils Policy (cl 4.7)? | Yes.   |

| Matter for Consideration                                   | Comment   |
|--|---|
| Has a valid Explanatory Note been prepared                 | Yes.  |
| Does the council need to be further involved at this stage | A Council resolution is being sought to adopt the Planning Agreement. |
| Is the Agreement approved for adoption                     | Yes - if agreed by Council.   |

# PE4 Attachments

1. Submission to Department of Planning and Environment
2. Draft Planning Proposal
3. Draft Indicative Layout Plan
4. Draft Land Zoning Map
5. Draft Lot Size Map
6. Draft Height of Buildings Map
7. Draft Urban Release Area Map
8. Draft natural Resource Biodiversity Map
9. Draft Land Reservation Acquisition Map
10. Draft Permitted Land Uses Map
11. Correspondence from DPE

**Tuesday 18 April 2017**

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PE4 – Planning Proposal – Wilton North West Precinct

# Submission

## NSW Department of Planning & Environment

### Bradcorp Holdings Proposal for Wilton North West Precinct

#### Planning Framework

- Council notes that the NSW Department of Planning & Environment is currently preparing a Land Use and Infrastructure Strategy (LUIS) to provide a framework for development of Wilton New Town. It is noted that this LUIS and the supporting technical studies that guide this document, including those containing infrastructure servicing plans, are not yet finalised.
- The LUIS is a critical guiding planning strategy that is expected to be given statutory weight through the preparation of a Section 117 Direction and amendment to the SEPP (Growth Centres). The LUIS is intended to provide guidance on:
  - Transport infrastructure
  - Health infrastructure
  - Education infrastructure
  - Cultural needs
  - Biodiversity
  - Housing density and typology
  - Affordable housing
  - Economic and retail growth
  - Employment targets
  - Pedestrian and cycleway networks
  - Open space and recreation
  - Activation and amenity
  - Air and water quality
  - Noise attenuation
  - Bushfire protection
  - Heritage
  - Mining coexistence
- The LUIS is in preliminary draft form and is incomplete. The Department has advised that the LUIS is not in a form sufficient to be formally reported to Council or subject to public consultation at this time.
- Without the LUIS and supporting technical studies being completed, Council is unable to undertake a comprehensive assessment of the proposal.
- Council will continue to work with the NSW Department of Planning & Environment to finalise the LUIS and resolve outstanding issues ahead of supporting any rezoning of land at Wilton.



## Documentation Consistency

- The proposal refers to number technical studies which have also been submitted to the NSW Government as part of the earlier SEPP-based rezoning proposal lodged by the Wilton Junction Landowner Group.
- Council as recently as August 2016 were reviewing these documents as part of the NSW Department of Planning's 'Tests of Adequacy' in responding to the Director – General's Study Requirements.
- It is unclear as to whether these studies are have been satisfactorily updated to reflect the requirements of Council and the NSW Department of Planning & Environment. The technical reports date back to the middle of 2014 and in many parts incorrectly cites a revised masterplan concept that has not been endorsed by Council.
- All documentation needs to be updated and reflect the endorsed masterplan or draft Land Use and Infrastructure Strategy for consistency and transparency. Council does not support the public exhibition of any documentation that does not accurately reflect the endorsed masterplan and subsequent LUIS. It is of critical importance to Council that all documentation is clear and consistent and illustrates endorsed masterplans supported by Government and Council.

## Land Use

- The proposal seeks to rezone the subject site from RU2 Rural Landscape to a number of zones including:
  - R1 – General Residential
  - B4 – Mixed Use
  - B5 – Business Development
  - SP2 – Infrastructure (roads)
- The proposed land zoning map is generally in accordance with the Wilton Junction Masterplan as adopted by Council in December 2012. However, the most notable departure from the masterplan is the proposed wholesale use of the R1 – General Residential zone as opposed to the R2 – Low-density Residential zone used throughout the Shire. The primary reason for using the R1 zone is that it offers the added advantage of permitting a variety of housing types and densities including multi dwelling housing and residential flat buildings. It is also proposed to use and exceptions to development standards clause which would allow attached and semi-detached on lots as small as 125m<sup>2</sup> in areas abutting environmentally sensitive areas associated with the natural gorges. This outcome is inconsistent with the masterplan which proposed low density residential development in these areas.
- Council prefers the use of alternative zones including the R2 – Low-density Residential zone and achieving greater housing diversity and density in designated areas close to the town centre and public transport infrastructure and regional open space areas.
- Furthermore, a review of the appropriateness of the proposed minimum lot size of 400m<sup>2</sup> and traditional residential zones in land abutting sensitive environmental areas needs to be undertaken. There may be more appropriate environmental living zones and more suitable lots sizes to manage the environmental qualities of these

areas.

- Although being very supportive of the concept behind the proposed 'Activity Precinct', Council is not supportive of the proposed use of the B4 Mixed Use Zone as it would allow for retail premises which includes specialty retail and supermarkets. These uses are accommodated in the town centre and Council is committed to establishing and supporting the long term viability of the town centre.
- Consideration of alternative uses including B1 Neighbourhood Centre and B5 Business Development is going to need to be given so as not to hinder the strategic objective of creating a strong commercial centre to support Wilton.
- Council does not support the proposed introduction of an objective "To ensure that the scale of retail development does not impact on the hierarchy of retail centres within the Zone B2 Local Centre" as the sole and best method to achieve this outcome.

### **Staging and Sequencing**

- There is no staging plan included in the proposal documentation and Council does not support the proposal proceeding without provision of a staging plan unless it is first agreed to by Council and the NSW Department of Planning & Environment and integrated with the LUIS.

### **Employment Generation**

- In 2012 when Council resolved to support a master planned new town at Wilton, a job to house ratio of 1:1 was adopted to ensure that employment opportunities would be provided locally to avoid forcing residents to burden long commutes for work which has economic, environmental and social implications.
- The proposal submitted by Bradcorp Holdings will generate approximately 5,400 new homes and 1,750 jobs by 2033. This jobs target also includes a significant portion of home-based employment, rather than direct jobs generated from employment uses and other institutions.
- It is acknowledged that the north western precinct was never projected to contain a very high proportion of the overall employment target for Wilton New Town. However, without the LUIS and supporting economic job generation strategy being finalised it is premature to endorse the proposed zonings until there is greater certainty that the broader Wilton New Town is capable of generating the required number of jobs to sustain new growth.
- Council has consistently advocated for the establishment of an appropriate mechanism to ensure that adequate employment opportunities are created to match housing supply. Council and the Department of Planning & Environment have agreed to work with landowners and part of developing the LUIS to arrive at such a mechanism. A series of workshops are currently being negotiated with the Department to resolve this issue.
- Council does not support any rezoning of land until there is an appropriate mechanism in place to ensure that adequate local employment opportunities are created to support housing growth.

- The planning proposal contains some unsupported statements about “targeting” a university “annex” and a trades/construction “training facility”. This needs to be more thoroughly detailed in the planning proposal and include a discussion of what the facilities are, who operates them and what their land component needs are and the mechanisms to ensure these are viable and will contribute to the claimed employment figures. Otherwise they should be removed from the employment target established.

### **Transport Infrastructure**

- The Transport Management and Accessibility Plan prepared for the Wilton Junction Landowners Group dated 30 June 2014 is summarised in the appendices to the planning proposal.
- The TMAP was based on an anticipated incoming population of 11,000 to 13,000 people. As such it is considered that the TMAP needs to be revised to reflect the total likely development of Wilton New Town of 16,600 as outlined in the Greater Macarthur Land Release Investigation - Preliminary Strategy & Action Plan.
- The proposal is supported by a Wilton West Direct Access Report dated February 2017. This report outlines proposes for an additional ramp off the Hume Highway (southbound) to connect with Niloc Bridge to provide direct access to their landholdings west of the Hume Highway.
- Council is generally supportive of the proposed additional ramp and have expressed a strong view that pedestrian and cycleway access must be include as a first stage to access via Niloc Bridge.

### **Public Transport**

- The TMAP found that “Improvements to public transport services and infrastructure are recommended to reduce the amount of car use and meet State Government targets for sustainable transport. The major component of the public transport network would be a greatly expanded bus network, with a mixture of regional, local, school and rural services and service levels commensurate with a town of the size planned for Wilton Junction”.
- As previously alluded to this assessment did not take into consideration the current estimated dwelling yield for Wilton of 16,600 as outlined in the Greater Macarthur Land Release Investigation - Preliminary Strategy & Action Plan. Nor does it considered the implications of the Greater Macarthur Consultation update which foreshadowed a further 18,000 homes at West Appin by 2046.
- The TMAP only considering the lower dwelling yield of 11,000-13,000 is deficient and does not accurately consider the real development potential of Wilton and surrounding growth planned for West Appin as identified in the Greater Macarthur Land Release Investigation Preliminary Strategy & Action Plan.
- The TMAP proposed a bus network plan which provided for:
  - bus routes, service frequencies and journey time estimates
  - estimates of the bus fleet required to service the bus plan
  - interchange and layover focused within the Town Centre
  - facilities for passengers at the Town Centre, neighbourhood centres and

along the bus routes.

- The TMAP and supporting documentation provided as part of proposal does not fully articulate the timing for delivery of a bus network and the location of a bus interchange. This needs to be resolved as part of the LUIS before being placed on public exhibition.
- Council is concerned that the issue of public transport has not been adequately resolved and that rezoning should not occur until the LUIS has finalised an integrated public transport plan that provides for the logical establishment of early priority bus services and interchange and the planned introduction of passenger rail services to meet growth as it occurs over time.
- Council notes that a proposed local bus network has been submitted as part of the proposal however this needs to be considered in tandem with the LUIS and involve discussion with local bus service providers and Transport for NSW.
- However the scale of this proposal, its significance to the whole of the Wilton New Town and its location adjacent to the Maldon Dombarton Rail reservation mean that the consideration of this planning proposal should not ignore the long term importance of connecting the town to Sydney via the rail network.
- The State Government has not committed to passenger rail infrastructure and it is accepted by Council that there is unlikely to be sufficient demand for such service in the early stages of the development. Nevertheless, such services are essential over time and when provided would have transformative impacts on how Wilton New Town functions and connects to Sydney, and therefore enormous impacts on the quality of life it provides for its residents. We consider that Land Use and Infrastructure Strategy for the Wilton Priority Growth Area should therefore plan for, and set aside land for, the creation of a passenger rail station and public transport interchange.

### **Education and Child Care**

- Council notes that there is a stated commitment to provide the Private K-12 Anglican school early as part of the delivery of the first homes. This is a significant commitment and it is considered that provision of education facilities early in a necessity considering the current shortages in the education system across the Shire.
- Although early provision of private schools is welcomed, this does not address the problem that other families would be waiting for the public primary school to arrive, and we note there are no commitments around its delivery timing. In the interim, likely to be many years, children would have to use the primary school at Bingara.
- This raises issues of access, walkability, health and safety given the distance from Wilton Public School and the fact that it is on the other side of the Hume Freeway. This is particularly pertinent to families who should be encouraged to develop healthy habits with their children walking/cycling to school.
- Council has previously commented on the South East Precinct planning proposal which noted that there would be no school there until at least 2026, so those early residents have to rely on Wilton Public school. There is clearly an emerging school capacity issue and Council does not support the delivery of further housing until

public and private school capacity is improved. The LUIS should examine the appropriate spatial locations for these facilities and the land set aside early.

- The proposal states that child care facilities “*are to be provided in line with the growing new population*”. Is this just referring to natural “market” processes i.e. they will pop up here and there over time as private practices set up? There should be a strategic delivery approach with specific locations identified, land set aside, and delivery thresholds established tied to dwelling numbers.
- The Health Impact Assessment of the Wilton Junction Master Plan 2014 made several recommendations on the issue of staging / infrastructure delays and the impact on the incoming community. These are:
  - 1.1 ensure the early introduction of facilities and infrastructure that are planned in consultation with the community and stakeholder groups
  - 6.2 be mindful of and seek to alleviate the potential for conflict between existing communities when planning roll out of facilities as well as communicating importance of shared access, usage of community assets and community identity
- Based on the upon, the LUIS should include a planned timing and staging plan that links education delivery and housing delivery

### **Walking and Cycling**

- A Pedestrian & Cycling Masterplan has not been submitted as part of the proposal. This needs to be undertaken and reflected the most revised Indicative Layout Plan.
- Further consideration should be given to integrating other infrastructure into the pedestrian and cycleway network that promotes health and wellbeing outcomes. Eg: outdoor gym equipment.

### **Housing Choice and Affordability**

- Housing typology is not given enough consideration in the indicative layout plan / structure plan.
- Council has prepared a Social Planning Strategy (adopted Nov 2016) which has identified that the current homogenous stock of traditional detached forms of housing as a risk to affordability across the Shire. The masterplanned approach to Wilton is a strategic opportunity to set appropriate targets for a mix of housing typologies that provide affordable choices for first home buyers and low income households with equitable access to local services and amenities.
- A report prepared by MacroPlan Dimasi for the Wilton Junction Landowners Group dated May 2014 states that greenfield areas typically exhibit a preference for detached dwelling stock versus townhouses, villas apartments etc. It is proposed that across the masterplanned area, 84% of all dwelling stock will be of a detached nature. Council does not support adoption of such high proportion of detached dwelling stock without a supporting strategy that demonstrates that adequate affordable and lifestyle housing choices are being provided.
- The planning proposal proposes a blanket minimum lot size of 400m<sup>2</sup> with an

“Exceptions to minimum lot sizes clause” allow attached and semi-detached dwellings down to a minimum lot size of 125m<sup>2</sup>.

- Council does not support this approach and will emphasise that the masterplanned approach provides the most appropriate mechanism to plan for a mix of housing typologies and implement those through the land zone and minimum lot size map in Wollondilly LEP 2011.
- The LUIS should provide further guidance and requirements for adoption of principles to support a range of housing choices but in the right locations.
- The LUIS should establish clear targets to support a greater mix of housing types and choices to accommodate a range of segments of the market. This is an important consideration intended to ensure that affordable housing choices are provided and cater for a broader demographic.

### **Proposed Development Standards – Minimum Lot Sizes**

- The planning proposal proposes a blanket minimum lot size of 400m<sup>2</sup> with an “Exceptions to minimum lot sizes clause” allow attached and semi-detached dwellings down to a minimum lot size of 125m<sup>2</sup>.
- Council is not supportive of this blanket approach to minimum lot size use and believes that a more strategic approach should be preferred where housing density is planned to be provided close to services, parks and amenities and along designated transport corridors such as local bus routes. Such an approach also does not sufficiently respond to the natural features of the Wilton Priority Growth Area and reflect the visual and environmental qualities that would justify larger lot sizes in these locations.

### **Affordable Housing**

- Affordable housing has not been adequately considered as part of the proposal. Council expects that the LUIS will set appropriate targets and principles to require adequate provision of affordable housing. The LUIS should be informed by the Draft South West District Plan and Council’s Social Planning Strategy (adopted Nov 2016).

### **Social Well Being**

- While the physical (planning and design) foundations are important to creating places that foster social interaction and connection, it is becoming more widely recognised that achieving social goals such as sense of community and social cohesion requires more than a purely physical approach to planning. Leading practice recognises the need to stimulate and support community building in new neighbourhoods, by providing resources for community development workers and programs, in addition to providing facilities and public spaces for social interaction and community activities. Council would like further direction to support this approach within the LUIS and use this for a basis for further local infrastructure negotiations.
- Council supports the early involvement of the community in the design and development of the public domain such as urban design and tree planting, as well as involvement in running community events and place-making initiatives to build a greater sense of belonging for new/existing residents. Council would like to see the ILP refined to include greater consideration of how open space areas and

communities areas located near the Activity Precinct may assist in achieving these outcomes.

- The Wollondilly Social Planning Strategy (adopted Nov 2016) includes an action to develop a 'Strategic and Social and Health Plan for the Wilton Priority Precinct'. It is our intention that this document would value add to existing plans for social infrastructure provision by recommending a 'plan of attack' for the activation of Wilton New Town and ensuring healthier outcomes for the incoming community. We propose that this is funded by all the developers involved in the Wilton Junction Precinct.

### **Biodiversity Offset Strategy**

- Council has reviewed an Ecological and Offset Strategy provided in March 2014 as part of the Director – General's Requirements and recent biodiversity reports prepared on behalf of Bradcorp Holdings dated 20 February 2017.
- In respect to Derived Native Grasslands, Council is not satisfied with the approach taken as the Survey Guidelines are not in accordance with the OEH Survey Guidelines for mapping Native Derived Grasslands. Land on the edge of intact vegetation contains an abundance of DNR while the central portions of the site have not been systematically surveyed and are likely to contain DNR also.
- Regarding the biocertification application, we note that landowners have expressed a preference for DPE to make the biocertification application, however Council must be a party to the review of data and any decision making if this approach is supported by DPE. Council also requests that the biocertification application be exhibited concurrently with the planning proposals.
- Council considers that there is an absence of a defined pathway and mechanism to adequately offset biodiversity losses associated with the proposal consistent with established biodiversity offset strategy. These issues must be fully resolved before any rezoning take place.

### **Lake Water Quality and Management**

- Council notes that the planning proposal includes a manmade lake for the treatment of wastewater to a secondary contact level. The lake is intended to ensure that treated wastewater will be discharged back into the environment at a level of quality that significantly exceeds current standards. The lake also doubles as a public asset that assists in creating unique visual setting to underpin the Activity Precinct.
- Council is not opposed to such as concepts subject Sydney Water accepting responsibility for management and care of the lake itself and monitoring for water quality levels is also managed by Sydney Water or the EPA. Council is will to accept the responsibility for managing the land based open space areas surrounding the lake subject to appropriate agreements being put in place to protect Council's and the communities interests.

### **Noise Mitigation**

- The planning proposal includes provision for an additional clause for 'Development or land within or adjacent to MDRL' which applies to development applications for residential accommodation or sensitive uses to maintain a minimum setback of 60

metres. In addition, such buildings shall be designed and constructed to mitigate rail noise and vibration impacts associated with the operation of the railway line.

- Council is generally supportive of this measure however, also feels that this clause should be expanded to include requirement for a noise impact assessment to be undertaken. Such a report should demonstrate that minimum outdoor and indoor noise levels are achieved. The WA Planning Commission's *Road And Rail Transport Noise and Freight Considerations in Land Use Planning* State Policy contains acceptable thresholds which could be applied.
- Council has a strong view that noise attenuation barriers should not be used and that other solutions including building setbacks and design should be used to address noise related issues as a result of the MDRL, Picton Road and the Hume Highway.

### **Heat Island Mitigation**

- Council is strongly concerned with the effects of creating heat islands. Further consideration should be undertaken to setting appropriate targets in the LUIS to control the heat island effect and mechanisms to ensure these targets are achieved included in a new DCP for Wilton New Town.
- As part of addressing this issue, the proposal for the North West Precinct should include a landscape masterplan with a planting guide to assist in providing adequate shading to public places and roads, cycleways and footpaths to limit heat retention.

### **Mining Coexistence**

- Council notes that Bradcorp Holdings are currently negotiating a commercial agreement with South32 to relinquish their mining rights under Bradcorp's land.
- Council welcomes this approach however, if no such agreement is reached, Council requests that the NSW Government intervenes and prioritises urban development over mining rights where there is no demonstrable plan for mining to occur within 14 years.
- Council do not support the rezoning of any land within the Wilton Priority Growth Area unless mining coexistence issues are resolved. Council's initial support for the NSW Government's Potential Homesites Program which initiated the Wilton new Town Project has always been contingent upon mining coexistence issues being resolved across the entire masterplanned area.

### **Local Infrastructure Services**

- Bradcorp Holdings has not submitted with its planning proposal a Voluntary Planning Agreement to provide local infrastructure funding. Such an agreement would need to be negotiated in order to accommodate any rezoning.
- Supporting technical reports appended in the planning proposal state that "The Proponents will also be required to make Section 94 Contributions to Wollondilly Shire Council (Council). The Section 94 Plan will be exhibited shortly after the Wilton Junction SEPP rezoning exhibition".



- The planning proposal also appends Social Infrastructure Needs Assessment which outlines a range of local infrastructure requirements that made be provided. These will be used as a base by Council in undertaken a separate local infrastructure needs analysis to capture the revised demands generated by the larger priority growth areas than first envisaged.
- Council does not support the rezoning of any land within the Wilton Priority Growth Area until satisfactory arrangements have been made for local infrastructure services to be provided.

### **Community Consultation and Public exhibition**

- It is noted that as this planning proposal is considered to be a submission to the draft LUIS and that the NSW Department of Planning & Environment is the relevant planning authority.
- Accordingly, Council requests that these issues be fully resolved before the draft LUIS is placed on public exhibition.

### **Other issues:**

- The draft LUIS needs to consider the needs for additional cemetery services to meet planned growth needs.
- The draft LUIS needs to consider the needs for additional waste disposal to meet planned growth needs.



# WILTON WEST PRECINCT REZONING PLANNING PROPOSAL

January 2017

**design+**  
PLANNING

in association with



# WILTON WEST PRECINCT

## REZONING PLANNING PROPOSAL

JANUARY 2017

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# APPENDICES

- Appendix 1      “Wilton Lakeside Precinct: Employment Strategy and Economic Masterplan” dated December 2016 by MacroPlan Dimasi
  
- Appendix 2      Letter from Minister for Planning dated 1 November 2013
  
- Appendix 3      Wilton Junction Precinct State Environmental Planning Policy Study Requirements dated 2 May 2013
  
- Appendix 4      Summary of Department of Planning & Environment Response to Wilton Junction Studies dated August 2016
  
- Appendix 5      Summary of Wilton Junction Report Findings
  
- Appendix 6      Letter from Roads & Maritime Services dated 6 May 2016
  
- Appendix 7      Letter from NSW EPA dated 6 December 2013

## EXECUTIVE SUMMARY

Bradcorp Holdings Pty Ltd (the proponent) are progressing a rezoning proposal for their entire Wilton West landholding within the recently declared Priority Growth Area of Wilton New Town in South West Sydney. The project is of a sufficiently significant scale to enable commitments to be made for the early delivery of jobs, new homes for 5,400 families of all types, immediate lifestyle benefits and the delivery of State significant infrastructure to support the Wilton West project, which is the largest single contributor to the Government's proposed Wilton New Town.

Bradcorp are experienced developers with a proven track record in creating highly desirable new communities in South West Sydney. Wilton West is no exception and Bradcorp has assembled a specialist team with extensive experience in urban design and planning (Design+Planning) and employment and economics strategy (MacroPlan Dimasi) to ensure Wilton West is a highly successful place where people aspire to live. Bradcorp and this specialist team are taking an innovative approach in how to build a new, self-contained community.

Thoughtful and progressive planning and strategy is being undertaken to ensure that the community has wide-ranging benefits and opportunities from day one of people moving into their new homes. Access to local jobs, schools and post-school training, shopping and services, and places that enhance their quality of life, especially with the vast natural features within the site, are to be provided in the earliest stages of the development.

Wilton West is to 'raise the bar' in building a new community that encourages people from all ages, household types, levels of academic achievement and socio-economic status to create a place that is a unique, identifiable, and a highly desirable and attractive place to live. The natural bushland setting and rivers with the establishment of impressive water bodies are important elements to the character of Wilton West and making it a special place where people aspire to live.

The Wilton West site forms a significant part of the Wilton Junction rezoning proposal previously submitted to the NSW Government, encompassing over 16,000 new dwellings, with a project value of over \$7 billion (October 2015).

Wilton West now forms part of the Wilton Priority Growth Area, a major new land release precinct in South West Sydney, which is estimated to encompass delivery of housing, commercial, retail and infrastructure projects worth over \$10 billion (Barangaroo - \$6.6 billion). Wilton West, as the major land holding is estimated to have a project value of over \$3.5 billion.

Wilton West is one of the largest land development projects in Sydney with a single landowner. It has capacity to deliver a self-contained community with around 5,400 new homes, approximately 16,000 people and 5,500 jobs (greater than the one job per household target).

Development of the site also requires significant investment in State and Local infrastructure to support the new community, and Bradcorp is committed to ensure infrastructure is in place early. Bradcorp is able to underwrite the significant upfront cost for infrastructure due to the scale of the project, which can only be fulfilled with the whole site being rezoned.

Rezoning Wilton West will enable the following:

- a lakeside activity hub that contains cafes, health facilities, restaurants, 'smart' workplaces, shops, recreation and entertainment uses.
- an 11 hectare man-made waterbody which forms part of an integrated wastewater treatment cycle and is endorsed in principle by the EPA, that is surrounded with parks and pathways and suitable for some water sports.
- 5,500 new local jobs with a special focus towards the 'knowledge & professional services' and 'health & education' sectors.
- eight walkable neighbourhoods with a diverse range of housing types and living experiences suited to a variety of families and households.
- around 5,400 new dwellings (including terrace houses) to assist expanding Sydney's housing supply.
- major State infrastructure to make Wilton New Town highly accessible to the regional road network.
- new schools and educational facilities to support local learning and employment.

- a green grid of local parks, active sports fields and boulevards that link to the surround native bushland, encompassing over 47 hectares of open space.
- 22 km of walking and cycle paths throughout the project.
- a blue grid of man-made and natural water features that connect to the Nepean River.
- conservation of around 330 hectares of native bushland and waterways.
- bush trails and activities that connect people with nature.

## Purpose

This Planning Proposal provides the justification and explanation to progress an amendment to *Wollondilly Local Environmental Plan 2011* for the whole of Wilton West facilitated through *State Environmental Planning Policy (Sydney Growth Centres) 2006*.

The objective of this Planning Proposal is:

To amend the *Wollondilly Local Environmental Plan 2011* to enable urban development of rural land to create a new self-contained community comprising business activities, neighbourhood centres, private and public schools, a range of residential housing (detached housing, the 'missing middle' and apartments), sporting facilities and local parks, major infrastructure, and the conservation of a substantial area of existing natural bushland.

To achieve the outcomes of the Planning Proposal objective, land will need to be rezoned from rural purposes to the following zones:

- R1 General Residential
- B4 Mixed Use
- B5 Business Development
- SP2 Infrastructure

There are also amendments to clauses and maps to achieve the objective to create Wilton West.

This Planning Proposal is structured in two parts.

**Part 1** outlines the site and land details, as well as details Bradcorp's vision, design philosophy, and socio-economic and employment strategies for Wilton West.

**Part 2** is the statutory response to amend *Wollondilly Local Environmental Plan 2011* and includes the required information in accordance with the Department of Planning & Environment's Guidelines for preparing a Planning Proposal.

## Bradcorp's Vision for Wilton West

### *Bradcorp's Vision*

For over 20 years Bradcorp has built communities that truly make a difference – with a core commitment to create unique living environments that are of enduring value to the community. Bradcorp believes strongly in reinvesting into Sydney's southwest communities to bring about positive change and to set new standards in amenity and lifestyle.

### *Philosophical Case*

Bradcorp's Wilton Development Project commenced 17 years ago and comprised over 1,320 hectares of land. The neighbouring master-planned development, Bingara Gorge, has become a benchmark community that has helped attract professionals to live and work in the region, and as envisaged, is the successful pilot project for Wilton New Town.



Wilton West is based on the garden city concept of the English visionary, Sir Ebenezer Howard. Garden cities are planned, self-contained communities combining the best features of country towns combined with the facilities, services and technologies found vibrant city centres.

Following the 1970's Macarthur Three Cities policy, the initial concept for Wilton was to create a more diverse range of housing and employment choice for Sydney's southwest to service and attract the growing level of professional employment.

The foundation for the town relies on the "Garden City" being the central focus and integrated whole with its associated environmental, social, cultural and economic fabric. These fundamental principles are embedded throughout to enable a new town that residents identify as their place of being. One that they are proud to call their home.

### *Vision*

The vision for Wilton West, being a substantial area of Wilton new town, has built on the vision established for the Wilton Junction New Town. The vision for Wilton West is:

*Located in a unique natural setting characterised by bushland, rivers, creeks, lakes and ridges, Wilton West sits in front of the Razorback Ranges and contained within the gorges of the Nepean River. The undulating terrain provides the opportunities for views of the surrounding landscape, with the high points of the Property achieving an 'amphitheatre' style vista over the site.*

*The proposed master plan for Wilton West has been designed to provide for a new, vibrant and sustainable master planned community incorporating a series of thoughtfully planned villages with high local amenity, job opportunities and connections to essential facilities. Wilton West will offer living options to suit a diverse array people, expected to comprise first home buyers, managers and professionals, families seeking to upgrade, even down-sizers.*

The neighbouring master-planned development, Bingara Gorge, is the successful pilot project for Wilton New Town. Bradcorp's delivery of Wilton West, as a whole town, will reflect the Federal and State government policies and initiatives that have evolved since the 1970s.

Wilton West is based on core principles, such as:

- A holistic Rural/Urban amenity – offering the best of both the country and city lifestyle.
- Healthy communities through a variety of education and health facilities.
- Intelligence and connection through advanced technology and infrastructure.
- Innovation for employment self-containment and opportunities.
- Environmental sustainability to maintain and protect the rural features synonymous with the surrounds.
- Housing diversity to suit a range of home buyers.

### **Garden City Principles**

The key principles that underpin the design are summarised as follows:

#### ***Rural living***

- Bringing nature closer to people.
- Connecting green spaces with where people live.
- Providing higher levels of residential amenity.
- Creating healthier communities.

### ***Urban living***

- Facilitating greater social interaction and community participation.
- Creating safe and attractive neighbourhoods.
- Providing access to quality housing at lower cost.

### ***Economics & employment***

- Providing jobs close to where people live.
- Ensuring convenient access to goods, services and facilities.
- Providing opportunities for inclusion in a diverse range of activities and occupations.

The principles are similar to Ebenezer Howard's Garden City version but embody current economic and social realities, and are consistent with a more polycentric urban form.

## **Strategic Planning**

The NSW Government adopted legislation to create the Greater Sydney Commission in the beginning of 2016. The Greater Sydney Commission is empowered to "lead and guide the planning for development, transport and housing so that Greater Sydney will be a productive, liveable and sustainable city for all."

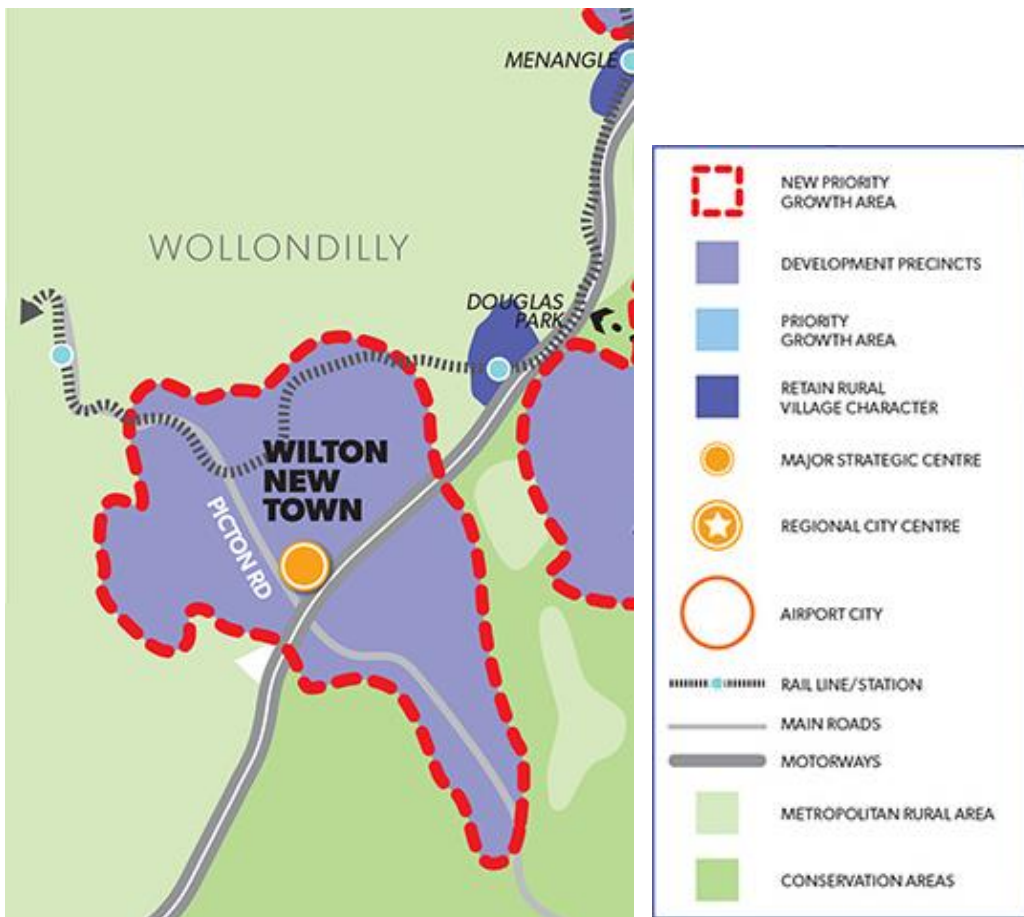
The Greater Sydney Commission released six Draft District Plans for Greater Sydney for public review and comment on 21 November 2016. Wilton West is within the Draft South West District Plan which includes the future Western Sydney Airport and the future third 'aerotropolis' city of Sydney known as "Western City".

The Draft South West District Plan sets out the vision, priorities (productivity, sustainability and liveability) and actions for the development of the South West District. The District Priorities set the criteria for assessing how any proposal meets the requirements of the District Plan and therefore the NSW Government's planning objectives

All planning proposals are required to demonstrate how they satisfy the priorities where relevant. The scale and location of Wilton West (within the Wilton Priority Growth Area) means that all District Priorities have some relevance to this Planning Proposal. This Proposal achieves the priorities of the Draft South West District Plan which is demonstrated in a detailed response to all Productivity, Liveability and Sustainability Priorities in Part B of this proposal.

The Greater Sydney Commission is concurrently reviewing the metropolitan strategy for Sydney title "A Plan for Growing Sydney", which was published in December 2014. This Plan identified approximately 17,600 hectares of land for investigation known as The Greater Macarthur Investigation Area which includes Wilton and the subject site.

In September 2015 the NSW Government released the Greater Macarthur Land Release Investigation which identified two potential Priority Growth Areas; including Wilton. In June 2016 the Department of Planning & Environment released a consultation update which sets out a number of modifications to Greater Macarthur Land Release Investigation. The most significant modification was the identification of Wilton New Town for immediate action with the delivery of homes forecast to have people moving into their homes in late 2018. The Minister for Planning declared the Wilton Priority Growth Area on 29 July 2016. The Priority Growth Area is formalised through an amendment to the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.



(Source: [www.planning.nsw.com.au](http://www.planning.nsw.com.au))

Wilton Junction was the initial planning phase for the new town which has now been expanded with the declaration of the Wilton Priority Growth Area. The decision to work towards an integrated Master Plan for Wilton Junction was taken after the State Government invited landowners in 2011 to nominate sites which might deliver additional housing to address Sydney's housing shortage. With the recent release of the Wilton Priority Growth Area, Wilton Junction now forms part of a larger area dedicated to Sydney's urban growth.

The proposed rezoning is aligned with the strategic framework and NSW Government's objectives for the site. The site was identified as a potential growth area in 'A Plan for Growing Sydney' and then assessed for urban development through the Greater Macarthur Land Release Investigation. Subsequently, the Wilton Priority Growth Area to create Wilton New Town was declared and it is now anticipated that proponent-led proposals can be submitted for urban development projects within the Growth Area. The site is within the area defined for the New Town and given its land area and scale will form a major portion of Wilton New Town once developed. Accordingly, this Planning Proposal will achieve the objectives set by the NSW Government for urban growth in South West Sydney.

The recently released Draft South West District Plan sets the priorities that need to be considered as part of any Planning Proposal. The establishment of Wilton New Town and local jobs and services are key priorities for the Greater Sydney Commission, in addition to increasing the supply of housing. The scale of Wilton West means that this Planning Proposal has a relationship with each priority and consistency with each priority has been demonstrated in this Proposal. In particular, underpinning this rezoning Proposal is an employment strategy with special focus on creating new jobs in higher order employment sectors to increase the number of opportunities for professionals and managers to live and work in South West Sydney.

## Driving Socio-economic Change in South West Sydney

Bradcorp are committed to making Wilton West a project that drives socio-economic change in South West Sydney. Historically South West Sydney has low levels of professionals, executives and business owners living and working in the region. People of these higher level jobs typically live in the areas closer to the Sydney CBD and in areas throughout the northern suburbs of Sydney. Given the scale of Wilton West, Bradcorp can commit to facilitating a broad range of services and facilities. There is an ability to create a place that has new major road connections, new schools and education facilities, and local services and employment for people of all skill sets and academic achievement.

The key outcome for Wilton West is to create a place that retains people from higher level employment sectors to create a positive socio-economic difference that strengthens South West Sydney as a prosperous region with its own identity. The strategy for creating socio-economic change is at two levels with the regional level of South West Sydney and local level of Wilton New Town/Wilton West.

### Strategy for creating socio-economic change in South West Sydney

| LEVEL                    | GOAL   | STRATEGY  |
|--------------------------|--|---|
| SOUTH WEST SYDNEY REGION | Increased number of professionals and managers in South West Sydney. | <ul style="list-style-type: none"> <li>● Provide highly desirable places where people aspire to live.</li> <li>● Facilitate the expansion of new local tertiary educational opportunities to evolve local talent.</li> </ul>  |
|                          | Make South West Sydney attractive for new high-level businesses.     | <ul style="list-style-type: none"> <li>● Build Wilton West as place that offers unrivalled lifestyle and living benefits.</li> <li>● Enable infrastructure that supports stronger connections (i.e. IT, transport) with South West Sydney.</li> </ul>   |
| WILTON WEST              | Professionals and managers living and working in Wilton West.        | <ul style="list-style-type: none"> <li>● Create an activity hub that has high amenity and level of facilities for professionals and business owners establish their business.</li> <li>● Target specific economic and employment industries in health and education.</li> <li>● Facilitate the establishment of high-quality shopping, entertainment, recreation, education, environmental and lifestyle standards.</li> <li>● Establish a high standard of urban design in streetscapes, parks and public places.</li> </ul> |
|                          | Employ the local residents of Wilton New Town.                       | <ul style="list-style-type: none"> <li>● Enable the early construction of primary and secondary schools and childcare facilities.</li> <li>● Establish training facilities in construction and trades to create immediate local employment opportunities for new residents.</li> </ul>  |

Bradcorp are resolved to enhance the number of higher status jobs in the Region and create a community that is rich through diversity in socio-economic status.

## Economic, Employment and Housing Trends and Observations

South West Sydney has been experiencing strong urban growth for new housing and employment land for the last 10 years and very strong growth within the last 5 years. The NSW Government has delivered major infrastructure projects in road and rail and there are many more infrastructure projects in construction or planning and design stages. The biggest game-changing infrastructure item for Western Sydney will be the Western Sydney Airport. The airport is scheduled to be operational in the mid-2020s and will eventually provide over 60,000 direct jobs. There is also a major roads program to facilitate transport to the airport and throughout Western Sydney which has been valued at \$3.6 Billion.

South West Sydney is receiving many benefits of the NSW Government's infrastructure program with the completion of the new rail line to the future Leppington Regional Centre and upgrades to Camden Valley Way. The Northern Road and Bringelly Road are current being constructed, and there is now greater focus to the infrastructure requirements in the Greater Macarthur area. South West Sydney is an area of significant investment by the NSW Government which is being complemented by significant investment by the land development and construction industries.

MacroPlan Dimasi has identified some key trends and observations in economics, employment and housing which include:

### Economic:

- Sydney's economic growth is healthy, with the continued investment by state government on the infrastructure program expected to continue, this will drive the economy once the pace of the dwelling construction (apartment) moderates.
- A shortage of housing still exists in Sydney, even with the increased production of residential construction. Strong population growth and low interest rates are continuing to support demand. The continued camping out for new lots is indicative of the need for a more competitive range of development fronts and land supply.
- The rise in house prices is providing continued support for consumer spending.
- Services tied to consumer spending are benefiting from this economic environment – health, professional, retail, food and accommodation.
- A lower Australian dollar and positive conditions in the retail sector and labour market provide an encouraging outlook for continued investment.

### Employment:

- Sydney and South West Sydney have continued to average annual jobs growth close to 1.5% over the past 5 years.
- Jobs and household growth will continue to be supported from the broader construction cycle.
- Population growth across the South West will continue to be a major facilitator for employment growth.
- Major Infrastructure investment (road, rail, airport) and expansion in transport and the logistics industry will be a major factor of growth.
- As the local economy matures health, education, professional services will experience strong demand.
- The delivery of the whole corridor will continue to drive industry expansion and supply chain growth across the region.
- Remote and mobile workers will continue to be attracted given the geographic access with increased infrastructure delivery (WSEA, Badgerys Creek, Illawarra etc).

### Housing:

- Residential construction has been the catalyst for the strong population growth.
- The shifts in the residential property market, as well as jobs growth and economic stimulus supports the rise in demand for new housing.
- Regional population growth is being driven by diversity in the demographic sub markets – this includes first home buyers (25-39) to persons aged 65+.

- Primary shifts towards smaller lot housing within newer residential estates in the south west is attracting primary shifts in demand.
- Many older age groups and mature families can downsize or cash out due to the recent growth in the value of residential property, and this is driving a demand for a wider range of housing options such as over 55 lifestyle villages or resort parks.

## Employment & Economics

Bradcorp is committed to establishing early and targeted economic and employment growth to support local jobs and services for Wilton West from day one.

Wilton West can deliver greater results than the targets of the Wollondilly Shire Council and the NSW Government to ensure sustainable employment of “one job per dwelling” in Wilton New Town throughout the delivery lifecycle of the project. This is achieved by economic development plans and proactively targeting the key growth drivers for each phase and setting targets for new jobs which are implemented in phases. Economic specialists MacroPlan Dimasi has prepared an Employment Strategy comprising an economic plan and targeted employment strategy to guide the early establishment of local services and jobs for future residents and the ongoing creation of new jobs throughout the growth of Wilton New Town (refer to “Wilton Lakeside Precinct: Employment Strategy & Economic Masterplan” dated December 2016 by MacroPlan Dimasi in **Appendix 1**).

Whilst Wilton West is to contain two local activity centres with around 5,000m<sup>2</sup> of retail uses, the focus of establishing permanent local jobs in an ‘Activity Hub’ adjacent to a large lake will target jobs in the services sector, which represents around 80 percent of all employment Australia-wide and is increasing. The services sector is a major generator of employment and with early planning will form the majority of employment opportunities in Wilton West. It will also ensure that the future Wilton New Town Centre retains its role as the primary retail centre within Wilton New Town.

The economic plan driving the employment outcomes are:

- *Meeting existing gaps based on demand e.g. already committed to a K-12 Anglican College.*
- *Trapping construction multipliers locally.*
- *Leveraging the fastest growing economic sectors i.e. health and education.*
- *Attracting small to medium size (SME's) enterprises and contractors.*
- *Leveraging local amenity (i.e. the lake) to accommodate a wide range of business and recreational cases (e.g. club, gymnasium) and regional meetings and conferences.*
- *Provision of service retail to service local needs, complementing the regional retail centre will most likely not be feasible for around 10 years.*
- *Leveraging ingress and egress to the freeway to accommodate a range of regional and sub-regional uses including emergency services, transport services, home care services etc.*
- *The Lakeside Precinct Economic Plan complements the proposed future Regional Centre and focuses on a range of uses which vertically integrate by sectors e.g. health.*

The economic plan targets key growth drivers to activate the delivery and creation of employment that will grow in a sustained manner through the lifecycle of the development and beyond. These key land use drivers identified by MacroPlan Dimasi include activities such as education, health, service retail and small-medium enterprise, and construction. These include the various social infrastructure requirements outlined in the Social Infrastructure Assessment prepared by Elton Consulting and enclosed with this proposal. It also builds on Bradcorp’s existing commitment from the Anglican Schools Corporation to establish a new K-12 school in Wilton West.

The type of activities that generate economic activity and jobs will phase in throughout the delivery lifecycle of Wilton West. As development progresses and the population increases, the critical mass will drive economic activity and establish key land use activities.

MacroPlan Dimasi identified four phases of job development beginning at day one of construction through to the establishment of Wilton New Town as a regional service centre, which is expected to occur in 2033 (refer to **Appendix 1**).

The four phases of employment are outlined below.

### ***Phase 1: Construction Employment & Training***

*The project will be dominated by all aspects of construction related employment including managerial and entrepreneurial opportunities. To maximise jobs outcomes, activate contract and development management will be required to maximise the localisation of job multipliers.*

### ***Phase 2: Foundation Service Sector Employment***

*This phase introduces:*

- *Education (Primary & Secondary schools)*
- *Training (VET / Construction and training facility)*
- *Collaboration (small business incubator)*
- *Recreation / place making (club with recreational facilities)*
- *Retail (neighbourhood centre)*

### ***Phase 3: Growth***

*This phase introduces:*

- *Allied health and significant retirement living options as a baseload for growing a regionally significant allied health industry*
- *Significant employment land*
- *Emergency services*
- *Regional transport + distribution (e.g. bus depot, homecare)*
- *Regional freight and logistics*
- *Expansion to the retail offer*
- *Expansion to the business incubator*
- *Introduction of community services employment*

### ***Phase 4: Maturity***

*This phase accommodates a wide range of centre based and non-centre based contractors and SME's which can service the local and regional requirements and provides the basis for a diversified and resilient economy for the Lakeside Precinct. It positions greater Wilton to grow to a regional service centre level.*

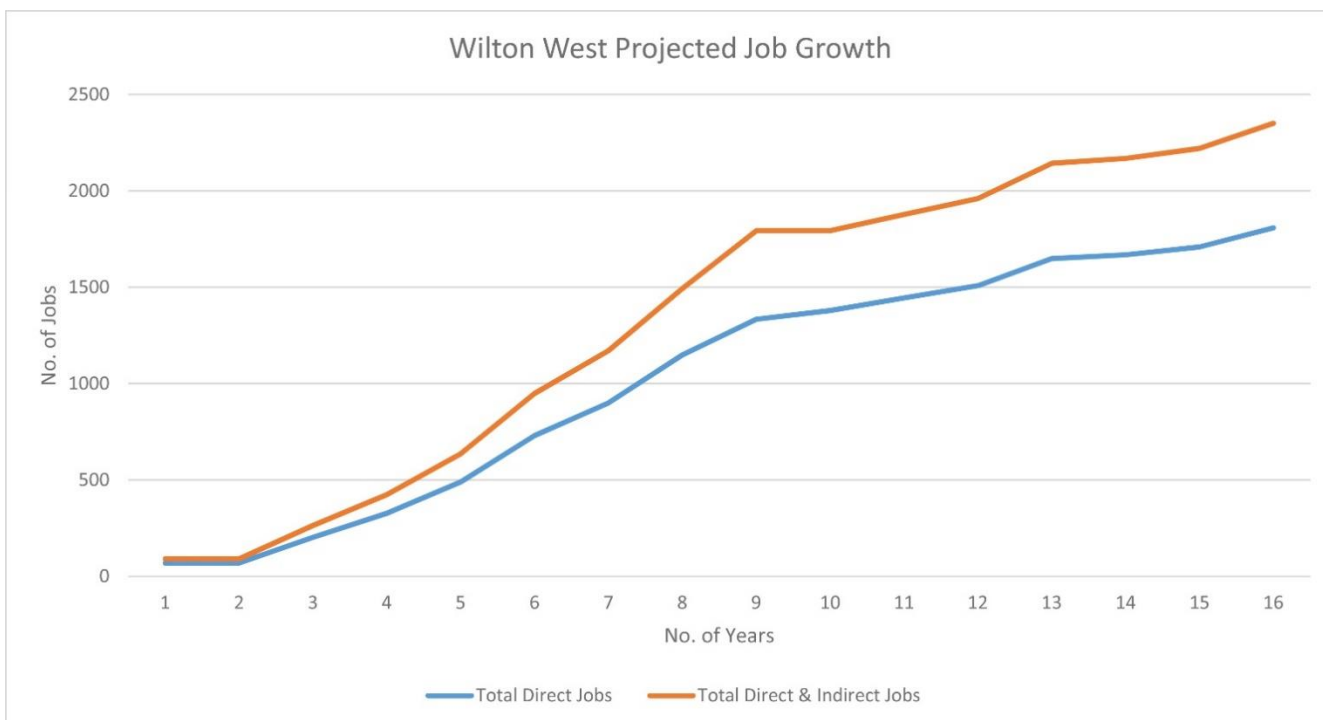
The Jobs Cashflow provided by MacroPlan Dimasi demonstrates steady job growth from the beginning of construction. Initially jobs will form around the construction sector. Once there is a critical mass of residential to support a local services sector, the health and education sectors will be targeted to create demand for professionals and higher order jobs. There will also be job growth in the retail and small to medium size enterprises and contractors sectors as well as throughout the first 16 years of the delivery lifecycle.

MacroPlan Dimasi has reviewed the land use zoning proposed for Wilton West and confirms the area of land identified for B4 Mixed Use Zone and B5 Business Development Zone will support the job projections in the Jobs Cashflow (refer to **Appendix 1**).

A summary of new jobs in the targeted employment sectors (not all employment figures) that is created from Wilton West during the first 16 years is outlined below.

| Employment Sector                             | No. of Jobs |
|---|-------------|
| Education                                     | 270         |
| Health  | 190         |
| Service Retail                                | 130         |
| Small & Medium Size Enterprises / Contractors | 120         |
| Tourism & Recreation                          | 160         |

The total number of jobs created by Wilton West in the Jobs Cashflow over the 16-year period is graphed below.



Source: data supplied by MacroPlan Dimasi

At 2033 there will be around 2,350 local jobs for the residents of Wilton New Town, with an estimated 5,500 jobs when the project is complete. Post 2033 MacroPlan Dimasi explain that rapidly changing technology will have a significant influence on how we build communities. During the period the community will be embracing the full impacts of technological change through the 'Internet of Things', Automated Transport systems and robotics, which will change how we live work and play.



## **Education**

Education and learning facilities are key elements to building a new community for Wilton New Town. Wilton West will provide the full range of education opportunities from early childhood learning to schooling and then up to higher level tertiary education.

Bradcorp's commitment to education is demonstrated through agreements with providers for new schools at Wilton West already in place, and Bradcorp has already provided the land for the existing public school in Bingara Gorge. Bradcorp has an agreement with the Sydney Anglican Schools Corporation to establish a new Kindergarten to Year 12 school as part of the early stages of development. The School has been given the title of "Wollondilly Anglican College – Lakeside Campus" and will provide state-of-the-art learning facilities for its future students. The key benefit is the assurance that Wilton New Town will have education facilities for the families that live in the first homes.

The other school proposed for Wilton West is a Public Primary School in the north of the site which will be delivered as required.

Bradcorp is intent on facilitating the opportunities for higher education/university qualifications within Wilton West. Tertiary education facilities will be targeted through a university level annex offering specialist teaching to support the local services sector and the promotion of professionals and executive living and working in Wilton West. The university annex will also spread the reach of tertiary education to bring it closer to other towns within the Wollondilly LGA and the southern highland communities further to the southwest. The position of Wilton New Town on major road connections to the southern highlands and Wollongong makes Wilton West a highly suitable place for this type of tertiary education facility.

Onsite training in construction will form an early impetus for localised education opportunities for new residents to learn in the area where they live and then work where they live. The Employment Strategy promotes the establishment of a dedicated facility to train in trades and construction skills within Wilton West. It will provide local learning beyond high school with a training facility dedicated to skilling people in construction and trades including business that equip people who work in the New Town with the needed skills to take advantage of jobs in the future. This is to educate through apprenticeships and general construction skills in a partnership with an appropriate educational institution and will start a bright future for the younger residents of Wilton New Town.

Child Care facilities are to be provided in line with the growing new population. New families will be able to choose to grow their families as well as work within Wilton West and Wilton New Town. Child care centres are to offer a range of activities and programs to engage the children of Wilton West and start the early education process.

## **Environment and Recreation**

Over 300 hectares of environmentally significant land will be conserved and maintained at Wilton West by the proceeds generated from urban development. An Environmental Trust is proposed to protect the environment in perpetuity for future generations to enjoy and provide an opportunity for learning through interaction and interpretation. The environmental lands are significant in size and will also provide opportunity for recreation and education in a similar approach to the multi-faceted environmental facilities in the Western Sydney Parklands. The site will also enable broader recreation and education opportunities associated with the Nepean River.

To complement the significant environmental benefit of the Environmental Trust, an innovative treatment of wastewater with the large lake is proposed as a cornerstone for the development. The lake will have a multitude of direct and indirect benefits, one of the key environmental benefits is the final treatment of wastewater generated by Wilton New Town. The lake will ensure that treated wastewater will be discharged back into the environment at a level of quality that significantly exceeds current standards.

The benefits of the large lake and conserved environmental lands plus the local parks and sports fields will create a place that encourages and supports healthy living. The lake will facilitate a range of active and passive recreational uses including incidental contact water sports, which are activities not likely to cause immersion in the water (i.e. kayaking, canoeing), and land based activities that are a direct consequence from the existence of the lake (i.e. promenading, jogging, walking, cycling).

A variety of open space areas and recreation spaces are to be incorporated into Wilton West to ensure a diverse range of activities for everyone to use and enjoy, with over 47 hectares of open space provided within the community. The project will also deliver over 22km of walking and bike trails within the conservation lands, encouraging active healthy living for all future residents.

A network of formal and informal cycling and pedestrian paths in green corridors and waterways provide opportunities for pleasurable walking and cycling experiences, encouraging recreational uses of the facilities. These pathway connections in the green corridor will connect with the pathway networks in the roads and neighbourhoods to ensure quality and efficient connections to activity nodes, high-order recreation features (i.e. district sports fields, lake) and education facilities.

## **Infrastructure**

The Wilton West Precinct is ranked third in size of the Precincts released in the South West Priority Growth Area and is similar in area to the Edmondson Park Precinct, which provided for around 6,000 new homes and also includes a significant area dedicated to conservation lands.

The scale of Wilton West and being in single ownership provides greater certainty to underwrite and therefore deliver the essential infrastructure to support the new community. The Infrastructure Staging Schedule accompanying the rezoning has Bradcorp funding 70 percent of the State infrastructure costs at 23 percent of development. This leaves 30 percent of State infrastructure for the remaining 77 percent of development, which significantly minimises the risk to Government.

Key infrastructure items include:

- Upgrades to Picton Road
- New off and on ramps from the Hume Highway
- New public and private education facilities
- Essential servicing infrastructure (potable water, wastewater and electricity)
- New public transport infrastructure

At every stage of the development the funding of State infrastructure is significantly forward of the demand generated by the new urban growth and this is secured in a legally binding agreement. Therefore, it can be assured that infrastructure delivery and 'at no additional cost to Government' imperatives are met with no risk to Government.

## **Direct Access Ramp**

Major connections Wilton New Town are to be improved with an additional off-ramp from the Hume Highway that provides a direct access route to the northern urban areas of Bingara Gorge and Wilton West. Direct access establishes a new strategic road connection directly off the Hume Highway that will reduce traffic on the exiting Hume Highway/Picton Road interchange and increase options for accessing the broader Wilton New Town.

A concept of the direct access ramp has been presented to the NSW Roads & Maritime Services (RMS) for preliminary review and subsequently the RMS has advised they have no objection progressing consideration of the concept subject to more detailed investigations.

In addition to encouraging urban growth, key benefits for the Wilton New Town community include:

- More convenient and direct access for the northern portion of Wilton New Town residents from the Hume Highway.
- Improved community safety by providing access to Wilton New Town that is not shared with heavy vehicles and the 'free flow of freight.
- Reduced reliance and traffic volumes on the Hume Highway/Picton Road interchange and the ability to separate local traffic from Wilton New Town with heavy freight vehicles.
- Reduce traffic volumes on Picton Road and Pembroke Parade intersection.
- Substantial travel and time savings for existing and future residents within Wilton New Town.
- Improved capacity of the Picton Road/Hume Highway interchange and the local road network by better distributing traffic on the planned Wilton New Town road network.

## Site & Location

The Wilton West site incorporates four Land Titles with a total area of approximately 876ha. The site has been used for grazing purposes and contains large farm paddocks surrounded by native vegetation, sandstone outcrops and major rivers.

The site is located within the South West Region of the Sydney Metropolitan Area in the locality of Wilton and the Local Government Area of Wollondilly Shire Council. By road the site is 85km south west of the Sydney CBD, 31km northwest of Wollongong and 7km east of the Picton township. The site is adjacent to the Hume Highway to the southeast and Picton Road to the southwest. The Nepean River forms the boundary from the north around to the west where the River and Picton Road intersect.

The site is strategically located on the main traffic route between the future West Sydney Airport and Aerotropolis and Port Kembla in Wollongong. The presents a distinct advantage to establishing a new community that can leverage of the high order activities of these existing and future activities, in particular employment.



*(Map source: Google Maps)*

# PART 1 – THE CASE FOR URBAN DEVELOPMENT

## 1 INTRODUCTION

This Planning Proposal seeks to rezone land for urban development within the Wollondilly Local Government Area, which includes a significant amount of land being preserved for environmental protection. The site is known as the Wilton West Precinct and is located within the Wilton Priority Growth Area, which is to facilitate the establishment of Wilton New Town.

Wilton West Precinct is a proposal for a new community comprising over 16,000 people and is to form part of a larger town that offers a high level of self-containment, integrating a contemporary urban design within a unique natural and rural setting, and bushland, rivers and lake. The Precinct comprises over 870 ha of land and will provide a range of living options supported by schools, shops, services, open space and employment opportunities.

This Planning Proposal is structured in two parts.

**Part 1** outlines the site and land details, as well as details Bradcorp's vision, design philosophy, and socio-economic and employment strategies for Wilton West.

**Part 2** is the statutory response to amend *Wollondilly Local Environmental Plan 2011* and includes the required information in accordance with the Department of Planning & Environment's Guidelines for preparing a Planning Proposal.

Whilst the proposal is to amend *Wollondilly Local Environmental Plan 2011*, the rezoning proposal is to be facilitated through an amendment under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

The studies supporting the rezoning have been carried out following receipt of Director General's Requirements for the creation of a SEPP over Wilton Junction in May 2013. The Planning Proposal is in line with the NSW Government's strategic planning framework for urban growth in South West Sydney, in particular the early planning undertaken for the Greater Macarthur Investigation Area. The site is also within an area identified for growth in 'A plan for Growing Sydney', which is the Government's Metropolitan growth strategy for Greater Sydney.

The Planning Proposal will enable development of over 5,400 new homes and will create local businesses and an estimated 5,500 jobs for local residents. An Employment Strategy by MacroPlan Dimasi has been prepared for Wilton West and is included in this proposal. This Employment Strategy establishes a framework to deliver new employment opportunities over the lifecycle of the development which are targeted at specific industry centres.

Early in the development employment will be established through construction and supporting businesses such as training. There will also be early local jobs in education with the Sydney Anglican Schools Corporation committed to build a new kindergarten to year 12 school in Wilton West in the first stages of development.

Local employment opportunities will expand as the local service industries are encouraged to establish in the Lakeside Activity Hub, in particular in health and supporting industries for the ageing population. Encouraging and facilitating local services sector businesses and employment (i.e. engineers, architects, doctors) and other types of executives and business professionals enables these people to work where they live, which is a significant boost liveability. There will also be local businesses to support the daily shopping needs for the new residents. With a focus on the early delivery of new jobs in step with the growing population, the new urban area will achieve outstanding results in self-containment as people will be able to work near where they live.

The other key aspect of the Planning Proposal is to zoned land to provide a diverse range of housing options to ensure all types of families and households can choose to live in Wilton West. This will be achieved by providing a variety of lot sizes and facilitating various types of residential buildings. It is also intended to provide living options for the ageing population which is to be supported by dedicated local health services. This will allow multiple generations of a family to live within the same community.

The Planning Proposal also seeks to rezone land for large-format business to provide greater diversity in business and employment opportunities within the project. The 'employment lands' will be suitable for establishing a range of businesses. Upfront business will be able to reliably take advantage of the ripple effect from development and construction related industries. Over time these business would change to those that service the new population in addition to the broader south west strongly connected region.

As part of the rezoning, there has been comprehensive investigation and planning into the State and local infrastructure needs to support the future population. This will include the provision of extensive road upgrades, in particular in relation to the Hume Highway/ Picton Road Interchange, new public transport facilities, new education and recreational facilities, and conservation of environmentally significant land.

## 2 SITE & LOCATION

### 2.1 Subject Land

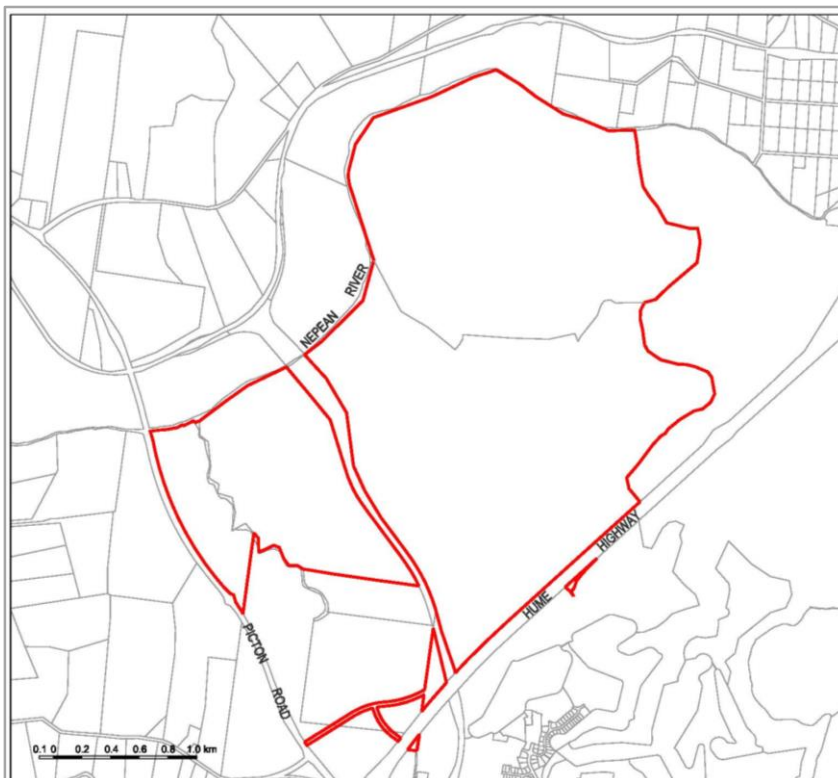
The Wilton West land subject to this proposal is owned by Bradcorp Holdings Pty Ltd and incorporates four Land Titles with a total area of approximately 876ha (refer **Figure 1**). The Land Titles subject to this proposal include:

**Bradcorp Holdings P/L:**

- Lot 1 DP1215383
- Lot 2 DP1215383
- Lot 4 DP702024
- Lot 1 DP629828

**Land owned by others, being land subject to proposed SP2 zoning for roadways:**

- Lot 26 DP270536
- Lot 31 DP270536
- Lot 13 DP702024
- Lot 2 DP253992
- Lot 200 DP1195273



*Figure 1: Land Subject to the Planning Proposal*



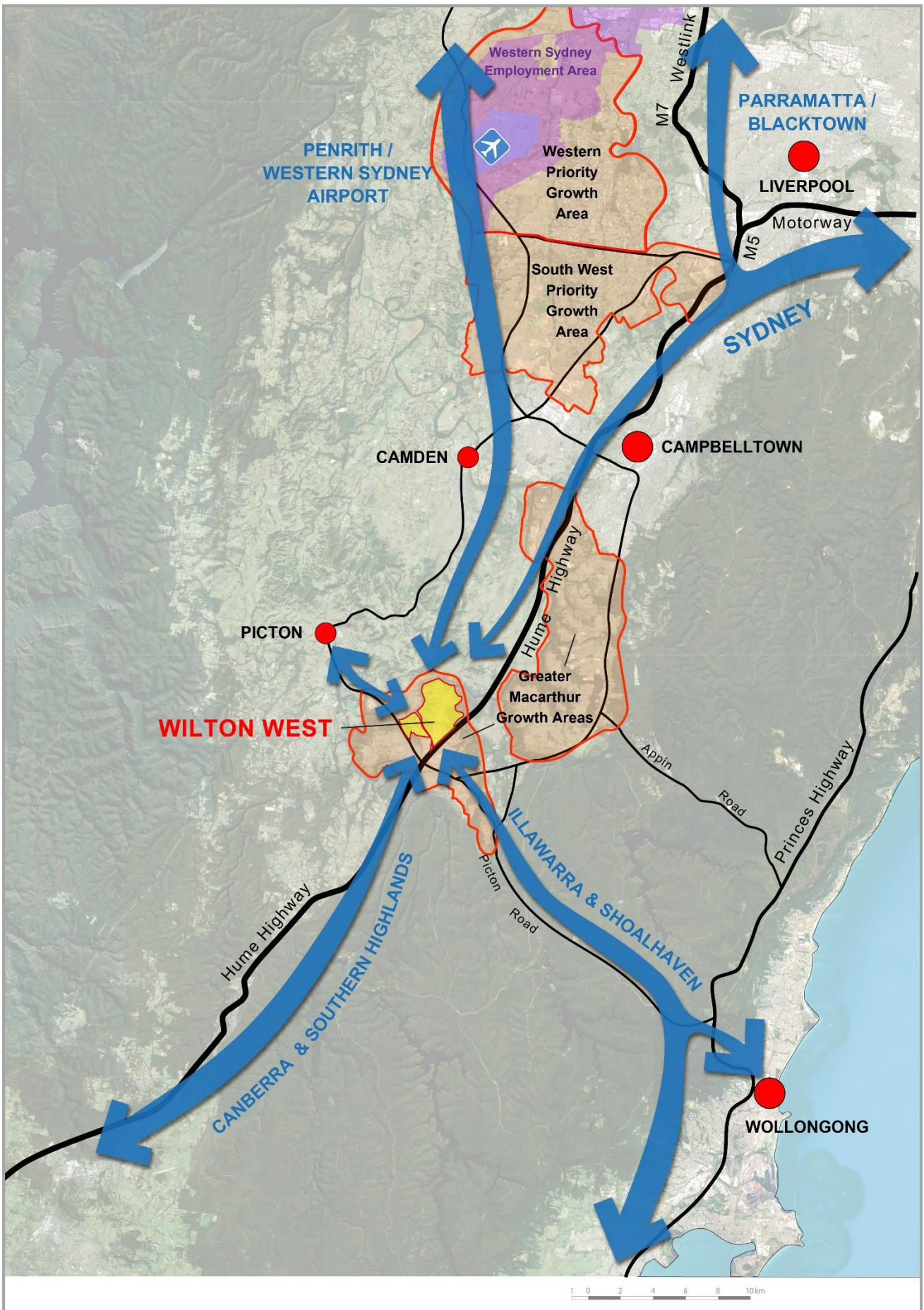


Figure 3: Regional Context

## 2.3 Site Description and Context

The Hume Highway is adjacent to the southeast of the site and Picton Road is to the southwest. The Nepean River forms the boundary from the north around to the west where the River and Picton Road intersect. Allen Creek forms the eastern boundary of the site.

The land is mostly gently undulating apart from an elevated highpoint in the southern portion of the site. The land adjacent to the length of the Nepean River and Allen Creek is treed with native vegetation and steep drop-offs and embankments to the waterways. The dense bushland area comprises approximately 329 hectares of the site. The remaining land within the site is mostly cleared and has been used for grazing purposes for many years. Within the grazed areas there are tracts of trees, windrows and isolated paddock trees. There are also a number of farm dams scattered throughout the site.

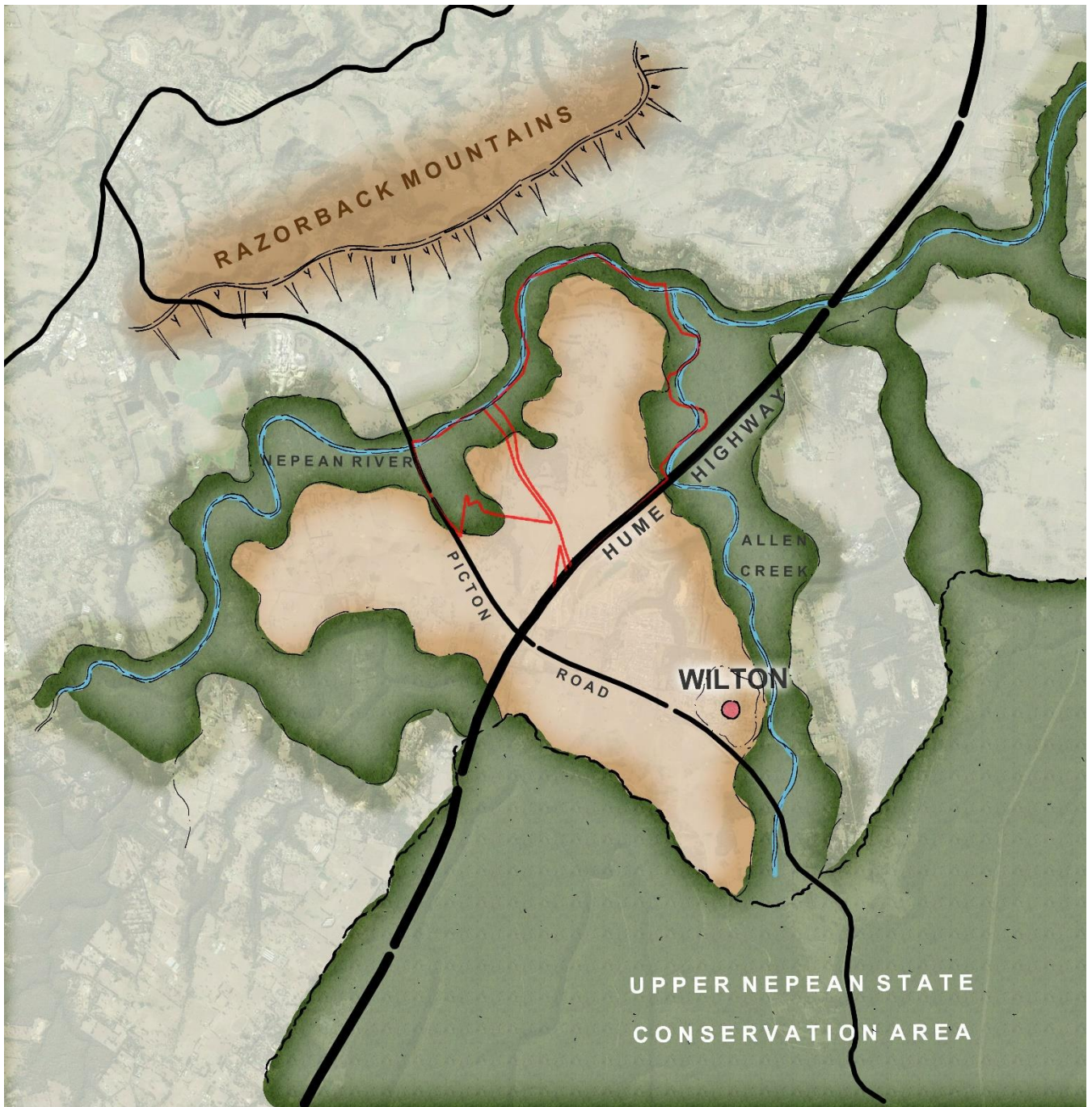


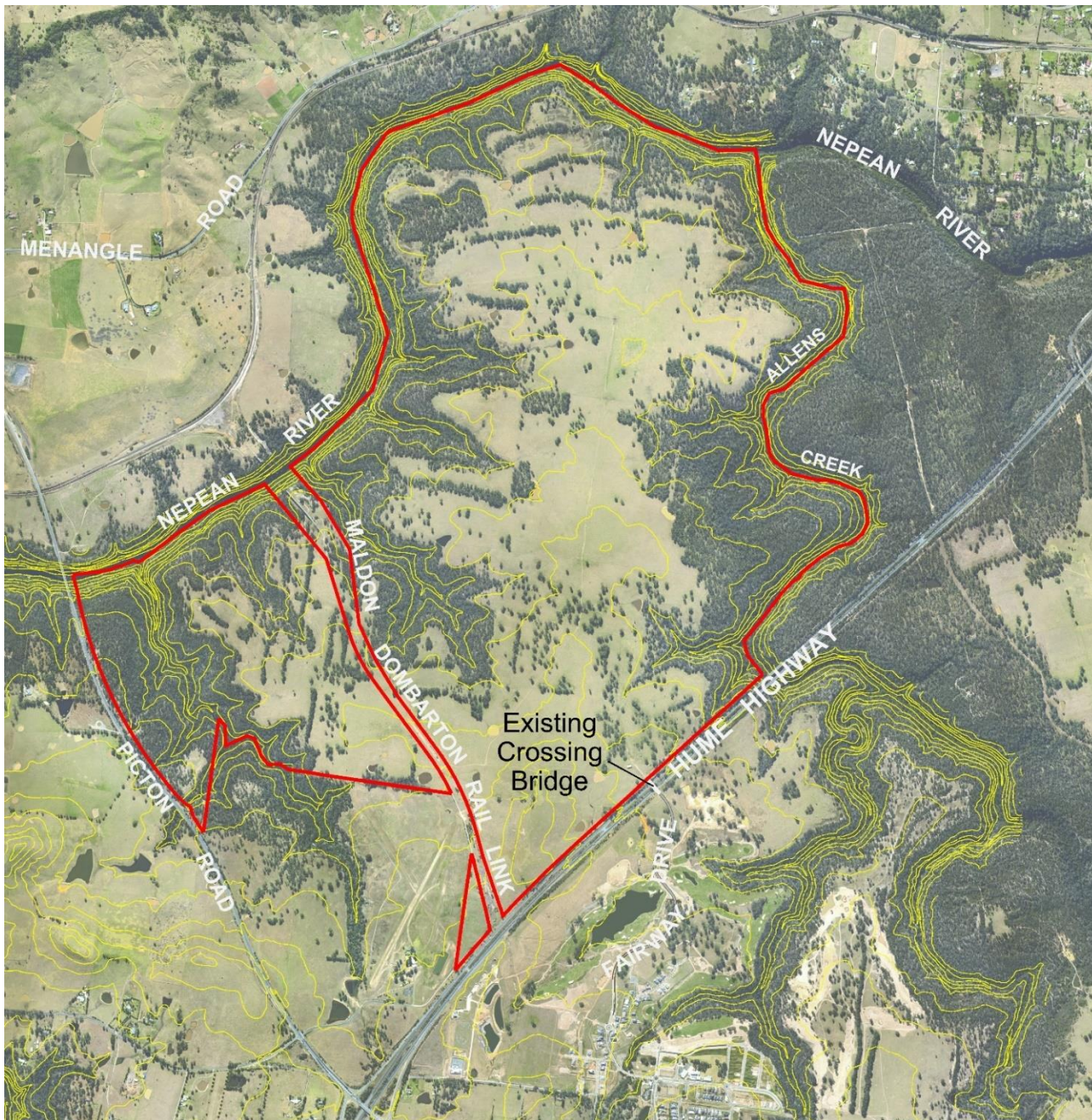
Figure 4: Site Context



An existing bridge crossing over the Hume Highway is located in the southeast of the site that connects with Bingara Gorge including neighbourhood shops, Wilton Public School and the golf course. This crossing provides a future road connection with Fairway Drive which is the main collector road in Bingara Gorge that will provide access to Picton Road. This connection, once augmented, provides an opportunity for the early delivery of a new Private K-12 school and new residential land within the subject site.

The Maldon Dombarton Rail Link corridor traverses the site and some construction works to create the railway have commenced. Works have ceased and there has been extensive investigation by Transport for NSW over many years to complete this rail link, with no advancement to date.

The area is surrounded by small rural land holdings and large tracts of vegetation along the main waterways. Much of the land in the vicinity is used either for rural land uses and grazing or rural living purposes. The site also has views to the Razorback Ridgelines to the northwest and north.



**Figure 5: Site Plan**

### 3 VISION

#### 3.1 Wilton West Precinct Plan

The Wilton West Precinct Plan establishes an indicative outline for developing the Precinct and the location of specific land uses, roads and open space. The Precinct Plan also informs the zoning of land for business, residential, recreation and conservation uses in this Planning Proposal, which is explained in greater detail in Part 2 of this document.

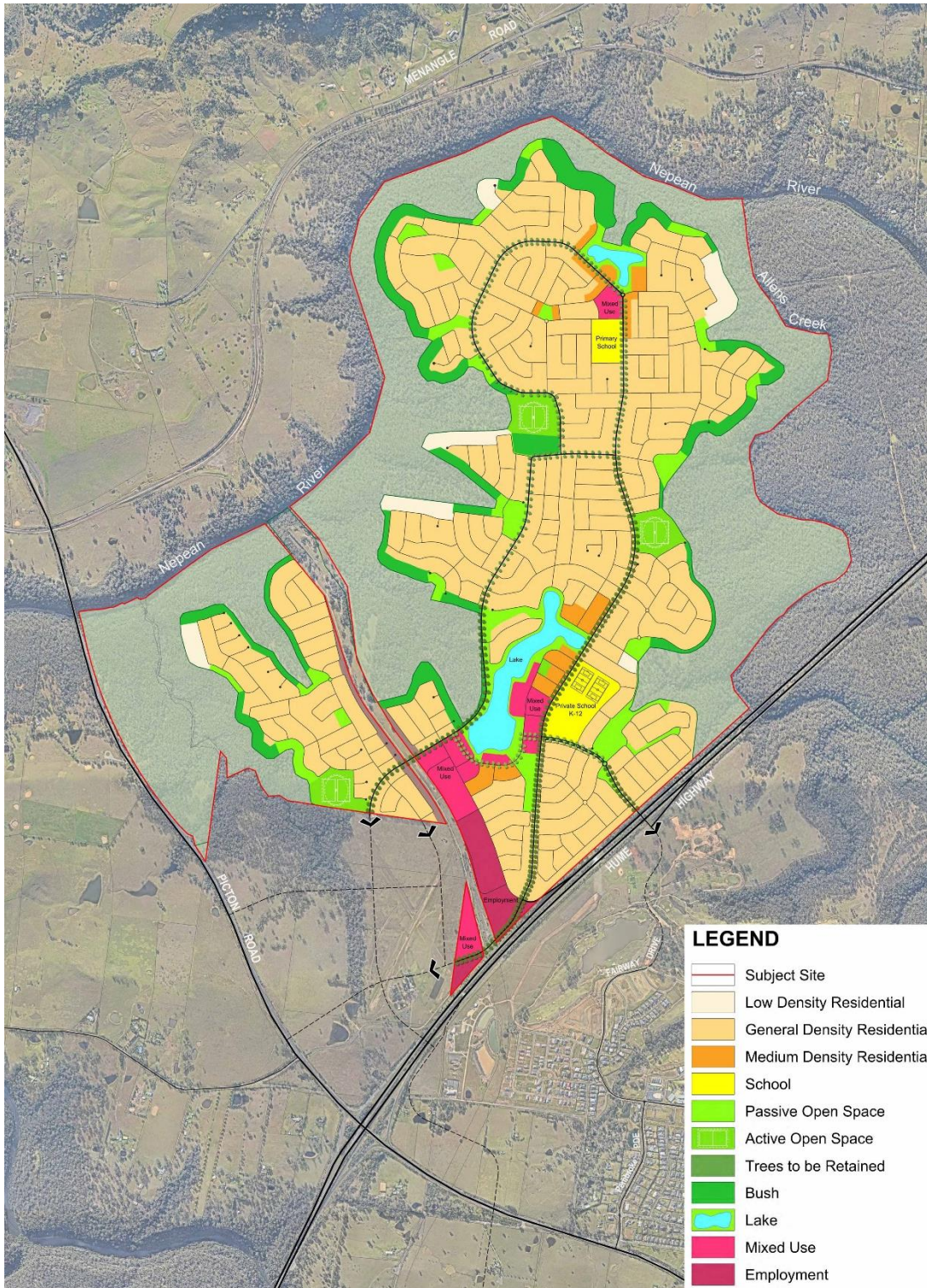


Figure 6: Precinct Plan

## 3.2 Bradcorp's Vision

### Bradcorp's Vision

For over 20 years Bradcorp has built communities that truly make a difference – with a core commitment to create unique living environments that are of enduring value to the community. Bradcorp believes strongly in reinvesting into Sydney's southwest communities to bring about positive change and to set new standards in amenity and lifestyle.

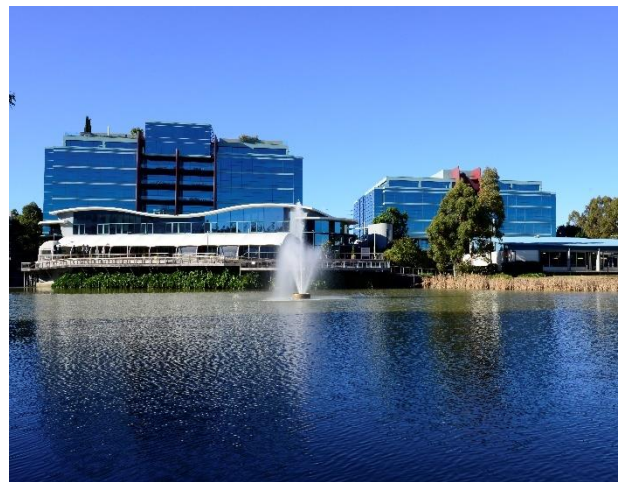
### Philosophical Case

Bradcorp's Wilton Development Project commenced 17 years ago and comprised over 1,320 hectares of land. The neighbouring master-planned development, Bingara Gorge, has become a benchmark community that has helped attract professionals to live and work in the region, and as envisaged, is the successful pilot project for Wilton New Town.

Wilton West is based on the garden city concept of the English visionary, Sir Ebenezer Howard. Garden cities are planned, self-contained communities combining the best features of country towns combined with the facilities, services and technologies found in vibrant city centres.

Following the 1970's Macarthur Three Cities policy, the initial concept for Wilton was to create a more diverse range of housing and employment choice for Sydney's southwest to service and attract the growing level of professional employment.

The foundation for the town relies on the "Garden City" being the central focus and integrated whole with its associated environmental, social, cultural and economic fabric. These fundamental principles are embedded throughout to enable a new town that residents identify as their place of being. One that they are proud to call their home.



## Vision

The vision for Wilton West, being a substantial area of Wilton new town, has built on the vision established for the Wilton Junction New Town. The vision for Wilton West is:

*Located in a unique natural setting characterised by bushland, rivers, creeks, lakes and ridges, Wilton West sits in front of the Razorback Ranges and contained within the gorges of the Nepean River. The undulating terrain provides the opportunities for views of the surrounding landscape, with the high points of the Property achieving an 'amphitheatre' style vista over the site.*

*The proposed master plan for Wilton West has been designed to provide for a new, vibrant and sustainable master planned community incorporating a series of thoughtfully planned villages with high local amenity, job opportunities and connections to essential facilities. Wilton West will offer living options to suit a diverse array people, expected to comprise first home buyers, managers and professionals, families seeking to upgrade, even down-sizers.*

The neighbouring master-planned development, Bingara Gorge, is the successful pilot project for Wilton New Town. Bradcorp's delivery of Wilton West, as a whole town, will reflect the Federal and State government policies and initiatives that have evolved since the 1970s.

Wilton West is based on core principles, such as:

- A holistic Rural/Urban amenity – offering the best of both the country and city lifestyle.
- Healthy communities through a variety of education and health facilities.
- Intelligence and connection through advanced technology and infrastructure.
- Innovation for employment self-containment and opportunities.
- Environmental sustainability to maintain and protect the rural features synonymous with the surrounds.
- Housing diversity to suit a range of home buyers.



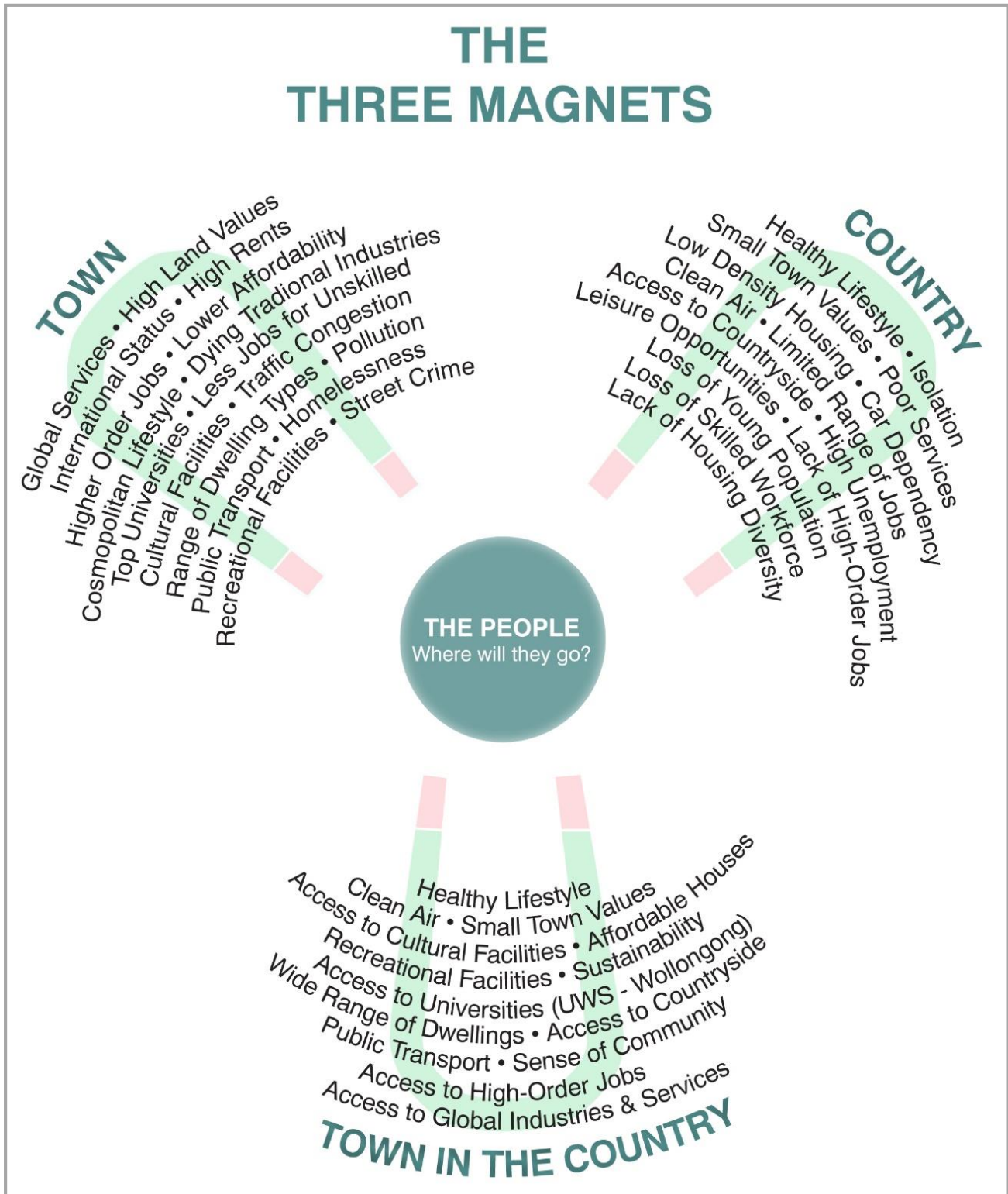
## *Vision Statement:*

*Located in a unique natural setting characterised by bushland, rivers, creeks, lakes and ridges, Wilton West sits in front of the Razorback Ranges and contained within the gorges of the Nepean River. The undulating terrain provides the opportunities for views of the surrounding landscape, with the high points of the Property achieving an 'amphitheatre' style vista over the site.*

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### 3.3 Garden City Inspired Design Philosophy

The urban development for the future community reinterprets the “Garden City” principles in a modern context.



**Figure 7: The Three Magnets**

It is noteworthy that Ebenezer Howard stated that the almost self-contained Garden City would require a population of around 32,000 people, which is similar to the projected population for Wilton West. The key principles that underpin the design are summarised as follows:



### ***Rural living***

- Bringing nature closer to people.
- Connecting green spaces with where people live.
- Providing higher levels of residential amenity.
- Creating healthier communities.



### ***Urban living***

- Facilitating greater social interaction and community participation.
- Creating safe and attractive neighbourhoods.
- Providing access to quality housing at lower cost.



### ***Economics & employment***

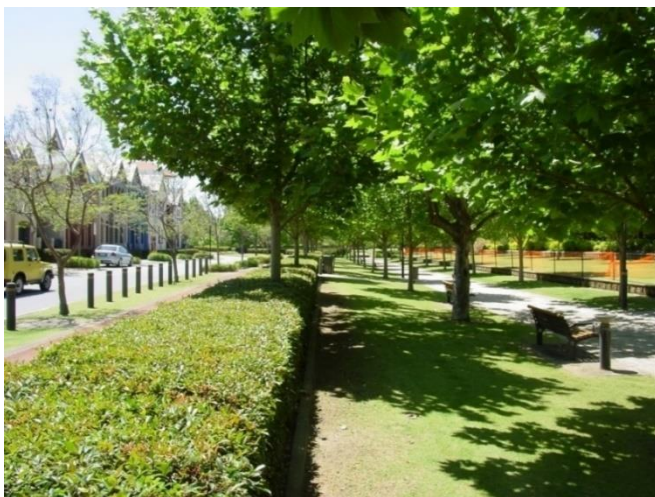
- Providing jobs close to where people live.
- Ensuring convenient access to goods, services and facilities.
- Providing opportunities for inclusion in a diverse range of activities.

In addition to the principles listed in Section 3.2, the key principles above are to form the underlying objectives for creating a new community within Wilton West. The contemporary interpretation of the Garden City values and design principles is simply creating opportunities for people to live in open areas near natural green spaces and fresh air. It is also creating locally based economic and employment opportunities to maximise opportunities for people to undertake a diverse range of recreational activities, and live in quality housing and appealing neighbourhoods that are strengthened by community participation. These values are as important and relevant to creating a new town as they were in the late 19<sup>th</sup> Century and the site at Wilton has a significant advantage as it can uphold all of these values easily, which cannot be achieved in any other growth areas around Sydney.

As Wilton West is in the early planning stages, there is a significant opportunity to create an urban area that has strong connections with the surrounding natural and rural environment. The above key principles are no different from what is considered best planning outcomes for any new development. However, the distinct advantage is that the site within Wilton West has the physical attributes to realise the key values and a landowner proponent committed to deliver on these values. In addition, the scale of the project ensures that commitments to creating new jobs, local services, and state and local infrastructure can be fulfilled.

One of the challenges is properly responding to the present-day environmental, economic and social needs. Today's society is highly mobile and will travel long distances to work. There is also community expectation for better environmental and sustainability outcomes, and there is a significantly broader range in the socio-demographics profile of the residents in new Greenfield release areas.

Wilton West will be defined by creating a place where people want to live by choice. People will want to live in Wilton West because they can be close to work, services and facilities, while living close to nature and having a strong connection with the environment. In particular, there will be a strong connection with the surrounding bushland that will include facilities (i.e. walking and cycles trails, recreation nodes and fitness centres) that will encourage people to interact with nature, leading to more active and healthier lifestyles.



## 3.4 Excellence in Design

Bradcorp strive to achieve excellence in design to ensure the creation of unique living environments that embody everlasting value for the community and future generations. Bradcorp has a desire to champion quality in Wilton New Town with Wilton West, which will establish high standards from day one. Good urban design is critical to meeting this commitment to ensure the local character and desired form results in Wilton West being an identifiable human living environment with a memorable place to live, work, play and learn.

Key design considerations include:

- Integrating and mixing activities and maximising multi-use opportunities.
- Using topography and natural features to establish character and make memorable places.
- Locate higher residential densities to help support the provision of more local services.
- Encouraging a higher proportion of locally available jobs.
- Encouraging a mixture of uses with and adjoining activity hubs.
- Locating education near activity nodes.
- Provide an interconnected street network.
- Ensure neighbourhoods have easy access to activity centres.
- Locating low intensity residential and non-residential uses away from commercial centres.
- Maximising efficiency in the use of land with a diverse range of land uses and housing types.
- Distributing local parks, green linkages and recreation facilities to increase access for residents and workers.

Bradcorp is dedicated to establishing an identity for Wilton West that will establish a “sense of place” for the community. Good place-making works on a local level with the integration of local identity and local features to create a place that upholds best practice urban design principles which is embedded in the local context of its place. This will be a combination of responding to the natural features of the site and incorporating new quality public spaces, including a new large lake, to activate a vibrant public domain and create meaningful connections between people and where they live.

A common “sense of place” can enhance communities and can be achieved through adopting “points of difference” features including the following:

### ***Landscape and Topography***

- Align residential streets and street blocks to work with contours and take advantage of view across the bushland and Razorbacks.
- Situate local parks and public open space in areas that can benefit from the landscape setting.
- Locate activity nodes in response to natural features.
- Use plant species that are sympathetic and compatible with the natural landscape.
- Utilise landscape and topography to create a local identity, reinforce this with design that interfaces into the natural landscape.

### ***Highlight Features of Interest***

- Orientate streets and boulevards to capture majestic views, such as the Razorback Ranges.
- Use natural features (i.e. hilltops) as landmarks, gateways and termination points for vistas.
- Ensure elevated areas provide views from streets and homes to the bushland and its setting.



### ***Public Realm***

- Provide an activated public domain that offers a variety of choice and uses with parks, waterfronts, circuses, squares and pocket parks.
- Maximise opportunities for a range of activities for people of different ages and abilities.
- Create a series of interconnected spaces and open space corridors which link places of natural and cultural significance and interest.

### ***History and Interpretation***

- Explain stories about the site and locality through marketing, community groups, local events and urban art.
- Reference local heritage and environmental themes to educate and instil a better understanding and knowledge about the place where people live.

### ***Adaptability and Flexibility***

- Allow place-making elements to be flexible and to develop over time as the place matures and develops new stories.
- Nurture identity by encouraging a healthy and integrated community through good design and vibrant public realm that offers a variety of choice and uses.
- Seed a cohesive community through social interaction (i.e. public programs, supported community groups) to evolve and a viable and robust place.

## **3.5 Liveability**

Liveability will be maximised through providing the highest levels of choice, amenity and convenience for the residents of Wilton West. This means providing a broad range of service, education and employment opportunities that will meet the needs for a diverse community of differing ages and skill sets. In particular, encouraging and facilitating local services sector businesses and employment (i.e. engineers, architects, doctors) and other types of executives and business professionals enables these people to work where they live, which is a significant boost liveability. The community's quality of life will be largely defined by the liveability of Wilton New Town and it is Bradcorp's intent to provide opportunities for the "liveability" features to be available as early in the development as possible to make it a place where people choose and aspire to live.

Key liveability aims include:

### ***Employment and Business***

- Providing local jobs for local people to minimise travel times and distances.
- Creating opportunities for people with high employment skills to work and establish new businesses across various industry sectors.
- Providing smart infrastructure to support knowledge-based sectors of the economy.
- Target specific economic and employment activities and skills training to drive job growth and diversity.

### ***Housing Choice***

- Encouraging housing that contributes to the spirituality of community pride and participation.
- Providing a variety of housing types and lifestyle options to support and encourage a diverse community.
- Unlocking the concept of homeownership for people of all socio-economic status, in particular young families.
- Providing housing options that enable multi-generational family and friends to live in the one community.
- Encouraging home-based business opportunities.

- Creating living options for seniors that include the opportunity for knowledge transfer and life-long learning.

#### ***Shops and Services***

- Encouraging a range of shopping and services that minimise the need to travel to other locations.
- Creating an activity node adjacent to a large waterbody that attracts businesses and provides night time hospitality and entertainment activities.
- Enabling restaurants, cafes and bars where people can meet and socialise with friends and family.

#### ***Transport***

- Providing legible and understandable network of residential streets, roads, cycleways and paths that enable people to easily navigate their way around the New Town.
- Enabling public transport access for all residents in the community.
- Providing strong connections to major roads and other transport modes to ensure easy access to other regional centres.

#### ***Education***

- Providing Public and private schools from kindergarten to year 12.
- Facilitating and evolving opportunities for post-school and tertiary education facilities.

#### ***Open Space and Recreation***

- Providing local parks and active recreation facilities that are close to where people live.
- Building a large waterbody that will form a centrepiece for Wilton New Town and feature that will attract people.
- Delivering a network of pathways that connect people's homes to activity nodes, recreation areas, bushland, schools and workplaces.

#### ***Sustainability and the Environment***

- Protecting and conserving the features of environmental significance.
- Enabling access to bushland and waterways that is managed to preserve the environment.
- Establishing an Environmental Trust to manage natural resources and facilitate community engagement, education and recreation.
- Facilitate partnerships with key learning providers to create vocational education and training opportunities and a culture of 'learning for life'.
- Establishing initiatives such as landscaping for residents, educational programs and a community nursery for indigenous local plants.

### **3.6 Driving Socio-Economic Change in South West Sydney**

Bradcorp are committed to making Wilton West within Wilton New Town a project that drives socio-economic change in South West Sydney. Wilton West is one of the largest single urban development projects in Sydney which enables Bradcorp to commit to services, facilities and the early delivery of State infrastructure. With a projected yield of approximately 5,400 homes, there is an ability to create a place that has new major road connections, new schools and education facilities, and local services and employment for people of all skill sets and academic achievement.

Historically South West Sydney has low levels of professionals, executives and business owners living and working in the region. People of these higher level jobs typically live in the areas closer to the Sydney CBD and in areas throughout the northern suburbs of

Sydney. However, South West Sydney is emerging as a desirable place to live due the high quality of new developments and employment opportunities emerging in the locality.

A key outcome for Wilton West is to create a place that attracts people from higher level employment sectors to power socio-economic change in South West Sydney. The strategy for creating socio-economic change is at two levels with the regional level of South West Sydney and local level of Wilton New Town/Wilton West.

**Strategy for Driving Socio-economic Change in South West Sydney**

| LEVEL                    | GOAL   | STRATEGY  |
|--------------------------|--|---|
| SOUTH WEST SYDNEY REGION | Increased number of professionals and managers in South West Sydney. | <ul style="list-style-type: none"> <li>● Provide highly desirable places where people aspire to live.</li> <li>● Facilitate the expansion of new local tertiary educational opportunities to evolve local talent.</li> </ul>  |
|                          | Make South West Sydney attractive for new high-level businesses.     | <ul style="list-style-type: none"> <li>● Build Wilton West as place that offers unrivalled lifestyle and living benefits.</li> <li>● Enable infrastructure that supports stronger connections (i.e. IT, transport) with South West Sydney.</li> </ul>   |
| WILTON WEST              | Professionals and managers living and working in Wilton West.        | <ul style="list-style-type: none"> <li>● Create an activity hub that has high amenity and level of facilities for professionals and business owners establish their business.</li> <li>● Target specific economic and employment industries in health and education.</li> <li>● Facilitate the establishment of high-quality shopping, entertainment, recreation, education, environmental and lifestyle standards.</li> <li>● Establish a high standard of urban design in streetscapes, parks and public places.</li> </ul> |
|                          | Employ the local residents of Wilton New Town.                       | <ul style="list-style-type: none"> <li>● Enable the early construction of primary and secondary schools and childcare facilities.</li> <li>● Establish training facilities in construction and trades to create immediate local employment opportunities for new residents.</li> </ul>  |

Bradcorp are resolved to enhance the amount of higher order employment in the region and create a community that is rich through diversity in socio-economic status. This means providing living options that meet the high expectations of new residents by creating a place where people aspire to live. Creating a highly desirable place to live in Sydney’s South West will attract a range of households with varying socio-economic status, in particular persons with higher employment status that will employ people of higher educational achievement that aspire to excel in their chosen careers. It is important that living environments that meet their lifestyle standards are provided in driving socio-economic change in South West Sydney.

It also involves facilitating opportunities for establishing new businesses or relocating existing businesses to Wilton West so these people can live and work in the same place. The on-flow effect is the creation of local employment through these businesses, and the establishment of other new businesses that desire to be located with each other.

## 3.7 Employment

Bradcorp is committed to establishing early and targeted economic and employment growth to support local jobs and services for Wilton West from day one. Wilton West can deliver greater employment creation than the employment targets of the Wollondilly Shire Council and NSW Government to ensure sustainable employment for “one job per dwelling” in Wilton New Town throughout the lifecycle of the project. This is achieved by developing economic plans for new jobs and proactively targeting the key growth driver for each phase.

Economic specialist MacroPlan Dimasi has prepared an Employment Strategy comprising an economic plan and targeted employment strategy to guide the early establishment of local services and jobs for future residents, and the ongoing creation of new jobs throughout the growth of Wilton New Town (refer to “Wilton Lakeside Precinct: Employment Strategy & Economic Masterplan” dated December 2016 by MacroPlan Dimasi in **Appendix 1**).

Whilst Wilton West is to contain two local activity centres with around 5,000m<sup>2</sup> of retail uses, the focus of establishing permanent local jobs in the Lakeside Activity Hub will target jobs in the services sector, which represents around 80 percent of all employment Australia-wide and is increasing (Page ii, Executive Summary). It is important to recognise that the services sector embraces the full range of services, from basic needs and requirements to high level professional consultancy services (i.e. professionals and business owners), and thus embraces the full spectrum of the community. Furthermore, the services sector is a major generator of employment and with early planning will form the majority of employment opportunities in Wilton West. It will also ensure that the future Wilton New Town Centre retains its role as the primary retail centre within Wilton New Town.

### 3.7.1 Employment Strategy

The Employment Strategy that has been specifically prepared for Wilton West is underpinned by an Economic Masterplan to provide a basis for job creation. It embraces National, State and Local policies and commitments for economic and employment growth as well as well as emerging growth drivers under a polycentric centres model.

Page 11 of the Employment Strategy states that the Economic Masterplan driving the employment outcomes includes:

- *Meeting existing gaps based on demand e.g. already committed to a K-12 Anglican College.*
- *Trapping construction multipliers locally (Including professional and management rolls).*
- *Leveraging the fastest growing economic sectors i.e. health and education.*
- *Attracting small to medium size (SME's) enterprises and contractors.*
- *Leveraging local amenity (i.e. the lake) to accommodate a wide range of recreational cases (e.g. club, gymnasium) and regional meetings and conferences.*
- *Provision of service retail to service local needs, recognising the regional retail centre will not be feasible for around 10 years.*
- *Leveraging ingress and egress to the freeway to accommodate a range of regional and sub-regional uses including emergency services, transport services, home care services etc.*
- *The Lakeside Precinct Economic Plan complements the proposed future Regional Centre and focuses on a range of uses which vertically integrate by sectors e.g. health.*

The health sector will have an important role in employment and the service economy, which will primarily focus on servicing the ageing population. In the National context, the Strategy notes that the health sector is the largest employment sector in the Australian economy:

*“The health sector however, with 13% of total jobs (1.52 million) remains the largest sector, which is a focal point for the lakeside Precinct.” (P25)*

There will also be local training opportunities in construction, health and education that emanate from the demand for new homes and establishment of health and educational services. The early emphasis on job creation will be providing collaborative workplaces, creating a diverse range of housing options and accommodating building and construction contractors (P9).

In the early stages, the construction and building sector will be the main contributor of new employment by establishing and retaining the related economic multipliers throughout the construction lifecycle. The key initiatives to establish economic multipliers around construction are outlined on page 11 of the Employment Strategy and include:

- *Requiring builders to open local offices.*
- *Creating early supply base and supply opportunities for builders.*
- *Requiring builders to train apprentices locally.*
- *Initiating local landscape supply.*
- *Initiating local builder waste collection.*
- *Creating co-ordinated display home opportunities utilising local sales teams.*
- *Creating local supply chains for solar panels, water tanks etc.*
- *Initiating web based listings and business opportunities for existing local business.*

MacroPlan Dimasi estimates that 6-10 hectares of service industry land will be needed to support these early uses (P11) and there is sufficient B5 Business Enterprise Zone land proposed within Wilton West to accommodate these early employment generating activities.

### 3.7.2 Targeted Employment Uses

MacroPlan Dimasi's Economic Masterplan targets specific employment uses to activate the delivery and creation of employment that will grow in a sustained manner throughout the lifecycle of the development and beyond. A summary of these targeted uses are outlined in the table below. These targeted employment uses include the various social infrastructure requirements outlined in the Social Infrastructure Assessment prepared by Elton Consulting and enclosed with this proposal. It is also acknowledged that Bradcorp has a commitment from the Sydney Anglican Schools Corporation to establish education facilities in the first stages of development.

**Table 1: Employment Strategy**

| Employment Sector  | Initiative   |
|--|--|
| <b>Education</b>   | <ul style="list-style-type: none"> <li>● Delivery of K-12 Anglican college by 2020</li> <li>● Three child care centres</li> <li>● A second private primary school</li> <li>● One public primary school</li> <li>● The early (2020) development of a training facility for building and construction apprentices</li> <li>● A library (1500sqm) by 2023</li> <li>● Community centre (650sqm) by 2025</li> <li>● Child health facility (150sqm) by 2025</li> </ul>   |
| <b>Service Retail</b>                                    | <ul style="list-style-type: none"> <li>● Upfront development of convenience retail and two shop fronts / sales office</li> <li>● Construction of a neighbourhood retail centre (first stage) by 2023</li> </ul>  |
| <b>Small &amp; Medium Size Enterprises / Contractors</b> | <ul style="list-style-type: none"> <li>● Develop an office incubator by 2023 recognising the importance of the online and collaborative economies. The objective is to make Wilton the epicentre of construction and construction support employment for the next 30 years of the development of Greater Macarthur.</li> <li>● The incubator is to include accounting, information technology, human resources, legal and marketing support to firmly root the construction industry in Wilton.</li> </ul> |

| Employment Sector   | Initiative   |
|---|--|
| <b>Health &amp; Ageing</b>                                      | <ul style="list-style-type: none"> <li>● Deliver a critical mass of health which caters for the range of residents from young families with children to the ageing population who is downsizing or requires care and services.</li> <li>● Provide a concentration of retirement and aged care facilities recognising supply in the remainder of the corridor based on specialist analysis: <ul style="list-style-type: none"> <li>○ 100 retirement living units (ILU's) could be delivered by 2024. Depending on alternative supply this could be up to 200 units.</li> <li>○ 80 Aged care beds could be delivered by 2025. Depending on alternative supply this could be up to 120 beds.</li> <li>○ Purpose-built housing estate of up to 200 dwellings could be viable by 2025</li> </ul> </li> <li>● Focusing on retirement and aged care provides a basis for: <ul style="list-style-type: none"> <li>○ Developing a regional homecare hub</li> <li>○ Developing a regional base for allied health.</li> <li>○ The allied health hub is proposed to be constructed in 2025 with the first stage being 500 sqm and the second stage being an additional 500 sqm.</li> </ul> </li> </ul> |
| <b>Regional Distribution Hub</b>                                | <ul style="list-style-type: none"> <li>● The nodal location of the Precinct to support the provision of a range of distribution / employment hubs. This includes: <ul style="list-style-type: none"> <li>○ Emergency services</li> <li>○ Freight and logistics</li> <li>○ Buses</li> <li>○ Human services (e.g. homecare)</li> <li>○ Employment uses</li> </ul> </li> </ul>  |
| <b>Recreation / Tourism / Conventions / Food &amp; Beverage</b> | <ul style="list-style-type: none"> <li>● Leverage on the amenity of the Lake with a Registered Club (i.e. Mingara Recreation Club located the Central Coast). This driver incorporates a range of uses such as food/beverage, major gymnasium, secondary convention and exhibition space (first stage 2023 and second stage including accommodation around 2027/8).</li> <li>● An 80 room accommodation facility would also have a strong commercial relationship to the Club facilities and the health related uses across the precinct.</li> </ul>   |

(Source: Page 23-25 'Wilton Lakeside Precinct Employment & Economic Masterplan' dated Oct 2016 by MacroPlan Dimasi)

A new recreation club on the Lake will provide a diverse range of activities for the future community and provide a resource for community support in programs and sports. It is also a significant employment generator providing jobs in a range of different skill sets.

The targeted employment activities create focus for creating new and diverse employment opportunities in the early stages of development. With the economic plan and employment strategies in place, MacroPlan Dimasi projects that Wilton West will have around 2,350 local jobs by 2033 (P26). Post 2033 MacroPlan Dimasi explains that employment technological change will activate new employment opportunities and change the way we travel between place to place.

### 3.7.3 Lakeside Activity Hub

The economic plan envisages the Lakeside Activity Hub as having the major focus for Wilton West, and with the future population projections being over 16,000 persons, there is a real opportunity to establish and facilitate new jobs in the new services economy. Many of the target employment uses will be situated within the Lakeside Activity Hub to utilise the amenity of the lake and the activities that want to be close to it.

The lake forms a basis to activate and encourage various commercial activities and enterprises, as these businesses will be attracted to the aesthetic and recreational functions of the water. The Lakeside Activity Hub will form a diverse activity node incorporating services, education, retail, entertainment, recreational and community based activities during daytime and night-time hours.



Under the Employment Strategy, the Activity Hub will include business incubator, training services and a broad range of health services to support young families through to aged care. It will also include local specialty shopping, restaurants, cafes and small bars to service the needs of nearby residents and visitors. Many of these businesses will seek to connect with the water and provide a waterfront outlook for its customers, in particular restaurants, bars and cafes that can benefit on the aesthetics during the day and night.



**Figure 8: Lakeside Activity Hub Concept Plan**

Establishing a 'mixed use' Lakeside Activity Hub adjacent to the water with various places to shop, eat and recreate will provide a strong stimulus for establishing professional offices for businesses in the region that want to utilise the high amenity benefits of the activity centre. It will also provide 'smart' spaces for people to work close to home and establish offices and new businesses. These types of service sector activities generate high levels of employment across executive, professional, skilled and unskilled employment sectors, which will be important in contributing to the self-containment of employment objectives for Wilton New Town.

In the longer term, it is critical that the evolution and sequence of jobs and business growth is achieved and facilitated throughout the growth of Wilton West and Wilton New Town. This proposal will build a strong model for the delivery of this with particular emphasis on the tradeable services sector in health, education, retail and professional services.

The Lakeside Activity Hub provides a practical opportunity and case study for delivering the National, State and Local Governments social and economic growth agendas and to complement the growth of the future Town Centre within the broader Wilton New Town.

### **3.7.4 Phases of Employment**

The type of activities that generate economic activity and jobs will phase in throughout the construction lifecycle of Wilton West. As development progresses and the population increases, the critical mass that will drive economic activity and the establishment of the key land use driver activities.

MacroPlan Dimasi identify four phases of job development beginning at day one of construction through to the establishment of Wilton West as a regional service centre (P30-31), which is expected to occur in 2033. The four phases of employment are outlined below.

#### ***Phase 1: Construction Employment & Training***

*The project will be dominated by construction and construction related employment. To maximise jobs outcomes, activate contract and development management will be required to maximise the localisation of job multipliers.*

#### ***Phase 2: Foundation Service Sector Employment***

*This phase introduces:*

- *Education (Primary & Secondary schools)*
- *Training (VET / Construction and training facility)*
- *Collaboration (small business incubator)*
- *Recreation / place making (club with recreational facilities)*
- *Retail (neighbourhood centre)*

#### ***Phase 3: Growth***

*This phase introduces:*

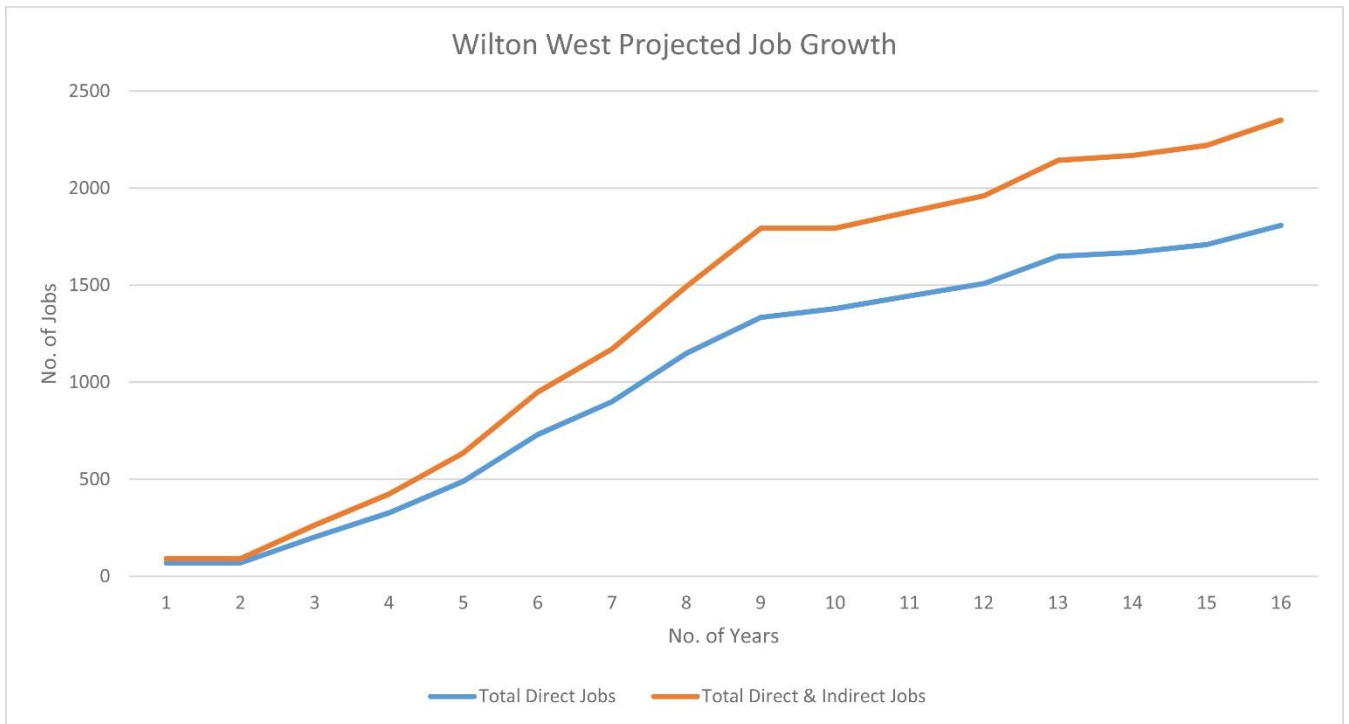
- *Allied health and significant retirement living options as a baseload for growing a regionally significant allied health industry*
- *Significant employment land*
- *Emergency services*
- *Regional transport + distribution (e.g. bus depot, homecare)*
- *Regional freight and logistics*
- *Expansion to the retail offer*
- *Expansion to the business incubator*
- *Introduction of community services employment*



#### Phase 4: Maturity

*This phase accommodates a wide range of centre based and non-centre based contractors and SME's which can service the local and regional requirements and provides the basis for a diversified and resilient economy for the Lakeside Precinct. It positions greater Wilton to grow to a regional service centre level.*

The MacroPlan Dimasi has formulated a Jobs Cashflow which outlines when and which sectors the new jobs will emanate from. The education, health and construction sectors are major contributors to the job growth. The projected job growth over the first 16 years of development is graphed below. MacroPlan Dimasi confirm that the proposed land use zoning for Wilton West can deliver the job projections in the Jobs Cashflow.



Source: data supplied by MacroPlan Dimasi

There is immediate job creation from day one and very strong job growth in the first 9 years of development. At 2033 there will be around 2,350 local jobs for the residents of Wilton West and the broader Wilton New Town. Post 2033 MacroPlan Dimasi explain that technology will have a significant influence on how we build communities. During this period the community will be embracing the full impacts of technological change through the Internet of Things, Automated Transport systems and robotics (P32), which will change how we live our lives.

### 3.8 Education & Training

Education services within Wilton West are to be provided at all levels from early childhood to vocational education and training, with the intent to incorporate higher education opportunities. Providing education at all levels will diversify the skills of the future population and encourage new businesses and jobs within the New Town.

#### 3.8.1 Tertiary Education

Bradcorp is intent on facilitating the opportunities for higher education/university qualifications within Wilton West. Tertiary education facilities will be targeted through a university level annex offering specialist teaching to support the local services sector and the promotion of professionals and executive living and working in Wilton West. The university annex will also spread the reach of tertiary education to bring it closer to other towns within the Wollondilly LGA and the southern highland communities further to the southwest. The position of Wilton New Town on major road connections to the southern highlands and Wollongong makes Wilton West a highly suitable place for this type of tertiary education facility.

### 3.8.2 Schools

Education facilities are an essential element to building a new community. Bradcorp has an agreement with the Anglican Schools Corporation to establish a new Kindergarten to Year 12 school as part of the early stages of development. The School has been given the title of “Wollondilly Anglican College – Lakeside campus”.

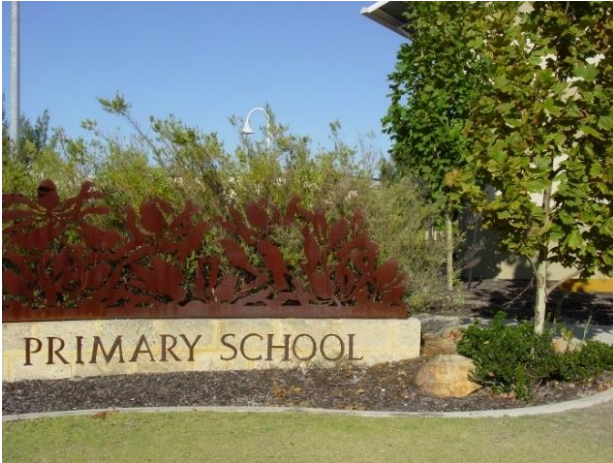
The local headmaster from the Wollondilly Anglican College is keen to progress building the new school in the first stages of the development and was quoted as saying in the following:

*“the new campus was planned to provide state-of-the-art, hi-tech educational facilities including playing fields, air-conditioned classrooms, multiple information resource centres, a creative and performing arts centre, a gymnasium and ambitions plans for water-based activities on the lake.”* (Wollondilly Advertiser 22 June 2016)

The other school proposed for Wilton West is a Public Primary School in the north of the site which will be delivered with the future population.



Figure 9: Wollondilly Anglican School - Lakeside Campus Concept Plan (Plan by Stanton Dahl Architects dated 09/03/2016)



The local and broader community will be benefited by the various types of educational facilities to be provided as part of the development. The proponent is wholly committed to introducing early education services to the community, as this is a cornerstone element for creating a new community and new jobs. Demonstrative of this is Bradcorp securing a provider for the Private K-12 site and the willingness by Bradcorp to provide the Public K-12 site if other landholdings are not being developed. The key benefit is the assurance that Wilton New Town will have education facilities for the families that live in the first homes.

### **3.8.3 Vocational Education & Training**

Onsite training in construction will form an early impetus for localised education opportunities for new residents to learn where they live and then work where they live. It will provide local learning beyond high school with a training facility dedicated to skilling people in construction and trades. This is to educate through apprenticeships and general construction skills in a partnership with an appropriate educational institution and will start a bright future for the younger residents of Wilton New Town.

There is also to be other vocational educational opportunities that prepare school leavers for employment in a range of vocational occupations, which could include business administration, account keeping and IT careers. Skilling people that live in the locality in these areas will further strengthen a broader skill base for the New Town, the creation of local jobs, and enabling people to work where they live.

### **3.8.4 Child Care**

Child Care facilities are to be provided in line with the growing new population. New families will be able to choose to grow their families as well as work within Wilton West and Wilton New Town. Child care centres are to offer a range of activities and programs to engage the children of Wilton West and start the early education process.

## **3.9 Environment and Recreation**

### **3.9.1 Environment**

Over 300 hectares of environmentally significant land will be conserved and maintained by the proceeds generated from urban development. An Environmental Trust for Wilton West will most likely be the mechanism established to protect the environment in perpetuity for future generations to enjoy and provide an opportunity for learning through interaction and interpretation. The environmental lands are significant in size and will also provide opportunity for recreation and education in a similar approach to the multi-faceted environmental facilities in the Western Sydney Parklands. The site will also enable broader recreation and education opportunities as the environmental lands are adjacent to the Nepean River.



To complement the significant environmental benefit of the Environmental Trust, an innovative treatment of wastewater with the large lake is proposed as a cornerstone for the development. The lake will have a multitude of direct and indirect benefits, one of the key environmental benefits is the final treatment of wastewater generated by Wilton New Town. The lake will ensure that treated wastewater will be discharged back into the environment at a level of quality that significantly exceeds current standards, that sustains flows in the river system throughout the year

### 3.9.2 Recreation and Healthy Living

The NSW Government has developed a 10-year strategic plan which details the Government's commitment to improving opportunities and quality of life for the NSW population. The Strategy also provides a range of actions that address the following targets of NSW 2021: A plan to make NSW number one:

- Increase participation in sport, recreational, arts and cultural activities in rural and regional NSW by 10% and in Sydney by 10% from 2010 to 2016;
- More than double the mode share of bicycle trips made in the Greater Sydney region, at a local and district level by 2016;

The NSW Government has also released the NSW Healthy Eating and Active Living Strategy (2013), the aims of which include to encourage the people of NSW to make healthy lifestyle choices and to be supported in their choices by health-focused planning, built environment and transport initiatives.

Strategic Direction 1 of the Strategy is to encourage Environments to support healthy eating and active living. The document identifies strategies in the built environment that are important for physical activity including

- *Facilitate and encourage walking, reduced traffic speed and volume;*
- *Promote access to recreation facilities;*
- *Incorporate mixed land use;*
- *Provide open and green space;*
- *Incorporate proximity to key destinations; and*
- *Increase density and diversity of housing.*

The Wilton West proposal embodies these strategies in the urban design, place making and hierarchy of recreational and open spaces adopted during preparation of the Indicative Layout Plan. The benefits of the large lake and conserved environmental lands plus the local parks and sports fields will create a place that encourages and supports healthy living.

Both the lake itself and the associated activity hub will facilitate a range of active and passive recreational uses including incidental contact water sports, which are activities not likely to cause immersion in the water (i.e. kayaking, canoeing), and land based activities that are a direct consequence from the existence of the lake (i.e. jogging, walking, cycling). All of which are unique elements within the surrounding region and South Western Sydney.

The extensive network of open space and recreation areas, encompassing over 47 hectares, will deliver active sports fields and formal play areas as well as passive recreational spaces, children's playgrounds and picnic areas, encouraging healthy living and community interaction for future residents. The project will also deliver over 22km of walking and bike trails within the conservation lands, encouraging active healthy living for all future residents.

A network of formal and informal cycling and pedestrian paths in green corridors and waterways provide opportunities for pleasurable walking and cycling experiences, encouraging recreational uses of the facilities. These pathway connections in the green corridor will connect with the pathway networks in the roads and neighbourhoods to ensure quality and efficient connections to activity nodes, high-order recreation features (i.e. district sports fields, lake) and education facilities.

The road network has been designed in a manner which provides a clear hierarchy and defines local streets as pedestrian friendly, low vehicle speed environments. This creates an engaging and interactive streetscape environment, where residents feel comfortable walking and cycling to playgrounds, sports fields, school and work.

The proposal and urban design philosophy also adopts a diverse dwelling mix, catering for various households, including older people, single people and families to form a genuine community. This, in conjunction with the urban design, streetscape and recreational outcomes embodied in the urban design will ensure that Wilton West is a healthy and active community.



## 3.10 Benefits for the Future Wilton West Community

### *Lifestyle*

- Mix of land uses to create a vibrant and self-contained community.
- Employment opportunities close to home.
- Modern urban living set amongst natural bushland.
- Attractive place to live, work and enjoy leisure time.



### *Employment Generation and Economy*

- Delivery of local services and local jobs.
- A mix of business and employment opportunities.
- More than one job per household.
- Site specific Employment Strategy to ensure jobs.



### *Housing Supply and Market Competition*

- Capacity to support the growth of around a third of the new population for Wilton New Town.
- Increase housing supply in Sydney which will have a positive impact on housing affordability.
- Making the concept of home ownership more achievable.



### *Housing Diversity and Choice*

- Providing housing for all types of households types and budgets.
- Enabling inter-generations of families to live in the same place.
- Meeting the differing needs of all people that want to live in Wilton New Town.



### *Health and Education*

- Building schools early in first stages of development.
- Providing a broad range of health services for all people.
- Facilitating local training to service local jobs.
- Creating a health services centre for the ageing population.



### *Infrastructure Transport and Connectivity*

- Connectivity between local residential areas, community facilities, local schools and businesses.
- A public transport network to reduce car dependency.
- Upgrades to the Hume Hwy and Picton Road.
- Reducing travel times and separating local traffic movements from existing freight routes.



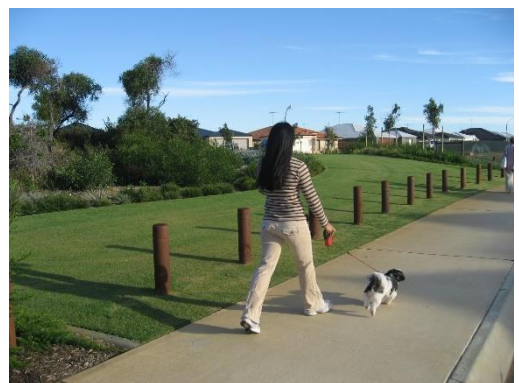
### *Environment*

- Conservation of a large natural bushland area.
- Connecting people and their homes with the landscape.
- Achieving high sustainability standards in water cycle management.



### *Recreation*

- A lake with multi-functional recreation opportunities.
- Diverse range of active and passive open space facilities.
- Fully connected pathway network linking shops, schools, homes and the bushland.



## 4 STRATEGIC PLANNING CONTEXT

### 4.1 Strategic Planning Overview

The Greater Sydney Commission has been established to lead planning with the focus of making Sydney a “more productive, liveable and sustainable city for all.” Their role “is to coordinate and align the planning that will shape the future of Greater Sydney” as unified whole of Government to “lead and guide the planning for development, transport and housing so that Greater Sydney”.

The Greater Sydney Commission released six Draft District Plans for Greater Sydney for public review and comment on 21 November 2016. Wilton West is within the Draft South West District Plan which includes the Local Government Areas of Camden, Campbelltown, Fairfield, Liverpool and Wollondilly. It also includes the future Western Sydney Airport and the future third ‘aerotropolis’ city of Sydney known as “Western City”.

The Greater Sydney Commission is concurrently reviewing the current metropolitan strategy for Sydney title “A Plan for Growing Sydney”, which was published in December 2014. It identifies key focus areas for investigation to deliver Sydney’s housing supply over the next 20 years. The plan identified approximately 17,600 hectares of land for investigation known as The Greater Macarthur Investigation Area which incorporated Wilton, including the subject site.

In September 2015 the NSW Government released the Greater Macarthur Land Release Investigation which identified two potential Priority Growth Areas, one of which is Wilton. In June 2016 the Department of Planning & Environment released a consultation update which sets out a number of modifications to Greater Macarthur Land Release Investigation. The most significant modification was the identification of Wilton New Town for immediate action with people moving into their homes in the latter part of 2018.

The Minister for Planning declared the Wilton Priority Growth Area on 29 July 2016. The Priority Growth Area is formalised through an amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The Bradcorp land is the largest consolidated holding within the new Wilton Priority Growth Area. This provides a unique and strategic opportunity to deliver a complete community on the whole site from day one.

### 4.2 Draft South West District Plan

To progress high-level planning outcomes in South West Sydney, the Greater Sydney Commission has prepared and released the Draft South West District Plan. Whilst the South West District Plan is in draft, it needs to be considered in all Planning Proposals within any of the relevant councils.

The Draft South West District Plan sets out the vision, priorities (productivity, sustainability and liveability) and actions for the development of the South West District. The key purpose of the South West District Plan is to inform the preparation of planning proposals. The District Priorities form the criteria of assessing how any proposal meets the requirements of the District Plan, with all proposals required to demonstrate how the respective Planning Proposal satisfies the priorities.

A detailed response to all Productivity, Liveability and Sustainability Priorities in the South West District Plan is included in Part B of this proposal.

### 4.3 A Plan for Growing Sydney

A Plan for Growing Sydney is the most recent Metropolitan Planning Strategy for the Greater Sydney Region. The Plan was published in December 2014 and identifies key focus areas for investigations to deliver new urban development throughout the Sydney metropolitan area over the next 20 years. The Plan is currently under review in association with the Draft Sydney District Plans.

The Plan includes various goals, strategic directions and actions “to guide Sydney’s productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space.”



Importantly, the Plan identifies approximately 17,600 hectares of land for investigation known as The Greater Macarthur Investigation Area which incorporated Wilton. The subject site is included within the Greater Macarthur Investigation Area and has been subject to more detailed strategic planning.

More detailed discussion on the strategic context in relation to 'A Plan for Growing Sydney' is outlined in Part B of the proposal.

## 4.4 Greater Macarthur Land Release Investigation

The Department of Planning & Environment exhibited the Greater Macarthur Land Release Area (GMLRA) for public review and comment in 2015, which included a 'Preliminary Strategy & Action Plan' and 'Land Use & Infrastructure Analysis'.

The basis for the release of the Greater Macarthur Land Release Investigation (GMLRI) is to examine the capacity for urban development and infrastructure requirements to support establishing a framework for a new growth area in the Greater Macarthur Region. This initiative was undertaken in accordance with Action 2.4.2 in 'A Plan for Growing Sydney', which is to "develop a long-term framework for the identification of new growth centres to improve the management of future land release, stimulate competition to keep downward pressure on residential land prices and to help prevent speculative investment and land-banking" (p79, A Plan for Growing Sydney).

A Plan for Growing Sydney outlines the following considerations on page 79:

- *The sustainability of Sydney's agricultural and resource sectors;*
- *The cost of delivering roads, transport and services infrastructure;*
- *The costs to communities of higher transport and infrastructure costs, reduced social outcomes and poorer access to economic opportunities and services;*
- *The compatibility of development with adjacent land uses; and*
- *Access to employment, noting that currently 69 per cent of residents in Sydney's north-west and south-west travel outside their Local Government Area to work, adding considerably to their weekly expenses.*

The Department of Planning & Environment's Greater Macarthur documents were prepared with the support of various specialist investigations into the suitability and capability for the Greater Macarthur Region for urban growth. The investigations covered the following fields:

- Strategic and Structure Planning
- Housing Demand
- Traffic and Transport
- Infrastructure Services
- Resource and Mining and Rural Values
- Heritage
- Biodiversity
- Water Management
- Social Infrastructure
- Employment and Economics

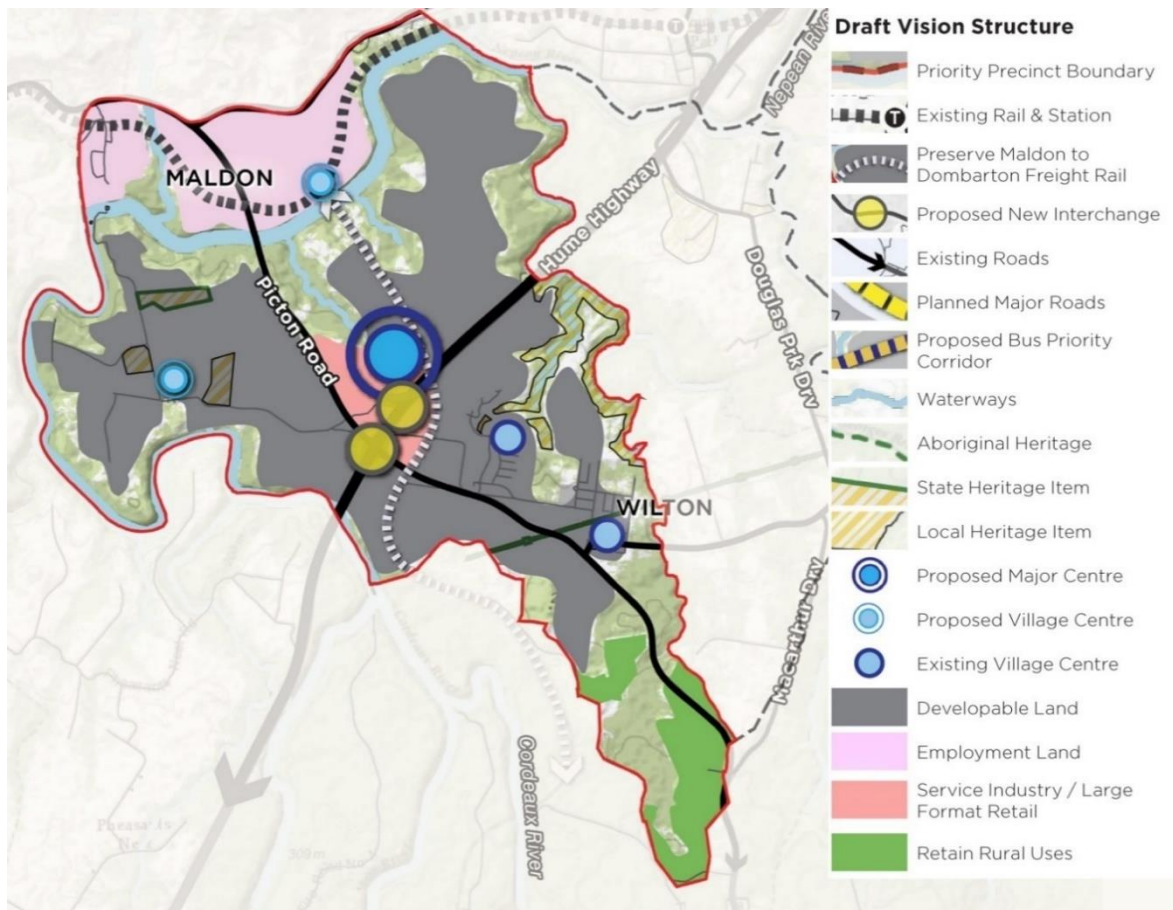


Figure 10: Draft Vision Structure for Wilton (Source: GMLRI: Preliminary Strategy & Action Plan)

The background investigations supported the preparation of the Greater Macarthur Land Release Investigation: Preliminary Strategy & Action Plan, which established a draft land use structure and rezoning pathway for the Wilton Priority Growth Area. The reporting notes that there is considerable interest for urban growth in the Wilton area and that rezoning will be 'developer-led'. It also acknowledges that a new town at Wilton would assist the Wollondilly Shire Council achieving its growth needs and establish a new employment area based around a new major centre with capacity for 100,000-150,000m<sup>2</sup> of floor space.

The Greater Macarthur Land Release Investigation: Preliminary Strategy & Action Plan identifies 'Key Rezoning Issues' and Actions to deliver growth for the Wilton Priority Precinct. Direction 7.2 of the Local Planning Directions in Section 117 of the *Environmental Planning & Assessment Act 1979* requires that a planning proposal achieves the overall intent of the Greater Macarthur Land Release Investigation. A response to these matters as relevant is outlined in **Table 2** and **Table 3** below.

Table 2: Response to Key Rezoning Issues

| Key Rezoning Issues   | How Planning Proposal Meets Intent  |
|---|---|
| Mining – a significant portion of the precinct has approval for coal mining over the next 15 to 30 years. For development to occur in this area, it would need to occur after mining operations have ceased or proposals will need to demonstrate that they comply with the relevant rezoning pathways steps. | The site falls within Area 8 of Illawarra Coal's Bulli Seam Operations underground long wall mining project and is within the Wilton Mine Subsidence District. MSEC has prepared a report on the coexistence of urban development and mining, which is included with this Planning Proposal (refer to Section 5.10). The reporting confirms that development could take place in advance of the proposed mining activities under current legislation if the proposed developments are designed and constructed to accommodate predicted ground movements, to the satisfaction of the Mine Subsidence Board. In addition, the Minister for Planning has written to Bradcorp advising that the Department of Planning & Environment is working with other government agencies to establish an approach to the coexistence of mining and urban development (refer <b>Appendix 2</b> ). |

**Table 3: Response to Actions to Deliver Growth**

| Actions to Deliver Growth   | How Planning Proposal Meets Intent   |
|---|--|
| Commencing the process of rezoning land at Wilton for urban development in partnership with Wollondilly Shire Council                               | Wollondilly Shire Council has been consulted throughout the former Wilton Junction rezoning process and also under the current rezoning outlined in this planning proposal. This has included numerous presentations and meetings with Councillors and Council staff. Once lodged it is anticipated that Bradcorp and Wollondilly Shire Council will work closely together to progress assessment and finalisation of the rezoning.  |
| Defining thresholds for the delivery of infrastructure needed to support stages of population growth  | Thresholds for infrastructure provision have been established for Wilton West in association with the other major landowners (Walker Corporation and Governor's Hill). An Infrastructure Staging Schedule is included in the State Infrastructure Servicing and Staging Plan by Elton Consulting, which is one of the supporting documents enclosed with this Planning Proposal. The Infrastructure Staging Schedule results in Bradcorp funding 70 percent of the State infrastructure costs at the registration of 1,250 residential allotments, which represents 23 percent of the Wilton West development. This results in the last 77% of the development to support the remaining 30% of State infrastructure. |
| Establishing infrastructure funding arrangements, such as through a Special Infrastructure Contribution   | Funding for infrastructure is to be established through the adoption of an individual Voluntary Planning Agreement (refer to Section 5.8). The Agreement will include all state infrastructure requirements as detailed in the Infrastructure Staging Schedule.  |
| Establishing a planning and development pathway for land that is constrained by underground mining, to manage risks to Government and the community | It has been demonstrated that sub-surface longwall mining and urban development on the surface can co-exist. Detailed design specifications for construction are to be prepared to protect the Government and community from damage from mine subsidence in affected areas of Wilton West. It is also noted that the NSW Government departments are working together to establish a framework for the coexistence of mining and urban development. A planning and development pathway has been prepared and is included in Section 5.10.   |
| Upgrade the Hume Highway between Picton Road and Raby Road  | Upgrades to the Hume Highway and Picton Road associated with the rezoning are included in this Planning Proposal (refer Section 5.6).  |

The subject site is substantially identified as 'Developable Land' in the preliminary GMLRA plans and documents except for the fringe areas adjoining with the Nepean River and its tributaries. The specialist investigations identify the majority of the site as being suitable for development but encumbered with constraints. The Preliminary Strategy & Action Plan identifies the future mining operations as being the key constraint to address as part of any future rezoning process.

The analysis outlined the requirements for State infrastructure to support urban growth within the Wilton Priority Growth Area. The infrastructure needs relate to the provision of transport and servicing infrastructure, as well as education, emergency services, health and open space.

Importantly, the NSW Government formally recognised the Greater Macarthur Region as an area for new urban growth in South West Sydney and the creation of Wilton New Town as new self-contained community.

## 4.5 Wilton New Town

On 29 July 2016 the NSW Minister for Planning published an amendment to the State Environmental Planning Policy (Sydney Growth Centres) 2006. The State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Wilton) 2016 (SEPP) includes Wilton as a Priority Growth Area under the Growth Centres SEPP. Therefore, Government has established a clear policy mandate that Wilton is to be developed for urban purposes to support the forecast delivery of development within the area by 2018 as per the Greater Macarthur Land Release Investigation

The Priority Growth Area contains over 4,000 hectares of land that is identified for future urban land releases to establish Wilton New Town. Wilton New Town is projected to accommodate around 16,500 dwellings and substantial areas for commercial and retail activities. The site has an area of approximately 876 hectares, being the largest landholding, and is projected to deliver around 5,400 new homes, which is a major contribution to Wilton New Town (refer **Figure 11**).

The next step in the process, which involves the rezoning of the land, is well underway and the purpose of this planning proposal is to advance the rezoning process as a priority to fulfil the NSW Government's objectives and time frames for housing delivery. It is expected that construction of new dwellings may commence in early 2018, with people moving into their homes in the latter part of 2018. This is a threshold moment for Wilton New Town and heralds the next stage of the development of a new community of up to 16,500 homes.

The Government has released a community update "Greater Macarthur & Wilton 2016 and Beyond" which forecasts the delivery of homes within Wilton by early 2018 and residents by late 2018. The NSW Government establishes the vision for Wilton as:

*"We'll enable places for families to thrive, the environment to be protected and business to flourish. Communities will be great places to live and work. Infrastructure for new areas will be supplied at no additional cost to government."*

**(Greater Macarthur & Wilton: 2016 and Beyond, NSW Department of Planning & Environment)**

Bradcorp share the NSW Government's vision for the Wilton New Town to create a place where people want to live, work, play and learn that adopts 'Garden City' principles and conservation of the environmental qualities of the site.

The NSW Government has undertaken substantial strategic planning and investigations to determine the suitability and capability for urban development in the Wilton Priority Growth Area to create Wilton New Town. The proposed rezoning is a direct response to the strategic planning and studies undertaken by the NSW Government to ensure the proper and orderly planning of Wilton for urban development.

This Planning Proposal is entirely consistent with the Government's vision and the strategic planning undertaken for the locality.

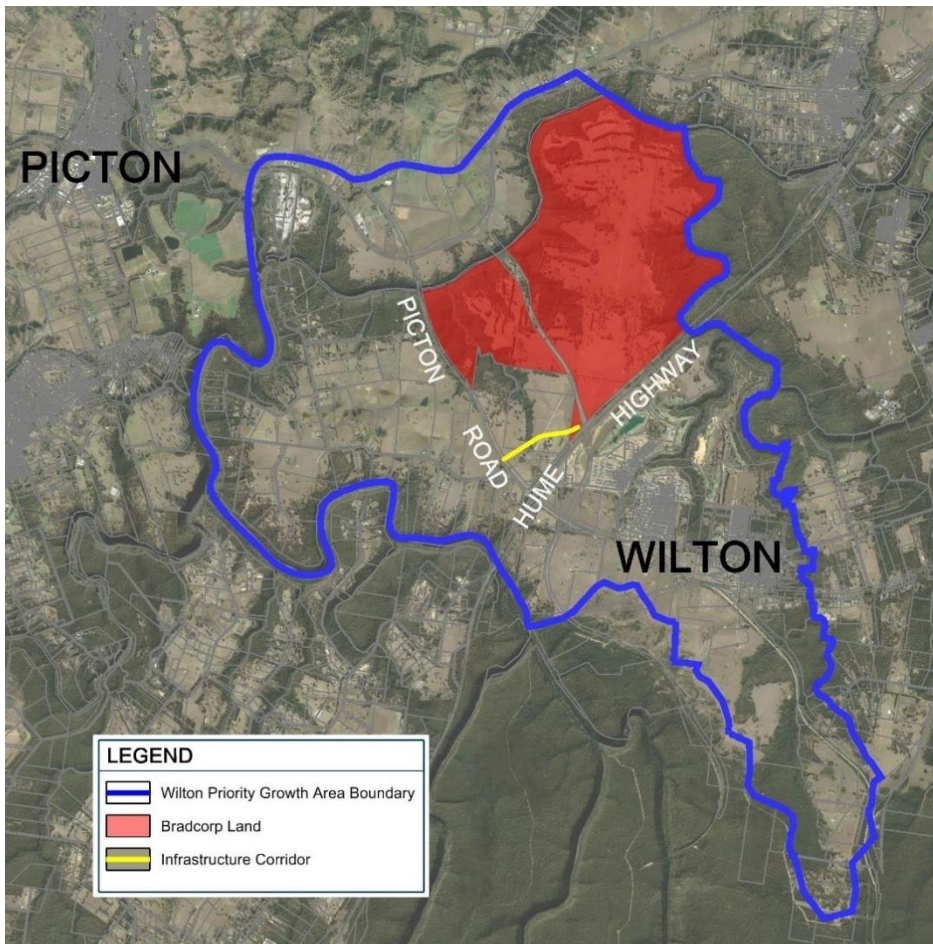


Figure 11: Wilton Priority Growth Area and Subject Site



Figure 12: Wilton Priority Growth Area for Wilton New Town (Source: [www.planning.nsw.com.au](http://www.planning.nsw.com.au))

## 4.6 Wilton Junction Draft Rezoning, Master-Planning and Site Investigations

### 4.6.1 Wilton Junction Draft Rezoning

Wilton Junction was the initial planning phase for Wilton New Town, which is located within the larger Wilton Priority Growth Area. The decision to work towards an integrated Master Plan for Wilton Junction was taken after the State Government invited landowners in 2011 to nominate sites which might deliver additional housing to address Sydney's housing shortage.

The proponent was one of three landowners working co-operatively with Wollondilly Shire Council, the Department for Planning & Environment and various Government agencies since April 2012 to deliver a new town at Wilton that will comprising 11,000-13,000 high quality new homes for 30,000-35,000 people. The Wilton Junction Master Plan/rezoning was to support the new community that was to comprise:

- A new major town centre and several neighbourhood centres.
- Employment areas to deliver jobs close to home (approx. 11,000 jobs).
- Around 11,000 new homes.
- A range of community facilities and services.
- Road and infrastructure improvements and upgrades.

Director General's Requirements were issued in May 2013 to establish the requirements for specialist investigations to inform the rezoning of Wilton Junction. A copy of the Wilton Junction Precinct State Environmental Planning Policy Study Requirements dated 2 May 2013 is included in **Appendix 3**. All of the required studies have been completed at a cost of \$7M, including an infrastructure strategy. A comprehensive rezoning and infrastructure package was submitted to the Department of Planning & Environment in July 2015. The NSW Government has since established the Wilton New Town Priority Growth Area and has set a framework for progressing rezoning proposals under a different pathway to the initial stages of the Wilton Junction rezoning process.

### 4.6.2 Wilton Junction Master Plan

The vision for Wilton Junction is to create a new town that delivers housing diversity and choice with a high level of employment and service self-sufficiency. This is to be achieved by utilising its locational advantages at the crossroads of the Hume Highway and Picton Road and building on the exceptional environmental context of the site. This includes integrating the surrounding gorges and bushland with an open space and pedestrian network that interfaces with the new urban areas of within the future new town.

The Wilton Junction Master Plan was based on detailed site investigations throughout Wilton Junction. The proponent's land in the Master Plan is depicted in **Figure 13**.

The proponent's land has been master-planned and comprehensively investigated for urban development as part of the initial Wilton Junction planning process, which comprises most of the land in the Wilton Priority Growth Area. The master-planning and investigations undertaken for the Wilton Junction project are a valuable resource and remain relevant to informing and justifying this standalone rezoning proposal on behalf of Bradcorp.

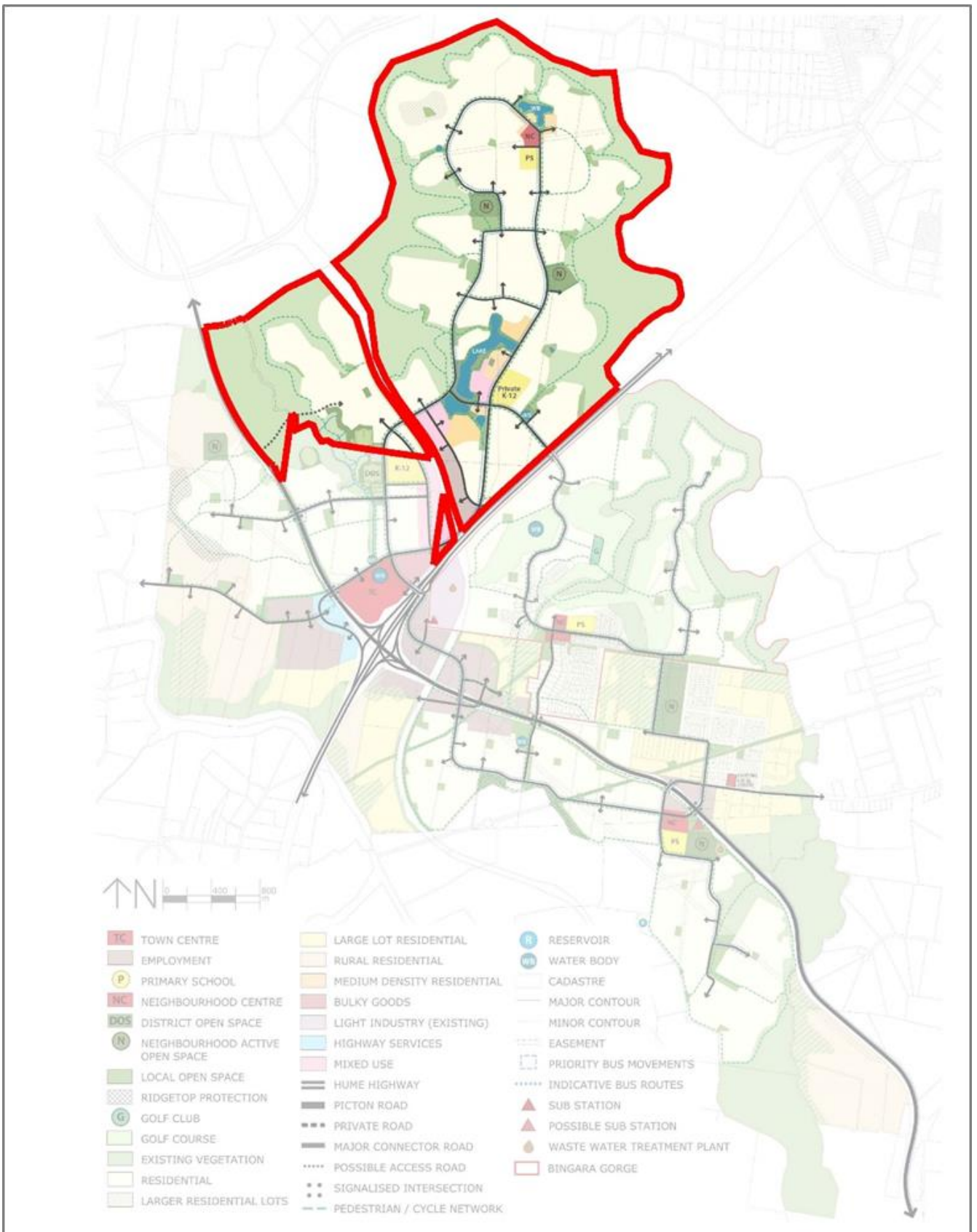


Figure 13: Wilton Junction Master Plan

### 4.6.3 Site Investigations

To support the Wilton Junction rezoning proposal numerous technical investigations were undertaken on behalf of the Wilton Junction Landowner Group. The studies assess the site characteristics, environmental and economic effects, social needs and infrastructure requirements to ensure that Wilton Junction supports a new community and its needs.

These studies have been submitted to the Department of Planning & Environment whom subsequently distributed the reports to the relevant Government Departments and agencies for review and comment. The Department of Planning & Environment has since issued correspondence dated August 2015 confirming that the 'test of adequacy' on the reporting has been met subject to minor modifications for some investigations (refer to **Appendix 4**).

The following technical studies remain relevant to the current proposal

- Masterplan Report
- Visual Impact Analysis
- Housing Population Projections
- Economic Development and Employment Strategy
- Social Infrastructure Assessment Report
- Ecologically Sustainable Development
- Mining Subsidence Report
- Contamination Assessment
- Ecological Assessment and Environmental Offsets Strategy
- Water Strategy Report
- Wastewater Strategy Report
- Water Cycle Management
- Air Quality Impact
- Heritage Report
- Transport Management Accessibility Plan
- Bushfire Assessment
- Geotechnical Assessment and Agriculture
- Noise Impact Assessment
- Valuation for Section 94 Contributions Plan

A summary of the above reports as they relate to the subject site has been provided in **Appendix 5** to support this Planning Proposal.

A summary of the key findings that relate to the Wilton West are as follows:

#### ***Masterplan Report (Connor Homes):***

- 11,900 additional dwellings (there being approximately 500 in the study area (as at 1 January 2013));
- A population of around 35,000 persons; and
- More than 11,000 jobs.

#### ***Air Quality (SLR):***

- SLR has identified the key air quality issues for the project and provided mitigation strategies.
- The key issues are: Construction activities, Increased traffic volumes (particularly on the Hume Highway and Picton Road) predicted for 2021 as a result of the development and Early operations of the Bingara Gorge Sewage Treatment Plant (STP), the proposed Project Wastewater Treatment Plant (WWTP) and associated Sewage Pumping Stations.



- The assessment outlines that that the existing and proposed surrounding industries will not form a significant constraint on the development in terms of air quality, where suitable mitigation strategies are implemented.

***Bushfire Assessment (Whelans InSites):***

- The report recommends that asset protection zones (APZs) are used to determine appropriate setbacks for future residential development.
- The recommended APZ varies between 25m and 60m at various locations within the subject site adjoining bushland.
- Whelans InSites outline that the extent of the APZ could be varied at the development application stage, subject to a more detailed site specific assessment.

***Contamination Assessment (Douglas Partners):***

- The potential for significant contamination at the site is low however further investigation of the identified AECs is required.
- Remaining potential Areas of Environmental Concern and will require sampling to confirm contamination status.
- Subdivision approval within the unexploded ordinance area should be conditional.
- Based on the findings of this preliminary contamination assessment, potential groundwater contamination is not considered to be significant.
- It is considered that the site can be rezoned for the proposed Wilton Junction development from a contamination perspective.

***Ecological Assessment & Environmental Offsets Strategy (SLR):***

- It is not likely that significant adverse impacts would be imposed upon any of the identified threatened species – listed in either the TSC Act or the EPBC Act.
- If vegetation in the Wilton Junction Study Area did constitute the SSTF and/or CPW community, significant areas of that vegetation would be retained within the Conservation Area at Wilton Junction, transferred to the ownership of the Environmental Trust and protected, enhanced, managed and celebrated in perpetuity, at no cost to government.
- A detailed Environmental Offsets Strategy has been developed for the project.

***Ecologically Sustainable Development (Elton Consulting):***

- The Wilton Junction Landowners Group has also identified a number of best practice sustainability initiatives that will be implemented at Wilton Junction as part of the vision of a ‘garden city’ for the 21st Century.
- The report provides an assessment of the initiatives against the ESD principles and generally demonstrates how the Wilton Junction Project will meet sustainability objectives.

***Economic Development & Employment Strategy (Macroplan Dimasi):***

- Industries that are predominantly population driven including retail, social infrastructure, health care, education and public administration, employment will evolve sequentially with population growth.
- The report provides employment strategies for sector specific industries including health, education, construction, transport, postal and warehousing, tourism and recreation and agribusiness.
- The success of the strategies will be dependent on: the quality and inventiveness of specific marketing material, appropriate implementation structures and arrangements and the ongoing ownership and refinement of the initiatives.

***Environmental Trust (Elton Consulting):***

- The Wilton Junction Environmental Trust is a developer led voluntary planning agreement with the State government that establishes a robust management framework to ensure protection of bio-diversity and culturally significant sites and provision for the on-going management of these resources.

***Geotechnical Assessment (Douglas Partners):***

- The investigation addressed the site's geotechnical surface and subsurface conditions, slope instability risk potential, soil erosion risks, soil salinity and geotechnical development constraints.
- Douglas Partners outline in their report that the assessment undertaken did not identify any issue that would preclude the rezoning of the Wilton Junction site for urban development.
- Additional investigations will be required as the project progresses.

***Heritage Report (Kayandel Archaeological Service):***

- The assessment identified a number of Aboriginal and Historic heritage items within the Wilton West area.
- The report concludes that impacts upon items of Aboriginal heritage or items of historic heritage are not sufficient as to prevent the rezoning application currently proposed.
- The report confirms the level of investigation and enquiry is sufficient to provide for an assessment of the rezoning proposal to be undertaken.
- A number of recommendations are provided for the rezoning and for the development application stage. These include obtaining an Aboriginal Heritage Impact Permit.

***Housing and Population Projections (Macroplan Dimasi):***

- The likely demographic characteristics and housing needs of the new township of Wilton Junction include:
  - A future population of 34,955 at Wilton Junction by 2041
  - A potential for greater market share to be achieved from a master-planned community offering;
  - A dominance of family households, with a marginally greater representation of couple families without children when compared to south-west Sydney; and
  - A likely dominance of detached housing at Wilton Junction

***Infrastructure Servicing & Staging Plan (BG&E):***

- The Infrastructure Servicing and Staging Plan provides an overview of the infrastructure requirements to service the Wilton Junction development.
- The estimated cost to provide all required infrastructure (roads, potable water, waste water, electricity and social infrastructure) triggered by Wilton Junction is \$253,384,738.
- A Voluntary Planning Agreement is identified as the best means of securing funding and delivery of infrastructure.

***Mine Subsidence (MSEC):***

- The site falls within Area 8 of Illawarra Coal's Bulli Seam Operations underground long wall mining project and therefore the entirety of Wilton Junction lies within the Wilton Mine Subsidence District (MSD).
- The report outlines that, from a planning perspective that the development of the Wilton Junction site could take place in advance of the proposed mining activities under current legislation if the proposed developments are designed and constructed to accommodate predicted ground movements, to the satisfaction of the Mine Subsidence Board.
- In MSEC's opinion, it is unnecessary to delay development until after coal resources have been mined.
- Developers will need to engage with the Mine Subsidence Board (MSB), and seek approval for the development from the MSB.

***Noise and Vibration Assessment (Atkins Consulting):***

- The assessment outlines the noise generating infrastructure impacting the site are:
  - Existing roads - Hume Highway and Picton Road.
  - Existing Rail – Southern Railway Line between Sydney and Goulburn.
  - Proposed rail - Maldon Dombarton Rail Corridor.

- Noise and vibration mitigation strategies will be required, in accordance with the Infrastructure SEPP. The mitigation strategies include:
  - Negotiations with proponents of the rail infrastructure developments.
  - Sub-division planning including building orientations, layouts, set-backs.
  - Buffer zones along infrastructure corridors.

***Social Infrastructure Assessment (Elton Consulting):***

- A recommended provision of open space has been provided based on the standard calculation of 2.83ha/1000 population. The report recommends 75ha of open space be provided generally with a 50:50 apportionment between formal and active open space.
- Elton have recommended district and regional as well as local level facilities for Wilton Junction.

***Transport Management & Accessibility Plan (Parsons Brinckerhoff):***

- A detailed suite of traffic assessments have been undertaken utilising the TfNSW Sydney Strategic Transport Model (STM), an AIMSUN Mesoscopic model for the Wilton Junction study area, and isolated intersection SIDRA models.
- Major road upgrades outlined in the report include:
  - Upgrade to the Hume Highway and Picton Road Interchange.
  - Provision of a new internal north-south road grade separated from Picton Road at a point 400m west of Pembroke Road.
  - A new intersection on Picton Road, at Wilton Park Road (which will be realigned) with signalised access into the development.
  - The report also provides recommendations in relation to public and active transport for Wilton Junction.

***Visual Analysis Report (Connor Homes):***

- Key view-scapes from the site are identified in the report and focus on the external views to the Razorback Mountains, the Southern Highlands, to the west to Maldon and to the east to distant industry and St Mary's Towers.
- Key recommendations focus on the need to retain key ridgelines and hills as open areas where possible and practicable.

***Waste Management Strategy (Eco-Sustainable):***

- The Waste Strategy prepared by Eco-Sustainable provides strategic consideration of waste impacts to assist in minimising the generation of waste and maximising the recovery of resources.
- The report splits the management of waste for the project into three principal phases – Land Clearing and Civil Works, Construction and ongoing use.

***Waste Water Strategy (MWH):***

- MWH's waste water strategy provides estimated capital costs and delivery staging for provision of wastewater servicing infrastructure.
- This costs include provision of a Membrane Bio-Reactor (MBR) wastewater treatment plant with tertiary media filters located near the existing Bingara Gorge STP and a pressure sewer network with individual pots and pumps installed on each property.

***Waste Cycle Management (J Wyndham Prince):***

- The Water Cycle Management Strategy proposed for the site consists of a treatment train including on lot treatment, street level treatment and subdivision / development treatment measures. The structural elements proposed for the development include:
  - Proprietary GPT units at each stormwater discharge point.
  - Approximately seventy-six (76) proposed bio-retention raingardens of total area 149,900 m<sup>2</sup>.
  - One (1) proposed regional detention basin on-line within Allens Creek (approximate total volume 35,000 m<sup>3</sup>).
  - A recycled Water Management System which incorporates: an STP, a cascading raingarden system, two treatment/evaporation lakes.

***Water Strategy (MWH):***

- Sydney Water were engaged in developing the strategy.
- MWH outline that the estimated capital cost of providing the trunk water servicing infrastructure is \$18.9 million excluding reticulation pipework costs.

***State Infrastructure Servicing and Staging Plan (Elton Consulting):***

- Elton Consulting have summarised the Infrastructure Servicing and Staging Plan for Wilton Junction and outlined the Proponents Funding Offer in relation to the scope, cost, funding and delivery of the infrastructure required at Wilton Junction.
- The State Infrastructure items comprise roads, public transport and social facilities, and
- Water, waste water and utility services will be covered by the Proponents through commercial agreements with service providers.

None of the above findings have been determined to impede the rezoning of the site. The associated technical studies provide recommendations for future development and appropriate mitigation measures for any potential impacts identified. All technical studies confirm that rezoning the site can proceed without the need for further assessment.

## 5 PROPOSAL FOR A NEW COMMUNITY

### 5.1 Wilton West Precinct

To progress land for rezoning within the Wilton Priority Growth Area the Minister for Planning is required to declare the release of a Precinct. A written request was forwarded to the Minister on August 2016 to release the proponent's landholding as a standalone precinct.

The nominated Precinct in this Proposal comprises approximately 876ha (refer **Figure 14**). This size of the nominated Precinct, when compared, is larger than most released Precincts in the South West Priority Growth Area.

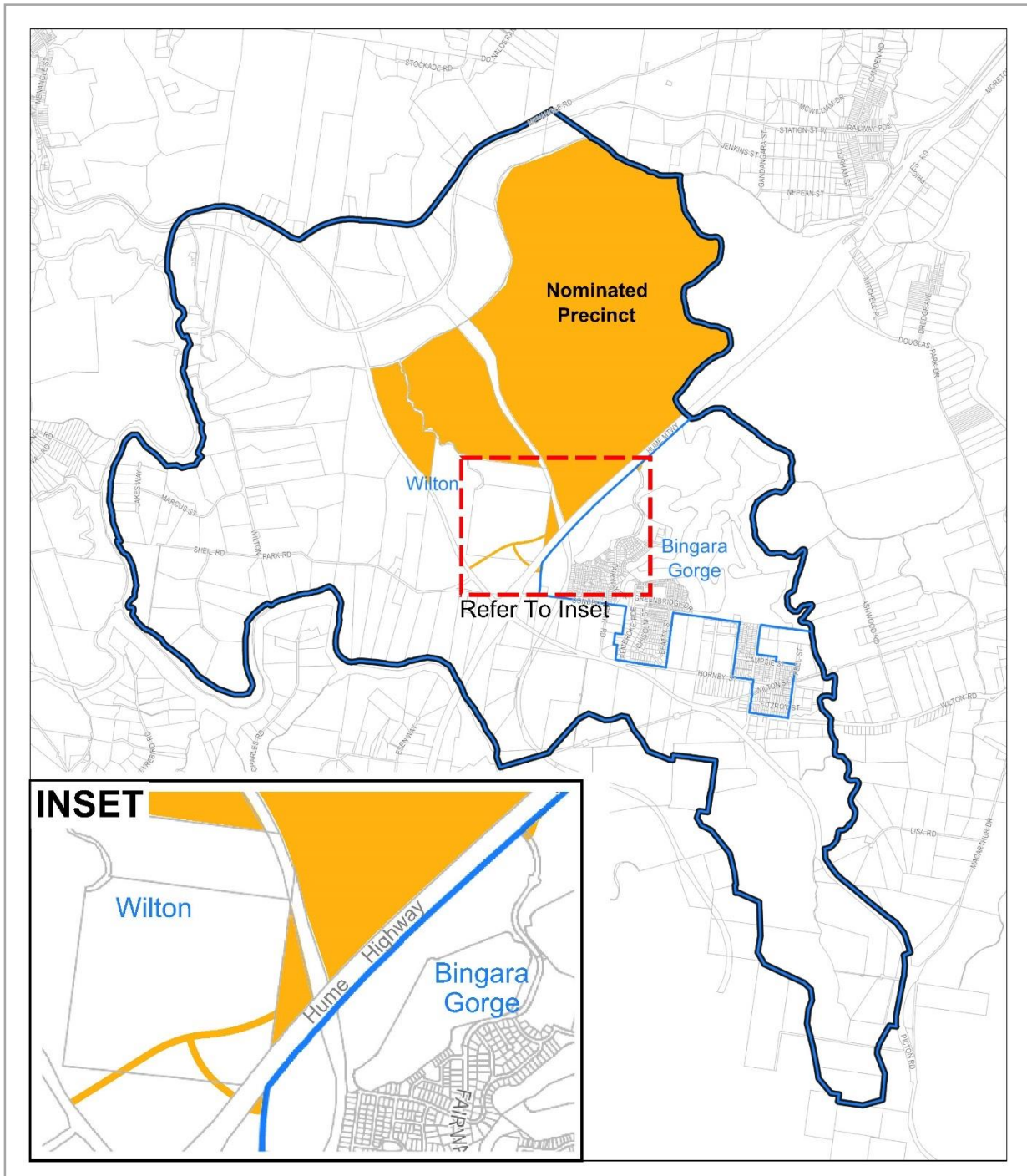


Figure 14: Nominated Precinct in Wilton Priority Growth Area (Source: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au))

To give context in relation to the size of the nominated Precinct, a comparison with other released Precinct areas is listed below.

|                                      |  |
|--------------------------------------|--|
| Austral & Leppington North Precincts | 2,025 ha   |
| Oran Park Precinct                   | 1,119 ha (approx. 200ha dedicated as heritage curtilage) |
| <b>Wilton West Precinct</b>          | <b>876 ha</b>  |
| Edmondson Park Precinct              | 827 ha   |
| Leppington Precinct                  | 655 ha   |
| Turner Road Precinct                 | 536 ha   |
| East Leppington Precinct             | 465 ha   |
| Catherine Fields Part Precinct       | 318 ha   |

The nominated Precinct is ranked third in size of the Precincts released in the South West Priority Growth Area and is similar in area to the Edmondson Park Precinct, which provided for around 6,000 new homes and also includes a significant area dedicated to conservation lands.

## 5.2 Site Analysis

There are a range of attributes and characteristics that influence how the site can be developed. The site has natural physical attributes such as topography, native vegetation and fauna, and rivers and waterways that form consideration in the urban design and preservation of the natural environment. There are also views and vistas to surrounding elevated areas, in particular the northwest, which provide a stunning backdrop to the site.

There are also other site considerations that influence the design of urban development within the site or are matters that need to be addressed as part of planning and delivering development on the site. These matters are summarised as follows:

- Aboriginal heritage – scarred trees, rock scatters, significant sites and objects.
- Contamination – remediating and managing areas of environmental concern.
- Bushfire – implementing Asset Protection Zones, managing bushfire risk.
- Infrastructure – managing existing and future infrastructure, transmission lines, fibre optic cables.
- Noise & vibration – mitigating potential adverse impacts from existing and future major roads and rail.
- Services – connections to essential services, provision of new servicing infrastructure.
- Traffic & transport – connecting to external transport routes.

Also, where appropriate, solutions are provided indicating how the master plan is able to integrate the opportunities in the design, and mitigate the issues.

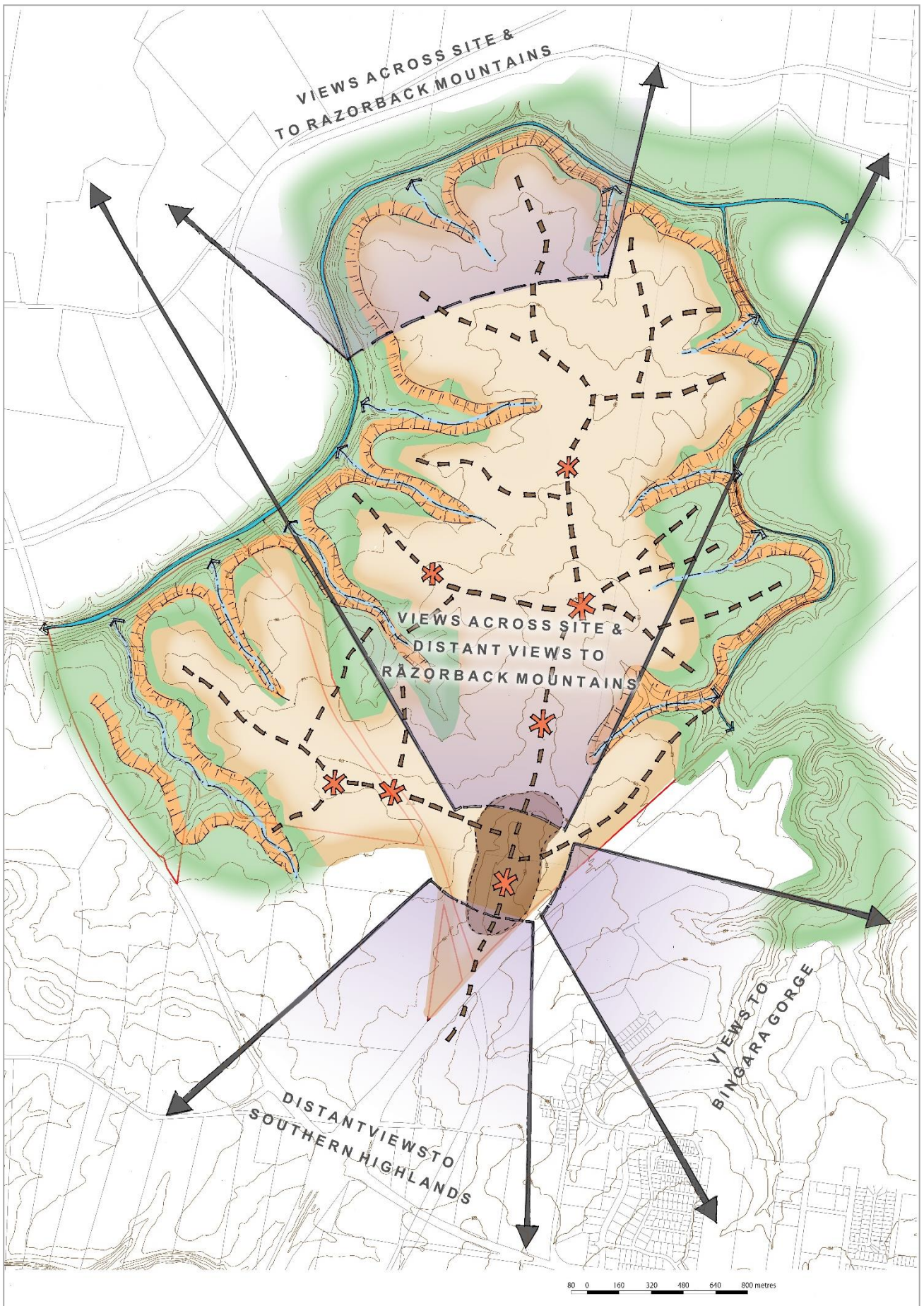


Figure 15: Site Analysis

## 5.3 Urban Structure

Urban design for development of Wilton West has evolved through the detailed site analysis and interrogation of the site to ensure the vision and principles are achieved for the site.

Design elements considered important in achieving the vision for Wilton West include:

- Designing to reduce the reliance on the private car by influencing the location of development relative to transport provision, by reducing and managing parking provision and by increasing the priority, attractiveness and availability of non-car modes of travel.
- Providing opportunity for an activated public domain that offers a variety of choice and uses.
- Encouraging good landscape and architectural design.
- Facilitating enjoyment of the rural character and surrounding natural environment.
- Protecting the past and the natural environment.
- Provides diversity in housing and land uses to promote energy efficiency.



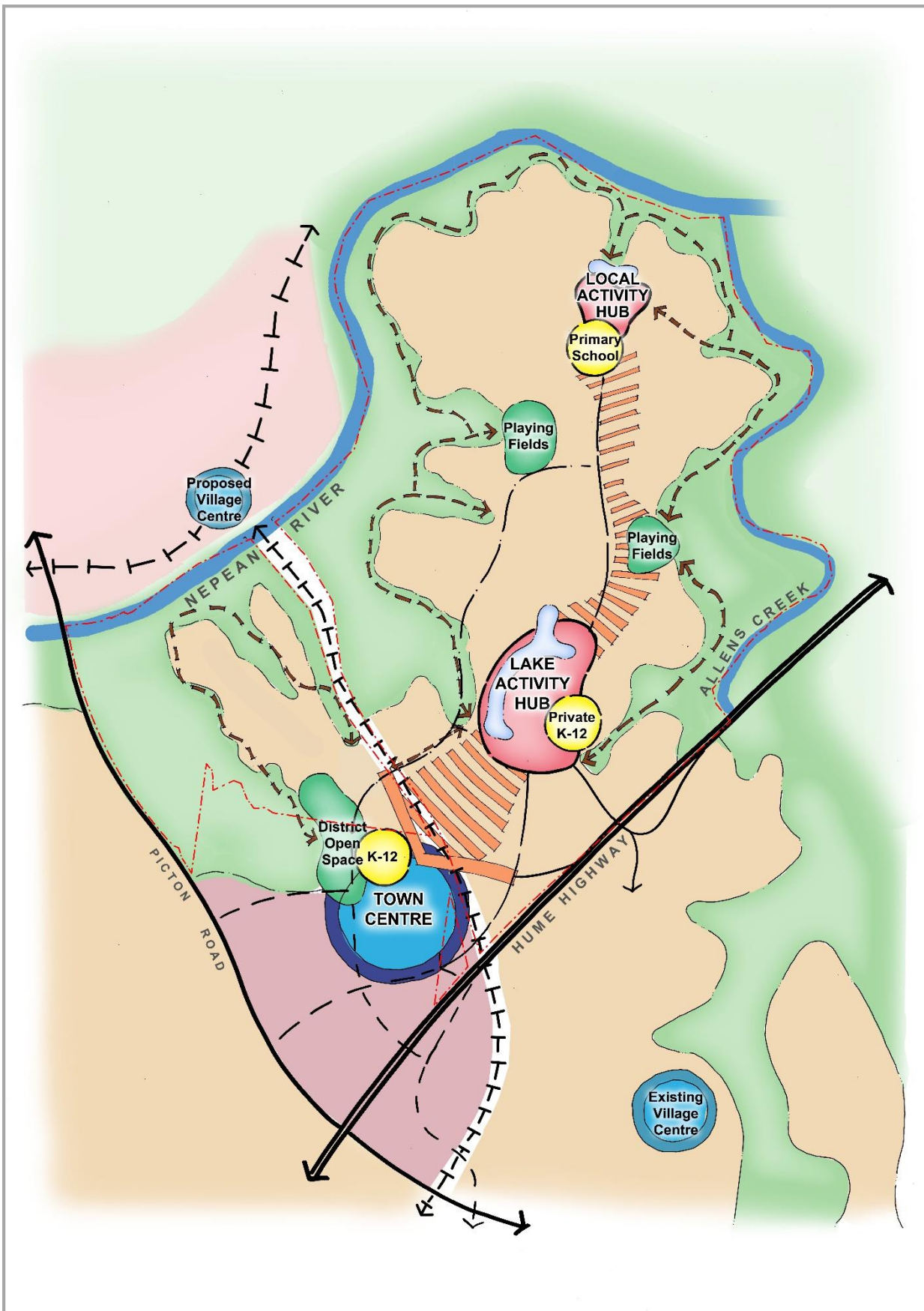


Figure 16: Structural Design

## 5.4 Design Elements

### 5.4.1 Movement and Connectivity

The transport network for Wilton West is formed on two major roads orientated north-south to move traffic from the main connections to Picton Road and a dedicated off-ramp from the Hume Highway, which connects with the main north-south sub-arterial road on the Governors Hill land to the south of the site. There is also a second dedicated off-ramp at the existing bridge crossing that will provide a direct connection to Wilton West for southbound traffic on the Hume Highway. This connection will also enable direct access to Bingara Gorge. There is also an on-ramp to the Hume Highway from Wilton West immediately to the north of the Maldon Dombarton Rail Link. This on-ramp and the two off-ramps provide alternative access routes to the Hume Highway/Picton Road interchange, which is a dedicated heavy freight route connecting to the Wollongong Region.

The major north-south roads are connected with higher order east-west roads to ensure the road structure enables the site to be well connected internally and with the surrounding residential areas of Wilton New town. This enables all local residential streets to obtain easy access to the higher order road network to ensure convenient and efficient travel from their home to local shops and services within Wilton New Town and external travel to places further afield.

The Urban Structure Plan promotes modal choice for the future residents and employees. Planning of the transportation network has ensured that each mode of transport is attractive for users of all ages and abilities and the various modes are well-integrated.

Key elements of the road network shown on the Urban Structure Plan include:

- Innovative urban design that creates streets for people rather than just roads for cars.
- Roads, pedestrian and cycle paths, open spaces and community facilities seamlessly connected within Wilton West and to the surrounding areas.
- A street pattern and orientation of lots that maximises open vistas to surrounding hills, the Razor Back Mountains and internal localised views.
- The road framework provides a comprehensive structure for establishing logical neighbourhoods that are well connected to surrounding areas.
- The road layout is a simple and legible network that responds to the site and its topography.
- The road hierarchy is carefully designed to maximise legibility, permeability and accessibility.

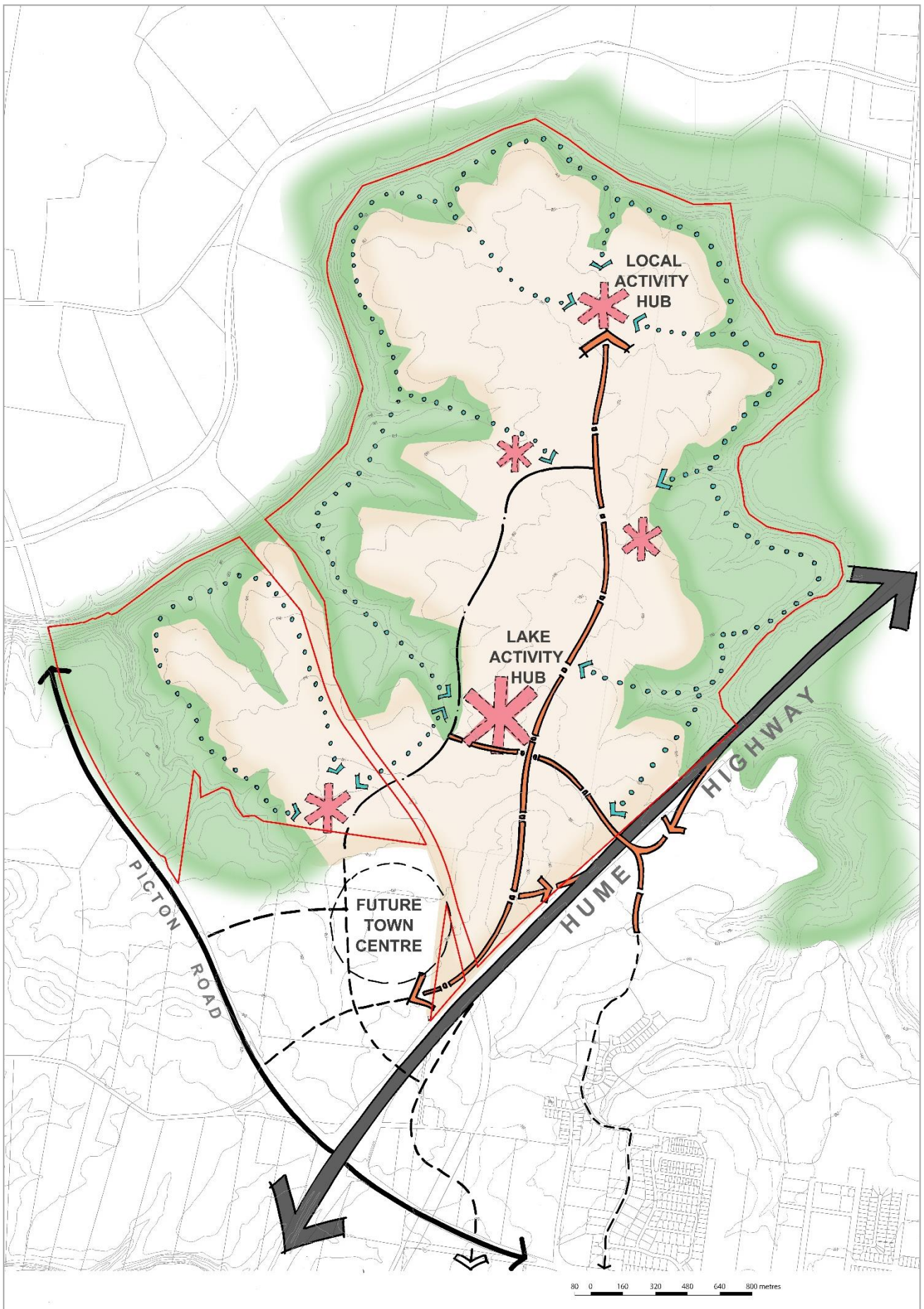


Figure 17: Movement and Connectivity

## 5.4.2 Activity Nodes

The Urban Structure Plan presents a clear framework for the establishment of two activity nodes comprising the Lakeside Activity Hub and a small neighbourhood centre to the north.

The proposed activity nodes are located to be central to a catchment of around 2,500-3,000 homes each to provide a substantial local economic base to sustain local services and facilities. In particular, the Lakeside Activity Hub will draw energy from the local economy as well as being well connected to surrounding areas to attract people from all areas of Wilton New Town.

The main components of the activity node locations and hierarchy are summarised as follows:

- Vibrant activity nodes with mixed use activities providing communal meeting places for work, recreation and human interaction are fundamental to Wilton West.
- Establish a structure hierarchy and distribution of activity nodes to complement the main Town Centre of Wilton New Town.
- Provide shopping and local services, and focal meeting places for each local community.
- Activity nodes to be located on and connected to public transport routes to enable all people to access daily needs and services.
- Activity nodes are designed to cluster facilities and services required to support a dynamic community and strong sense of place.
- Activity nodes are to form focal points that transition into a mixture of activities and higher densities of residential development.

MacroPlan Dimasi advises that based on the population projections the activity nodes in Wilton West will be important local employment generators and are capable of supporting:

- A Lakeside Activity Hub of 15,000m<sup>2</sup> floor space (around 5,000m<sup>2</sup> of service retail).
- A Local Neighbourhood Activity Centre of 5,000m<sup>2</sup> floor space.

### ***Lakeside Activity Hub***

The Lakeside Activity Hub has been designed to accommodate a range of land uses including commercial, residential, civic, recreation, education and social infrastructure. The amenity and direct association with the large lake will be a key attraction for people to visit and businesses to establish themselves in the Hub.

The Lakeside Activity Hub is located at the intersection of the major north-south roads and the main east-west road that has a direct connection with the off-ramp to the Hume Highway. The Hub is therefore well connected to the road network and public transport routes that will service the Wilton New Town.

The fine grain urban design for the Lakeside Activity Hub will be subject to a future detailed analysis that will embrace activating street frontages, the interface with the lake and incorporating civic and open space areas to reinforce a pedestrian friendly environment and strong sense of a 'community orientated' place.

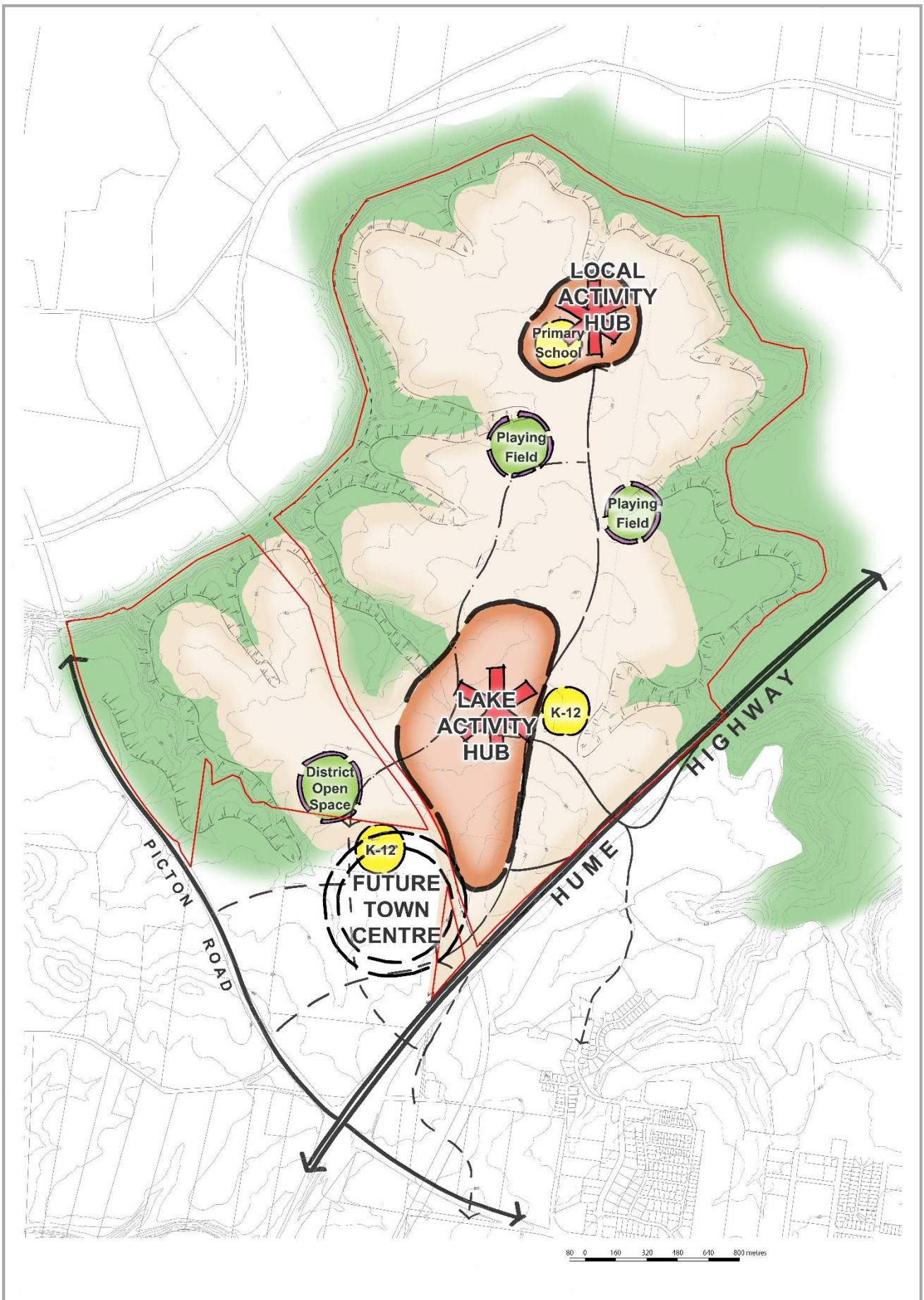


Figure 18: Activity Nodes

### ***Local Neighbourhood Activity Centre***

A Local Neighbourhood Activity Centre incorporating a small to medium supermarket and speciality stores is proposed in the northern portion of the site at the end of the main major north-south road in the site, which will form a bus route central to the site.

The Local Neighbourhood Activity Centre is assessed to support around 5,000m<sup>2</sup> of floor space to provide local retail and services to the northern catchment of the Wilton West community.

A small scale centre has been centrally positioned on the interface with the Nepean River to bring added amenity and connection with the setting and nature, which are important underlying objectives for Wilton West.

### **5.4.3 Local Neighbourhoods**

The Urban Structure Plan provides a defined urban neighbourhood structure of eight neighbourhoods that are formed on the natural attributes of the site and fundamental planning principles of walkable catchments centred on centres, parks, bus stops, shops, community facilities and schools.

The neighbourhood framework responds to physical attributes of the site in conjunction with the movement network and key physical and social attractors. The neighbourhoods are designed to:

- Utilise and celebrate the natural attributes of topography, vegetation and unique landscape features in each local neighbourhood.
- Incorporate public spaces that are safe and accessible for each local neighbourhood.
- Provide access to public transport.
- Exhibit a strong character and identity to foster a strong sense of place.

Each neighbourhood is proposed to be individual and unique as a result of detailed urban design that builds on the opportunities that each neighbourhood offers in relation to landscape, natural features, introduced elements, road patterns and land use interrelationships.

The following is a summary of residential neighbourhoods throughout Wilton West:

- A diverse dwelling mix, catering for various households, including older people, single people and families to form a genuine community.
- Attention to urban design detail to ensure that streetscapes maintain pleasant tree lined avenues for people to safely walk and meet people within their neighbourhood.
- Leadership in housing to demonstrate the quality and diversity of housing types to create a 'spirituality' in each neighbourhood.
- Higher density housing types around activity nodes and amenity spaces.
- Contemporary housing options that are located close to open parkland areas.

Urban densities rather than suburban densities are promoted to offer diversity of dwelling types and achieve a socio-economic mix. The activity nodes will support density and diversity in housing to ensure that each centre has a vibrant mix of land use activities. The higher density development will take the form of attached dwellings, semi-detached housing and townhouses. Dwelling density will also be located adjacent to and within close proximity to high amenity and focal areas, in particular open space and public transport routes. Dwelling densities will graduate out from the higher density areas to lower dwelling densities in the residential neighbourhoods.

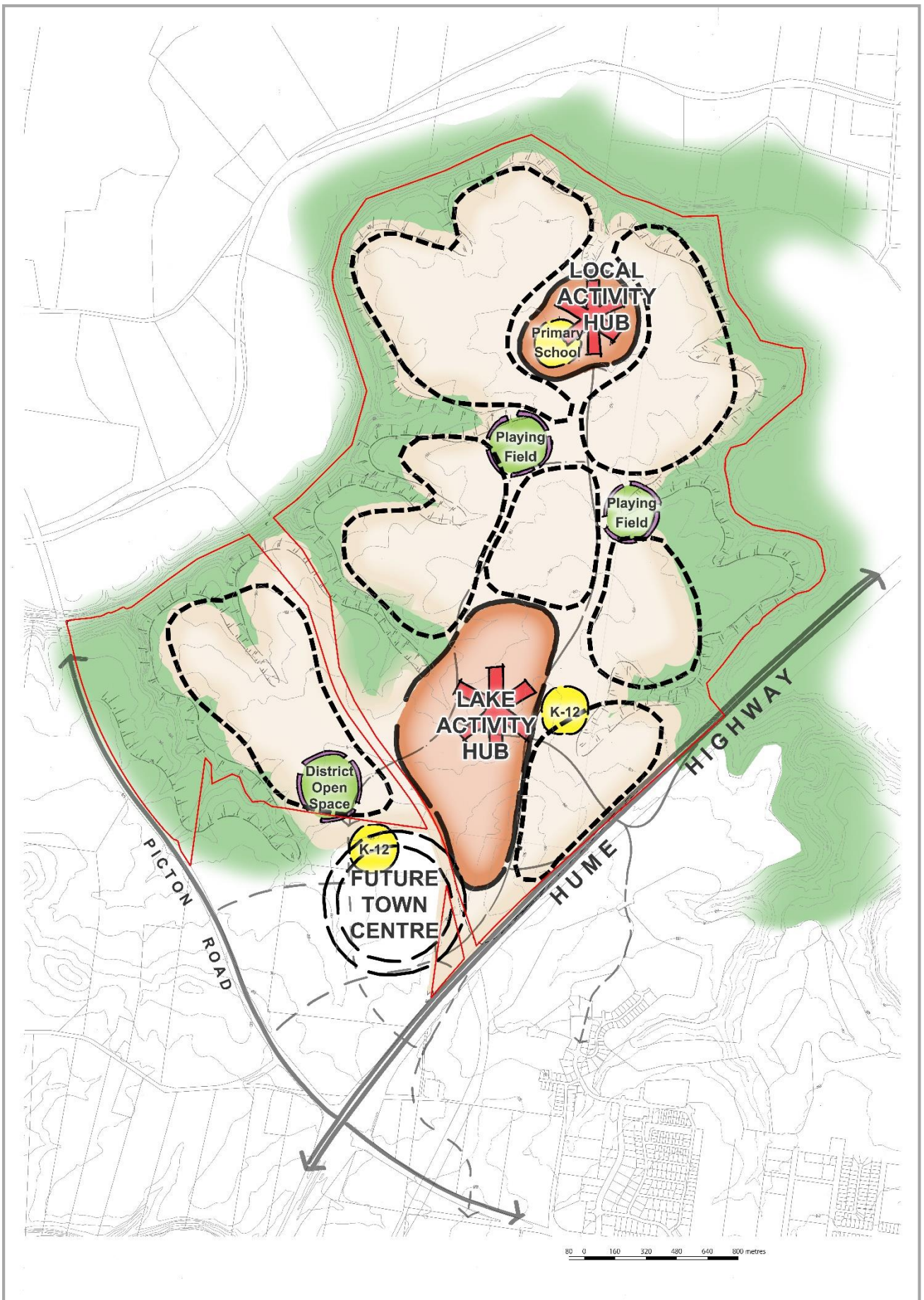


Figure 19: Neighbourhoods

#### 5.4.4 Walking and Cycling

Walking and cycling access and facilities is a key component of the transport network for Wilton West. Making provision for pedestrians and cyclists allows for modal choice and promotes forms of transport that have health and environmental benefits.

It is fundamental to coordinate the cyclist and pedestrian network with all land uses, including employment areas, schools, neighbourhood centres and open spaces. With Wilton West almost surrounded by natural vegetation, a network of cycling and pedestrian paths in green corridors and waterways provide opportunities for pleasurable walking and cycling experiences, encouraging recreational uses of the facilities. These pathway connections in the green corridor will connect with the pathway networks in the roads and neighbourhoods to ensure quality and efficient connections to activity nodes, high-order recreation features (i.e. district sports fields, lake) and education facilities.

The project will also deliver over 22km of walking and bike trails within the conservation lands, encouraging active healthy living for all future residents.

The pedestrian and cycle network for Wilton West is summarised as follows:

- A clear, legible and convenient system of streets and pedestrian pathways to optimise connectivity that encourages pedestrian movements.
- Pedestrian and cycle pathways are aligned within bushland and major roads.
- A comprehensive pedestrian and cycle network connecting all residents that is safe, efficient and pleasant to use.
- Residential streets have pedestrian footpaths to allow for safe walking to local parks, shops and bus stops.

The cycle pedestrian network has been designed to connect key desire lines for pedestrians, such as from residential areas to employments areas, neighbourhood centres, sporting facilities and schools.

#### 5.4.5 Education and Community

The Urban Structure Plan incorporates provides for a full range of education and community facilities and services. The majority of the community infrastructure components are to be located within the activity nodes and the education facilities are to be located adjacent to the activity nodes to reinforce the community building focal points.

The following summarise the education and community infrastructure components of Wilton West:

- Provision of public and private education institutions that are delivered early in the development cycle.
- Enable the community co-use of facilities where possible.
- Facilitate educational and community buildings that integrate with the multi-faceted functions of the activity nodes.
- Education and community facilities located adjacent to centres and close to pedestrian and cycle paths and public transport for high accessibility.

The provision of educational facilities on the Urban Structure Plan meets the educational requirements for Wilton West and Wilton New Town. It is proposed to provide for at least two schools and possibly three depending on how schools are being delivered throughout the rest of the New Town.

Wilton West is to provide the following schools:

- A Private K-12 school.
- A Public Primary school.
- A Public K-12 school if the adjacent landowner is not developing and Wilton New Town has reached 5,000 dwellings.

In addition, there will be opportunities to include educational facilities in the Lakeside Activity Hub to broaden the range of tertiary education facilities and local learning opportunities.



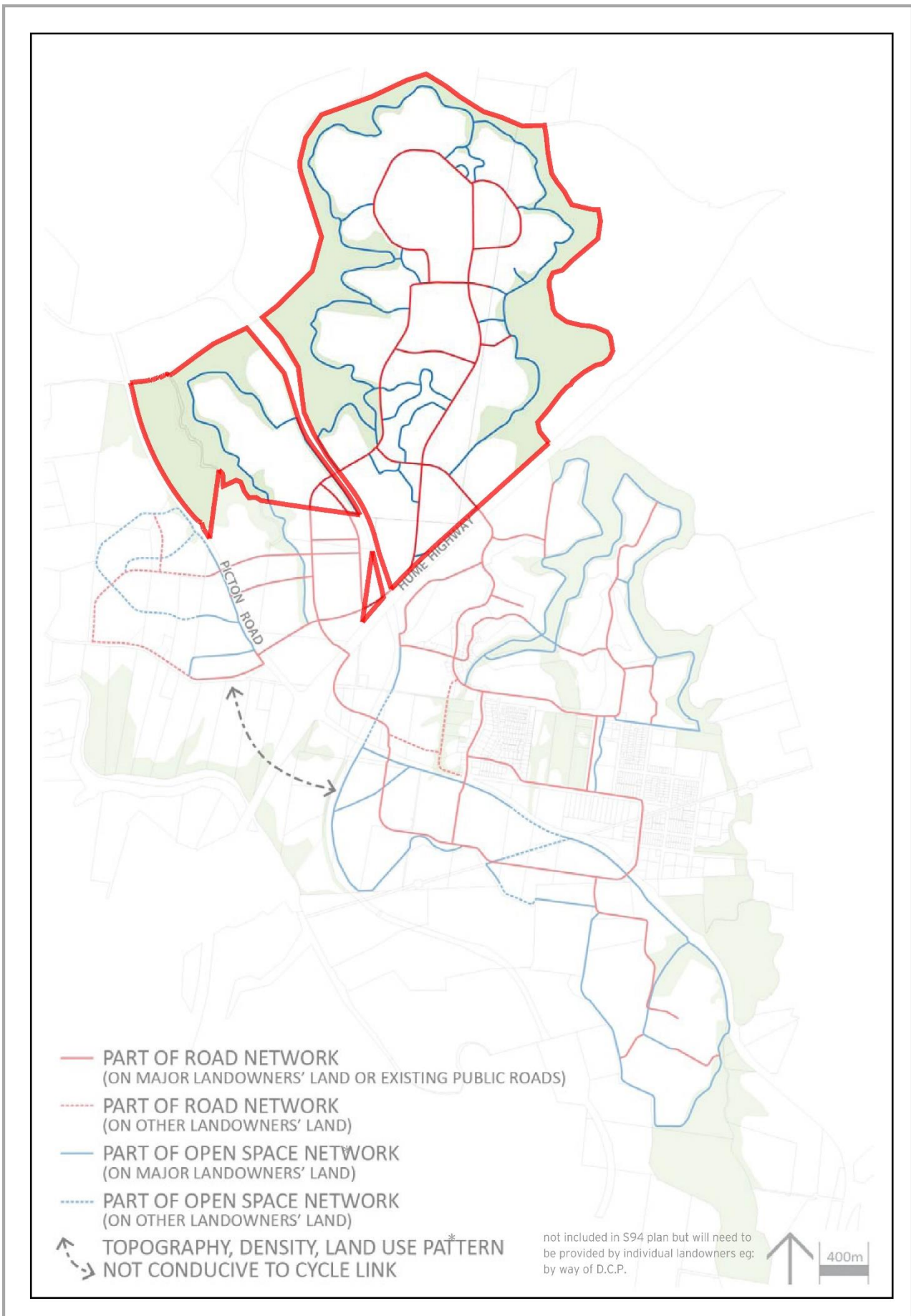


Figure 20: Cycle Connections (Connor Holmes – Wilton Junction Report)

## 5.4.6 Open Space and Recreation

A variety of open space areas and recreation spaces are to be incorporated into Wilton West to ensure a diverse range of activities for everyone to use and enjoy, with over 47 hectares of open space provided within the community.

The large lake is a principal contributor for recreation and open space as it provides opportunities for a range of activities. The landscaped edge of the lake includes pathways complemented by picnicking facilities, play areas, public fitness equipment. People will be able to jog, walk and cycle around the lake that will be an impressive feature of high aesthetical appeal.

There are also two active sports fields facilities that are central to the Wilton West community and are located on major road connections. Both site also interface with the bushland surrounding Wilton West to reinforce the setting and connections with nature.

Numerous local parks are located in areas with unique landscape features including waterways, rock outcrops and trees. This local parks are to be connected with a network of pathways within the bushland that provide active and passive recreation options for people wanting to enjoy the bushland.

The following is a summary of the open space and recreation elements of the Urban Structure Plan:

- Providing a broad range of active and passive recreation options that promote and nurture community health and wellbeing in the immediate and long term.
- All recreation areas and local parks linked landscaped paths and riparian areas and bushland.
- Road alignments maximise views of open space and conservation areas.
- Protection of existing high quality trees in open space areas.
- A diversity of passive and active recreation spaces that encourage physical and mental activity.
- Local parks maximise the connections both visually and physically between riparian areas and bushland.
- Local parks bound by roads and reinforced by buildings for safety, accessibility and legibility.
- Connected open space corridors for fauna movement.
- A range of open space providing passive and active recreation use, with parks having kick-about and informal ball areas.
- Memorable and walkable bushland trails that are well connected and provide local, district and regional circuits.
- Open space located on pedestrian and cycle ways for people to easily and safely access recreation areas.

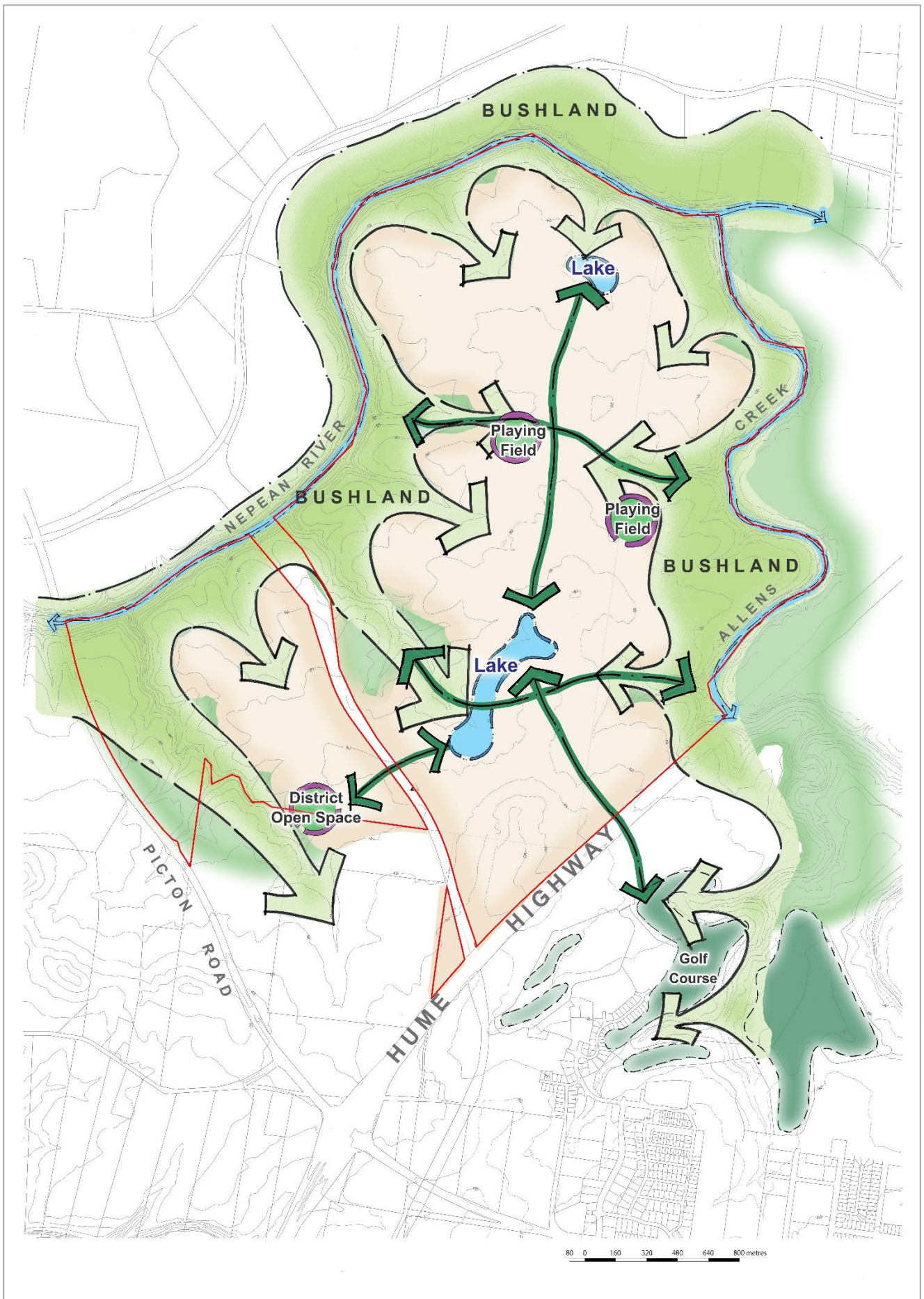


Figure 21: Open Spaces and Connections with Nature

## 5.5 Rezoning the Site to Enable Infrastructure Delivery

The rezoning is a standalone proposal that seeks to rezone the entire Wilton West Precinct within the Wilton Priority Growth Area. The proposal incorporates a significant amount of State and local infrastructure to support Wilton New Town and the Wilton West will support a significant portion of the population due to its scale and size relative to the other holdings in the Growth Area.

The delivery of urban growth in the New Town will be complemented by the delivery of State infrastructure, in particular the delivery of new transport infrastructure. Rezoning the whole Wilton West Precinct is necessary to provide the certainty to forward fund the State infrastructure as proposed.

Rezoning the entire Wilton West Precinct will enable the commitments and certainty to providing State infrastructure not just for the Wilton West but for the future residents of the entire Wilton New Town. Fundamentally, the proponent is assuming the development risk by forward funding the State infrastructure (70% of infrastructure funded at 23% of development) and it is therefore essential that the entire site to be rezoning to underwrite these commitments.

## 5.6 Infrastructure Provision

A proponent infrastructure offer incorporating the three major landowners (Bradcorp, Walker Corporation and Governor's Hill) was presented to the Government in July 2015 as part of the Wilton Junction rezoning. The total value of the Wilton Junction proponent offer was \$178.5M, which includes a further \$45M of additional funds requested by the Department of Planning & Environment that does not have a nexus to Wilton New Town (Wilton Junction component). The offer also included land dedicated for conservation purposes.

The offer was structured so infrastructure could be provided individually by the three largest landowners in the Wilton PGA (excluding Lend Lease) given the critical mass generated by their respective projects. Various infrastructure items were allocated to these landowners based on the development capacity of each respective individual project.

It is proposed to provide certain State infrastructure early to ensure delivery will always be ahead of demand throughout the life of the project. Bradcorp's schedule for infrastructure delivery will result in over 70% of the State infrastructure requirements being delivered when only 23% of the urban development has occurred. This results in the last 77% of the development to support the remaining 30% of State infrastructure.

Contributions for State road infrastructure that have been established for Wilton Junction protects the free flow of freight corridor and enables internal traffic movements which do not interfere with those on the Hume Hwy and Picton Road. There are also requirements to fund and deliver essential internal connector roads on land under various ownerships to ensure the road network for Wilton New Town functions properly and does not create issue with State roads. This will ensure performance improvement to the Interchange by separating the traffic generated from Wilton New Town and the heavy freight vehicles traveling between the Wollongong and Sydney regions. These works also include the provision of a pedestrian bridge over the Hume Highway to enable a pedestrian and cycling transport connection to Bingara Gorge. Revenue generated from the Wilton West population is needed so as to ensure these high cost infrastructure items can be delivered.

Education requirements were determined as part of the Wilton Junction Master Plan investigations and established that a Public K-12 school and two primary schools are required. The site has a Private K-12 school and is assigned to provide one of the primary schools. The proponent has a contracted provider for the Private K-12 school and the primary school in the north of the site will be delivered in the medium to long term. In the event that there is a demand to establish a Public K-12 school, Bradcorp will commit to delivering this essential educational infrastructure item once the 5,000th dwelling is constructed, which is the dwelling threshold stated by the Department of Education.

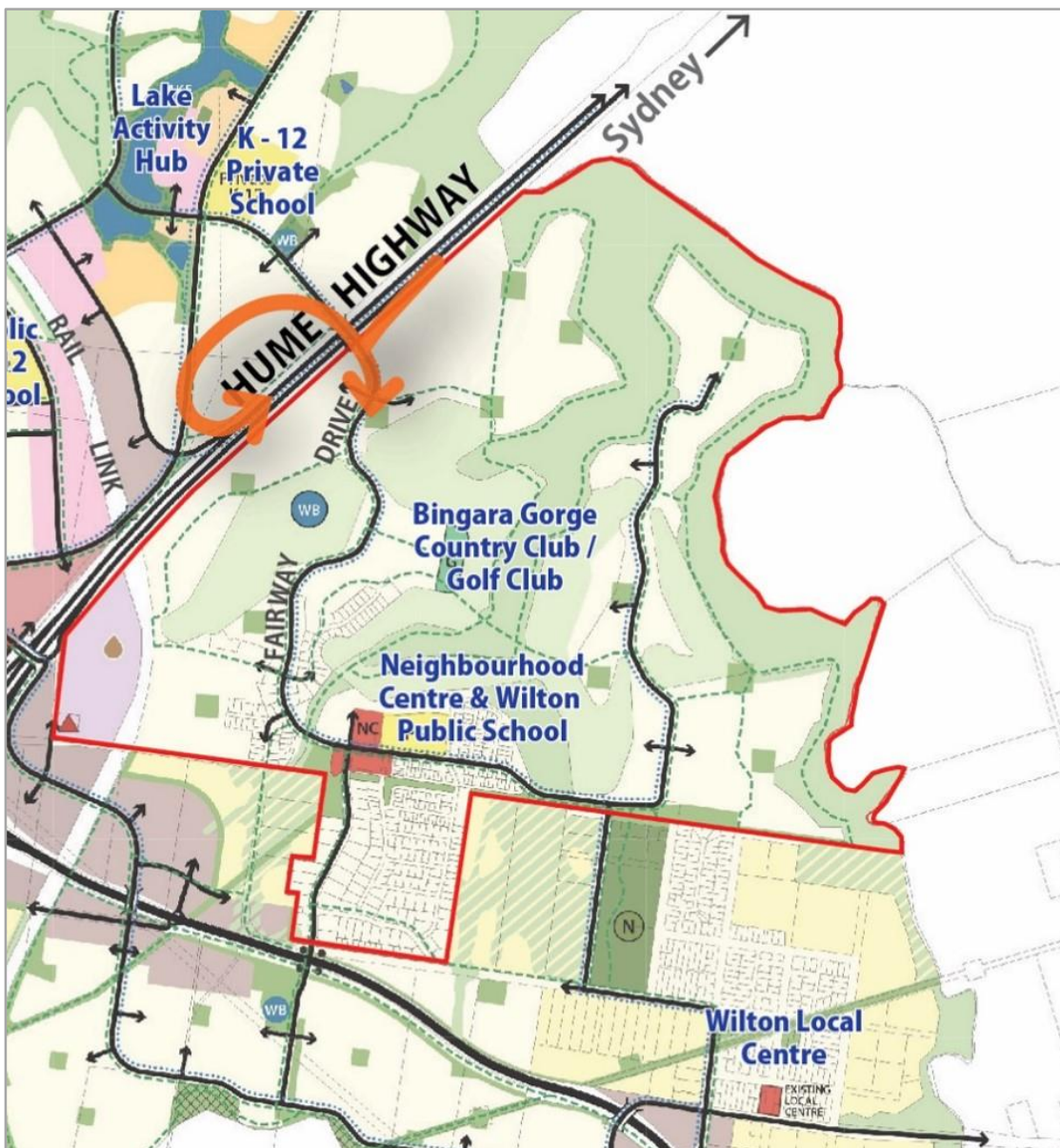
Infrastructure will be provided to support at least 5,400 new dwellings. It is noted that the other two major landowners (Walker Corporation and Governors Hill) will also have capacity to deliver major State infrastructure in the Wilton New Town. It is anticipated that the respective infrastructure items will be allocated as determined during the Wilton Junction Master Plan/rezoning process. It is expected that the smaller landholdings located within the Wilton PGA will contribute through the Special Infrastructure Contribution (SIC).

## 5.7 Direct Access Ramp

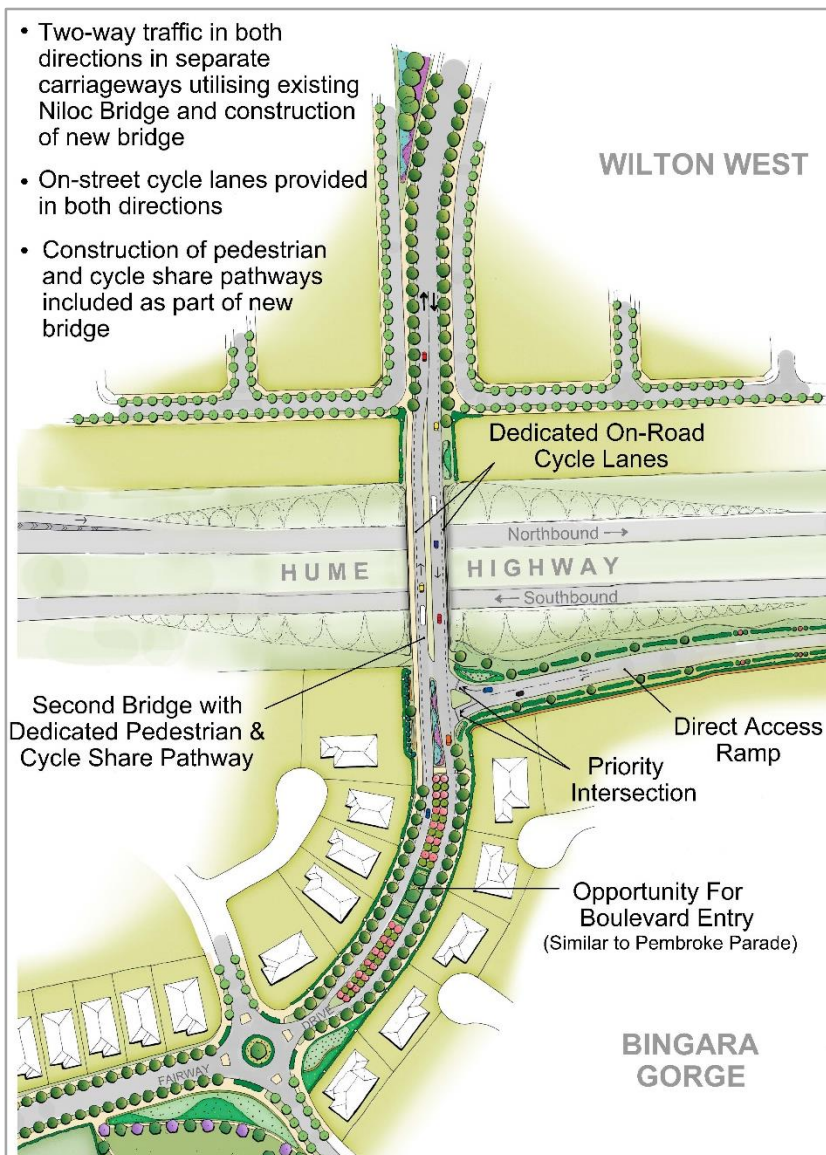
An opportunity exists to improve connectivity with Wilton New Town by incorporating an additional off-ramp from the Hume Highway that provide a direct access route to the northern urban areas of Bingara Gorge and Wilton West. The additional off-ramp from the Hume Highway has evolved out of the planning undertaken during the Wilton Junction planning process. The new direct access arrangement establishes a new strategic road connection directly off the Hume Highway that will reduce traffic on the exiting Hume Highway/Picton Road interchange and increase options for accessing Wilton West and the broader Wilton New Town.

The proposed on-ramp within Wilton West would also be delivered to ensure easy access back onto the Hume Highway in the northbound direction. This will deliver a well-connected road network that achieves a host of wide-ranging benefits to serve the Wilton New Town community as it grows. The key traffic connections off and on the Hume Highway are illustrated in **Figure 22**. A detailed concept plan of the direct access off-ramp is shown in **Figure 23**.

NSW Roads & Maritime Services (RMS) has reviewed the direct access ramp proposal and has advised in writing that they “have no in-principle objection, from a road design perspective, to the direct southbound exit ramp proposed to the north of the existing Niloc Bridge which crosses the Hume Motorway”. A copy of the correspondence from the RMS is include in **Appendix 6**. The RMS also requested that more detailed analysis will need to be completed and considered by relevant parties.



*Figure 22: Key Access Routes for Northern Wilton New Town*



**Figure 23: Direct Access Off-ramp Concept Plan**

The additional off-ramp will encourage early urban growth through the defined Wilton New Town to ensure the timely establishment of new services facilities and employment in Wilton New Town. Importantly, the direct access ramp is a key infrastructure item to drive the creation of new jobs in the locality.

Key benefits of the direct access ramp for the Wilton West, Bingara Gorge and broader Wilton New Town community include:

- More convenient and direct access for the northern portion of Wilton New Town residents from the Hume Highway.
- Improved community safety by providing access to Wilton New Town that is not shared with heavy vehicles and the 'free flow of freight.
- Reduced reliance and traffic volumes on the Hume Highway/Picton Road interchange and the ability to separate local traffic from Wilton New Town with heavy freight vehicles.
- Reduce traffic volumes on Picton Road and Pembroke Parade intersection.
- Substantial travel and time savings for existing and future residents within Wilton New Town.
- Improved capacity of the Picton Road/Hume Highway interchange and the local road network by better distributing traffic on the planned Wilton New Town road network.

## 5.8 Individual Voluntary Planning Agreement

An Individual Voluntary Planning Agreement (VPA) between the proponent and the State Government would formalise and safeguard the timely delivery of State infrastructure. Included in the VPA would be staging thresholds and appropriate guarantees to lockstep the provision of infrastructure with development.

The proponent is committed to enter into an Individual VPA as part of the rezoning that addresses the following:

- funding, schedule of works and timeframes,
- aligning the provision of State infrastructure with proportion of development, and
- establishment of an Environment Trust to support the conservation lands.

## 5.9 Minimising Infrastructure Risk

Various measures have been implemented between the major landowners to minimise the infrastructure risk to Government. Most significant is the allocation of State infrastructure items to individual landowners that is based on the nexus of the item with their respective projects. This will therefore avoid the interdependence between landowners/developers and minimises risk of delivery to Government.

A Risk Analysis and Contingency Plan relating to the Wilton West project is outlined below. The infrastructure items correspond with the infrastructure staging program, which sets development thresholds to infrastructure items.

**Table 4: Risk Analysis & Contingency Plan**

| Item  | Risk                       | Risk Protection  |
|---|----------------------------|--|
| 1. Hume Highway / Picton Road Interchange       | No pay                     | Appropriate guarantees from Walker and Bradcorp. To be provided on registration first lot by any of the three proponents. Reduces as payments made.  |
| 2. Northern Pedestrian Bridge over Hume Highway | Not proceeding             | No demand. No one else dependent.  |
| 3. Northern Ramps: northern on ramp             | Not proceeding             | Appropriate guarantee up to 750 lots. To be provided on registration first lot by any of the three proponents.   |
| 4. Northern Ramps: south off ramp               | Not proceeding             | Appropriate guarantee for bridge and off ramp after 750 lots.  |
| 5. Northern Ramps: bridge and traffic lights    | Not proceeding             | Appropriate guarantee for bridge and off ramp after 750 lots.  |
| 6. Public Primary School                        | Not proceeding             | Not necessary. No demand.  |
| 7. Public K-12 School (on Governors Hill site)  | Not proceeding/<br>delayed | Relocate to Bradcorp site when total development equals 5,000 dwellings. Unlikely to exceed 5,000 dwellings if Bradcorp and Governors Hill not proceeding. Not required until 6,000 dwellings (refer to Social Infrastructure Rezoning Assessment by Elton Consulting) |

With the Infrastructure Staging Schedule included in a VPA combined with Risk Analysis and Contingency Plan means that the proponent will have funded 70 percent of the State infrastructure costs at the registration of 1,250 residential allotments, which represents 23 percent of the Wilton West development. In the event that the Public K-12 school is included into the proponent's project because others are not developing, then the proponent will have funded 90 percent of the State infrastructure.

At every stage of the development the funding of State infrastructure is significantly forward of the demand generated by the new urban growth and this is secured in a legally binding agreement. Therefore, it can be assured that infrastructure delivery and 'at no additional cost to Government' imperatives are met with no risk to Government. This can only be guaranteed with the rezoning of the whole Bradcorp landholding to enable residential development across the whole site as per the Master Plan (refer **Figure 16**).

## 5.10 Resolution of Co-existence with Mining

There are areas below the surface that have been identified for longwall coal mining, which is programed to commence in 25 to 30 years. The Minister for Planning has written to Bradcorp advising that the Department of Planning & Environment is working with other government agencies to establish an approach to the coexistence of mining and urban development (refer **Appendix 2**).

The Greater Macarthur Land Release Investigation included investigation into sub-surface mining activities. The Resource / Mining Framework Report by AgEconPlus Consulting prepared for the Department of Planning & Environment, indicated that;

*"In the longer term, 15-30 years, the certainty that mining will occur in a particular geometry or that a particular mine will continue to be operational tends to reduce because exploration activities are yet to be fully completed and the mine plans tend to be largely conceptual. Even though approval to mine has been granted, such approval does not guarantee an operation will remain viable. When this lack of certainty is coupled with the costs of delaying surface development, the argument for forestalling surface development to accommodate future mining becomes less convincing."*

The mining report is clear that mining beyond 25 years should not preclude urban development in affected areas, such as Wilton West. However, there is a need to plan for mining to exist with urban development on the surface.

South 32 currently holds the mining rights to extract coal directly below a portion of the Wilton West landholding. The method of extraction is by a sub-surface longwall operation. Whilst the area within Wilton West that is subject to South 32's mining plans has substantially reduced recently, a smaller portion of the subject site remains subject to sub-surface longwall mining. The main impact on urban development is that it needs to be designed to withstand any subsidence impacts that may result for the sub-surface mining.

It has been demonstrated that sub-surface longwall mining and urban development on the surface can co-exist. Co-existence of sub-surface mining and urban development requires that development on the surface adopts a higher standard of design specification to withstand the extent of subsidence that could occur as a consequence of the mining below. To determine the design specifications, site specific investigations need to be undertaken to ensure the urban development can be constructed to the necessary standards to alleviate impacts from subsidence. This more detailed analysis is being progressed at present to ensure mining does not inhibit urban development.

In accordance with the Greater Macarthur Land Release Investigation, steps to progress the rezoning and coexistence with mining are outlined below.

### Rezoning Pathway Steps

The following sections relate to the process promoted in relation to coal mining outlined on page 8 of the GMLRI Delivery Pathway Section of the Preliminary Strategy & Action Plan.

#### 1. Planning for early Exploration and Resource Extraction

No easements or covenants are required. The only consent that is required is from the landowner, which in the case of Bradcorp, consent has already been granted and exploration commenced by BHP Billiton. A staging proposal for completion of exploration is included in reports previously provided to Government.

Surface gas drainage infrastructure can be located remotely from the urban development area within lands owned by South 32 along the western boundary of Bradcorp's land, which is identified in the GMLRI documentation as being for employment land uses. The location of surface vent infrastructure in this location will serve any mining operations irrespective of any proposed future mine plan.

Accordingly, the need for endorsement for covenants and/or easements is superfluous.

#### 2. Building Design Standards

Section 2 of the Pathway Steps on page 8 of the Preliminary Strategy & Action Plan relates to building design standards and compliance regimes and establishes how the subsidence impacts on the proposed development at Wilton Junction can be minimised.



The MSB has existing design guidelines for residential development titled “Graduated Guidelines for Residential Construction (New South Wales)” and apply throughout proclaimed mine subsidence areas - these guidelines will also apply at Wilton.

In relation to non-residential land uses, guidelines need to be implemented to require that buildings be designed and construction supervised to provide for mine subsidence parameters of tilt, strain and curvature by relevant professional experts.

The MSB can determine the design requirements and provide subsidence parameters to the developers to ensure that the designs are able to accommodate subsidence movements with minimal impact. The designs of all buildings, structures and services within a Mine Subsidence District require the approval of the Mine Subsidence Board before construction can commence.

In relation to design parameters for non-residential buildings the MSB and Department of Mineral Resources has already adopted these parameters for the long walls for Wilton Junction.

The problems of managing the impacts are significantly reduced when the building structures and associated items of infrastructure are designed to accommodate subsidence movements. In addition to design measures, construction of the development need to be carefully controlled to ensure that the building structures and associated items of infrastructure are built in accordance with the designs.

To meet these challenges, surface development will comply with the requirements of Section 2 of the Pathway Steps relates to building design standards and compliance regimes.

### 3. Long Term Urban Land Release Sequencing Plan

The preparation of a Long Term Sequencing Plan for both the urban land release and approved resource extraction operations is irrelevant, in the circumstances where urban development precedes mining. Other landowners affected by mining will need to address the pathway step requirements independently, especially as they relate to the communication strategy applying to those owners.

### 4. Communications Strategy

A Communications Strategy for Mine Subsidence has been created by the Wilton Junction proponents and has been previously submitted to the Government. The Strategy meets the conditions of the Rezoning Pathway Steps for the Wilton Priority Growth Area by setting out actions to inform all potential purchasers of residential, commercial and retail buildings of future mining in the area and what this means for them.

# Part 2 – PLANNING PROPOSAL

## 1 OBJECTIVES OR INTENDED OUTCOMES

### 1.1 Explanation of Objectives and Intended Outcomes

The primary objective of this planning proposal is:

To amend the *Wollondilly Local Environmental Plan 2011* to enable urban development of rural land to create a new self-contained community comprising business activities, neighbourhood centres, private and public schools, a range of residential housing (detached housing, the 'missing middle' and apartments), sporting facilities and local parks, major infrastructure, and the conservation of a substantial area of existing natural bushland.

The Wilton West site comprises the entire north western portion of the Wilton Priority Growth Area and rezoning the site will make a significant contribution to the delivery of Wilton New Town. The proposal is therefore fundamental in achieving the NSW Government's objectives for urban growth in South West Sydney.

The Wilton West Precinct Indicative Layout Plan prepared for the site translates the objectives and intended outcomes of the proposal by identifying land uses and the road network (refer to **Figure 24**) to inform the rezoning. The Precinct Indicative Layout Plan promotes a sustainable and liveable community with a range of land uses incorporating business, residential, education, employment, mixed uses and open space.

The Precinct Indicative Layout Plan provides for residential land uses to support around 5,400 new homes. Given the scale of the site it has capacity to accommodate approximately a third of the new population forecast for Wilton New Town by the Department of Planning & Environment. The proposal incorporates low density residential and medium density residential land uses to promote housing diversity. Medium density land uses are located in areas of higher amenity in close proximity to transport corridors, mixed use and commercial zones, community facilities and the Lakeside Activity Hub.

The objectives and intended outcomes of this rezoning proposal uphold the strategic plans and projections for the Wilton Priority Growth Area and will result in the extensive advancement of urban development and housing supply within the region, as anticipated by *A Plan for Growing Sydney*.

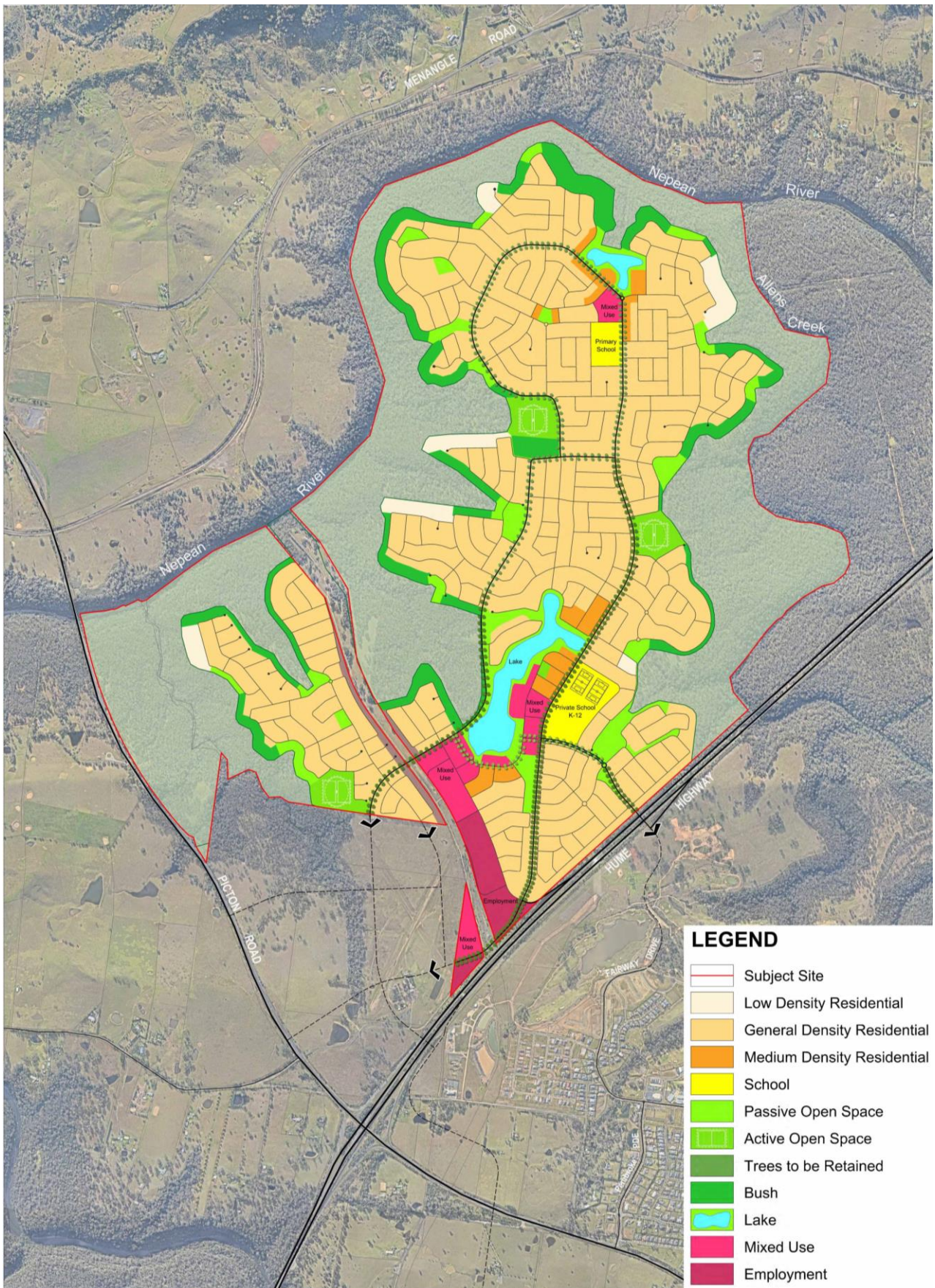


Figure 24: Proposed Precinct Indicative Layout Plan

## 2 EXPLANATION OF PROVISIONS

Wilton has been declared a Priority Growth Area under the Growth Centres SEPP. The *Wollondilly Local Environmental Plan 2011* is the Environmental Planning Instrument that applies the land use zoning to the site. The proposal will rezone the land under Wollondilly LEP 2011 through an amendment facilitated through *State Environmental Planning Policy (Sydney Growth Centres) 2006*.

### 2.1 Proposed Modifications to the Wollondilly LEP 2011

To achieve the proposed outcomes, the Planning Proposal seeks to include new planning controls and maps for the subject site under Wollondilly LEP 2011. In summary, the proposed outcomes will be achieved by amending the Wollondilly LEP 2011 as follows:

- Introduce a new Standard Template zone of 'R1 General Residential Zone' to Wollondilly LEP 2011 (refer Section 2.1.1).
- Rezoning the site 'R1 General Residential Zone', 'B4 Mixed Use Zone', 'B5 Business Development Zone' and 'SP2 Infrastructure Zone' (refer Section 2.1.3).
- Amendments to LEP maps affecting the site as in **Table 5** with proposed mapping details outlined in **Figures 24 – 29** (refer Section 2.1.3).

**Table 5: LEP Map Amendment Summary**

| Map  | Summary of Changes   |
|--|--|
| <i>Land Zoning Map (Sheet LZN_011B and Sheet LZN_011C)</i>         | <ul style="list-style-type: none"> <li>● Amend current zoning of RU2 Rural landscape to adopt R1 General Residential for all areas except business zones.</li> <li>● Amend current zoning of RU2 Rural landscape to reflect B4 Mixed Use and B5 Business Development land.</li> <li>● Amend current zoning of RU2 Rural landscape to reflect SP2 Infrastructure Zone.</li> </ul> |
| <i>Minimum Lot Size Map (Sheet LSZ_011B and Sheet LSZ_011C)</i>    | <ul style="list-style-type: none"> <li>● Adjust minimum lot size boundaries to reflect proposed R1 Zone and apply 400m<sup>2</sup> minimum lot size standard.</li> </ul>   |
| <i>Height of Buildings Map (Sheet HOB_011B and Sheet HOB_011C)</i> | <ul style="list-style-type: none"> <li>● Include building height maximum to reflect proposed R1 Zone and apply 9.5 metre height standards for two storey development.</li> </ul>   |
| <i>Urban Release Area Map (URA 011)</i>                            | <ul style="list-style-type: none"> <li>● Include site as 'Urban Release Area'.</li> </ul>  |
| <i>Natural Resources Biodiversity Map (Sheet NRB 011)</i>          | <ul style="list-style-type: none"> <li>● Include sensitive land areas on bushland portion of site.</li> </ul>  |
| <i>Land Reservation Acquisition Map (Sheet LRA 011C)</i>           | <ul style="list-style-type: none"> <li>● Include Sheet 11C for Land Reservation Acquisition Map set and include SP2 Infrastructure Zone area in Map.</li> </ul>  |
| <i>Additional Permitted Uses Map (Sheet APU_011B)</i>              | <ul style="list-style-type: none"> <li>● Amend Existing map to incorporate land surrounding the Lakeside Activity Hub as per the proposed Additional Permitted Uses Map.</li> </ul>  |

- Modification to the permissible uses in Land Use Table for the B5 Business Development Zone (refer Section 2.1.2).
- Amendments to clauses and text in Wollondilly LEP 2011 by including provisions for the following (refer Section 2.1.2):
  - exceptions to minimum lot sizes,
  - height of buildings
  - types of subdivision not requiring consent
  - co-existence with mining, and
  - development adjacent the Maldon Dombarton Rail Link.

## 2.1.1 Introduce R1 General Residential Zone into LEP

Wollondilly LEP 2011 currently does not include the R1 General Residential zone, which is a 'residential' zone defined in The Standard Instrument. The Department of Planning & Environment's LEP practice note PN-002 describes The R1 General Residential Zone as follows:

*This zone is to provide for a broad variety of residential densities and housing types, including 'dwelling houses,' 'multi-dwelling housing,' 'residential flat buildings,' 'boarding houses' and 'seniors housing'. The zone also includes additional uses that provide facilities or services to residents, including 'neighbourhood shops,' 'community facilities,' 'child care centres' and 'respite day care centres.'*

The R1 zone is the most appropriate zone to provide a diverse range of housing options within Wilton Growth Area. This will provide greater flexibility at the detailed design stage with the delivery of a diverse range of housing, open spaces and other complementary residential uses. The zone will also allow for the provision of other land uses within residential areas which help to promote growth and sustainable neighbourhoods by servicing the local community.

## 2.1.2 Amendments to LEP Text

### 2.1.2.1 LAND USE TABLE

#### ***R1 General Residential Zone***

The R1 General Residential Zone requires objectives and permissible/prohibited uses to be included to the LEP to complete the introduction of the new zone.

It is proposed that a complete section for the R1 Zone be inserted to the Land use table as follows:

#### ***R1 GENERAL RESIDENTIAL***

##### *1 Objectives of zone*

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

##### *2 Permitted without consent*

*Home occupations*

##### *3 Permitted with consent*

*Attached dwellings; Advertising structure; Boarding houses; Boat launching ramps; Boat sheds; Child care centres; Community facilities; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Group homes; Home business; Home business (sex services); Home industry; Home-based child care; Hostels; Information and education facilities; Jetties; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (outdoor); Residential accommodation; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Sewerage systems; Shop top housing; Signage; Tourist and visitor accommodation; Water recreation structures; Water supply systems; Wharf or boating facilities; Any other development not specified in item 2 or 4*

#### 4 Prohibited

*Agriculture; Air transport facilities; Commercial premises; Cemeteries; Depots; Entertainment Facilities; Freight transport facilities; Function centres (other than those within recreation areas or operated in conjunction with recreation areas or recreation facilities); Heavy industrial storage establishments; Industries; Mortuaries; Passenger transport facilities; Public administration buildings; Registered clubs; Restricted premises; Restriction facilities; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wholesale supplies.*

#### **B5 Business Development Zone**

Additional land use definitions being proposed for the B5 Business Development Zone. The Department's LEP practice note PN-002 describes The B5 Business Zone as follows:

*This zone is to provide for business, warehouse and bulky goods retail uses that require a large floor area, in locations that are close to, and that support the viability of, centres. This zone provides for employment generating uses such as 'warehouses or distribution centres,' 'bulky goods premises,' 'hardware and building supplies,' 'landscaping material supplies' and 'garden centres.'*

The inclusion of new uses as being permissible with consent under the B5 Zone will enable a broader range of employment generating activities and provide for a broader range of local services. The inclusion of an objective that promotes the Town Centre

It is proposed that the R5 Zone section of the Land use table be replaced with the following text:

#### **B5 BUSINESS DEVELOPMENT**

##### *Zone B5 Business Development*

##### *1 Objectives of zone*

- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To maintain the economic strength of centres by limiting retail activity.*
- *To provide a mixture of compatible land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

##### *2 Permitted without consent*

*Nil*

##### *3 Permitted with consent*

*Amusement centres; Boat building and repair facilities; Business premises; Car parks; Community facilities; Depots; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Food and drink premises; Freight transport facilities; Function centres; Garden centres; High technology industry; Highway service centres; Hotel or motel accommodation; Information and education facilities; Office premises; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Service stations; Sewerage systems; Signage; Storage premises; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Water recycling facilities; Water supply systems; Any other development not specified in item 2 or 4.*

#### 4 Prohibited

*Agriculture; Airstrips; Air transport facilities; Animal boarding and training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Car parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoriums; Eco-tourist facilities; Electricity generating works; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Home-based child care; Home businesses; Home occupations; Home occupation (sex services); Industries; Information and education facilities; Jetties; Marinas; Moorings; Mooring pens; Mortuaries; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Sewerage systems; Sex service premises; Shops; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities*

#### 2.1.2.2 RETAIL

To achieve and maintain the retail hierarchy established within Council, it is proposed to include the following objective into the B4 Zone section of the Land use table:

- *To ensure that the scale of retail development does not impact on the hierarchy of retail centres within the Zone B2 Local Centre.*

#### 2.1.2.3 EXCEPTIONS TO MINIMUM LOT SIZES

It is proposed to provide exclusions to the minimum lot sizes depicted on the Minimum Lot Size Map for some types of residential development. Residential development that is located in areas that achieve higher levels of amenity, such as opposite open space or close to local services, may reduce the minimum lot size in the R1 General Residential Zone. The proposed provisions establish the alternative minimum lot sizes for the respective types of residential development and the locational criteria which is determined by distance.

##### **4.1C Exceptions to minimum lot sizes for certain residential development within Zone R1 General Residential**

- (1) *The objective of this clause is to encourage greater housing diversity in Zone R1 General Residential by allowing denser forms of housing, in particular small lot housing, in areas of high residential amenity.*
- (2) *Subject to sub clause (4), development consent may be granted for development on a lot within the Zone R1 General Residential for any of the following purposes if the area of the lot is equal to or greater than the area specified below in relation to those purposes:*
  - (a) *Dual occupancy – 600 square metres*
  - (b) *Attached dwelling – 125 square metres*
  - (c) *Semi-detached dwelling – 125 square metres*
  - (d) *Multi dwelling housing – 600 square metres*
  - (e) *Residential flat building – 1000 square metres.*
- (3) *Despite clause 4.1 and subject to sub clause (4), development consent may be granted for the subdivision of a lot on which residential development is proposed to be carried out if the area of each resulting lot is at least the minimum area for that purpose specified below:*
  - (a) *Dwelling house – 250 square metres*
  - (b) *Dual occupancy – 300 square metres*
  - (c) *Semi-detached dwelling – 125 square metres*
  - (d) *Attached dwelling – 125 square metres.*

- (4) *The primary frontage of any development to which this clause applies must comply with at least one of the following:*
- (a) *Within 200 metres of Zone B2 Local Centre*
  - (b) *Within 200 metres of Zone B4 Mixed Use*
  - (c) *Within 200 metres of a neighbourhood shop*
  - (d) *Within 200 metres of a recreation area.*

It is proposed to include minimum lot sizes standards for residential uses for the B4 Mixed Use Zone in clauses and not annotate the Minimum Lot Size Map. The minimum lot sizes for residential development allow small lot residential development as encouraged within the mixed use zone.

***4.1AB Minimum lot sizes for dwelling houses, dual occupancies, attached dwellings, multi dwelling housing and residential flat buildings in Zone B4 Mixed Use.***

- (1) *The objective of this clause is to ensure that the minimum size of lots for dwelling houses, dual occupancies, multi dwelling housing and residential flat buildings in Zone B4 Mixed Use are sufficient for the provision of usable areas for buildings and open space.*
- (2) *Development must not be carried out on a lot within Zone B4 Mixed Use for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes:*
- (a) *Dwelling house – 250 square metres*
  - (b) *Dual occupancy – 600 square metres*
  - (c) *Attached dwelling – 125 square metres*
  - (d) *Semi-detached dwelling – 125 square metres*
  - (e) *Multi dwelling housing – 600 square metres*
  - (f) *Residential flat building – 1000 square metres.*

#### **2.1.2.4 HEIGHT OF BUILDINGS**

The Wollondilly LEP currently does not apply a maximum building height for the subject site. It is proposed to include a maximum building heights for the residential areas, which typically allows two-storey development, and a different building height for the business/mixed use/commercial areas that enables more elevated buildings and structures that is more typical for this type of development. Both of these height standards will be represented on the Height of Buildings Map. It is also proposed to insert an additional clause specific to residential flat buildings that allows building height to exceed the mapped height limits. The provisions include location criteria and amenity considerations to ensure that any residential flat buildings that are over the mapped height limits will not have an adverse impact on others.

The proposed additional subclauses (3) and (4) is recommended to be included under Clause 4.3 Height of Buildings:

***Clause 4.3 Height of Buildings***

- (3) *The consent authority may grant development consent for development for the purpose of residential flat buildings on land within Zone R1 General Residential that exceeds 9.5m in height above finished ground level, if the consent authority is satisfied that the development:*
- (a) *Is located within 200 metres of:*
    - (i) *Zone B2 Local Centre*
    - (ii) *Zone B4 Mixed Use*
    - (iii) *Neighbourhood Shop;*
    - (iv) *Recreation Area.*



*(b) is not likely to have an adverse impact on the existing or future amenity of any adjoining land on which residential development is permitted, having regard to over shadowing, visual impact and any impact on privacy.*

- (4) *The consent authority may grant development consent for development for the purpose of residential flat buildings on land within Zone B4 Mixed Use that exceeds 12m in height above finished ground level, if the consent authority is satisfied that the development is not likely to have an adverse impact on the existing or future amenity of any adjoining land on which residential development is permitted, having regard to over shadowing, visual impact and any impact on privacy.*

#### **2.1.2.5 SUBDIVISION CONSENT APPROVAL**

It is proposed to allow some types of subdivision to be permitted without requiring consent. As it is expected there will be a significant number of Development Applications during the early stages of the Wilton New Town, it is proposed to include provisions that allow some types of subdivision which will not impose any significant environmental impact. This will also allow Council to better manage its resources for undertaking assessments for the Wilton New Town area. The proposed clause is to be included under Clause 2.6 Subdivision:

##### ***Clause 2.6 Subdivision – consent requirements***

- (3) *However, consent is not required for a subdivision for the purposes only of any one or more of the following:*
- (a) *Widening a public road.*
  - (b) *A minor realignment of boundaries:*
    - (i) *That will not create additional lots or the opportunity for additional dwellings*
    - (ii) *That will not result in one or more lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned (unless the original lot or lots are already smaller than the minimum size)*
    - (iii) *That will not adversely affect the provision of existing services on a lot*
    - (iv) *That will not result in any increased bush fire risk to existing buildings.*
  - (c) *A consolidation of lots that does not create additional lots or the opportunity for additional dwellings.*
  - (d) *Rectifying an encroachment on a lot.*
  - (e) *Creating a public reserve.*
  - (f) *Excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public conveniences.*

#### **2.1.2.6 SATISFACTORY ARRANGEMENTS FOR STATE INFRASTRUCTURE**

Clause 6.1 requires satisfactory arrangements being made for the provision of State infrastructure and certification by the Secretary of the Department of Planning & Environment before subdivision can proceed in an urban release area. The area identified as 'Wilton West' will need to be referenced in the clause and included on the Urban Release Areas Map. The proposed amended text for subclause (2) in Clause 6.1 Arrangements for designated State public infrastructure:

##### ***6.1 Arrangements for designated State public infrastructure***

- (2) *Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before:*
- (a) *in relation to land shown as "Silverdale" on the Urban Release Area Map—16 September 2005, or*
  - (b) *in relation to land shown as "Wilton" on the Urban Release Area Map—23 February 2007, or*
  - (c) *in relation to land shown as "Wilton West" on the Urban Release Area Map—<<insert date>>, or*

(d) *in relation to any other land—the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.*

### 2.1.2.7 DEVELOPMENT SURROUNDING MALDON DOMBARTON RAIL LINK

The Maldon Dombarton Rail Link (MDRL) reserve traverses the site and physical works have partially commenced but have been deferred some many years. Whilst The MDRL is currently on hold it is proposed to include additional provisions within the LEP to ensure surrounding development and sensitive users with the site are not impacted by the rail operations if they eventuate in the future. The following text is proposed under Part 7 Additional Provisions:

#### ***Clause 7.7 Development or land within or adjacent to MDRL***

- (1) *This clause applies to development that is on land in or adjacent to MDRL and that the consent authority considers is likely to be adversely affected by rail noise or vibration.*
- (2) *Before granting development consent for development on land to which this clause applies, the consent authority must consider the following matters:*
  - (a) *If the development is for the purposes of residential accommodation – the impact of noise and vibration associated with the operation of the railway line would have on the development,*
  - (b) *Any proposed measures incorporated into the development that limit the impact of such noise and vibrations associated with the railway line.*
- (3) *All buildings containing residential accommodation or sensitive uses shall have a minimum setback of 60 metres from a rail line, and shall be designed and constructed to mitigate rail noise and vibration impacts associated with the operation of the railway line.*
- (4) *Before granting development consent for the development of buildings containing residential accommodation or sensitive uses, Council, in liaison with Transport for NSW, can reduce the minimum setback as outlined in subclause (3), provided that rail noise and vibration mitigation measures have demonstrated the impact is minimised.*

### 2.1.2.8 ADDITIONAL PERMITTED USES

#### ***Lakeside Activity Hub***

The proposed masterplan includes a Lakeside Activity Hub which adjoins land zoned B4 Mixed Use. Under the provisions of the LEP certain watercraft and water facilities are prohibited. It is proposed that these uses be included as an additional permitted use specific to this area to allow for the greater enjoyment and utilisation of this area by the community. An additional map has also been proposed to support this clause.

The following text is recommended to be included under Schedule 1 of the LEP:

#### ***Schedule 1 Additional permitted used***

##### ***9 Use of certain land at Wilton West in Zone B4 Mixed Use***

- (1) *This clause applies to land identified within the Zone B4 Mixed Use and is located adjacent to the lake, being Pt. Lot 2 DP 702024.*
- (2) *Development for the purposes of boat sheds*

### 2.1.3 Proposed Mapping for LEP

The proposed mapping for the Wollondilly LEP 2011 is outlined in **Figures 25 – 31**.

## Land Use Zoning Map

The entire site is currently zoned RU2 Landscape under the Wollondilly LEP 2011. The proposed changes to the land use zoning map is rezone all non-employment areas R1 General Residential Zone. The local activity centres are to be rezoned B4 Mixed Use to facilitate the establishment of the employment generating uses and local services for the future community. An area of B5 Business Development is proposed adjacent to the Maldon Dombarton Railway Link to provide for larger format commercial activities. The land use zoning is consistent with the Master Plan included in this proposal.

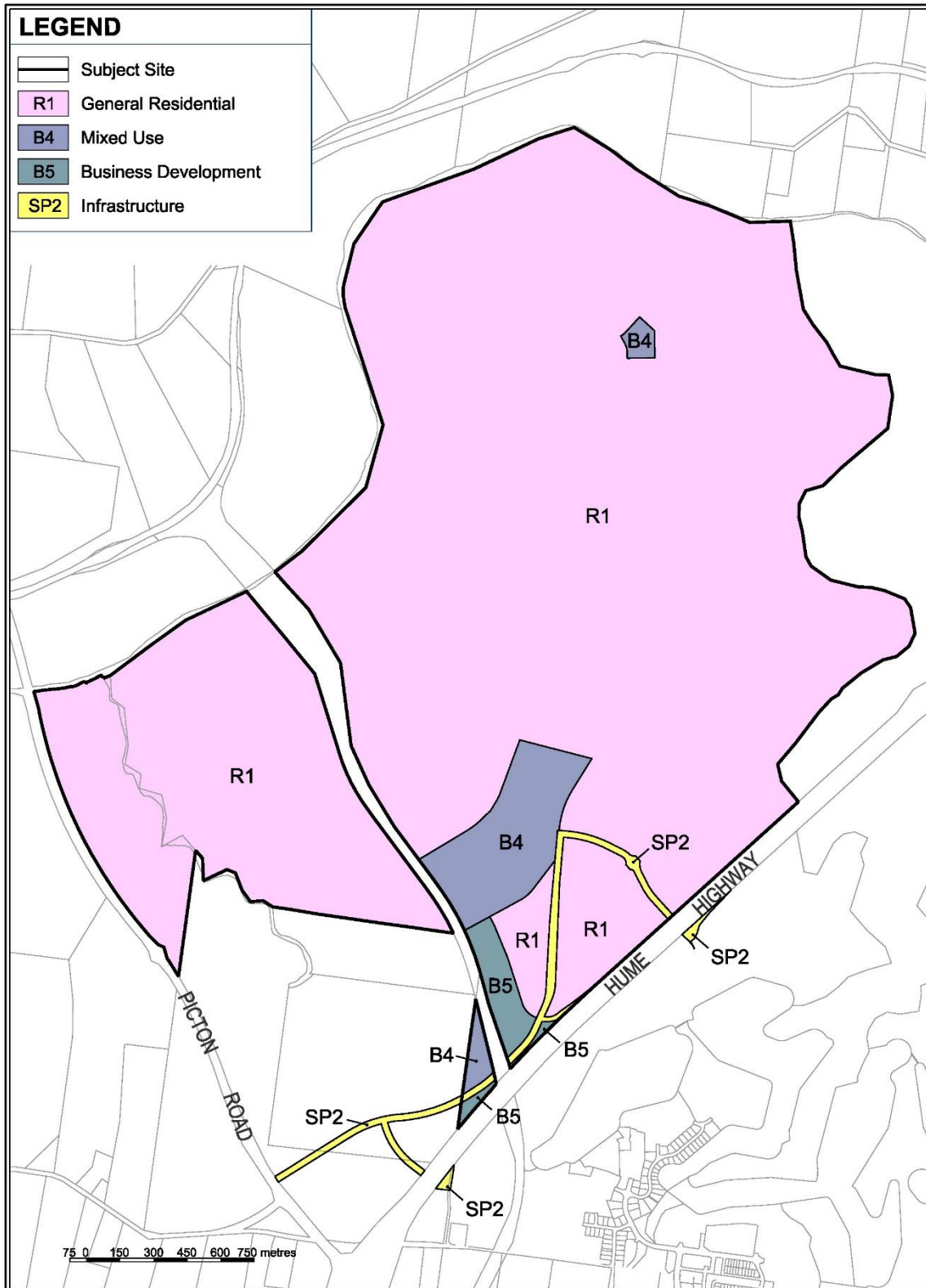


Figure 25: Proposed Land Use Zoning Map

## Lot Size Map

A minimum lot size of 40ha currently applies to the site. It is proposed to apply a minimum lot size standard of 400m<sup>2</sup> to the residential subdivision in R1 Zone areas as a general provision. This will be complemented by exceptions to minimum lot size standards for higher density forms of residential development based on specific criteria relating to location to services, open space and amenity.

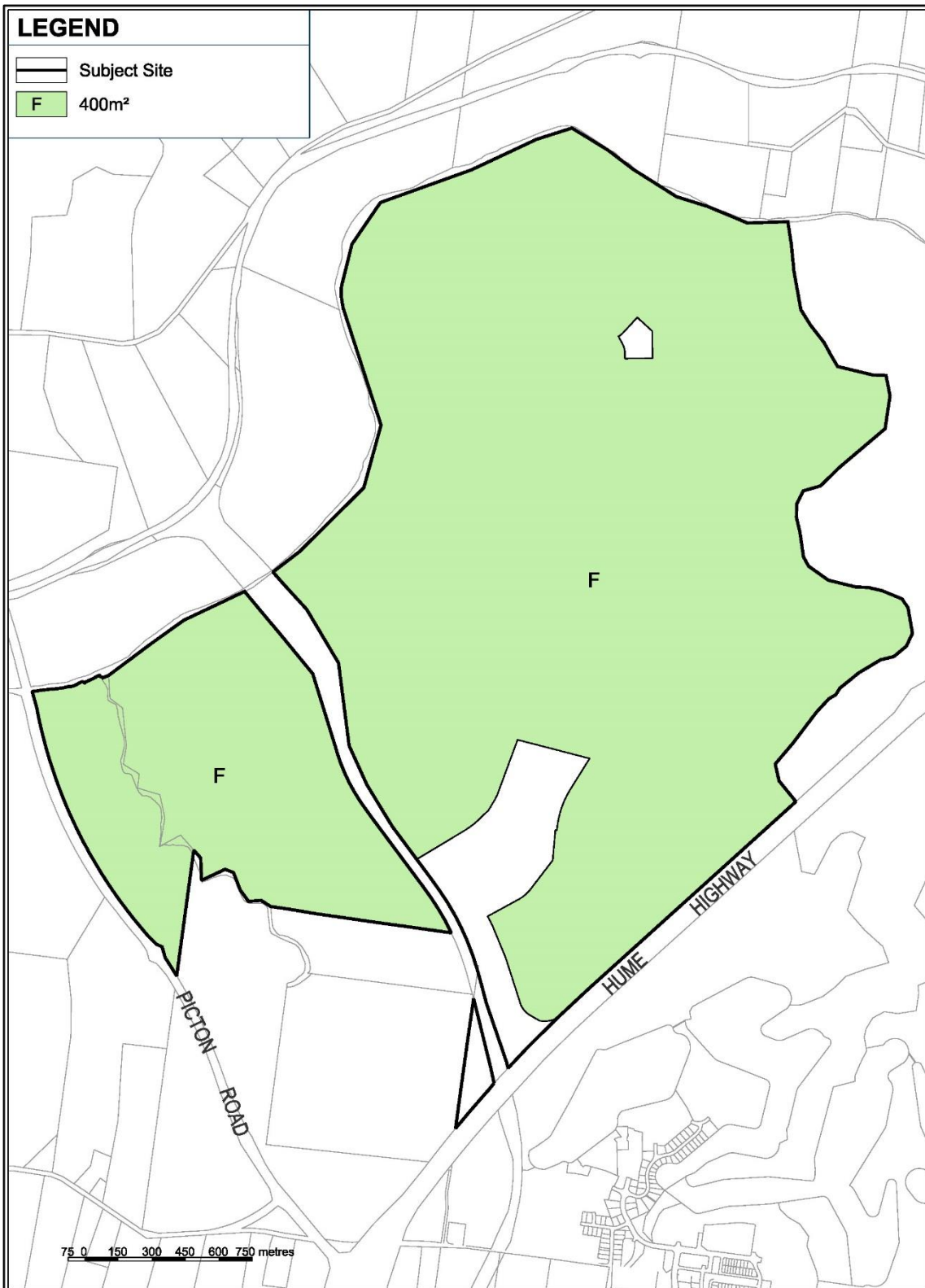


Figure 26: Proposed Lot Size Map

## Height of Buildings Map

Currently there are no building height standards applying to the site. It is proposed to set a maximum building height of 9.5 metres in the R1 Zone areas with an exception for residential flat buildings to have a maximum building height of 12 metres. In the mixed used and business development it is proposed to set a maximum building height of 12 metres.

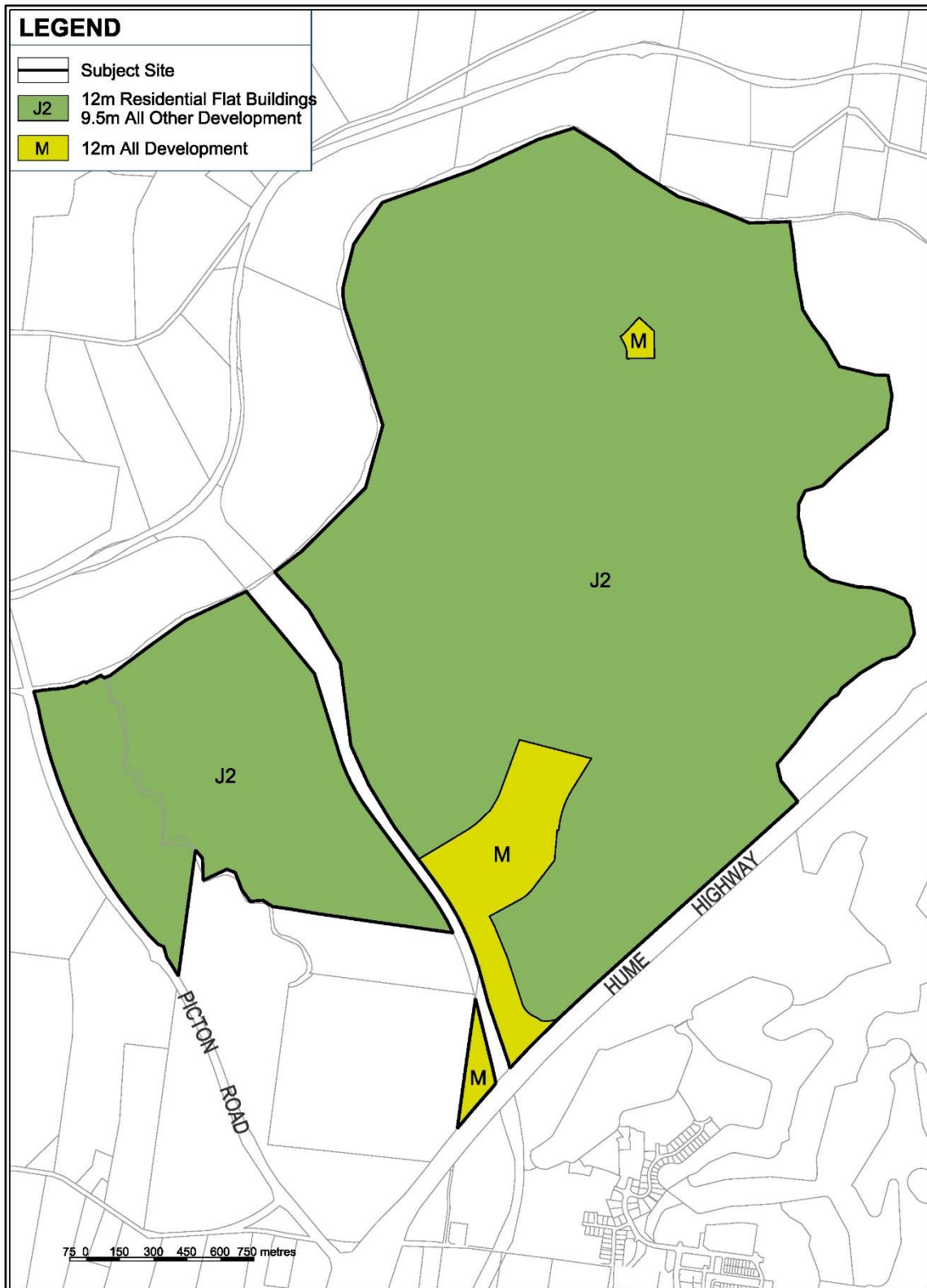


Figure 27: Proposed Height of Buildings Map

## Urban Release Area Map

The Urban Release Area Map is to be amended to include the site as a release area in the LEP.

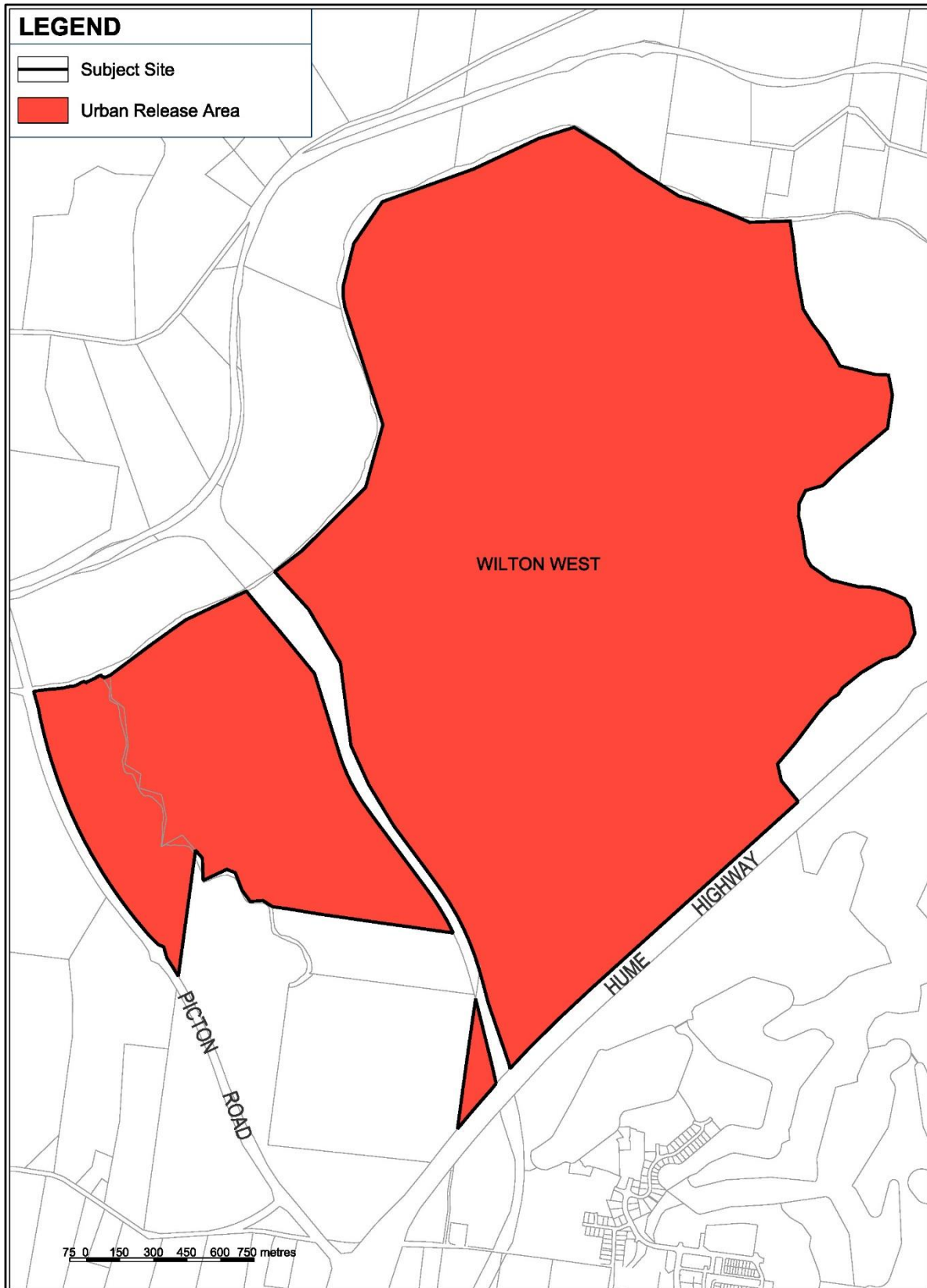


Figure 28: Proposed Urban Release Area Map

## Natural Resources Biodiversity Map

The subject site is not identified with a biodiversity layer under the Wollondilly LEP. The proposed amendment will protect the bushland areas of the site under the LEP as has been established in the technical studies to support this proposal. It is proposed to amend the existing Biodiversity Map to assist in the conservation of this area and ensure future development of the subject site considers the potential ecological value of the surrounding area.



Figure 29: Proposed Natural Resources - Biodiversity Map

## Land Reservation Acquisition Map

The proposed amendment to the Land Reservation Acquisition Map is consistent with the SP2 Infrastructure Zone in the Land Use Zoning Map.



Figure 30: Proposed Land Reservation Acquisition Map



### Additional Permitted Land Uses Map

As outlined in section 2.1.2.7 Additional Permitted Uses, the existing map is proposed to be amended to support additional watercraft and water facilities on the lake and surrounds.



Figure 31: Proposed Additional Permitted Land Zoning Map

### 3 JUSTIFICATION

#### 3.1 Section A – Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The NSW Government has recognised the Greater Macarthur Region as an area for new urban growth in South West Sydney and Wilton New Town as new self-contained community.

In September 2015 the NSW Government released the Greater Macarthur Land Release Investigation, which included various specialist investigations to support urban growth. The investigations identified immediate opportunities to release and rezone land in Menangle Park and Mount Gilead and in a new town at Wilton for urban development. The activation of these areas were identified as capable of delivering up to 35,000 home sites. The Preliminary Strategy & Action Plan identified Menangle Park and Mount Gilead as an immediate action area forecast for the delivery of new housing by the end of 2017, with Wilton to immediately follow.

Following public exhibition and review for the Greater Macarthur Investigation Area package, the Wilton Priority Growth Area was declared under the Growth Centres SEPP to establish a 'New Town' Wilton on 29 July 2016.

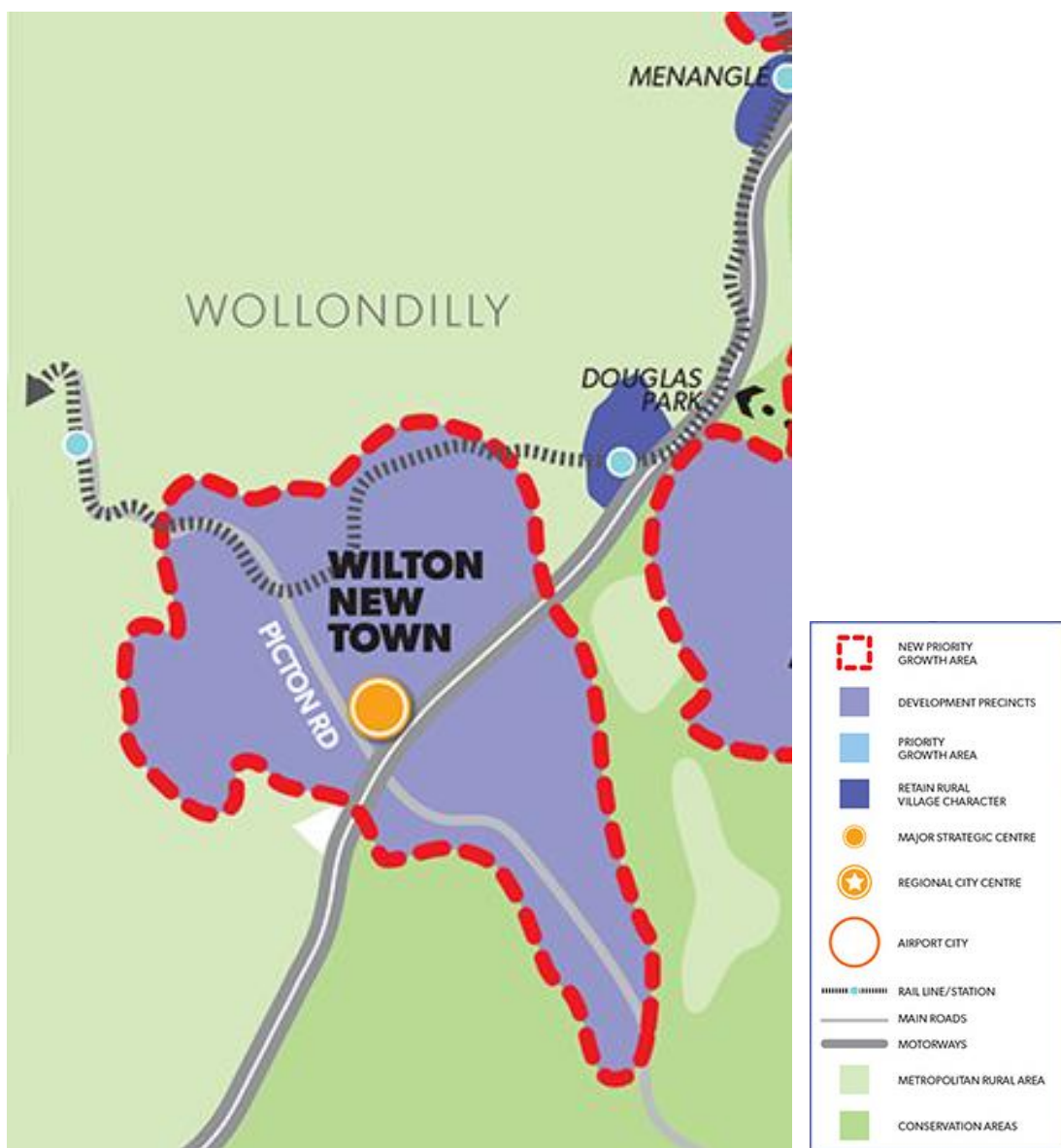


Figure 32: Wilton Priority Growth Area for Wilton New Town (Source: [www.planning.nsw.com.au](http://www.planning.nsw.com.au))

The release identifies Wilton New Town as ready to deliver homes by early 2018, with residents and local services to be provided “within each neighbourhood and roads upgraded in tandem with development.”

The Government has released a community update Greater Macarthur & Wilton 2016 and Beyond which forecasts the delivery of homes within Wilton by early 2018, with residents by late 2018. The NSW Government establishes the vision for Wilton as:

*“We’ll enable places for families to thrive, the environment to be protected and business to flourish. Communities will be great places to live and work. Infrastructure for new areas will be supplied at no additional cost to government.”*

**(Greater Macarthur & Wilton: 2016 and Beyond, NSW Department of Planning & Environment)**

The proponent of this Planning Proposal share the NSW Government’s vision for their landholding to create a place where people want to live and work that adopts ‘Garden City’ principles and conservation of the environmental qualities of the site.

The NSW Government has undertaken substantial strategic planning and investigations to determine the suitability and capability for urban development in the Wilton Priority Growth Area to create Wilton New Town. The proposed rezoning is as a response to the strategic planning and studies undertaken by the NSW Government to ensure the proper and orderly planning for urban development.

This Planning Proposal is entirely consistent with the Government’s vision and the strategic planning undertaken for the locality.

## **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Rezoning the land for urban development to create Wilton New Town is the only way of achieving the outcomes in this Planning Proposal.

This Planning Proposal seeks to rezone land within the Wilton Priority Growth Area for urban and residential development under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The NSW Minister for Planning published an amendment to the State Environmental Planning Policy (Sydney Growth Centres) 2006 on 29 July 2016. State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Wilton) 2016 includes Wilton as a Priority Growth Area under the Growth Centres SEPP.

Notwithstanding the Wilton Priority Growth Area has been declared under the Growth Centres SEPP, the Wollondilly LEP 2011 remains the Environmental Planning Instrument that applies land use zoning to the land.

Whilst it is acknowledged that various potential rezoning pathways have been foreshadowed by the Department of Planning, this Planning Proposal is a ‘proponent-led’ rezoning. With early consultation with the Department and Wollondilly Shire Council, it has been established that the best means of achieving the rezoning is through an amendment under the Growth Centres SEPP that amends the zoning and clauses of Wollondilly LEP 2011. The amending SEPP is to be enforce for 1 day to effect the amendments to the Wollondilly LEP. Once the Wollondilly LEP is amended, the SEPP is repealed. This type of SEPP amendment is known as a ‘24 hour SEPP’.

The ‘24 hour SEPP’ approach has support from the Department of Planning & Environment and Wollondilly Shire Council as the best means of rezoning land and achieving the intended outcomes in this Planning Proposal. Other potential rezoning pathways that have been considered, being rezoning land in the Growth Centres SEPP and an amendment through the LEP Gateway Process, have not been determined to be better methods for progressing the rezoning or enabling urban development within Wilton New Town.

The rezoning of the site for urban development will also establish a clear understanding of intent to the community of Wollondilly and the general public for delivering new urban growth in the locality.

### 3.2 Section B – Relationship to strategic planning framework

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The Greater Macarthur Region has been subject to extensive strategic planning focus in recent years as it is now an established growth region of Metropolitan Sydney. This is demonstrated through the release of ‘A Plan for Growing Sydney’ in 2014 and subsequent declaration of the Wilton Priority Grown Area. In addition, the Greater Sydney Commission has released the Draft South West District Plan for public review and comment.

***Draft South West District Plan***

The South West District is Sydney’s fastest growing District where urban and rural living meet and residents can enjoy the best of both worlds if planned properly.

The Draft District Plan outlines a 20-year vision for the South West District of Greater Sydney, which is as follows:

*South West District is a place where opportunity, success and prosperity are forged from humble beginnings, where innovation thrives, smart jobs are created, international business connections are established and global investment is supported. Local people form the basis of a highly skilled and educated workforce that continues to grow and invest in itself and its future. (P1 Draft South West District Plan)*

The Draft South West District Plan identifies South West Sydney as ‘a global innovation gateway and a destination of choice for existing and new communities, local residential development and visitors’ which will ‘offer a greater range of distinct and authentic precincts with culturally diverse food, inspiring stories and genuine experiences.’

The role of the Draft South West District Plan is to guide the preparation of planning proposals under Part 3 of the Act

District Priorities, which are under Productivity, Liveability or Sustainability groupings, establish clear directions for considering planning proposals. It is necessary to address every priority where relevant in each case by detailing how they relate to a planning proposal. Given the scale and attributes of the Planning Proposal for Wilton West, there is a relationship to every District Priority in the South West District.

**Table 6** outlines each District Priority and how this proposal meets the respective requirements.

**Table 6: Response to Draft South West District Plan District Priorities**

| SOUTH WEST DISTRICT PLAN PRIORITY  | COMPLIANCE STATEMENT  |
|--|---|
| <p><b>Productivity Priority 1: Create high quality urban amenity across the Western City</b></p> <p><b>The economic prosperity of the District will be influenced by the quality of the public realm, and urban design of centres, commercial areas and infrastructure. To create a strong sense of place, the relevant planning authorities must establish an urban design framework for the development of centres, commercial areas and transport infrastructure.</b></p> | <p>The proposed rezoning will enable the delivery of a new community that has a diverse range of amenity benefits. The proposal includes a large man made waterbody that will form the centrepiece for activity, employment, entertainment, recreation and education in addition to residential amenity. The high amenity public realm will attract business and encourage economic prosperity as it instills a strong identity and sense of place in South West Sydney.</p> <p>The planning for Wilton West is design-led with an urban design structure included in this proposal that depicts activity centres, employment lands and major transport connections and infrastructure.</p> |

**Productivity Priority 2: Manage growth and change in strategic and district centres, and, as relevant, local centres**

**When undertaking planning for strategic, district and local centres, the relevant planning authority should consider:**

- opportunities for existing centres to grow and new centres to be planned to meet forecast demand across a range of retail types
- the need to reinforce the suitability of centres for retail and commercial uses while encouraging a competitive market
- the commercial requirements of retailers and commercial operators such as servicing, location, visibility and accessibility
- the use of the B3 Commercial Core Zones in strategic centres and where appropriate in district centres to reinforce and support the operation and viability of non-residential uses including local office markets

**When preparing strategic plans the relevant planning authority needs to demonstrate how its planning for centres has considered strategies to:**

- deliver on the strategic and district centres job targets
- meet the retail and service needs of the community
- facilitate the reinforcement and/or expansion of allied health and research activities
- promote the use of walking, cycling and integrated public transport solutions
- provide urban spaces such as meeting places and playgrounds
- respond to the centre's heritage and history
- promote community arts and cultural activities
- reflect crime prevention through environmental design (CPTED)
- principles such as safety and management
- manage the transition between higher intensity activity in and around a centre and lower intensity activity that frames the centre.

The NSW Government has identified the Wilton Priority Growth Area to establish Wilton New Town. Central to the establishment of the new town is a major centre that is identified outside the subject site, which the NSW Department of Planning & Environment projects to support around approximately 100,000-150,000m<sup>2</sup> of retail and employment Gross Floor Area.

The new major centre for Wilton New Town is being further investigated and planned by the NSW Government and Wollondilly Shire Council. To complement the major centre will be numerous neighbourhood level centres that will have important roles in supporting local jobs and services for the community of the New Town.

Wilton West is identified to contain two local centres. The first will be the lakeside activity hub that will be a node of employment, services and amenity for the first residents. It will also be a significant contributor for providing employment and education facilities in the new urban area.

This proposal is consistent with the NSW Government's plans to build a major centre for Wilton New Town, particularly as the scale of Wilton West provides a significant portion of the future population to support the creation of the New Town. The proposal also provides two local neighbourhood centres that will complement the major centre by providing amenity and local jobs and services to the future local community.

|   |   |
|---|---|
| <p><b>Productivity Priority 3: Prioritise the provision of retail floor space in centres</b></p> <p>When preparing retail and commercial strategies to inform local planning, the following matters should be considered:</p> <ul style="list-style-type: none"> <li>• existing and future supply and demand for retail floor space within the District based on the Department of Planning and Environment's medium population growth scenario</li> <li>• the accessibility of different types of retail and commercial floor space to communities</li> <li>• opportunities to allow retail and commercial activities to innovate</li> <li>• the impacts of new retail and commercial proposals to the viability and vitality of existing and planned centres</li> <li>• the need for new retail development to reinforce/enhance the public domain</li> <li>• the net social, economic and environmental benefits of new supply within different locations</li> </ul> <p><b>Action P18: Plan for and facilitate the attraction of new jobs in Wilton New Town</b></p> <p>The Department of Planning and Environment will:</p> <ul style="list-style-type: none"> <li>• work with Wollondilly Council and other stakeholders to develop economic development strategies that can attract businesses to Wilton New Town and support job creation</li> <li>• ensure that satisfactory arrangements are in place to deliver necessary infrastructure before land is zoned for urban development.</li> </ul> | <p>The provision of retail services in Wilton West was considered as part of the Wilton Junction planning process and is being considered as part of the Department of Planning &amp; Environment's investigations for Wilton New Town. Planning by the Department has identified an indicative location for the Town Centre, which is currently to the south of Wilton West.</p> <p>Retail services will need to be provided at regional/district level with the Town Centre but it is also necessary for local neighbourhood retail services to be located outside the Town Centre to provide for the daily retail needs of the future community. It is important that the first residents of Wilton West have access to local retail services early in the development, as the higher order core retail facilities of the Town Centre will require a critical mass of new residents throughout Wilton New Town. To not provide local services for new Wilton West residents will inhibit the growth of the community and the establishment of early employment.</p> <p>MacroPlan Dimasi has prepared an Employment Strategy and Economic Masterplan to clearly demonstrate how local retail services are to be provided and how there is no impact on other existing or proposed centres (refer <b>Appendix 1</b>). The Masterplan confirms the following on Page viii in the Executive Summary of the report:</p> <p><i>The Wilton Lakeside Precinct has clearly demonstrated the following:</i></p> <ul style="list-style-type: none"> <li>- No economic impacts on other centres</li> <li>- Clear integration with the public domain (i.e. the lake)</li> <li>- The provision of a range of retail and commercial floorspace types including tourism, health and education</li> <li>- An innovative strategy to maximise local economic multipliers by locating a proportion of the construction value chain in the local area</li> </ul> <p>Whilst the MacroPlan Dimasi Employment Strategy and Economic Masterplan was prepared before Action P18 was known, it delivers on the actions specific to Wilton New Town.</p> <p>Bradcorp has been progressive in the planning for Wilton West by developing a site-specific employment strategy that considers various employment sectors to ensure there are local jobs for the local people. This is to be achieved through the strategies in the Economic Masterplan to attract specific types of business, in particular businesses that employ professionals, managers and executives.</p> |
| <p><b>Productivity Priority 4: Protect and support employment and urban services land</b></p> <p>Employment and urban service lands play a critical role in the efficient and effective function of the District. Owing to the comparative scarcity of this resource, a holistic and precautionary approach to their planning should be undertaken.</p>   | <p>The proposal seeks to increase the land area for employment and services lands in Wilton West and Wilton New Town. The future New Town will require land for employment generating activities and there are significant land areas identified for Mixed Use and Business Development purposes within the site.</p> <p>Once these areas have been zoned, encouraging activities to generate economy and create jobs should be encouraged by all levels of Government.</p>   |

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| <p>Accordingly, relevant planning authorities should take a precautionary approach to rezoning employment and urban services lands or adding additional permissible uses that would hinder their role and function.</p> <p>The exception being where there is a clear direction in the Regional Plan (currently A Plan for Growing Sydney), the District Plan or an alternative strategy endorsed by the relevant planning authority. Any such alternative strategy should be based on a net community benefit assessment (i.e. analysis of the economic, environmental and social implications) of the proposed exception taking into account a Districtwide perspective in accordance with Action P22 described below.</p> <p><b>Action P22: Develop better understanding of the value and operation of employment and urban services land</b></p> <p>In order to better understand the contribution of employment and urban services land to the District's productivity, liveability and sustainability we will work with Councils to further develop our research and understanding of how the District's employment and urban services land operate, the range of uses they support including their industry and supply chains, their interdependencies, key constraints, and opportunities to be improved. In doing this, the particular characteristics and value add of these locations will be identified to inform the preparation of appropriate planning.</p> | <p>The Employment Strategy and Economic Masterplan by MacroPlan Dimasi establishes economic and employment strategies over the lifecycle of the Wilton West to phase new business and employment. This Masterplan will set a framework for delivering the activities that will utilise the employment and urban services land zoned by this proposal. The investigative work undertaken to support this proposal will also provide a better understanding and education to State and local government on the establishment of new businesses and employment in new growth areas, as required by Action P22.</p> |
| <p><b>Liveability Priority 1: Deliver South West District's five-year housing targets</b></p> <p>It is a priority of the draft District Plans for Councils to deliver these five-year housing targets. Councils need to:</p> <ul style="list-style-type: none"> <li>● plan to provide sufficient capacity and monitor delivery of the five-year housing targets</li> <li>● liaise with the Commission to identify barriers to delivering additional housing in accordance with the targets.</li> </ul>   | <p>The South West District Plan sets Wollondilly Shire Council a five year dwelling target of 1,550 dwellings. Once rezoned Wilton West will be a significant resource to supply new housing in the Wollondilly LGA and will be central to achieving the housing targets. Importantly, urban growth at Wilton West will be fundamental to ensuring the establishment of Wilton New Town is a success.</p>   |
| <p><b>Liveability Priority 2: Deliver housing diversity</b></p> <p>Relevant planning authorities should consider the needs of the local population base in their local housing strategy and how to align local planning controls that:</p>   | <p>The Wilton West Indicative Layout Plan identifies land for standard and medium density development. There are also provisions for residential flat buildings and mixed use development.</p> <p>This proposal also includes provisions for smaller lot housing in areas that can provide higher levels of amenity, such as land adjacent to parks or neighbourhood centres.</p>   |

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| <ul style="list-style-type: none"> <li>● address housing diversity that is relevant to the needs of the existing and future local housing market</li> <li>● deliver quality design outcomes for both buildings and places.</li> </ul>   | <p>The proposal planning framework will enable new housing that meets the Planning Minister’s objectives to deliver the “missing middle” in Sydney’s housing supply.</p>   |
| <p><b>Liveability Priority 3: Implement the Affordable Rental Housing Target</b></p> <p>Building on Action 2.3.3 of A Plan for Growing Sydney, when preparing planning proposals or strategic plans for new urban renewal or greenfield areas, the relevant planning authority will include an Affordable Rental Housing Target as a form of inclusionary zoning.</p> <p>A target of 5% to 10% of new floorspace will be applied at the rezoning stage so that it can be factored into the development equation:</p> <ul style="list-style-type: none"> <li>● within areas that have been shown, via a local housing strategy, or another form of appropriate research, to have current or future need for affordable rental housing</li> <li>● to applicable land within new urban renewal or land release areas (government and private) subject to development feasibility assessed at a precinct scale</li> <li>● to all new floor space (above the existing permissible floor space)</li> <li>● in addition to local and State development contributions and cognisant of any public or private subsidy for affordable rental housing provision</li> <li>● to provide a range of dwelling types including one, two and three+ bedroom homes</li> <li>● in accordance with any relevant guidance developed by the Commission and Department of Planning and Environment.</li> </ul> <p>The Affordable Rental Housing dwellings will be secured by the relevant planning authority and passed onto a registered Community Housing Provider to manage, further developing this emerging sector of the economy.</p> <p>In this regard, we encourage the NSW Government to bring forward its own land to maximise affordable housing and Affordable Rental Housing.</p> | <p>Currently there is no housing strategy or research for affordable rental housing for the Wollondilly LGA and there is no established demand for affordable rental housing in the Wilton Priority Growth Area.</p> <p>Notwithstanding, Wilton West will be a new housing market to compete with the existing Bingara Gorge and other larger developers that could contribute to the supply of housing in Wilton New Town. With the increase in local housing markets and supply, there will be a positive effect on housing affordability and rent levels in the locality.</p> |



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| <p><b>Liveability Priority 4: Increase social housing provision</b></p> <p><b>Relevant planning authorities and the Department of Family and Community Services (and the Land and Housing Corporation) should collaborate to optimise housing and community diversity outcomes on sites of social housing concentration.</b></p> <p><b>Subject to appropriate consultation, feasibility considerations and environmental assessment, relevant planning authorities should translate optimal outcomes for social housing sites into land use controls.</b></p>   | <p>The Department of Family and Community Services and the Land and Housing Corporation should be consulted during the public exhibition period to ascertain the need for social housing at Wilton New Town. Wilton West will contain a variety of different housing types to support a diverse and cohesive community. This will provide a strong foundation to optimise housing and community diversity outcomes with input from the Department of Family and Community Services and the Land and Housing Corporation.</p>   |
| <p><b>Liveability Priority 5: Facilitate the delivery of safe and healthy places</b></p> <p><b>Relevant planning authorities should:</b></p> <ul style="list-style-type: none"> <li>● <b>facilitate the development of healthy and safe built environments</b></li> <li>● <b>consider the inclusion of planning mechanisms such as floor space bonuses to incentivise the provision of:</b> <ul style="list-style-type: none"> <li>- <b>neighbourhoods with good walking and cycling connections particularly to schools</b></li> <li>- <b>social infrastructure such as public libraries or child care</b></li> <li>- <b>urban agriculture, community and roof gardens for productive food systems.</b></li> </ul> </li> </ul> | <p>The centrepiece to Wilton West is a large lake that will provide significant amenity benefits and encourage healthy activity for the community. The design of the lake and surrounds ensures it will be safe place with activity during the day and night and the activity hub overlooking the public space.</p> <p>The physical attributes of the site naturally create two neighbourhoods for Wilton West. The Lakeside Activity Hub in the south will be the first to be delivered which will be a place that locals can meet, eat and drink, shop, work and recreate. Encouraging a diverse range of activities through good design and building an attractive place will ensure a safe and healthy place.</p> <p>The northern neighbourhood will have a smaller local neighbourhood centre to service its immediate local community. Whilst the Lakeside Activity Hub to the south will also service the northern neighbourhood, the northern neighbourhood centre will ensure the local community (around 3,000 homes) will be close to services and provide some local employment.</p> |
| <p><b>Liveability Priority 6: Facilitate enhanced walking and cycling connections</b></p> <p><b>Relevant planning authorities should facilitate enhanced walking and cycling outcomes by giving due consideration to the delivery of district and regional connections and walkable neighbourhoods.</b></p>   | <p>The centrepiece to Wilton West is a large lake that will encourage healthy activity for the community. The lake will be encircled with paths that will connect to the surrounding residential areas.</p> <p>The bushland that surrounds the majority of Wilton West will include a network of trails and natural paths that will support cycling, bushwalking, jogging and running.</p> <p>These two special places will be connected with pedestrian and cycling connections to ensure everyone can easily and readily access these facilities. A total of 22kms of pedestrian and cycling paths will be provided in major transport corridors, and connections to local parks and sporting facilities will enhance walking and cycling connections.</p>   |

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| <p><b>Liveability Priority 7: Conserve heritage and unique local characteristics</b></p> <p><b>Relevant planning authorities should:</b></p> <ul style="list-style-type: none"> <li>• protect Aboriginal, cultural and natural heritage and places, spaces and qualities valued by the local community</li> <li>• require the adaptive re-use of historic and heritage listed buildings and structures in a way that enhances and respects heritage values</li> <li>• protect the heritage values of Camden Town Centre and consider how its amenity and character can be maintained.</li> </ul>  | <p>A comprehensive assessment on Aboriginal and European heritage has been undertaken for the site and is included in this proposal. Due to the vast amount of native bushland being retained, in particular around the cliffs of the Nepean River and natural drainage areas, the Aboriginal heritage will be preserved. The study has identified areas that may have Aboriginal heritage significance, which will require further investigation as part of developing the site, and other items of heritage significance that will need to be managed during the development assessment phase. There are no items of European heritage that need to be resolved as part of the rezoning process.</p>                    |
| <p><b>Liveability Priority 8: Foster the creative arts and culture</b></p> <p><b>Relevant planning authorities should:</b></p> <ul style="list-style-type: none"> <li>• integrate arts and cultural outcomes into urban development through planning proposals that nurture a culture of art in everyday local spaces, provide flexible, accessible performance spaces and enhance access to the arts in all communities</li> <li>• give due consideration to the inclusion of planning mechanisms that would incentivise the establishment and resourcing of creative hubs and incubators and accessible artist-run spaces.</li> </ul>                                       | <p>The Lakeside Activity Hub will be a highly attractive place where people will want to work and meet which will strengthen the sense of community and place at Wilton West.</p> <p>It will include the spaces and facilities that will support and nurture the spaces that promote creativity, culture and entertainment for the community.</p>   |
| <p><b>Liveability Priority 9: Share resources and spaces</b></p> <p><b>Relevant planning authorities should consider the delivery of shared local facilities such as community hubs, cultural facilities and public libraries as multifunctional shared spaces.</b></p>   | <p>The Lakeside Activity Hub will be a focus for shared places and resources. It will include the infrastructure and facilities that will support shared spaces, workplaces and community activities.</p>   |
| <p><b>Liveability Priority 10: Support innovative school planning and delivery</b></p> <p><b>Relevant planning authorities should give due consideration to:</b></p> <ul style="list-style-type: none"> <li>• innovative land use and development approaches including: <ul style="list-style-type: none"> <li>- using travel management plans, that identify travel options, to reduce car use</li> <li>- enabling the development and construction of schools as flexible spaces, so they can facilitate shared use and change over time to meet varying community needs</li> </ul> </li> <li>• the inclusion of planning mechanisms that would incentivise the:</li> </ul> | <p>The provision of schools is imperative to Bradcorp and the Wilton West project. Agreement has been made between Bradcorp and the Anglican Schools Corporation to deliver a K-12 school adjacent to the Lakeside Activity Hub. The Anglican Schools Corporation has been involved in the design of the broader urban layout to ensure the transport, land area and locational needs achieve the best possible outcome for the school and the community.</p> <p>A Public primary school is also identified within Wilton West to the north. Bradcorp is also willing to provide for the Public K-12 school should demand exist and it not being able to be delivered where initially planned within Wilton New Town.</p> |

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| <ul style="list-style-type: none"> <li>- development of new schools as part of good quality and appropriate mixed use developments</li> <li>- the shared use of facilities between schools and the local community including playing fields and indoor facilities, so they can meet wider community needs.</li> </ul>  |   |
| <p><b>Liveability Priority 11: Provide socially and culturally appropriate infrastructure and services</b></p> <p>Relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>● collaborate with Federal and State agencies and service providers to integrate local and District social infrastructure for Aboriginal residents including preschools, child care and aged care services</li> <li>● include appropriate planning mechanisms to incentivise the provision of these services required by local communities where appropriate.</li> </ul>  | <p>The Lakeside Precinct is envisaged as a premium location to attract a range of social and cultural uses. This Precinct is separate and distinct from the other planned retail/employment areas in Wilton New Town as it will encourage uses and activities that embody cultural, social, recreational, educational and lifestyle activities in addition so a smaller complement of retail services.</p> <p>The large lake and strong connections with the bushland will provide a foundation for establishing indigenous cultural services and activities, and the focus to create a 'health precinct' (discussed in detail below) will afford opportunities to integrate various cultural needs in health and care services.</p>  |
| <p><b>Liveability Priority 12: Support planning for health infrastructure</b></p> <p>Relevant planning authorities should give due consideration to the need to support the co-location of ancillary uses that complement health precincts, including:</p> <ul style="list-style-type: none"> <li>● residential aged care facilities</li> <li>● housing for health workers</li> <li>● visitor and short-term accommodation</li> <li>● health and medical research activities</li> <li>● child care</li> <li>● non-critical patient care</li> <li>● commercial uses that are complementary to and service the health precinct</li> </ul> <p>Consideration should also be given to the protection of health precincts and super precincts from residential encroachment into key employment areas.</p> | <p>The Employment Strategy and Economic Masterplan prepared by MacroPlan Dimasi (<b>Appendix 1</b>) has specific focus on targeting the health sector for services and employment. The Masterplan focuses on the creation of a major 'health precinct'</p> <p>Health services at Wilton West is to focus is on ageing including retirement, aged care, palliative care and allied health utilising the high end demand for health services to grow a deeper health sector.</p> <p>There will also be the integration of health and education to establish a foundation for health services and professional employment opportunities at Wilton West.</p> <p>Early provision of child care is critical to emerging the new community for Wilton West and there will be a range of housing types that meet the varying needs of health workers and professionals for the health precinct.</p> |
| <p><b>Liveability Priority 13: Support planning for emergency services</b></p> <p>Relevant planning authorities must consider the operational and locational requirements of emergency services.</p>   | <p>Emergency services requirements were investigated as part of the Wilton Junction planning process and form part of the development contributions for urban development.</p> <p>This includes the identification of appropriate locations to support emergency service operations.</p>  |

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| <p><b>Liveability Priority 14: Support planning for cemeteries and crematoria</b></p> <p>Relevant planning authorities should give consideration to the need and locational requirements of cemeteries and crematoria.</p>   | <p>Wollondilly Shire Council maintains cemeteries in the townships of Bargo, Picton and Thirlmere. All cemeteries cater for the interment of ashes and grave burials.</p>   |
| <p><b>Sustainability Priority 1: Improve protection of ridgelines and scenic landscapes</b></p> <p>The scenic qualities of landscapes are already recognised and considered in some areas of Greater Sydney as part of the strategic planning and development process.</p> <p>Councils should identify and map areas with high scenic value and develop strategies, planning and development controls that protect important scenic landscapes and vistas. Planning and development controls should prohibit opportunities for development on ridgelines that would diminish their scenic quality.</p> <p>Councils the South West District are also encouraged to develop a district-wide framework for the identification and protection of important scenic landscapes, vistas and ridgelines which can be used by relevant planning authorities to protect the visual landscape, including landscapes within Priority Growth Areas.</p> | <p>The preservation and protection of ridgelines and scenic landscape is the design intent to be achieved with Wilton West. The Razorback ridgeline is to the northwest of the site and is a prominent landscape feature viewed from within Wilton West.</p> <p>A Visual Analysis is included with this proposal that provides context of Wilton West with the surrounding views and vistas.</p> <p>Underpinning the urban design is the preservation and celebration of the Razorbacks. Given that Wilton West is lower-lying and surrounded in a curtain of bushland, development of the site does not impact on the scenic qualities of the Razorbacks.</p>  |
| <p><b>Sustainability Priority 2: Maintain or restore water quality and waterway health</b></p> <p>The Office of Environment and Heritage and the Environment Protection Authority have developed a risk-based framework to assist decisions that maintain, improve or restore water quality in the strategic planning process to help meet the NSW Water Quality and River Flow Objectives.</p> <p>Relevant planning authorities and managers of public land should:</p> <ul style="list-style-type: none"> <li>• adopt the Office of Environment and Heritage and the Environment Protection Authority's framework to determine the appropriate stormwater and wastewater management targets that contribute to maintaining or improving water quality and waterway health to meet the community's values</li> </ul>  | <p>An innovative approach to water quality is being proposed at Wilton West, in particular with the treatment of wastewater.</p> <p>A comprehensive water cycle management assessment has been prepared by J Wyndham Prince as part of the investigations for the Wilton Junction planning process. The assessment identifies the locations and standards for the treatment of stormwater quality throughout the site, including water quality facilities and associated land areas.</p> <p>The water cycle management assessment also outlines one of the most innovative features of the project. Wastewater will be treated to a quality that exceeds current environmental standards.</p> <p>The treatment of wastewater generated by Wilton New Town is to be completed in a large lake before being discharged into the natural system. The lake extends for over 900 metres and is typically 80+ metres in width. The combined surface area of the water bodies is over 10 hectares.</p> |

- consider more water sensitive approaches to managing stormwater to meet the water quantity and quality targets, including harvesting and re-use of water and management of riparian corridors
- develop mechanisms to allow offsetting between sub-catchments, and facilitate cost-effective opportunities to meet the management targets for whole catchments and water quality objectives for receiving waters
- while management targets are being established, ensure that the quality of stormwater and wastewater from public land and new development in established urban areas maintains or improves the health of waterways, in line with community values and expectations of how waterways will be used.

The lake has an intrinsic function relating to the integrated wastewater cycle and achieving effective treatment of the treated wastewater effluent from the proposed sewer treatment plant to service Wilton New Town. The lake provides the final stages of water quality treatment for the treated effluent to ensure water discharged into the natural system is above environmental standards. The lake also facilitates evaporation of the treated effluent into the environment.

The quality of the treated effluent from the sewer treatment plant will be of a standard that has been adopted in various water re-use schemes throughout the Sydney Metropolitan area. There are numerous suburbs around Sydney that have been installed with a 'purple pipe' which redistributes treated effluent back to residential properties for watering and other appropriate non-potable purposes. From a human health standard, this water is classified as suitable for incidental or secondary contact for humans. This means that incidental contact due to splashing or recreational water sports is acceptable.

The treatment of wastewater at the sewer treatment plant before it is pumped to the lakes incorporates a series of treatment methods. Firstly, the wastewater passed through a series of micro-filter membranes which remove all bacteria from the wastewater. Then the wastewater is passed through a disinfection process where the wastewater is dosed with chlorine. Finally, the wastewater is then subject to Ultra-Violet (UV) light treatment to eliminate any trace of viruses. After the wastewater is treated through all these steps the treated effluent is at a standard that is safe for human contact but not ingestion.

Importantly, the treated effluent is of a standard that does not pose a human health risk before it leaves the sewer treatment plant site. The treated effluent is then pumped uphill to a highpoint within the Bradcorp landholding where it is subject to bio-filtration through a series of rain-gardens and discharged into the lake. The incoming water is subject to oxygenation from an air diffuser. The water is stored in the lake where nitrogen and phosphorous levels are further reduced from exposure to the sun. After a period, the water blends with the large waterbody for about 35 days. The treated water is then suitable for discharge into the natural environment above environmental standards.

The various safeguards that are implemented ensure a low risk for contamination of the large lake and minimal risk to adversely impact on the environment. In fact, the NSW Department of Environment has endorsed the proposed integrated wastewater treatment cycle approach and has made the following statement (refer to **Appendix 7**):


*"The EPA supports the proposed integrated approach to managing sewage effluent... which presents a significant opportunity to meet the community's environmental objectives for the lowest cost and provide a source of water to improve the liveability of the development"*

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|  | <p>Given the relatively minor risks of contamination to the recreational lakes, which are appropriately safeguarded by numerous monitoring and redundancies that can be implemented to protect human health, the integration of the lakes in the wastewater treatment chain is considered appropriate and an effective method that is environmentally sustainable.</p>  |
| <p><b>Sustainability Priority 3: Avoid and minimise impacts on biodiversity</b></p> <p>Efforts to protect biodiversity values should be based on avoiding and minimising adverse impacts to biodiversity, as far as practicable. Only when impacts cannot be avoided or minimised, should consideration be given to offsetting those impacts.</p>  | <p>The majority of bushland in the site will be preserved and maintained as part of the development, which comprises an area of around 330 hectares. There are also tracts of endangered habitat in the urban areas of Wilton West that will be preserved through design-led planning.</p>  |
| <p><b>Sustainability Priority 4: Align strategic planning to the vision for the Green Grid</b></p> <p>Consistent with Action 3.2.1 of A Plan for Growing Sydney, relevant planning authorities should consider opportunities to support the delivery of the South West District Green Grid. This could include how land use zones can be applied, how new development controls are written, or where voluntary planning agreements and agreements for dual use of open space and recreational facilities could contribute to delivering the Green Grid.</p>                            | <p>Wilton West will preserve around 330 hectares of existing bushland, which surrounds almost the entire site. This establishes a substantial surface area to bushland open space that will be complemented with numerous local parks, a large lake and sporting facilities.</p> <p>The amount of surface area to the natural environment creates a strong framework for a connected green grid of green spaces and green connections.</p>  |
| <p><b>Sustainability Priority 5: Protect, enhance and extend the urban canopy</b></p> <p>When making strategic plans, relevant planning authorities should consider how tree canopy cover in land release and established urban areas can be protected and increased, with a focus on providing shade to streets.</p> <p>Local councils should include green cover and shade tree planting along major transport corridors in local infrastructure investment planning, development control and design.</p>  | <p>There are various tracts of trees and vegetation within the urban area that are to be preserved. There are also fingers of bushland that extend into the urban area, which will provide shade and enhance the climate of nearby residences.</p> <p>This existing natural attributes of the site provide a solid foundation for extending the urban canopy for Wilton West, with major transport corridors being a focus for tree cover and pedestrian/cycling connections.</p> |
| <p><b>Sustainability Priority 6: Discourage urban development in the Metropolitan Rural Area</b></p> <p>Urban development in the Metropolitan Rural Area is not consistent with the protection of the Area's existing values. Conversion of land to urban residential development is not necessary in the short to medium term given the supply of land for housing in other parts of Greater Sydney, and conversion of rural land to suburban development does not form part of the housing targets that have been defined for the District or individual local government areas.</p> | <p>Wilton West is in the identified Metropolitan Rural Area and has been identified as an area for urban development under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.</p>   |

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| <p>In general, urban development in the Metropolitan Rural Area will not be supported unless the relevant planning authority has undertaken strategic planning in accordance with Sustainability Priorities 7 and 8.</p> <p>Relevant planning authorities should not support planning proposals affecting land currently within a RU (rural) or E (environmental) zone unless:</p> <ul style="list-style-type: none"> <li>● these are in areas identified in a regional plan or a district plan as urban investigation areas</li> <li>● these also form part of, or are identified as a result of, strategic planning in accordance with Sustainability Priorities 7 and 8.</li> </ul> <p>In the South West District, West Appin has been identified as an urban investigation area, consistent with Figure 2 and Action 2.4.2 of A Plan for Growing Sydney</p>  |  |
| <p><b>Sustainability Priority 7: Consider environmental, social and economic values when planning for the Metropolitan Rural Area</b></p> <p>Agriculture and primary industries are essential to Greater Sydney and to the South West District's economy. They need to be planned and protected to avoid their transition to higher and better uses (in financial terms) such as suburban residential development.</p> <p>In planning for the Metropolitan Rural Area, the relevant planning authority should undertake its own review of land use activities in the context of environmental, economic and social values, and consider our research regarding the multiple values and activities in their District to better understand how they are operating, the range of uses operating within them, their interdependencies, key constraints and opportunities to their effective operation and evolution.</p> <p>On this basis, when planning for the Metropolitan Rural Area in the South West District, relevant planning authorities should consider how to:</p> <ul style="list-style-type: none"> <li>● provide greater certainty with regards to built form outcomes in and around villages</li> <li>● articulate the different landscape and heritage values and character of rural areas, with different planning and development controls</li> <li>● clarify the what the future should be for rural lands to prevent speculation and protect against encroachment</li> <li>● conserve Aboriginal cultural heritage</li> </ul> | <p>The Wilton Priority Growth Area has been declared by the NSW Government. The planning that is evolving for urban growth within the Priority Growth Area is founded on ensuring that the environmental, social and economic values on the future Wilton New Town and its context in a rural setting are balanced. This is to ensure that high environmental standards are maintained in unison with urban growth, job creation and building a new community where people aspire to live.</p> |

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| <ul style="list-style-type: none"> <li>● maximise opportunities from the agriculture industry's proximity to Western Sydney Airport.</li> </ul> <p>The resolution of a preferred alignment for the Outer Sydney Orbital will change the structure of major transport corridors in the South West District, and flowing from this, the relationship between transport corridors and land use boundaries. These relationships will be considered as part of the review of A Plan for Growing Sydney in 2017.</p>  |   |
| <p><b>Sustainability Priority 8: Provide for rural residential development while protecting the values of the Metropolitan Rural Area</b></p> <p>Rural landscapes provide opportunities for housing in rural towns and villages, as well as rural residential living that is already dispersed throughout the Metropolitan Rural Area. Any plans to expand rural towns and villages must first consider how these places fit in the landscape and how their valued characteristics can be protected and extended sympathetically in order to optimise their cultural and economic potential. This will involve analysis of the key characteristics of these towns and villages as part of a design-led approach.</p> <p>Consideration of further subdivision for rural residential development should be approached in a similar way, with careful consideration of siting, impacts and potential to improve and ensure ongoing maintenance of biodiversity, ecological, scenic and productive values.</p> <p>Relevant planning authorities should adopt a design-led approach to planning for localities that:</p> <ul style="list-style-type: none"> <li>● considers siting and design principles for rural residential development that conserves the values identified in the report on considerations for district planning in the Metropolitan Rural Area</li> <li>● considers restrictions on additional rural residential development that may be affected by existing or future rural and agricultural activity</li> <li>● considers setbacks and defines appropriate buffers for rural activities</li> <li>● investigates and develops innovative approaches to conserve and manage biodiversity, habitat and scenic landscapes.</li> </ul> | <p>The subject site is identified for urban development within the broader Metropolitan Rural Area.</p> <p>Wilton West is designed to protect and maintain the rural landscapes and character in the surrounding areas to the site, including the Razorbacks.</p> <p>There are specific views and vistas within and around Wilton West, particularly the periphery, that will instil a rural setting for Wilton New Town.</p> <p>There are also certain landscape features within the site and bushfire constraints that provide opportunities for 'rural residential' type development.</p> <p>Wilton West is committed to having a diverse range of housing types including larger residential allotments where larger land areas are required to preserve land of environmental significance or to maintain separation between bushland to manage bushfire risk.</p> <p>Accordingly, any larger residential allotments within Wilton West will consider appropriate siting and design principles, which will also provide a transition between urban and non-urban activities.</p> |



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| <p>Councils should liaise with the Commission to develop design-led approaches for the Metropolitan Rural Area and in the first instance use the design approaches outlined in the NSW Government's draft Architecture and Urban Design Policy, Better Placed (October 2016).</p>  |   |
| <p><b>Sustainability Priority 9: Support opportunities for District waste management</b></p> <p>When making plans, relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>• use appropriate land use zones to minimise the potential for conflict with the operation and expansion of existing waste facilities</li> <li>• protect precincts that have functioning waste management facilities from encroachment by residential and other sensitive development</li> <li>• consider ways to encourage design measures such as fully enclosing waste facilities to minimise dust, odours and noise impacts to mitigate the risks and potential impacts on surrounding communities.</li> </ul> | <p>The Bargo Waste Management Facility is the primary waste management facility in Wollondilly LGA. There is also the Spring Farm Resource Recovery Park, which processes recyclables, organics and mixed household waste from the Campbelltown, Camden, Wollondilly and Wingecarribee council areas. There is also the Penrith Waste Management Centre which can also process various types of waste further north.</p> <p>The current functioning waste management facilities within the Council area and South West Sydney support the waste management requirements for the locality.</p> |
| <p><b>Sustainability Priority 10: Mitigate the urban heat island effect</b></p> <p>Relevant planning authorities should consider where the urban heat island effect is experienced, and the location of vulnerable communities and use strategic plans to reduce impacts from extreme heat.</p>  | <p>Sustainability in urban areas is enhance by addressing heat island effects, which relates to the build-up of embodied heat in urban areas.</p>  <p>The heat island effect is generated by hard surfaces and is often particularly detrimental during heat wave periods. A reduction to the proportion of hard surfaces in residential areas will result in ongoing energy savings, which is to be complemented by cooling strategies with street trees and green spaces to cool urban areas.</p>       |

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|   | <p>Wilton West is to be covered with a green grid of local parks, green spaces and the natural environment. There is also a large lake that will have a positive cooling effect on the microclimate for residents within Wilton West.</p>   |
| <p><b>Sustainability Priority 11: Integrate land use and transport planning to consider emergency evacuation needs</b></p> <p>Relevant planning authorities should coordinate with Transport for NSW and the State Emergency Service to consider land use and local road planning, so that it is integrated with emergency evacuation planning and takes into account the cumulative impact of growth on road evacuation capacity.</p>  | <p>Emergency services requirements were investigated as part of the Wilton Junction planning process and form part of the development contributions for urban development.</p> <p>Wilton West will have numerous evacuation routes in the event of an emergency evacuation procedure with direct connections to Picton Road and the Hume Highway.</p>   |
| <p><b>Sustainability Priority 12: Use buffers to manage the impacts of rural activities on noise, odour and air quality</b></p> <p>When preparing strategic plans, relevant planning authorities will:</p> <ul style="list-style-type: none"> <li>• work with the Environment Protection Authority, Department of Primary Industries and councils to identify approaches (that may include buffers) for agriculture and primary industry activities to manage land use conflict</li> <li>• use strategic plans to prevent or limit development in areas that would be in conflict with agriculture and primary industry</li> <li>• protect agriculture and primary industry activities from encroachment by residential and other sensitive development.</li> </ul> | <p>The mitigation measures in response to air quality, noise emissions and odour has been considered as part of the Wilton Junction planning process.</p> <p>Wilton West has a natural buffer as it is mostly surrounded by a wide band of bushland and major waterways, which provide a significant separation with any rural activities. Accordingly, there will not be any land use conflicts arising from urban development within Wilton West.</p> |
| <p><b>Sustainability Priority 13: Assist local communities develop a coordinated understanding of natural hazards and responses that reduce risk</b></p> <p>The Commission, the NSW Government and local councils will continue to adopt a range of tools, resources and implement actions to adapt to climate change and reduce risks to public and private assets.</p> <p>The Commission will also explore ways to coordinate, improve and communicate information about risks associated with climate change to local communities.</p>   | <p>The design of Wilton West has been informed by various investigations, in particular bushfire. This has influenced the location of streets, local parks, schools and major road connections to ensure any hazardous events or risks are managed properly to protect the future population of Wilton West.</p>  |

## *A Plan for Growing Sydney*

In December 2014 the NSW Government published 'A Plan for Growing Sydney' which provides a strategic framework for urban growth, infrastructure and transport throughout the Sydney Metropolitan Area. The Plan sets out the Government's strategy for meeting Sydney's housing supply needs over the next 20 years identifying key focus areas.

Whilst there is no recent Subregional Strategy for South West Sydney, the Department of Planning & Environment has set itself four goals to realise the vision for Greater Sydney.

*Goal 1: A competitive economy with world-class services and transport;*

*Goal 2: A city of housing choice with homes that meet our needs and lifestyles;*

*Goal 3: A great place to live with communities that are strong, healthy and well connected;*

*Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

Whilst there is no recent Subregional Strategy for South West Sydney, the Sydney's Metropolitan Strategy establishes South West Sydney priorities.

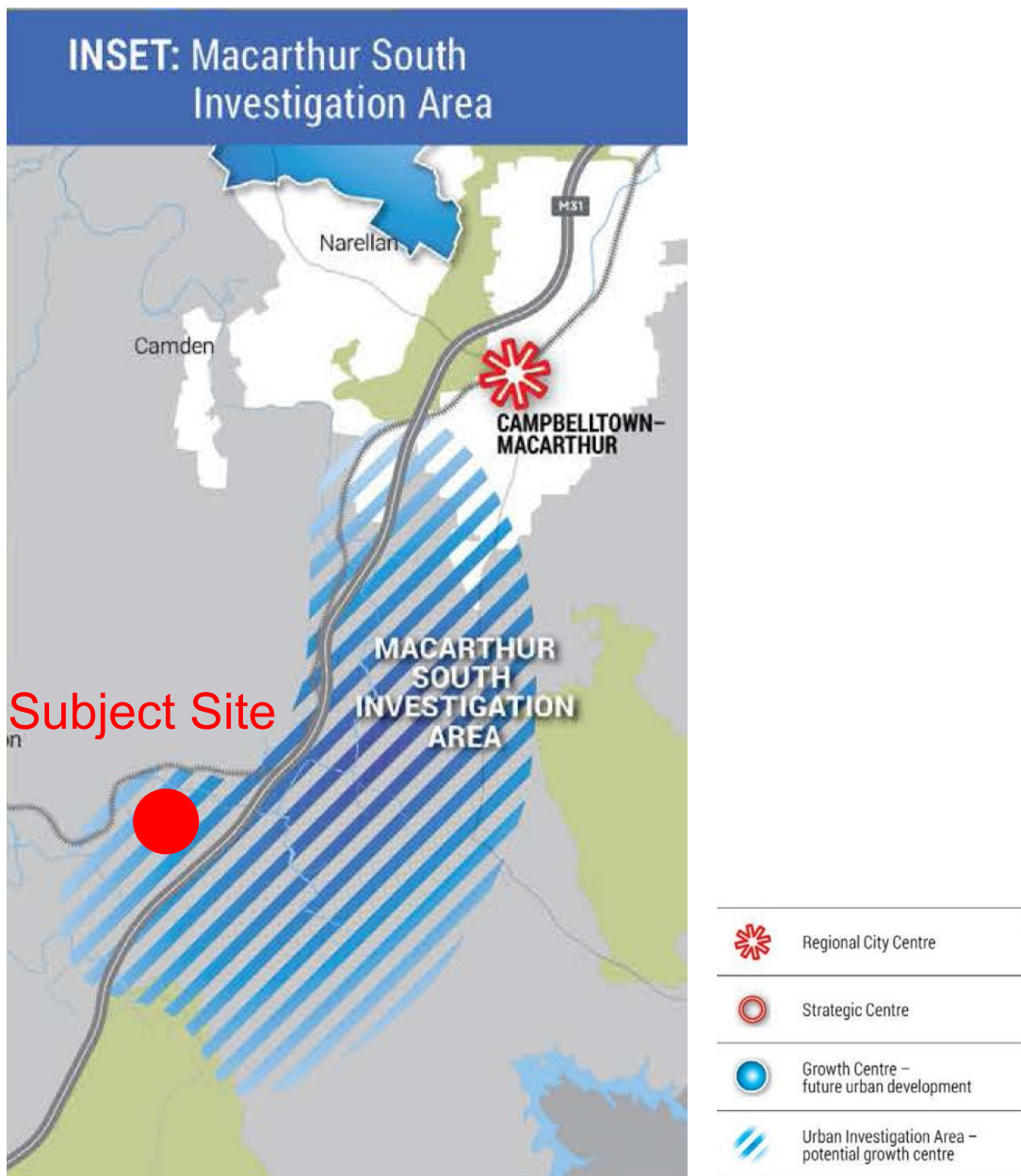
### *Priorities for South West Subregion:*

- *A competitive economy*
- *Accelerate housing supply, choice and affordability and build great places to live*
- *Protect the natural environment and promote its sustainability and resilience*

The South West area of Sydney is noted as the fastest growing subregion of Metropolitan Sydney. The South West Priority Growth Area continues to be the strongest contributor to new housing throughout Sydney and is a focus for new housing and jobs.

The South West is subject to numerous State infrastructure projects in planning and delivery phases. The South West also has strong connections with the Western Sydney Airport, which will activate significant investment in infrastructure and jobs, and the establishment of the Western Sydney Employment Area.

A Plan for Growing Sydney identifies approximately 17,600 hectares of land for investigation known as The Greater Macarthur Investigation Area which incorporated Wilton, including the subject land holding (refer **Figure 33**). The Plan identified the need to investigate land within Wollondilly Shire as part of the Macarthur South Investigation area for a future Growth Centre as part of Sydney's South West Subregion.



**Figure 33: Inset from A Plan for Growing Sydney (Source: Figure 2 in A Plan for Growing Sydney 2014)**

Rezoning of the site will stimulate local economy within the locality with urban and residential development, and the creation of new jobs and local services. The site includes a significant portion of the Wilton New Town and is a critical component to ensure the new town is a successful new community with a full range of jobs and local services.

The proposal will enable increased housing supply in Sydney that will have positive impacts on housing affordability and diversity, and provide new lifestyle options for Sydney's residents. Importantly, home ownership will be more achievable in the new town and the proposal will enable a range of housing options for all types of household types and age groups. The siting of the various densities allows for a range of living options which include medium density housing located in areas that offer higher amenity and convenience. The proposal incorporates light industrial, commercial and mixed use land uses and will facilitate future development and construction of the site which will substantially increase local employment opportunities within the region.

The proposal seeks to preserve the environment and primarily involves the rezoning of land that has been substantial cleared and disturbed. Land uses have been strategically located to maximise local amenity and appreciation of the natural environment. The proposed Lakeside Activity Hub will provide greater amenity to residents and encourage active living with the establishment of a walking and cycle path. The proposal promotes opportunities for the use of this area and adjoining open space for active and passive recreational activities.

The proposal will provide a lifestyle and living opportunity that respects the historic significance of the locality, the environment, and create diversity in housing options that is compatible with the character of the Wollondilly LGA.

The proposal is entirely consistent with the Sydney’s Metropolitan Strategy *A Plan for Growing Sydney*. The proposed rezoning meets the strategic planning framework for the region and the site.

**4. Is the planning proposal consistent with a Council's local strategy or other local strategic plan?**

The Growth Management Strategy 2011 (GMS) is Wollondilly Shire Council’s primary strategy for guiding urban growth within its Local Government Area. The other local strategic plan of relevance is the Wollondilly Community Strategic Plan 2033 which provides higher level strategic direction across various themes including the community, economic growth and the environment. Both are discussed in detail below.

***Wollondilly Growth Management Strategy 2011***

The GMS promotes small-scale residential growth immediately south of the Wilton town site and new employment areas adjacent to the Hume Highway and Picton Road Interchange. The GMS was prepared prior to the NSW Government’s Potential Home Sites Program that was announced in August 2011, which instigated the Wilton Junction rezoning process.

The NSW Government has requested that Wollondilly Shire Council review their GMS following investigations on numerous sites nominated for the Potential Home Sites Program, including the Wilton Junction area.

It is expected that the GMS will adopt the urban growth strategic directions that have been established for the Greater Macarthur Investigation Area and Wilton Priority Growth Area.

***Wollondilly Community Strategic Plan 2033***

Wollondilly Community Strategic Plan 2033 was adopted by Council in June 2013 and identifies strengths and issues facing Wollondilly Shire, and the communities’ aspirations and strategies for achieving the desired outcomes for the locality.

The overarching vision is ‘rural living’ and a network of sustainable, prosperous and resilient towns and villages.

The plan focuses on five themes which are considered in the table below.

**Table 7: Wollondilly Community Strategic Plan 2033 Themes**

| Theme   | Comment  |
|---|--|
| <b>Looking after the Community</b>            | <p>The proposal will strengthen the identity and wellbeing of the new community and ensure it is provided be easy access to social infrastructure including provision of open space, schools, childcare and a community centre. The proposal has been developed in consideration of local landowners, Wollondilly Council and will be exhibited for public consultation.</p> <p>A Social Infrastructure Report has been prepared to support the rezoning proposal.</p> |
| <b>Accountable and Transparent Governance</b> | <p>This is a strategic direction outside the scope of this proposal.</p>   |
| <b>Caring for the Environment</b>             | <p>Investigations have been completed to establish the ecological values of the subject site and surrounding area. The master-planning informing the zoning and land use configuration has been designed in consideration of the local environment and proposes urban development. As a result, substantial natural bushland, riparian lands and environmental heritage will be preserved.</p>   |

| Theme   | Comment  |
|---|--|
| <b>Building a Strong Local Economy</b>            | The proposal incorporates the strategic allocation of business, commercial and mixed use land uses which will provide local employment opportunities and stimulate local economy. The proposal establishes a focus for economic activity and permanent jobs for local residents. There will also be a significant contribution to the local economy generated from the direct and indirect effects during the construction of Wilton New Town.   |
| <b>Management and Provision of Infrastructure</b> | <p>The proposal will enable the upgrading and improvements to State infrastructure, including the Hume Highway and Picton Road Interchange. There will also be the provision of significant local infrastructure, in particular for the community in sports and recreation facilities. Infrastructure provision will incorporate the following:</p> <ul style="list-style-type: none"> <li>• Development of State road upgrades to improve safety, enable better heavy freight movement between Sydney and Wollongong, and provide better access options for the future Wilton New Town.</li> <li>• Establishing of public transport network to reduce car dependency.</li> <li>• Providing new senior and primary education facilities.</li> <li>• Delivering new district and local sporting and recreation facilities.</li> <li>• Establishment of connected open space network incorporating the Lakeside Activity Hub and surrounding bushland that contains cycling and walking paths to promote local amenity, active living and recreational opportunities.</li> </ul> |

#### 5. Is the planning proposal consistent with the applicable State Environmental Planning Policies?

Consistency with the State Environmental Planning Policies and Deemed SEPPS are outlined in table below.

**Table 8: SEPP Assessment**

| SEPP  | Comment | Consistency     |
|---|---------|-----------------|
| State Environmental Planning Policy No 1—Development Standards                |         | Not applicable. |
| State Environmental Planning Policy No 14—Coastal Wetlands                    |         | Not applicable. |
| State Environmental Planning Policy No 19—Bushland in Urban Areas             |         | Not applicable. |
| State Environmental Planning Policy No 21—Caravan Parks                       |         | Not applicable. |
| State Environmental Planning Policy No 26—Littoral Rainforests                |         | Not applicable. |
| State Environmental Planning Policy No 30—Intensive Agriculture               |         | Not applicable. |
| State Environmental Planning Policy No 33—Hazardous and Offensive Development |         | Not applicable. |

| SEPP  | Comment  | Consistency     |
|---|--|-----------------|
| State Environmental Planning Policy No 36—Manufactured Home Estates   |  | Not applicable. |
| State Environmental Planning Policy No 44—Koala Habitat Protection  | The ecological reporting by SLR Consulting enclosed with this proposal assessed the requirements for potential and core koala habitat. The assessment determined that the site does not represent “potential koala habitat” or “core koala habitat” as defined in SEPP 44. Accordingly, there is no requirement to prepare a Koala Plan of Management. | Consistent      |
| State Environmental Planning Policy No 47—Moore Park Showground   |  | Not applicable. |
| State Environmental Planning Policy No 50—Canal Estate Development  |  | Not applicable. |
| State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas |  | Not applicable. |
| State Environmental Planning Policy No 55—Remediation of Land   | A Contamination Assessment has been completed for the site in accordance with SEPP requirements. The assessment identifies potential Areas of Environmental Concern and procedures to guide further investigations, testing and remediation requirements.  | Consistent      |
| State Environmental Planning Policy No 62—Sustainable Aquaculture   |  | Not applicable. |
| State Environmental Planning Policy No 64—Advertising and Signage   | The proposal allows future development to meet the requirements of this SEPP.  | Consistent      |
| State Environmental Planning Policy No 65—Design Quality of Residential Flat Development                    | The proposal allows future development to meet the requirements of this SEPP.  | Consistent      |
| State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)                              |  | Not applicable. |
| State Environmental Planning Policy No 71—Coastal Protection  |  | Not applicable. |
| State Environmental Planning Policy (Affordable Rental Housing) 2009  | The proposal allows future development to meet the requirements of this SEPP.  | Consistent      |
| State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004                             | The proposal allows future development to meet the requirements of this SEPP.  | Consistent      |
| State Environmental Planning Policy (Exempt and Complying Development Codes) 2008                           | The proposal allows future development to meet the requirements of this SEPP.  | Consistent      |

| SEPP  | Comment   | Consistency     |
|---|---|-----------------|
| State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004        | The proposal will enable greater opportunities for housing facilitated through this SEPP.   | Consistent      |
| State Environmental Planning Policy (Infrastructure) 2007   | The proposal is supportive of planned and required upgrades to services, facilities and infrastructure in order to support the development of the Wilton Priority Growth Area. As part of developing the site, it is proposed to deliver substantial State infrastructure early and ahead of demand.  | Consistent      |
| State Environmental Planning Policy (Integration and Repeals) 2016                                |   | Not applicable. |
| State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007                |   | Not applicable. |
| State Environmental Planning Policy (Kurnell Peninsula) 1989                                      |   | Not applicable. |
| State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 | An approval for underground coal mining below the site has been issued by the Department of Planning & Environment. The resource is identified as Area 8 in South 32's Bulli Seam Operations underground long wall mining project. Assessment of the site and proposed mining activity indicate that development can progress without an impact on the ability to mine in the future. | Consistent      |
| State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007                       |   | Not applicable. |
| State Environmental Planning Policy (Penrith Lakes Scheme) 1989                                   |   | Not applicable. |
| State Environmental Planning Policy (Port Botany and Port Kembla) 2013                            |   | Not applicable. |
| State Environmental Planning Policy (Rural Lands) 2008  | This Policy excludes land within Wollondilly Shire Council.   | Not applicable. |
| State Environmental Planning Policy (State and Regional Development) 2011                         |   | Not applicable. |
| State Environmental Planning Policy (State Significant Precincts) 2005                            |   | Not applicable. |
| State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011                        | The site is not within a Sydney drinking water catchment area.  | Not applicable. |



| SEPP   | Comment   | Consistency     |
|--|---|-----------------|
| State Environmental Planning Policy (Sydney Region Growth Centres) 2006      | The Wilton Priority Growth Area is now a 'Growth Centre' under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as a result of the recent declaration of the SEPP, which was Gazetted on Friday 29 August 2016. The proposal is being facilitated through this SEPP to amend Wollondilly LEP 2011.   | Consistent      |
| State Environmental Planning Policy (Three Ports) 2013                       |   | Not applicable. |
| State Environmental Planning Policy (Urban Renewal) 2010                     |   | Not applicable. |
| State Environmental Planning Policy (Western Sydney Employment Area) 2009    |   | Not applicable. |
| State Environmental Planning Policy (Western Sydney Parklands) 2009          |   | Not applicable. |
| Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)        |   | Not applicable. |
| Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)      |   | Not applicable. |
| Sydney Regional Environmental Plan No 16—Walsh Bay                           |   | Not applicable. |
| Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) | The Nepean River is located north and west of the subject site. The Wilton Junction Masterplan has been designed to preserve the natural environment that interfaces between the Nepean River and its tributaries with future urban development. The investigations supporting this proposal consider the biodiversity and Aboriginal heritage of the site to ensure appropriate environmental standards are achieved. Environmental management to be adopted during construction will need to prevent impacts on the Nepean River. | Consistent      |
| Sydney Regional Environmental Plan No 24—Homebush Bay Area                   |   | Not applicable. |
| Sydney Regional Environmental Plan No 26—City West                           |   | Not applicable. |
| Sydney Regional Environmental Plan No 30—St Marys                            |   | Not applicable. |
| Sydney Regional Environmental Plan No 33—Cooks Cove                          |   | Not applicable. |
| Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005           |   | Not applicable. |

## 6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

A review of the consistency of this Planning Proposal with the relevant directions under Section 117 has been undertaken. Each s117 Ministerial Direction is listed below with an annotation stating whether it is relevant to the Planning Proposal and confirming consistency.

**Table 9: Consistency with Section117 Directions**

| S.117 Direction  | Comment   | Consistent      |
|--|---|-----------------|
| 1.1 Business and Industrial Zones                          | The proposal will increase the floor space for business and industrial activities in the locality and comprises the strategic allocation of commercial and mixed uses surrounding major transport connections to Sydney, Wollongong and Melbourne. The rezoning of the land will encourage local jobs and employment growth within the Wollondilly Local Government Area and provide more local services for the community.   | Consistent      |
| 1.2 Rural Zones  | <p>The proposal will rezone existing rural land zoned RU2 Rural Landscape for residential uses. However, the land is located within a declared Priority Growth Area under <i>State Environmental Planning Policy (Sydney Region Growth Centres)</i>.</p> <p>Given the land will be zoned in accordance with regional strategic planning provisions prepared by the Department of Planning &amp; Environment, the proposal meets the 'consistency' requirements of this Ministerial Direction.</p>   | Consistent      |
| 1.3 Mining, Petroleum Production and Extractive Industries | <p>The proposal does not prevent mining resources from being mined in the future and the Department of Primary Industries has been consulted extensively on the relationship of urban development and mining at the site.</p> <p>The site lies within Wilton Mine Subsidence District (MSD) and Area 8 of Illawarra Coal's Bulli Seam Operations underground long wall mining project. Mining of the site is expected to commence after another 20 or more years. Housing supply for the Wilton area is forecast as early as 2018, with residents by late 2018.</p> <p>The Mining Report prepared by MSEC acknowledges that the final longwall orientation of Appin area 8 may be subject to review in the future and development of Wilton could take place in advance of proposed mining activities provided development is designed in consideration of potential ground movements and to the satisfaction of the mine subsidence board. The MSEC report also provides design parameters to allow for the coexistence and management of the proposed development and mining activities. As such, there are no identified issues which would prevent the proposed rezoning.</p> | Consistent      |
| 1.4 Oyster Aquaculture                                     | This Ministerial Direction is not relevant to the proposal.   | Not applicable. |
| 1.5 Rural Lands  | <i>State Environmental Planning Policy (Rural Lands) 2008</i> excludes land within Wollondilly Shire Council, and therefore, this Ministerial Direction does not apply.   | Not applicable. |

| S.117 Direction  | Comment   | Consistent      |
|--|---|-----------------|
| 2.1 Environment Protection Zones   | The proposal does not seek to reduce the environmental protection standards affecting the site. Conversely, the proposal will adopt the requirements of a Biodiversity Certification process that will secure environmentally significant land in perpetuity.   | Consistent      |
| 2.2 Coastal Protection   | This Ministerial Direction is not relevant to the proposal.   | Not applicable. |
| 2.3 Heritage Conservation  | <p>All aspects of heritage significance are being managed as part of the proposal. A Heritage Report has been prepared for the site by Kayandel Archaeological Service and is enclosed in this proposal. The report confirms the rezoning proposal will not impact any items of European Heritage. Additionally, no archaeological areas have been identified which would prevent the proposed rezoning.</p> <p>A number of Aboriginal sites were identified in the vicinity of the subject site. The report findings provide that these sites generally occur below ridge tops and/or within 150m of watercourses. Where possible identified sites will be integrated into the design and allocation of appropriate land use zones. Recorded sites within the development footprint will require AHIPs if disturbance of these items is unavoidable. The report states that "Impacts upon items of Aboriginal heritage or items of historic heritage are not sufficient as to prevent the rezoning application currently proposed"</p> <p>The proposal will be delivered in accordance with the report recommendations to minimise disturbance of identified and unidentified items of significance.</p> | Consistent      |
| 2.4 Recreation Vehicle Areas   | This Ministerial Direction is not relevant to the proposal.   | Not applicable. |
| 2.5 Applications of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | This Ministerial Direction is not relevant to the proposal.   | Not applicable. |
| 3.1 Residential Zones  | This proposal will provide diverse housing choices with a mix of low to medium density housing. The masterplan prepared for Wilton Junction as it applies to the site demonstrates how the allocation of residential land uses makes efficient use of the existing infrastructure, enhances amenity for residents, promotes active living, minimises potential land use conflicts and seeks to minimise the potential impacts of the housing on the environment. Wollondilly LEP 2011 already includes provisions to ensure that the land will need to be adequately serviced for residential development.  | Consistent      |
| 3.2 Caravan Parks and Manufactured Home Estates  | This Ministerial Direction is not relevant to the proposal.   | Not applicable. |
| 3.3 Home Occupations   | As new dwellings are built and occupied their residents will have the option to establish home occupations.   | Consistent      |

| S.117 Direction                          | Comment  | Consistent      |
|--|--|-----------------|
| 3.4 Integrating Land Use and transport   | <p>The proposal integrates land uses and transport links to provide highly accessible connections to local services, open space and recreational opportunities, commercial areas and educational facilities. The concept design promotes walking and cycling with an extensive network of pathways.</p> <p>Public transport routes have been identified to maximise the opportunities to use alternative transport options to travel between home, work, school, shops and recreation facilities. The location of the proposed business and employment areas are well connected and strategically sited at the intersections of major roads.</p> <p>Medium density housing is sited close to area offering higher levels of amenity to encourage non-vehicular transport modes and to provide convenient living options for all ages within the local community.</p>   | Consistent      |
| 3.5 Development Near Licensed Aerodromes | There are no Licensed Aerodromes within the Wollondilly Local Government Area or in the vicinity of the site.  | Not applicable. |
| 3.6 Shooting Ranges                      | This Ministerial Direction is not relevant to the proposal.  | Not applicable. |
| 4.1 Acid Sulphate Soils                  | The site is not identified as being subject to risk on the Acid Sulphate Soils Planning Maps held by the Department of Planning & Environment, and therefore, this Ministerial Direction is not relevant to the proposal.  | Not applicable. |
| 4.2 Mine Subsidence and Unstable Land    | <p>The site is located within the Wilton Mines Subsidence District. The Wilton Priority Growth Area includes a small portion of the full extent of mining and exploration leases in the Macarthur Region known as the Bulli Seam Operations. Specialist advice has confirmed that South 32, the operator for mining the coal in the Bulli Seam Operations, currently has approved mining areas (Areas 7 &amp; 9) for around 25 years. There are also additional resources extending from Areas 7 &amp; 9 that contain more commercial resources which would provide over 40 years of supply before the area beneath the site (known as Area 8) would be required for mining operations. The extended mining areas provide a significant resource in addition to other extensive coal resources in the region that are not affected by the Greater Macarthur Investigation Area.</p> <p>In the event that mining occurs under urban development on the site, there is demonstrated ability to design a range of buildings, structures and associated infrastructure to accommodate the potential for subsidence. With this foresight and appropriate attention to detailed design and construction supervision, combined with appropriate subsidence management strategies for the surface improvements during mining, impacts can be significantly minimised.</p> <p>The enclosed Geotechnical study prepared by Douglas Partners has found that there are no identified stability issues which would prevent the rezoning the study area for urban development.</p> | Consistent      |

| S.117 Direction  | Comment  | Consistent      |
|--|--|-----------------|
| 4.3 Flood Prone Land   | The enclosed Water Management Strategy prepared by J Wyndham Prince assessed potential flood impacts of the proposal. The flood assessment reports that the site is not flood prone and that the catchments within the site are small. Consequently, any flood impacts generated by development can be managed by providing a conventional street drainage system. The proposal is therefore consistent with this direction.     | Consistent      |
| 4.4 Planning for Bushfire Protection   | The proposal will be delivered in accordance with this direction and Planning for Bushfire Protection 2006. The requirements for APZs have already been investigated and will be required to protect residential development where adjoining bushland. A Bushfire Assessment has been provided by InSites which includes recommendations for strategic maintenance of APZs, OPZs and mitigation measures for future development. | Consistent      |
| 5.1 Implementation of Regional Strategies                                    | The site is not within any areas included in the Regional Strategies listed in this Ministerial Direction.   | Not applicable. |
| 5.2 Sydney Drinking Water Catchments   | The site is not within a Sydney drinking water catchment listed in this Ministerial Direction.   | Not applicable. |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast   | This Ministerial Direction is not relevant to the proposal.  | Not applicable. |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | This Ministerial Direction is not relevant to the proposal.  | Not applicable. |
| 5.8 Second Sydney Airport: Badgerys Creek                                    | This Ministerial Direction is not relevant to the proposal.  | Not applicable. |
| 5.9 North West Rail Link Corridor Strategy                                   | This Ministerial Direction is not relevant to the proposal.  | Not applicable. |
| 5.10 Implementation of Regional Plans  | The site is not within any areas included in a Regional Plan released by the Minister, and therefore, this proposal is not relevant to this Ministerial Direction.   | Not applicable. |
| 6.1 Approval and Referral Requirements                                       | The proposal does not contain provisions that will require additional requirements for concurrence in approvals. The proposal will ensure that LEP provisions encourage the efficient and appropriate assessment of development within the local area as far as practicable.   | Consistent      |
| 6.2 Reserving Land for Public Purposes                                       | The proposal includes provisions and dedication of land for public services and facilities, including major roads.   | Consistent      |

| S.117 Direction  | Comment  | Consistent |
|--|--|------------|
| 6.3 Site Specific Provisions                                       | The proposal includes additional use provisions that are subject to the proposed lake to enable water related activities, which will broaden the uses and not restrict the use of land. The enabling provisions are in accordance with the principal environmental planning instrument.  | Consistent |
| 7.1 Implementation of the Metropolitan Strategy                    | The proposal is consistent with A Plan for Growing Sydney as detailed in Section 3.2 of this report.   | Consistent |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | <p>The proposal is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan published in September 2015, which identifies the site as 'developable land'.</p> <p>The Wilton Priority Growth Area was identified as a 'Priority Precinct' and more detailed investigations are enclosed with this proposal which ensure that all the land use, biodiversity and infrastructure requirements are properly satisfied to enable urban growth.</p> <p>A detailed response to the rezoning pathway and Priority Precinct Actions is included in Section 4.4 of Part 1 of this proposal.</p> | Consistent |

### 3.3 Section C – Environmental, social and economic impact

**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

An assessment of significance has been undertaken for the site and identified the various ecological communities and their level of environmental significance. There have also been specific assessments on native grassland communities.

Due to the scale of the area being rezoned, the proposal is to run concurrently with a Biodiversity Certification process that will address the management of ecological communities and resolve options for offsetting impacts on biodiversity at the early planning stages.

Once the Biodiversity Certification is formalised, assessment and determination of Development Applications will be exempt from the relevant requirements under the Environmental Planning and Assessment Act 1979 and site specific assessment under the Threatened Species Conservation Act 1995.

**8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

As a result of the proposal bushfire mitigation measures will need to be implemented in the future. This will involve the establishment of Outer Protection Zones within bushland adjoining developable land. This mitigation measure has been recommended under Planning for bushfires 2006. All future development will need to comply with the mitigation measures proposed to manage bushfire safety.

Though substantially disturbed a number of Aboriginal sites have been identified in the vicinity of the site. The Heritage Report prepared by Kayandel Archaeological Services confirms these findings are not sufficient to prevent the rezoning, however further assessment will be required prior to development to determine whether items can be integrated and conserved in open space areas or whether an AHIP will be required.

**9. Has the planning proposal adequately addressed any social and economic effects?**

Comprehensive assessments on the economic and social impacts associated with the rezoning of land have been undertaken by Macroplan Dimasi in relation to economic impacts and Elton Consulting in regard to social impacts. The respective assessments confirm that urban development of the site will result in positive social and economic effects and no detrimental impacts.

MacroPlan Dimasi prepared an Economic Development & Employment Strategy as part of the Wilton Junction rezoning process, which is enclosed with this proposal. This report considered the economic potential for different types of business activities with a focus on industries that are predominantly population driven including retail, social infrastructure, health care, education and public administration, employment will evolve sequentially with population growth.

The report provides employment strategies for sector specific industries including health, education, construction, transport, postal and warehousing, tourism and recreation and agribusiness. The success of the strategies will be dependent on: the quality and inventiveness of specific marketing material, appropriate implementation structures and arrangements and the ongoing ownership and refinement of the initiatives.

As detailed in Part 1 of this Planning Proposal, MacroPlan Dimasi has also prepared an Employment Strategy (refer **Appendix 1**) to ensure the early delivery and targeted job growth from day 1 of construction. This Employment Strategy sets a framework for creating new employment throughout the lifecycle of Wilton West. There will be significant economic and social benefits arising from the Strategy with a push to establish specific employment uses to stimulate local economic to drive job creation.

There will be important social benefits from the Employment Strategy as it will enable people to work close to where they live. It will also provide opportunities for post-school training in construction jobs to assist in establishing a localised skilled workforce for the construction industry throughout the development lifecycle of Wilton New Town.

The proposal site is projected to contain over 16,000 people which will require extensive social infrastructure to support healthy living and quality lifestyles. Importantly this needs to include the recreational, health and entertainment facilities to maximise the liveability of the new community. The proposal includes delivery of a range of new district and local social infrastructure within the site including:

- Private K-12 school
- Public Primary School
- Two double playing fields
- Over 20ha of active open space
- Over 25ha of passive open space

In addition, the proponent is willing to accommodate a new Public K-12 School for Wilton New Town if there is demand and it cannot be provided elsewhere within the Wilton Priority Growth Area. The Lakeside Activity Hub is to contain a significant health services component and there will also be extensive pathways, picnic and recreational facilities, and child cares services.

The following positive effects will result from the rezoning:

- Additional supply in housing.
- a diverse range of housing types that capture a full socio-economic mix of people of all ages and family type.
- Generation of local employment opportunities.
- Establishment of and upgrades to local community facilities, open space and infrastructure.

The proposal will attract more people to Wilton New Town and will support the economic viability of the entire community with accelerated employment and housing growth.



### 3.4 Section D – State and Commonwealth Interests

#### 10. Is there adequate public infrastructure for the planning proposal?

The State and local infrastructure requirements were comprehensively investigated and determined as part of the Wilton Junction rezoning process, which included extensive consultation with Government Departments and agencies, and service providers.

A proponent infrastructure offer was presented to the Government in July 2015 as part of the Wilton Junction rezoning. The total value of the Wilton Junction proponent offer was \$178.5M, which includes \$45M of additional funds requested by the Department of Planning & Environment that is related to Wilton Junction. The offer also included land dedicated for conservation purposes.

The offer was structured so infrastructure could be provided individually by the three largest landowners in the Wilton Priority Growth Area (excluding Lend Lease) given the critical mass generated by their respective projects. Various infrastructure items were allocated to these landowners based on the development capacity of each respective individual project.

It is proposed to provide certain State infrastructure early to ensure delivery will always be ahead of demand throughout the life of the project. The schedule for infrastructure delivery will result in over 70% of the State infrastructure requirements being delivered when only 23% of the urban development has occurred. This results in the last 77% of the development to support the remaining 30% of State infrastructure.

Contributions for State road infrastructure that have been established for Wilton Junction require upgrading to the Hume Highway/Picton Road Interchange and the provision of new off and on-ramps. This will ensure the performance of the Interchange improves by separating the traffic generated from Wilton New Town and the heavy freight vehicles traveling between the Wollongong and Sydney regions. These works also include the provision of a pedestrian bridge over the Hume Highway to enable a pedestrian and cycling transport connection to Bingara Gorge.

The opportunity to improve connectivity with Wilton New Town by incorporating an additional off-ramp from the Hume Highway that provides a direct access route to the northern areas of Bingara Gorge and Wilton West is another component of important State infrastructure. The additional off-ramp from the Hume Highway has evolved out of the planning undertaken during the Wilton Junction planning process. The new direct access arrangement establishes a strategic road connection directly off the Hume Highway that will reduce traffic on the exiting Hume Highway/Picton Road interchange and increase options for accessing Wilton New Town. The proposed on-ramp within Wilton West would also be delivered to ensure easy access in the northbound direction. This will deliver a well-connected road network that achieves a host of wide-ranging benefits to serve the Wilton New Town community as it grows.

Water is to be provided under a commercial agreement with Sydney Water and a site for a reservoir has been identified on elevated land within the Walker Corporation land, which also forms part of the Wilton Priority Growth Area. Wastewater infrastructure will be provided under a commercial agreement with Sydney Water or an approved licensed operator.

Education requirements were determined as part of the Wilton Junction investigations and established that a Public K-12 school and two primary schools. The site has a Private K-12 school and one of the Public primary schools. The proponent has a contracted provider for the Private K-12 school and the primary school in the north of the site will need to be delivered in the medium to long term. In the event that there is a demand to establish a Public K-12 school, which was to be located in closer proximity to the Town Centre, and development within the other areas of Wilton New Town is not progressing, the proponent would be agreeable to deliver this essential educational infrastructure item.

It is noted that the other two major landowners will also have capacity to deliver major State infrastructure in the Wilton New Town. It is anticipated that the respective infrastructure items will be allocated as has been determined during the Wilton Junction planning process. It is expected that the smaller landholdings located within the Wilton PGA will need to make contributions through the SIC.

A staging schedule has been developed to set a framework for the staged infrastructure commitments and delivery. Given the site is estimated to deliver over 5,400 residential allotments, it is programmed that most of the State infrastructure is delivered in the early stages of the urban development.

**Table 10: Infrastructure Staging Schedule**

| Item  | No. of Proponent Registered Lots prior to provision |
|---|---|
| 1. Hume Highway/Picton Road Interchange*        | 0-300   |
| 2. Northern Pedestrian Bridge over Hume Highway | 0   |
| 3. Northern Ramps: northern on ramp             | 750   |
| 4. Northern Ramps: south off ramp               | 1,250   |
| 5. Northern Ramps: bridge and traffic lights    | 1,250   |
| 6. Primary School                               | 3,500   |

\* to be delivered in conjunction with Walker Corporation

### Individual Voluntary Planning Agreement

An Individual Voluntary Planning Agreement (VPA) between the proponent and the Government would formalise and safeguard the timely delivery of State infrastructure. Included in the VPA would be the above staging thresholds and appropriate guarantees to lockstep the provision of infrastructure with development.

The proponent is committed to enter into an Individual VPA as part of the rezoning that addresses the following:

- funding, schedule of works and timeframes,
- aligning the provision of State infrastructure with proportion of development, and
- establishment of an Environment Trust to support the conservation lands.

### Minimising Risk on State Infrastructure

Various measures have been implemented between the major landowners to minimise the infrastructure risk to Government. Most significant is the allocation of State infrastructure items to individual landowners that is based on the nexus of the item with their respective projects. This will therefore avoid the interdependence and therefore minimises risk.

A Risk Analysis and Contingency Plan relating to the project is outlined below. The infrastructure items correspond with the infrastructure staging program, which sets development thresholds to infrastructure items.

**Table 11: Risk Analysis & Contingency Plan**

| Item  | Risk           | Risk Protection  |
|---|----------------|--|
| 1. Hume Highway / Picton Road Interchange       | No pay         | Appropriate guarantees from proponent(s). To be provided on registration first lot by any of the three proponents. Reduces as payments made. |
| 2. Northern Pedestrian Bridge over Hume Highway | Not proceeding | No demand. No one else dependent.  |
| 3. Northern Ramps: northern on ramp             | Not proceeding | Appropriate guarantee up to 750 lots. To be provided on registration first lot by any of the three proponents.                               |
| 4. Northern Ramps: south off ramp               | Not proceeding | Appropriate guarantee for bridge and off ramp after 750 lots.  |
| 5. Northern Ramps: bridge and traffic lights    | Not proceeding | Appropriate guarantee for bridge and off ramp after 750 lots.  |
| 6. Primary School                               | Not proceeding | Not necessary. No demand.  |

The Infrastructure Staging Schedule included in the VPA combined with Risk Analysis and Contingency Plan means that the proponent will have funded 70 percent of the State infrastructure costs at the registration of 1,250 residential allotments, which represents 23 percent of the development. In the event that the Public K-12 school is included into the site because others are not developing, then the proponent will have funded 90 percent of the State infrastructure.

At every stage of the development the funding of State infrastructure is significantly forward of the demand generated by the new urban growth and this is secured in a legally binding agreement. Therefore, it can be assured that infrastructure delivery and 'at no additional cost to Government' imperatives are met with minimal risk to Government.

**11. What are the views of the state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

The proposed rezoning of the site has already undergone a thorough consultation process with Government Departments and agencies as part of the Wilton Junction rezoning proposal.

Director General's Requirements were issued in May 2013 to establish requirements for specialist investigations to inform the rezoning of Wilton Junction. Specialist investigations and reports, which are enclosed with this proposal, were prepared in response to the Director General's Requirements and submitted to the Department of Planning & Environment to complete a 'test of adequacy'. The assessment reports were issued to the various Departments and agencies as relevant for preliminary review and assessment for test of adequacy. The feedback on all assessment reports has been that they meet the test of adequacy requirements subject to minor updates.

All necessary Government Departments and agencies have been consulted in relation to the outcomes in this proposal and no negative views have been expressed that require the proposal to be modified or not to progress.

## 4 COMMUNITY CONSULTATION

This Planning Proposal seeks to rezone the Wilton West site within the Wilton Priority Growth Area for urban development in *Wollondilly Local Environmental Plan 2011*, which is to be facilitated through an amendment under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

The amendment will be progressed as a '24 hour SEPP' to amend the Wollondilly LEP 2011. Community consultation via public exhibition of the Planning Proposal should involve:

- Advertising in the local papers distributed in the area
- Notification on Council's Website
- Notification to adjoining landowners

It is recommended that public exhibition be undertaken for a 28-day period.

It is noted that a comprehensive set of investigations and assessments have been completed for the site, which were prepared in response to the Director Generals Requirements issued for the Wilton Junction rezoning process. All of the investigations and assessments were submitted to the NSW Department of Planning and Wollondilly Shire Council for review and comment. The Department referred the investigations to the respective departments as relevant for review and each provided comment in return.

The 'test of adequacy' assessment on the investigations and assessments confirms the reporting is satisfactory to progress to exhibition.

## 5 PROJECT TIMELINE

This Planning Proposal will be progressed through a different assessment pathway than the Gateway Process outlined in Department of Planning & Environment's "A guide to preparing planning proposals" as the amendment is being facilitated through an amendment under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

It is noted that a complete set of investigations and assessments have been completed for the site, which were prepared in response to the Director General's Requirements issued for the Wilton Junction rezoning process. A 'test of adequacy' assessment has been completed by Government departments and agencies, which confirms the reporting is adequate to progress to exhibition.

The project timeline below has been formulated in consideration of the above circumstances and the NSW Government to deliver new housing in the first quarter of 2018, with residents by late 2018.

**Table 12: Project Timeline**

| Tasks   | 2017 |     |     |     |     |     |     |     |      |     |     |     |
|---|------|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|
|   | Jan  | Feb | Mar | Apr | May | Jun | Jul | Aug | Sept | Oct | Nov | Dec |
| Lodgement of Planning Proposal  |      |     |     |     |     |     |     |     |      |     |     |     |
| Exhibition of LUIS  |      |     |     |     |     |     |     |     |      |     |     |     |
| DoPE review Planning Proposal & Issue SEARs                                     |      |     |     |     |     |     |     |     |      |     |     |     |
| Finalise Planning Proposal supporting documentation and fulfil SEARs            |      |     |     |     |     |     |     |     |      |     |     |     |
| Exhibition of Planning Proposal (28 days)                                       |      |     |     |     |     |     |     |     |      |     |     |     |
| Review submissions & undertake final assessment                                 |      |     |     |     |     |     |     |     |      |     |     |     |
| Final assessment, Parliamentary Counsel & determination by Minister or delegate |      |     |     |     |     |     |     |     |      |     |     |     |
| Rezoning complete   |      |     |     |     |     |     |     |     |      |     |     |     |

## 6 CONCLUSION

The purpose of this planning proposal is to rezone the entire Wilton West landholding by amending *Wollondilly Local Environmental Plan 2011* to enable urban and residential development.

The rezoning amendment is to be facilitated by an amendment under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*. The proposal will make the rezoning to Wollondilly LEP 2011 through a '24 hour SEPP'. This is the most appropriate method to effect the intended outcome as outlined to meet the timeframes for housing delivery as set out by the NSW Government.

The Planning Proposal is consistent with the NSW Government's strategic planning framework for urban growth in South West Sydney, in particular the early planning undertaken for the Draft South West District Plan and Greater Macarthur Investigation Area. The site also falls within an area identified for growth in 'A plan for Growing Sydney', which is the Government's Metropolitan growth strategy for Greater Sydney.

The proponent is committed to ensuring new residents have local job opportunities and local services early in the development. This is demonstrated by the inclusion of a site-specific Employment Strategy to guide the early provision of new jobs and services.

The Planning Proposal will:

- enable over 5,400 new homes and will create local businesses and jobs for local residents.
- Early delivery of employment through construction and supporting businesses such as training.
- A new kindergarten to Year 12 school in Wilton West in the first stages of development.
- Creation of a Lakeside Activity Hub providing a diverse range of services and activities for local residents.
- Health and supporting industries for the ageing population.
- A diverse range of housing options to ensure all types of families and households can choose to live in Wilton West.
- Land for large-format business to provide greater diversity in business and employment opportunities.
- State and local infrastructure to support the future population, including the provision of extensive road upgrades, new public transport facilities, new education and recreational facilities, and conservation of environmentally significant land.

The following amendments to the Wollondilly LEP 2011 will be required:

- Introduction of the additional zones – R1 General Residential and B5 Business Development
- Amendments to text included in LEP
- Amendments to LEP maps (land Use Zoning, Minimum Lot Size, etc.)
- Introduction of additional maps

The proposal will result in numerous positive outcomes for the community and the wider Wollondilly LGA and enable the delivery of new urban land within the future Wilton New Town planned by the NSW Government.

## APPENDIX 1

“Wilton Lakeside Precinct: Employment Strategy and  
Economic Masterplan” dated December 2016  
by MacroPlan Dimasi

# Wilton West Precinct

## Employment Strategy and Economic Masterplan

December 2016





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#### Quality Assurance

| Report Stage | Author         | Date           | Review        | Date           |
|--------------|----------------|----------------|---------------|----------------|
| Draft Report | Brian Haratsis | September 2016 | Gary Prattley | September 2016 |
| Final Report | Brian Haratsis | January 2016   | Gary Prattley | January 2016   |

Prepared for: Bradcorp Holdings Pty Ltd

MacroPlan Dimasi staff responsible for this report:

Brian Haratsis & Gary Prattley

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## Executive Summary

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Bradcorp has been developing a consistent vision for Wilton Junction for over 15 years, following the initial impetus of the Macarthur Three Cities policy of the 1970's. A key driver has been to develop a new generation version of the 'Garden City' concept, an integrated and largely self-contained town that could deliver a more diverse range of housing and employment choice for South West Sydney. The intention is to provide options for the growing level of professional employment in health, education and innovative industries. This was inspired by the difficulties faced (in retention of professional staff) in the Campbelltown / Macarthur Health precinct, and the need to lift the professional education level profile of the area.

Extensive work and analysis has been undertaken over the last five years in terms of future demographic and employment profiles of the Wilton Priority Growth area, which has resulted in a growth centre masterplan / conceptual strategy for a major town centre and associated village / business / employment precincts.

Wilton West has always been envisaged as a premium location to attract a range of higher order employment, social and cultural uses with a major K-12 private college already committed, i.e. separate and distinct from the other planned retail/employment hubs that are expected to service the needs of a 30,000-strong new town.

The potential to create alternative access to the Hume Highway to service the existing Bingara Gorge development and the early stages of Wilton West provide opportunities to develop early employment activation in anticipation of, and in support of, the future major town centre.

The intersection of national economic policies, the NSW Government's economic development strategies, Wollondilly Council's commitments to economic and employment growth and the emerging business and employment growth drivers (leading to a shift from monocentric to polycentric city structures) provides a real opportunity to demonstrate at this location, how new employment creation can be fostered. This would be a first for Sydney and a major economic stimulus for the South West Growth Corridor.

We know that more than 80% of the economic gross value add now derived from the services sector and that about 80% of employment is in the service sector, which is increasing. The combination of this with new technologies is creating opportunity for new urban structures that harness the new service industries and their products.

This report explores how growth and innovation in services can be spatially accommodated and how these spatial relationships might be re-invented to morph from commodity trading relationships (e.g. retailing) to collaborative, innovative, sharing and supportive economies.

Early work that guided the planning for new housing and employment opportunities at Wilton Junction identified the potential to create a new township of 11-13,000 new homes and approximately 11,000 jobs. A masterplan has been prepared, earmarking a series of residential neighbourhoods around green spaces, supported by a town centre of some 25,000m<sup>2</sup>, with associated business/industrial offerings and in close proximity to the Hume Highway and Picton Road.

From an employment perspective, early planning anticipates the following housing and employment outcomes:

Table 1 - Population and Jobs - Wilton Junction (2041)

|  | Count                  |
|--|------------------------|
| Total Residents                                      | 34,955                 |
| Employed Residents                                   | 12,000 – 13,200        |
| <b>Jobs in Wilton Junction</b>                       | <b>10,440 – 11,770</b> |
| <b>Employed residents working in Wilton Junction</b> | <b>8,400 – 9,240</b>   |
| - Work from home and not fixed                       | 1,566 – 1,766          |
| - Work in designated employment lands                | 6,834 – 7,474          |

Source: MacroPlan

More detailed analysis for the Wilton West Precinct provides opportunity to reconsider these estimates and to plan for specific employment growth in more detail.

This process allows for a deeper consideration of current and emerging economic factors and their implications for a 'suburban' new town format.

These factors include:

- The emergence of Australia's service sector;
- A new level of understanding as to the employment potential from start-up enterprises; and
- An enhanced appreciation of the spatial and policy tools to tap into this potential

Spatial relationships at Wilton can accommodate exciting new lifestyles and start-up businesses. The focus of non-CBD activity should be education, collaboration and sharing as a basis for innovation and creativity. Accordingly, retailing should not be the future focal point. Collaborative spaces, lifelong education, business incubation and lifestyle spaces (to promote recreation and health) should dominate with 'enabling' spaces and uses (retail, active / traditional transport hubs, distribution / warehouse space) in support locations which activate the non-commodity spaces.

The Wilton West Precinct will provide a neighbourhood centre of 4-6000 sqm convenience retail. The timing of the retail facilities in the lakeside precinct lifecycle will mean there will be no impacts on the evolution of the district town centre (this is consistent with the delivery models for most of the award winning large scale projects nationally).

The district town centre will not occur for at least 10 years and it will support the non-retail uses over time, but we note its early stages will be primarily a retail oriented centre. Allowing this centre to flourish for retail early on will ensure its primacy over the longer time.

Wilton West Precinct is forecast to deliver by 2033 job opportunities for 2,351 jobs. This is due to the early mover approach focus on growth industries and recognising the role Wilton can play in the regional and sub regional economies.

Wilton West Precinct will focus on a project lifecycle employment strategy which initially utilises the construction industry to achieve to self-containment. As the project progresses



and develops the health, education, recreation, retail and transport (and emergency services) industries it will develop into a diversified economy based on the services sector.

The economic plan is based on the attraction of:

- Small to medium size enterprises (SME's)
- Foundation building contracting businesses
- Foundation health businesses and education services.

Analysis of local businesses indicates the extent to which small businesses dominate these types of sectors in Wollondilly and Campbelltown (80-90% of businesses less than 5 people). Further detailed analysis across Australia case studies demonstrates that:

- Australia has a very high proportion of start-up businesses, and
- Start-up business in Australia account for around 23% of new businesses but around 50% of new employment

At 5,400 lots the Wilton West has the ideal scale to build a freestanding fully serviced community. With a capacity population of 16,200 persons this precinct will support:

- Full employment containment at one job per household
- A full suite of educational opportunities (3 x childcare centres, 2 x primary school, 1 x secondary school)
- A full suite of weekly shopping opportunities
- Comprehensive community facilities; and
- High quality and accessible passive and active open space

*In 2017, the number of Millennials (persons born after 1980) will be greater than Traditionals (born before 1980).*

*The needs and demands of Millennials are significantly different to Traditionals. These differences include not only lifestyle choices but attributes to, and requirements for, emphasis on health, wellbeing, technology and employment. This can be seen in terms a greater emphasis on early childhood development, health and recreation facilities, reliance on technology and a much greater emphasis on start-up businesses.*

*Millennials (born after 1980) have different lifestyles defined by the intersection of emotional space, cyberspace and the physical world. Millennials are creating demand for new lifestyles, spaces and places to live.*

Wilton West precinct will also generate demand from Traditionals (in addition to Millennials), due to the high levels of amenity, level of affordability, range of health care services, the early opportunity to 'cash out' from an existing dwelling and continue to work. The provision of a range of retirement living options will mean that the fundamental principle of a balanced demographic community will be achieved on the project as it is developed.

The Wilton Priority Growth Area Master Plan provides a perfect framework for a collaborative network driven growth area. The Lakeside activity hubs provides a desirable setting for the translation and delivery of such an employment model.

## Introduction

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MacroPlan has been commissioned to prepare an “Employment Strategy” and “Economic Masterplan” for the Wilton West Precinct Planning Proposal. This report is an additional research document, from the early planning material for Wilton-Junction, which has a focussed role on describing the key strategic economic principles which are driving the design response.

Essentially, this research drives the opportunity for Wilton West Precinct to leverage from the implications of the economic factors driving a new suburban format, and rethinking how and where we can accommodate growth and innovation in a masterplan due to:

- The emergence of the services sector
- Employment potential from start ups
- Relationships between lifestyle and business

The interplay between these variables and others will have a strong influence on the future development pattern. In summary, the sections of the report that address these outputs are:

- **Section One** provides the necessary background and economic context
- **Section Two** provides the economic plan which has been derived from case study analysis and local demand considerations.
- **Section Three** is an analysis of the service sector and key trends as they relate to the Wilton West Precinct
- **Section Four** is the employment strategy which drives the design outcomes
- **Section Five and Section Six** is a detailed description of the development schedule pre and post 2033
- **Section Seven** provides a phasing plan which drives the staging of the masterplan
- **Section Eight** reviews the critical elements that support lakeside as a lead project for Wilton

## Section One: Wilton West Precinct Context

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This report updates MacroPlan’s employment forecast report prepared to inform the early planning for Wilton-Junction (Employment Projections & Land Need, July 2014) and builds upon the earlier Economic Development & Employment Strategy (October, 2013).

These previous reports outlined the market-based employment land needs to adequately cater for the requirements of a 30,000-strong new township. They projected:

- A population base of 34,955 persons by 2041
- Between 10,440-11,770 jobs at Wilton
- A likely three-phase growth in employment, involving:
  - Population Induced Employment - comprising early retail and community-based development to service population growth;
  - Household Service and Transport-related Industry – those industries which service households or which can benefit from improved transport (road) infrastructure and the possibility of passing trade; and
  - Operators that benefit from Business-to-Business Trade – industries that service other businesses (business-to-business) are likely to evolve following the second phase of development.

The context of the initial reports has not altered however we note that the inclusion of the Greater Macarthur area as a future residential area:

- Strengthens the long term economic opportunity for the regional centre
- Creates demand for regional and sub-regional services
- Accentuates the strength and opportunity of Wilton as:

- A nodal location and
- A regional and sub-regional distribution hub. This includes construction, emergency and human services

The Wilton West Precinct can accommodate a range of employment rich land uses and activities. In preparing our report, we assessed three strategic elements which is currently driving the economic context for Wilton West Precinct:

### **Theme One: Economic**

- Sydney’s economic growth is healthy, with the continued investment by state government on the infrastructure program which is expected to continue, this will drive the economy once the pace of the dwelling construction (apartment) moderates
- A shortage of housing still exists in NSW, even with the increased production of residential construction. Strong population growth and low interest rates are continuing to support demand. The continued camping out for new lots is indicative for the need for a more competitive range of development fronts and land supply.
- The rise in house prices is providing continued support to consumer spending.
- Services tied to consumer spending are benefiting from this economic environment – health, professional, retail, food and accommodation.
- A lower Australian dollar and positive conditions in the retail sector and labour market provide an encouraging outlook for continued investment.

### **Theme Two: Employment**

- Sydney and south west Sydney have continued to average annual jobs growth close to 1.5% over the past 5 years
- Jobs and household growth will continue to be supported from the broader construction cycle
- Population growth across the South West will continue to be a major facilitator for employment growth

- Major Infrastructure investment (road, rail, airport) and expansion in transport and the logistics industry will be a major factor of growth
- As the local economy matures health, education, professional services will experience strong demand
- The delivery of the whole corridor will continue to drive industry expansion and supply chain growth across the region
- Remote and mobile workers will continue to be attracted given the geographic access with increased infrastructure delivery (WSEA, Badgerys Creek, Illawarra etc)

### **Theme Three: Housing**

- Residential construction has been the catalyst for the strong population growth
- The shifts in the residential property market, as well as jobs growth and economic stimulus supports the rise in demand for new housing
- Regional population growth is being driven by diversity in the demographic sub markets – this includes first home buyers (25-39) to persons aged 65+
- Primary shifts towards smaller lot housing within newer residential estates in the south west is attracting primary shifts in demand
- Many older age groups and mature families can downsize or cash out due to the recent growth in the value of residential property, and this is driving a demand for a wider range of housing options such as over 55 lifestyle villages or resort parks

In assessing the overall demand context for Wilton West Precinct, previous MacroPlan economic studies have addressed the consumer segments. The consumer or target segments that will activate and support the proposed candidate uses will include:

- Permanent residents
- Local workforce
- Local and visiting aquatic and recreational users
- Day visitors from other locations

Demographic analysis of the local and regional population, identifies key trends in the consumer groups as being:

- 0-19 and 24-49 year old age groups
- Additional representation from senior age groups, higher than other new estate locations across Sydney (due to current population characteristics and housing product)
- Couple families with children and retiree households (couple families without children and lone person households)
- Residents with 'lifestyles' which complement the Wilton West Precinct and proposed land uses
- Local workforce across population drive and external market industries

## Section Two : The Economic Masterplan

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### The Economic Plan

In developing the Wilton West Precinct employment strategy, an economic plan has been developed to provide guidance to the design and preparation of the master plan. The plan has been a response to the emerging economic factors driving the future of Australia and Greater Sydney.

We support the current planning policy focus that cities of the future may not be bound by the requirements for centralised areas or businesses clustering the same way as today, primarily due to the greater access and ease of movement across Metropolitan Sydney.

A new set of principles will be shaped by the spatial patterns of commerce, new technology driving city fringe development and environmental living being attractive for residents.

The design of the economic plan is a response to leverage from the implications of the new suburban format and rethink how / where we accommodate growth and innovation. Key economic shifts we are observing include:

- The emergence of the services sector
- Employment potential and growth from start-up enterprises
- New relationships between lifestyle and business

The interplay between these variables and others will have a strong influence on the future development pattern, which has been addressed in the analysis.

Essentially, the economic plan will deliver:

- an integrated project approach and largely a self-contained town that can deliver a diverse range of housing and employment choices
- a progressive economic strategy to maximise the early establishment of employment and foster its growth through a collaborative network driven growth area



- encourage a collaborative, innovative, sharing and supporting environment through embracing the implications from technology on the new urban structure
- ‘enabling spaces’ which will be home to collaborative working, lifelong education, business incubation and promote recreation and social interaction
- Traditional industries (active / traditional transport hubs, distribution / warehouse spaces) which will be in supportive locations which activate the non-commodity spaces
- Provide new opportunities to harness industry that is core for those people and businesses involved in health, education and innovation sectors
- diverse housing delivery approach and attraction of different demographics, residents who will be involved right through from higher order employment, to social and cultural activities

The economic plan driving the employment outcomes is:

- Meeting existing gaps based on demand e.g. already committed to a K-12 Anglican College
- Trapping construction multipliers locally
- Leveraging the fastest growing economic sectors i.e. health and education
- Attracting small to medium side (SME’s) enterprises and contractors
- Leveraging local amenity (i.e the lake) to accommodate a wide range of recreational cases (e.g. club, gymnasium) and regional meetings and conferences
- Provision of service retail to service local needs, recognising the regional retail centre will not be feasible for around 10 years
- Leveraging ingress and egress to the freeway to accommodate a range of regional and sub-regional uses including emergency services, transport services, home care services etc.
- Complement the proposed future Regional Centre and focuses on:

- A range of uses which vertically integrate by sectors e.g. health

In terms of health the focus is on ageing including retirement, aged care, palliative care and allied health utilising the high end demand for health services to grow a deeper health sector.

A range of uses with synergies e.g. (combining health with education) will provide local training opportunities including the construction industry with training opportunities and deepening of the longer term plans for localised VET courses. This will be achieved through the provision of dedicated training floor space.

The focus of building a real local economy will range from:

- The provision of collaborative workspaces
- Creating a range of lot sizes
- Accommodating contractors required for building and construction

The district centre has a focus of providing more land intensive uses, ensuring complementary place making.

## Exemplar Analysis

In essence the Wilton West Precinct will complement the district Centre. Through our analysis, this approach has been successfully used many times. For example a National review of projects identifies the following:

- The Lakeside in Pakenham (VIC) complements the Berwick and Pakenham town centres.
  - The Lakeside is a community focus that encourages residents to get involved with events such as walking groups, community BBQs and special interest groups.
  - The Lakeside Village offers a mix of retail from daily convenience to dining.

- 36 hectares of green and natural spaces for outdoor activities, a 6 lane 400m rowing course in the centre of the superb 6.5-hectare lake
- Caroline Springs in Melbourne grew the Lakeside (village) precinct prior to the Caroline Springs Town Centre:
  - 22km west of Melbourne, Caroline Springs is developed over 800ha which comprises 18 villages, each with their own park and a resident population of 19,000 persons – expected to reach a total population of 23,000 upon completion and support a local workforce of 6,500 jobs.
  - A 7.8ha Lake Caroline adjoins the town centre, which features supermarkets, cafes, restaurants, pharmacy etc. Also located is 2 hotels, 3 colleges, library, police station, medical centre and a leisure centre.
  - A second lake is located at the Village Precinct, surrounded mostly by residential with a medical centre, catholic school, college and small community centre, convenience store and few cafes and restaurants.
  - A small home based centre was established with Melton Council, offering serviced offices and boardroom for leases to local businesses below market rates
- Ellenbrook (Perth) started with a lakeside centre and a second neighbourhood centre more than 10 years before the town centre was constructed.
  - The Woodlake precinct features a smaller set of shops designed for daily convenience. The lake is mostly surrounded by residential and is adjacent to a primary school, community centre and shopping centre.
  - The development of the Woodlake precinct was a first stage of a small neighbourhood precinct and a jointly funded community centre with the first “schools in houses” project. At the commencement of development a medical suite, chemist and project office / display centre was added.

- Recreational elements also include playground, basketball court and walking tracks
- Googong (Canberra) started with a neighbourhood activity hub followed 4-5 years later with a neighbourhood centre. A town centre is planned for construction within the next 2-3 years.
  - 16km south east of Canberra, the development will house 5,550 homes, an expected population of 16,000 persons and an estimated 2,500 operational jobs at completion.
  - Each of the neighbourhoods will feature a village or neighbourhood centre, ranging in size from a small strip of shops to minor retail centres.
  - The upfront activity hub included a multi-purpose community centre, 25m pool, coffee shop, gym, restaurant and small shop and sales office. Given the sites isolation this played a major part in increasing the attractiveness of the state and doubling the sales rate in the first year. The retail component was supported by the initial residents and construction workforce creating a vibrant centre from the start.
- Brighton Butler town centre (again adjacent to the Lake / open space) was constructed more than 10 years before the sub-regional centre (30,000 sqm) some 3km to the north
- The Department of Planning (NSW) itself held the Rouse Hill Town Centre site for some 25 years until the surrounding suburbs achieved the entitled mass to support the centre. In the interim, local neighbour centres such as Stanhope Gardens developed to serve the community.

An assessment of each of these town centres and regional / sub-regional centres has different relationships based on:

- Catchment size and population driven jobs

- Spatial relationships between the centres
- Locational factors e.g. access to freeways / exposure
- Regional context for long term business growth (e.g. in our case Greater Macarthur and the Wilton regional catchment)
- Existing and future regional and sub-regional supply and demand gaps
- Potential to localise economic multipliers e.g. Wilton's distance from other growth centres

A number of success factors of the design elements of projects has been identified (which have supported the economic performance), which will be relevant to the Wilton West Precinct:

- Natural setting / beauty / view : aesthetics and building design that complements the setting
- Accessibility / proximity : not only proximity to surrounding permanent residents, but access to the regional population through regional and local road connection
- Point of difference / operations: commercial operations in a destinational precinct such as Wilton West Precinct is a key point of difference. Multiple spaces, point of difference in offering and the commercial operation / plan will be important.

## Plan Application

In applying the findings from the research, we make the following observations:

- Wilton West Precinct can, with the right economic plan, capture a high proportion of economic multipliers, particularly in relation to construction. It is expected that by the mid to late 2020's Wilton West Precinct will be the primary construction and construction services hub for the entire southern portion of Greater Macarthur.
- Given the construction and development timeframe, Wilton West Precinct has the opportunity to tap into the growing collaborative and sharing economies driven by the online economy and potentially post 2025 including Automated Vehicles.
- This suggests that from an economic perspective Wilton West Precinct takes on attributes of a 'post main street' planning. That is to say that Wilton West Precinct could become an exemplar project integrating key elements of the new services economy and focusing on the fast growing SME sector.
- The landowner/developer is actively seeking partners to establish new businesses and new facilities (i.e Wollondilly Anglican School)

Key parameters of the economic plan which compliment broader objectives include:

- Increasing the retention of lot and dwelling construction economic multipliers over time. Specifically increasing for 25% job retention in 2018 to 50% by 2023 by:
  - Requiring builders to open local offices
  - Creating early supply base and supply opportunities for builders
  - Requiring builders to train apprentices locally
  - Initiating local landscape supply

- Initiating local builder waste collection
- Creating co-ordinated display home opportunities utilising local sales teams
- Creating local supply chains for solar panels, water tanks etc
- Initiating web based listings and business opportunities for existing local business

This strategy will require provision of 6-10 ha of service industry land to accommodate these uses.

## Section Three : Wilton West Precinct: Service Economy

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### The need for a new business model

The potential interaction between the future services sector and technology is likely to be a key driver of future city structures. This outcome is likely because:

- More than 80% of economic gross value added is derived from the services sector and this is increasing.
- Almost 80% of employment is in the services sector and this is increasing.
- More than 65% of household consumption is services and this is increasing.

The services sector is increasingly driven by big data and big analytics to create and deliver new services. The combination of smart phone technologies, city-wide embedded devices (sensors) and geographic information systems (GIS) are pervading everyday urban experiences and creating new urban structures, which in turn are creating new services industries and products.

### Wilton West Application

Wilton West Precinct will focus on a project lifecycle employment strategy which initially utilises the construction industry to achieve self-containment but as the project progresses and develops the health, education, recreation, retail and transport (and emergency services) industries will develop into a diversified economy based on the services sector.

The economic plan is based on the attraction of:

- Small to medium size enterprises (SME's)
- Foundation building contracting businesses
- Foundation health businesses and foundation education services.

Attached (Appendix) is an analysis of businesses and employment sectors which indicates the extent to which small business dominates in Wollondilly and Campbelltown (80-90% of



businesses less than 5 people). Further detailed analysis undertaken of case studies across Australia demonstrates that:

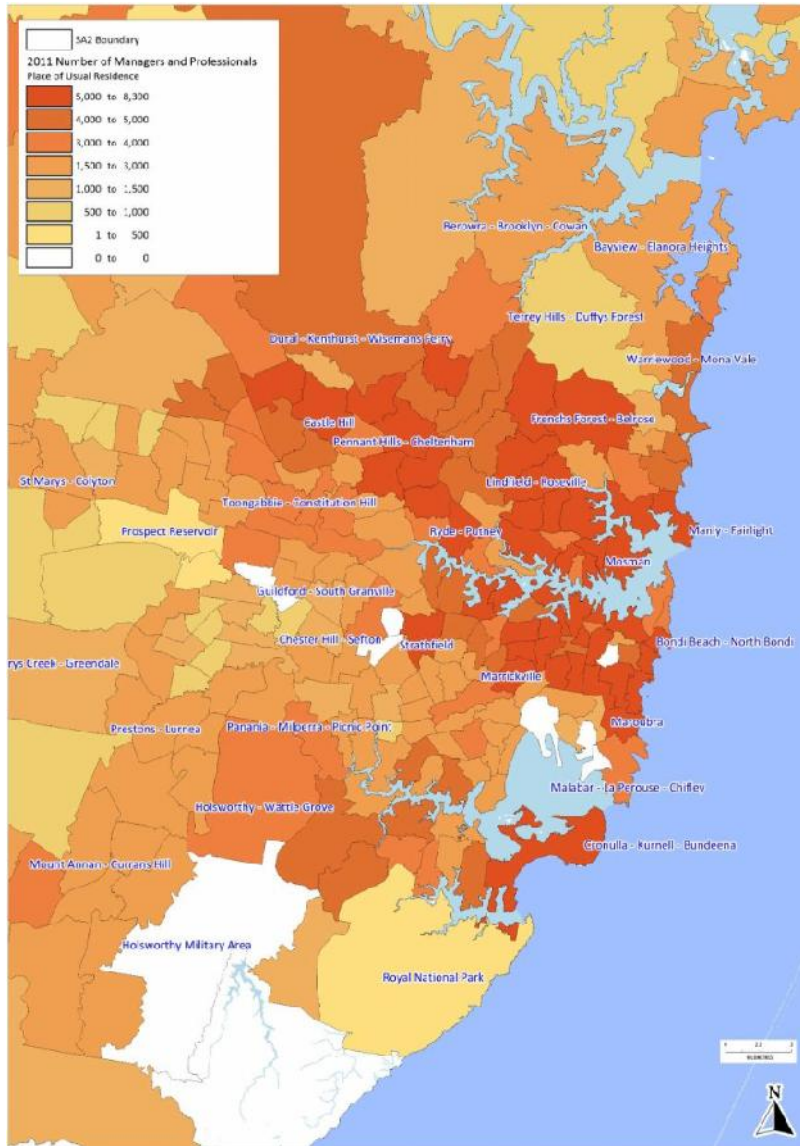
- Australia has a very high proportion of start-up businesses, and
- Start-up business in Australia account for around 23% of new businesses but around 50% of new employment

This strategic positioning is actively supported by:

- The inclusion of a large scale collaborative workspace (incubator)
- The design and development of three activity nodes (health, business and retail)
- The integration of the sharing economy through shared car parking initially and
- The integration of the online economy through the inclusion of urban warehouse and freight facilities to overcome the last 'mile' delivery problem.

The service economy in Australia is growing strongly. For example in the 2016 July quarter 75,000 new jobs were added into professional and technical services sectors. The health sector however, with 13% of total jobs (1.52 million) remains the largest sector, which is a focal point for the lakeside Precinct.

MAP : 2011 ABS Number of Managers and Professionals (SA2)



Source: MacroPlan 2016, ABS 2011

The development will create a high quality residential community in South West Sydney, which can provide further alternative locations for professionals and managers to reside outside of the traditional locations of inner Sydney, north / west and northern suburbs (see map on the previous page). These decisions will not just be driven by residential amenity, but also job opportunities.

We understand that the region will need time to develop. As such, overtime the professional and household services sector will counterbalance the construction sector in the Lakeside precinct to create a jobs structure typical to the Sydney metropolitan area.

To understand the business structure and employment trends, analysis was undertaken of the available ABS data to understand how the region is transitioning. The detailed outputs are located in the Appendix, however key observations of the structural changes in the local employment market between 2011 and 2015 are as follows:

- Camden:
  - Growth in the number of businesses construction (13%) and health care (27%) industries
  - Significant growth in the number of persons employed in construction (22%), education (32%) and health (33%)
- Campbelltown
  - Decline in the number of businesses in construction (2%) and education / training (12%)
  - Growth in the health care and social assistance businesses (26%)
- Wollondilly
  - Decline in the number of businesses in education / training (20%)
  - Increases in businesses operating in health care and social assistance (21%) and construction (5%)
  - Increase in those employed in all these industries – construction (15%), health care and social assistance (17%) and education / training (6%)

## Section Four : Employment Strategy

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The economic plan for each of the land uses will be driven by a proactive strategy to initiate development. The employment uses to be delivered are specifically:

### Education

- Initiating the project through a strong relationship with education including:
  - Delivery of K-12 Anglican college by 2020
  - Three child care centres (and early childhood services)
  - A second private primary school
  - One public primary school
  - The early (2020) development of a training facility for building and construction apprentices
  - A library (1500sqm) by 2023
  - Community centre (650sqm) by 2025
  - Child health facility (150sqm) by 2025

### Service Retail

- The service retail space will be adaptive to addressing the upfront development of convenience retail and two shop fronts / sales office;
- Then the construction of a neighbourhood retail centre (first stage) by 2023

## Small and Medium Size Enterprises / Contractors

- The strategy is to develop an office incubator by 2023 recognising the importance of the online and collaborative economies. The objective is to make Wilton the epicentre of construction and construction support employment for the next 30 years of the development of Greater Macarthur.
- The incubator is to include accounting, information technology, human resources, legal and marketing support to firmly root the construction industry in Wilton.

## Health and Ageing

- The precinct will deliver a critical mass of health offering which caters for the range of residents from young families with children to the ageing population who is downsizing or requires care and services.
- The corridor already has supply of retirement and aged care facilities albeit on a relatively small and dispersed scale. The land use plan is as follows:
  - Develop a concentration of retirement and aged care facilities recognising supply in the remainder of the corridor based on our analysis:
    - A minimum of 100 retirement living units (ILU's) could be delivered by 2024. Depending on alternative supply this would be up to 200 units.
    - A minimum of 80 Aged care beds could be delivered by 2025. Depending on alternative supply this could be up to 120 beds.
    - A manufactured / lifestyle housing estate of up to 200 dwellings could be viable by 2025
  - Focusing on retirement and aged care provides a basis for:
    - Developing a regional homecare hub

- Developing a regional base for allied health.
- The allied health hub is proposed to be constructed in 2025 with the first stage being 500 sqm and the second stage being an additional 500 sqm.

### Jobs Cashflow

The following table (from Appendix A) demonstrates where the jobs will come from and how they will be provided X time to deliver one job per household throughout the development of the project.

### Relationship to Zoning

The zonings proposed in the Planning Proposal, particularly the B4 and B5 zones, have the capacity and are appropriate to enable this growth.

### Regional Distribution Hub

- The nodal location of the Wilton West Precinct is ideal to support the provision of a range of distribution / employment hubs. This includes:
  - Emergency services
  - Freight and logistics
  - Buses
  - Human services (e.g. homecare)
  - Employment uses

- The concept is to provide 10 to 15 ha of land to accommodate these type of uses.

## Recreation / Tourism / Meetings Incentives Convention and Exhibition (MICE) / Food & Beverage

- This strategy leverages on the amenity of the Lake, the need and opportunity for a local meeting place. The club concept is based on the Mingara Club (see Appendix) located the Central Coast and envisages a range of uses (food / convenience etc) located adjacent. The Club would incorporate a major gymnasium plus secondary convention and exhibition space. The first is proposed to be built in 2023 and the second stage including accommodation around 2027/8.
- An 80 room accommodation facility would also have a strong commercial relationship to the MICE / Club facilities and the health related uses across the precinct.

## Section Five : Proposed Development Schedule to 2033

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At 2033 based on the project delivery program, Wilton West Precinct is forecast to deliver 2,351 local jobs. This is due to the early mover advantage and a focus on growth industries and recognising the role of Wilton can play in the regional and sub-regional economies.

Post 2026 it is anticipated that employment will be provided in much more diversified economy and it is forecast that Lakeside will benefit from:

- Increased demand from health and ageing
- Increased demand for health and homecare
- Increased demand for education
- Increased opportunities for building and construction businesses
- Increase of importance of the nodality of the Regional Centre as it begins to grow

The economic plan has considered the proposed development schedule at 2033 as follows:

### Building & Construction

- 6 ha – 10 ha service industry land
- Training facility
- Business incubator

### Education & Childcare

- 1 x private K-12 school (Committed)
- 3 x childcare centres
- 1 x public primary school
- 1 x private primary school



- 1 x public library
- 1 x child health facility

## Service Retail

- Convenience retail
- 1 x neighbourhood centre (4-6,000 sqm)
- Associated business and service facilities
- Freight / delivery
- Market / agora

The timing of retail facilities later in the Lakeside precinct life-cycle will mean that there will be no impacts on the evolution of the town centre. The town centre will support non-retail uses over time, but in its early stages, it will be primarily a retail oriented centre. Allowing this centre to flourish for retail early on will ensure its primacy over the longer term.

The proposed retail and non-retail mix at the Lakeside precinct will have no impact on the large format/bulky goods retail precinct.

## Small and Medium Size Enterprises

- Construction, marketing and management of an office incubator (500 sqm) in 2023 and expansion to 2,000 sqm around 2028.
- Theme the incubator into non-construction enterprises and construction related enterprises. This includes insurance, design, finance etc.

## Health & Ageing

- Construction of DMF based retirement independent living units (100 units by 2024) and additional 100 units by 2028)

- Construction Aged care (80 beds by 2025 and 160 beds by 2030)
- Allied health office type floor space construction of 500 sqm by 2025 and additional 500 sqm by 2030
- Consideration for construction of 200 units high quality manufactured Housing Estate by 2027

### Regional Distribution / Employment Hub

- The proposal is to secure emergency services (five / ambulance / police), transport services including bus depots) and freight and logistics and human services (e.g. car dependent homecare) by 2025. It is envisaged that 10ha – 15 ha would be required for those uses.
- The regional bus hub will also provide a relationship to the park and ride facilities

### Recreation / Tourism / MICE

- The proposal is to construct a ‘Mingarra’ type Club (NSW Central Coast) including major gymnasium plus second tier convention, meeting and exhibition space together with 80 accommodation rooms plus food and beverage.
- Construction of the first stage is proposed to begin in 2023 with completion to capacity by 2030.

## Section Six : Post 2033: Collaborative, Sharing and Online Economics

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In 2018 the Wilton West Precinct was planned with the future in mind. First there was a clear idea that over the 30 year life of the project that technology should have a significant influence on community building. Second this understanding translated into new approaches to economic development (the proposed four phase approach), Urban design and project management.

The development philosophy incorporated 'smart' city thinking including the use of technology to achieve sustainability outcomes, safety outcomes and economic development outcomes provided in an affordable housing and lifestyle context (see Appendix).

In 2033 Wilton West has completed its first stage of economic development based on the four phases in the economic development plan. Wilton West has a modern and diversified economy because it integrated the influences of the collaborative, sharing and online economy into its community development and urban design frameworks. The second stage of community development integrates the full impacts of the Internet of Things, Automated Vehicles and Robotics and establishes Wilton Lakeside as the 'Best of breed' Sydney Suburbs.

Interconnectedness has not only occurred through the progressive influence of the internet of things and disruptive technologies like Uber and eBay but also through:

- The integration of health care services
- The integration of childcare services with family lifecycles
- Broad based utilisation of digital technology in the provision of community services and community support
- Localised utilisation of network technologies to support community building and place making

The Wilton West Precinct planned for the evolving ecology of mobility by ensuring that:

- Active transport would be a feature of the project
- Car sharing would be aggressively accommodated
- The right transport infrastructure was put in place to accommodate:
  - Automated (driverless) vehicles
  - Early introduction of remote car parking
  - Early introduction of Automated (driverless) buses
- Automated Vehicles and remote parking would be fully integrated with local and regional trunk public transport systems

Urban design opportunities and principles have been developed to nurture the collaborative sharing and online economies.

In stage 1 to 2033 this has resulted in three connected activity nodes. Post 2033 it is envisaged that the fourth node will also be seamlessly connected.

Flexibility in activity node design will be essential to accommodate the growth potential which could emerge from not only accommodating but actively supporting the growth of SME's based on sound economic foundations.

## Section Seven : Wilton West Phasing Plan

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Wilton West precinct will endure four phases in its economic plan and a jobs balance.

### Phase 1: Construction Employment + Training

The project will be dominated by construction and construction related employment. To maximise jobs outcomes, activate contract and development management will be required to maximise the localisation of job multipliers.

### Phase 2: Foundation Service Sector Employment

This phase introduces:

- Education (Primary & Secondary schools)
- Training (VET / Construction and training facility)
- Collaboration (small business incubator)
- Recreation / place making (club with recreational facilities)
- Retail (neighbourhood centre)

### Phase 3 Growth

This phase introduces:

- Allied health and significant retirement living options as a baseload for growing a regionally significant allied health industry
- Significant employment land
- Emergency services
- Regional transport + distribution (e.g. bus depot, homecare)
- Regional freight and logistics
- Expansion to the retail offer
- Expansion to the business incubator
- Introduction of community services employment

#### Phase 4 Maturity

This phase accommodates a wide range of centre based and non-centre based contractors and SME's which can service the local and regional requirements and provides the basis for a diversified and resilient economy for the Wilton West Precinct. It positions greater Wilton to grow to a regional service centre level.

## Section Eight : Wilton West Precinct as a Lead Project for Wilton

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The Wilton West precinct will be the lead project for Wilton supporting a freestanding community and having a wide appeal to the needs of the community.

The key project themes from this analysis are:

### “Scale Supports a Freestanding Community”

At 5,400 lots the Wilton West Precinct has the ideal scale to build a freestanding fully serviced community. With a capacity population of 16,200 persons this precinct will support:

- Full employment containment at one job per household
- A full suite of educational opportunities (3 x childcare centres, 2 x primary school, 1 x secondary school)
- A full suite of weekly shopping opportunities including a full line supermarket
- Comprehensive community facilities
- High quality and accessible passive and active open space

### “the project typology meets the needs of Millennials as well as Traditionals”

In 2017 the number of Millennials (persons born after 1980) will be greater than Traditionals (born before 1980).

The needs and demands of Millennials are significantly different to Traditionals. These differences include not only lifestyle choices but attributes to, and requirements for, emphasis on health, wellbeing, technology and employment. This can be seen in terms a greater emphasis on early childhood development, health and recreation facilities, reliance on technology and much greater emphasis on start-up businesses.

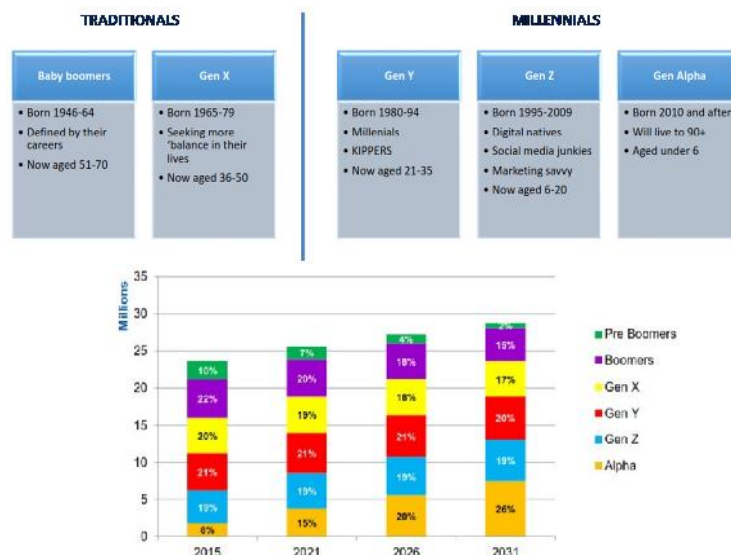
The Wilton West precinct will generate demand from Traditionals in addition, due to the high levels of amenity, level of affordability, range of health care services and the early opportunity to cash out from an existing dwelling and continue to work. The provision of a range of retirement living options will mean that the fundamental principle of a balanced demographic community will be achieved on the project as it is developed.

Millennials are described as persons born after 1990. This segment is critical because by 2031 it will represent over 66% of the population. Intergenerational interaction in space and place is becoming a critical factor in understanding how people will live, work and play in the future. This includes personal, social and economic space.

Traditionals (baby boomers & Gen X) grew up and live in a physical world in which analysts learned to predict future demand. This includes education, medical, retail and housing. Traditionals live historically in suburban settings, with Gen X beginning the apartment living culture, particularly white collar professionals.

Millennials have different lifestyles defined by the intersection of emotional space, cyberspace and the physical world. Millennials are creating demand for new lifestyles, spaces and places to live.

Table 2 – Generational Shift



Source: MacroPlan



The Wilton West Precinct will support the demographic demand and opportunity through:

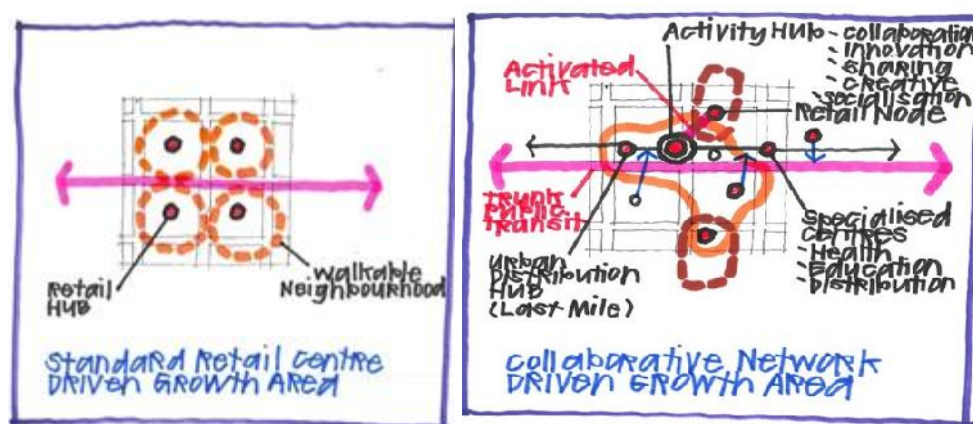
- Offering a premium Lifestyle choice
- Mobility in terms of housing and employment choices
- Provide a flexible environment offering asset (house) and a home (place to live)
- Leverage from the financial opportunity to 'rentvest' i.e. purchasing one dwelling and living in another

### “Sharing and commodity based design”

This means that not only is technology introduced into the project, but also that technology is fundamentally shaping the community building plan.

Technologically the design of the project does not rely solely on the roll out of the NBN. The community building and town building principles are based on shifting from a purely commodity driven design (see the attached urban framework plans) to a collaborative, sharing and commodity based design.

Table 2 – standard to collaborative



Source: MacroPlan

|  | Rate                     | Total                        | Y 1          | Y 2          | Y 3          | Y 4          | Y 5          | Y 6           | Y 7           | Y 8           | Y 9           | Y 10          | Y 11          | Y 12          | Y 13          | Y 14          | Y 15          | Y 16          |
|--|--------------------------|------------------------------|--------------|--------------|--------------|--------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| <b>Construction (\$)</b>   |                          | \$300,000,000                | \$20,000,000 | \$20,000,000 | \$10,000,000 | \$10,000,000 | \$20,000,000 | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  | \$20,000,000  |
| <b>Lots to 2033 (5,400 in total = + 12 years)</b>  |                          | 2,700                        |              | 50           | 100          | 150          | 200          | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           |
| <b>Dwellings</b>   |                          | 2,500                        |              |              | 50           | 100          | 150          | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           | 200           |
| <b>Dwelling Construction (\$M)</b>   |                          | \$1,250,000,000              |              |              | \$25,000,000 | \$50,000,000 | \$75,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 | \$100,000,000 |
| <b>Population (3 per household)</b>  | 3 person/household       | 51,000                       | 0            | 0            | 150          | 450          | 900          | 1,500         | 2,100         | 2,700         | 3,300         | 3,900         | 4,500         | 5,100         | 5,700         | 6,300         | 6,900         | 7,500         |
| <b>Local Job Requirement ( 1 job per household)</b>  | 1 job/household          |                              | 0            | 0            | 50           | 150          | 300          | 500           | 700           | 900           | 1,100         | 1,300         | 1,500         | 1,700         | 1,900         | 2,100         | 2,300         | 2,500         |
| <b>Job Provision</b>   |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| <i>Residential Land Construction up to year 5</i>  | 7 jobs per \$1m          | <b>job per annum</b>         | <b>70</b>    | <b>70</b>    | <b>35</b>    | <b>35</b>    | <b>70</b>    | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     | <b>70</b>     |
| <i>Dwelling construction for whole project</i>   | 75% 7 jobs per \$1m      | <b>job per annum</b>         | 0            | 0            | 98           | 197          | 295          | 394           | 394           | 394           | 394           | 394           | 394           | 394           | 394           | 394           | 394           | 394           |
| <b>total</b>   |                          |                              | 70           | 70           | 133          | 232          | 365          | 464           | 464           | 464           | 464           | 464           | 464           | 464           | 464           | 464           | 464           | 464           |
| <b>Education</b>   |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| Childcare x 3 centres  |                          | 30                           |              |              |              |              |              | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 30            |
| Primary x 2 school   |                          | 100                          |              |              |              |              |              | 15            | 15            | 20            | 40            | 40            | 40            | 40            | 60            | 60            | 60            | 60            |
| Secondary x 1 school   |                          | 80                           |              |              | 30           | 30           | 30           | 40            | 40            | 80            | 80            | 80            | 80            | 80            | 80            | 80            | 80            | 80            |
| Training (construction training facility)  |                          | 60                           |              |              | 10           | 15           | 15           | 15            | 15            | 40            | 60            | 60            | 60            | 60            | 60            | 60            | 60            | 60            |
| <b>Total Education</b>   |                          | <b>270</b>                   | <b>0</b>     | <b>0</b>     | <b>40</b>    | <b>45</b>    | <b>45</b>    | <b>80</b>     | <b>80</b>     | <b>150</b>    | <b>190</b>    | <b>190</b>    | <b>190</b>    | <b>190</b>    | <b>210</b>    | <b>210</b>    | <b>210</b>    | <b>230</b>    |
| <b>Health</b>  |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| Retirement (construction year 7 x 100 units / \$30m / 200 units by year 15)  |                          | 60                           |              |              |              |              |              |               | 45            | 45            | 30            |               |               |               |               |               |               |               |
| Aged Care (construction year 8 x 80 beds / \$24m / 160 beds by year 16)  |                          | 45                           |              |              |              |              |              |               |               | 35            | 45            |               |               |               |               |               |               |               |
| Allied Health (construction year 8 x 500sqm / \$1.5m / 500 sqm by year 16)   |                          | 20                           |              |              |              |              |              |               |               |               | 10            | 10            |               |               |               |               |               |               |
| Manufactured Home (MHE) / 200 dwellings by year 12 @ 5 ha  |                          | 20                           |              |              |              |              |              |               |               |               |               |               |               | 20            | 20            |               |               |               |
| <b>Total Health (Construction)</b>   |                          | <b>145</b>                   | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>      | <b>45</b>     | <b>80</b>     | <b>85</b>     | <b>10</b>     | <b>0</b>      | <b>20</b>     | <b>20</b>     | <b>0</b>      | <b>0</b>      | <b>0</b>      |
| <b>Total Health Operations (retirement and aged care)</b>  |                          | <b>30</b>                    |              |              |              |              |              |               |               |               | <b>30</b>     | <b>30</b>     | <b>30</b>     | <b>30</b>     | <b>30</b>     | <b>30</b>     | <b>30</b>     | <b>30</b>     |
| <b>Total Health Operations (allied health)</b>   |                          | <b>15</b>                    |              |              |              |              |              |               |               |               |               | <b>15</b>     | <b>15</b>     | <b>15</b>     | <b>15</b>     | <b>15</b>     | <b>15</b>     | <b>15</b>     |
| <b>Total Health</b>  |                          |                              | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>      | <b>45</b>     | <b>80</b>     | <b>115</b>    | <b>40</b>     | <b>45</b>     | <b>65</b>     | <b>65</b>     | <b>45</b>     | <b>45</b>     | <b>45</b>     |
| <b>Service Retail (construction convenience shop + shops 2020; construction neighbourhood centre) construction (\$16M)</b> |                          |                              |              |              |              |              |              |               |               |               |               | 56            | 56            |               |               |               |               |               |
| Convenience  |                          | 10                           |              |              | 5            | 5            | 5            | 5             | 5             | 5             | 5             | 5             | 5             | 5             | 5             | 5             | 5             | 5             |
| Food   |                          | 80                           |              |              | 5            | 5            | 5            | 10            | 20            | 30            | 40            | 40            | 40            | 80            | 80            | 80            | 80            | 80            |
| Non-food   |                          | 40                           |              |              |              |              |              |               | 5             | 10            | 20            | 20            | 20            | 40            | 40            | 40            | 40            | 40            |
| <b>Total Service Retail</b>  |                          | <b>130</b>                   | <b>0</b>     | <b>0</b>     | <b>10</b>    | <b>10</b>    | <b>10</b>    | <b>15</b>     | <b>30</b>     | <b>45</b>     | <b>65</b>     | <b>65</b>     | <b>65</b>     | <b>125</b>    | <b>125</b>    | <b>125</b>    | <b>125</b>    | <b>125</b>    |
| <b>Total retail (construction + service retail)</b>  |                          |                              | <b>0</b>     | <b>0</b>     | <b>10</b>    | <b>10</b>    | <b>10</b>    | <b>15</b>     | <b>30</b>     | <b>45</b>     | <b>65</b>     | <b>121</b>    | <b>121</b>    | <b>125</b>    | <b>125</b>    | <b>125</b>    | <b>125</b>    | <b>125</b>    |
| <b>Display Centre</b>  |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| Display Village by year 3  |                          | 10                           |              |              | 10           | 10           | 10           | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            | 10            |
| <b>SMEs (year 5 construction office incubator) services</b>  |                          | 120                          |              |              |              |              |              | 10            | 20            | 30            | 40            | 40            | 40            | 40            | 120           | 120           | 120           | 120           |
| <b>Service Industry</b>  |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| stage one (year 10)  |                          |                              |              |              |              |              |              |               |               |               |               | 25            | 25            | 25            | 25            | 25            | 25            | 25            |
| <b>Regional Distribution / Employment 10 ha to 15 ha</b>   |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| Emergency  |                          | 200                          |              |              |              |              |              |               |               |               | 20            | 20            | 20            | 20            | 20            | 20            | 20            | 40            |
| Transport  |                          | 200                          |              |              |              |              |              |               |               |               | 20            | 20            | 20            | 20            | 20            | 20            | 20            | 40            |
| Human Services   |                          | 400                          |              |              |              |              |              |               |               | 20            | 40            | 80            | 80            | 100           | 100           | 100           | 100           | 100           |
| <b>Total Regional Distribution</b>   |                          | <b>800</b>                   | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>      | <b>20</b>     | <b>80</b>     | <b>120</b>    | <b>120</b>    | <b>140</b>    | <b>140</b>    | <b>140</b>    | <b>140</b>    | <b>140</b>    | <b>180</b>    |
| <b>Recreation / Tourism / MICE (construct club year 6 / \$15m first stage) construction jobs (52)</b>                      |                          |                              |              |              |              |              |              |               | 52            | 52            |               |               |               |               |               |               |               |               |
| Club   |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| Gym  |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| MICE / F+B / + 80 rooms  |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| <b>Total Recreation / Tourism / MICE</b>   |                          | <b>160</b>                   |              |              |              |              |              |               | <b>40</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     |
| <b>total rec jobs + construction</b>   |                          |                              | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>52</b>     | <b>92</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     | <b>80</b>     |
| <b>Total Jobs</b>  |                          |                              | <b>70</b>    | <b>70</b>    | <b>193</b>   | <b>297</b>   | <b>430</b>   | <b>631</b>    | <b>761</b>    | <b>939</b>    | <b>1,084</b>  | <b>1,090</b>  | <b>1,115</b>  | <b>1,139</b>  | <b>1,239</b>  | <b>1,219</b>  | <b>1,219</b>  | <b>1,279</b>  |
| <i>plus</i>  |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |
| <b>Non Centre Based Jobs @ 20% (on completion 30%)</b>   | 20% hh jobs for 15 years | 500                          | 0            | 0            | 10           | 30           | 60           | 100           | 140           | 180           | 220           | 260           | 300           | 340           | 380           | 420           | 460           | 500           |
| <b>Public Jobs per voluntary agreement</b>   |                          | 30                           |              |              |              |              |              |               |               | 30            | 30            | 30            | 30            | 30            | 30            | 30            | 30            | 30            |
| <b>Total Direct Wilton Lakeside Jobs</b>   |                          | <b>530</b>                   | <b>70</b>    | <b>70</b>    | <b>203</b>   | <b>327</b>   | <b>490</b>   | <b>731</b>    | <b>901</b>    | <b>1,149</b>  | <b>1,334</b>  | <b>1,380</b>  | <b>1,445</b>  | <b>1,509</b>  | <b>1,649</b>  | <b>1,669</b>  | <b>1,709</b>  | <b>1,809</b>  |
| <b>Total Direct and Indirect Wilton Lakeside Jobs**</b>  |                          | <b>1.3 1.3 job multiplie</b> | <b>91</b>    | <b>91</b>    | <b>264</b>   | <b>425</b>   | <b>637</b>   | <b>950</b>    | <b>1,171</b>  | <b>1,493</b>  | <b>1,734</b>  | <b>1,794</b>  | <b>1,878</b>  | <b>1,961</b>  | <b>2,143</b>  | <b>2,169</b>  | <b>2,221</b>  | <b>2,351</b>  |
| <b>** This modelling exercise is based on current market conditions and current market gaps</b>                            |                          |                              |              |              |              |              |              |               |               |               |               |               |               |               |               |               |               |               |

## Appendix B: Community Facilities

| Level    | Facility                               | Floor area (square metres) | Build rate (\$/sqm) | Build cost   | Overall Project Rate (\$/sqm) | Estimated overall project cost |
|----------|--|----------------------------|---------------------|--------------|-------------------------------|--------------------------------|
| District | District Multipurpose Community Centre | 1,430                      | \$4,160             | \$5,948,800  | \$5,240                       | \$7,493,200                    |
|          | District Library                       | 1,474                      | \$4,550             | \$6,706,700  | \$5,630                       | \$8,298,620                    |
|          | Leisure Centre – indoor recreation     | 2,000                      | \$4,345             | \$8,690,000  | \$5,514                       | \$11,028,000                   |
|          | Outdoor aquatics - pool                | 2,500                      | \$5030              | \$12,575,000 | \$6089                        | \$15,222,500                   |
| Local    | Bradcorp Local Community Centre        | 650                        | \$3,888             | \$2,527,200  | \$5,109                       | \$3,320,850                    |
|          | Lend Lease Community Centre            | 316                        | \$4,075             | \$1,287,700  | \$5,436                       | \$1,717,776                    |
|          | Walker Local Community Centre          | 440                        | \$4,075             | \$1,793,000  | \$5,436                       | \$2,391,840                    |

*Note a 30% jobs allocation from these facilities needs to be attributed*

## Appendix C: The Digital Revolution

### The Digital Revolution – Tech Drivers

- **Disruptive technology:** Applying new technology solutions to existing industries and which result in more cost effective provision of an existing service (e.g. Uber, Airbnb) or which extend the reach or quality of an existing service but which produce the same product/outcome, (eBay, realestate.com, carsales.com).
- The **first** new geography is likely to be generated by disruptive technologies



### The Digital Revolution – Tech Drivers

- The **second** new geography will be driven by interconnectedness, (the Internet of Things, driverless cars) and robotisation.
- The new geography of the first phase of servicisation has not been researched or understood in an Australian context.
- The timing of the first (disruptive technology) and second phases (transformative technology) should drive thinking about future settlement patterns and urban structures.



## UK Digital Strategy – The Next Frontier in our Digital Revolution

- In 2010 a revolution began – in east London a cluster of tech start-ups began a digital transformation
- Tech-city was born in the last 5 years and the UK'S digital economy has change beyond recognition
- The cluster has now spread across the UK making it a 'Tech Nation' with now 70% of digital based businesses now based outside of the capital.
- UK plc is one of the most developed digital economies in the world boosting £145 billion a year from digital technology with the average British person spending around £1500 for goods each year

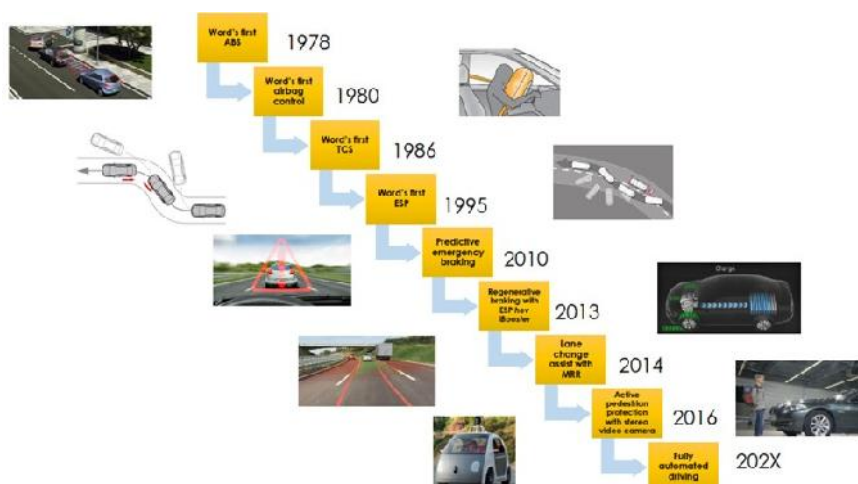
## The Digital Revolution – Tech Drivers

- The Internet of things
- Machine to Machine communication cutting out the middle man, the human element
- According to the Mckinsey global institute's paper The Internet of Things, IOT and M2M have the potential to expand the global economy by \$11.1 trillion by 2025
- The current value of the global economy estimated to be approximately \$80 trillion (nominal), which means that IOT has the potential to increase the value of the global economy by 10% in over just 10 years.



## The Digital Revolution – Urban Mobility

- Society and Automobiles
- More than 1.2 million people die every year in automotive accidents globally
- Commuting and traffic delays are expensive
- Loss of independence and self-esteem of senior and disabled citizens
- Connected and Automated Vehicles will change the face of transportation



## Vehicle Technology Timeline: From Automated to Driverless



## Appendix D: Mingara Club, Central Coast

Mingara was formed back in 1971, the Central Coast was a holiday and retirement destination, with limited infrastructure and community projects.

In 1987 44.6 hectares of land was purchased on Wyong Road at Tumby Umbi, the location of the existing Club. By July 1995, construction new complex had commenced. At that stage the Club's membership had reached more than 20,000.

An integral part of the new development was the Mingara Leisure Centre. To establish this facility, the Club entered into a joint venture with Wyong Shire Council, who contributed \$4 million to the 50-metre swimming pool. This business relationship with a "Council" is the first of its kind in New South Wales.

In 2000, construction was completed of the Gatorade Regional Athletics Centre, a world-class synthetic track and field athletics facility and national standard playing field. The Centre has a unique funding partnership that evolved between Central Coast Athletics, Wyong Shire Council, Gosford City Council, the NSW Government and Mingara Recreation Club.

In July 2002 Mingara embarked on a major expansion and refurbishment of the clubs facilities to include a new restaurant, café, expansion and relocation of the gaming lounge, expansion of the lounge and an upgrade of all bars. Further renovations took place at Mingara in 2007 with the opening of 3 new restaurants.

In October 2008, construction of the new Mingara One Fitness Centre was completed, the project worth \$6.5 million. Stage 2 of the project was completed in February 2009 and included a Wellness Centre, housing a physiotherapist, hairdresser, beauty therapist, health cafe and martial arts studio.

Today, Mingara Leisure Group is the social and sporting hub for over 55,000 members.

## Appendix E: ABS 2011 Business and Employment Analysis

### Case Study 1: North Lakes (Queensland)

#### Change in Employment

| Industry Code | Industry Name                     | 2006 | 2011 | Change in Employment |        |
|---------------|-----------------------------------|------|------|----------------------|--------|
|               |                                   | no.  | no.  | no.                  | %      |
| E             | Construction                      | 391  | 846  | 455                  | 116.4% |
| P             | Education and Training            | 295  | 635  | 340                  | 115.3% |
| Q             | Health Care and Social Assistance | 456  | 1261 | 805                  | 176.5% |

### Case Study 2: Springfield (Queensland)

#### Total Change in Number of Business 2011 – 2015

| Industry Code | Industry Name                     | Total 2011 | Total 2015 | Change 2011-15 | Total Growth |
|---------------|-----------------------------------|------------|------------|----------------|--------------|
| E             | Construction                      | 75         | 58         | -17            | -22.7%       |
| P             | Education and Training            | 0          | 11         | 11             | -            |
| Q             | Health Care and Social Assistance | 18         | 26         | 8              | 44.4%        |

#### Change in Employment

| Industry Code | Industry Name                     | 2006 | 2011 | Change in Employment |       |
|---------------|-----------------------------------|------|------|----------------------|-------|
|               |                                   | no.  | no.  | no.                  | %     |
| E             | Construction                      | 216  | 248  | 32                   | 14.8% |
| P             | Education and Training            | 152  | 191  | 39                   | 25.7% |
| Q             | Health Care and Social Assistance | 257  | 400  | 143                  | 55.6% |



### Case Study 3: Camden - Local

#### Total Change in Number of Business 2011 – 2015

| Industry Code | Industry Name                     | Total 2011 | Total 2015 | Change 2011-15 | Total Growth |
|---------------|-----------------------------------|------------|------------|----------------|--------------|
| E             | Construction                      | 1,192      | 1,352      | 160            | 13.4%        |
| P             | Education and Training            | 78         | 72         | -6             | -7.7%        |
| Q             | Health Care and Social Assistance | 183        | 232        | 49             | 26.8%        |

#### Change in Employment

| Industry Code | Industry Name                     | 2006  | 2011  | Change in Employment |       |
|---------------|-----------------------------------|-------|-------|----------------------|-------|
|               |                                   | no.   | no.   | no.                  | %     |
| E             | Construction                      | 2,386 | 2,907 | 521                  | 21.8% |
| P             | Education and Training            | 2,107 | 2,780 | 673                  | 31.9% |
| Q             | Health Care and Social Assistance | 2,181 | 2,904 | 723                  | 33.1% |

### Case Study 4: Campbelltown - Local

#### Total Change in Number of Business 2011 – 2015

| Industry Code | Industry Name                     | Total 2011 | Total 2015 | Change 2011-15 | Total Growth |
|---------------|-----------------------------------|------------|------------|----------------|--------------|
| E             | Construction                      | 1,748      | 1,706      | -42            | -2.4%        |
| P             | Education and Training            | 128        | 113        | -15            | -11.7%       |
| Q             | Health Care and Social Assistance | 395        | 498        | 103            | 26.1%        |

#### Change in Employment

| Industry Code | Industry Name                     | 2006  | 2011  | Change in Employment |        |
|---------------|-----------------------------------|-------|-------|----------------------|--------|
|               |                                   | no.   | no.   | no.                  | %      |
| E             | Construction                      | 4,532 | 4,545 | 13                   | 0.29%  |
| P             | Education and Training            | 4,027 | 4,351 | 324                  | 8.05%  |
| Q             | Health Care and Social Assistance | 5,532 | 6,768 | 1,236                | 22.34% |

## Case Study 4: Wollondilly - Local

### Total Change in Number of Business 2011 – 2015

| Industry Code | Industry Name                     | Total 2011 | Total 2015 | Change 2011-15 | Total Growth |
|---------------|-----------------------------------|------------|------------|----------------|--------------|
| E             | Construction                      | 1,024      | 1,075      | 51             | 5.0%         |
| P             | Education and Training            | 44         | 35         | -9             | -20.5%       |
| Q             | Health Care and Social Assistance | 89         | 108        | 19             | 21.3%        |

### Change in Employment

| Industry Code | Industry Name                     | 2006  | 2011  | Change in Employment |       |
|---------------|-----------------------------------|-------|-------|----------------------|-------|
|               |                                   | no.   | no.   | no.                  | %     |
| E             | Construction                      | 2,095 | 2,401 | 306                  | 14.6% |
| P             | Education and Training            | 1,516 | 1,604 | 88                   | 5.8%  |
| Q             | Health Care and Social Assistance | 1687  | 1967  | 280                  | 16.6% |

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## Melbourne

Level 16

330 Collins Street

Melbourne VIC 3000

(03) 9600 0500

## Gold Coast

Level 2, The Wave,

89-91 Surf Parade

Broadbeach, QLD

## Brisbane

Level 15,

111 Eagle Street

Brisbane , QLD

(07) 3221 8166

## Sydney

Level 6

39 Martin Place

Sydney NSW 2000

(02) 9221 5211


## Perth

Level 1,

89 St Georges Terrace,

Perth, WA 6000

(08) 9225 7200





## APPENDIX 2

Letter from Minister for Planning dated 1 November 2013



**Rob Stokes**  
Minister for Planning

RECEIVED  
04 NOV 2016  
BY: .....

Mr Peter Brennan AM  
CEO  
Bradcorp Holdings Pty Ltd  
Locked Bag 5015  
GLADESVILLE NSW 2111

16/11128

Dear Mr Brennan *Peter,*

Thank you for writing to me outlining your interest in the release of land for urban development within the Wilton Priority Growth Area.

The Department of Planning and Environment is currently preparing a draft Land Use and Infrastructure Strategy for the Priority Growth Area to guide future planning and land use decisions. The Department advises me that it will also prepare recommendations for the release of land within Wilton in stages.

I note that your land is in an area identified in the Greater Macarthur Land Release Preliminary Strategy as being affected by a current coal mining lease and planning approval. The Preliminary Strategy requires the successful conclusion of one or more pathway steps to manage the risks of urban development coexisting with mining.

The Department is working with other government agencies to recommend a risk management approach to address the coexistence of mining and urban development. It is anticipated that certain landholdings could be released once the NSW Government has had the opportunity to consider the full range of issues associated with mining coexistence. Rezoning cannot occur until coexistence risks have been adequately addressed.

I am advised that the Department is working with you, other lead proponents and Wollondilly Shire Council to integrate precinct-specific plans with the proposed Strategy. Please continue to work with the Department to progress your plans.

Should you have any further enquiries in relation to this matter, please contact Mr Bruce Colman, Director, Land Release, at the Department on 9860 1529.

Yours sincerely

**Rob Stokes**  
**Minister for Planning**

1 NOV 2016

## APPENDIX 3

### Wilton Junction Precinct State Environmental Planning Policy Study Requirements dated 2 May 2013



Brian Elton  
Elton Consulting  
PO Box 1488  
BONDI JUNCTION NSW 1355

13/06309

Dear Mr Elton

*Brian*

### STUDY REQUIREMENTS - WILTON JUNCTION PRECINCT SEPP

The Government has endorsed the Department of Planning and Infrastructure to lead the investigation of the Wilton Junction Precinct to examine the potential for the land to be rezoned for urban purposes.

The consideration of the Wilton Junction Precinct is to prepare a state environmental planning policy (SEPP) with a view to rezone the land through an amendment to the Wollondilly Local Environmental Plan 2011 to facilitate the early delivery of housing and infrastructure. Any decision to make a SEPP must be linked to an agreed Infrastructure, Servicing and Staging Plan for the Wilton Junction Precinct. This Infrastructure Plan should accompany the Study.

The Department has consulted with relevant state agencies and Wollondilly Shire Council on the study requirements to inform any future SEPP for the Precinct. The Department has also nominated that the Study is to be undertaken by the proponent.

A copy of the study requirements, including the identification of the Wilton Junction Precinct for the purposes of the Study is at **Attachment 1**. The Study must be carried out by appropriately qualified professionals and demonstrate appropriate consultation with relevant stakeholders. Please note that as a result of the Study and the Department's consideration, the Precinct boundaries may be amended during the planning process.

The Department has also attached copies of state agency submissions that should be taken into account in preparation of the Study (**Attachment 2**).

A single copy of the Study should be lodged with the Department to determine whether it adequately addresses the study requirements. You will then be advised of the adequacy of the Study for public exhibition, the number of copies of the Study to be submitted for public exhibition, and any application fees payable.



The Department is committed to work in collaboration with relevant state agencies, council and the proponent as part of the consideration of Wilton Junction Precinct. In this regard, the Department has also established suitable governance arrangements to ensure that key issues are addressed across Government in a timely and efficient manner.

Should you have any further enquiries about this matter, please contact Michael Woodland, Project Director on (02) 9228 6297.

Yours sincerely

2/5/13

Stephen McIntyre  
**Deputy Director General**  
**Planning Strategies, Housing and Infrastructure**

**WILTON JUNCTION PRECINCT STATE ENVIRONMENTAL PLANNING POLICY  
STUDY REQUIREMENTS**

|                                   |   |
|-----------------------------------|---|
| <b>Study</b>                      | State environmental planning policy study to identify rezoning potential of land for residential, employment and conservation purposes in the Wilton Junction Precinct.   |
| <b>Location</b>                   | Wilton Junction Precinct located in the vicinity of the intersection of Hume Highway and Picton Road in the Wollondilly Local Government Area as identified in Attached Map.  |
| <b>Proponent</b>                  | Elton Consulting (on behalf of the Wilton Junction Consortium of land owners, being Bradcorp Holdings Pty Ltd, Governors Hill and Walker Corporation Pty Ltd)   |
| <b>Date of Issue</b>              | 2 MAY 2013  |
| <b>General Study Requirements</b> | <p>The following issues will be considered and assessed as part of the Study:</p> <ul style="list-style-type: none"> <li>(a) the State or regional environmental planning significance of the site;</li> <li>(b) the suitability of the site for any proposed land use taking into consideration environmental, social, or economic factors, the principles of ecologically sustainable development and any State or regional planning strategies;</li> <li>(c) the suitability of the site for any proposed residential land use taking into consideration the draft Metropolitan Strategy for Sydney to 2031 and the Long Term Transport Master Plan;</li> <li>(d) the implications of any proposed land use for local, regional and State infrastructure, service delivery and natural resource planning;</li> <li>(e) the means by which development contributions should be secured in respect of the site; and</li> <li>(f) the recommended land uses and planning controls for the site.</li> </ul>  |
| <b>Key Study Requirements</b>     | <p>The Study must include an assessment of the following key issues:</p> <ol style="list-style-type: none"> <li><b>1. Strategic context</b> <ul style="list-style-type: none"> <li>• Address the provisions applying to the proposed rezoning and potential future development contained in relevant environmental planning instruments, policies and guidelines, including: <ul style="list-style-type: none"> <li>• draft Metropolitan Strategy for Sydney to 2031 and relevant Sub-Regional Strategies</li> <li>• The Long Term Transport Master Plan</li> <li>• State environmental planning policies</li> <li>• Wollondilly Draft Growth Management Strategy</li> <li>• <i>Wollondilly Local Environmental Plan 2011</i></li> <li>• Wollondilly Development Contributions Plan 2011</li> <li>• Section 117 Directions</li> </ul> </li> </ul> </li> <li><b>2. Land Uses and Planning Controls</b> <ul style="list-style-type: none"> <li>• Outline the proposed land use zones and preferred planning controls with reference to the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> and the existing provisions in the <i>Wollondilly Local Environmental Plan 2011</i>.</li> <li>• Justify the mix, extent, staging and location of proposed land uses at the site and outline consideration of alternatives considered for the Precinct.</li> <li>• Demonstrate sufficient demand for the proposed residential, retail, commercial and other employment land, including locational advantages.</li> <li>• Demonstrate how the proposed land use zones and planning controls will complement surrounding existing land uses and incorporate any required buffers including (but not limited to) buffers for noise, bushfire, adjoining areas of high conservation value.</li> <li>• Outline urban design principles employed in determining proposed land uses and their locations, particularly for integration with the proposed Maldon to Dombarton freight rail link and the Commonwealth Government proposed High Speed Rail alignment.</li> <li>• Consider the findings of any Government investigation at Wilton following the <i>Joint Study on aviation capacity for the Sydney region</i> should it be released during the planning process.</li> </ul> </li> <li><b>3. Demographic profile and social infrastructure</b> <ul style="list-style-type: none"> <li>• Prepare a demographic analysis of the projected population of the Precinct as a potential sub-regional centre, including implications for infrastructure and services.</li> <li>• Projections should address broader market demand and growth patterns and socio-</li> </ul> </li> </ol> |

economic profiles in the South-West Sydney Sub-Region, including affordable housing demand and supply.

- Undertake a benchmarking exercise to provide size, scale, linkages, delivery and location parameters of social infrastructure to support proposed service levels, including those proposed for the town centre. Benchmark with a centre in the Sydney Metropolitan Area which the proponent identifies as closest to the centre outcomes sought for the Precinct.
- Detail strategies for delivery of social infrastructure.

#### **4. Economic Development and Employment Strategy**

- Prepare an assessment of the retail, commercial, industrial and other employment needs for the projected population of the Precinct and wider LGA to support the preparation of a local economic development strategy, including impacts on existing towns within the LGA.
- Consider future industry dynamics for key sectors both currently in the area and those which could benefit from locating in the area. This requires strategic analysis and should not be limited to existing forecasts based on historical data.
- Identify factors that may drive certain types of commercial, industrial or retail development investment and activity, particularly in relation to the site's connections between the Southern Highlands and South-West Sydney and placement in the Sydney-Canberra-Melbourne corridor
- Develop an employment strategy to support a high level of employment self containment in the Precinct. The strategy should assess how jobs generated within the Precinct will contribute to job targets for the sub-region.

#### **5. Ecologically Sustainable Development (ESD)**

- Detail how ESD principles are proposed to be incorporated in the future design, construction and ongoing operation phases of the development, and outline any proposed sustainability best practice initiatives. This should also include appropriate waste management strategies to achieve Government policy.

#### **6. Mining Resource and Subsidence**

- Undertake an analysis of the implications (including cost), options and feasibility of the Wilton Junction proposal proceeding in conjunction with approved mining of the Bulli Coal Seam, including proposed staging of development and timing of mining operations (where possible, in consultation with relevant stakeholders and agencies) and any potential impact on resource extraction.
- Assess and identify any risks and formulate appropriate mitigation/design measures to ensure that flood risks and surface drainage take into account mining induced ground subsidence.
- Undertake a geotechnical analysis to ensure identified development areas and design parameters for housing and infrastructure are appropriate to manage impacts from mine subsidence and other geotechnical risks.
- Develop a communications strategy to ensure all potential landowners, prior to purchasing land, are informed that mining will occur, implications with respect to building constraints, subsequent repairs and timelines. Develop appropriate policies/procedures for certifying authorities to ensure key aspects of building design/construction within a mine subsidence district are undertaken.
- The staging and mix of proposed land uses must plan for and accommodate the requirements of future underground coal mining including: installation and operation of gas mine drainage equipment; additional exploration; installation and operation of subsidence monitoring and other mine related infrastructure such as ventilation shafts.

#### **7. Topography, soils and geology**

- Undertake a salinity assessment for the Precinct and identify potential impacts on future building, water management and open space.
- Consider how future land use zones reflect appropriate levels of protection for ridges, waterways and other natural features.

#### **8. Biodiversity**

- Assessment of the impact of the proposal on threatened flora and fauna species and

endangered ecological communities listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and the *Threatened Species Conservation Act 1995* in accordance with *Office of Environment and Heritage guidelines*.

- Undertake an investigation of the Cumberland Koala linkage as it applies to this site and undertake a targeted search of *Pomaderris brunnea*; *Melaleuca deanei*, *Grevillea parviflora subsp parviflora*, *Persoonia barfoensis* and *Epacris purpurascens* as well as all threatened species at the site. The identification of key vegetation areas should include potential grassland environments and their role as both habitat and foraging areas for fauna species in the Wilton Junction Precinct.
- Identify and address the Priority Conservation Lands in the Cumberland Plain Recovery Plan and evaluate any lands proposed as environmental offsets.
- Detail the proposed ownership and management arrangements for environmental offset lands, urban areas, open space areas and riparian corridors.

#### 9. Water and Air Quality

- Identify watercourses, riparian land and wetlands that may be potentially affected by the proposed masterplan. Assess the potential impacts on water quality and quantity in order to demonstrate that key River Flow and Water Quality Objectives are achieved to protect environmental values including waterways, riparian land, wetlands and down slope vegetation.
- Address potential impacts on water quality of surface and groundwater and provide an Integrated Water Cycle Management Plans based upon Water Sensitive Urban Design principles, including consideration of climate change scenarios in accordance with relevant Government policies.
- Undertake an assessment for the Wilton Junction Precinct that includes recommended strategies that will be implemented to improve or maintain air quality to ensure National Environmental Protection Measures for ambient air quality are not compromised, in consultation with the EPA.
- Identify strategies at a local level to ensure air emissions do not cause adverse impact upon human health, the environment and community amenity.

#### 10. Flooding

- Address the potential flood risk that may occur on site, in accordance with the *NSW Floodplain Development Manual (2005)* and Section 117 Direction, noting proposed mitigation measures.

#### 11. Heritage

- Undertake an appropriate strategic assessment of Aboriginal and European cultural heritage significance and potential impacts in consultation with the Office of Environment and Heritage and Wollondilly Shire Council's Aboriginal Engagement Officer.
- The Aboriginal cultural Heritage assessment should provide sufficient basis for identification of Aboriginal heritage values to support their protection at a strategic level, including consultation, desktop studies, landscape assessment and relevant mapping of current conservation areas.

#### 12. Roads, Traffic and Transport

- Base assumptions relating to population, employment, transport generation, degree of employment self containment and travel mode splits are to be generally agreed by TfNSW prior to the commencement of the Study.
- Strategic modelling shall then be undertaken in the Sydney Strategic Transport Model (STM). TfNSW shall undertake this modelling in consultation with the proponent and then provide the outputs to the proponent. The STM shall be used to determine the likely growth in travel demand associated with the proposal and assist to refine the mode split between vehicular trips and public transport trips.
- The proponent shall undertake mesoscopic modelling for the purpose of determining route assignment and identifying infrastructure upgrades required using the outputs of the STM modelling (It is noted that TfNSW, RMS and the proponent have agreed that AIMSUM will be used for the mesoscopic modelling). The mesoscopic model must be able to demonstrate that due consideration has been given to a range of factors including weave movements and lengths.

- The proponent's modelling must consider the implications of the development on the functionality of Picton Road and specifically the impact to freight, recognising that the Long Term Transport Master Plan acknowledges the need to provide efficient freight connections to Port Kembla. In this regard the modelling must consider two infrastructure scenarios for Picton Road:
  - Picton Road with no new at grade intersections and a free flow arrangement of the Hume Highway and Picton Road. The layout of the interchange of the Hume Highway and Picton Road to be modelled shall be determined in consultation with TfNSW and RMS.
  - Picton Road with at grade intersections east of the Hume Highway.
- Based on the results of the modelling, the proponent shall undertake an economic assessment on the impact of the two separate options on freight activity and access to and from the Illawarra Region.
- An assessment of mitigating measures to accommodate the proposal with an agreed scope and costs (at a strategic level) with TfNSW and RMS.
- A Transport Management and Accessibility Plan (TMAP) must be prepared in consultation with TfNSW to identify and assess:
  - the provision and staging of the required traffic and transport infrastructure, including regional and local intersection and road improvements required.
  - how the works required are to be funded and any proposed contributions to local and State or regional infrastructure.
  - public transport needs and the capacity of existing services.
  - scenarios including road networks.
- The TMAP shall identify a road hierarchy and access strategy that minimises local trips on Picton Road between the four quadrants of the development and safely manages pedestrian and cyclists desire lines in a high speed environment. Consideration must be given to the management of east west crossings of the Hume Highway and north south crossings of Picton Road (particularly east of the Hume Highway).
- The TMAP shall identify vehicular, pedestrian and cyclist infrastructure on (and above) both the Hume Highway and Picton Road required to accommodate the proposal as well as suitable public transport infrastructure, cognisant of the public transport infrastructure and services modelled in the Sydney Travel Model.
- The TMAP shall identify (and preserve) land required for future road infrastructure upgrades. The extent of land required shall be determined in consultation with RMS.

### 13. Bushfire

- Prepare a strategic Bushfire Risk Assessment against the Rural Fire Service's *Planning for Bush Fire Protection 2006*.
- Detail how asset protection zones can be achieved within future urban land, having regard to environmental and topographic constraints and environmental studies.
- Detail access and egress options for evacuation during a bushfire, proposed provision of emergency access roads and measures proposed to avoid need to evacuate vulnerable development (special fire protection purpose development)

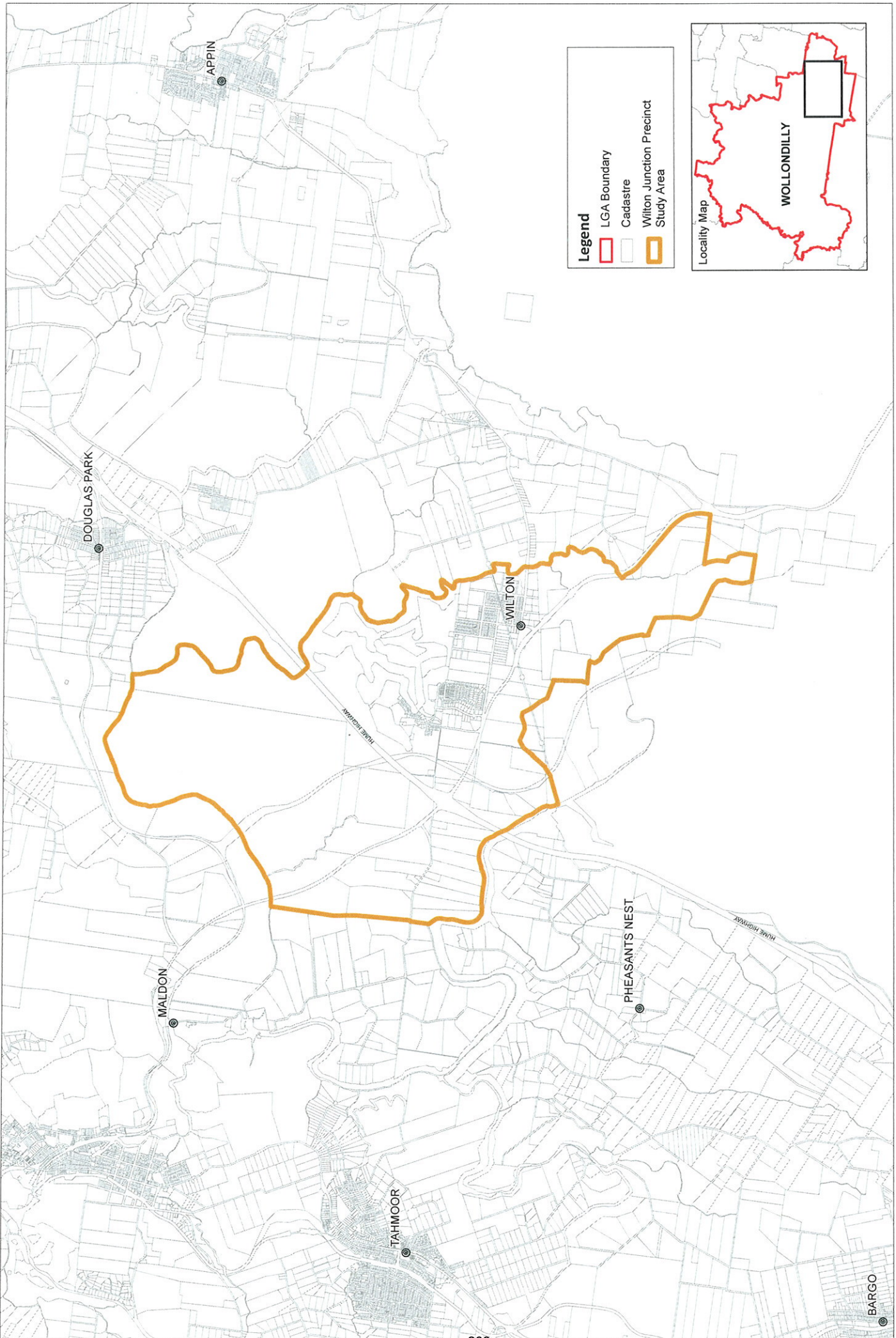
### 14. Contamination

- Contamination and geotechnical issues should be identified and addressed in accordance with SEPP 55, in particular cattle dip sites, farm chemical storage, fuel and chemical storage at Wilton Aerodrome and any contamination from mining activities.
- Identify any remediation works required to rehabilitate proposed conservation lands.
- Undertake appropriate studies of unexploded ordinance consistent with previous studies for Bingara Gorge.

### 15. Noise Assessment

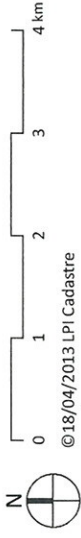
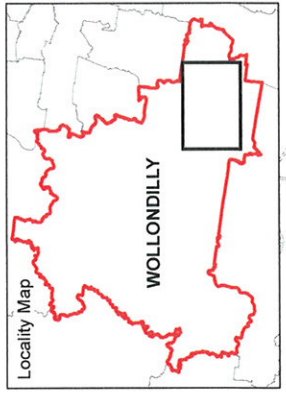
- Undertake high level noise assessment analysis to ensure potential noise conflicts are managed appropriately. In particular:
  - Consideration should be given to road traffic noise in relation to the Hume Highway and Picton Road (Note: RMS have advised that they will not accept any noise walls or other structures within the Hume Highway or Picton Road reserves).
  - Consideration should also be given to potential future rail noise in relation to the Maldon Dombarton Railway alignment in consultation with TfNSW.

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>• Consideration should also be given to potential future rail noise in relation to the Commonwealth proposed high speed rail alignment in consultation with TfNSW.</li> </ul> <p><b>16. Agricultural land suitability</b></p> <ul style="list-style-type: none"> <li>• Undertake a high level study of the agricultural potential of the land.</li> </ul> <p><b>17. Health &amp; Emergency Services</b></p> <ul style="list-style-type: none"> <li>• Identify required community health and hospital services and undertake an assessment of the Health and Wellbeing impacts of the Precinct which will identify positive and negative impacts for the population and develop recommendations to mitigate negative impacts and enhance positive impacts.</li> <li>• Identify required emergency services infrastructure within the Wilton Junction Precinct, including Fire, Rural Fire Service, Ambulance, Police, and SES Identify proposed water supply for fire fighting, in terms of the proposed design of the mains supply for domestic purposes and supplementary fire fighting supplies.</li> </ul> <p><b>18. Infrastructure, Servicing, Staging and Housing Delivery</b></p> <ul style="list-style-type: none"> <li>• Prepare an Infrastructure, Servicing and Staging Plan in conjunction with relevant agencies and Council to address transport requirements and each essential services infrastructure to service the release area in a staged manner as well as a whole.</li> <li>• The Infrastructure, Servicing and Staging Plan is to be prepared concurrently with the landuse planning and be endorsed by the Wilton Junction Precinct Government Working Group prior to Government considering any public exhibition.</li> <li>• The Infrastructure Strategy and Implementation Plan will detail the infrastructure in a staged manner as well as required to service the ultimate development including:             <ul style="list-style-type: none"> <li>• Road upgrades and augmentation for access and capacity generated by the development with due regard to the key freight routes through the area;</li> <li>• Public transport;</li> <li>• Stormwater detention and treatment for water quality (including infrastructure maintenance for future Council assets);</li> <li>• Community and emergency services;</li> <li>• Recreational and sporting needs;</li> <li>• Essential services (Potable water; Sewage treatment and disposal of effluent; Recycled water and water reuse if proposed; Electricity; Gas; and telecommunications).</li> </ul> </li> <li>• The Infrastructure, Servicing and Staging Plan will detail the proposed staging of works with related development milestones, costs and Net Present Value cashflows for the entire life of the release area.</li> <li>• Details of funding for staging and the entire cost of delivery of required infrastructure and the component and timing of funding proposed to be supplied by Government.</li> <li>• Prepare a high level risk assessment for proposed Sydney – Moomba gas pipeline within the Precinct.</li> <li>• Prepare a delivery plan for proposed housing including expected dwelling production, time involved and responsible parties, including staged dwelling production schedules and consideration of affordable housing products and seniors housing.</li> </ul> <p><b>19. Planning agreement and developer contributions</b></p> <ul style="list-style-type: none"> <li>• Identify additional demand created by the development on public facilities/ infrastructure and provide details on the scope of any proposed planning agreement and/or developer contributions between the proponent, Council and State.</li> </ul> |
| <p><b>Consultation Requirements</b></p> | <p>The Study should reference any consultation undertaken with relevant parties during the preparation of the Study.</p> <p>You should undertake an appropriate level of consultation local Councils, relevant State and Commonwealth agencies, utility providers, emergency services, adjoining landowners and the local community and provide written evidence/ documentation of any consultation carried out during the study period. The Study shall clearly indicate issues raised by stakeholders during consultation and how those matters have been addressed in the Study.</p>  |



**Legend**

- LGA Boundary
- Cadastre
- Wilton Junction Precinct
- Study Area



### Wilton Junction Precinct Study Area

Disclaimer: The information contained on this map is, to the best of the Government's knowledge, correct. However, no warranty or guarantee is provided by the Government and no liability is accepted for any loss or damage resulting from any person relying upon or using the information contained in the map. Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or omissions therein.

## APPENDIX 4

### Summary of Department of Planning & Environment Response to Wilton Junction Studies dated August 2016



## Studies prepared by proponents for Wilton Junction Masterplan Department of Planning and Environment and Wollondilly Council comments - August 2016

| <b>Author</b>               | <b>Topic</b>                              | <b>Comment from Elton Consulting</b>                            | <b>Comment from Wollondilly Council and Department of Planning and Environment</b>  |
|-----------------------------|---|---|---|
| Atkins Acoustics            | Noise Impact Assessment                   | Received comments. Report updated and DGR adequately addressed  | Check if any implications arising from latest vehicle movement forecasts from RMS. If volumes have increased predicted impacts and mitigation measures may need updating. |
| BG&E                        | Infrastructure Servicing and Staging Plan | Received comments. Report updated and DGR adequately addressed  | Reflect new timing and staging and any new water and wastewater strategy of Sydney Water  |
| Connor Holmes               | Master Plan Report                        | Received comments. Report updated and DGR adequately addressed  | Reflect any changes arising from Land Use and Infrastructure Strategy   |
| Connor Holmes               | Visual Impact Analysis                    | Received comments. Report updated and DGR adequately addressed  | Revise if any noise mitigation requires additional acoustic barriers.   |
| Douglas Partners            | Contamination Report                      | Received comments. Report updated and DGR adequately            | No need to update   |
| Eco-Sustainable             | Waste Management                          | Received comments. Report updated and DGR adequately            | No need to update   |
| Elton Consulting            | Ecological Sustainable Development        | Received comments. Report updated and DGR adequately addressed. | No need to update   |
| Elton Consulting            | Environmental Trust                       | Received  | Model to be considered  |
| Elton Consulting            | Mining Communications Strategy            | Received comments. Report updated and DGR adequately            | To be revisited after Cabinet Submission  |
| Elton Consulting            | SEPP Rezoning Planning Report             | Received comments. Report updated and DGR adequately            | No longer needed  |
| Elton Consulting            | Social Infrastructure Assessment Report   | Received comments. Report updated and DGR adequately            | May need to update to reflect final GHD report  |
| Elton Consulting            | Statement of Intent                       |   | No need to update   |
| Elton Consulting and Venton | Gas Pipeline                              | Received comments. Report updated and DGR adequately addressed  | No need to update   |

## Studies prepared by proponents for Wilton Junction Masterplan Department of Planning and Environment and Wollondilly Council comments - August 2016

| <b>Author</b>        | <b>Topic</b>                                 | <b>Comment from Elton Consulting</b>                           | <b>Comment from Wollondilly Council and Department of Planning and Environment</b>                                |
|----------------------|--|--|---|
| IMC                  | Wilton Junction Co-existence and Mining Plan | Received comments. Report updated and DGR adequately addressed | No need to update – separate investigations to be requested   |
| J. Wyndham Prince    | Water Cycle Management                       | Received comments. Report updated and DGR adequately addressed | To be updated to reflect proposed servicing strategy if it changes and any findings of GHD strategic water study. |
| Kayandel             | Heritage Report                              | Received comments. Report updated and DGR adequately addressed | No need to update   |
| MacroPlan            | Economic Development and Employment Strategy | Received comments. Report updated and DGR adequately addressed | Further work may be required to establish employment generating strategy  |
| MacroPlan            | Employment Projections and Land Need         | Received comments. Report updated and DGR adequately addressed | Update if required  |
| MacroPlan            | Housing and Population Projections           | Received comments. Report updated and DGR adequately addressed | Update if required  |
| MSEC                 | Mining Subsidence Report                     | Received comments. Report updated and DGR adequately addressed | No need to update, separate study requested   |
| MWH                  | Wastewater Strategy                          | Received comments. Report updated and DGR adequately addressed | Update to reflect the current strategy  |
| MWH                  | Water Strategy Report                        | Received comments. Report updated and DGR adequately addressed | Update to reflect the current strategy  |
| Parsons Brinckerhoff | Transport Management Accessibility Plan      | Received comments. Report updated and DGR adequately addressed | Update to reflect Picton Road strategy and current yields and staging   |
| SLR Consulting       | Air Quality Impact Assessment                | Received comments. Report updated and DGR adequately addressed | No need to update unless Air Quality Task Force requests site specific measures                                   |
| SLR Consulting       | Ecological Assessment                        | Received comments. Additional                                  | Superseded  |

**Studies prepared by proponents for Wilton Junction Masterplan  
Department of Planning and Environment and Wollondilly Council comments - August 2016**

| <b>Author</b>                                   | <b>Topic</b>                          | <b>Comment from Elton Consulting</b>   | <b>Comment from Wollondilly Council and Department of Planning and Environment</b> |
|---|---------------------------------------|--|--|
|   | and Environmental Offsets Strategy    | work undertaken. Withdrawn report  |  |
| Cumberland Ecology in association with Gunninah | Ecological Assessment Strategy report | Received comments. Report updated and DGR adequately addressed   | Already updated and under review by DPE, OEH and Council                           |
| Whelans Insites                                 | Bushfire Assessment                   | Received comments. Report updated and DGR adequately addressed   | No need to update  |
| Revised Infrastructure strategy staging Offer   | Elton Consulting                      | Infrastructure offer updated following Government letter of January 2015. Report updated and DGR adequately addressed. | To be reviewed in light of individual proposals                                    |

## APPENDIX 5

### Summary of Wilton Junction Reports

| Site Investigation/ Assessment   | Findings & Recommendations  |            |                                |  |  |  |  |
|--|---|------------|--------------------------------|--|--|--|--|
| <p><b>Masterplan Report</b><br/>Connor Homes</p>   | <p>Conner Homes have refined the original high level Masterplan following assessments and investigations undertaken for Wilton Junction to meet the Department of Planning's Study Requirements.</p> <p>They have prepared a report that forms part of the Masterplan and provides a spatial foundation that addresses the DGR's and provides a basis for the rezoning of the Wilton Junction land.</p> <p>The report provides the context for the investigations within the scope of the Director General's Requirements and outlines the key investigations, the issues identified, the design solutions considered and rationale employed in reaching the final preferred Master Plan.</p> <p>The Master Plan provides for a sustainable community of some 35,000 people. Wilton Junction will be a series of inter-related and integrated precincts including, centres, employment/enterprise areas, schools, residential (including rural living), entertainment and leisure, open space /bushland/ conservation, highway services and infrastructure.</p> <p>The Master Plan makes allowance for the following development outcomes:</p> <ul style="list-style-type: none"> <li>● 11,900 additional dwellings (there being approximately 500 in the study area (as at 1 January 2013));</li> <li>● A population of around 35,000 persons; and</li> <li>● More than 11,000 jobs.</li> </ul> <p>The retail and employment precincts make provision for the following floorspace delivery over the life of the project:</p> <ul style="list-style-type: none"> <li>● 70,000 - 75,000m2 of retailing/bulky goods (including retailing as part of highway services);</li> <li>● 86,000 - 100,000m2 of commercial floorspace;</li> <li>● 335,000 - 385,000m2 of light industry, warehousing, transport and logistics floorspace; and</li> <li>● 20,000 - 25,000m2 of community / civic / education floorspace.</li> </ul> |            |                                |  |  |  |  |
| <p><b>Air Quality SLR</b></p>  | <p>The SLR Air Quality Opportunities and Constraints Report provides a high level risk-based (qualitative) assessment of air quality, outlines the key issues and proposes mitigation strategies. The key issues and corresponding mitigation strategies are:</p> <table border="1" data-bbox="368 1610 1343 2040"> <thead> <tr> <th data-bbox="368 1610 699 1648">Key Issues</th> <th data-bbox="699 1610 1343 1648">Proposed Mitigation Strategies</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 1648 699 1861">Construction activities to be located within 10 metres of sensitive receptors.</td> <td data-bbox="699 1648 1343 1861"> <ul style="list-style-type: none"> <li>● Implementation of best practice dust control measures</li> <li>● Locate fixed plant and fuel tanks away from receptors</li> <li>● Compliance with a Construction Environmental Management Plan (CEMP)</li> <li>● Complaints handling and proactive response measures</li> </ul> </td> </tr> <tr> <td data-bbox="368 1861 699 2040">Increased traffic volumes (particularly on the Hume Highway and Picton Road) predicted for 2021 as a result of the development</td> <td data-bbox="699 1861 1343 2040"> <ul style="list-style-type: none"> <li>● Traffic/transport initiatives</li> <li>● Road improvements</li> <li>● Setbacks for development</li> <li>● Vegetated buffer placement</li> </ul> </td> </tr> </tbody> </table>  | Key Issues | Proposed Mitigation Strategies | Construction activities to be located within 10 metres of sensitive receptors. | <ul style="list-style-type: none"> <li>● Implementation of best practice dust control measures</li> <li>● Locate fixed plant and fuel tanks away from receptors</li> <li>● Compliance with a Construction Environmental Management Plan (CEMP)</li> <li>● Complaints handling and proactive response measures</li> </ul> | Increased traffic volumes (particularly on the Hume Highway and Picton Road) predicted for 2021 as a result of the development | <ul style="list-style-type: none"> <li>● Traffic/transport initiatives</li> <li>● Road improvements</li> <li>● Setbacks for development</li> <li>● Vegetated buffer placement</li> </ul> |
| Key Issues   | Proposed Mitigation Strategies  |            |                                |  |  |  |  |
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| Site Investigation/ Assessment                             | Findings & Recommendations   |   |              |          |   |  |
|--|--|---|--------------|----------|---|--|
|  | <p>Early operations of the Bingara Gorge Sewage Treatment Plant (STP), the proposed Project Wastewater Treatment Plant (WWTP) and associated Sewage Pumping Stations.</p>  | <ul style="list-style-type: none"> <li>● Location of sensitive receptors away from busy roads (i.e. the Hume Highway and Picton Road)</li> <li>● Odour dispersion modelling (STP and WWTP)</li> <li>● Appropriate design and containment</li> <li>● Provision of suitable buffer zones based on the results of odour dispersion modelling</li> <li>● Vegetated buffer placement</li> <li>● Complaints handling and proactive response measures</li> </ul> |              |          |   |  |
| <p><b>Bushfire Assessment</b><br/>Whelans InSites</p>      | <p>Whelans InSites were engaged to prepare a Bushfire Assessment for the site.</p> <p>The assessment report outlines the site is generally clear of vegetation. Notwithstanding, an edge of the vegetation (EoV) throughout the perimeter of the site was determined and used to identify the extent of bushfire hazard within the study area.</p> <p>Whelans InSites have calculated and mapped the extent of Asset Protection Zones surrounding the site in accordance with the NSW Rural Fire Services Planning for Bushfire Protection 2006. The report recommends that asset protection zones (APZs) are used to determine appropriate setbacks for future residential development from the proposed vegetation line to ensure a suitable level of bushfire protection should a fire occur near the precinct.</p> <p>The recommended APZ varies between 25m and 60m at various locations within the subject site adjoining bushland. The use of Outer Protection Areas (OPAs) may be applied to further mitigate bushfire risk to adjoining residential lands and reduce the impact of APZs on developable land. Other Planning, design and construction measures are also recommended.</p> <p>Notwithstanding the general recommendations of the report, Whelans InSites outline that the extent of the APZ could be varied at the development application stage, subject to a more detailed site specific assessment.</p> |   |              |          |   |  |
| <p><b>Communications Outcomes</b><br/>Elton Consulting</p> | <p>The Consultation Outcomes Report documents the processes and outcomes of community and stakeholder engagement activities conducted as part of the project and as required within the DPE's Study Requirements.</p> <p>Key outcomes from the different consultation processes are provided in the report and detailed below. Additionally, the Talk Wilton Junction website (<a href="http://talkwiltonjunction.com.au/">http://talkwiltonjunction.com.au/</a>) was established in September 2012 and material from each of the consultation processes as well as outcomes were uploaded to the website.</p> <table border="1" data-bbox="368 1883 1342 2027"> <thead> <tr> <th data-bbox="368 1883 603 1917">Consultation</th> <th data-bbox="603 1883 1342 1917">Outcomes</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 1917 603 2027">Landowner Briefing Session (17/07/2013)</td> <td data-bbox="603 1917 1342 2027"> <ul style="list-style-type: none"> <li>● The proponents reconsidered the size of lots around Wilton Town Centre</li> </ul> </td> </tr> </tbody> </table>   |   | Consultation | Outcomes | Landowner Briefing Session (17/07/2013) | <ul style="list-style-type: none"> <li>● The proponents reconsidered the size of lots around Wilton Town Centre</li> </ul> |
| Consultation   | Outcomes   |   |              |          |   |  |
| Landowner Briefing Session (17/07/2013)                    | <ul style="list-style-type: none"> <li>● The proponents reconsidered the size of lots around Wilton Town Centre</li> </ul>   |   |              |          |   |  |

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|  |   | <ul style="list-style-type: none"> <li>• The Oxenbridge Avenue link to the proposed northern access road was removed</li> <li>• Sydney Water entered into an agreement with Solo Water for a waste water option for Wilton Town Centre</li> </ul> |
|  | Community Reference Group (24/07/2013 – 03/06/2013)   | <ul style="list-style-type: none"> <li>• Ongoing meetings will be held with CRG members during the public exhibition process and beyond.</li> </ul>   |
|  | Bingara Gorge residents briefing (08/08/2013)   | <ul style="list-style-type: none"> <li>• Oxenbridge Avenue will no longer be a major collector road under updated plans for Wilton Junction</li> </ul>  |
|  | Community information and feedback session (21/09/2013).  | <ul style="list-style-type: none"> <li>• General consideration of comments followed by ongoing discussion with Wollondilly Shire Council to determine amendments.</li> </ul>  |
| <b>Contamination Assessment</b><br>Douglas Partners                      | <p>The report provides details on the Phase 1 Contamination Assessment undertaken for Wilton Junction. The suitability of the proposed zoning was assessed from a contamination standpoint through desktop assessments. A site inspection was undertaken across the Bradcorp, Walker Corporation and Governors Hill land holdings only.</p> <p><b>Findings</b></p> <ul style="list-style-type: none"> <li>• An area has been identified as having slight potential for unexploded ordnance (UXO) has been identified within the Bradcorp landholding.</li> <li>• 53 AECs were identified across the Bradcorp, Walker Corporation and Governors Hill land holdings.</li> <li>• The balance (small) landholdings contain 42 PAECs.</li> </ul> <p><b>Conclusions &amp; Recommendations</b></p> <ul style="list-style-type: none"> <li>• The potential for significant contamination at the site is low however further investigation of the identified AECs is required.</li> <li>• Remaining PAECs and will require sampling to confirm contamination status.</li> <li>• DP recommends that subdivision approval within the UXO area should be conditional upon any contractors or workmen being alerted to the possible presence of UXO and advised not to move any suspicious items but to call in qualified military personnel for identification and handling.</li> <li>• Based on the findings of this preliminary contamination assessment, potential groundwater contamination is not considered to be significant.</li> <li>• It is considered that the site can be rezoned for the proposed Wilton Junction development from a contamination perspective.</li> </ul> |   |
| <b>Ecological Assessment &amp; Environmental Offsets Strategy</b><br>SLR | <p>SLR have undertaken an ecological investigation of the site and provided recommendations on: vegetation retention and removal, threatened species, priority conservation areas and threatened or migratory species. They have also developed a biodiversity and environmental offset strategy for Wilton Junction, in consultation with the Office of Environment and Heritage.</p>  |   |

Key details on each of the investigation areas are provided below:

***Vegetation retention and removal***

The vast majority of the developable area will be located within cleared and modified grassland and pasture areas within the study area. As detailed in the table below, much of the vegetation to be removed has been previously modified through agricultural uses.

| <b><i>Open Forest and Woodland</i></b> |   | <b><i>Ha</i></b> |
|--|---|------------------|
| Retain                                 | <ul style="list-style-type: none"> <li>● Protect and enhance</li> <li>● In perpetuity management</li> <li>● Conservation Area</li> <li>● Most (471.3ha or 76%) into an Environmental Trust</li> </ul>           | 614.5            |
| Remove                                 | <ul style="list-style-type: none"> <li>● Good to Moderate Condition</li> <li>● Thinned and Disturbed – lower biodiversity value</li> <li>● Small Copses and Narrow Strips – lower biodiversity value</li> </ul> | 38.96            |
|  | Total   | 66.29            |
|  |   | 44.55            |
|  | Total   | 149.8            |
|  | Total (excluding small copses and narrow strips)  | 105.2            |

*Source: SLR Consulting Australia Pty Ltd (2014)*

***Threatened Species***

- 3 threatened flora species were identified
- 11 threatened fauna species were identified
- 2 of the identified threatened fauna species utilise grasslands and very open woodland communities for part or the majority of their habitat requirements.

Given the extent of open forest and woodland habitats and resources being retained within the Wilton Junction Conservation Area (and managed in perpetuity for biodiversity conservation purposes), and the extent of suitable other habitat and resources in the locality and region, it is not likely that significant adverse impacts would be imposed upon any of the relevant threatened species – listed in either the TSC Act or the EPBC Act.

***Threatened Ecological Communities***

Two threatened ecological communities have been identified within the Wilton Junction development area, which are:

- Shale Sandstone Transition Forest (SSTF) – listed as an “endangered ecological community” (EEC) in both the TSC Act and the EPBC Act; and
- Cumberland Plain Woodland (CPW) – listed as a “critically endangered ecological community” (CEEC) in the TSC Act and as part of a CEEC in the EPBC Act.

The following is provided from the report in relation to CPW and SSTF (Source: SLR Consulting Australia, *Ecological Assessment and Offsets Strategy* (June 2014)).

*Whether or not vegetation at Wilton Junction satisfies the criteria for either the SSTF community or the CPW community, open forest and woodland with those floristic characteristics located through the Cumberland Basin are recognised as having been substantially modified, degraded and/or cleared over*



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|                                | <p><i>the last 220+ years. Consequently, they are acknowledged as being of biodiversity conservation value – in their own right and as habitat of value for native, including threatened, species</i></p> <p>If vegetation in the Wilton Junction Study Area did constitute the SSTF and/or CPW community, significant areas of that vegetation would be (Source: SLR Consulting Australia, <i>Ecological Assessment and Offsets Strategy</i> (June 2014)):</p> <ul style="list-style-type: none"> <li>● retained within the Conservation Area at Wilton Junction;</li> <li>● transferred to the ownership of the Environmental Trust; and</li> <li>● protected, enhanced, managed and celebrated in perpetuity, at no cost to government.</li> </ul> <p><i>Approximately 178 hectares of vegetation mapped as 'Floristic SSTF' in 'Good to Moderate' condition is to be retained in the Conservation Area at Wilton Junction (to be protected, enhanced and managed in perpetuity), whereas just 24ha of 'Floristic SSTF' in the same condition is to be removed (excluding the 'Thinned and Disturbed' vegetation and the 'Small Copses and Narrow Strips'). This is an Offset Ratio of 7.1 to 1 for 'Floristic SSTF' (Source: SLR Consulting Australia, <i>Ecological Assessment and Offsets Strategy</i> (June 2014)).</i></p> <p><i>Parts of the Wilton Junction Study Area have also been identified by the OEH as part of a 'Koala Habitat Corridor' through the southern parts of Sydney. However, there is only very limited (historical) evidence of Koalas in the Wilton Junction Study Area, and there is no evidence of a current resident population at this location. Furthermore, retention and management of the Conservation Area (in perpetuity) would facilitate any movements of Koalas through the Wilton Junction landscape, to the extent that any such movements currently occur or might occur in the future (Source: SLR Consulting Australia, <i>Ecological Assessment and Offsets Strategy</i> (June 2014)).</i></p> <p><b><i>Biodiversity and Environmental Offset Strategy</i></b></p> <p>A detailed Environmental Offsets Strategy has been developed for the project. The report outlines that the Wilton Junction Offsets strategy is unique in its format which goes beyond simply dedicating land, focussing on the future enjoyment, management and enhancement of the natural environment at Wilton Junction.</p> <p>Some of the key aspects of the Environmental Offsets Strategy are (Source: SLR Consulting Australia, <i>Ecological Assessment and Offsets Strategy</i> (June 2014)):</p> <ul style="list-style-type: none"> <li>● The retention and protection, in perpetuity, of approximately 614.5ha of native open forest and woodland vegetation - in addition to the 120ha already dedicated at Bingara Gorge;</li> <li>● the creation of an Environmental Trust – into which ownership of the Conservation Area would be vested, and which will have responsibility for managing those lands;</li> <li>● the creation of Environmental Trust Fund (based on a levy on development at Wilton Junction) - to provide for the ongoing funding of the Environmental Trust and management of the Conservation Area in perpetuity; and</li> <li>● the enhancement of retained vegetation - by the implementation of a Conservation Area Plan of Management (CAPoM) – to remove and control weeds, to eradicate feral pests and to enhance areas which have been previously disturbed;</li> </ul> |

| Site Investigation/ Assessment  | Findings & Recommendations  |
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| <p><b>Ecologically Sustainable Development</b><br/>Elton Consulting</p> | <p>Elton Consulting have prepared a report on the ecologically sustainable development principles and initiatives for the Wilton Junction Project. The report incorporates an assessment of the strategy prepared by Elton which has been developed in consultation with the Wilton Junction Landowners Group.</p> <p>The report identifies Wollondilly Shire Council's and the NSW Government's definitions for Ecologically Sustainable Development as sources which have informed the development of the sustainability approach for the project and assessment criteria used by Elton Consulting.</p> <p>The United Nation Environment Program's 'Melbourne Principles' are identified as guiding principles for development of the Wilton Junction Landowners Groups sustainability objectives. Various initiatives are identified to meet the following 'Melbourne Principles':</p> <ul style="list-style-type: none"> <li>● Principle 1: Provide a long-term vision for cities based on: sustainability; intergenerational, social, economic and political equity; and their individuality.</li> <li>● Principle 2: Achieve long-term economic and social security.</li> <li>● Principle 3: Recognise the intrinsic value of biodiversity and natural ecosystems, and protect and restore them.</li> <li>● Principle 4: Enable communities to minimise their ecological footprint.</li> <li>● Principle 5: Build on the characteristics of ecosystems in the development and nurturing of healthy and sustainable cities.</li> <li>● Principle 6: Recognise and build on the distinctive characteristics of cities, including their human and cultural values, history and natural systems.</li> <li>● Principle 7: Empower people and foster participation.</li> <li>● Principle 8: Expand and enable cooperative networks to work towards a common, sustainable future.</li> <li>● Principle 9: Promote sustainable production and consumption, through appropriate use of environmentally sound technologies and effective demand management.</li> <li>● Principle 10: Enable continual improvement, based on accountability, transparency and good governance.</li> </ul> <p>The Wilton Junction Landowners Group has also identified a number of best practice sustainability initiatives that will be implemented at Wilton Junction as part of the vision of a 'garden city' for the 21st Century. They are listed below.</p> <ul style="list-style-type: none"> <li>● Whole of Environment Approach</li> <li>● Establishment of an Environmental Trust (The primary role of the Trust is the protection of natural and Aboriginal heritage resources. It will manage high conservation value bushland within the Study Area whilst maintaining an asset protection framework.</li> <li>● Innovative Infrastructure - Water Cycle Management</li> <li>● Waste Minimisation Strategy</li> <li>● Climate Change Adaption and Mitigation</li> <li>● Self-containment – Various strategies to support social and economic development at Wilton Junction</li> </ul> |

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|   | <ul style="list-style-type: none"> <li>● Economic Development and Employment Strategy</li> <li>● Community Development and Place Making</li> <li>● Sustainable Transport Strategy</li> <li>● Local Food Production</li> <li>● Affordability</li> </ul> <p>The report provides an assessment of the initiatives against the ESD principles and generally demonstrates how the Wilton Junction Project will meet sustainability objectives.</p>  |
| <p><b>Economic Development &amp; Employment Strategy</b><br/>MacroPlan Dimasi</p> | <p>In their report, MacroPlan Dimasi have identified the potential employment drivers for Wilton Junction and outline the key strategic directions that will assist in delivering the target number of jobs for the locality.</p> <p>The report acknowledges that industries that are predominantly population driven including retail, social infrastructure, health care, education and public administration, employment will evolve sequentially with population growth. As such, the report focuses on strategies for attracting employment industries that require a degree of stimulation.</p> <p>A summary of the recommended employment strategies for sector specific industries are provided below (Source: Macroplan Dimasi, <i>Wilton Junction Economic Development &amp; Employment Strategy</i>, 2014) .</p> <p><b>Health Sector</b> - formation of business partnerships with the South Western Sydney Local Health District; the region's private hospitals and care providers; as well as specific aged care and home care providers, preferably early in the residential precinct development cycle.</p> <ul style="list-style-type: none"> <li>● Business partnerships with health equipment manufacturers and distributors.</li> </ul> <p><b>Education Sector</b> – establish business partnerships with private schools, TAFEs and potentially involving industry training partnerships and/or enterprise partnerships with nearby facilities at UWS Campbelltown and the University of Wollongong.</p> <ul style="list-style-type: none"> <li>● Educational focus on local industry needs and trades sector e.g. work with NSW Transport to implement its Master Plan objective to maintain the state's freight workforce through initiatives that attract and retain skilled workers in the industry.</li> <li>● Work with the Bureau of Freight Statistics to streamline freight data collection and strategic analysis, e.g. by liaising with freight industries to ensure their needs are understood and accommodated and that the necessary industry skills are developed, or through applied research in freight management.</li> </ul> <p><b>Construction Sector</b> – identification of candidate construction supply companies eager to locate at Wilton Junction to take advantage of its proximity to broader development fronts at the South West Growth Centre and in Wollongong.</p> <ul style="list-style-type: none"> <li>● Work with specific supply industries to understand their training needs and partner with education providers to create Wilton as a place of trade learning.</li> </ul> <p><b>Transport, Postal and Warehousing</b> – maximise the broader appreciation of Wilton Junction's natural advantages in terms of its connectedness to Sydney, Wollongong and other regions.</p> |

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|  | <ul style="list-style-type: none"> <li>• Ensure the allocation of suitable land and simultaneous marketing to attract those businesses which have the potential to benefit from a southern Sydney regional location.</li> <li>• Identification and targeting of specific logistics businesses.</li> </ul> <p><b>Tourism and Recreation</b> – work with Council’s toward the review and implementation of its Tourism Business Plan.</p> <ul style="list-style-type: none"> <li>• Align current objectives to Destination NSW’s agenda to double the state’s overnight visitor expenditure by 2020 in order that regional funding may be obtained.</li> <li>• Develop local tourism partnership between Council and respective businesses – and seek regional development funding from the Federal Government.</li> </ul> <p><b>Agribusiness</b> - supporting primary production in a research, training or trading capacity. Tap into the presence of research institutions to encourage Wollondilly as a centre for innovation in the agricultural industry and/or for food production and manufacturing.</p> <ul style="list-style-type: none"> <li>• Identify existing agribusinesses in Sydney’s south-west that will be impacted by encroaching urban development to pursue their relocation to Wollondilly e.g. Inghams Enterprises, Flora International, NuFlora International and Andreasens Green.</li> </ul> <p>Strategic responses are also provided to assist in the following: Planning for a competitive industry environment, facilitating industry growth (population driven industries), catalytic employment projects (benefits for smaller industries through co-location with major services), infrastructure delivery, regional partnerships and business support.</p> <p>The report outlines that the success of the strategy will be dependent on the ability to secure funding for the initiatives and to target specific industry types identified as possible candidate industries that could be attracted to Wollondilly.</p> <p>Other matters that will drive the success of the strategies relate to:</p> <ul style="list-style-type: none"> <li>• The quality and inventiveness of specific marketing material;</li> <li>• Appropriate implementation structures and arrangements; and</li> <li>• The ongoing ownership and refinement of the initiatives.</li> </ul> |
| <p><b>Environmental Trust</b><br/>Elton Consulting</p> | <p>The Wilton Junction Environmental Trust is a developer led voluntary planning agreement with the State government that establishes a robust management framework to ensure protection of bio-diversity and culturally significant sites and provision for the on-going management of these resources.</p> <p>Elton Consulting have prepared a report on the aspects of the Environmental Trust, addressing the need for the Trust, its benefits, governance, funding and operation and how the Trust will guarantee in perpetuity protection of bio-diversity and heritage assets.</p> <p>As detailed in Elton’s report, the key principles of the Wilton Junction Environmental Trust are:</p> <ul style="list-style-type: none"> <li>• In perpetuity funding for the care and protection of the natural environment including land improvement, management and maintenance, while exploring opportunities to expand the income</li> </ul>  |

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|  | <p>base through grants and complementary land use. Expenditure of the seed capital and an amount to cover inflation, will be prohibited</p> <ul style="list-style-type: none"> <li>● Promote sustainable resident access to environmental lands and the opportunity to participate in conservation activities and decision-making processes</li> <li>● Provide a commercially sound and governance structure to ensure quality strategic and skill-based decision making to uphold the whole-of-environment principles, including social inclusivity</li> <li>● Approximately \$25m funding to manage and protect the environmental lands simultaneous to the removal of approximately 150ha of bushland areas to allow for urban development as indicated in the Wilton Junction Master Plan.</li> </ul> <p>Source: Elton Consulting, <i>Wilton Junction New Town Environmental Trust</i>, (2014).</p>   |
| <p><b>Gas drainage Considerations</b><br/>IMC Mining Group Pty Ltd</p> | <p>Wilton Junction occupies land on which the Appin Area 8 Mining Domain, owned by Billiton Illawarra Coal (BHPBIC) is located and active.</p> <p>IMC were engaged to undertake an assessment of the potential options available to BHP Billiton Illawarra Coal (BHPBIC) to install and operate surface infrastructure and gas drainage systems to support the proposed future development of the Appin Area 8 Mining Domain. IMC's assessment considered the potential implications and feasibility associated with the coexistence of coal mining with surface development of the Wilton Junction (WJ) area.</p> <p>The report outlines that underground extraction methods and goaf gas drainage through surface based methods will permit the co-existence of urban development and underground long wall mining within the Appin Area 8 Mining Domain. Key points from the preliminary assessment are as follows:</p> <ul style="list-style-type: none"> <li>● Continued development and application of in-seam gas pre-drainage by underground methods and goaf gas drainage through surface based methods is likely to provide sufficient gas extraction capacity to support safe and efficient mine operations.</li> <li>● Underground extraction methods are likely to facility the majority of required gas drainage.</li> <li>● However, surface based methods provide a more cost effective and safer solution provided corridors and open areas can be provided as access sites to undertake the gas drainage drilling and extraction operations.</li> <li>● A number of areas have been identified within the proposed Wilton Junction investigation area that may potentially be available to BHPBIC to access and undertake surface based gas drainage and gas extraction operations.</li> <li>● An indicative gas drainage design has been developed outlining the potential location of mines throughout the site. The report emphasises the design provides maximum flexibility and sufficient redundancy to allow for the reorientation of the mine plan, if required.</li> </ul> |
| <p><b>Geotechnical Assessment</b><br/>Douglas Partners</p>             | <p>A high level geotechnical assessment has been undertaken by Douglas Partners to determine the suitability of the site for urban development. The investigation addressed the site's geotechnical surface and subsurface conditions, slope instability risk potential, soil erosion risks, soil salinity and geotechnical development constraints.</p> <p>The central part of the Site is underlain by Ashfield Shale with some higher elevations possibly underlain by Bringelly Shale. The lower elevations and riparian zones are underlain by Hawkesbury Sandstone</p>  |

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|                                | <p>with the interface areas between the Ashfield Shale and Hawkesbury Sandstone underlain by Mittagong Sandstone.</p> <p>The majority of the site comprises Blacktown soil. This soil type is characterised by low fertility, moderately reactive, highly plastic and generally low wet strength.</p> <p>The riparian areas are Lucas Heights soil, which is a residual soil landscape that comprises soils that are low fertility, stony and slightly reactive and have low available water capacity.</p> <p>Douglas Partners provide the following summary points based on their preliminary assessment of the site (source: <i>Douglas Partners, Report on Geotechnical Assessment</i> (June 2014)).</p> <ul style="list-style-type: none"> <li>● No evidence of hillside/slope instability was observed within the proposed net developable area. It is considered that such instability does not impose significant constraints on the proposed site development under the current master plan.</li> <li>● The presence of erosive soils on site should not present significant constraints to development provided they are well managed during earthworks and site preparation stages.</li> <li>● No significant evidence of saline soil was identified within the site. Although further salinity testing is considered necessary, at this stage salinity levels are sufficiently low for this site to be deemed free of no significant salinity constraints.</li> <li>● Although mild aggressivity to concrete is regularly encountered across the site, aggressivity levels are considered to be manageable, subject to appropriate design and construction consideration.</li> <li>● Highly sodic soils appear widespread and will require management to reduce dispersion, erosion and to improve drainage.</li> </ul> <p>Douglas Partners outline in their report that the assessment undertaken did not identify any issue that would preclude the rezoning of the Wilton Junction site for urban development.</p> <p>Douglas Partners outline the additional investigations required as the project progresses (source: <i>Douglas Partners, Report on Geotechnical Assessment</i> (June 2014)).</p> <ul style="list-style-type: none"> <li>● Additional salinity investigations for site soils and surface waters (i.e. dams) to increase the density of the data obtained to date. Recommendations on the methodology and intended outcomes for the investigation programme are provided.</li> <li>● Additional investigation should be undertaken in development areas which are to be excavated deeper than 2 m or into rock at shallower depth, where direct sampling and testing of salinity has not been carried out. Salinity management strategies should then be reassessed following additional investigation by deep test pitting and/or drilling, sampling and testing for soil and water pH, electrical conductivity, TDS, sodicity, sulphates and chlorides.</li> <li>● Additional testing of the site's soils and surface water (and groundwater, if encountered) for aggressivity testing and its effects on buried concrete and steel structures.</li> <li>● Additional testing of site soils for erosion and dispersion properties to provide better guidance on the design and construction of future water bodies and the ability of the soils to be used as clay liners, or similar.</li> <li>● Detailed geotechnical investigations on a stage-by-stage basis for determination of pavement thickness designs and lot classifications, as well as stage specific issues, such as deep excavations and construction of roads and dwellings/structures on steeper landforms and crests.</li> </ul> |

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| <p><b>Heritage Report</b><br/>Kayandel<br/>Archaeological<br/>Service</p> | <ul style="list-style-type: none"> <li>● Routine inspections and earthworks monitoring during construction.</li> </ul> <p>Kayandel Archaeological Service were engaged to assess the archaeological potential at the subject site and potential Aboriginal Heritage Impacts and non indigenous heritage impacts.</p> <p>The assessment identified a number of Aboriginal and Historic heritage items within the Subject Area. As part of the supporting material for the report, a masterplan was developed which details the location of the identified items. The Masterplan has been designed to minimise the impacts upon items that have been assessed to be of high significance.</p> <p>The report concludes that impacts upon items of Aboriginal heritage or items of historic heritage are not sufficient as to prevent the rezoning application currently proposed.</p> <p>The report confirms the level of investigation and enquiry is sufficient to provide for an assessment of the rezoning proposal to be undertaken. The recommendations contained within the report provide clear guidance on the requirements of the Heritage Act and National Parks and Wildlife Act should the rezoning proposal be determined positively and development applications proceed to be lodged in the future.</p> <p>The following recommendations are provided by Kayandel Archaeological Service in their report and they have been based on the relevant legal requirements and codes of practice specific to the discipline (source: <i>Kayandel Archaeological Service, Aboriginal Cultural Heritage Assessment and Historic Heritage Assessment</i> (June 2014)).</p> <p><b>Indigenous Heritage:</b></p> <p>A1 - No further assessment of the Aboriginal heritage within the Subject Area is required to inform the rezoning proposal.</p> <p>A2 - Prior to Development Application Stage for an identified area, further Aboriginal archaeological investigations are required at all locations identified in Figure 24. See below for further considerations for these investigations.</p> <p>A3 - Any proposed impacts within the Conservation or Open Space area identified in Figure 3 (or any future version of the master plan) should be subject to separate assessment prior to the impact to assess the cumulative impact of the proposed works on Aboriginal heritage (Figure 22 and Figure 23).</p> <p>A4 - An Aboriginal Heritage Impact Permit under Part 6 of the National Parks and Wildlife Act 1974 should be sought for the extent of each Development Application area. The need for an Aboriginal Heritage Impact Permit will trigger the opportunity to undertake further consultation. This Aboriginal Heritage Impact Permit should be sought for all known and unknown Aboriginal objects within the Development Application area as a strategy to minimise the risk of delays during works that may results from unexpected finds.</p> <p>A5 - As a result of Recommendations 2 and 4 a process of further consultation with Aboriginal stakeholders will be required to be undertaken in accordance with the specifications of Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010a)</p> <p>A6 - Those portions of the Subject Area not previously affect by high levels of ground disturbance (See Figure 8 to Figure 13) and not being subject to survey during this investigation (Figure 4) will require</p> |

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|   | <p>additional survey and assessment prior to management strategies being proposed and implemented, This additional survey and assessment should be undertaken prior to a Development Application being submitted for the identified area.</p> <p>A7 - Further investigation and assessment will be required to identify appropriate strategies for long term management impacts of visitation to Aboriginal Rock shelter sites within conservation lands.</p> <p>A8 - Archival recording utilising measured drawing and digital capture techniques should be undertaken at each of the rock art and rock shelter sites.</p> <p><b>Non-Indigenous Heritage:</b></p> <p>H1 - No further assessment of the historic heritage within the subject Area is required to inform the rezoning proposal.</p> <p>H2 - Historic heritage items identified in Table 16 assessed to have any level of significance should be included in Schedule 5 Register of the Wollondilly LEP 2011.</p> <p>H3 - Prior to Development Application Stage for an identified area, further heritage assessment would be required at all locations identified in Figure 26 to inform the preparation of detailed planning controls for the site. The further heritage assessment would include additional analysis to the significance of view, or historic views to and from the heritage site located in and around the Subject Area.</p> <p>H4 - Those portions of the Subject Area not previously affected by high levels of ground disturbance (See Figure 8 to Figure 13) and not being subject to survey during this investigation (Figure 4) will require additional survey and assessment prior to management strategies being proposed and implemented.</p> <p>H5 - Consideration is given to the installation of heritage interpretation material that highlights the major themes (historic heritage) evident in the Subjects Area i.e. the agricultural nature of both this site and the importance of it to the colonial era. The location(s) for the interpretation should be chosen to incorporate a vista that appropriately reflects the heritage of this area.</p> <p>H6 - Any future development impacts upon the Heritage Items listed in Table 8 and Table 11 and shown in Figure 19 and Figure 26 will require the relevant excavation or exemption notification under the Heritage Act 1977 (refer to Section 2.2.4) where they are present within the Subject Area.</p> |
| <p><b>Housing and Population Projections</b><br/>MacroPlan Dimasi</p> | <p>MacroPlan Dimasi have prepared a report on the likely demographic characteristics and housing needs of the new township of Wilton Junction.</p> <p>MacroPlan Dimasi's analysis of demographic trends and housing needs provides the following information:</p> <ul style="list-style-type: none"> <li>● A future population of 34,955 at Wilton Junction by 2041, including a contribution from the existing Wilton township and approved and future dwellings at Bingara Gorge;</li> <li>● A potential for greater market share to be achieved from a master-planned community offering;</li> <li>● A similar age profile to south-west Sydney but with a higher representation of residents aged 50+, reflecting anticipated Wollondilly characteristics and broader regional demographic trends;</li> </ul>   |



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|  | <ul style="list-style-type: none"> <li>● A dominance of family households, with a marginally greater representation of couple families without children when compared to south-west Sydney; and</li> <li>● A broader trend toward smaller lots across Sydney's south-west;</li> <li>● A growing interest in new estate locations from retirees seeking to down-size; and</li> <li>● A likely dominance of detached housing at Wilton Junction, but with an increasing proportion of smaller lots to meet consumer demand for affordable product.</li> </ul> <p>Source: MacroPlan Dimasi, <i>Housing and Population Projections</i>, (2014)</p>   |
| <b>Infrastructure Servicing &amp; Staging Plan</b><br>BG&E | <p>BG&amp;E have prepared an Infrastructure Servicing and Staging Plan that provides an overview of the infrastructure requirements to service the Wilton Junction development. The Plan has been prepared using other technical reports prepared to satisfy the DPE SR's and in consultation with Wollondilly Shire Council and the relevant State Government infrastructure agencies.</p> <p>The estimated cost to provide all required infrastructure (roads, potable water, waste water, electricity and social infrastructure) triggered by Wilton Junction is \$253,384,738. Of this amount:</p> <ul style="list-style-type: none"> <li>● The State Infrastructure items of roads, public transport and social facilities comprise \$133,492,476, and</li> <li>● Water, waste water and utility services amounts to \$119,892,262 which will be covered by the Proponents through commercial agreements with service providers.</li> </ul> <p>The report outlines that the arrangement of legal instruments to be implemented to facilitate infrastructure funding was to be determined following the report. As such, the report provides a framework for discussion, outlining funding arrangements. A Voluntary Planning Agreement is identified as the best means of securing funding and delivery of infrastructure.</p> <p>The Proponents will also be required to make Section 94 Contributions to Wollondilly Shire Council (Council). The Section 94 Plan will be exhibited shortly after the Wilton Junction SEPP rezoning exhibition.</p> <p>The table below summarises the infrastructure required to meet the needs of the development.</p> |

|   | Year      | 2015 to 2019         | 2020 to 2024         | 2025 to 2029         | 2030 to 2034         | 2035 to 2039        | 2040 & 2041 | Total                 |
|---|-----------|----------------------|----------------------|----------------------|----------------------|---------------------|-------------|-----------------------|
|   | Dwellings | 0 - 750              | 751 - 2695           | 2696 - 5190          | 5191 - 8165          | 8166 - 10000        | 10000 +     |                       |
| <b>Roads and Transport</b>  |           |                      |                      |                      |                      |                     |             |                       |
| New northern ramps (F)  |           |                      | \$ 44,936,703        |                      |                      |                     |             |                       |
| Northern pedestrian bridge over Hume (E)  |           | \$ 7,327,273         |                      |                      |                      |                     |             |                       |
| Picton Road West of interchange   |           | \$ 5,115,000         |                      | \$ 3,634,750         | \$ 4,030,000         |                     |             |                       |
| Picton Road East of interchange   |           | \$ 940,000           | \$ 7,340,000         | \$ 15,400,000        |                      |                     |             |                       |
| Public transport  |           |                      |                      | \$ 8,550,000         |                      |                     |             |                       |
| <b>Social Infrastructure</b>  |           |                      |                      |                      |                      |                     |             |                       |
| Schools   |           |                      | \$ 17,500,000        | \$ 7,500,000         | \$ 7,500,000         |                     |             |                       |
| Health  |           |                      |                      |                      | \$ 1,250,000         |                     |             |                       |
| Emergency Services  |           |                      |                      |                      |                      | \$ 2,468,750        |             |                       |
| Planning cost ( from others)  |           |                      | \$ 906,385           |                      |                      |                     |             |                       |
| <b>SUBTOTAL</b>   |           | <b>\$13,382,273</b>  | <b>\$70,683,088</b>  | <b>\$35,084,750</b>  | <b>\$12,780,000</b>  | <b>\$2,468,750</b>  | <b>\$0</b>  | <b>\$134,398,861</b>  |
| <b>Water and Waste Water Infrastructure</b>   |           |                      |                      |                      |                      |                     |             |                       |
| Water infrastructure  |           | \$ 7,516,480         |                      | \$ 4,568,000         | \$ 9,636,600         | \$ 3,155,100        |             |                       |
| Waste Water Infrastructure  |           | \$ 21,817,691        | \$ 38,331,725        | \$ 21,281,378        | \$ 12,335,288        |                     |             |                       |
| <b>Other</b>  |           |                      |                      |                      |                      |                     |             |                       |
| Electricity   |           |                      |                      |                      | \$ 1,250,000         |                     |             |                       |
| <b>SUBTOTAL</b>   |           | <b>\$ 29,334,171</b> | <b>\$ 38,331,725</b> | <b>\$ 25,849,378</b> | <b>\$ 23,221,888</b> | <b>\$ 3,155,100</b> | <b>\$ -</b> | <b>\$ 119,892,262</b> |
| <b>TOTAL</b>  |           | <b>\$42,716,443</b>  | <b>\$109,014,814</b> | <b>\$60,934,128</b>  | <b>\$36,001,888</b>  | <b>\$5,623,850</b>  | <b>\$0</b>  |                       |
| <b>CASHFLOW FOR KEY INFRASTRUCTURE (EXCL WATER, WASTEWATER AND OTHER UTILITIES - AS BASED ON COMMERCIAL ARRANGEMENTS)</b> |           |                      |                      |                      |                      |                     |             |                       |
| Proponents  |           | \$ 13,382,273        | \$ 58,570,529        | \$ 29,840,545        | \$ 7,500,000         | \$ -                | \$ -        | \$ 109,293,347        |
| Other private landowners  |           | \$ -                 | \$ 12,112,559        | \$ 5,244,205         | \$ 5,280,000         | \$ 2,468,750        | \$ -        | \$ 25,105,514         |

Source: BG&E, *Infrastructure Servicing and Staging Plan*, (2014).

**Mine  
Subsidence  
MSEC**

The entirety of Wilton Junction lies within the Wilton Mine Subsidence District (MSD). MSEC were engaged to review the existing subsidence predictions, prepare assessments of the impacts of subsidence on future buildings and infrastructure and provide design parameters for future development.

The site falls within Area 8 of Illawarra Coal's Bulli Seam Operations underground long wall mining project. Illawarra Coal proposes to extract high quality coking coal from the Bulli Seam, in Area 8 of its Bulli Seam Operations project, directly beneath the proposed development site within the next 10- 20 years.

It is forecasted that urban development will occur prior to mining under the subject land. Therefore, MSECs report outlines that if mining and urban development are to co-exist, subsidence design parameters are to be developed to inform development.

The maximum subsidence is predicted to occur over the northernmost longwalls, where the seam thickness is the greatest. The proposed land use in this area is mainly low-density residential. The maximum predicted subsidence beneath the proposed employment and light industrial lands is between 700 mm and 850 mm, which is lower than the maximum predicted subsidence value that has been recommended for the design of the development. As noted in the report, larger scale development such as the town centre and employment lands are located in areas with the lower subsidence values which will benefit this form of development in meeting the criteria.

In the absence of a definitive mine layout, all buildings, structures and associated infrastructure have to be designed to accommodate the maximum predicted subsidence parameters.

The report outlines that, from a planning perspective that the development of the Wilton Junction site could take place in advance of the proposed mining activities, but this will only be possible under current legislation if the proposed developments are designed and constructed to accommodate predicted ground movements, to the satisfaction of the Mine Subsidence Board. In MSEC's opinion, it is unnecessary to delay development until after coal resources have been mined.

| Site Investigation/ Assessment                                       | Findings & Recommendations   |
|--|--|
|  | <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Developers will need to engage with the Mine Subsidence Board (MSB), and seek approval for the development from the MSB.</li> <li>• Monitoring of ground movements and subsidence is advised to ensure that movements are in line with the predictions, which is normally carried out by the mining company as a condition of longwall approval by the New South Wales Department of Trade, Investment, Regional Infrastructure and Services (DTIRIS), should ensure that the buildings will remain safe as mining occurs.</li> <li>• the range of buildings, structures and associated infrastructure required for the Wilton Junction Project can generally be designed to accommodate subsidence, but only on the basis of appropriate attention to detail during design and construction, combined with appropriate subsidence management strategies for the surface improvements during mining.</li> <li>• The predicted levels of subsidence at Wilton Junction are manageable and the buildings, structures and associated infrastructure can be designed and constructed so that they will remain safe, serviceable and repairable as subsidence occurs.</li> <li>• The report also provides design parameters for Low density Residential buildings, medium and high density residential buildings, commercial and industrial buildings, specialised building facilities, servicing and infrastructure.</li> </ul>   |
| <p><b>Noise &amp; Vibration Assessment</b><br/>Atkins Consulting</p> | <p>Atkins Acoustics were engaged to prepare a noise assessment to address potential noise and vibration impacts from existing road and rail infrastructure and potential impacts from future development of railway corridors in the study area.</p> <p>The assessment outlines the noise generating infrastructure impacting the site are:</p> <ul style="list-style-type: none"> <li>• Existing roads - Hume Highway and Picton Road.</li> <li>• Existing Rail – Southern Railway Line between Sydney and Goulburn.</li> <li>• Proposed rail - Maldon- Dombarton Rail Corridor.</li> </ul> <p>Based on preliminary modelling and site investigations in accordance with the Infrastructure SEPP (ISEPP), the report outlines that without consideration of secondary controls noise and potential vibration levels across the study area exceed the assessment criteria stipulated within the ISEPP.</p> <p>The study findings identified that a number of noise and vibration mitigation strategies will be required to be incorporated into the Master Plan to control acoustic amenity for new development in the study area. These include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Negotiations with proponents of the rail infrastructure developments.</li> <li>• Sub-division planning including building orientations, layouts, set-backs, use of less-sensitive development including retail/commercial/industrial development to provide buffers and acoustic shielding to more sensitive receptors.</li> <li>• Buffer zones along infrastructure corridors.</li> </ul> <p>Final noise mitigation measures would be dependent on requirements of individual land owners/developers, noise exposure, the site location, site topography, location and finished floor levels of dwellings. The final detailing would dependent on individual requirements and negotiations and should be reviewed during the detailed design development of each subdivision.</p> |

| Site Investigation/ Assessment | Findings & Recommendations |
|--------------------------------|----------------------------|
|--------------------------------|----------------------------|

| <b>Social Infrastructure Assessment</b><br>Elton Consulting | <p>Elton consulting have provided recommendations on the provision of social infrastructure for Wilton Junction based on an estimated incoming population of 31,490 new residents. This projection accounts for the Bradcorp, Governors Hill, Walker Corporation, Lend Lease and other small landowners but excludes the Lend Lease development area which is already accounted for through an existing VPA.</p> <ul style="list-style-type: none"> <li>• Elton have recommended district and regional as well as local level facilities for Wilton Junction.</li> <li>• The provision of open space has also been recommended based on the standard calculation of 2.83ha/1000 population.</li> <li>• The report recommends 75ha of open space be provided generally with a 50:50 apportionment between formal and active open space.</li> <li>• An additional 10ha district open space is recommended incorporating active sports facilities.</li> </ul> <p>A summary of the Bradcorp land holding requirements is provided below:</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>Proposed dwelling yield</th> <th>Proposed population</th> <th>To be provided under S94</th> <th>Proposed active open space</th> <th>Proposed passive open space</th> <th>District open space</th> </tr> </thead> <tbody> <tr> <td>5,400</td> <td>15,840</td> <td>40.83 ha</td> <td>16.72 ha</td> <td>19.7 ha</td> <td>4.4 ha</td> </tr> </tbody> </table> <p>The recommended District Level Facilities are:</p> <ul style="list-style-type: none"> <li>• A district community hub consisting of a multipurpose community centre (1,430sqm GFA) and a library (1,474sqm GFA).</li> <li>• A K-12 public school located in the proximity of the town centre and adjacent to district playing fields.</li> <li>• An independent K-12 school located in Wilton West (Bradcorp land).</li> <li>• A Regional Integrated Primary and Community Care Centre (community health facility) located in the town centre.</li> <li>• An aquatic/gym/indoor sports centre of 4,000-6,000sqm GFA located either in or near the town centre, school or lake precinct.</li> <li>• A police station on a 4,000sqm site located on the fringe of the town centre (could be co-located with the courthouse).</li> <li>• A fire station on a 2,000sqm site located on the fringe of the commercial area with good access to arterial roads.</li> <li>• An ambulance station on a 3,000sqm site located in a fringe commercial or light industrial area with good access to arterial roads (could be co-located with the fire station).</li> </ul> <p>The recommended Local Level Facilities for the Bradcorp landholding are:</p> <ul style="list-style-type: none"> <li>• A local multipurpose community centre of 650 GFA located in a neighbourhood centre.</li> <li>• A public primary school located according to Department of Education and Communities (DEC) requirements.</li> <li>• Allowance for child care.</li> </ul> | Proposed dwelling yield  | Proposed population        | To be provided under S94    | Proposed active open space | Proposed passive open space | District open space | 5,400 | 15,840 | 40.83 ha | 16.72 ha | 19.7 ha | 4.4 ha |
|---|--|--------------------------|----------------------------|-----------------------------|----------------------------|-----------------------------|---------------------|-------|--------|----------|----------|---------|--------|
| Proposed dwelling yield                                     | Proposed population  | To be provided under S94 | Proposed active open space | Proposed passive open space | District open space        |                             |                     |       |        |          |          |         |        |
| 5,400   | 15,840   | 40.83 ha                 | 16.72 ha                   | 19.7 ha                     | 4.4 ha                     |                             |                     |       |        |          |          |         |        |

|                                   |  |
|-----------------------------------|--|
| <b>Transport Management &amp;</b> | Parsons Brickerhoff have undertaken an assessment of existing and future transportation, incorporating road, rail, bus, cycling and walking. Using the modelling required under the DPE SR's, the assessment |
|-----------------------------------|--|

| Site Investigation/ Assessment | Findings & Recommendations |
|--------------------------------|----------------------------|
|--------------------------------|----------------------------|

**Accessibility Plan**  
Parsons  
Brickerhoff

provides recommendations on upgrades to transportation infrastructure to support urban development across Wilton Junction.

The transport assessment was undertaken in consultation with TfNSW. Traffic modelling analysis for the future base scenario identified upgrade requirements, informed traffic generation predictions and the proposed road network.

The assessments utilised the TfNSW Sydney Strategic Transport Model (STM), an AIMSUN Mesoscopic model for the Wilton Junction study area, and isolated intersection SIDRA models.

The figure below outlines the proposed road infrastructure staging for Wilton Junction as outlined in the assessment.

| Percentage of dwellings built | Approximate year | Road upgrades   |
|-------------------------------|------------------|---|
| 5%                            | 2015             | <ul style="list-style-type: none"> <li>■ Hume Highway/Picton Road Interchange – preliminary upgrade</li> <li>■ Pembroke Parade/Picton Road intersection signals</li> <li>■ Wilton Park Road/Picton Road intersection signals</li> <li>■ Wilton Park Road to Governor’s Hill land release</li> <li>■ Almond Street/Picton Road intersection preliminary</li> <li>■ Connection of Bradcorp land to Pembroke Parade</li> <li>■ Connection of Walker Corp land to Pembroke Parade</li> <li>■ Pembroke Parade pedestrian bridge</li> </ul> |
| 20%                           | 2021             | <ul style="list-style-type: none"> <li>■ Picton Road widening east of Pembroke Parade</li> <li>■ Connection of Bradcorp land to Wilton Park Road</li> </ul>   |
| 40%                           | 2024             | <ul style="list-style-type: none"> <li>■ Hume Highway/Picton Road Interchange – full upgrade</li> <li>■ Internal link road</li> <li>■ North-facing ramps</li> <li>■ Grade separation over Picton Road between Hume Highway Inter and Pembroke Parade</li> </ul>   |
| 50%                           | 2028             | <ul style="list-style-type: none"> <li>■ Picton Road widening west to western edge of site</li> <li>■ New access intersection on Picton Road, west of Wilton Park Road intersection signals</li> <li>■ Extension of internal collector roads</li> </ul>   |
| 65%                           | 2031             | <ul style="list-style-type: none"> <li>■ Extension of internal collector roads</li> </ul>   |

The assessment also incorporates public and active transport recommendations, the key aspects being:

- A bus network incorporating a trunk regional/local service to Picton, combined with local services serving
- The northern, eastern and southern areas of the development is proposed to provide self-sufficiency and reduce car-based travel for local trips.
- An integrated network of cycle ways and pedestrian paths connecting residents to key community spaces and services. Both on road and off road paths are proposed and should be integrated with Wollondilly Shire Council’s planned network of shared cycle and pedestrian paths.

| Site Investigation/ Assessment                              | Findings & Recommendations   |
|---|--|
| <p><b>Visual Analysis Report</b><br/>Connor Holmes</p>      | <p>A Visual Analysis was undertaken by Conner Holmes which identified key views from the site and included recommendations for the urban design process:</p> <p>Key views from the site as identified in the report are:</p> <ul style="list-style-type: none"> <li>● External views to the Razorback Mountains, the Southern Highlands, to the west to Maldon and to the east to distant industry and St Mary’s Towers. These views are gained from high points along the southern boundary, the ridgeline south-west of Picton Road and the hills and ridge approximately halfway between the entry to the site from the north and the interchange along the Hume Highway.</li> <li>● Internal views are available across the Hume Highway to the golf course from high points and ridges to the west of the Hume Highway and the east of Picton Road.</li> <li>● Key stands of vegetation.</li> <li>● Key internal features such as the golf course, the proposed lake, and potentially key buildings.</li> <li>● The internal view sheds.</li> <li>● Key ridge lines, hills and other vantage points.</li> </ul> <p>The key recommendations as identified in the report are:</p> <ul style="list-style-type: none"> <li>● Where possible and practicable key ridgelines and hills should be retained as open areas. This could be in the form of public open space and/or incorporated into larger allotments in private ownership. These could be used as look out points to take advantage of, in particular, the external view sheds. This will also provide a green backdrop for residents and will provide interesting views from other elevated spots within the site.</li> <li>● The potential exists to link the key lookout points as part of a connected network of open space/ walking trails that will also provide for improved access throughout the locality.</li> <li>● Major features could be located to be visible from key vantage points.</li> <li>● Where possible and practicable development should be kept below the key ridgelines. Roads are appropriate in these areas.</li> <li>● Where possible and practicable slopes should be used to maximise the opportunity for views and development designed in sloping areas to maximise internal and external views from all dwellings.</li> </ul> |
| <p><b>Waste Management Strategy</b><br/>Eco-Sustainable</p> | <p>The Waste Strategy prepared by Eco-Sustainable provides strategic consideration of waste impacts to assist in minimising the generation of waste and maximising the recovery of resources.</p> <p>The report splits the management of waste for the project into three principal phases – Land Clearing and Civil Works, Construction and ongoing use. Some of the key measures from each phase are provided below:</p> <p><b>Land Clearing and Civil Works</b></p> <ul style="list-style-type: none"> <li>● Prevent illegal dumping through robust notification of landfill areas and disposal processes.</li> <li>● Street sweeping - Blend with local Sewage Treatment Plant (STP) wastes for composting and approved land application.</li> </ul>   |

| Site Investigation/ Assessment            | Findings & Recommendations   |
|---|--|
|   | <ul style="list-style-type: none"> <li>● Bio-filtration of stormwater runoff</li> <li>● Use of removed trees in water bio-filtration systems</li> <li>● Road and footpath Construction - Reuse coal wash that meets government waste exemption specifications in road works, and crushed waste glass bedding under footpath areas in place of sand.</li> <li>● Topsoil and vegetation - Reuse topsoil in place of silt fencing as an erosion control measure in sediment berms, as a compost blanket and in embankment stabilisation.</li> <li>● Remnant site materials - Existing fencing and outbuildings deconstructed for future recycling and reuse.</li> </ul> <p><b>Construction</b></p> <ul style="list-style-type: none"> <li>● Littering - Energy from Waste (EfW), Mixed Waste Processing.</li> <li>● Illegal Dumping - Separation to recover recyclables such as brick, tile, concrete, rubble, metal and timber. Disposal of residuals to landfill.</li> <li>● Building waste (brick, tile, PVC etc) separated into skips for recycling.</li> <li>● Topsoil and vegetation - Reuse material to enhance site soil as a mulch especially in shallow soil profile areas, or as input to filtration media for rain gardens.</li> </ul> <p><b>Ongoing Use</b></p> <ul style="list-style-type: none"> <li>● Littering - Energy from Waste (EfW), Mixed Waste Processing.</li> <li>● Street sweeping - Blend with local Sewage Treatment Plant (STP) wastes for composting and approved land application.</li> <li>● Other Strategies generally involve best case methods for disposing of residential and commercial wastes including: mixed waste, dry recyclables, garden organics, bulky waste.</li> </ul> <p>The report also provides specific recommendations for road design to facilitate efficient waste collection. These are:</p> <ul style="list-style-type: none"> <li>● Avoiding one-way streets and cul-de-sacs to facilitate safe access for collection vehicles and bin servicing,</li> <li>● Safe bin access and collection in the town centre area for commercial and mixed commercial/residential buildings,</li> <li>● Selection of street tree species such as non-deciduous varieties to minimise leaf litter,</li> <li>● Traffic calming devices and the like should be fully accessible by street sweeping vehicles, and their location should ideally be clear of bin collection zones.</li> </ul> |
| <p><b>Wastewater Strategy</b><br/>MWH</p> | <p>MWH have developed a wastewater strategy for Wilton Junction based on the estimated 11,900 additional dwellings and 11,000 jobs to be delivered as part of the project.</p> <p>The Department of Planning and Environment, as part of the SR requirements in relation to wastewater management, recommended the following be delivered in for the Wilton Junction project:</p> <ul style="list-style-type: none"> <li>● A Membrane Bio-Reactor (MBR) wastewater treatment plant with tertiary media filters located near the existing Bingara Gorge STP.</li> <li>● A pressure sewer network with individual pots and pumps installed on each property.</li> </ul>  |

| Site Investigation/ Assessment                             | Findings & Recommendations   |
|--|--|
|  | <p>MWH's waste water strategy provides estimated capital costs and delivery staging for the above wastewater infrastructure and all other wastewater infrastructure required for the project. In preparing the strategy, MWH consulted with Sydney Water and the Environment Protection Authority.</p> <p>As detailed in their report, the estimated capital cost of providing this wastewater servicing infrastructure is estimated at \$47M for the STP and \$173M for the wastewater network (\$13.2M for Trunk Infrastructure, \$28.4M for Reticulation Infrastructure and \$131.6M for property works). Source: MWH, <i>Wilton Junction Rezoning – Waste Water Strategy Report</i> (June 2014).</p>   |
| <p><b>Water Cycle Management</b><br/>J. Wyndham Prince</p> | <p>A Water Cycle Management Strategy has been prepared by J. Wyndham Prince to identify the following (Source: JWP, <i>Wilton Junction - Water Cycle Management Strategy</i>, 2014):</p> <ul style="list-style-type: none"> <li>● Stormwater, recycled water and flood management issues to be considered in the future development of the Wilton Junction Project.</li> <li>● To identify flood risks, evaluate and propose appropriate solutions and locations for the control of the quantity and quality of stormwater leaving the site.</li> <li>● Assess all watercourses which are proposed as part of the urban development.</li> <li>● To identify the land areas required to implement the recommended stormwater management options.</li> </ul> <p>The Water Cycle Management Strategy proposed for the site consists of a treatment train including on lot treatment, street level treatment and subdivision / development treatment measures. The structural elements proposed for the development consist of:</p> <ul style="list-style-type: none"> <li>● Proprietary GPT units at each stormwater discharge point.</li> <li>● Approximately seventy six (76) proposed bio-retention raingardens of total area 149,900 m<sup>2</sup>.</li> <li>● Gravel soakaway/ level spreaders to distribute flows to the bushland perimeter.</li> <li>● One (1) proposed regional detention basin on-line within Allens Creek (approximate total volume 35,000 m<sup>3</sup>).</li> <li>● A Recycled Water Management System consisting of; <ul style="list-style-type: none"> <li>● Sewage Treatment Plant (STP)</li> <li>● A cascading raingarden system (total 3000 m<sup>2</sup>)</li> <li>● Two (2) treatment / evaporation lakes (10.9 Ha total).</li> <li>● Irrigation of 52 ha of Active open space and road verges</li> <li>● Recycled water returned to employment lands for toilet flushing, irrigation, washdown and other suitable uses.</li> <li>● Distribution pipe and control infrastructure and polishing raingardens.</li> </ul> </li> </ul> <p>The Water Cycle Management Strategy developed for the site will ensure that the post development stormwater and recycled water discharges will meet the Department of Planning and Environment study requirements, Wollondilly Shire Council's and the NSW Government Agency water cycle and flood risk management objectives for the project. The provision of WSUD elements within the site will also assist in minimising the impact of urbanisation on the waterway stability of the Nepean River.</p> |
| <p><b>Water Strategy</b><br/>MWH</p>                       | <p>MWH have developed a water servicing strategy for Wilton Junction based on the estimated 11,900 additional dwellings and 11,000 jobs to be delivered as part of the project.</p>  |



| Site Investigation/ Assessment   | Findings & Recommendations  |
|--|---|
|  | <p>In developing the strategy, MWH engaged Sydney Water to establish the assessment criteria and approach of the report.</p> <p>The water servicing strategy for the proposed Wilton Junction development includes:</p> <ul style="list-style-type: none"> <li>● Water supply from the Macarthur Water Filtration Plant.</li> <li>● Amplified pumping station WP302 located at the Macarthur Water Filtration Plant.</li> <li>● Construction of 6.5 km of DN600/500/450 trunk main generally along Wilton Road.</li> <li>● A new pipe crossing of Broughtons Pass Gorge.</li> <li>● Construction of 2 x 6 ML reservoirs located south of Picton Road.</li> <li>● Construction of 11 km of DN500-200 distribution pipework</li> </ul> <p>MWH outline that the estimated capital cost of providing the trunk water servicing infrastructure is \$18.9 million excluding reticulation pipework costs. This was based on the rates provided by VKL Consulting Ltd. It also assumes that the crossing of Broughtons Pass Gorge is by horizontal directional drilling which is about \$4M cheaper than a new pipe bridge adjacent to the Cataract Bridge (Source: MWH, <i>Wilton Junction Rezoning – Water Strategy</i> (June 2014)).</p>   |
| <p><b>State Infrastructure Servicing and Staging Plan</b><br/>Elton Consulting</p> | <p>Elton Consulting have summarised the Infrastructure Servicing and Staging Plan for Wilton Junction and outlined the Proponents Funding Offer in relation to the scope, cost, funding and delivery of the infrastructure required at Wilton Junction.</p> <p>The strategy has been prepared in consultation with all relevant infrastructure agencies of Government and Wollondilly Shire Council and addresses the former Director General of Planning and Infrastructure’s Key Study Requirements for the rezoning process.</p> <p>The estimated cost to provide all required infrastructure (roads, potable water, waste water, electricity and social infrastructure) triggered by Wilton Junction is \$253,384,738. Of this amount:</p> <ul style="list-style-type: none"> <li>● The State Infrastructure items of roads, public transport and social facilities comprise \$133,492,476, and</li> <li>● Water, waste water and utility services amounts to \$119,892,262 which will be covered by the Proponents through commercial agreements with service providers.</li> </ul> <p>The Funding Offer to NSW Government is based on the premise that Wilton Junction infrastructure will be delivered at “no additional cost to Government”. The demand for infrastructure generated by Wilton Junction will be funded by those Wilton Junction landowners within the Study Area who benefit from the rezoning. There may be other infrastructure costs associated with the broader region that will form part of Government’s current or future capital program.</p> <p>As outlined by Elton, the Funding Offer incorporates the following aspects (Source: Elton Consulting, <i>Wilton Junction New Town, SEPP Rezoning, Infrastructure Proposal to the NSW Government</i>, 2014)</p> <ul style="list-style-type: none"> <li>● Wilton Junction Landowners will fund the total infrastructure triggered by the Wilton Junction development. Based on strategic cost estimates the scope of infrastructure to be funded amounts to \$133,492,476 in today’s dollars.</li> <li>● The State Infrastructure items to be funded are:</li> </ul> |

| Item/s  | \$                   |
|---|----------------------|
| New Northern On Ramps, off ramps and bridge over Hume Highway                           | \$44,936,703         |
| Pedestrian bridge over the Hume Highway linking Bingara Gorge with Wilton Junction land | \$7,327,273          |
| Picton Road west  | \$12,779,750         |
| Picton Road East - 20% of the traffic movement  | \$8,280,000          |
| North South link bridge over Picton Road  | \$15,400,000         |
| Public transport  | \$8,550,000          |
| Social infrastructure   | \$36,218,750         |
| <b>Total</b>  | <b>\$133,492,476</b> |

- The Wilton Junction Proponents will fund the vast majority of required infrastructure (81.87%) - \$109,293,347. The balance (18.13%) \$25,105,514 is to be funded by other landowners within the study area.
- The Proponent will provide the infrastructure at the lot production threshold as agreed with Government.
- The Proponents will provide cash flow support for any shortfall of funding to deliver required infrastructure arising from the time lag in receipt of funding from other landowners.
- This proposed Offer to Government is contingent upon obtaining the agreement of the NSW Government to declare a Recoupment Levy on other landowners land within the Study Area. This will allow the recovery and payment to the Proponents over time of 18% of infrastructure costs from other landowners.
- The Recoupment Levy for infrastructure from other landowners translates to a cost of \$151,394 per net developable area (NDA) for residential land and \$65,554 per NDA for employment lands.
- The Proponents have expended \$5m on planning rezoning costs and are seeking to recoup 18.13% of the amount from the other landowners via the Recoupment Levy.
- The Proponents will also establish an Environmental Trust to protect and enhance environmental lands through a levy from land sales revenue and a dedication of 471ha of land through a Voluntary Planning Agreement with the State. The Environmental Trust requires no contribution from Government or other private landowners, and commits approximately \$25m funding to manage and maintain the bushland, Asset Protection Zones, Aboriginal and European Heritage items, in perpetuity, as well as providing sustainability education initiatives for students and the community.

The Proponents will also be required to make Section 94 Contributions to Wollondilly Shire Council (Council) in the order of \$30,000 per dwelling/lot. The Section 94 Plan will be exhibited shortly after the Wilton Junction SEPP rezoning exhibition.

## APPENDIX 6

Letter from Roads & Maritime Services dated 6 May 2016

6 May 2016

Mr Peter Brennan  
Chief Executive Officer  
Bradcorp  
BY EMAIL: TKelly@bradcorp.com.au

## **PROPOSED DIRECT SOUTHBOUND EXIT RAMP FOR THE BRADCORP LAND AT WILTON JUNCTION**

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Dear Peter

I am writing with regards to our meeting of 30 March 2016 and subsequent meetings between Roads and Maritime Services and Bradcorp staff regarding the proposal contained in the "Bradcorp Direct Access – Executive Summary" document.

Based on the information provided to Roads and Maritime we have no in-principle objection, from a road design perspective, to the direct southbound exit ramp proposed to the north of the existing Niloc Bridge which crosses the Hume Motorway.

This is based solely on the high level technical merits of the exit ramp in terms of the operation of the State Road network. It is based on the understanding that all other road infrastructure upgrades identified as part of the Wilton Junction Master Plan would still be delivered in line with the Infrastructure, Servicing and Staging Plan which remains under consideration by NSW Planning and Infrastructure.

All other matters, such as the planning merits of the proposal, local road network impacts and funding implications, would all need to be considered by relevant parties.

Roads and Maritime's position should **not** be considered an approval under the Roads Act, 1993 and is qualified on the basis of further technical investigations by Bradcorp being undertaken to our satisfaction. These investigations would need to include:

- A traffic analysis and report to demonstrate that the proposed exit ramp would operate at an acceptable level without impacting the Hume Motorway. This needs to include:
  - AIMSUN modelling to identify the likely traffic volumes at the junction of the exit ramp and Fairway Drive.
  - SIDRA modelling to demonstrate there is sufficient capacity at the junction of the exit ramp and Fairway Drive to ensure there would not be queuing back onto the Hume Motorway.
- A scaled three dimensional concept design plan showing property boundaries to demonstrate that the exit ramp can be constructed in accordance with relevant standards. This plan would need to allow for a future three lane southbound and three

**Roads & Maritime Services**

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lane northbound configuration on the Hume Motorway and needs to show the proposed long term treatment at the junction of the exit ramp and Fairway Drive.

- Whilst separate to this specific proposal, it should be noted Roads and Maritime requires similar concept design plans for the other entry and exit ramps proposed to connect to the Hume Motorway. It should be noted that Roads and Maritime does not support the proposed arrangements shown for the other southbound exit ramps. These exit ramps need to be combined into a single exit ramp, with a subsequent deceleration lane created off that ramp to provide access to Wilton Township.
- A revised signposting plan which incorporates the other southbound exit ramps into a single exit ramp. The signposting plan needs to detail the distance between the proposed exit ramp to Fairway Drive and the combined exit ramp to Wilton Township/Picton Road.
- A structural assessment of the Niloc Bridge to demonstrate the bridge is capable of accommodating the predicted future traffic loadings.

If you have any questions please contact Chris Millet on 4221 2570.

Yours faithfully,

Michael Cush  
General Manager  
Network NSW

CC

Mark Ozinga, Transport for NSW (mark.ozinga@transport.nsw.gov.au)

## APPENDIX 7

Letter from NSW EPA dated 6 December 2013



Our reference: SF13/5285:DOC13/84293:PW  
Contact: Paul Wearne (02) 4224 4100

Elton Consulting  
(Attention: Jenny Rudolph)  
PO Box 1488  
BONDI JUNCTION NSW 1355

Dear Madam

**WILTON JUNCTION PRECINCT  
PROPOSED INTEGRATED WATER CYCLE MANAGEMENT STRATEGY**

I am writing in regard to the above strategy which is currently the subject of site investigations to support a major rezoning application.

The EPA has recently provided to Department of Planning and Infrastructure (DP&I) a response to the adequacy of studies to support public exhibition of the application.

The proposed Integrated Water Cycle Management Strategy consists of a "treatment train" approach to manage both stormwater and wastewater in combination that will contribute to the achievement or protection of key Water Quality Objectives for the Hawkesbury Nepean River.

Whilst the EPA supports an integrated approach to water management the achievement of the proposed river health outcomes is reliant on the treatment train elements being effectively maintained and monitored into the future. In this regard, the EPA would like to continue to work with the proponent, Council and DP&I on the use of a Voluntary Planning Agreement (VPA). This VPA would secure these arrangements, financial contributions and accountable parties through the planning process. This will ensure that the integrated system will have an effective governance structure in place, maintained in perpetuity and continue to meet the expected environmental performance outcomes.

In general under the Protection of the Environment Operations Act 1997 (POEO) Act an Environment Protection Licence is required from the EPA for the construction and operation of sewage treatment systems that are listed in Schedule 1 of this act. This relates to systems where there is processing capacity that exceeds 2,500 person equivalent or 750 kilolitres per day whichever is the greater. This would include the treatment works, pumping stations, sewage overflow structures and the reticulation system that involve the discharge or likely discharge of wastes or by-products to land or waters.

A key element of the strategy are the potential opportunities for reusing treated effluent for open space, park land and industrial uses. The EPA encourages the reuse of treated effluent where it is safe and practical to do so and it provides the best environmental outcome.

Based upon information at this time, the EPA considers that a licence may be required for the new sewage treatment system. The licence could apply up to the point of discharge below the terrace rain garden associated with the new waste water treatment plant identified in Figure 4 *Wilton Junction Precinct SEPP Study Report on Treated Effluent Disposal System VKL Consulting and J Wyndham Prince Final 2013*. This

is preliminary advice only and further advice in this regard will depend upon finalisation of the Integrated Water Cycle Management Strategy.

Should you require any further information, please contact the contact officer on (02) 4224 4100.

Yours sincerely

6/12/13

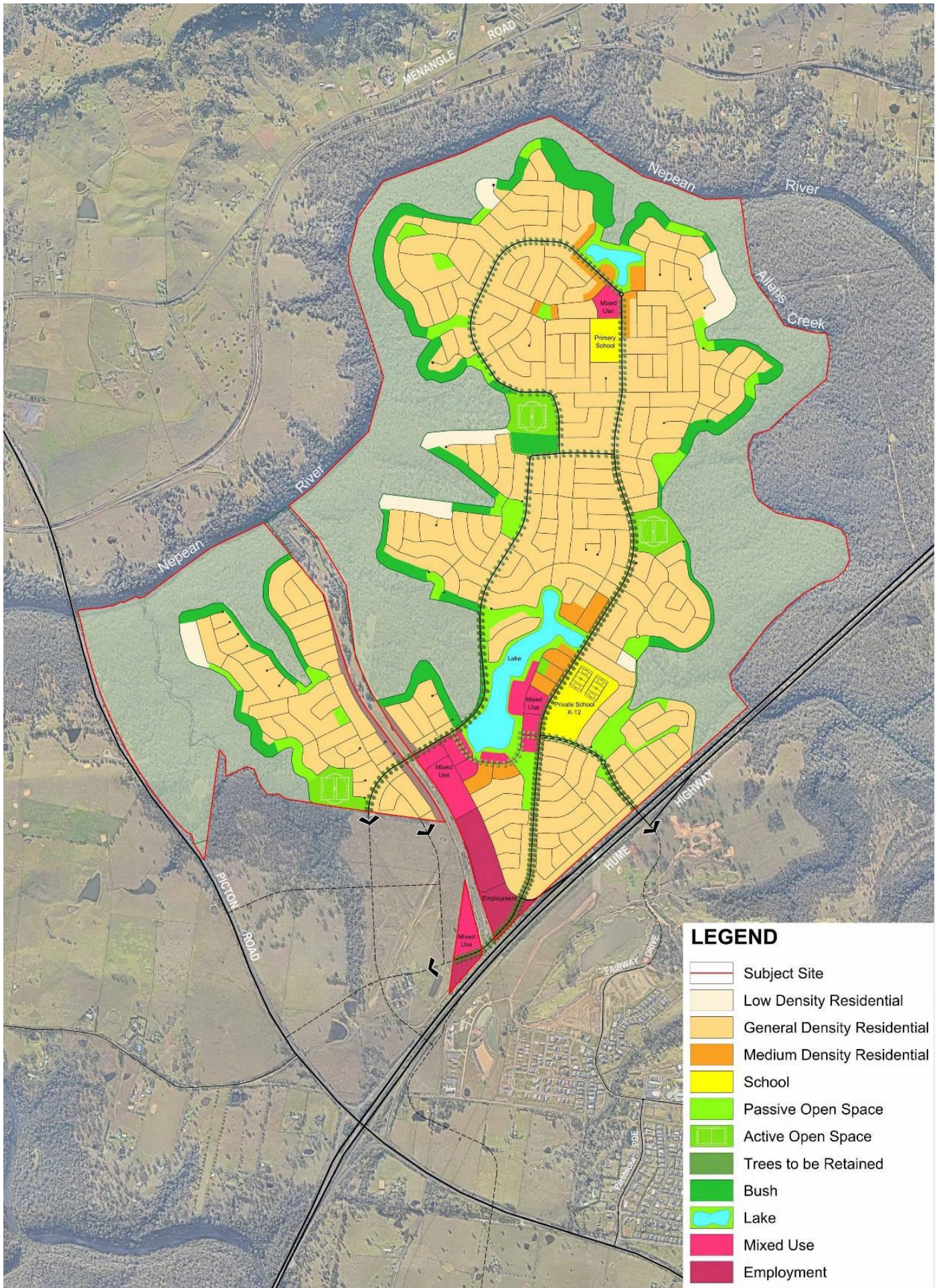
**GISELLE HOWARD**  
**Director Metropolitan**  
**Environment Protection Authority**





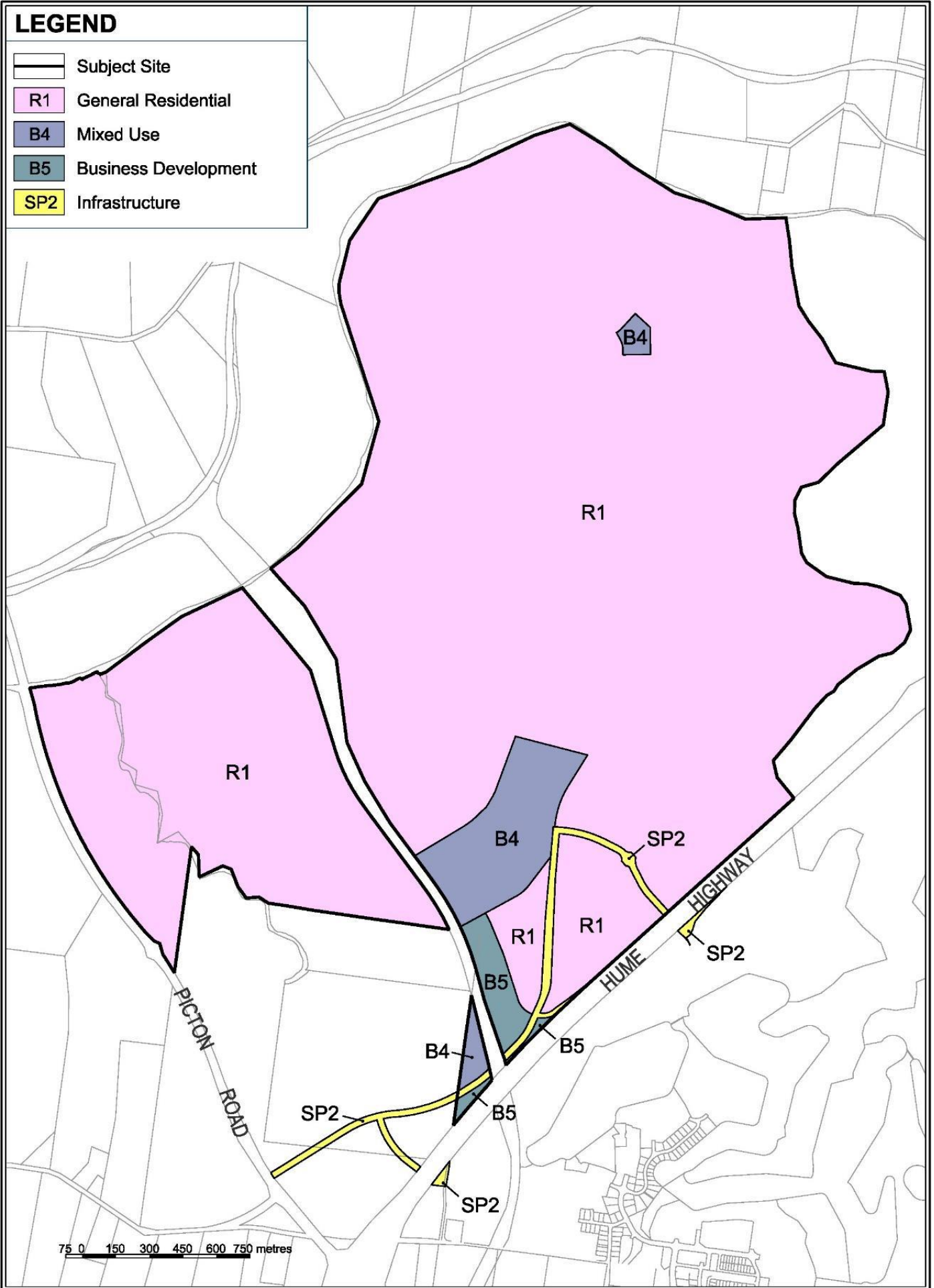
**Suite 801, 171 Clarence Street  
SYDNEY NSW 2000**

PO Box 1778 SYDNEY NSW 2001




# LEGEND

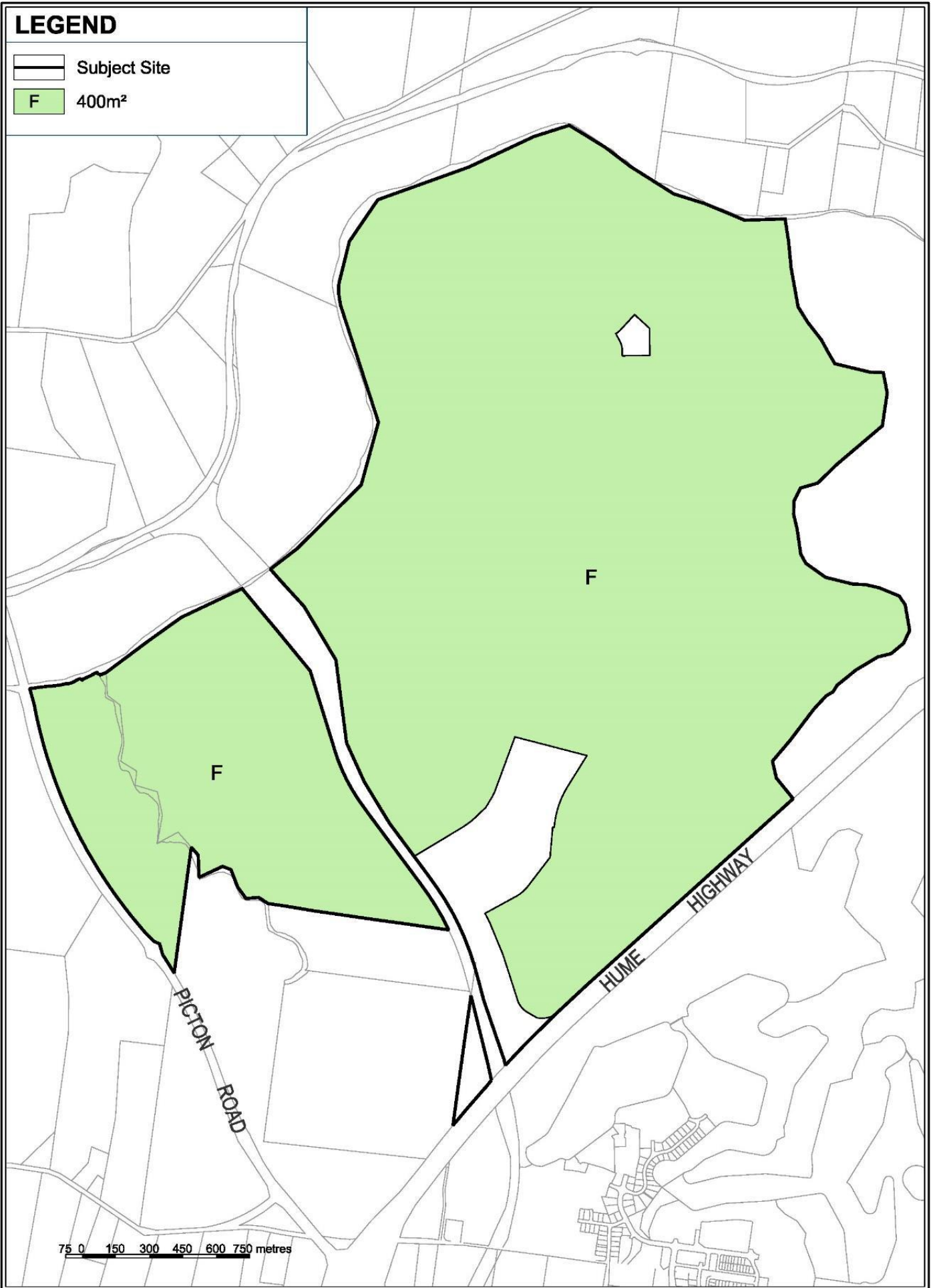
- Subject Site
- R1 General Residential
- B4 Mixed Use
- B5 Business Development
- SP2 Infrastructure



# LEGEND

 Subject Site

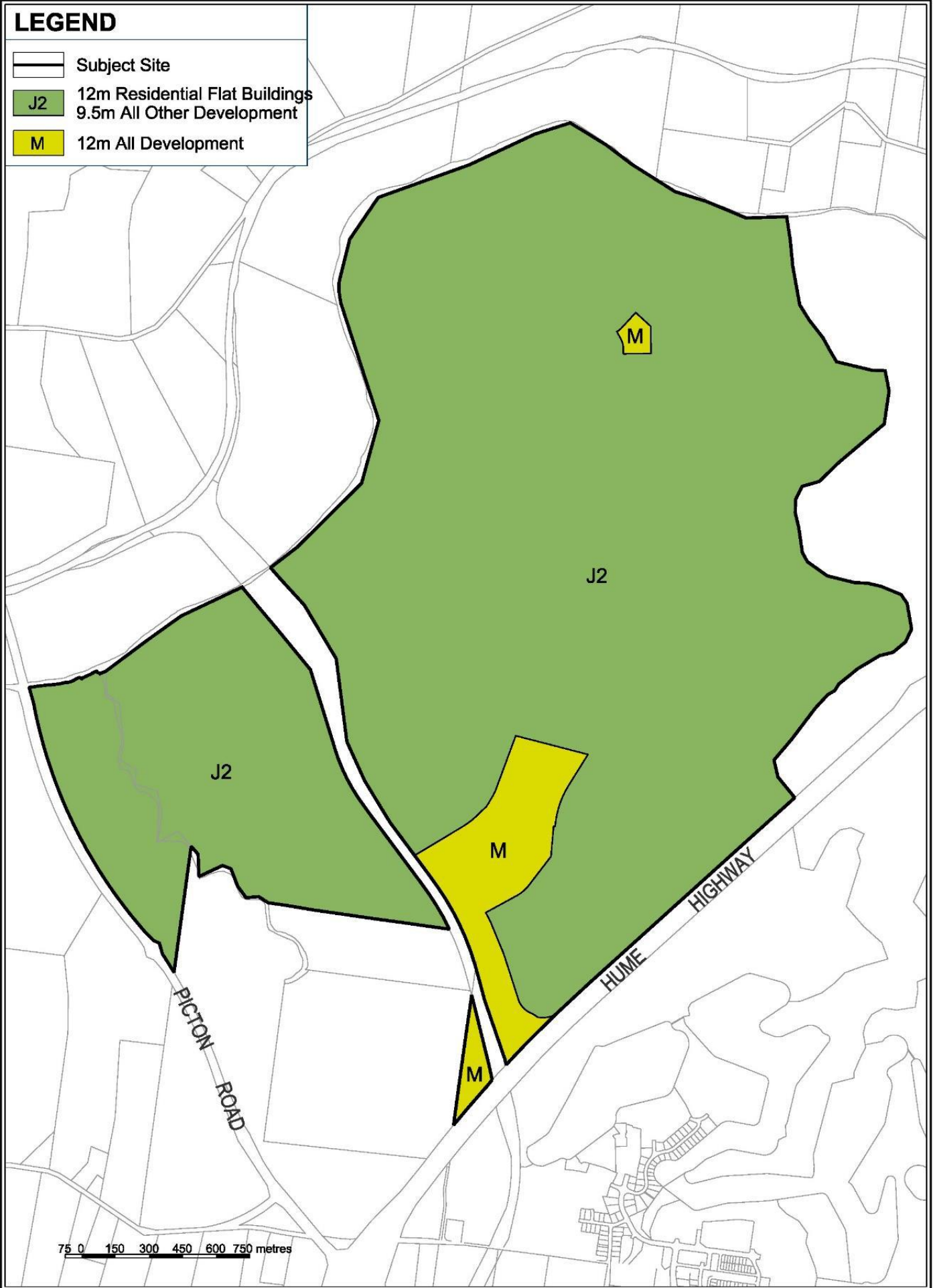
 F 400m<sup>2</sup>

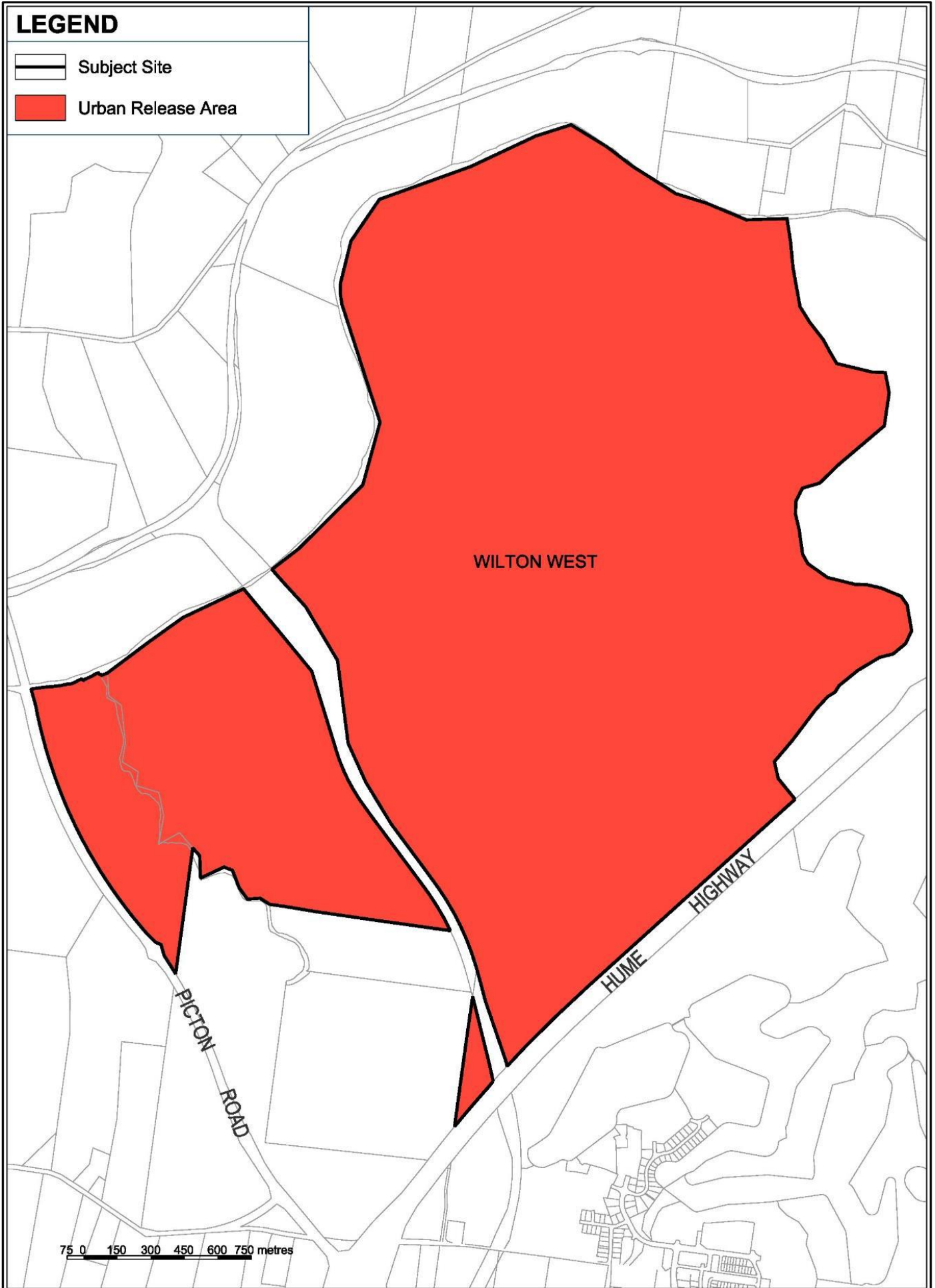


75 0 150 300 450 600 750 metres

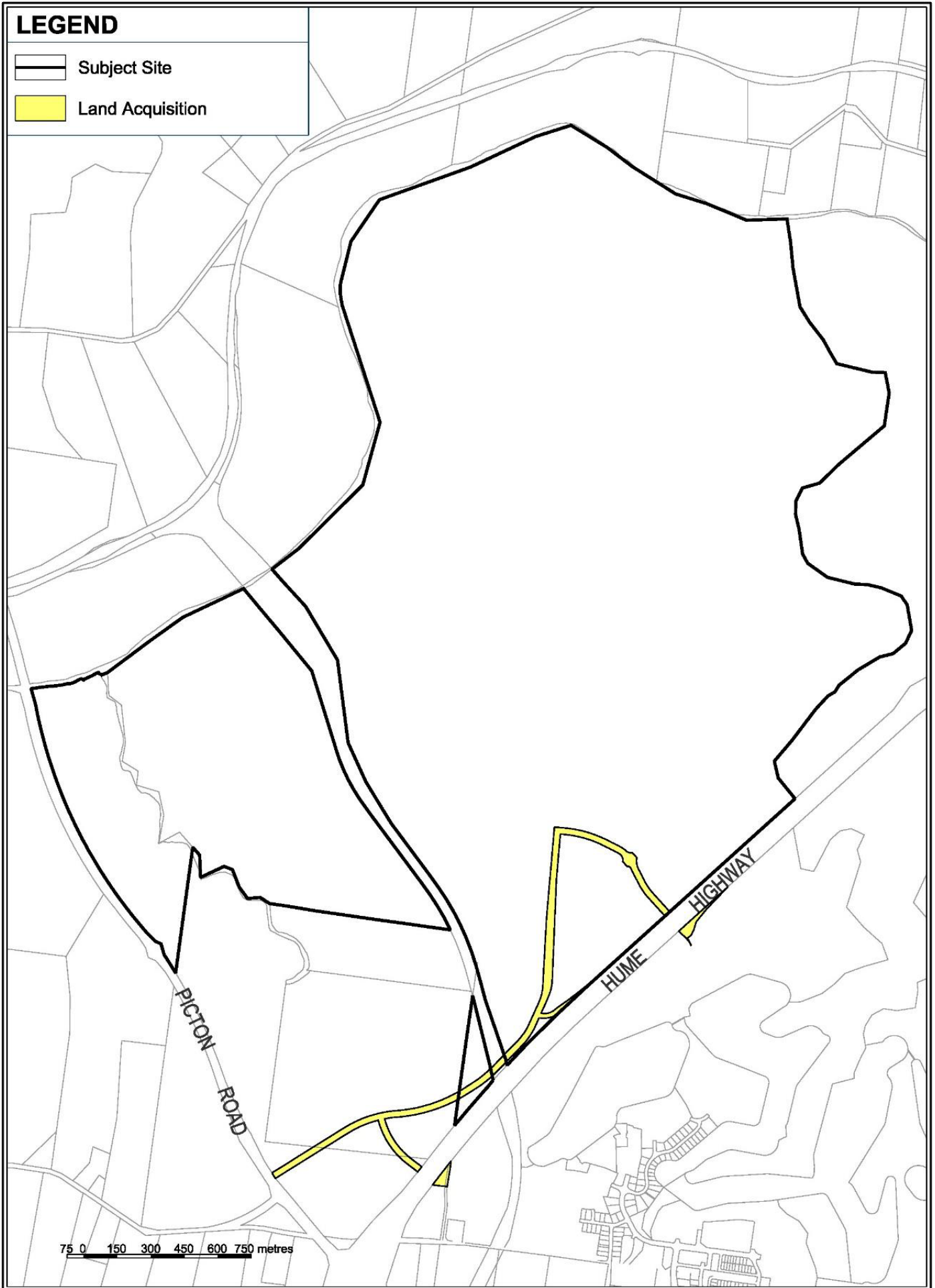
# LEGEND

-  Subject Site
-  J2 12m Residential Flat Buildings  
9.5m All Other Development
-  M 12m All Development















Your ref:  
qA403127

Mr Luke Johnson  
General Manager  
Wollondilly Shire Council  
PO Box 21  
PICTON NSW 2571

Dear Mr Johnson

In January 2017, the Department of Planning and Environment received a submission from Bradcorp for the northern part of the Wilton Priority Growth Area.

The submission proposed the release and rezoning of land to deliver 5,400 residential lots and associated employment uses.

We would like to invite Council to comment on the submission by 6 March 2017. We have provided an electronic copy of the submission with this letter.

Should you have any enquiries, please contact Gina Metcalfe, Precinct Manager, Land Release, at the Department on (02) 9860 1542.

We look forward to continuing to work collaboratively with you on this project.

Yours sincerely

Brendan O'Brien  
**Executive Director**  
**Infrastructure, Housing & Employment**

Encl:  
Bradcorp submission

# PE5 Attachment

1. Draft Compliance Policy
2. Summary of Changes Table – Compliance Policy

**Tuesday 18 April 2017**

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PE5 – Revision of Compliance Policy

## 1. POLICY OBJECTIVES

- 1.1 The intent of this policy is to establish clear guidelines and protocols for Council staff in the management of Council's regulatory activities.
- 1.2 It provides workable guidelines on:
  - responding to reports alleging unlawful activity
  - assessing whether reports alleging unlawful activity require investigation
  - deciding on whether enforcement action is warranted
  - options for dealing with confirmed cases of unlawful activity
  - taking further action such as issuing an appropriate penalty or taking legal action.
  - implementing shared enforcement responsibilities.
- 1.3 The policy also provides advice and guidance on:
  - the role of the Principal Certifying Authority and
  - the role of Councilors in enforcement.

## 2. BACKGROUND

- 2.1 Councils Regulatory responsibilities relate to actual unlawful activity as well as failure to take action (in order to be compliant with certain legal requirements). Council officers are often required to make decisions and use discretion about appropriate enforcement action when non-compliant issues are identified.
- 2.2 Council also has a responsibility under Section 8 of the Local Government Act 1993 to ensure that its regulatory activities are carried out in a consistent manner and without bias.
- 2.3 Council's regulatory and enforcement actions should be exercised to ensure the health, safety, welfare and environmental protection of all stakeholders including residents, visitors, workers and business operators. All stakeholders should have confidence in the decision making and internal review processes.
- 2.4 In order to satisfy these needs this Policy has been developed and is broadly based on the "Model Policy" prepared for Local Councils by the NSW Ombudsman. Council supports and welcomes the positive assistance of the community in reporting issues of concern and undertakes to work collaboratively with the community to promote the benefits of compliance as a way of sustaining a safer quality of life for all.
- 2.5 This policy distinguishes between a 'report alleging unlawful activity' and a 'complaint'.

For the purposes of this policy, a report alleging unlawful activity is where an individual expresses concern in relation to alleged unlawful activity, or they request service from Council about such matters. Council considers that a response or resolution to a report alleging unlawful activity is explicitly or implicitly expected by the individual, or may be legally required.

A complaint is where an individual expresses dissatisfaction about Council services, staff or the handling of a complaint. Therefore, a complaint may arise where an individual claims that Council staff have failed to take action in relation to a report alleging unlawful activity. A complaint will be recorded separately and responded to in accordance with Council's Complaints Management Policy and procedures.

- 2.6 The spirit of this Policy is to use a graduated approach to enforcement action, for example the issue of a warning letter, which if not successful in resolving the issue may be followed by statutory Notices and Orders and finally some form of enforcement proceedings either via a penalty notice or Court action if compliance cannot be achieved by any other method.
- 2.7 The Policy also recognises in some situations the gravity of the incident or other circumstances determines that an escalated approach is not appropriate and immediate regulatory action is required e.g. where an activity is or is likely to result in a significant public health or safety risk, or is or likely to cause environmental harm. Other offences such as parking matters and certain development consent breaches such as hours of operation may be dealt with using penalty notices due to the transient nature of the offence and the impracticality of using notices and orders to deal with the issue.
- 2.8 Enforcement Guidelines and Procedures assist officers when determining the most appropriate enforcement actions. This documentation facilitates a consistent approach for departments with regulatory responsibilities and will ensure the objectives of the Enforcement Policy are delivered.

### **3. APPLICABILITY**

- 3.1 This policy provides information for all internal and external stakeholders and interested parties about Council's position on compliance and enforcement matters in the local government area.
- 3.2 The purpose of this policy is to provide structure for consistency and transparency in decision making and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.
- 3.3 This policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to what enforcement option Council will choose and whether to commence criminal or civil proceedings.
- 3.4 In certain circumstances Council will have shared enforcement responsibilities with other regulatory authorities. This policy sets out a collaborative and cooperative approach to such matters. Advice and guidance is also provided on the role of Council in building and construction compliance matters where there is a private certifier and the role of Councillors in enforcement.
- 3.5 Responsible Council staff are not limited by this policy in their use of discretion and exercise of official functions. The full circumstances and facts of each case need to be considered and a decision made on the merits.
- 3.5.1 All employees who deal with alleged unlawful activities and the enforcement of relevant legislation are responsible for implementing this Policy.

- 3.6 This Policy applies to all areas where Council has a compliance and enforcement role under the various Acts and Regulations, it includes but is not limited to:
- abandoned vehicles
  - development and building control
  - pollution control
  - environmental health
  - public health and safety
  - sewage management
  - septic systems
  - control over animals
  - swimming pool audits
  - food safety
  - fire safety
  - tree preservation
  - parking control
  - any other functions which Council is the Appropriate Regulatory Authority (ARA).
- 3.7 Any enforcement action will be in accordance with this Policy, relevant NSW legislation and the State Debt Recovery Office (SDRO) Guidelines.
- 3.8 Whilst it is intended the principles in this Policy will have general application, there may be cases where the particular circumstances justify departure from these principles.
- 3.9 In any situation where an officer considers taking action which varies from the Policy and associated guidelines/procedures, the officer will discuss the reasons for the variance with the Team Leader/Manager and will document and implement the agreed course of action.
- 3.10 This Policy applies to Council's enforcement functions and supports the concept of an escalated and proportionate approach to most non-compliant issues except for examples such as parking and traffic matters.
- 3.11 While this Policy covers all matters to be taken into account when exercising discretion about compliance and enforcement matters, it recognises that Rangers who work with traffic and parking matters are faced with different time frames and decisions which need to be made on the spot.
- 3.12 It is Council's Policy that Rangers will enforce the Australian Road Rules and will carry out traffic and parking duties in a fair, equitable and consistent manner with a zero tolerance approach in school zones.
- 3.13 Zero tolerance is the strict enforcement of the rules.
- 3.14 Other offences such as certain development consent breaches e.g. hours of operation and some environmental offences (e.g. illegal burning of waste/plastics) may be dealt with using penalty notice due to the transient nature of the offence and the impracticality of using notices and orders to deal with the issue.

## 4. GUIDELINES

### **Compliance and Enforcement Principles**

4.1 The following are the principles that underpin Council actions relating to compliance and enforcement:

| Principle                   | Action   |
|-----------------------------|--|
| Accountable and transparent | <ul style="list-style-type: none"> <li>• acting in the best interests of public health and safety and in the best interests of the environment</li> <li>• ensuring accountability for decisions to take or not take action</li> <li>• acting fairly and impartially and without bias or unlawful discrimination</li> <li>• providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community</li> <li>• ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy</li> <li>• acting on any complaints or concerns about the conduct of compliance officers in accordance with Council’s complaints management policy and procedures advising people and organisations subject to enforcement action of any avenues available to seek an internal or external review of a decision.</li> </ul> |
| Consistent                  | <ul style="list-style-type: none"> <li>• ensuring all compliance and enforcement action is implemented consistently</li> <li>• encouraging reports about possible unlawful activity by acting reasonably in response to the circumstances and facts of each matter.</li> </ul>   |
| Proportional                | <ul style="list-style-type: none"> <li>• ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach</li> <li>• making cost-effective decisions about enforcement action</li> <li>• taking action to address harm and deter future unlawful activity.</li> </ul>  |
| Timely                      | <ul style="list-style-type: none"> <li>• ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely</li> </ul>  |

### **Procedural Fairness**

4.2 Council is committed to natural justice and acting fairly in all aspects of the implementation of this Policy. In order to achieve this outcome Council will:

- 4.2.1 provide an opportunity for an alleged offender to provide an explanation. However there will be situations such as parking enforcement and other circumstances considered to represent a serious risk to public safety or the environment or the like which would preclude this opportunity;

- 4.2.2 give due consideration to any written submission made by an alleged offender made either directly to Council in a representation period or via another agency e.g. State Debt Recovery Office if a penalty notice has been issued. Any requests or representations seeking reconsideration or waving of a penalty infringement notice are required to be made directly through The NSW Office of State Revenue. Requests to waive penalty infringement notices by individuals cannot be made directly to Council.
- 4.2.3 make appropriate enquiries, investigations and searches prior to making an enforcement decision;
- 4.2.4 establish appropriate procedures to avoid an enforcement decision being influenced by an actual, potential or perceived conflict of interest;
- 4.2.5 implement procedures to ensure pertinent information is provided to a complainant and alleged offender, subject to maintaining appropriate confidentiality provisions;
- 4.2.6 act without bias and within statutory time frames.

#### **Code of Conduct**

- 4.3 Council Officers carrying out their duties including the consideration of some form of enforcement action will have due regard to the contents of Council's Code of Conduct which is available on Council's website;  
<http://www.wollondilly.nsw.gov.au/assets/Documents/Council/Meetings-and-Forums/Code-of-Conduct-Current.PDF>
- 4.4 It is Council's expectation all inspections will be carried out in a respectful, helpful manner while being attuned to any language or cultural considerations. All Officers should:
  - 4.4.1 not permit personal views, or prejudices to influence their attitude towards any person or duty required to be undertaken;
  - 4.4.2 respond to any reasonable request or lawful direction of any supervisor or manager of the Council;
  - 4.4.3 not commit any act which constitutes dereliction of duties;
  - 4.4.4 not commit any act that brings Council into disrepute;
  - 4.4.5 not publicly criticise Council in any way that is demeaning, defamatory or brings disrespect, or embarrassment to Council;
  - 4.4.6 not publicly criticise any Council employee in any way, which is demeaning, defamatory or brings disrespect to Council;
  - 4.4.7 not obey any order or direction which is contrary to the law;
  - 4.4.8 report any such unlawful order to the attention of an immediate supervisor, manager or, if required the General Manager;
  - 4.4.9 not solicit or receive any gift that is contrary to Council's Code of Conduct.



- 4.5 Council Officers who are accredited under the Building Professionals Board scheme must also satisfy the code of professional conduct requirements of such scheme.
- 4.6 Each officer should be mindful of any constraints that may have been placed on their “Delegations” by Council and be equipped with their specific authorisation (with photograph) under the particular Acts.

**Conflict of Interest**

- 4.9 If a situation arises where an officer believes a perceived or actual conflict of interest exists, the matter will be referred to the supervisor.

**Disclosure of Interest**

- 4.10 Council Officers will respect the privacy and confidentiality of information received, however due to its statutory obligations and other requirements, confidentiality cannot always be guaranteed.
- 4.11 A person’s identity who has made an allegation of illegal activity may be disclosed where:
- 4.11.1 access to the information is permitted under legislation including but limited to the Government Information (Public Access) Act 2009;
  - 4.11.2 legal action is commenced and the information is disclosed in evidence;
  - 4.11.3 the person consents to the disclosure of the information;
  - 4.11.4 the principles of natural justice dictate that information be disclosed to the person who is the subject of the request for action, which may enable the complainant to be identified;
  - 4.11.5 the Council is of the opinion that disclosure of information is necessary to effectively investigate the matter.
- 4.12 Council Officers will also observe the information protection principles in the Privacy and Personal Information Protection Act 1998 which provides in certain circumstances for information to be shared with other public sector agencies for law enforcement purposes.
- 4.13 Reasons for decisions regarding compliance and enforcement action will be made available, unless to do so would cause a breach of the law. Reasons may not be given in any case where the information may cause harm to an informant, witness, or the alleged offender, nor in circumstances which would significantly prejudice the administration of justice.
- 4.14 Council’s Rangers have access to external electronic databases including the NSW Companion Animals Register and the Roads and Maritime Services Vehicle Ownership Register. Neither of these are registers to which the general public or other Council Officers have access. The Information on both registers is protected under the relevant Acts. Rangers are subject to routine external auditing in regard to the use of databases.
- 4.15 Some officers have access to the following information:
- State wide Electronic Database of Residential Swimming Pools
  - Department of Fair Trading Boarding Houses Register.

**Investigating Alleged Unlawful Activity (Receiving and Responding to Customer Request)**

- 4.16 Council's expectation is that all customer requests will be electronically recorded and dealt with within set customer service standards and having regard to the seriousness of the issue and other priorities.
- 4.17 All reports alleging unlawful activity will be initially acknowledged through Council's Customer Requests system within 7 days and within 7-14 days appropriate action taken in accordance with this Policy and the person making the allegation also advised.
- 4.18 All requests for action will be investigated unless:
- 4.18.1 Council is not the Appropriate Regulatory Authority;
  - 4.18.2 the matter has already been actioned and resolved;
  - 4.18.3 insufficient information has been provided in order to adequately identify a property or issue;
  - 4.18.4 the request for action is premature and relates to an unfinished aspect of work still in progress that has development approval;
  - 4.18.5 a private Principal Certifying Authority is responsible for monitoring compliance with the conditions of development consent. Council will work cooperatively with relevant agencies and Private Certifiers to achieve compliant outcomes;
  - 4.18.6 the activity is determined to be lawful and does not require an approval;
  - 4.18.7 a Development Approval, Complying Development Certificate or any other lawful authority has been granted for the work and the request for action does not relate to a non-compliance issue;
  - 4.18.8 the request for action is trivial, frivolous or vexatious in nature;  
the complainant is solely seeking a monetary refund from a third party;
  - 4.18.9 the request for action relates to a civil matter or dispute (private matter between neighbours).
  - 4.18.10 anonymous requests for action unless an imminent serious threat to the environment and public health and safety.
- 4.19 In situations where Council is the Appropriate Regulatory Authority, the relative seriousness of each matter will determine the priority attached to a particular request for action.
- 4.20 Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach. Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.
- 4.21 At all times, Council's key concerns are:

- to prevent or minimise harm to health, welfare, safety, property or the environment
- to influence behaviour change for the common good and on behalf of the community.

4.22 As a guide the following categories can be applied:

**Alleged non-compliant activities ranked by order of worst case consequence**

|   |
|---|
| <b>Legionella control – regulated systems</b> |
| <b>Fire Safety</b>                            |
| <b>Dangerous Structure</b>                    |
| <b>Dogs attacking\ Dangerous Dogs</b>         |
| <b>Unsecured loads</b>                        |
| <b>Swimming pool – safety (fence\barrier)</b> |
| <b>Food Safety</b>                            |
| <b>Livestock Straying</b>                     |
| <b>Discharge waste to water body</b>          |
| <b>Tree clearing</b>                          |
| <b>Demolition of heritage item</b>            |
| <b>Asbestos removal</b>                       |
| <b>Major earthworks or landfill</b>           |
| <b>As directed by Council Managers</b>        |

|   |
|---|
| Major non-compliance with approval including tattooing, botox and piercing injections |
| Skin penetration practice   |
| Property squatter, abandoned unsecured property                                       |
| Dogs Straying   |
| Parking breach – safety issue   |
| Public Place – Obstructions, Abandoned Articles or Building Materials                 |
| Public Swimming – water quality   |
| Sewer discharges  |
| Public Place – Litter   |
| Public Place – Rubbish Dumping  |
| Air Pollution   |
| Parking breach – general  |
| Unauthorised building works in progress   |
| On Site Sewage Management Systems   |
| Public Place – Advertising Signs Structures Oversized.                                |
| Overgrown Land/Vegetation   |
| Unauthorised Land Use - General   |
| Rubbish accumulation  |
| Land Pollution  |
| Noise Pollution Commercial and Industrial   |
| Unauthorised Brothel  |
| Public Place – Abandoned Vehicles   |
| Vehicles in Parks/Reserves  |
| Land Use – Signs in commercial zones (no safety or heritage impacts) (** see below)   |
| Land Use – Living in Sheds/Garages/Caravans (**see below)                             |
| Unauthorised building works completed (**see below)                                   |
| Land Use – Home Occupation/Business/Industry  |
| Animal & Bird Control (Other than dogs and cats)                                      |
| Stormwater Nuisance   |
| Domestic noise pollution  |
| Domestic Odour nuisance   |
| Dogs Barking  |
| Dogs defecating in Public Places (ownership known)                                    |
| Land Use – Dividing Fences (possible referral to the Local Land Board)                |
| Hair/Skin/Beauty – no skin penetration  |
| Public Place – Buskers, Spruikers, Stalls   |

- \* This is not an exhaustive list Compliance audits may affect order of priority.  
 \*\* Matters raised by external complainants will be given priority unless it is deemed a serious public health or environmental risk.

|                                       |
|---------------------------------------|
| <b>Initial triaging response time</b> |
| Extreme – within working day          |
| High – Within 24 hours                |
| Medium – within 7-14 days*            |
| Minimal or no action                  |

#### **Anonymous Requests for Action**

- 4.23 Anonymous requests for action may not be able to be investigated. The decision to investigate includes but is not limited to the subject and seriousness of the matter – i.e. whether the matter is a serious public health or environmental issue; the likely reliability of the request for action, ability to access further information, available staff resources and Work Health and Safety responsibilities.
- 4.24 When an anonymous request for action is investigated, an appropriate record of the investigation will be made.

#### **Fraudulent Requests for Action**

- 4.25 Fraudulent request for action are where a person lodges a request with Council in someone else's name without that persons knowledge or where the nature of the request is untrue. Such request will be treated as vexatious unless a valid basis for such a request can be established. The decision to investigate such a matter will be based on the same criteria as for anonymous request.

#### **Unreasonable Complaint Conduct**

- 4.26 Council has an obligation to use resources efficiently and effectively. While Council acknowledges a customer's entitlement to make requests, it reserves the right to cease responding to customers that continually exhibit unreasonable customer behaviour including:
- 4.26.1 requests that place unreasonable demands on Council's staff;
  - 4.26.2 requests that place unreasonable demands on Council's resources;
  - 4.26.3 unreasonable persistence;
  - 4.26.4 unreasonable lack of cooperation;
  - 4.26.5 requests for action based on unreasonable arguments;
  - 4.26.6 abusive and derogatory behaviour towards Council staff;
  - 4.26.7 requests for action which are proven to be vexatious or retaliatory.
- 4.27 In the context of the above situations officers will follow Council's Policy on Dealing with Unreasonable Customer Conduct and its Customer Service Charter.

#### **Consultation with other Agencies**

- 4.28 There will be situations such as in the investigation of a request for action or the like where Council has no legal or geographical jurisdiction or operational responsibility and consequently the matter should be referred to the relevant agency without delay.
- 4.29 Agencies may include but not be limited to, the NSW Police Services, NSW Department of Planning and Infrastructure, Local Land Services, NSW Office of Fair Trading, NSW Department of Primary Industry, NSW WorkCover, NSW Environment Protection Authority, NSW Food Authority, NSW Health, the Building Professional Board, NSW Roads and Maritime Services, Fire and Rescue NSW.
- 4.30 Council will consult with the responsible agencies to facilitate a coordinated and constructive compliance approach and keep the complainant informed.

### **Private Certifiers**

- 4.31 In terms of Council's Development Compliance role, requests for action are received from time to time in regard to various matters on building construction sites where Council is not the Principal Certifying Authority.
- 4.32 In such situations in the first instance the complainant should be encouraged to contact the Principal Certifying Authority directly to ensure all relevant details are accurately communicated to the Principal Certifying Authority.
- 4.33 Alternatively, should an external observation by a Council Officer of a building site which is under the jurisdiction of a Principal Certifying Authority (not being Council) disclose significant non-compliant issues, Council will initially draw the matter to the attention of the Principal Certifying Authority.
- 4.34 If a request or observation relates to an urgent matter involving a life threatening situation or significant environmental damage or an on-going matter where valuable evidence may not be available if an immediate response is not commenced, a Council Officer may undertake an immediate investigation to assess the seriousness of the situation.
- 4.35 If the request is substantiated, Council will consider action in accordance with this Policy and the Principal Certifying Authority informed of any action taken by Council.
- 4.36 In any situation where it is considered a Principal Certifying Authority has acted incorrectly, improperly and/or unprofessionally a report may be forwarded to the Manager recommending referral of the matter to the Building Professionals Board.
- 4.37 Relevant factors for determining if a matter should be referred to the Building Professionals Board are:
- a) the seriousness of the failure to act professionally;
  - b) any previous history of complaints;
  - c) the level of cooperation from the Principal Certifying Authority to rectify the problem/s;
  - d) the adequacy of changes made by the Principal Certifying Authority to procedures or practices to ensure that future problems will be minimized.
- 4.38 Examples of matters that might be referred to the Building Professionals Board include but are not limited to:
- a) significant departure from the development consent and the PCA does not appear to be taking appropriate action to address the issue;
  - b) the persistent failure to submit relevant certificates or other documentation to Council within the specified time period;
  - c) Complying Development Certificates that do not meet the development standards for the relevant State Environmental Planning Policy.

### **Building Certificates**

- 4.39 Council recognises that persons who may have carried out unlawful building works may, as an option apply for approval of a development application. If this option is taken an owner will need to apply for a Building Certificate under section 149D of the Environmental Planning and Assessment Act to retain and regularise the structure. If a building certificate is issued, Council cannot ask for demolition or alterations unless after 7 years of fair wear and tear.
- 4.40 It is Council's policy however that such applications should not be encouraged to justify unlawful works. Irrespective of whether or not a Building Certificate is applied for, Council may take action against a person who carried out unlawful works
- 4.41 The action may include the issuing of a penalty notice or in conjunction with criminal proceedings, where it is considered appropriate and necessary for punitive action to also be taken, having regard to the restriction provisions provided under Section 127 (7) of the EP&A Act.
- 4.42 Building Certificate applications to support unlawful building works will be expected to provide the same level of details in plans, certificates, specifications etc. as would be required for assessing an Application for Development, a Construction Certificate, a Complying Development Certificate and/or an Occupation Certificate.

### **Role of Councillors in Enforcement**

- 4.43 Decision making relating to the investigation of reports alleging unlawful activity and taking enforcement action is the responsibility of appropriately authorised Council staff or the Council itself.
- 4.44 Individual Councillors do not have the right to direct Council staff in their day-to-day activities. Councillors can help individuals who raise concerns with them by satisfying themselves that their Council's policies are being carried out correctly, however they cannot ignore or alter a policy in order to satisfy the demands of special groups.
- 4.45 The General Manager may present certain decisions to be ratified by the elected Council if this is necessary or desirable, and the Councillors may also have the right to call for a report about particular issues to a Council meeting.

### **Proactive Compliance Monitoring**

- 4.46 In addition to responding to requests for action and enquiries about alleged unlawful activity Council also provides a number of proactive compliance programs around high risk regulatory areas. These areas include but are not limited to:
- Food premises inspections
  - Swimming pool audit program
  - Public swimming pool water quality monitoring
  - Onsite sewage management systems (septic tanks)
  - Fire safety
  - Sedimentation and erosion control
- 4.47 Compliance action may be initiated where non-compliance is identified in the course of a proactive compliance inspection, in which case the principles outlined in this policy will also be applied.

**The Decision Process – Taking Enforcement Action**

4.48 When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest. The following common considerations will assist Council staff in determining the most appropriate response in the public interest:

**Considerations about the alleged offence and impact:**

- The nature, extent and severity of the unlawful activity, including whether the activity is continuing;
- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- The seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature;
- The time period that has lapsed since the date of the unlawful activity.

**Considerations about the alleged offender:**

- Any prior warnings, instruction, advice that was issued to the person or organization reported or previous enforcement action taken against them;
- Whether the offence was committed with intent;
- Whether the person or organization reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions;
- Any mitigating or aggravating circumstances demonstrated by the alleged offender;
- Any particular circumstances of hardship affecting the person or organization reported.

**Considerations about the impact of any enforcement action:**

- The need to deter any future unlawful activity;
- Whether an educative approach would be more appropriate than a coercive approach in resolving the matter;
- The prospect of success if the proposed enforcement action was challenged in court;
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- What action would be proportionate and reasonable in response to the unlawful activity;
- Whether Council is prevented from taking action based on earlier advice given, i.e. whether an estoppel situation has been created.

**Considerations about the potential for remedy:**

- Whether the breach can be easily remedied
- Whether it is likely consent would have been given for the activity if it had been sought
- Whether there is a draft planning instrument on exhibition that would make the unauthorized use legal.

**Legal or technical issues:**

- Where legal and/or technical issues are in question, Council staff will consider whether legal advice or professional advice from duly qualified staff or other experts should be obtained and considered. Council may also require a person subject to possible enforcement action to obtain professional advice in relation to issues of concern to Council for assessment as to whether further action is required.



**Requirements of Council staff considering enforcement action**

- Prior to taking enforcement action, Council staff will take into account the above considerations as well as the evidence gathered during their investigation. Council staff must act impartially, be mindful of their obligations under Council’s Code of Conduct and not act as a decision-maker in relation to any matter in which they have a personal interest. Enforcement action will not be taken purely as a response to the conduct of an individual such as persistent demands or threats.
  
- Council staff are required to maintain records about critical thinking and decision making processes in relation to reports alleging unlawful activity and any enforcement action, as well as records of interactions with relevant parties. Council staff will at all times adhere to Council’s internal approval processes prior to the commencement of any enforcement action.
  
- Council staff will take steps to ensure that any enforcement action is taken against the correct person or organization. Where there are multiple possible parties to an alleged unlawful activity, Council staff will be guided by legal advice in determining the appropriate persons to pursue.

**Options for Dealing with Confirmed Cases of Unlawful Activity**

4.49 Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach. Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.

At all times, Council’s key concerns are:

- To prevent or minimise harm to health, welfare, safety, property or the environment
- To influence behaviour change for the common good and on behalf of the community

The following enforcement options to be considered by Council are ordered to reflect an escalation in response that is proportionate to the level of risk, the seriousness of the confirmed breach or the need for a deterrent:

| Level of risk        | Enforcement options  |
|----------------------|--|
| Minimal or No Action | <ul style="list-style-type: none"> <li>▪ Take no action on the basis of a lack of evidence or some other appropriate reason</li> <li>▪ Provision of information/advice on how to be compliant</li> </ul>   |
| Medium               | <ul style="list-style-type: none"> <li>▪ Negotiating with the person to obtain voluntary undertakings or an agreement to address the issues of concern</li> <li>▪ Issuing a warning or a formal caution</li> <li>▪ Issuing a letter requiring work to be done or activity to cease in lieu of more formal action</li> <li>▪ Issuing a notice of intention to serve an order or notice under relevant legislation, and then serving an order or notice if appropriate and may include the issuing of a penalty notice.</li> </ul> |
| High                 | <ul style="list-style-type: none"> <li>▪ Issuing a penalty notice</li> <li>▪ Carrying out the works specified in an order at the cost of the person served with the order</li> </ul>   |

| <b>Level of risk</b> | <b>Enforcement options</b>   |
|----------------------|--|
| Extreme              | <ul style="list-style-type: none"> <li>▪ Commence legal proceedings for an offence against the relevant Act or Regulation</li> <li>▪ Seeking an injunction through the courts to prevent future or continuing unlawful activity</li> <li>▪ Commence legal proceedings for an offence against the relevant Act or Regulation</li> </ul> |

(NB: this is a guide only and each issue is assessed on its merits and circumstances. Some offences such as parking may be dealt with using penalty notice due to the transient nature of the offence and the impracticality of using notices and orders to deal with the issue)

### **Following up enforcement action**

All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advice, directions or orders issued by Council. Reports alleging continuing unlawful activity will be assessed and further action taken if necessary. If the unlawful activity has ceased or the work has been rectified, the matter will be resubmitted for follow up action to ensure ongoing compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.

### **Taking Legal Action**

- 4.50 The Council and its delegated staff will be guided by legal advice in deciding whether to commence criminal or civil proceedings and will consider the following;
- Whether there is sufficient evidence to establish a case to the required standard of proof
  - Whether there is a reasonable prospect of success before a court
  - Whether the public interest warrants legal action being pursued

#### **Whether there is sufficient evidence to establish a case to the required standard of proof**

Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.

The basic requirement of any criminal prosecution is that the available evidence establishes a prima facie case. The prosecutor is required to prove the elements of the offence beyond reasonable doubt.

In civil enforcement proceedings, Council will require sufficient evidence to satisfy the court that an actual or threatened breach has occurred on the balance of probabilities.

#### **Whether there is a reasonable prospect of success before a court**

Given the expense of legal action Council will not take legal action unless there is a reasonable prospect of success before a court. In making this assessment, Council staff will consider the availability, competence and credibility of witnesses, the admissibility of the evidence, all possible defenses, and any other factors which could affect the likelihood of a successful outcome.

### **Whether the public interest requires legal action to be pursued**

The principal consideration in deciding whether to commence legal proceedings is whether to do so is in the public interest. In making this determination, the same factors to be considered when taking enforcement action apply (see Section 20).

The following considerations relate more specifically to the decision to commence legal proceedings and will assist Council and its delegated staff in making this determination:

- The availability of any alternatives to legal action
- Whether an urgent resolution is required (court proceedings may take some time)
- The possible length and expense of court proceedings
- Any possible counter-productive outcomes of prosecution
- What the effective sentencing options are available to the court in the event of conviction
- Whether the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive

### **Time within which to commence proceedings**

Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.

### **Recovery of Fines and Legal Costs**

Council's policy for recovery of costs in Courts is:

- a) To seek to recover fair and reasonable costs in all matters where costs are recoverable, either by consent or by order of the court;
- b) To seek to recover the penalty imposed by the court where such penalty is imposed;
- c) Consider any recommendations of its legal representative/s to accept a lesser amount than the full legal cost if the acceptance will result in Council not incurring further and unnecessary legal costs.

### **Community Awareness**

4.51 Council will take every opportunity to promote ongoing community awareness in regard to compliance/enforcement. This may include but is not limited to, website references, the publication of press releases and the periodic inclusion in any community newsletters with a view to improving community confidence and awareness.

4.52 Awareness initiatives that focus on residents, developers and business operators will adopt an educational approach designed to engage and promote:

- 4.52.1 an awareness of the spirit and content of this Policy;
- 4.52.2 the minimisation of non-compliance by improving the knowledge of legislation within the community;
- 4.52.3 the benefits of complying with the legislation and the consequences of not complying.

## **5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 This policy applies to the following Council officers:
  - 5.1.1 Manager – Compliance
  - 5.1.2 Team Leader – Compliance
  - 5.1.3 Compliance Officers
  - 5.1.4 Environmental Health Officers
  - 5.1.5 Rangers
  - 5.1.6 Animal Control Officers
  - 5.1.7 Parking Officers
  - 5.1.8 All of Council’s staff undertaking compliance activities.
- 5.2 The policy encompasses the entire Wollondilly Shire.

## **6. RELATED POLICIES/PROTOCOLS/CHARTERS**

- 6.1 Complaint Handling Policy – GOV0054
- 6.2 Code of Conduct
- 6.3 Dealing with Unreasonable Customer Contact
- 6.4 Customer Services Charter
- 6.5 Enforcement Guidelines for Council’s - NSW Ombudsman
- 6.6 NSW Department of Planning Practice Note – Exercising Discretion
- 6.7 This Policy is principally based on the ‘Enforcement Guidelines for Councils, published by the Office of the NSW Ombudsman, June 2002.

## **7. RELATED PROCEDURES**

- 7.1 Swimming Pool Audit Program

## **8. RELATED LEGISLATION**

- 8.1 This policy applies in relation to compliance and enforcement of all NSW Legislation administered by Council, including Council staff delegated to initiate various levels of enforcement action is set out in Council’s Delegation Register. The legislation applicable to the delegations is as follows:

- 8.1.1 Australian Road Rules 2014
- 8.1.2 Local Government Act, 1993 (NSW)
- 8.1.3 Environmental Planning and Assessment Act, 1979 (NSW)
- 8.1.4 Protection of the Environment Operations Act, 1997(NSW)
- 8.1.5 Roads Act, 1993 (NSW)
- 8.1.6 Companion Animals Act, 1998 (NSW)
- 8.1.7 Noxious Weeds Act, 1993 (NSW)
- 8.1.8 Public Health Act, 2010 (NSW) 2010
- 8.1.9 Swimming Pools Act, 1992 (NSW)
- 8.1.10 Rural Fires Act, 1997
- 8.1.11 Food Act, 2003 (NSW)
- 8.1.12 Impounding Act 1993 (NSW)
- 8.1.13 Boarding Houses Act 2012
- 8.1.14 Contaminated Land Management Act 1997
- 8.1.15 Crown lands Act 1989
- 8.1.16 Fines Act 1996
- 8.1.17 Motor Dealers & Repairers Act 2013
- 8.1.18 Roads Regulations 2008
- 8.1.19 Building Professionals Act 2005
- 8.1.20 The regulations relating to the above Acts

## **9. ATTACHMENTS**

- 9.1 Annexure 1
- 9.2 Annexure 2
- 9.3 Definitions

## 10. RESOURCES

- 10.1 Model Compliance and Enforcement Policy 2015 - NSW Ombudsman
- 10.2 NSW Department of Planning Practice Note – Exercising Discretion
- 10.3 The assistance of other NSW Councils with compliance and enforcement policies.

## 11. IMPLEMENTATION STATEMENT

11.1 To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at Councillors, staff and Council representatives and will involve:

11.1.1 The draft policy will be placed on public exhibition.

11.1.2 Information sessions will be conducted with the staff on the implementation of the draft policy.

## 12. POLICY HISTORY

|                           |                    |
|---------------------------|--------------------|
| 12.1 Date First Adopted   | 16 August 2010     |
| 12.2 Most Recent Adoption | 16 March 2015      |
| 12.3 Next Review Date     | March 2016         |
| 12.4 Responsible Officer  | Manager Compliance |

**Attachment 9.1**

ANNEXURE 1

EXAMPLES OF MATTERS TAKEN INTO CONSIDERATION WHEN DETERMINING  
APPROPRIATE REGULATORY ACTION AND ENFORCEMENT

| <b>Considerations</b>  | <b>Comments/Examples</b>  |
|--|---|
| 1. Does Council have sufficient evidence to prove the alleged offence?   | To be able to implement any enforcement action, Council is required to possess sufficient evidence of the alleged offence (which can be substantiated in Court if required), including evidence of the person responsible for the offence to be successful in the event of a hearing or appeal.   |
| 2. Is the offence or breach of a technical or inconsequential nature?  | <p>Consideration is to be given to the nature, extent and severity of the offence or breach and any material impacts upon the health, safety and amenity of the environment and community.</p> <p>Consideration should be given to the likely costs and benefits of any enforcement action where breaches are solely of a minor technical nature or resulting in no material impacts upon any other party or the environment.</p> |
| 3. How long has the unlawful activity or breach been occurring and is enforcement action statute barred?                       | <p>The legislation may provide time limits in which to commence proceedings or take enforcement action.</p> <p>In addition, consideration should be given to the time which the offence or breach occurred and the 'reasonableness' of taking enforcement action if a significant time has lapsed since the time of the offence or breach.</p>  |
| 4. Is the matter subject to estoppel?  | Estoppel is a legal rule which prevents a person from later denying something which may have previously been relied upon by another person. For example Council may not be able to take action if Council has contributed in some way to the person acting upon a reasonable expectation that no action would be taken or if a matter had previously been brought to Council's attention and no action was taken at the time.     |
| 5. Has the offence or breach affected the natural or built environment and/or amenity of the area?                             | Consideration should be given to the nature and extent of any actual or potential impact that the breach has or may have upon the natural or built environment, or upon the amenity of the locality and community.  |
| 6. Has the offence or breach affected or potentially affected the health, safety and well-being of the residents or community? | Offences or breaches which affect, or potentially affect, the health, safety and well-being of the residents or community would generally warrant affirmative and effective enforcement and remedial action.  |

|  |  |
|--|--|
| <p>7. Can the matter be resolved by seeking and obtaining the relevant approval from Council (i.e. development consent or a Section 96 amendment to an existing consent)?</p>                      | <p>If the legislation enables the particular matter to be resolved by obtaining the relevant approval (i.e. a development consent or a Section 96 amendment to an existing development consent), it may be appropriate to allow a reasonable period for the person to seek the necessary consent/s from Council, prior to taking any enforcement action, such as the service of possible orders to demolish unauthorised works or commencement of legal proceedings.</p> <p>Consideration should also be given to all other relevant factors, in particular, any current impacts upon the community and environment, which require the matter to be remedied expeditiously.</p> <p>If appropriate, having regard to the circumstances of the case, Council may still be able to issue a penalty infringement notice or commence legal proceedings for the initial offence or breach.</p> |
| <p>8. Has the relevant approval (i.e. development consent or section 96 amendment to the existing consent) already been obtained from Council in relation to the particular breach or offence?</p> | <p>If development consent (or Section 96 amendment to an existing consent) has been obtained from Council in relation to the particular matter, Council would not be able to issue further Notices or Orders in relation to the subject matter.</p> <p>Council may (if it has not already done so), issue a penalty infringement notice/s or implement legal proceedings for the initial offence or breach, following consideration of the circumstances of the case and the nature and severity of the offence.</p> <p>However, if consent has been obtained from Council in relation to a previous breach (i.e. a section 96 application) and the matter was of a minor nature, with minimal impact, consideration would need to be given to the likelihood of success and the likely outcome of any possible enforcement action or legal proceedings for the initial offence.</p>     |
| <p>9. Could the non-compliance or breach be easily remedied by the person responsible?</p>   | <p>Generally, where appropriate, Council will attempt to ensure compliance by informal means, however, there is a need to consider and balance the public interest in enforcing the law. Consideration is also to be given to whether or not it is possible to remedy a breach and at what cost.</p> <p>In some cases, upon being advised of the regulatory requirements or breach, the responsible person may be pro-active and remedy the matter, rather than being subject to possible enforcement action.</p>  |
| <p>10. Has the breach or unauthorised activity detrimentally affected a heritage item or the heritage.</p>   | <p>Where applicable, relevant Council officers will be consulted in assessing the detriment to the natural or built environment and possible remedies.</p>   |



|  |  |
|--|--|
| <p>11. Does the unauthorised work or activity comply with relevant criteria and Standards?</p>                           | <p>Consideration should be given to compliance with relevant criteria and Standards (i.e. Building Code of Australia and fire safety requirements) and the extent and suitability of evidence provided to confirm compliance.</p> <p>If relevant criteria and Standards are not satisfied, appropriate and affirmative enforcement action may be warranted.</p>  |
| <p>12. What is the intent and importance of the regulatory requirements?</p>   | <p>Regulatory requirements which aim to ensure the health, safety and well-being of the community are considered to be of paramount importance and any offences or breaches of this nature would generally warrant affirmative and effective enforcement action.</p>   |
| <p>13. Would the enforcement action be in the public interest?</p>   | <p>Public interest considerations include:</p> <ul style="list-style-type: none"> <li>• Does the breach or unlawful activity affect the public interest (i.e. affect a number of people or the community generally), or does the breach primarily affect a private interest?</li> <li>• Would enforcement action be in the public interest or would it primarily benefit only a private interest?</li> <li>• Are there any circumstances of hardship applicable?</li> <li>• Would enforcement action by Council impact unreasonably on certain parties or population groups (i.e. disadvantaged or elderly residents)?</li> <li>• What other remedies are available to address the matter? For example, if a breach primarily affects a private interest, the affected party should seek alternative remedies, such as civil action or mediation (i.e. disputes regarding trespass, alleged damage to premises or encroachments).</li> </ul> |
| <p>14. Does the person or corporation exhibit contrition for the breach or offence?</p>                                  | <p>In some cases, it will be appropriate to have regard to the behaviour of the offender and their willingness to remedy the breach or prevent a recurrence of the problem.</p>  |
| <p>15. Have any previous warnings, instructions or advice been provided to the person, which have not been followed?</p> | <p>If the investigation reveals that previous instructions, advice or a warning has been provided in relation to the particular matter, which has not been followed or complied with, a more formal enforcement approach is generally appropriate for any offences which have occurred.</p>  |

|   |  |
|---|--|
| <p>16. Is it likely that the person would generally have been aware, or should have been aware, of the relevant regulatory provisions, requirements or offence?</p> | <p>When deciding whether to take an educative approach or enforcement approach, consideration should be given to the following matters:</p> <ul style="list-style-type: none"> <li>• the reasonable likelihood that the person may have known or should have known the relevant requirements or rules,</li> <li>• level of contrition shown by the responsible person,</li> <li>• whether the parties have previously been advised of the regulatory requirements or provisions,</li> <li>• whether or not any previous warnings or instructions have been provided,</li> <li>• the apparent level of intent shown by the responsible person.</li> </ul> |
| <p>17. Is the cost of enforcing likely to be excessive having regard to the nature and impact of the offence?</p>   | <p>Consideration should be given to the relative costs and benefits of taking formal enforcement action as opposed to taking informal action or an educative approach. Council's action should be commensurate with the seriousness of the breach and any impacts or potential impacts on other parties and the environment.</p>   |
| <p>18. Is the particular requirement (i.e. condition of development consent) which has not been complied with unreasonable, ambiguous or ultra vires?</p>           | <p>A condition that is unreasonable, ambiguous or ultra vires may be unenforceable and may preclude Council from taking enforcement action or issuing Orders or the like.</p>  |
| <p>19. Does the legislation provide for representations or submissions to be made in the matter?</p>  | <p>Certain legislation contains provisions for the person responsible to make representations to prior to Council taking certain enforcement action (i.e. service of an Order to do certain things), which must be considered on their merits.</p> <p>However, in most cases, the provisions do not provide for representations to be sought or made prior to taking enforcement action for the initial offence or breach of the legislation or regulations (i.e. failure to obtain an approval or comply with a particular requirement).</p>  |
| <p>20. What are the chances of success if challenged?</p>   | <p>Council should take into consideration what the likelihood is of a successful appeal or court challenge against the proposed enforcement action.</p> <p>It may not be appropriate to take enforcement action (i.e. service of an Order or commencement of legal proceedings) if the chances of success, in the event of any appeal or hearing, are unlikely.</p>  |

|  |  |
|--|--|
| <p>21. Is the proposed course of action reasonable and proportionate?</p>                            | <p>The proposed course of action for a particular breach or Offence should be reasonable and proportional to the nature and extent of the breach or offence and the circumstances of the case.</p> <p>The costs and benefits of particular enforcement action must also be considered and compared against other possible solutions or action.</p> |
| <p>22. Has consideration been given to other relevant factors and the circumstances of the case?</p> | <p>To ensure that Council's enforcement action is appropriate, effective, reasonable and successful, particularly in the event of an appeal or Court hearing, consideration should be given to any other relevant factors and the circumstances of the particular case.</p>  |

**Attachment 9.2**

## ANNEXURE 2

## EXAMPLES OF KEY OPTIONS AND POSSIBLE COURSES OF ACTION\*

| Offence Scenario              | Act/Reg.                    | Details of the case  | Warning/ Education | Penalty Infringement Notice | Notice &/or Order | Legal Action | LEC Class 4 |
|-------------------------------|-----------------------------|--|--------------------|-----------------------------|-------------------|--------------|-------------|
| Nuisance Dog Order            | Companion Animals Act       | Failure to comply with a Nuisance Dog Order (i.e. Possible danger to other people, unrestrained or barking dog)          | X                  | X                           | X                 |              |             |
| Traffic/ Parking              | Aust. Road Rules or LGA     | Parking of vehicle in No Stopping signposted area  |                    | X                           |                   |              |             |
| Traffic/ Parking              | Aust. Road Rules            | Parking of vehicle on footpath or nature strip   | X                  | X                           |                   |              |             |
| Traffic/Parking               | Aust. Road Rules            | Parking of vehicles on road reserves   | X                  | X                           |                   |              |             |
| Pollution of stormwater drain | POEO Act                    | Soil, sand and other building waste entered stormwater system  | X                  | X                           | X                 | X            |             |
| Potential for pollution       | POEO Act                    | Location of stockpile of sand may cause pollution incident (i.e. in rain)  | X                  | X                           | X                 |              |             |
| Minor building works - Owner  | EP&A Act                    | Construction of pergola awning by owner –Where there is no material impact on other parties and locality – No BCA issues | X                  | X                           | X                 |              |             |
| Site management               | Local Govt. Act or EP&A Act | Articles located on footpath without approval – Possible safety hazard   | X                  | X                           | X                 |              |             |

| Offence Scenario                        | Act/Reg.  | Details of the case   | Warning/ Education | Penalty Infringement Notice | Notice &/or Order | Legal Action | LEC Class 4 |
|---|-----------|---|--------------------|-----------------------------|-------------------|--------------|-------------|
| Building work outside of hours          | EP&A Act  | Carrying out building works outside of hours permitted in DA – Licensed. Builder                  | X                  | X                           | X                 |              |             |
| Minor building works – Licensed Builder | EP&A Act  | Construction of alterations or additions to rear of existing dwelling – BCA issues to be resolved | X                  | X                           | X                 |              |             |
| Major building works                    | EP&A Act  | Substantial alterations and additions to the existing building – Planning & BCA compliance issues |                    | X                           | X                 | X            |             |
| Variation to DA - Major                 | EP&A Act  | Major variation to DA (i.e. substantial changes to approved development or use)                   |                    | X                           | X                 | X            | X           |
| Variation to DA - Minor                 | EP&A Act  | Minor variation to DA (i.e. relocation of door/window) – Section 96 obtained                      | X                  |                             |                   |              |             |
| Unauthorised Use - Major                | EP& A Act | Unauthorised use of premises as backpacker accommodation, additional dwelling(s) or brothel       |                    |                             | X                 | X            | X           |
| Fire safety Minor                       | EP&A Act  | Failure to submit an annual fire safety statement after due date                                  |                    | X                           | X                 |              |             |
| Fire safety                             | EP&A Act  | Fire safety upgrading   |                    |                             | X                 |              |             |

| Offence Scenario                            | Act/Reg.                           | Details of the case   | Warning/ Education | Penalty Infringement Notice | Notice &/or Order | Legal Action | LEC Class 4 |
|---|------------------------------------|---|--------------------|-----------------------------|-------------------|--------------|-------------|
| Tree Preservation Order Minor               | EP&A Act                           | Tree covered by TPO lopped without approval – minor impact on tree / amenity of locality      | X                  |                             |                   |              |             |
| Tree Preservation Order Major               | EP&A Act                           | Tree covered by TPO removed without approval – significant impact on amenity of site/locality | X                  | X                           |                   | X            |             |
| Food Premises                               | NSW Food Act & Regulation          | Unclean food premises.  | X                  | X                           | X                 | X            |             |
| Vegetative Overgrowth and/or Noxious Weeds. | Local Gvt Act or Noxious Weeds Act | Vegetation causes, or is likely to cause, unsafe or unhealthy conditions.                     | X                  | X                           | X                 | X            |             |
| Accumulation of Rubbish                     | Local Gvt Act                      | Accumulation results in, or is likely to result in, unsafe or unhealthy conditions.           | X                  | X                           | X                 | X            |             |

\* Notes:

- In some cases, the particular breach may be remedied or resolved prior to proceeding to the service of Notices, Orders or legal proceedings i.e. via negotiation or by promptly obtaining relevant approvals.
- Prior to determining an appropriate course of action, consideration is required to be given to the circumstances of the case and the courses of action contained in the above table may not be suitable or sufficient in all cases.

### Attachment 9.3

### DEFINITIONS

4.1 The following are the definitions of key terms in this policy:

**ABN/ACN:** Australian Business/Company Number.

**Administration fee:** A prescribed fee imposed in some legislation to cover the cost of the service of a notice/order and re-inspection fee and adopted by Council in the annual Schedule of Fees and Charges.

**ARA:** Appropriate Regulatory Authority, a term under the Protection of the Environment Operations Act 1997.

**Authorised Officer:** A Council Officer with delegated authority to carry out specific duties and take any necessary enforcement action. Such officers carry specific Authorities under various Acts which include prescribed powers of entry to certain properties.

**BCA:** Building Code of Australia, part of the National Construction Code series.

**BPB:** Building Professionals Board.

**CAN:** Court Attendance Notice used to commence proceedings in the Local Court.

**CRM:** Customer Request Management, an electronic Council computer reporting system that registers and records requests for action, compliments and requests for service.

**Caution:** A formal warning given instead of a penalty advising enforcement action will follow if there is a recurrence, any consideration to issue a “Caution” should be in accordance with the Caution Guidelines issued by the NSW Attorney General under section 19 (1) (a) (1) of the Fines Act.

**Cautioning:** The verbal process an officer is required to issue to an alleged offender once the officer has considered an offence has occurred and the officer may use any subsequent statement/s made by the alleged offender as evidence.

**Civil Proceedings:** Include:

- Notices, Orders and Directions issued pursuant to various legislation;
- Class 4 proceedings in the Land and Environment Court seeking an order to remedy a breach of the Environmental Planning and Assessment Act, the Local Government Act, the Protection of the Environment Act or any other Act, if the breach is causing or is likely to cause harm to the environment;
- Interlocutory relief for matters causing or with reasonable potential to cause serious environmental harm. In such proceedings it is likely the Council would be required to provide an undertaking as to damages.

**Complaint:** A complaint is an expression of dissatisfaction made about Council services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

For the purposes of this policy, a complaint does not include:

- a report alleging unlawful activity (see definition below)
- a request for information about a Council policy or procedure
- a request for an explanation of actions taken by Council
- a request for internal review of a Council decision.

**Complainant:** A customer lodging a request for action to Council.

**Council:** Wollondilly Shire Council.

**Criminal Proceedings:** Includes:

- the issuing of a penalty notice;
- prosecuting an offence in the Local Court with the use of a Court Attendance Notice;
- prosecuting for an offence in the summary jurisdiction of the Land and Environment Court (Class 5 proceedings).

**Defendant:** An alleged offender against whom action is being taken in Court.

**Enforcement:** Actions taken in response to serious or deliberate contraventions of laws.

**EP&A Act:** The Environmental Planning and Assessment Act 1979.

**Estoppel:** Legal rule of evidence.

**Fines Act:** Fines Act 1996.

**GIPAA:** The Government Information (Public Access) Act 2009.

**ICAC:** Independent Commission Against Corruption.

**Informant:** the person who brings criminal proceedings.

**Issuing Agency:** Council.

**Issuing Officer:** the Council Officer authorised to issue a penalty notice for an offence.

**LGA:** Local Government Act 1993.

**Offence:** An offence under NSW legislation.

**PCA:** Principal Certifying Authority.

**PIN or Penalty Notice** - Penalty Infringement Notice (or Penalty Notice) occasionally referred to as an “on the spot fine”.

**Plaintiff:** The person commencing civil proceedings.

**Prima facie:** Presentation of sufficient evidence to support a legal claim.

**Procedural Fairness:** Procedural fairness relates to the use of fair and proper procedures as part of the decision making process.

**POEO:** The Protection of the Environment Operations Act 1997.

**Respondent:** The party against whom civil proceedings are brought.

**Regulation:** Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.



**Report alleging unlawful activity:** An expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly or implicitly expected or legally required.

**SDRO:** State Debt Recovery Office which produces the Fixed Penalty Handbook for the issue of penalty notices.

**Technical breach:** A breach to the provisions of an Act, Regulation, Notice, Order, Direction or Development Consent.

**Unauthorised/ unlawful activity:** Any activity that is:

- contrary to the terms or conditions of a development consent, approval or permission;
- contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;
- contrary to a legislative provision regulating particular activity of work;
- without a required development consent, approval, permission or licence;
- contrary to legislation for which the Council is the appropriate regulatory authority;
- and includes any activity, place or structure which is a risk to public health and safety but excludes any parking or traffic offences which are dealt with in accordance with the Australian Road Rules

## SUMMARY OF CHANGES – COMPLIANCE POLICY

| Location              | Previous Wording   | New Wording   | Reasoning   |
|-----------------------|--|---|---|
| 1 - Policy Objectives | <p>1.1 The objective of this policy is to establish clear guidelines for the management of Council's regulatory activities and implementation of enforcement action.</p> <p>1.2 This policy aims to ensure that regulatory matters are managed in a consistent and transparent manner and the principles of procedural fairness and natural justice are followed.</p> <p>1.3 This policy also provides guidelines on:</p> <p>1.3.1 The investigation of customer requests for action relating to regulatory matters.</p> <p>1.3.2 Options for dealing with unlawful activities and regulatory breaches.</p> <p>1.3.3 Matters for consideration and the exercise of discretion in dealing with regulatory action by Council.</p> <p>1.3.4 Determining whether or not enforcement action is warranted.</p> | <p>1.1 The intent of this policy is to establish clear guidelines and protocols for Council staff in the management of Council's regulatory activities.</p> <p>1.2 It provides workable guidelines on:</p> <ul style="list-style-type: none"> <li>• responding to reports alleging unlawful activity</li> <li>• assessing whether reports alleging unlawful activity require investigation</li> <li>• deciding on whether enforcement action is warranted</li> <li>• options for dealing with confirmed cases of unlawful activity</li> <li>• taking further action such as issuing an appropriate penalty or taking legal action.</li> <li>• implementing shared enforcement responsibilities.</li> </ul> <p>1.3 The policy also provides advice and guidance on:</p> <ul style="list-style-type: none"> <li>• the role of the Principal Certifying Authority and</li> <li>• the role of Councilors in enforcement.</li> </ul> | Included additional reasoning for the document and accurately reflect the objectives of the Policy. |
| 2 - Background        | <p>2.1 Enforcement and compliance issues have been guided in the past by staff based on the NSW Ombudsmen's "Local Government Enforcement Guidelines". Informally, these Guidelines have been used by Wollondilly Shire Council as Council has not had a specific Enforcement or Compliance Policy.</p> <p>2.2 Following the Department of Local Government "Promoting Better Practice Review of Wollondilly</p>   | <p>2.1 Councils Regulatory responsibilities relate to actual unlawful activity as well as failure to take action (in order to be compliant with certain legal requirements). Council officers are often required to make decisions and use discretion about appropriate enforcement action when non-compliant issues are identified.</p> <p>2.2 Council also has a responsibility under Section 8 of the Local</p>  | Reworded for ease of reading and provide a more informative introduction.                           |

| Location | Previous Wording  | New Wording  | Reasoning |
|----------|---|--|-----------|
|          | <p>Shire, Council is required to formally adopt a Policy that provides clear guidelines for the exercise of enforcement and compliance options in dealing with requests or complaints of alleged offences and breaches.</p> | <p>Government Act 1993 to ensure that its regulatory activities are carried out in a consistent manner and without bias.</p> <p>2.3 Council's regulatory and enforcement actions should be exercised to ensure the health, safety, welfare and environmental protection of all stakeholders including residents, visitors, workers and business operators. All stakeholders should have confidence in the decision making and internal review processes.</p> <p>2.4 In order to satisfy these needs this Policy has been developed and is broadly based on the "Model Policy" prepared for Local Councils by the NSW Ombudsman. Council supports and welcomes the positive assistance of the community in reporting issues of concern and undertakes to work collaboratively with the community to promote the benefits of compliance as a way of sustaining a safer quality of life for all.</p> <p>2.5 This policy distinguishes between a 'report alleging unlawful activity' and a 'complaint'.</p> <p>For the purposes of this policy, a report alleging unlawful activity is where an individual expresses concern in relation to alleged unlawful activity, or they request service from Council about such matters. Council considers that a response or resolution to a report alleging unlawful activity is explicitly or implicitly expected by the individual, or may be legally required.</p> |           |

| Location | Previous Wording | New Wording   | Reasoning |
|----------|------------------|---|-----------|
|          |                  | <p>A complaint is where an individual expresses dissatisfaction about Council services, staff or the handling of a complaint. Therefore, a complaint may arise where an individual claims that Council staff have failed to take action in relation to a report alleging unlawful activity. A complaint will be recorded separately and responded to in accordance with Council's Complaints Management Policy and procedures.</p> <p>2.6 The spirit of this Policy is to use a graduated approach to enforcement action, for example the issue of a warning letter, which if not successful in resolving the issue may be followed by statutory Notices and Orders and finally some form of enforcement proceedings either via a penalty notice or Court action if compliance cannot be achieved by any other method.</p> <p>2.7 The Policy also recognises in some situations the gravity of the incident or other circumstances determines that an escalated approach is not appropriate and immediate regulatory action is required e.g. where an activity is or is likely to result in a significant public health or safety risk, or is or likely to cause environmental harm. Other offences such as parking matters and certain development consent breaches such as hours of operation may be dealt with using penalty notices due to the transient nature of the offence and the impracticality of using notices and orders to deal with the issue.</p> <p>2.8 Enforcement Guidelines and Procedures assist officers when</p> |           |

| Location                | Previous Wording   | New Wording  | Reasoning  |
|-------------------------|--|--|--|
|                         |  | <p>determining the most appropriate enforcement actions. This documentation facilitates a consistent approach for departments with regulatory responsibilities and will ensure the objectives of the Enforcement Policy are delivered.</p>   |  |
| <p>3. Applicability</p> | <p>3. ELIGIBILITY</p> <p>3.1 The policy applies to all compliance and enforcement action where Council has regulatory responsibility under NSW legislation, including:</p> <p>3.1.1 Roads, footpaths and parking.</p> <p>3.1.2 Pollution control.</p> <p>3.1.3 Control of animals.</p> <p>3.1.4 Unauthorised development (including non-compliance with consent conditions).</p> <p>3.1.5 Public health and safety issues.</p> <p>3.1.6 Food safety.</p> <p>3.1.7 Fire safety.</p> <p>3.1.8 Tree preservation.</p> | <p>3. APPLICABILITY</p> <p><b>PURPOSE AND SCOPE</b></p> <p>3.1 This policy provides information for all internal and external stakeholders and interested parties about Council's position on compliance and enforcement matters in the local government area.</p> <p>3.2 The purpose of this policy is to provide structure for consistency and transparency in decision making and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.</p> <p>3.3 This policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to what enforcement option Council will choose and whether to commence criminal or civil proceedings.</p> <p>3.4 In certain circumstances Council will have shared enforcement responsibilities with other regulatory authorities. This policy sets out a collaborative and cooperative approach to such matters. Advice and guidance is also provided on the role of Council in building and construction compliance matters where there</p> | <p>Generally adopted under the Model Compliance and Enforcement Policy- as prepared by Ombudsman's Office.</p> |

| Location | Previous Wording | New Wording  | Reasoning |
|----------|------------------|--|-----------|
|          |                  | <p>is a private certifier and the role of Councillors in enforcement.</p> <p>3.5 Responsible Council staff are not limited by this policy in their use of discretion and exercise of official functions. The full circumstances and facts of each case need to be considered and a decision made on the merits.</p> <p>3.5.1 All employees who deal with alleged unlawful activities and the enforcement of relevant legislation are responsible for implementing this Policy.</p> <p>3.6 This Policy applies to all areas where Council has a compliance and enforcement role under the various Acts and Regulations, it includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• abandoned vehicles</li> <li>• development and building control</li> <li>• pollution control</li> <li>• environmental health</li> <li>• public health and safety</li> <li>• sewage management</li> <li>• septic systems</li> <li>• control over animals</li> <li>• swimming pool audits</li> <li>• food safety</li> <li>• fire safety</li> <li>• tree preservation</li> <li>• parking control</li> <li>• any other functions which Council is the Appropriate Regulatory Authority (ARA).</li> </ul> <p>3.7 Any enforcement action will be in accordance with this Policy, relevant NSW legislation and the State Debt Recovery Office (SDRO) Guidelines.</p> <p>3.8 Whilst it is intended the principles in this Policy will have general application, there may be cases where the particular circumstances justify departure from these</p> |           |

| Location | Previous Wording | New Wording   | Reasoning |
|----------|------------------|---|-----------|
|          |                  | <p>principles.</p> <p>3.9 In any situation where an officer considers taking action which varies from the Policy and associated guidelines/procedures, the officer will discuss the reasons for the variance with the Team Leader/Manager and will document and implement the agreed course of action.</p> <p>3.10 This Policy applies to Council's enforcement functions and supports the concept of an escalated and proportionate approach to most non-compliant issues except for examples such as parking and traffic matters.</p> <p>3.11 While this Policy covers all matters to be taken into account when exercising discretion about compliance and enforcement matters, it recognises that Rangers who work with traffic and parking matters are faced with different time frames and decisions which need to be made on the spot.</p> <p>3.12 It is Council's Policy that Rangers will enforce the Australian Road Rules and will carry out traffic and parking duties in a fair, equitable and consistent manner with a zero tolerance approach in school zones.</p> <p>3.13 Zero tolerance is the strict enforcement of the rules.</p> <p>3.14 Other offences such as certain development consent breaches e.g. hours of operation and some environmental offences (e.g. illegal burning of waste/plastics) may be dealt with using penalty notice due to the transient nature of the</p> |           |

| Location                    | Previous Wording  | New Wording  | Reasoning |        |                             |   |   |
|-----------------------------|---|--|-----------|--------|-----------------------------|---|---|
|                             |   | <p>offence and the impracticality of using notices and orders to deal with the issue.</p>  |           |        |                             |   |   |
| <p>4. Guidelines</p>        | <p>4. GUIDELINES</p> <p>The guidelines of this policy aim to clearly set out the methods of investigation of alleged offences and breaches.</p> <p>4.1 Regulatory matters are generally initially identified via proactive programs and inspections carried out by Council officers or via customer request management (CRMs) or complaints received from residents or other parties.</p> <p>4.2 All CRMs or complaints regarding regulatory matters are required to be investigated and acted upon promptly with the complainant kept regularly informed of progress in the matter in accordance with relevant legislative provisions and the standard procedures developed by the relevant Director or Manager. Details of CRMs or complaints received by Council are required to be documented in Council's Authority data base and except in the case of urgent matters, CRMs or complaints relating to privately owned premises are required to be provided in writing wherever possible.</p> <p>4.3 All complaints and alleged unlawful activities will be investigated by a relevant Council officer, except where:</p> <p>4.3.1 Advice has been provided to relevant parties and no further investigation is necessary.</p> <p>4.3.2 The matter has already been investigated and resolved to the satisfaction of the General Manager, Director Planning, Manager Compliance, Compliance Team Leader or investigating</p> | <p>4. GUIDELINES</p> <p><b>COMPLIANCE AND ENFORCEMENT PRINCIPLES</b></p> <p>4.1 The following are the principles that underpin Council actions relating to compliance and enforcement:</p> <table border="1" data-bbox="826 667 1326 2018"> <thead> <tr> <th data-bbox="826 667 975 703">Principle</th> <th data-bbox="978 667 1326 703">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="826 707 975 869">Accountable and transparent</td> <td data-bbox="978 707 1326 2018"> <ul style="list-style-type: none"> <li>• acting in the best interests of public health and safety and in the best interests of the environment</li> <li>• ensuring accountability for decisions to take or not take action</li> <li>• acting fairly and impartially and without bias or unlawful discrimination</li> <li>• providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community</li> <li>• ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy</li> <li>• acting on any complaints or concerns about the conduct of compliance officers in accordance with Council's complaints management policy and procedures advising people and organisations subject to enforcement action</li> </ul> </td> </tr> </tbody> </table> | Principle | Action | Accountable and transparent | <ul style="list-style-type: none"> <li>• acting in the best interests of public health and safety and in the best interests of the environment</li> <li>• ensuring accountability for decisions to take or not take action</li> <li>• acting fairly and impartially and without bias or unlawful discrimination</li> <li>• providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community</li> <li>• ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy</li> <li>• acting on any complaints or concerns about the conduct of compliance officers in accordance with Council's complaints management policy and procedures advising people and organisations subject to enforcement action</li> </ul> | <p>Rewritten to incorporate principles of the Model Compliance and Enforcement Policy- as prepared by Ombudsman's Office. It also incorporates a triage table for dealing with requests for action.</p> |
| Principle                   | Action  |  |           |        |                             |   |   |
| Accountable and transparent | <ul style="list-style-type: none"> <li>• acting in the best interests of public health and safety and in the best interests of the environment</li> <li>• ensuring accountability for decisions to take or not take action</li> <li>• acting fairly and impartially and without bias or unlawful discrimination</li> <li>• providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community</li> <li>• ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy</li> <li>• acting on any complaints or concerns about the conduct of compliance officers in accordance with Council's complaints management policy and procedures advising people and organisations subject to enforcement action</li> </ul>   |  |           |        |                             |   |   |



| Location | Previous Wording  | New Wording  | Reasoning |
|----------|---|--|-----------|
|          | <p>officer.</p> <p>4.3.3 Council is not the appropriate authority or has no jurisdiction to take regulatory action in relation to the particular matter (i.e. Matters under the jurisdiction of a State Authority such as Work Cover NSW or the NSW Department Environment &amp; Climate Change and Water, or internal matters in private Strata buildings and dividing fence disputes).</p> <p>4.3.4 The activity is considered to be lawful without further investigation.</p> <p>4.3.5 The complaint is considered to be trivial, frivolous or vexatious.</p> <p>4.3.6 The relevant General Manager, Director Planning, Manager Compliance, Compliance Team Leader or investigating officer has determined that investigation and/or regulatory action is not warranted (i.e. the extent of investigation requested would have an unreasonable impact upon the effective allocation of Council's resources or the investigation or taking of regulatory action would be unreasonable or not in the public interest).</p> <p>4.5 Council must consider a range of factors when determining whether a particular matter will warrant further investigation. Council's Customer Action Requests system is to be updated with the following details during the course of any investigation of a complaint:</p> <p>(i) Details of initial research or inspection, if any;</p> <p>(ii) Provide reasons to support initial action which may include, but not be limited to:</p> <ul style="list-style-type: none"> <li>▪ matter reported is part of an approved targeted program</li> <li>▪ relevant history of non-compliance</li> </ul> | <p>of any avenues available to seek an internal or external review of a decision.</p> <hr/> <p>Consistent</p> <ul style="list-style-type: none"> <li>• ensuring all compliance and enforcement action is implemented consistently</li> <li>• encouraging reports about possible unlawful activity by acting reasonably in response to the circumstances and facts of each matter.</li> </ul> <hr/> <p>Proportional</p> <ul style="list-style-type: none"> <li>• ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach</li> <li>• making cost-effective decisions about enforcement action</li> <li>• taking action to address harm and deter future unlawful activity.</li> </ul> <hr/> <p>Timely</p> <ul style="list-style-type: none"> <li>• ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely</li> </ul> <hr/> <p><b>PROCEDURAL FAIRNESS</b></p> <p>4.2 Council is committed to natural justice and acting fairly in all aspects of the implementation of this Policy. In order to achieve this outcome Council will:</p> <p>4.2.1 provide an opportunity for an alleged offender to provide an explanation. However there will be situations such as parking enforcement and other circumstances considered to represent a serious risk to public safety or the</p> |           |

| Location | Previous Wording  | New Wording  | Reasoning |
|----------|---|--|-----------|
|          | <ul style="list-style-type: none"> <li>▪ matter reported is the subject of an exemption</li> <li>▪ matter reported poses an immediate risk to public health and or safety</li> <li>▪ matter observed/reported has the potential for serious environmental impacts</li> <li>▪ matter observed/reported contravenes a development consent or is contrary to the provisions of the Environmental Planning &amp; Assessment Act, Local Government Act, POEO Act, Companion's Animal Act or other relevant legislation.</li> </ul> <p>(iii) Subsequent follow-up actions are noted making reference to actions as outlined in Clauses 4.7.1 - 4.7.12.</p> <p>(iv) The complainant must be advised of the outcome or proposed action and this advice recorded in the CARS system outlining the manner in which this advice/information has been communicated to the complainant.</p> <p>(v) The CRM is to be clearly updated with the outcome of the investigation and if applicable the reasons for not taking further action as outlined under Clause 4.4 of the Compliance Policy.</p> <p>4.6 Following an investigation, there are a range of possible options available for Council to deal with a particular matter, depending on the nature of the matter or offence, relevant legislative provisions, circumstances of the case and the outcome desired.</p> <p>4.7 Enforcement options may include:</p> <p>4.7.1 Take no further action due to the lack of documentary evidence of the offence or breach.</p> <p>4.7.2 Take no further action having regard to the minor nature of the offence or breach and/or the circumstances of the case.</p> | <p>environment or the like which would preclude this opportunity;</p> <p>4.2.2 give due consideration to any written submission made by an alleged offender made either directly to Council in a representation period or via another agency e.g. State Debt Recovery Office if a penalty notice has been issued. Any requests or representations seeking reconsideration or waving of a penalty infringement notice are required to be made directly through The NSW Office of State Revenue. Requests to waive penalty infringement notices by individuals cannot be made directly to Council.</p> <p>4.2.3 make appropriate enquiries, investigations and searches prior to making an enforcement decision;</p> <p>4.2.4 establish appropriate procedures to avoid an enforcement decision being influenced by an actual, potential or perceived conflict of interest;</p> <p>4.2.5 implement procedures to ensure pertinent information is provided to a complainant and alleged offender, subject to maintaining appropriate confidentiality provisions;</p> <p>4.2.6 act without bias and within statutory time frames.</p> <p><b>CODE OF CONDUCT</b></p> <p>4.3 Council Officers carrying out their duties including the consideration of some form of enforcement action will have due regard to the contents of Council's Code of Conduct which is available on Council's</p> |           |

| Location | Previous Wording   | New Wording   | Reasoning |
|----------|--|---|-----------|
|          | <p>4.7.3 Counsel the person investigated to educate them on the relevant Council or regulatory requirements.</p> <p>4.7.4 Refer parties to the Community Justice Centre (CJC) for mediation (i.e. in instances where it is considered that mediation would be more appropriate to resolve a particular matter rather than enforcement).</p> <p>4.7.5 Issue a warning and advise the person that any further breaches may result in possible regulatory action or penalties.</p> <p>4.7.6 Direct the person, or issue a letter requiring the person, to; cease specified activities; carry out specified works; provide specified information, documentation or certification; or obtain necessary approvals, within a specified timeframe.</p> <p>4.7.7 Consult and negotiate with the parties and/or obtain undertakings, to achieve a reasonable outcome and resolution of a particular matter.</p> <p>4.7.8 Issue a formal Notice of Intention to serve an Order under relevant legislation, which allows the person to make representations to Council, prior to determining any appropriate action.</p> <p>4.7.9 Issue a formal Order or Notice under relevant legislation, requiring specified work to be undertaken or to provide specified documentation, certification or the like.</p> <p>4.7.10 Issue a Penalty Infringement Notice (on-the-spot fine) for the offence or breach.</p> <p>4.7.11 Implement legal proceedings for the offence or breach (i.e. Local Court or Land &amp; Environment</p> | <p>website;</p> <p><a href="http://www.wollondilly.nsw.gov.au/assets/Documents/Council/Meetings-and-Forums/Code-of-Conduct-Current.PDF">http://www.wollondilly.nsw.gov.au/assets/Documents/Council/Meetings-and-Forums/Code-of-Conduct-Current.PDF</a></p> <p>4.4 It is Council's expectation all inspections will be carried out in a respectful, helpful manner while being attuned to any language or cultural considerations. All Officers should:</p> <p>4.4.1 not permit personal views, or prejudices to influence their attitude towards any person or duty required to be undertaken;</p> <p>4.4.2 respond to any reasonable request or lawful direction of any supervisor or manager of the Council;</p> <p>4.4.3 not commit any act which constitutes dereliction of duties;</p> <p>4.4.4 not commit any act that brings Council into disrepute;</p> <p>4.4.5 not publicly criticise Council in any way that is demeaning, defamatory or brings disrespect, or embarrassment to Council;</p> <p>4.4.6 not publicly criticise any Council employee in any way, which is demeaning, defamatory or brings disrespect to Council;</p> <p>4.4.7 not obey any order or direction which is contrary to the law;</p> <p>4.4.8 report any such unlawful order to the attention of an immediate supervisor, manager or, if required the General Manager;</p> <p>4.4.9 not solicit or receive any gift that is contrary to Council's Code of Conduct.</p> |           |

| Location | Previous Wording  | New Wording  | Reasoning |
|----------|---|--|-----------|
|          | <p>Court).</p> <p>4.7.12 Implement proceedings for a Court Order or Injunction (i.e. to remedy or restrain a breach of relevant legislative provisions).</p> <p>4.7.13 Carry out the works specified in a Council Order under relevant legislation, at the expense of the person served with the Order.</p> <p>4.8 Council has discretion in determining whether or not enforcement action should be taken in relation to a particular matter having regard to evidence available; the nature, extent and impact of the offence or breach; the circumstances of the case and the public interest.</p> <p>4.9 Further details on the use of discretion by regulatory authorities can be found in the Enforcement Guidelines for Councils published by the NSW Ombudsman and the NSW Department of Planning Practice Note – Exercising Discretion.</p> <p>4.10 A range of matters are required to be taken into consideration when determining the appropriate course of action on the enforcement of a regulatory matter, including:</p> <p>4.10.1 The nature, extent and severity of the offence or breach.</p> <p>4.10.2 The impact or potential impact of the offence or breach upon the natural or built environment.</p> <p>4.10.3 The impact or potential impact of the offence or breach upon the health, safety and amenity of the locality and community.</p> <p>4.10.4 Whether or not the breach is of a technical, inconsequential or minor nature.</p> | <p>4.5 Council Officers who are accredited under the Building Professionals Board scheme must also satisfy the code of professional conduct requirements of such scheme.</p> <p>4.6 Each officer should be mindful of any constraints that may have been placed on their “Delegations” by Council and be equipped with their specific authorisation (with photograph) under the particular Acts.</p> <p><b>CONFLICT OF INTEREST</b></p> <p>4.7 If a situation arises where an officer believes a perceived or actual conflict of interest exists, the matter will be referred to the supervisor.</p> <p><b>DISCLOSURE OF INTEREST</b></p> <p>4.8 Council Officers will respect the privacy and confidentiality of information received, however due to its statutory obligations and other requirements, confidentiality cannot always be guaranteed.</p> <p>4.9 A person’s identity who has made an allegation of illegal activity may be disclosed where:</p> <p>4.9.1 access to the information is permitted under legislation including but limited to the Government Information (Public Access) Act 2009;</p> <p>4.9.2 legal action is commenced and the information is disclosed in evidence</p> <p>4.9.3 the person consents to the disclosure of the information;</p> <p>4.9.4 the principles of natural justice dictate that information be disclosed to the person who is the subject of the request for action, which may enable the</p> |           |

| Location | Previous Wording   | New Wording  | Reasoning |
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|          | <p>4.10.5 Whether or not Council is legally stopped from taking action.</p> <p>4.10.6 The time period that has lapsed since the date of the offence or breach.</p> <p>4.10.7 Whether or not the breach has been remedied or rectified.</p> <p>4.10.8 Whether or not an informal warning or provision of education would be appropriate in the circumstances.</p> <p>4.10.9 Whether or not the particular matter satisfies relevant regulations, standards and requirements (i.e. Building Code of Australia).</p> <p>4.10.10 Whether or not the person has demonstrated contrition.</p> <p>4.10.11 Whether or not the person has been proactive in the resolution of the matter and assisted with any Council requirements and instructions.</p> <p>4.10.12 Whether or not a relevant development consent has been obtained or sought for the particular matter (i.e. variation to a consent).</p> <p>4.10.13 Whether or not any previous warnings, instructions or advice was provided which has not been followed.</p> <p>4.10.14 Whether or not it is likely that consent would have been issued for the particular matter if consent had been sought.</p> <p>4.10.15 Whether or not any relevant requirements of Council have been or will be satisfied to address or minimise any potential impacts of the particular matter.</p> <p>4.10.16 Whether or not it was likely that the person was aware</p> | <p>complainant to be identified;</p> <p>4.9.5 the Council is of the opinion that disclosure of information is necessary to effectively investigate the matter.</p> <p>4.10 Council Officers will also observe the information protection principles in the Privacy and Personal Information Protection Act 1998 which provides in certain circumstances for information to be shared with other public sector agencies for law enforcement purposes.</p> <p>4.11 Reasons for decisions regarding compliance and enforcement action will be made available, unless to do so would cause a breach of the law. Reasons may not be given in any case where the information may cause harm to an informant, witness, or the alleged offender, nor in circumstances which would significantly prejudice the administration of justice.</p> <p>4.12 Council's Rangers have access to external electronic databases including the NSW Companion Animals Register and the Roads and Maritime Services Vehicle Ownership Register. Neither of these are registers to which the general public or other Council Officers have access. The Information on both registers is protected under the relevant Acts. Rangers are subject to routine external auditing in regard to the use of databases.</p> <p>4.13 Some officers have access to the following information:</p> <ul style="list-style-type: none"> <li>• State wide Electronic Database of Residential Swimming Pools</li> <li>• Department of Fair Trading Boarding Houses Register</li> </ul> |           |

| Location | Previous Wording   | New Wording   | Reasoning |
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|          | <p>or should have been aware of the relevant regulatory provisions and requirements.</p> <p>4.10.17 Whether or not the person has demonstrated genuine mitigating circumstances or hardship.</p> <p>4.10.18 Whether or not the action would be reasonable and proportionate in the particular case.</p> <p>4.10.19 Whether or not the Council has sufficient admissible evidence to prove each element of the offence or breach.</p> <p>4.10.20 The likely chances of success if the enforcement action was challenged in Court.</p> <p>4.10.21 The costs and benefits of taking enforcement action or implementing proceedings (i.e. cost of proceedings, allocation of extensive resources compared to the likely outcome).</p> <p>4.10.22 The circumstances of the particular case.</p> <p>4.10.23 The public interest.</p> <p>4.11 Further details on the matters to be taken into consideration when deciding whether or not to take enforcement action are provided in <i>Annexure 1</i>.</p> <p>4.12 Examples of the key options available and possible courses of action for a number of regulatory scenarios are provided in <i>Annexure 2</i>.</p> <p>4.13 Specific legislative provisions are contained within each piece of legislation relating to the appointment of Authorised Officers, Powers of Entry, Inspections &amp; Investigations, Search Warrants, Issuing of</p> | <p><b>INVESTIGATING ALLEGED UNLAWFUL ACTIVITY (RECEIVING AND RESPONDING TO CUSTOMER REQUESTS)</b></p> <p>4.14 Council's expectation is that all customer requests will be electronically recorded and dealt with within set customer service standards and having regard to the seriousness of the issue and other priorities.</p> <p>4.15 All reports alleging unlawful activity will be initially acknowledged through Council's Customer Requests system within 7 days and within 7-14 days appropriate action taken in accordance with this Policy and the person making the allegation also advised.</p> <p>14.16 All requests for action will be investigated unless:</p> <p>4.16.1 Council is not the Appropriate Regulatory Authority;</p> <p>4.16.2 the matter has already been actioned and resolved;</p> <p>4.16.3 insufficient information has been provided in order to adequately identify a property or issue;</p> <p>4.16.4 the request for action is premature and relates to an unfinished aspect of work still in progress that has development approval;</p> <p>4.16.5 a private Principal Certifying Authority is responsible for monitoring compliance with the conditions of development consent. Council will work cooperatively with relevant agencies and Private Certifiers to achieve compliant outcomes;</p> <p>4.16.6 the activity is determined to</p> |           |

| Location | Previous Wording   | New Wording  | Reasoning |
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|          | <p>Notices &amp; Orders, Issuing Penalty Infringement Notices, Legal Proceedings, Appeals, Court Orders, Penalties, Compensation and other associated activities.</p> <p>4.14 Specific provisions are also contained in most legislation to restrict an Authorised Officers access to residential premises, unless permission has been obtained accordingly or the inspection relates to a current approval, or Council has obtained a Search Warrant from the Court Magistrate.</p> <p>4.15 Council officers are required to be duly authorised and carry out their regulatory functions fully in accordance with these provisions. Failure to do so may affect any potential proceedings or appeal and could result in a determination against Council or possible compensation.</p> <p>4.16 Specific provisions for offences are contained within relevant legislation.<br/>Offences include:</p> <p>4.16.1 Failure to comply with a particular legislative or regulatory provision (i.e. a provision of the Environmental Planning &amp; Assessment Act, Local Government Act, Roads Act, Companion Animals Act, Protection of the Environment Operations Act, Food Act etc).</p> <p>4.16.2 Failure to obtain the required development consent or a construction certificate for development and building works (where required).</p> <p>4.16.3 Carrying out development or other activity contrary to relevant legislative requirements, development consent or other approval (i.e. carrying out development contrary to a</p> | <p>be lawful and does not require an approval;</p> <p>4.16.7 a Development Approval, Complying Development Certificate or any other lawful authority has been granted for the work and the request for action does not relate to a non-compliance issue;</p> <p>41.6.8 the request for action is trivial, frivolous or vexatious in nature; the complainant is solely seeking a monetary refund from a third party;</p> <p>4.16.9 the request for action relates to a civil matter or dispute (private matter between neighbours).</p> <p>4.16.10 anonymous requests for action unless an imminent serious threat to the environment and public health and safety.</p> <p>4.17 In situations where Council is the Appropriate Regulatory Authority, the relative seriousness of each matter will determine the priority attached to a particular request for action.</p> <p>4.18 Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach. Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.</p> |           |

| Location   | Previous Wording  | New Wording   | Reasoning                                     |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
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|  | <p>condition of consent).</p> <p>4.16.4 Failure to comply with the terms of a Council Order or Notice.</p> <p>4.16.5 Parking a vehicle or driving a vehicle contrary to the Road Transport Regulation -Roads Rules 2008.</p> <p>4.16.6 Failure to provide specified documentation or certification to Council (i.e. annual fire safety statement).</p> <p>4.17 Most of the legislation administered by Council, contains provisions requiring Council to issue a Notice of Intention prior to the service of a formal Order (except in the case of an emergency). The Notice of Intention must contain specific information and it, in effect, provides the person with the opportunity to make representations to Council, to demonstrate why Council should not issue a formal Order or commence proceedings or take other regulatory action.</p> <p>4.18 This process follows the principles of procedural fairness. However, at times, it may also have the effect of prolonging the effective resolution of a particular matter.</p> <p>4.19 Representations may be made by the subject person or their solicitor and any representations are required to be made in writing, to ensure that any representations are appropriately recorded and considered. Any representations made within the specified timeframe are required to be considered by Council prior to determining the appropriate course of action.</p> <p>4.20 Statistically, in the majority of cases, matters are often</p> | <p>4.19 At all times, Council's key concerns are:</p> <ul style="list-style-type: none"> <li>to prevent or minimise harm to health, welfare, safety, property or the environment</li> <li>to influence behaviour change for the common good and on behalf of the community.</li> </ul> <p>4.20 As a guide the following categories can be applied:</p> <p>Alleged non-compliant activities ranked by order of worst case consequence</p> <p><b>Alleged non-compliant activities ranked by order of worst case consequence</b></p> <table border="1" data-bbox="826 898 1321 1525"> <tr><td><b>Legionella control – regulated systems</b></td></tr> <tr><td><b>Fire Safety</b></td></tr> <tr><td><b>Dangerous Structure</b></td></tr> <tr><td><b>Dogs attacking\ Dangerous Dogs</b></td></tr> <tr><td><b>Unsecured loads</b></td></tr> <tr><td><b>Swimming pool – safety (fence\barrier)</b></td></tr> <tr><td><b>Food Safety</b></td></tr> <tr><td><b>Livestock Straying</b></td></tr> <tr><td><b>Discharge waste to water body</b></td></tr> <tr><td><b>Tree clearing</b></td></tr> <tr><td><b>Demolition of heritage item</b></td></tr> <tr><td><b>Asbestos removal</b></td></tr> <tr><td><b>Major earthworks or landfill</b></td></tr> <tr><td><b>As directed by Council Managers</b></td></tr> </table> <table border="1" data-bbox="826 1559 1321 2033"> <tr><td><b>Major non-compliance with approval including tattooing, botox and piercing injections</b></td></tr> <tr><td><b>Skin penetration practice</b></td></tr> <tr><td><b>Property squatter, abandoned unsecured property</b></td></tr> <tr><td><b>Dogs Straying</b></td></tr> <tr><td><b>Parking breach – safety issue</b></td></tr> <tr><td><b>Public Place – Obstructions, Abandoned Articles or Building Materials</b></td></tr> <tr><td><b>Public Swimming – water quality</b></td></tr> <tr><td><b>Sewer discharges</b></td></tr> </table> | <b>Legionella control – regulated systems</b> | <b>Fire Safety</b> | <b>Dangerous Structure</b> | <b>Dogs attacking\ Dangerous Dogs</b> | <b>Unsecured loads</b> | <b>Swimming pool – safety (fence\barrier)</b> | <b>Food Safety</b> | <b>Livestock Straying</b> | <b>Discharge waste to water body</b> | <b>Tree clearing</b> | <b>Demolition of heritage item</b> | <b>Asbestos removal</b> | <b>Major earthworks or landfill</b> | <b>As directed by Council Managers</b> | <b>Major non-compliance with approval including tattooing, botox and piercing injections</b> | <b>Skin penetration practice</b> | <b>Property squatter, abandoned unsecured property</b> | <b>Dogs Straying</b> | <b>Parking breach – safety issue</b> | <b>Public Place – Obstructions, Abandoned Articles or Building Materials</b> | <b>Public Swimming – water quality</b> | <b>Sewer discharges</b> |  |
| <b>Legionella control – regulated systems</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Fire Safety</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Dangerous Structure</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Dogs attacking\ Dangerous Dogs</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Unsecured loads</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Swimming pool – safety (fence\barrier)</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Food Safety</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Livestock Straying</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Discharge waste to water body</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Tree clearing</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Demolition of heritage item</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Asbestos removal</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Major earthworks or landfill</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>As directed by Council Managers</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Major non-compliance with approval including tattooing, botox and piercing injections</b> |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Skin penetration practice</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Property squatter, abandoned unsecured property</b>                                       |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Dogs Straying</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Parking breach – safety issue</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Public Place – Obstructions, Abandoned Articles or Building Materials</b>                 |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Public Swimming – water quality</b>   |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |
| <b>Sewer discharges</b>  |   |   |   |                    |                            |                                       |                        |   |                    |                           |                                      |                      |                                    |                         |                                     |  |  |                                  |  |                      |                                      |  |  |                         |  |



| Location | Previous Wording   | New Wording   | Reasoning |
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|          | <p>addressed or resolved to an acceptable level during the Notice of Intention and Representations stages and it may not be necessary to serve a formal Order (i.e. development consent has been obtained in relation to a previously unauthorised use of a premises or by the person carrying out certain works).</p> <p>4.21 Council may issue an Order (or Notice in some legislation) directing a person to carry out specified works or to provide specified information, documentation or the like, within a specified timeframe.</p> <p>4.22 The legislation contains specific provisions relating to the service of Orders, which must be strictly followed. Council is also only able to issue an Order directing a person to do the matters specified in the legislation.</p> <p>4.23 It is an offence to fail to comply with an Order and the relevant legislation generally contains provisions for the implementation of legal proceedings, penalties and in some cases, the issuing of penalty infringements for the offence.</p> <p>4.24 The legislation also allows Council to enter upon the property and give effect to the terms of an order, including the carrying out of any work required by the order and to recover Council's costs.</p> <p>4.25 The relevant legislation contains provisions for a person to lodge a formal Appeal against an Order in the Land &amp; Environment Court within a specified timeframe.</p> <p>4.26 Appeals are required to be considered on the merits of the case and the legality and scope</p> | <p><b>Public Place – Litter</b></p> <p><b>Public Place – Rubbish Dumping</b></p> <p><b>Air Pollution</b></p> <p><b>Parking breach – general</b></p> <p><b>Unauthorised building works in progress</b></p> <p><b>On Site Sewage Management Systems</b></p> <p><b>Public Place – Advertising Signs Structures Oversized.</b></p> <p><b>Overgrown Land/Vegetation</b></p> <p><b>Unauthorised Land Use - General</b></p> <p><b>Rubbish accumulation</b></p> <p><b>Land Pollution</b></p> <p><b>Noise Pollution Commercial and Industrial</b></p> <p><b>Unauthorised Brothel</b></p> <p><b>Public Place – Abandoned Vehicles</b></p> <p><b>Vehicles in Parks/Reserves</b></p> <p><b>Land Use – Signs in commercial zones (no safety or heritage impacts)</b><br/><b>(** see below)</b></p> <p><b>Land Use – Living in Sheds/Garages/Caravans (**see below)</b></p> <p><b>Unauthorised building works completed (**see below)</b></p> <p><b>Land Use – Home Occupation/Business/Industry</b></p> <p><b>Animal &amp; Bird Control (Other than dogs and cats)</b></p> <p><b>Stormwater Nuisance</b></p> <p><b>Domestic noise pollution</b></p> <p><b>Domestic Odour nuisance</b></p> <p><b>Dogs Barking</b></p> <p><b>Dogs defecating in Public Places (ownership known)</b></p> <p><b>Land Use – Dividing Fences (possible referral to the Local Land Board)</b></p> <p><b>Hair/Skin/Beauty – no skin penetration</b></p> <p><b>Public Place – Buskers, Spruikers, Stalls</b></p> <p>*This is not an exhaustive list<br/>Compliance audits may affect order of priority.</p> |           |

| Location                       | Previous Wording   | New Wording  | Reasoning                      |                              |                        |                            |                      |  |
|--------------------------------|--|--|--------------------------------|------------------------------|------------------------|----------------------------|----------------------|--|
|                                | <p>of the Order. Matters relating to any initial offence (i.e. the undertaking of unauthorised work) are not relevant matters for consideration by the Court, as separate provisions are available for criminal sanctions in relation to any initial offence.</p> <p>4.27 Therefore, detailed consideration must be given to the possible service of any Orders and the likely outcome in the event of an Appeal.</p> <p>4.28 For example, a Notice of Intention and/or a Penalty Infringement Notice may be issued in relation to a particular breach (i.e. an unauthorised structure). However, following consideration of representations, provision of information and certain works being undertaken, it may not be appropriate to proceed to serve an Order, having considered the impacts upon the locality, compliance with relevant planning instruments and regulatory standards, etc, as the likelihood of success in Court may be minimal.</p> <p>4.29 Many of the Acts of Parliament which Council administers provide the ability for Council officers to issue Penalty Notices for certain offences. The penalty notice system was introduced to provide an effective and efficient means to deal with those offences which are generally not serious enough to warrant instituting Court proceedings.</p> <p>4.30 A Penalty Notice is served because it is apparent that an offence has been committed, but payment of the fine does not result in the recording of a criminal conviction. Non-payment of the fine is not dealt with by way of criminal sanctions, but is recoverable as a civil debt.</p> | <p>** Matters raised by external complainants will be given priority unless it is deemed a serious public health or environmental risk.</p> <table border="1" data-bbox="826 398 1324 573"> <thead> <tr> <th data-bbox="826 398 1324 432">Initial triaging response time</th> </tr> </thead> <tbody> <tr> <td data-bbox="826 432 1324 465">Extreme – within working day</td> </tr> <tr> <td data-bbox="826 465 1324 499">High – Within 24 hours</td> </tr> <tr> <td data-bbox="826 499 1324 533">Medium – within 7-14 days*</td> </tr> <tr> <td data-bbox="826 533 1324 573">Minimal or no action</td> </tr> </tbody> </table> <p><b>ANONYMOUS REQUESTS FOR ACTION</b></p> <p>4.21 Anonymous requests for action may not be able to be investigated. The decision to investigate includes but is not limited to the subject and seriousness of the matter – i.e. whether the matter is a serious public health or environmental issue; the likely reliability of the request for action, ability to access further information, available staff resources and Work Health and Safety responsibilities.</p> <p>4.22 When an anonymous request for action is investigated, an appropriate record of the investigation will be made.</p> <p><b>FRAUDULENT REQUESTS FOR ACTION</b></p> <p>4.23 Fraudulent request for action are where a person lodges a request with Council in someone else's name without that persons knowledge or where the nature of the request is untrue. Such request will be treated as vexatious unless a valid basis for such a request can be established. The decision to investigate such a matter will be based on the same criteria as for anonymous request.</p> | Initial triaging response time | Extreme – within working day | High – Within 24 hours | Medium – within 7-14 days* | Minimal or no action |  |
| Initial triaging response time |  |  |                                |                              |                        |                            |                      |  |
| Extreme – within working day   |  |  |                                |                              |                        |                            |                      |  |
| High – Within 24 hours         |  |  |                                |                              |                        |                            |                      |  |
| Medium – within 7-14 days*     |  |  |                                |                              |                        |                            |                      |  |
| Minimal or no action           |  |  |                                |                              |                        |                            |                      |  |

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|          | <p>4.31 However, a person may elect to have the matter heard in proceedings in the criminal jurisdiction of the Local Court.</p> <p>4.32 Penalty notices may be issued by designated authorised officers under the relevant legislation. In many instances, authorised officers are not only Council officers, but include officers from other agencies such as the Police and DECCW.</p> <p>4.33 Penalty notices are generally most appropriate where:</p> <p>4.33.1 the breach is minor,</p> <p>4.33.2 the facts are apparently incontrovertible,</p> <p>4.33.3 the breach is a one-off situation that can be remedied easily, and</p> <p>4.33.4 the issue of a penalty notice is likely to be a practical and viable deterrent.</p> <p>4.34 It may not be appropriate to issue penalty notices where:</p> <p>4.34.1 the breach is on-going.</p> <p>4.34.2 the penalty prescribed in the penalty notice would be clearly inadequate for the severity of the offence.</p> <p>4.34.3 the extent of impact or the harm to the environment or locality cannot be assessed immediately.</p> <p>4.34.4 the evidence available may be insufficient and the matter may be unlikely to succeed in the event of a Court hearing.</p> <p>4.34.5 a significant period of time has elapsed since the alleged breach.</p> <p>4.34.6 negotiations to find a resolution to the problem which is the subject</p> | <p><b>UNREASONABLE COMPLAINANT CONDUCT</b></p> <p>4.24 Council has an obligation to use resources efficiently and effectively. While Council acknowledges a customer's entitlement to make requests, it reserves the right to cease responding to customers that continually exhibit unreasonable customer behaviour including:</p> <p>4.24.1 requests that place unreasonable demands on Council's staff;</p> <p>4.24.2 requests that place unreasonable demands on Council's resources;</p> <p>4.24.3 unreasonable persistence;</p> <p>4.24.4 unreasonable lack of cooperation;</p> <p>4.24.5 requests for action based on unreasonable arguments;</p> <p>4.24.6 abusive and derogatory behaviour towards Council staff;</p> <p>4.24.7 requests for action which are proven to be vexatious or retaliatory.</p> <p>4.25 In the context of the above situations officers will follow Council's Policy on Dealing with Unreasonable Customer Conduct and its Customer Service Charter.</p> <p><b>CONSULTATION WITH OTHER AGENCIES</b></p> <p>4.26 There will be situations such as in the investigation of a request for action or the like where Council has no legal or geographical jurisdiction or</p> |           |

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|          | <p>of the breach are being conducted.</p> <p>4.34.7 a direction has been issued to perform specified work (i.e. via a Notice of Intention to serve an Order) within a timeframe and the time limit for such performance has not expired.</p> <p>4.34.8 Multiple breaches have occurred.</p> <p>4.35 Penalty Notices are generally most suitable for immediate and straightforward offences or breaches, to uphold the objectives of the relevant regulatory requirements and to act as a deterrent against further similar breaches, including:</p> <p>4.35.1 Parking offences.</p> <p>4.35.2 Roads and traffic offences.</p> <p>4.35.3 Waste and littering offences.</p> <p>4.35.4 Failure to comply with public notices.</p> <p>4.35.5 Companion animal offences.</p> <p>4.35.6 Public safety offences.</p> <p>4.35.7 Low impact pollution incidents.</p> <p>4.35.8 Minor fire safety offences.</p> <p>4.35.9 Low impact development control offences.</p> <p>4.35.10 Essential services certification offences.</p> <p>4.36 To ensure that Council manages the penalty infringement process and enforcement action in a consistent, transparent, accountable and unbiased manner, any requests or representations seeking reconsideration or waiving of a penalty infringement notice are required to be made directly</p> | <p>operational responsibility and consequently the matter should be referred to the relevant agency without delay.</p> <p>4.27 Agencies may include but not be limited to, the NSW Police Services, NSW Department of Planning and Infrastructure, Local Land Services, NSW Office of Fair Trading, NSW Department of Primary Industry, NSW WorkCover, NSW Environment Protection Authority, NSW Food Authority, NSW Health, the Building Professional Board, NSW Roads and Maritime Services, Fire and Rescue NSW.</p> <p>4.28 Council will consult with the responsible agencies to facilitate a coordinated and constructive compliance approach and keep the complainant informed.</p> <p><b>PRIVATE CERTIFIERS</b></p> <p>4.29 In terms of Council's Development Compliance role, requests for action are received from time to time in regard to various matters on building construction sites where Council is not the Principal Certifying Authority.</p> <p>4.30 In such situations in the first instance the complainant should be encouraged to contact the Principal Certifying Authority directly to ensure all relevant details are accurately communicated to the Principal Certifying Authority.</p> <p>4.31 Alternatively, should an external observation by a Council Officer of a building site which is under the jurisdiction of a Principal Certifying Authority (not being Council) disclose significant</p> |           |

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|          | <p>through the NSW Office of State Revenue.</p> <p>4.37 Requests to waive penalty infringement notices are not to be made directly to Council.</p> <p>4.38 To maintain the integrity of the Council's regulatory and enforcement functions, Council will not support the waiving of a penalty infringement notice unless:</p> <p>4.38.1 It is evident that an error has been made in the issuing of the penalty notice, or</p> <p>4.38.2 The extent of evidence or circumstances may affect the successful defence of the infringement in the event of a Court hearing or appeal, or</p> <p>4.38.3 It is evident that Council has acted unreasonably in the issuing of the penalty notice, or</p> <p>4.38.4 Legal advice has been obtained and it is considered appropriate to do so.</p> <p>4.38.5 Having regard to relevant legal advice.</p> <p>4.39 Council's investigating officers will follow up enforcement matters to determine compliance with Council's directions, Notices and Orders, to an acceptable level. If Council's Notices and Orders are not reasonably complied with, consideration will be given to taking further regulatory action, legal proceedings or penalties.</p> <p>4.40 Council recognises that advice, negotiation and mediation may achieve compliance or a reasonable solution for the parties without the need to take enforcement action in certain circumstances.</p> | <p>non-compliant issues, Council will initially draw the matter to the attention of the Principal Certifying Authority.</p> <p>4.32 If a request or observation relates to an urgent matter involving a life threatening situation or significant environmental damage or an on-going matter where valuable evidence may not be available if an immediate response is not commenced, a Council Officer may undertake an immediate investigation to assess the seriousness of the situation.</p> <p>4.33 If the request is substantiated, Council will consider action in accordance with this Policy and the Principal Certifying Authority informed of any action taken by Council.</p> <p>4.34 In any situation where it is considered a Principal Certifying Authority has acted incorrectly, improperly and/or unprofessionally a report may be forwarded to the Manager recommending referral of the matter to the Building Professionals Board.</p> <p>4.35 Relevant factors for determining if a matter should be referred to the Building Professionals Board are:</p> <p>a) the seriousness of the failure to act professionally;</p> <p>b) any previous history of complaints;</p> <p>c) the level of cooperation from the Principal Certifying Authority to rectify the problem/s;</p> <p>d) the adequacy of changes made by the Principal Certifying Authority to procedures or practices to ensure that future problems will be minimized.</p> |           |

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|          | <p>4.41 This component of the policy relates specifically to situations where, through investigative work under taken by Council officers, work programs initiated by Council or specific complaints made to the Council it becomes evident that an unauthorised use has been noted.</p> <p>4.42 This could involve instances where additional dwellings (flats, units, etc) have been noted in an existing building or where a non-conforming use has been noted as operating without a relevant consent from the Council. In many instances these cases would relate to long terms situations where the non-conforming use or activity has been ongoing for some time.</p> <p>4.43 Where non-conforming uses are identified they will generally be investigated and reported to the Council for appropriate action. In situations where public safety is an immediate concern, particularly in relation to fire safety matters under the BCA, Council officers will serve the required Orders necessary to ensure that public safety is immediately addressed. In taking such action this does not imply that the Council is endorsing the unauthorised use or activity and such action will not prevent the Council from taking further action in relation to the matter.</p> <p>4.44 Matters for consideration include:-</p> <p>4.44.1 Safety – in the first instance the initial consideration needs to be whether or not the continuation of the use or activity constitutes a risk to public safety. If public safety is at serious risk then immediate action needs to be taken to address the risk above</p> | <p>4.36 Examples of matters that might be referred to the Building Professionals Board include but are not limited to:</p> <ul style="list-style-type: none"> <li>a) significant departure from the development consent and the PCA does not appear to be taking appropriate action to address the issue;</li> <li>b) the persistent failure to submit relevant certificates or other documentation to Council within the specified time period;</li> <li>c) Complying Development Certificates that do not meet the development standards for the relevant State Environmental Planning Policy.</li> </ul> <p><b>BUILDING CERTIFICATES</b></p> <p>4.37 Council recognises that persons who may have carried out unlawful building works may, as an option apply for approval of a development application. If this option is taken an owner will need to apply for a Building Certificate under section 149D of the Environmental Planning and Assessment Act to retain and regularise the structure. If a building certificate is issued, Council cannot ask for demolition or alterations unless after 7 years of fair wear and tear.</p> <p>4.38 It is Council's policy however that such applications should not be encouraged to justify unlawful works. Irrespective of whether or not a Building Certificate is applied for, Council may take action against a person who carried out unlawful works</p> <p>4.39 The action may include the issuing of a penalty notice or in conjunction with criminal proceedings, where it is</p> |           |

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|          | <p>all other considerations. This can be undertaken through the issuing of emergency orders and/ or injunctive relief depending on the matter and circumstances. Where orders are served in relation to fire safety and BCA compliance the property owner is to be advised that compliance with the order does not imply that the Council endorses the unauthorised use or activity nor will it prevent further action being taken by the Council in relation to the unauthorised use or activity.</p> <p>4.44.2 Onus of proof – property owners will be given a reasonable opportunity to establish the bona fides of the activity or use and provide evidence as to the history of the use of the property and their understanding of the circumstances arising in relation to the activity and use under question. Council staff and its solicitors will examine all information received in relation to such matters and undertake a thorough check of Council records to establish all relevant background information and history of use of the property. Where the examination of such information establishes reasonable doubt as to the bona fides of the activity or use the Council will generally err on the side of caution and not accept claims that are not supported by verifiable evidence.</p> <p>4.44.3 Personal circumstances – the personal circumstances of property owners will be taken into consideration in determining appropriate action, i.e. whether or not the property owner was directly responsible for the activity or use, how long the property has been owned by the current property owner, and any issues of personal hardship arising in relation to the matter.</p> | <p>considered appropriate and necessary for punitive action to also be taken, having regard to the restriction provisions provided under Section 127 (7) of the EP&amp;A Act.</p> <p>4.40 Building Certificate applications to support unlawful building works will be expected to provide the same level of details in plans, certificates, specifications etc. as would be required for assessing an Application for Development, a Construction Certificate, a Complying Development Certificate and/or an Occupation Certificate.</p> <p><b>ROLE OF COUNCILLORS IN ENFORCEMENT</b></p> <p>4.41 Decision making relating to the investigation of reports alleging unlawful activity and taking enforcement action is the responsibility of appropriately authorised Council staff or the Council itself.</p> <p>4.42 Individual Councillors do not have the right to direct Council staff in their day-to-day activities. Councillors can help individuals who raise concerns with them by satisfying themselves that their Council's policies are being carried out correctly, however they cannot ignore or alter a policy in order to satisfy the demands of special groups.</p> <p>4.43 The general manager may present certain decisions to be ratified by the elected Council if this is necessary or desirable, and the Councillors may also have the right to call for a report about particular issues to a Council meeting.</p> |           |

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|          | <p>4.45 As a general guide the Council will not tolerate property owners who are directly responsible for the unauthorised use or activity as opposed to those who may have unwittingly purchased a property unaware that the use or activity was unauthorised. In circumstances where the Council may have refused consent to a proposal to develop a property and the property owner subsequently proceeds to undertake the proposal without consent the Council will prosecute the property owner.</p> <p>4.46 In terms of personal hardship the Council will take into consideration individual circumstances which includes:</p> <p>4.46.1 the income(s) of the property owner(s).</p> <p>4.46.2 personal circumstances of the property owner(s).</p> <p>4.46.3 how much income is derived from the unauthorised use or activity.</p> <p>4.46.4 the willingness of a property owner(s) to enter into legally binding arrangements with the Council to consider limits or restrictions on the unauthorised use or activity continuing and its potential for further intensification.</p> <p>4.47 Length of time – after investigation of the matter and establishing the length of time an activity or use has been occurring consideration will be given as to whether or not there is a realistic prospect for a successful action to have the activity or use cease. Legal advice will be obtained before making a determination in such cases.</p> <p>4.48 Existing use rights –</p> | <p><b>PROACTIVE COMPLIANCE MONITORING</b></p> <p>4.44 In addition to responding to requests for action and enquiries about alleged unlawful activity Council also provides a number of proactive compliance programs around high risk regulatory areas. These areas include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Food premises inspections</li> <li>• Swimming pool audit program</li> <li>• Public swimming pool water quality monitoring</li> <li>• Onsite sewage management systems (septic tanks)</li> <li>• Fire safety</li> <li>• Sedimentation and erosion control</li> </ul> <p>4.45 Compliance action may be initiated where non-compliance is identified in the course of a proactive compliance inspection, in which case the principles outlined in this policy will also be applied.</p> <p><b>THE DECISION PROCESS – TAKING ENFORCEMENT ACTION</b></p> <p>4.46 When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest. The following common considerations will assist Council staff in determining the most appropriate response in the public interest:</p> <p><b>Considerations about the alleged offence and impact:</b></p> <ul style="list-style-type: none"> <li>• The nature, extent and severity of the unlawful activity, including whether the activity is continuing;</li> <li>• The harm or potential harm to the environment or public health, safety or amenity</li> </ul> |           |



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|          | <p>consideration will be given as to whether or not a decision to take or not take further action will have potential implications on the existing use rights of a property. This assessment will include an examination of future development potential, if any, of the property; the use of legal agreements or instruments to restrict and/or limit the future use of the property and its development potential or require its conversion to a conforming use at a later time. In resolving what form of action is appropriate Council staff will obtain appropriate legal advice.</p> <p>4.49 The General Manager, Director Planning, Manager Compliance, Compliance Team Leader or investigating Officer of the Council will recommend when specific matters should be referred for legal action.</p> | <p>caused by the unlawful activity;</p> <ul style="list-style-type: none"> <li>• The seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature;</li> <li>• The time period that has lapsed since the date of the unlawful activity.</li> </ul> <p><b>Considerations about the alleged offender:</b></p> <ul style="list-style-type: none"> <li>• Any prior warnings, instruction, advice that was issued to the person or organization reported or previous enforcement action taken against them;</li> <li>• Whether the offence was committed with intent;</li> <li>• Whether the person or organization reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions;</li> <li>• Any mitigating or aggravating circumstances demonstrated by the alleged offender;</li> <li>• Any particular circumstances of hardship affecting the person or organization reported.</li> </ul> <p><b>Considerations about the impact of any enforcement action:</b></p> <ul style="list-style-type: none"> <li>• The need to deter any future unlawful activity;</li> <li>• Whether an educative approach would be more appropriate than a coercive approach in resolving the matter;</li> <li>• The prospect of success if the proposed enforcement action was challenged in court;</li> <li>• The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;</li> <li>• What action would be proportionate and reasonable in response to the unlawful activity;</li> <li>• Whether Council is prevented from taking action based on</li> </ul> |           |

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|          |                  | <p>earlier advice given, i.e. whether an estoppel situation has been created.</p> <p><b>Considerations about the potential for remedy:</b></p> <ul style="list-style-type: none"> <li>• Whether the breach can be easily remedied</li> <li>• Whether it is likely consent would have been given for the activity if it had been sought</li> <li>• Whether there is a draft planning instrument on exhibition that would make the unauthorized use legal.</li> </ul> <p><b>Legal or technical issues:</b></p> <ul style="list-style-type: none"> <li>• Where legal and/or technical issues are in question, Council staff will consider whether legal advice or professional advice from duly qualified staff or other experts should be obtained and considered. Council may also require a person subject to possible enforcement action to obtain professional advice in relation to issues of concern to Council for assessment as to whether further action is required.</li> </ul> <p><b>Requirements of Council staff considering enforcement action:</b></p> <ul style="list-style-type: none"> <li>• Prior to taking enforcement action, Council staff will take into account the above considerations as well as the evidence gathered during their investigation. Council staff must act impartially, be mindful of their obligations under Council's Code of Conduct and not act as a decision-maker in relation to any matter in which they have a personal interest. Enforcement action will not be taken purely as a response to the conduct of an individual such as persistent demands or threats.</li> <li>• Council staff are required to</li> </ul> |           |

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|          |                  | <p>maintain records about critical thinking and decision making processes in relation to reports alleging unlawful activity and any enforcement action, as well as records of interactions with relevant parties. Council staff will at all times adhere to Council's internal approval processes prior to the commencement of any enforcement action.</p> <ul style="list-style-type: none"> <li>• Council staff will take steps to ensure that any enforcement action is taken against the correct person or organization. Where there are multiple possible parties to an alleged unlawful activity, Council staff will be guided by legal advice in determining the appropriate persons to pursue.</li> </ul> <p><b>OPTIONS FOR DEALING WITH CONFIRMED CASES OF UNLAWFUL ACTIVITY</b></p> <p>4.47 Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach. Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.</p> <p>At all times, Council's key concerns are:</p> <ul style="list-style-type: none"> <li>• To prevent or minimise harm to health, welfare, safety, property or the environment</li> <li>• To influence behaviour change for the common good and on</li> </ul> |           |

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|          |                  | <p>behalf of the community</p> <p>The following enforcement options to be considered by Council are ordered to reflect an escalation in response that is proportionate to the level of risk, the seriousness of the confirmed breach or the need for a deterrent:</p> <p>Level of risk    Enforcement options</p> <p>Minimal or No<br/>Action</p> <ul style="list-style-type: none"> <li>• Take no action on the basis of a lack of evidence or some other appropriate reason</li> <li>• Provision of information/advice on how to be compliant</li> </ul> <p>Medium</p> <ul style="list-style-type: none"> <li>• Negotiating with the person to obtain voluntary undertakings or an agreement to address the issues of concern</li> <li>• Issuing a warning or a formal caution</li> <li>• Issuing a letter requiring work to be done or activity to cease in lieu of more formal action</li> <li>• Issuing a notice of intention to serve an order or notice under relevant legislation, and then serving an order or notice if appropriate and may include the issuing of a penalty notice.</li> </ul> <p>High</p> <ul style="list-style-type: none"> <li>• Issuing a penalty notice</li> <li>• Carrying out the works specified in an order at the cost of the person served with the order</li> <li>• Commence legal proceedings for an offence against the relevant Act or Regulation</li> </ul> <p>Extreme</p> <ul style="list-style-type: none"> <li>• Seeking an injunction through the courts to prevent future or continuing unlawful activity</li> <li>• Commence legal proceedings for an offence against the relevant Act or Regulation</li> </ul> <p>(NB: this is a guide only and each issue is assessed on its merits and circumstances. Some</p> |           |

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|          |                  | <p>offences such as parking may be dealt with using penalty notice due to the transient nature of the offence and the impracticality of using notices and orders to deal with the issue)</p> <p><b>Following up enforcement action:</b></p> <p>All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advice, directions or orders issued by Council. Reports alleging continuing unlawful activity will be assessed and further action taken if necessary. If the unlawful activity has ceased or the work has been rectified, the matter will be resubmitted for follow up action to ensure ongoing compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.</p> <p><b>TAKING LEGAL ACTION</b></p> <p>4.48 The Council and its delegated staff will be guided by legal advice in deciding whether to commence criminal or civil proceedings and will consider the following;</p> <ul style="list-style-type: none"> <li>• Whether there is sufficient evidence to establish a case to the required standard of proof</li> <li>• Whether there is a reasonable prospect of success before a court</li> <li>• Whether the public interest warrants legal action being pursued</li> </ul> <p><b>Whether there is sufficient evidence to establish a case to the required standard of proof</b></p> |           |

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|          |                  | <p>Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.</p> <p>The basic requirement of any criminal prosecution is that the available evidence establishes a prima facie case. The prosecutor is required to prove the elements of the offence beyond reasonable doubt.</p> <p>In civil enforcement proceedings, Council will require sufficient evidence to satisfy the court that an actual or threatened breach has occurred on the balance of probabilities.</p> <p><b>Whether there is a reasonable prospect of success before a court</b></p> <p>Given the expense of legal action Council will not take legal action unless there is a reasonable prospect of success before a court. In making this assessment, Council staff will consider the availability, competence and credibility of witnesses, the admissibility of the evidence, all possible defences, and any other factors which could affect the likelihood of a successful outcome.</p> <p><b>Whether the public interest requires legal action to be pursued</b></p> <p>The principal consideration in deciding whether to commence legal proceedings is whether to do so is in the public interest. In making this determination, the same factors to be considered</p> |           |

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|          |                  | <p>when taking enforcement action apply (see Section 20).</p> <p>The following considerations relate more specifically to the decision to commence legal proceedings and will assist Council and its delegated staff in making this determination:</p> <ul style="list-style-type: none"> <li>• The availability of any alternatives to legal action</li> <li>• Whether an urgent resolution is required (court proceedings may take some time)</li> <li>• The possible length and expense of court proceedings</li> <li>• Any possible counter-productive outcomes of prosecution</li> <li>• What the effective sentencing options are available to the court in the event of conviction</li> <li>• Whether the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive</li> </ul> <p>Time within which to commence proceedings:</p> <p>Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.</p> <p><b>RECOVERY OF FINES AND LEGAL COSTS:</b></p> <p>Council's policy for recovery of costs in Courts is:</p> <ol style="list-style-type: none"> <li>a) To seek to recover fair and reasonable costs in all matters where costs are recoverable, either by consent or by order of the court;</li> <li>b) To seek to recover the penalty imposed by the court where such penalty is imposed;</li> <li>c) Consider any recommendations of its legal representative/s to accept a lesser amount than the full legal cost if the acceptance</li> </ol> |           |

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|                                  |   | <p>will result in Council not incurring further and unnecessary legal costs.</p> <p><b>COMMUNITY AWARENESS</b></p> <p>4.49 Council will take every opportunity to promote ongoing community awareness in regard to compliance/enforcement. This may include but is not limited to, website references, the publication of press releases and the periodic inclusion in any community newsletters with a view to improving community confidence and awareness.</p> <p>4.50 Awareness initiatives that focus on residents, developers and business operators will adopt an educational approach designed to engage and promote:</p> <p>4.50.1 an awareness of the spirit and content of this Policy;</p> <p>4.50.2 the minimisation of non-compliance by improving the knowledge of legislation within the community;</p> <p>4.50.3 the benefits of complying with the legislation and the consequences of not complying.</p> |                         |
| 5. Responsibility/Accountability | <p>5. RESPONSIBILITY/ACCOUNTABILITY</p> <p>5.1 This policy applies to the following Council officers:</p> <p>5.1.1 Team Leader – Compliance</p> <p>5.1.2 Senior Compliance Officers</p> <p>5.1.3 Senior Environmental Health Officers</p> <p>5.1.4 Rangers</p> <p>5.1.5 Animal Control Officers</p> <p>5.1.6 Parking Officers</p> | <p>5. RESPONSIBILITY/ACCOUNTABILITY</p> <p>5.1 This policy applies to the following Council officers:</p> <p>5.1.1 Manager – Compliance</p> <p>5.1.3 Compliance Officers</p> <p>5.1.4 Environmental Health Officers</p> <p>5.1.5 Rangers</p> <p>5.1.6 Animal Control Officers</p> <p>5.1.7 Parking Officers</p>   | Minor changes to titles |



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|                        | <p>5.1.7 All of Council's staff undertaking compliance activities.</p> <p>5.2 The policy encompasses the entire Wollondilly Shire.</p>   | <p>5.1.8 All of Council's staff undertaking compliance activities.</p> <p>5.2 The policy encompasses the entire Wollondilly Shire.</p>   |  |
| 6. RELATED POLICIES    | <p>6. RELATED POLICIES</p> <p>6.1 Complaint Handling Policy – GOV0054</p> <p>6.2 Code of Conduct</p> <p>6.5 Enforcement Guidelines for Council's - NSW Ombudsman</p> <p>6.6 NSW Department of Planning Practice Note – Exercising Discretion</p> <p>6.7 This Policy is principally based on the 'Enforcement Guidelines for Councils, published by the Office of the NSW Ombudsman, June 2002.</p>   | <p>6. RELATED POLICIES/ PROTOCOLS/ CHARTERS</p> <p>Additional Policies/Protocols</p> <p>6.3 Dealing with Unreasonable Customer Contact</p> <p>6.4 Customer Services Charter</p>  | Additional policies/protocols that relate to this Policy |
| 7. Related Procedures  | <p>7. RELATED PROCEDURES</p> <p>7.1 Nil</p>  | <p>7. RELATED PROCEDURES</p> <p>7.1 Swimming Pool Audit Program</p>  | New additional program                                   |
| 8. Related Legislation | <p>8. RELATED LEGISLATION</p> <p>8.1 This policy applies in relation to compliance and enforcement of all NSW Legislation administered by Council, including Council staff delegated to initiate various levels of enforcement action is set out in Council's Delegation Register. The legislation applicable to the delegations is as follows:</p> <p>8.1.1 Road Rules 2008</p> <p>8.1.4 Protection of the Environment Operations Act, 1998 (NSW)</p> <p>8.1.8 Public Health Act, 1991 (NSW)</p> <p>8.1.12 Food Act, 1989 (NSW)</p> | <p>8.1 This policy applies in relation to compliance and enforcement of all NSW Legislation administered by Council, including Council staff delegated to initiate various levels of enforcement action is set out in Council's Delegation Register. The legislation applicable to the delegations is as follows:</p> <p>8.1.1 Australian Road Rules 2014</p> <p>8.1.4 Protection of the Environment Operations Act, 1997(NSW)</p> <p>8.1.8 Public Health Act, 2010 (NSW) 2010</p> <p>8.1.11 Food Act, 2003 (NSW)</p> <p>8.1.13 Boarding Houses Act 2012</p> <p>8.1.14 Contaminated Land Management Act 1997</p> | Update of applicable legislation                         |

| Location       | Previous Wording            | New Wording  | Reasoning  |
|----------------|-----------------------------|--|--|
|                |                             | <p>8.1.15 Crown lands Act 1989</p> <p>8.1.16 Fines Act 1996</p> <p>8.1.17 Motor Dealers &amp; Repairers Act 2013</p> <p>8.1.18 Roads Regulations 2008</p> <p>8.1.19 Building Professionals Act 2005</p> <p>8.1.20 The regulations relating to the above Acts</p>   |  |
| 9. Definitions | New Addition Attachment 9.3 | <p>9.1 The following are the definitions of key terms in this policy:</p> <p><b>ABN/ACN:</b> Australian Business/Company Number.</p> <p><b>Administration fee:</b> A prescribed fee imposed in some legislation to cover the cost of the service of a notice/order and re-inspection fee and adopted by Council in the annual Schedule of Fees and Charges.</p> <p><b>ARA:</b> Appropriate Regulatory Authority, a term under the Protection of the Environment Operations Act 1997.</p> <p><b>Authorised Officer:</b> A Council Officer with delegated authority to carry out specific duties and take any necessary enforcement action. Such officers carry specific Authorities under various Acts which include prescribed powers of entry to certain properties.</p> <p><b>BCA:</b> Building Code of Australia, part of the National Construction Code series.</p> <p><b>BPB:</b> Building Professionals Board.</p> <p><b>CAN:</b> Court Attendance Notice used to commence proceedings in the Local Court.</p> <p><b>CRM:</b> Customer Request</p> | Adopted under the Model Compliance and Enforcement Policy- as prepared by Ombudsman's Office |

| Location | Previous Wording | New Wording   | Reasoning |
|----------|------------------|---|-----------|
|          |                  | <p>Management, an electronic Council computer reporting system that registers and records requests for action, compliments and requests for service.</p> <p><b>Caution:</b> A formal warning given instead of a penalty advising enforcement action will follow if there is a recurrence, any consideration to issue a “Caution” should be in accordance with the Caution Guidelines issued by the NSW Attorney General under section 19 (1) (a) (1) of the Fines Act.</p> <p><b>Cautioning:</b> The verbal process an officer is required to issue to an alleged offender once the officer has considered an offence has occurred and the officer may use any subsequent statement/s made by the alleged offender as evidence.</p> <p><b>Civil Proceedings:</b> Include:</p> <ul style="list-style-type: none"> <li>• Notices, Orders and Directions issued pursuant to various legislation;</li> <li>• Class 4 proceedings in the Land and Environment Court seeking an order to remedy a breach of the Environmental Planning and Assessment Act, the Local Government Act, the Protection of the Environment Act or any other Act, if the breach is causing or is likely to cause harm to the environment;</li> <li>• Interlocutory relief for matters causing or with reasonable potential to cause serious environmental harm. In such proceedings it is likely the Council would be required to provide an undertaking as to damages.</li> </ul> <p><b>Complaint:</b> A complaint is an expression of dissatisfaction made about Council services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. For the purposes of this policy, a</p> |           |

| Location | Previous Wording | New Wording   | Reasoning |
|----------|------------------|---|-----------|
|          |                  | <p>complaint does not include:</p> <ul style="list-style-type: none"> <li>• a report alleging unlawful activity (see definition below)</li> <li>• a request for information about a Council policy or procedure</li> <li>• a request for an explanation of actions taken by Council</li> <li>• a request for internal review of a Council decision.</li> </ul> <p><b>Complainant:</b> A customer lodging a request for action to Council.</p> <p><b>Council:</b> Wollondilly Shire Council.</p> <p><b>Criminal Proceedings:</b> Includes:</p> <ul style="list-style-type: none"> <li>• the issuing of a penalty notice;</li> <li>• prosecuting an offence in the Local Court with the use of a Court Attendance Notice;</li> <li>• prosecuting for an offence in the summary jurisdiction of the Land and Environment Court (Class 5 proceedings).</li> </ul> <p><b>Defendant:</b> An alleged offender against whom action is being taken in Court.</p> <p><b>Enforcement:</b> Actions taken in response to serious or deliberate contraventions of laws.</p> <p><b>EP&amp;A Act:</b> The Environmental Planning and Assessment Act 1979.</p> <p><b>Estoppel:</b> Legal rule of evidence.</p> <p><b>Fines Act:</b> Fines Act 1996.</p> <p><b>GIPAA:</b> The Government Information (Public Access) Act 2009.</p> <p><b>ICAC:</b> Independent Commission Against Corruption.</p> <p><b>Informant:</b> the person who brings criminal proceedings.</p> <p><b>Issuing Agency:</b> Council.</p> <p><b>Issuing Officer:</b> the Council Officer authorised to issue a penalty notice</p> |           |

| Location | Previous Wording | New Wording  | Reasoning |
|----------|------------------|--|-----------|
|          |                  | <p>for an offence.</p> <p><b>LGA:</b> Local Government Act 1993.</p> <p><b>Offence:</b> An offence under NSW legislation.</p> <p><b>PCA:</b> Principal Certifying Authority.</p> <p><b>PIN or Penalty Notice</b> - Penalty Infringement Notice (or Penalty Notice) occasionally referred to as an “on the spot fine”.</p> <p><b>Plaintiff:</b> The person commencing civil proceedings.</p> <p><b>Prima facie:</b> Presentation of sufficient evidence to support a legal claim.</p> <p><b>Procedural Fairness:</b> Procedural fairness relates to the use of fair and proper procedures as part of the decision making process.</p> <p><b>POEO:</b> The Protection of the Environment Operations Act 1997.</p> <p><b>Respondent:</b> The party against whom civil proceedings are brought.</p> <p><b>Regulation:</b> Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.</p> <p><b>Report alleging unlawful activity:</b> An expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly or implicitly expected or legally required.</p> <p><b>SDRO:</b> State Debt Recovery Office which produces the Fixed Penalty Handbook for the issue of penalty notices.</p> <p><b>Technical breach:</b> A breach to the provisions of an Act, Regulation, Notice, Order, Direction or Development Consent.</p> |           |

| Location                     | Previous Wording   | New Wording   | Reasoning      |
|------------------------------|--|---|----------------|
|                              |  | <p><b>Unauthorised/ unlawful activity:</b><br/>Any activity that is:</p> <ul style="list-style-type: none"> <li>• contrary to the terms or conditions of a development consent, approval or permission;</li> <li>• contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;</li> <li>• contrary to a legislative provision regulating particular activity of work;</li> <li>• without a required development consent, approval, permission or licence;</li> <li>• contrary to legislation for which the Council is the appropriate regulatory authority;</li> <li>• and includes any activity, place or structure which is a risk to public health and safety but excludes any parking or traffic offences which are dealt with in accordance with the Australian Road Rules</li> </ul> |                |
| 11. Implementation Statement | <p>11.1 To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at Councillors, staff and Council representatives and will involve:</p> <p>11.1.1 The draft policy will be placed on public exhibition.</p> <p>11.1.2 The draft policy has been presented to a Councillor workshop.</p> <p>11.1.3 Information sessions will be conducted with the staff on the implementation of the draft policy.</p> | <p>11.1 To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at Councillors, staff and Council representatives and will involve:</p> <p>11.1.1 The draft policy will be placed on public exhibition.</p> <p>11.1.2 Information sessions will be conducted with the staff on the implementation of the draft policy.</p>  | 11.1.2 deleted |

# PE6 Attachments

1. Report to the Ordinary Meeting of Council held Monday 20 February 2017.
2. Minutes of the Ordinary Meeting of Council held Monday 20 February 2017.

**Tuesday 18 April 2017**

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PE6 – Inclusion of Lot 2 DP 243776 into Draft Planning  
Proposal – West Tahmoor Minimum Lot Size  
Amendment No. 2

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 20 February 2017

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

**PLANNING AND ECONOMY**

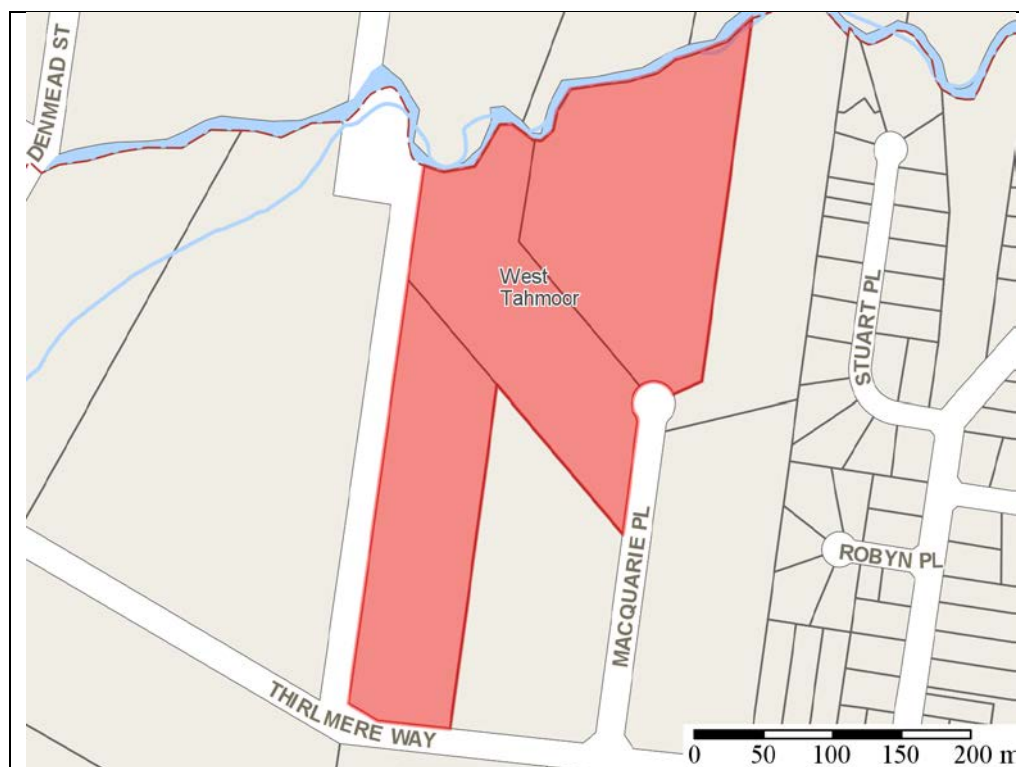
**PE1 Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No. 2**

265508

TRIM 8154-2

**Applicant:**  
**Owner:**

**Precise Planning**  
**Mr J E Baxter & Mrs M H Baxter and Abax Contracting Pty Limited**



**LOCATION MAP** ↑  
**N**

| Stage                                    | Completed                       |
|--|---------------------------------|
| Preliminary notification                 | 28 September to 12 October 2016 |
| Gateway Determination                    | Not completed                   |
| Consultation with Public Agencies        | Not completed                   |
| Specialist Studies                       | Not completed                   |
| Public exhibition/community consultation | Not completed                   |
| Referred to Minister for Publication     | Not completed                   |

**Planning & Economy**



**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

**EXECUTIVE SUMMARY**

- A Draft Planning Proposal has been received for Lots 2, 3, & 4 DP 243776 at 125 Thirlmere Way Tahmoor and 21 & 25 Macquarie Place Tahmoor.
- The draft proposal seeks the following changes to the Wollondilly Local Environmental Plan, 2011:
  - To amend the Lot Size Map from a minimum lot size category of 4000m<sup>2</sup> and 2000m<sup>2</sup> (related to the Northern and Western portions of the site) to 450m<sup>2</sup> across the whole site.
  - To amend the Land Zoning of a small northern portion of the site from R2 Low Density Residential to E2 Environmental Conservation.
- The application has been subject to initial notification and there were four (4) submissions in response. Three (3) were in objection, zero (0) were in support and one (1) was neutral.
- Under legislation, a person who makes a relevant planning application or public submission is required to disclose any reportable political donations. The disclosure requirements extend to any person with a financial interest in the application or any associate of the person making a public submission. No disclosure of political donation has been made in association with this application.
- It is recommended that:
  1. Council supports the preparation of a planning proposal in an amended form that would rezone a portion of the land from a residential zone to an environmental protection zone and also amend the minimum lot size for subdivision.
  2. The portion of land proposed to be zoned E2 Environmental Conservation be expanded to include at least all “sensitive land” identified on the Natural Resources – Water Map.
  3. Council not support reducing the minimum lot size for subdivision along the western boundary.

**REPORT**

**1.1 DESCRIPTION OF THE PROPOSAL**

The Draft Planning Proposal (PP), known as West Tahmoor Minimum Lot Size Amendment No.2 Tahmoor, promotes an amendment to the minimum lot size map of approximately 3.5 ha of low density residential land to allow for a smaller allotment size of 450m<sup>2</sup>. A copy of the amended Lot Size Map as submitted by the proponent is provided in Attachment 1.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

The draft planning proposal can be separated into two components; the land along the northern boundary referred to as “Land Adjoining Myrtle Creek” and “Land along the Western Boundary”.

Land Adjoining Myrtle Creek (riparian corridor)

This component of the proposal is to rezone a portion of the land to the north of the site adjacent to Myrtle Creek from R2 Low Density Residential to E2 Environmental Conservation zone and to reduce the minimum lot size for subdivision from 4000m<sup>2</sup> to 450m<sup>2</sup>.

The land proposed for the E2 Environmental Conservation zone will encompass nearly but not all “sensitive land” currently identified on the Natural Resources - Biodiversity Map (NRB) and the Natural Resources - Water Map (NRW) which form part of the Wollondilly LEP 2011. A copy of the proposed amendment to land zoning map submitted by the proponent is provided in Attachment 2.

The current minimum lot size of 4000m<sup>2</sup> of this portion of the site would potentially allow for the future development of around 5 lots. Under the proposed amendments the estimated lot yield for this area (outside of the proposed E2 zone) is 26 lots.

Land along Western Boundary (rural/urban interface)

The second component is to reduce the minimum lot size for subdivision for land located along most of the western boundary of the site from 2000m<sup>2</sup> to 450m<sup>2</sup>. This request is based on the intention that any clearing of vegetation in this area will be offset.

The current minimum lot size for subdivision for this portion of the site would potentially allow the area to be subdivision into approximately 7 lots, while the estimated yield under the proposed amendments will be 31 lots.

If supported in the form submitted by the proponent, the proposal as a whole has the potential to enable approximately 57 additional new lots at this location.

**1.2 SITE DESCRIPTION**

The PP is located within three principle allotments that are in the ownership of two land holders.

The site forms part of the West Tahmoor Precinct and was part of the Picton Thirlmere Tahmoor New Urban Lands (PTT) Urban Lands gazetted on 31 January 2014 (LEP Amendment No. 3).

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

The land to which the Planning Proposal relates, consists of three (3) lots known as, Lot 2 DP 243776, Lot 3 DP 243776 and Lot 4 DP 243776 which comprise a total area of 6.82 ha.

Moderate to dense vegetation is situated in many parts of the site, most notably along the western boundary of Lot 2, the northern boundary of Lots 3 and 4, and the western and south western boundary of Lot 4.

The land slopes gently down towards the north before progressing to a steeper decline towards the northern boundary adjoining Myrtle Creek.

The site is zoned R2 Low Density Residential and contains three distinct minimum lot size areas under WLEP 2011. These include an area to the north of the site which has a minimum lot size of 4000m<sup>2</sup>, a portion along the western boundary which has a minimum lot size of 2000m<sup>2</sup> with the remainder of the site having a minimum lot size of 450m<sup>2</sup>.

Surrounding Lands

The land is located on the periphery of the Tahmoor residential precinct and is bound to the west by an unformed road.

To the immediate west of the unformed road is zoned RE1 Public Recreation and is currently used as an equestrian facility which is operated by the Tahmoor Pony Club. This recreational land provides a buffer between the urban borders of Tahmoor and Thirlmere.

Land to the south is also zoned RE1 Public Recreation and consists of recreational land which is used for sporting fields and netball courts. This land provides a southern buffer between the Tahmoor residential and the rural land.

Lots to the immediate east of the site consist of R2 Low Density Residential zoned land and include an existing retirement village.

A corridor of land on the other side of Myrtle Creek, to the north of the site, is zoned E2 Environmental Conservation and is in private ownership. This land comprises remnants of Shale Sandstone Transition Forest and creates a northern buffer between the residential areas of Tahmoor and Thirlmere.

**1.3 PLANNING PROPOSAL BACKGROUND – PTT URBAN LANDS**

The land in this draft proposal was recently rezoned for residential development in January 2014 under LEP Amendment No. 3. The site was located within the West Tahmoor precinct which was one of six (6) precincts within the PTT amendment.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

The amendment, as it related to the West Tahmoor precinct, involved:

- Rezoning the land from its previous rural zone to R2 Low Density Residential across the whole site
- Changing the lot size across the majority of the site to 450m<sup>2</sup> and applying a larger minimum lot size to constrained areas near Myrtle Creek of 4000m<sup>2</sup> and along the western boundary of 2000m<sup>2</sup>
- Applying a maximum building height for development
- Protecting sensitive land in terms of biodiversity and water resources by identifying land within the site on the Natural Resources – Biodiversity Map and Natural Resources – Water Map.

Larger minimum lot sizes were applied to areas within the PTT precincts containing riparian land, land of biodiversity value and land on the rural-urban interface. For the West Tahmoor site larger lots (4000m<sup>2</sup>) were required along the northern edge of the site adjoining Myrtle Creek and along the western boundary to provide a “transition between urban and rural lands” (2000m<sup>2</sup>). In part, the larger lot sizes on this site are also necessary to ensure that Asset Protection Zones to provide adequate bush fire protection can be accommodated within the site.

This draft proposal is the second draft planning proposal which has been submitted to Council to effectively reconsider aspects of the original PTT amendments.

The previous draft proposal was submitted in July 2014 and subsequently withdrawn by the proponent in May 2015 as the proposed amendments were considered unlikely to be supported by Council.

The table below provides an overview of the current provisions which apply to the site and those which have been proposed since the Amendment No. 3:

|                               | Site  | Land Use Zone              | Minimum Lot Size (sqm) | Comment |
|-------------------------------|---|----------------------------|------------------------|---------|
| <b>Current LEP Provisions</b> | Land Adjoining Myrtle Creek (riparian corridor)     | R2 Low Density Residential | 4,000                  |         |
|                               | Land along western boundary (rural/urban interface) | R2 Low Density Residential | 2,000                  |         |

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 20 February 2017

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

|   |   |                             |     |   |
|---|---|-----------------------------|-----|---|
| <b>West Tahmoor Lot Size Amendment (earlier withdrawn planning proposal)</b>          | Land Adjoining Myrtle Creek (riparian corridor)     | R2 Low Density Residential  | 700 | Report prepared for the Ordinary Meeting of Council on 18 May 2015 which recommended Council not support the proposal. The draft planning proposal was subsequently withdrawn by the proponent. |
|   | Land along western boundary (rural/urban interface) | R2 Low Density Residential  | 700 |   |
| <b>West Tahmoor Minimum Lot Size Amendment No.2 (current draft planning proposal)</b> | Land Adjoining Myrtle Creek (riparian corridor)     | E2 Environmental Protection | 450 | The draft proposal seeks to dedicate land to be zoned E2 Environmental Protection to Council for a nature reserve.  |
|   | Land along western boundary (rural/urban interface) | R2 Low Density Residential  | 450 | The proposal seeks the basis for a smaller minimum lot size on the basis of clearing vegetation in this area with an offsetting arrangement.  |

**Planning & Economy**

**2. CONSULTATION**

**2.1 FORMAL CONSULTATION WITH COUNCIL STAFF THAT PROVIDE SPECIALIST COMMENT**

The following comments on the Planning Proposal were received from Council staff:

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

**Infrastructure and Planning**

Council's Infrastructure and Planning team have advised that the area of 'sensitive land' identified on the Natural Resources – Water Map (NRW) which forms part of the Wollondilly LEP 2011 was increased to from 30m to 50m under LEP Amendment No. 3 to ensure better protection of the creek.

The proposed E2 Environmental Conservation zone does not appear to encompass the full extent of the mapped NRW layer overlay and so the E2 area should be increased to include a greater extent of land currently identified on the Natural Resources – Water Map and Natural Resources Biodiversity Map in the LEP.

It was also highlighted that there have been some difficulties with maintaining the land designated as protected via the LEP mapping overlays and so it is thought that the proposed environmental zoning, in addition to the overlay, will better protect the creek. Providing that, all development (including water quality facilities as far as possible) is excluded within this zone.

**Environmental Services**

Councils' Environmental Services Team have advised that they are not supportive of the proposal as the current LEP provisions are viewed as being inadequate to protect the vegetation at this location.

The Local Environment Study (LES) report prepared by Biosis (in support of the PTT Planning Proposal in 2014) identified the western and northern parts of the site (those largely proposed to have minimum lots of 450m<sup>2</sup>) as comprising of Critically Endangered Ecological Community Shale/Sandstone Transition Forest and that the site adjacent to Myrtle Creek and the south western part of the site had the highest potential for occurrence of threatened species and was considered the more resilient areas of bushland.

Priority Mapping endorsed by Council in December 2015 identified land on the Western border as having the second highest category in terms of priority for protection and the proposed 450m<sup>2</sup> allotments will not allow for the location and design of development which would avoid any adverse environmental impact on the Natural Resource Biodiversity (NRB) Layer, (which covers this part of the site), in accordance with Section 7.2(4) of the Local Environmental Plan.

In addition to this the proposed area zoned for E2 Environmental Conservation does not include significant portions of the site currently covered by the Natural Resources Biodiversity Layer and it has not been demonstrated that the E2 zone would adequately offset biodiversity losses associated with the revised proposal.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

Acquisition of the proposed E2 zoned land by Council is not warranted from an environmental perspective given the strong unlikelihood of a riparian corridor being established adjacent to Myrtle Creek as a result of private land to the east and Crown Land to the west.

Environmental Services are supportive of the alternative approach recommended in this report, as the establishment of the extended E2 zone to incorporate all of the Natural Resources Water (NRW) layer is viewed as a stronger form of protection.

**Land & Property Panel (LPP)**

The draft planning proposal indicates an intention to dedicate the land proposed to be rezoned to E2 Environmental Conservation adjoining Myrtle Creek to Council for use as a nature reserve.

This dedication of the proposed E2 zoned land was considered by Council's Land and Property Panel (LPP) at its meeting held 9 November 2016. At this meeting the LPP concluded that there is no merit in the dedication of this land to Council and recommended that the proposed E2 zoned land to remain in private ownership for the following reasons:

- Acquiring this asset when not strategically required would be contrary to best practice asset management
- There is concern with accessing the site, ongoing maintenance, flood and bushfire issues
- The proposed funding is insufficient/low
- There is concern with the potential legal implications of taking on the ownership of the creek bed/watercourse.

**2.2 CONSULTATION WITH PUBLIC AGENCIES**

If the Planning Proposal is supported by Council and forwarded to the Greater Sydney Commission, any subsequent Gateway Determination will outline the consultation requirements with government agencies.

No agencies have been consulted at this preliminary stage.

**2.3 COMMUNITY CONSULTATION**

In accordance with Council's notification policy, initial community consultation has been undertaken. The application was made available on Council's website and letters were sent to owners and occupiers of adjoining and potentially affected properties.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

A total of **4** submissions were received and of these submissions; **3** objected, **0** supported and **1** submission was neutral.

Of those objecting, one submission was from the Wollondilly Pony Club and the other two were from land owners from Tahmoor and Thirlmere.

The issues raised in submissions that are relevant to the assessment of the application are summarised in the following table.

| Issue Raised   | Assessment Comment  |
|--|---|
| <p><b>Land dedication</b><br/>The transfer of land to Council will need to be considered by the Property Panel</p>   | <p>The proposal to dedicate land to Council was considered by the Land &amp; Property Panel (LPP) at its meeting on 9 November 2016. Where it was recommended that any land proposed to be zoned E2 Environmental Conservation remain in private ownership.</p>   |
| <p><b>Environmental impact</b></p> <ul style="list-style-type: none"> <li>▪ Buffer Zone should be widened (enlarged),</li> <li>▪ The nature strip should be enlarged to protect our wildlife. Bower birds have lived there for 20 years,</li> <li>▪ Native orchids grow there as part of the Cumberland Plain</li> </ul> | <p>Previous studies prepared to support amendment No.3 to the WLEP 2011 have shown that the site typically supports a high level of fauna habitat features that are important in the maintenance of native fauna diversity and life cycles.</p> <p>Extension of the buffer zone has also been highlighted during internal consultation with Council staff.</p> <p>This report recommends increasing the area proposed to be rezoned for environmental protection purposes so that it aligns with the area identified for water protection on the Natural Resources – Water Map which forms part of the WLEP 2011.</p> |
| <p><b>Traffic &amp; parking</b></p> <ul style="list-style-type: none"> <li>▪ Thirlmere Way will not cope with additional traffic. It is already next to impossible to connect with Milne Street in the morning.</li> </ul>   | <p>This comment appears to relate to the future development of the whole site. Traffic impacts would have been considered as part of the original planning proposal to rezone the land for future development. The addition of approximately 57 new lots is not viewed as being significant enough to require a new study. The planning proposal was referred to Council’s Infrastructure and Planning unit who did not identify the need for a traffic study to be undertaken.</p>   |



**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

|   |  |
|---|--|
|   | The site is located within a designated Urban Release Area and so developer contributions towards the upgrade of State and Council infrastructure, including roads will be required at the development application stage.                          |
| <b>Conflict with rural living</b> <ul style="list-style-type: none"> <li>▪ Not Rural Living</li> <li>▪ Not compatible with rural living</li> </ul>  | The site is already zoned for residential purposes and has been identified for growth in Council's GMS.  |
| <b>Open space and recreation</b> <ul style="list-style-type: none"> <li>▪ No Land set aside for park or open space for children to play,</li> <li>▪ No open space is planned for kids to exercise.</li> <li>▪ All subdivisions should have open space</li> <li>▪ Maybe a community garden should be established</li> </ul>  | The site is located adjacent to public recreational space. Developer contributions towards Council owned infrastructure which include sports fields and parks will be required at the development application stage.                               |
| <b>Block sizes</b> <ul style="list-style-type: none"> <li>▪ The block size of 450 should be much larger,</li> <li>▪ Lot sizes shouldn't be reduced in size</li> </ul>   | <p>The proposed minimum lot size of 450m<sup>2</sup> is consistent with that of adjoining properties to the east of the site.</p> <p>This report discusses this issue in detail.</p>   |
| <b>Height of buildings</b> <ul style="list-style-type: none"> <li>▪ They will build double story which takes away more</li> </ul>   | The draft proposal does not seek to amend the maximum building height that applies to the site and there is not considered to be any planning grounds to restrict the height of part of this proposal.   |
| <b>Flooding and runoff</b> <ul style="list-style-type: none"> <li>▪ Concerns with runoff water that this development will cause. Myrtle Creek already takes vast amounts of water as shown by the June rains.</li> <li>▪ Further evidence of this is the flooding on the corner of Renmead and Leonard Street Thirlmere. Neighbour also has flooding out</li> </ul> | If the proposal proceeds a flood and stormwater management assessment will be required at the development application stage to establish that future subdivision of the site will not negatively impact on Myrtle Creek or surrounding properties. |

Planning & Economy

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

|  |  |
|--|--|
| <p>the front and sure this was caused by runoff from the Gumtree Estate at the top of Renmead Street.</p> <ul style="list-style-type: none"> <li>▪ Houses east of the proposal also suffered flooding</li> <li>▪ Reducing the lot size to 450sqm will add even more flooding pressure to Myrtle Creek</li> </ul> |  |
|--|--|

Planning & Economy

**2.4 PREPARATION OF A PLANNING PROPOSAL**

Should Council resolve to support the application, a Planning Proposal will be prepared in accordance with Section 55 to the *Environmental Planning and Assessment Act, 1979* and guidelines published by the Department of Planning and Environment. The Planning Proposal is then forwarded to the Minister for Planning and Environment for a Gateway Determination.

In deciding to forward a Planning Proposal to the Gateway process, Council is endorsing the Planning Proposal and it is deemed to be *Council's* Planning Proposal.

Council's options are:

1. Resolve to support the application in its original form and prepare a Planning Proposal accordingly. Matters can be more fully investigated and resolved with future specialist studies as determined by the Gateway process.
2. Resolve that a Planning Proposal be prepared in a form different to the application (and as described in Section 2.13 of this report). Matters can be more fully investigated and resolved with future specialist studies as determined by the Gateway process.
3. Resolve not to support a Planning Proposal for this site. The applicant can choose to apply for a Pre-Gateway Review as a result of this option.

Note that the application **has** been with Council for more than 90 days. The applicant can apply for a pre-Gateway review in accordance with the EP&A Regs, 2000 if Council fails to indicate support for the application within 90 days of receiving the application.

Option **2** is the recommendation of this report.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

**2.5 GATEWAY DETERMINATION**

When a Planning Proposal has been endorsed by Council, it is then forwarded to the Minister for Planning and Environment for a Gateway Determination. The Gateway process is a checkpoint for Planning Proposals before significant resources are committed to carrying out specialist studies and before extensive consultation with public agencies.

As part of the Gateway process, the Greater Sydney Commissioner will decide:

- whether the proposal is justified on planning grounds
- whether the Planning Proposal should proceed (with or without variation)
- whether the Planning Proposal should be re-submitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal)
- the community consultation required
- any consultation required with State and Commonwealth Agencies
- whether a public hearing by the Planning Assessment Commission or other specified person or body is required
- the timeframes for the various stages of the procedure to make the draft amendment
- whether the function of making the LEP is to be exercised by the Greater Sydney Commission or delegated to Council.

**2.6 METROPOLITAN PLAN FOR SYDNEY 2036**

An initial assessment indicates that the proposal appears to be in line with the policy objectives of A Plan for Growing Sydney as it seeks to allow for additional housing adjacent to an established residential area, has access to existing services and is in close proximity to existing community infrastructure.

The proposal to introduce an environment protection zone to the portion of the site that adjoins Myrtle Creek is also considered to be consistent with Strategic Direction G – Protecting Sydney’s Natural Environment, in regard to, objective G4 – To improve the Health of Waterways, Coasts and Estuaries. However the future loss of vegetation to the western portion of the site is considered to be inconsistent with this direction.

**2.7 DRAFT SOUTH WEST DISTRICT PLAN**

The priorities listed in the Draft South West District Plan that are relevant considerations for this proposal are as follows:

***Sustainability Priority 2: Maintain and improve water quality and waterway health***

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

The proposed land use zone 'E2 Environmental Conservation' will provide a higher protection of land adjoining Myrtle Creek than the current residential land use zone. However, it is considered that the proposed boundary should be extended to align with sensitive land identified on the Natural Resources – Water Map (NRW) which forms part of the WLEP 2011.

The associated clause 7.3 *Water protection* in the WLEP 2011 aims to maintain the hydrological functions of riparian land and waterway. The proposal in its current form is considered to be only partially consistent with this priority.

***Sustainability Priority 3: Avoid and minimise impacts on biodiversity***

The proposed land use zone 'E2 Environmental Conservation' will provide a higher protection of land adjoining Myrtle Creek than the current residential land use zone. However not all land identified on the Natural Resources - Biodiversity Map (NRB) which forms part of the Wollondilly LEP 2011 has been identified for this zone.

The associated clause 7.2 Biodiversity protection aims to maintain terrestrial and aquatic biodiversity. The proposal in its current form does not include all land protected by the NRB and so the proposal is only partially consistent with this priority.

**2.8 SECTION 117 MINISTERIAL DIRECTIONS**

Preliminary assessment of the proposal indicates that the proposal is largely consistent with the s117 Ministerial Directions, however further information may be required to establish that the proposed amendments to the Wollondilly LEP 2011 are consistent with the following:

- 2.1 Environmental Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection

If the draft proposal is supported and a Gateway Determination to proceed is issued further consideration of the relevant Ministerial Directions listed above will be required.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

**2.9 STATE ENVIRONMENTAL PLANNING POLICIES**

Preliminary assessment indicates that further information is required to establish that the proposed amendments to the Wollondilly LEP 2011 are consistent with the following SEPP's:

- SEPP No. 44 - Koala Habitat Protection
- SEPP No. 55 - Remediation of Land
- REP No. 20 - Hawkesbury–Nepean River (No 2 - 1997)

If a Gateway Determination is issued for the Planning Proposal specialist studies may be required to inform the Planning Proposal and address the requirements of the relevant SEPP's and deemed SEPP's.

**2.10 WOLLONDILLY GROWTH MANAGEMENT STRATEGY**

A summary of how the PP applies to the Wollondilly Growth Management Strategy (GMS) is provided in the table below:

| <b>Key Policy Direction</b>  | <b>Comment</b>  |
|--|---|
| <b>General Policies</b>  |   |
| P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council. | The proposal is considered to be inconsistent with key policy directions P2, P9 and P21.  |
| P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS).                                     | The current lot size is considered to be more consistent with the rural living requirements of the GMS as the larger lot sizes to the north and the west of the site would create a more suitable buffer to the rural and recreational lands. |
| P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.  | Four (4) submissions were received during the exhibition of the proposal and have been given due consideration within this report.  |
| P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.                | There have been no such representations regarding this proposal and therefore this key policy direction has been satisfied.   |

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

|   |   |
|---|---|
| <p>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</p> | <p>The proposal relates to land within an existing residential precinct, however, the larger lot sizes on the western and northern boundary of the site were established to address the environmental and physical features of the site. Therefore the proposed reduction of the lot sizes to 450sqm is considered to be contrary to this policy. However the introduction of an E2 zone to the north of the site may help to address this inconsistency.</p> |
| <p><b>Housing Policies</b></p>  |   |
| <p>P6 Council will plan for adequate housing to accommodate the Shire’s natural growth forecast.</p>  | <p>The proposed amendment to the minimum lot size maps on the site will contribute to the achievement of dwelling targets for the Shire which are contained in the GMS</p>  |
| <p>P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.</p>  | <p>The draft proposal would result in approximately 57 additional smaller and easier to maintain lots in close proximity to the business centre.</p>  |
| <p>P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the “rural fringe”).</p>  | <p>The current lot sizes of 4000m<sup>2</sup> and 2000m<sup>2</sup> ensure a larger lot size on the perimeter of the township and so a proposal to decrease these lot sizes on the periphery of the town is inconsistent with this policy.</p> <p>The proposal to introduce an environmental protection zone on identified environmentally sensitive land is seen as being consistent with this proposal.</p>   |
| <p>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</p>   | <p>The Planning Proposal is within an existing low density residential zone and is consistent in this regard.</p>   |

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

| <b>Macarthur South Policies</b>   |   |
|---|---|
| Key Policy Directions P11, P12, P13 and P14 are not applicable to this planning proposal. The subject land is not with the Macarthur South area.  | Not applicable to this planning proposal  |
| <b>Employment Policies</b>  |   |
| P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes.   | Not applicable to this planning proposal  |
| P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.  | Not applicable to this planning proposal  |
| <b>Integrating Growth and Infrastructure</b>  |   |
| P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community. | If the Planning Proposal is supported, the relevant agencies responsible for the provision of services and infrastructure (e.g. sewerage infrastructure) will be formally consulted to ensure that the service provision is adequate. |
| P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating   | The planning proposal relates to residential land within the existing village boundaries of the township of Tahmoor and is subsequently considered to be consistent with this policy direction.                                       |

Planning & Economy

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

|  |   |
|--|---|
| <p>new housing in and around our existing population centres.</p>  |   |
| <p>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</p>  | <p>The planning proposal is within an existing precinct and complies with this policy.</p>  |
| <p>P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</p>  | <p>The planning proposal relates to land within the West Tahmoor PTT precinct and is consistent with this policy.</p>   |
| <p><b>Rural and Resource Lands</b></p>   |   |
| <p>P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</p> | <p>The vegetation communities to the north of the site form part of a locally significant vegetation corridor of Myrtle Creek which has been identified on the Natural Resources - Biodiversity Map which forms part of the WLEP 2011.</p> <p>It is considered that the current 4000m<sup>2</sup> minimum lot size is more suitable for retaining and protecting this area and minimising degradation of this environmentally sensitive area. However, the application of an E2 zone to this areas may also act to protect this vegetation however further assessment will be required if the proposal proceeds to establish the extent of this protection.</p> <p>The proposal also seeks to remove significant vegetation that has been nominated within the Biodiversity Layer in the WLEP 2011 on the Western side of the site by way of an offsetting arrangement.</p> |
| <p>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands</p>  | <p>The lot size amendment is located on lands currently zoned R2 Low Density Residential and the requirements of this policy are achieved.</p>  |

Planning & Economy



**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

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|--|--|
| fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas. |  |
|--|--|

Planning & Economy

**2.11 SUMMARY OF ASSESSMENT**

Flora, Fauna and Riparian Land

The Local Environment Study undertaken by Cardno for the PTT rezoning stated that:

“Riparian corridor of Myrtle Creek should be maintained as a 50m corridor, protected future development by being included on the Natural Resources – Biodiversity Map. This corridor can be allocated within the future. Subdivision of the corridor should be limited to one to two lots to minimise fragmentation of the corridor. Vegetation along the corridor should be retained and managed.”

In addition to this, the previous flora and fauna study undertaken for the PTT rezoning indicated the presence of potential Koala feed trees within the corridor and referenced previous records of this species being in the locality of the site.

Council’s Environmental Services team is of the opinion that the current larger minimum allotment size, the application of the Biodiversity Protection clause in the WLEP 2011 (Clause 7.2) and the planning controls contained in the Wollondilly Development Control Plan are sufficient protection measures for the biodiversity present at the site.

The proponent argues that the proposal to apply an E2 Environmental Conservation zone to the riparian corridor (situated to the north of the site) should act to achieve the same outcomes for this location. However the proposal also seeks to use this zone as a trade-off for the future loss of the vegetation to the west of the site (also identified on the NRB map but viewed as being less important. However the actual benefit in relation to this loss needs to be calculated.

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The proponent also highlights that the current minimum lot size does not sufficiently protect the riparian corridor as dual occupancies are currently permissible under the Wollondilly Development Control Plan (DCP) 2016 within in an R2 zone on land larger than 800m<sup>2</sup> (for attached) 975m<sup>2</sup> (detached). This is not the case though as the planning controls for dual occupancy development in the Wollondilly Development Control Plan 2016 prohibits dual occupancy development on lots that are larger than 1400m<sup>2</sup> on land zoned R2 Low Density Residential.

Council's Infrastructure Planning team are supportive of the E2 Environmental Conservation zone as a means of providing more protection to Myrtle Creek and better achieving water quality outcomes, providing that the zone is extended to encompass the whole area at this location identified on the Natural Resources – Water Map which forms part of the Wollondilly LEP 2011 and currently apply to the site.

Council's Land & Property Panel do not support ownership and management of this land being transferred to Council due to the future financial and legal liability this land may present. Therefore, the future management of this area would need to rely on private management and conservation by way of either a Voluntary Planning Agreement or a Vegetation Management Plan.

This may be hard to manage if the land is divided among multiple owners. Conversely, it could also be argued that, if parcelled into a single ownership, there would be a disproportionate financial burden on the land owner. However by keeping within one to two owners there is a higher likelihood that the land could be bio-banked in the future, which would then generate an income to manage the land.

The Western Residential Border of Tahmoor

The site is located on the western residential border of Tahmoor with a recreational zone providing a buffer between rural land to the south and the residential border of Thirlmere to the west. The GMS advocates for lower densities on the edge of towns and villages in the location known as the rural fringe.

The site has been rezoned to a low density residential zone and is close proximity to the town centre and Tahmoor railway station. The site is also supported by a sealed walkway running along Thirlmere Way which directly links to the town centre and is a good location for smaller lot sizes.

The site is buffered by a recreation zone to the south and west and as such there appears and is on the rural interface of the residential and rural land in Tahmoor. The character of the land along this border is heavily vegetated and presents a rural outlook to the future houses to be located adjacent and is worth retaining for its conservation, buffering and aesthetic value.

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The current minimum lot size of 2000m<sup>2</sup> at this location has been identified in Volume 3 of the Wollondilly Development Control Plan 2016 (DCP) 3.4 Tahmoor West as being large lot residential to provide a transition between urban and rural lands.

**Recreation, Safety and Land Use Conflict**

The site also has good access to recreational space as it is adjacent to sporting fields, a children’s accessible playground and a skate park. The location of smaller lot housing in this area would enhance the use of this valuable community infrastructure and would provide better natural surveillance to an area that currently appears isolated.

Parking and noise from these spaces during sporting events and their impact on the future residents’ amenity and enjoyment of their homes is a consideration.

The potential for conflict in land use between the Wollondilly Pony Club and housing along the western border is another consideration. Smaller lots in this vicinity that are cleared of vegetation could potentially exacerbate noise and the amount of dust moving across to houses during events. Larger lots along this boundary can reduce the intensity of this interface by reducing the number of houses and vehicle movements and enables a greater setback and separation between uses. Both of these issues have potential to lead to significant conflict between home owners and sporting and recreational clubs.

**CONCLUSION**

In terms of the orderly development of the land and the protection of biodiversity and the waterway, Council is presented with three options. Council could not support the proposal and thereby retain the existing provisions within the Wollondilly LEP 2011; support the proposal in the form as submitted by the proponent or support the proposal in an amended form.

This report recommends supporting the planning proposal in an amended form in order to achieve greater protection of the riparian corridor along Myrtle Creek by rezoning an appropriate buffer to E2 Environmental Conservation zone. This buffer would include at least all ‘sensitive land’ associated with the riparian corridor which is currently protected by Clause 7.3 Water Protection and mapped on the Natural Resources – Water Map within Wollondilly LEP 2011. An E2 Environmental Conservation Zone for this land would also mirror and be consistent with the approach taken with vegetated riparian land on the northern side of Myrtle Creek.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

Given the intention to rezone the land for environmental protection purposes it is also considered appropriate to restrict the minimum lot size for subdivision so that the land can be retained, preferably in single ownership, or alternatively in two (2) lots. Site specific controls for this site in Volume 3 of the Wollondilly Development Control Plan already indicate this intention within the Structure Plan but controlling this aspect of future development through the LEP will provide more certainty over this outcome. It is suggested that increasing the minimum lot size from 4000m<sup>2</sup> to 5000m<sup>2</sup> could achieve this outcome but this should ultimately be determined after the extent of the E2 Environmental Conservation zone has been confirmed.

In light of these provisions it is considered appropriate to reduce the minimum lot size for subdivision from 4000m<sup>2</sup> to 450m<sup>2</sup> for those areas adjoining the E2 zone with the exception of the area adjoining the western boundary with Lot 380 in DP 751270. The 2000m<sup>2</sup> lot size which runs along the length of the western boundary should be extended to meet the line of the proposed E2 boundary. A minimum lot size of 450m<sup>2</sup> is not considered to be appropriate for land proposed to be zoned E2 Environmental Conservation.

Even though a minimum lot size of 450m<sup>2</sup> is considered to have merit these lots may still need to be larger in order to ensure adequate bushfire protection can be provided within the property boundary and this includes any required Asset Protection Zones (APZ). No APZ's should rely on or be located on land zoned for environmental protection. Larger lots may also be required to minimise removal of and/or impacts on vegetation both on the site and adjoining sites. This will be considered at the development application stage.

The draft proposal also seeks to reduce the minimum lot size along the western boundary from 2000m<sup>2</sup> to 450m<sup>2</sup> and indicates that the intention is to remove the vegetation in this area through an offsetting arrangement at the development application stage.

While portions of the western boundary are constrained by vegetation the main reason for large lots along this boundary was to provide a transition between urban and rural lands. Offsetting tree removal in the manner proposed, which is to achieve smaller lots, will not address this transition and is not considered to justify a change to the minimum lot size for subdivision. It is also noted that the current lot size, i.e. 2000m<sup>2</sup>, in this location is consistent with the approach taken for the southern end of Silverdale.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

**2.12 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN, 2011 (WLEP 2011)**

Following consideration of responses from initial consultation and notification and preliminary assessment of the application, it is considered that the Planning Proposal should take the form as detailed below.

**2.13.1 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN, 2011 (WLEP, 2011)**

The proposed amendments to WLEP 2011 are described below:

- Amend the Land Zoning Map to rezone a portion of the subject site from Zone R2 Low Density Residential to Zone E2 Environmental Conservation.
- Amend the Lot Size Map to reduce the minimum lot size from 4000m<sup>2</sup> to 450m<sup>2</sup> for land zoned R2 Low Density Residential in the northern portion of the site, except land adjoining the western boundary.
- Amend the Lot Size Map from a minimum lot size category of 4000m<sup>2</sup> to 2000m<sup>2</sup> for land zoned R2 Low Density Residential along the western boundary.

An appropriate lot size for land proposed to be zoned E2 Environmental Conservation cannot be determined at present until the extent of the E2 zone has been confirmed. The intention will be to increase the minimum lot size, if necessary, to prevent the environmentally protected land from being subdivided into more than two (2) lots.

**2.13.2 WOLLONDILLY DEVELOPMENT CONTROL PLAN, 2011 (WDCP, 2011)**

There are currently controls for this site in the DCP. These will need to be reviewed if the draft proposal is supported and may need to be amended. If amendments are necessary, these will be reported to Council prior to public exhibition.

**2.14 FINANCIAL IMPLICATIONS**

Funding for this project to date has been achieved through the adopted Planning Proposal fees and charges.

**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

Council has experienced a record increase in the number of Planning Proposals submitted in addition to the Wilton Junction project. Note that the Wilton Junction project is not a planning proposal but has had significant impact on Strategic Planning resources. All proposals which result in an increased intensity of land use within the Shire shall also lead to increased demand for Council services and facilities over time. Council will need to consider this in the adopted budget and forward estimates.

**ATTACHMENTS INCLUDED IN A SEPARATE BOOKLET**

1. Amended Lot Size Map (submitted by Precise Planning)
2. Proposed Amendment to Land Zoning Map (submitted by Precise Planning)
3. Map of proposed alternative LEP amendments

**RECOMMENDATION**

1. That Council support the preparation of a Planning Proposal, in an amended form, for Lots 3 & 4 in DP 243776 (21 & 25 Macquarie Place Tahmoor) to amend Wollondilly Local Environmental Plan 2011 as follows:
  - Amend the Land Zoning Map as it applies to the northern portion of the site to rezone land adjoining Myrtle Creek from R2 Low Density Residential to E2 Environmental Conservation.
  - Amend the Lot Size Map for land;
    - zoned R2 Low Density Residential in the northern portion of the site, but not adjoining the western boundary to a minimum lot size of 450m<sup>2</sup>.
    - for land zoned R2 Low Density Residential along the western boundary to 2000m<sup>2</sup>.
2. That the Lot Size Map be amended so that land proposed to be zoned E2 Environmental Conservation cannot be subdivided into more than two (2) lots. The minimum lot size will be determined in consultation with the proponent after a Gateway Determination has been issued.
3. That the portion of land proposed to be zoned E2 Environmental Conservation be expanded to include at least all 'sensitive land' identified on the Natural Resources – Water Map.
4. That Council does not support reducing the minimum lot size of 2000m<sup>2</sup> for land at Lot 2 DP 243776, located along the western boundary (with Lot 380 in DP 751270) as proposed in the draft Planning Proposal submitted by Precise Planning.

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 20 February 2017

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**PE1 – Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No.2**

5. That the amended Planning Proposal be forwarded to the Greater Sydney Commission for a Gateway Determination.
6. That Council request the Greater Sydney Commission to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.
7. That the applicant and submitters be notified of Council's Resolution.

Planning and Economy

PLANNING AND ECONOMY

PE1 Draft Planning Proposal – West Tahmoor Minimum Lot Size Amendment No. 2  
265508 TRIM 8154-2

3/2017 Resolved on the Motion of Crs Banasik and Khan:

1. That Council support the preparation of a Planning Proposal, in an amended form, for Lots 3 & 4 in DP 243776 (21 & 25 Macquarie Place Tahmoor) to amend Wollondilly Local Environmental Plan 2011 as follows:
  - Amend the Land Zoning Map as it applies to the northern portion of the site to rezone land adjoining Myrtle Creek from R2 Low Density Residential to E2 Environmental Conservation.
  - Amend the Lot Size Map for land;
    - zoned R2 Low Density Residential in the northern portion of the site, but not adjoining the western boundary to a minimum lot size of 700m<sup>2</sup>.
    - for land zoned R2 Low Density Residential along the western boundary to 2000m<sup>2</sup>.
2. That the Lot Size Map be amended so that land proposed to be zoned E2 Environmental Conservation cannot be subdivided into more than two (2) lots. The minimum lot size will be determined in consultation with the proponent after a Gateway Determination has been issued.
3. That the portion of land proposed to be zoned E2 Environmental Conservation be expanded to include at least all 'sensitive land' identified on the Natural Resources – Water Map.
4. That Council does not support reducing the minimum lot size of 2000m<sup>2</sup> for land at Lot 2 DP 243776, located along the western boundary (with Lot 380 in DP 751270) as proposed in the draft Planning Proposal submitted by Precise Planning. *Any future Development Application for subdivision of the land must incorporate vegetative screening along the western boundary of Lot 2 or any proposed local road to reduce impacts upon the adjoining recreational facility.*



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 February 2017, commencing at 6.30pm

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Planning and Economy

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5. **That the amended Planning Proposal be forwarded to the Greater Sydney Commission for a Gateway Determination.**
6. **That Council request the Greater Sydney Commission to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.**
7. **That the applicant and submitters be notified of Council's Resolution.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Banasik, Khan, Briggs, Deeth, Law, Lowry, Landow, Hannan and Gould

# GO2 Attachment

1. Investments as at 28 February 2017

**Tuesday 18 April 2017**

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GO2 – Investment of Funds as at 28 February 2017

| INVESTMENTS AS AT 28 February 2017   |        |                         |                            |                       |                   |                       |           |
|--|--------|-------------------------|----------------------------|-----------------------|-------------------|-----------------------|-----------|
| Reporting Period:  |        | 1-Feb-17                |                            | to                    |                   | 28-Feb-17             |           |
| Investment Institution   | Rating | Face Value<br>28-Feb-17 | Current Value<br>28-Feb-17 | Percentage<br>Holding | Interest<br>%p.a. | received /<br>accrued | Maturity  |
| <b>CASH ASSETS</b>   |        |                         |                            |                       |                   |                       |           |
| <b>National Australia Bank</b>   |        |                         |                            |                       |                   |                       |           |
| <i>General Account Balance (for information only. Not included in Total Cash Plus Investments)</i> |        | 349,475                 |                            |                       |                   |                       |           |
| <b>11AM At call</b>  |        |                         |                            |                       |                   |                       |           |
| NAB  | AA     | 7,075,000               | 7,075,000                  | 13.05%                | 1.55              | 5,076                 | At Call   |
| <b>Term Deposits</b>   |        |                         |                            |                       |                   |                       |           |
| ME Bank (Matured)  | A-2    |                         |                            |                       | 3.05              | 0                     | 01-Feb-17 |
| ME Bank (Matured)  | A-2    |                         |                            |                       | 3.10              | 1,275                 | 16-Feb-17 |
| ME Bank (Matured)  | A-2    |                         |                            |                       | 3.12              | 2,308                 | 28-Feb-17 |
| ME Bank  | A-2    | 1,000,000               | 1,031,200                  | 1.90%                 | 3.12              | 2,393                 | 01-Mar-17 |
| ME Bank  | A-2    | 1,000,000               | 1,006,597                  | 1.86%                 | 2.80              | 2,148                 | 04-Apr-17 |
| National Australia Bank  | A-1+   | 750,000                 | 765,016                    | 1.41%                 | 2.90              | 1,668                 | 19-Apr-17 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,010,625                  | 1.87%                 | 2.77              | 2,125                 | 26-Apr-16 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,008,966                  | 1.86%                 | 2.75              | 2,110                 | 02-May-17 |
| Bendigo & Adelaide Bank  | A-2    | 2,000,000               | 2,046,392                  | 3.78%                 | 3.12              | 4,526                 | 17-May-17 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,014,882                  | 1.87%                 | 2.80              | 2,148                 | 24-May-17 |
| Bendigo & Adelaide Bank  | A-2    | 1,000,000               | 1,022,064                  | 1.89%                 | 2.95              | 2,263                 | 31-May-17 |
| National Australia Bank  | A-1+   | 1,000,000               | 1,016,110                  | 1.88%                 | 2.85              | 2,148                 | 05-Jun-16 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,013,537                  | 1.87%                 | 2.70              | 2,071                 | 14-Jun-17 |
| National Australia Bank  | A-1+   | 1,000,000               | 1,018,584                  | 1.88%                 | 2.85              | 2,186                 | 05-Jul-17 |
| Suncorp  | A-1    | 1,000,000               | 1,006,444                  | 1.86%                 | 2.80              | 2,148                 | 12-Jul-17 |
| ME Bank  | A-2    | 500,000                 | 500,333                    | 0.92%                 | 2.70              | 333                   | 19-Jul-17 |
| National Australia Bank  | A-1+   | 1,000,000               | 1,016,110                  | 1.88%                 | 2.80              | 2,148                 | 02-Aug-17 |
| Bendigo & Adelaide Bank  | A-2    | 1,000,000               | 1,014,629                  | 1.87%                 | 2.95              | 2,263                 | 29-Aug-17 |
| Westpac Group  | AA-    | 1,000,000               | 1,014,877                  | 1.87%                 | 3.00              | 2,301                 | 13-Sep-17 |
| Westpac Group  | AA-    | 500,000                 | 507,726                    | 0.94%                 | 3.00              | 1,151                 | 27-Sep-17 |
| Westpac Group  | AA-    | 1,000,000               | 1,014,795                  | 1.87%                 | 3.10              | 2,301                 | 23-Aug-18 |
| Westpac Group  | AA-    | 1,000,000               | 1,013,808                  | 1.87%                 | 3.00              | 2,301                 | 04-Oct-17 |
| Credit Union Australia   | A-2    | 2,000,000               | 2,004,419                  | 3.70%                 | 2.88              | 4,419                 | 01-Nov-17 |
| Bendigo & Adelaide Bank  | A-2    | 500,000                 | 504,219                    | 0.93%                 | 2.75              | 1,055                 | 08-Nov-17 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,000,962                  | 1.85%                 | 2.70              | 962                   | 15-Nov-17 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,005,907                  | 1.86%                 | 2.80              | 2,148                 | 13-Dec-17 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,005,447                  | 1.86%                 | 2.80              | 2,148                 | 20-Dec-17 |
| Bank of Queensland   | A-1+   | 1,000,000               | 1,001,036                  | 1.85%                 | 2.70              | 1,036                 | 14-Feb-18 |
| Westpac Group  | AA-    | 1,000,000               | 1,016,137                  | 1.88%                 | 3.10              | 2,378                 | 23-Aug-18 |
| Bendigo & Adelaide Bank  | A-2    | 1,000,000               | 1,015,626                  | 1.88%                 | 3.05              | 2,340                 | 27-Aug-18 |
| Westpac Group  | AA-    | 1,000,000               | 1,015,373                  | 1.87%                 | 3.10              | 2,378                 | 12-Sep-18 |
| Westpac Group  | AA-    | 1,000,000               | 1,017,885                  | 1.88%                 | 3.20              | 2,455                 | 09-Aug-19 |
| <b>TOTAL CASH ASSETS</b>   |        | <b>36,325,000</b>       | <b>36,704,702</b>          | <b>67.75%</b>         |                   | <b>70,709</b>         |           |
| <b>INVESTMENT SECURITIES</b>   |        |                         |                            |                       |                   |                       |           |
| <b>Corporate Bond</b>  |        |                         |                            |                       |                   |                       |           |
| National Australia Bank (Matured)  | AA-    |                         |                            |                       | 6.00              | 2,283                 | 15-Feb-17 |
| <b>Zero Coupon Bond</b>  |        |                         |                            |                       |                   |                       |           |
| Commonwealth Bank of Australia   | AA-    | 2,000,000               | 1,956,400                  | 3.61%                 | 7.17              | 0                     | 22-Jan-18 |
| <b>Floating Rate Notes</b>   |        |                         |                            |                       |                   |                       |           |
| Westpac Banking Corporation (Matured)  | AA-    |                         |                            |                       | 3.41              | 886                   | 20-Feb-17 |
| Macquarie Bank   | A      | 1,000,000               | 1,010,478                  | 1.87%                 | 4.67              | 3,579                 | 09-Mar-17 |
| CUA Snr FRN  | BBB+   | 500,000                 | 504,775                    | 0.93%                 | 3.40              | 1,304                 | 01-Apr-19 |
| Westpac Banking Corporation  | AA-    | 1,000,000               | 1,009,282                  | 1.86%                 | 2.76              | 2,122                 | 10-May-19 |
| AMP Snr FRN  | A+     | 750,000                 | 757,614                    | 1.40%                 | 2.87              | 1,651                 | 11-Jun-19 |
| Members Equity Bank Pty Ltd  | BBB+   | 1,000,000               | 1,003,707                  | 1.85%                 | 3.23              | 2,478                 | 18-Jul-19 |
| Bendigo Bank Senior FRN  | A-     | 1,000,000               | 1,005,596                  | 1.86%                 | 2.72              | 2,083                 | 17-Sep-19 |
| ANZ Snr FRN  | AA-    | 1,000,000               | 1,005,301                  | 1.86%                 | 2.63              | 2,009                 | 11-Nov-19 |
| Greater Building Society Snr FRN   | BBB+   | 500,000                 | 496,996                    | 0.92%                 | 3.28              | 1,251                 | 29-Nov-19 |
| Westpac Banking Corporation  | AA-    | 1,000,000               | 1,006,887                  | 1.86%                 | 2.68              | 2,056                 | 22-Jan-20 |
| Bendigo Bank Senior FRN  | A-     | 500,000                 | 500,316                    | 0.92%                 | 2.88              | 1,098                 | 21-Feb-20 |
| Macquarie Bank   | A      | 1,000,000               | 1,011,942                  | 1.87%                 | 2.87              | 2,202                 | 03-Mar-20 |
| CBA Snr FRN  | AA-    | 1,000,000               | 1,008,647                  | 1.86%                 | 2.68              | 2,056                 | 17-Jul-20 |
| Bendigo Bank Senior FRN  | A-     | 1,000,000               | 1,003,670                  | 1.85%                 | 2.88              | 2,196                 | 18-Aug-20 |
| Suncorp Senior FRN   | A+     | 1,000,000               | 1,013,091                  | 1.87%                 | 3.03              | 2,324                 | 20-Oct-20 |
| CBA Snr FRN  | AA-    | 500,000                 | 508,131                    | 0.94%                 | 2.93              | 1,124                 | 18-Jan-21 |
| Bendigo Bank Senior FRN  | A-     | 500,000                 | 508,965                    | 0.94%                 | 3.24              | 1,243                 | 20-Apr-21 |
| Westpac Banking Corporation  | AA-    | 1,000,000               | 1,018,157                  | 1.88%                 | 2.94              | 2,255                 | 03-Jun-21 |
| <b>Mortgage Backed Securities</b>  |        |                         |                            |                       |                   |                       |           |
| Emerald Reverse Mortgage Series 2007-1 Class B   | AA     | 1,000,000               | 602,362                    | 1.11%                 | 2.33              | 1,787                 | 21-Jul-27 |
| Emerald Reverse Mortgage Series 2006-1 Class A   | AAA    | 659,958                 | 521,690                    | 0.96%                 | 2.23              | 1,132                 | 22-Aug-22 |
| <b>TOTAL INVESTMENT SECURITIES</b>   |        | <b>17,909,958</b>       | <b>17,454,006</b>          | <b>32.23%</b>         |                   | <b>39,119</b>         |           |
| <b>TOTAL CASH &amp; INVESTMENT SECURITIES</b>  |        | <b>\$54,234,958</b>     | <b>\$54,158,708</b>        | <b>100%</b>           | <b>3.49</b>       | <b>\$109,828</b>      |           |
| <b>Benchmark ( 90 day Ausbond Bank Bill Index)</b>   |        |                         |                            |                       | <b>1.77</b>       |                       |           |

# CO2 Attachment

1. Disability Inclusion Action Plan
2. Summary of staff survey data and feedback
3. Summary of external consultation data and feedback
4. Summary of Macarthur community conversations and feedback

**Tuesday 18 April 2017**

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CO2 – Disability Inclusion Action Plan



# disAbility

INCLUSION

**Action Plan 2017-2021**



# Contents

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## Statement of Commitment

There have been tremendous improvements within Government regarding disability inclusion in recent years and we are very proud that Wollondilly Shire Council is committed to continuing to engage with people with disability and the broader community.

By committing to continuous improvements in our practices, service delivery and business we aim to remove the barriers which prevent people with disability from participating fully in our community.

Wollondilly Shire Council is excited by the changes happening across Australia regarding inclusion and the rollout of the NDIS in our Shire and this Disability Inclusion Action Plan demonstrates our commitment to creating a more welcoming, equitable and inclusive community.



***Council acknowledges the traditional custodians of the land, and pays respect to Elders both past and present.***

## 1. Background

In 2014 the *NSW Disability Inclusion Act 2014* was passed, making it a legal requirement for all NSW Councils to develop a Disability Inclusion Action Plan by 1 July 2017, which will assist in removing barriers that prevent people with disability from participating fully in our community.

Wollondilly Shire Council is committed to making our community more accessible and inclusive by:

- promoting positive attitudes and behaviours toward people with disability
- making improvements to ensure our community is easier to live in and get around
- supporting access to meaningful employment opportunities at Council and encouraging employers in Wollondilly to employ people with disability
- making sure the information we provide is accessible and easy to understand and that our services are inclusive.

This Disability Inclusion Action Plan was developed through a rigorous community consultation process and involved over 230 individuals who were involved in community conversations or provided feedback via survey.

The NSW Disability Network defines disability as “long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder full and effective participation in society on an equal basis with others” It is through this perspective and definition that we are able to shift our focus and responsibility to removing the barriers that our community members face.

Council’s Disability Inclusion Action Plan was developed through community consultation and research process spanning over 18 months. A review of Council documents and Government policies took place followed by ‘Community Conversations’ at a Macarthur Regional Disability Inclusion Action Plan Consultation held in Campbelltown in November 2016 where over 70 community members and service providers across Macarthur gave feedback and completed surveys to help guide Wollondilly, Camden and Campbelltown Councils in their Disability Inclusion Planning.

In addition to the Macarthur engagement a further local community survey was developed with 91 surveys completed from residents in Wollondilly. A staff survey was developed with 73 surveys completed. The consultation processes enabled us to engage with 232 participants.



This plan was endorsed at Council's March 2017 meeting and placed on public exhibition. The plan was formally adopted at Council's XX meeting and was lodged with the Disability Council on XX

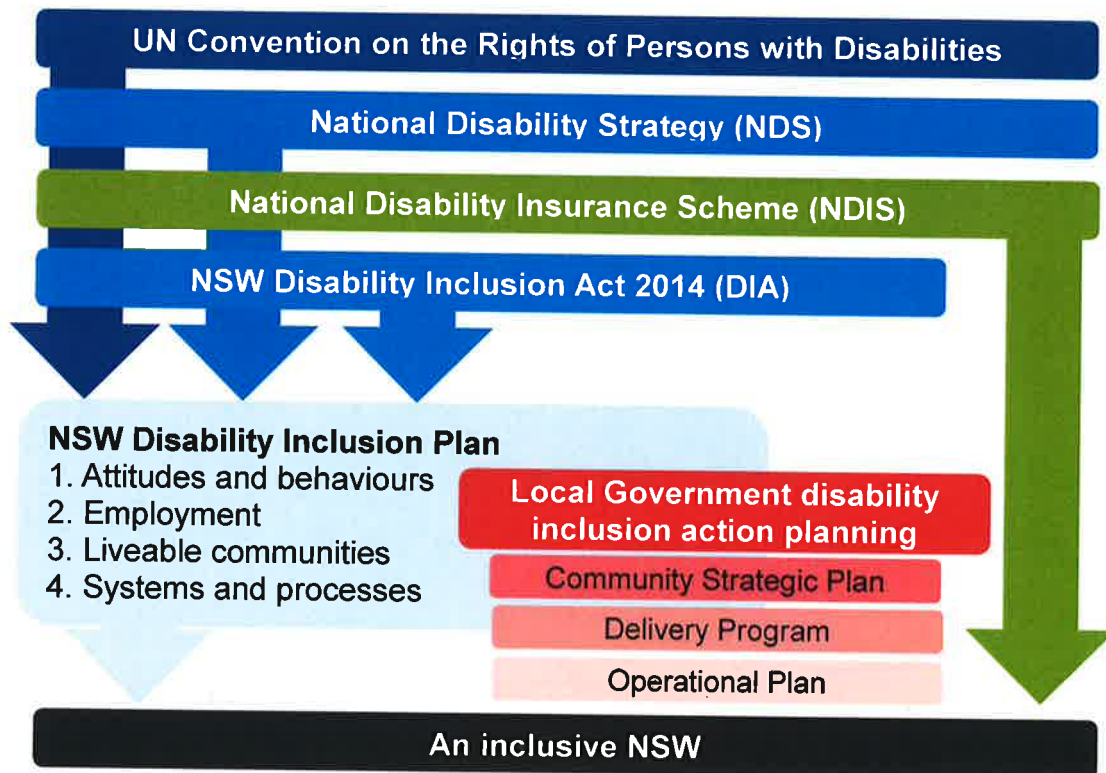
## 2. Legislation and Policy

It is an incredibly exciting time in Australia where we are seeing much needed positive changes taking place for people with Disability. With the rollout of the NDIS in Wollondilly in July 2016 and an expected state roll out to be implemented by July 2017, the need to support inclusion has now been recognised at all levels of legislation and policy in Australia.

The Disability Inclusion Act 2014 (NSW) provides the legislative framework to guide state and local government disability inclusion and access planning. The Act supports people with disabilities to access:

- the same human rights as other members of the community and that governments and communities have a responsibility to facilitate the exercise of those rights;
- independence and social and economic inclusion within the community; and
- choice and control in the pursuit of their goals and the planning and deliver of their supports and services.

### Legislation and Standards that inform Council's Work



This diagram shows the relationships between the relevant policy and legislative documents. Source: Disability Inclusion Action Planning Guidelines Local Government.

In addition to the above, Council is also guided by the following standards, policies, protocols, plans and strategies with particular regard to disability access and inclusion:

Australian Standards (AS1428) – Design for Access and Mobility

Disability Access to Premises Building Standards 2010  
Web Accessibility National Transition Strategy 2010  
NSW Disability Inclusion Action Planning Guidelines  
Local Government Act 1993  
Carers Recognition Act 2012  
Wollondilly Public Toilet Strategy 2017  
Wollondilly Community Engagement Strategy 2017  
Wollondilly Equal Employment Opportunities Policy 2017  
Wollondilly Workforce Management Strategy 2017  
Wollondilly Customer Service Policy 2015  
Wollondilly Parking Policy 2013  
Wollondilly Community Bus Protocol 2017

### 3. Wollondilly Shire Council Profile

Wollondilly Shire Council is located on the south western fringe of Sydney at the foothills of the Southern Highlands. Although it covers 2,560 square kilometres, almost two thirds of the Shire's area is made up of national parks and water catchment areas. Outside of these protected areas the Shire is a patchwork of agriculture, rural landscapes, bushlands and separated towns and villages.

With this in context, Wollondilly is on the periphery of the city of Sydney and is referred to as being peri-urban which comprises a typical mix of urban and rural residential areas with productive agricultural lands, biodiversity areas and diverse topographies. In the context of disability, we recognize that there is limited infrastructure, services and limited employment opportunities in our Shire.

#### People with Disability in Wollondilly

According to Census Data (2011) Wollondilly has the following number of carers and people with disability; this table provides a picture of the needs of people with disability in our Shire:

|  | Wollondilly | Camden | Campbelltown | Wingecarribee | Greater Sydney |
|--|-------------|--------|--------------|---------------|----------------|
| Carers over 15 years %                                 | 12%         | 10.9%  | 11.9%        | 12.8%         | 10.8%          |
| No.  | 4,001       | 4,672  | 13,555       | 4,596         | 384,702        |
| People with Profound or severe disability (All Ages) % | 3.8%        | 4%     | 5.3%         | 5.3%          | 4.4%           |
| No.  | 1,614       | 2,229  | 7,710        | 2,307         | 192,676        |
| All people with disability over the age of 18 years %  | 11.4%       | 10.6%  | 11.8%        | 11.2%         | 10%            |
| No.  | 3,419       | 3,872  | 11,668       | 4,717         | 358,932        |

## **4. Community Consultation Outcomes**

### **Macarthur Regional Disability Inclusion Action Plan Consultation**

This consultation saw over 70 people with disability, carers, service providers and community members attend a two hour community conversation session which focused on the four key areas:

- Promoting Positive community attitudes and behaviours
- Creating meaningful employment opportunities
- Creating liveable communities
- Improving Systems and Processes

Joe Ibbitson – Community Programs Coordinator, Penrith Council and Sean Willenberg - Disability Inclusion Promotions Officer, NSW Business Chamber presented the four key areas to all participants. This was then followed by robust and lively conversations. Auslan interpreters were present to include the deaf and hearing loss community and each table involved a facilitator and scribe to record the conversations. The information collected from these conversations have helped us to gain a stronger sense of people's aspirations for the community and provided us with a window into how they talk about their concerns and lives, and create a way to develop partnerships with people with disability, carers, community groups and services to ultimately have a greater impact in their communities.

#### **What they told us about living in Macarthur**

- They want us to use language that they understand
- They want to access our buildings with ramps/lifts
- They want us to listen
- They want greater access to transport
- They want to feel welcome to apply for jobs
- They want to attend our events and know they can participate
- They want our staff to be trained to communicate effectively

## **Disability Inclusion Action Plan Survey**

The survey was open from 2<sup>nd</sup> January 2017 until 30<sup>th</sup> January 2017. It was promoted on Council's community engagement website [engage.wollondilly.nsw.gov.au](http://engage.wollondilly.nsw.gov.au), emailed through a variety of networks including the Macarthur Disability Network, paper copies of the survey along with postage paid envelopes were mailed to residents on the Ageing and Disability mailing lists. Media release, website, Facebook and radio promoted the survey during January 2017. Formats available were: survey monkey, paper survey, telephone survey, telephone relay service (TTY), Auslan.

Of the 79 Surveys were completed: - this will be presented as an infographic

40% were residents in Wollondilly living with disability or caring for a person with disability, 31% were support workers or service providers and 37% were community members.

Specific positives examples mentioned:

- All government services and retail staff are very helpful
- At events, special arrangements for mobility impaired are evident
- Staff at Picton Pool are great
- Interaction with Library Staff is very positive
- Wollondilly Shire Council staff have always been understanding and helpful with enquiries
- Family Day care and staff are extremely understanding
- Council staff are approachable and helpful

Where improvements can be made:

- More access for people with disability to services
- Council run events need to be promoted and set up to be welcoming, accessible and inclusive to people with disability
- Accessible parking and toilets, especially at events
- Run events and forums in the day and at night
- Promote how council is inclusive

## **Staff Survey**

Council surveyed all staff around Equal Employment Opportunities in December 2016, we know that almost 7% of staff at Wollondilly Shire Council identify as having disability. With 4% of our staff requiring (and receiving) reasonable adjustment in the workplace. Furthermore, over 11% of our staff care for someone with disability.

In March we conducted a voluntary anonymous staff survey where 72 surveys were completed – formats available were SurveyMonkey, Auslan and paper survey which was offered to outdoor and indoor staff.

72% of staff Agreed or Strongly Agreed that as a Council we display positive attitudes and behaviours towards people with disability. The rest were unsure/neutral and commented that they were new to council or hadn't had experience of staff and people with disability interacting.

Where Council buildings are concerned 61% agreed or strongly agreed that buildings are accessible. Comments included: some buildings and facilities are accessible but not all.

Almost 60% of staff agreed or strongly agreed that people with disability are encouraged to apply for positions with Council and 83% felt that Council supports staff who are carers.

Overall the survey results were remarkably positive and staff were able to identify actions that Council could take to continuously improve with regard to inclusion and access particularly in the areas of accessing our website and information such as including captions with the livestreaming of Council meetings, ensuring website is WCAG 2.0 compliant, staff wanting protocols to help guide them

## Action Plan

### 1. Positive Attitudes and Behaviour

| Strategic Goal | Action   | KPIs   | Responsibility                                 | Timeframe           | IP&R Reference  |
|----------------|--|--|--|---------------------|---|
|                | Customer Service Training delivered to all staff (including new starters) to include Disability Awareness                                      | No. of staff attending training  | Employee Relations                             | Ongoing             | <b>CSP Strategy GO3 Customer Service</b><br>Deliver responsive and effective service to our customers                                 |
|                | Disability Access Advisory Committee   | Active and involved committee meeting quarterly  | Community Outcomes                             | Ongoing             | <b>CSP Strategy G07 Participation</b><br>Enable Community involvement in Council decision making                                      |
|                | Utilise International Day of People with Disability to promote inclusion to the general community  | Annual event includes that is inclusive of all community members                             | Community Outcomes                             | Annually (December) | <b>CSP Strategy CO1 Strong Community</b><br>Deliver a range of community projects, services and events which strengthen our community |
|                | Promote Access and inclusion to local businesses through our current partnership with Macarthur Access Group for Inclusive Communities (MAGIC) | No. of businesses endorsed<br><br>No. of business who have had Disability Awareness Training | Community Outcomes<br><br>Economic Development | Ongoing             | <b>CSP Strategy GR3 – Economic Development and Tourism</b><br>Enhance economic development and tourism in Wollondilly Shire           |



|  |  |   |                                      |            |   |
|--|--|---|--------------------------------------|------------|---|
|  | Engage external facilitator to develop and deliver comprehensive Inclusion Training                    | No. of staff trained  | Employee Relations                   | Early 2018 | <b>CSP Strategy GO1 – Employee Relations</b><br>Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations |
|  | Quarterly Disability Information Forums to inform the community in an inclusive and accessible setting | No of Information Forums held annually with healthy participation and range of content                    | Community Outcomes                   | Ongoing    | <b>CSP Strategy CO1 – Strong Community</b><br>Deliver a range of community projects, services and events which strengthen our community.  |
|  | Continue to employ Ageing and Disability Officer after salary subsidy ceases 30 June 2018              | Ageing and Disability Officer employed 2018 - 2021 and beyond within current and forward budget estimates | Community Outcomes<br>Finance        | Ongoing    | <b>CSP Strategy CO1 – Strong Community</b><br>Deliver a range of community projects, services and events which strengthen our community.  |
|  | Produce bi-monthly info sheet to inform staff about disability and inclusion                           | Bi-monthly Information flyer produced   | Community Outcomes<br>Communications | Ongoing    | <b>CSP Strategy GO1 – Employee Relations</b><br>Build a resilient, safe and supported workplace that provides respectful, efficient and effective services  |

|  |  |  |                    |                          |   |
|--|--|--|--------------------|--------------------------|---|
|  |  |  |                    |                          | for our customers now and for future generations  |
|  | Council wide annual inclusion & diversity month with all teams working on a mini inclusion project | No. of teams involved and projects delivered | Community Outcomes | Annually from 2018       | <b>CSP Strategy GO1 – Employee Relations</b><br>Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations |
|  | Council internal Steering Group to implement the DIAP and track progress                           | Quarterly meetings                           | Various            | Quarterly from July 2017 | <b>CSP Strategy GO5 – Resource Efficiency</b><br>Drive a culture of continuous improvement across all aspects of service delivery   |

## 2. Liveable Communities

| Strategic Goal | Action  | KPIs  | Responsibility   | Timeframe     | IP&R Reference  |
|----------------|---|---|--|---------------|---|
|                | Develop an Inclusion and Access tool for Council staff to use when organising public events | <p>No. of staff trained to use the tool</p> <p>No. of staff utilising assessment tool and submitting to Community Outcomes for review.</p> <p>No. of events that are accessible and inclusive</p> | <p>Community Outcomes to develop tool.</p> <p>Tool to be used across Council</p> | December 2018 | <p><b>CSP Strategy GO2 – Risk Governance</b></p> <p>Ensure audit and corporate risks are managed appropriate to reduce any likelihood of any adverse impacts o Council or the community.</p>          |
|                | Public Toilets Strategy development   | Strategy Complete   | Infrastructure and Planning  | 2017- 2018    | <p><b>CSP Strategy IN1 – Provision of Infrastructure and Facilities</b> – Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future.</p> |
|                | Public Toilets Strategy implementation  | Strategy implemented according to priority  | Infrastructure and Planning  | 2018-2021     | <p><b>CSP Strategy IN1 – Provision of Infrastructure and</b></p>  |

|   |  |   |         |  |   |
|---|--|---|---------|--|---|
|   |  | and funding availability                              |         |  | <b>Facilities</b> – Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future.   |
| Provision of Accessible Community Bus available to hire to transport and socially disadvantaged groups in the Community | Number of groups who service people with Disability  | Community Outcomes                                    | Ongoing |  | <b>CSP Strategy – CO1 Strong Community</b><br>Deliver a range of community projects, services and events which strengthen our community.  |
| Provide Talking Newspaper   | Number of people who subscribe to the service.<br><br>Active volunteers who read the Newspaper each week | Community Outcomes                                    | Ongoing |  | <b>CSP Strategy CO1 – Strong Community</b><br>Deliver a range of community projects, services and events which strengthen our community.  |
| Playground upgrade in Warragamba to be an Inclusive playground in partnership with Touched by Olivia Foundation         | Completion of upgrade to Touched By Olivia standards   | Infrastructure and Planning<br><br>Community Outcomes | 2018    |  | <b>CSP Strategy – Provision of Infrastructure and Facilities</b><br>Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future. |

|  |  |                                    |                  |   |
|--|--|------------------------------------|------------------|---|
| <p>Advocacy for completion of access upgrades to all Bus Stops</p>   | <p>Apply for eligible Funding including Country Passenger Transport Infrastructure Grants (CPTIGS)</p> | <p>Infrastructure and Planning</p> | <p>2017-2021</p> | <p><b>CSP Strategy – Provision of Infrastructure and Facilities</b><br/>Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future.</p> |
| <p>Advocacy for upgrade of all Train Stations</p>  | <p>Lobby Government and advocate for the upgrade of public transport facilities</p>                    | <p>Infrastructure and Planning</p> | <p>2017-2021</p> | <p><b>CSP Strategy – Provision of Infrastructure and Facilities</b><br/>Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future.</p> |
| <p>Strategic Commitment when we work to a minimum standard to upgrade our Council Buildings and Facilities</p> | <p>Review of PAMP<br/>Actions identified and prioritised according to funding availability</p>         | <p>Infrastructure and Planning</p> | <p>2018</p>      | <p><b>CSP Strategy – Provision of Infrastructure and Facilities</b><br/>Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future.</p> |
| <p>Advocacy for Services to have a presence in Wollondilly and</p>   | <p>Approach services to deliver programs, projects and information</p>                                 | <p>Community Outcomes</p>          | <p>2017-2021</p> | <p><b>CSP Strategy CO1 – Strong Community</b><br/>Deliver a range of</p>  |

|  |   |   |          |           |  |
|--|---|---|----------|-----------|--|
|  | provide services where gaps are evident   | sessions to residents in Wollondilly                  |          |           | community projects, services and events which strengthen our community.  |
|  | DIAP be promoted to development process through the Development Application process | Number of development designs that are more inclusive | Planning | 2017-2021 | <b>CSP Strategy GR5 Liveability</b><br>Plan for and enhance Wollondilly's liveability by encouraging great places to live with communities that are resilient, safe, affordable, healthy and well connected. |

### 3. Employment

| Strategic Goal | Action  | KPIs   | Responsibility     | Timeframe | IP&R Reference  |
|----------------|---|--|--------------------|-----------|---|
|                | Flexible working hours for staff to facilitate and support staff work life balance, family and caring commitments and support staff who have disability | No of staff able to work flexibly who wish to do so and whose role allows  | Employee Relations | Ongoing   | <b>CSP Strategy GO1 – Employee Relations</b><br>Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations |
|                | As part of Council's Workforce Management Strategy, include and develop new guidelines for inclusion and Equal Employment Opportunities                 | Equal Employment Opportunities actions identified, developed, enhanced and refreshed across the organisation.<br><br>Annual staff profiling to improve reporting and future directions | Employee Relations | End 2017  | <b>CSP Strategy GO1 – Employee Relations</b><br>Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations |
|                | Review recruitment processes, forms and language for accessibility  | Recruitment process, forms and language are targeted and simplified.<br><br>Advertising to   | Employee Relations | 2018-2019 | <b>CSP Strategy GO1 – Employee Relations</b><br>Build a resilient, safe and supported workplace that provides respectful,   |





#### 4. Systems and Processes

| Strategic Goal | Action   | KPIs   | Responsibility                               | Timeframe | IP&R Reference   |
|----------------|--|--|--|-----------|--|
|                | Develop and implement plan to ensure web content compliance with Web Content Accessibility Guidelines 2.0 of AA standard as required by the National Transition Strategy | Website content meets accessibility standards (WCAG2.0 AA)<br><br>Web writers trained in Web Content Accessibility Standards | Information Technology<br><br>Communications | 2018      | <b>CSP Strategy GO6 – Information Management</b><br>Implement innovative technological solutions to deliver quality information  |
|                | Include National Relay Service (TTY - Teletypewriter) contact details in all generic Council publicity and advertising materials and information provided                | The National Relay Service contact details included in Council publicity and advertising where possible                      | Communications                               | Ongoing   | <b>CSP Strategy CO4 – Engagement and Communication</b><br>Implement excellence in our community engagement by listening to and responding to the needs and concerns of our residents |
|                | Investigate closed captioning of Council archived videos including   | Council's archived videos are available with closed captioning subject to funding availability                               | Governance                                   | End 2017  | <b>CSP Strategy GO6 – Information Management</b><br>Implement innovative technological solutions to deliver quality information  |

|  |   |  |   |                   |   |
|--|---|--|---|-------------------|---|
|  | <p>Community Engagement Strategy to include a checklist on inclusive consultation</p> | <p>Community consultation includes people with disability</p>                      | <p>Community Engagement</p>                 | <p>Early 2018</p> | <p><b>CSP Strategy CO4 – Engagement and Communication</b><br/> Implement excellence in our community engagement by listening to and responding to the needs and concerns of our residents</p> |
|  | <p>Use plain English in our communication</p>   | <p>No. of documents improved by Plain English working group</p>                    | <p>Plain English working group</p>          | <p>Ongoing</p>    | <p><b>CSP Strategy GO3 – Customer Service</b><br/> Deliver responsive and effective service to our customers</p>  |
|  | <p>Promote that Information is available in a range of formats on request</p>         | <p>Website and documents advise how to obtain different formats of information</p> | <p>Communications<br/> Customer Service</p> | <p>Ongoing</p>    | <p><b>CSP Strategy GO3 – Customer Service</b><br/> Deliver responsive and effective service to our customers</p>  |

## **6. Monitoring and Evaluation**

### **Monitoring**

The Disability Inclusion Action Plan includes timelines to guide the completion of the actions. While all sections of Council have responsibilities for supporting access and inclusion, the actions that specific sections of Council are responsible for are noted in this plan. The Executive Director of Community Services and Corporate Support and Manager of Community Outcomes will monitor the overall implementation of the plan along with the General Manger, Executive and Seniors Managers. Furthermore a working group will oversee and monitor the implementation of the actions in the plan.

### **Reporting**

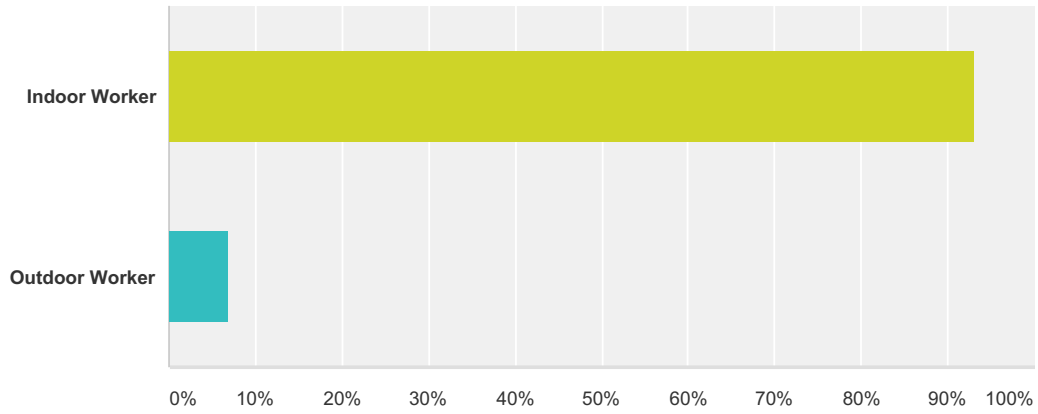
Outcomes and achievements will be reported in Council's Annual Report and will be provided to the Minister for Disability Services each year as legislated by the NSW Disability Inclusion Act 2014.

### **Review**

The plan will be reviewed annually in line with the Integrated Planning and Reporting cycle. An audit, evaluation and review of the Plan will be conducted at the end of Council's term.

### Q1 Are you primarily an indoor worker or outdoor worker?

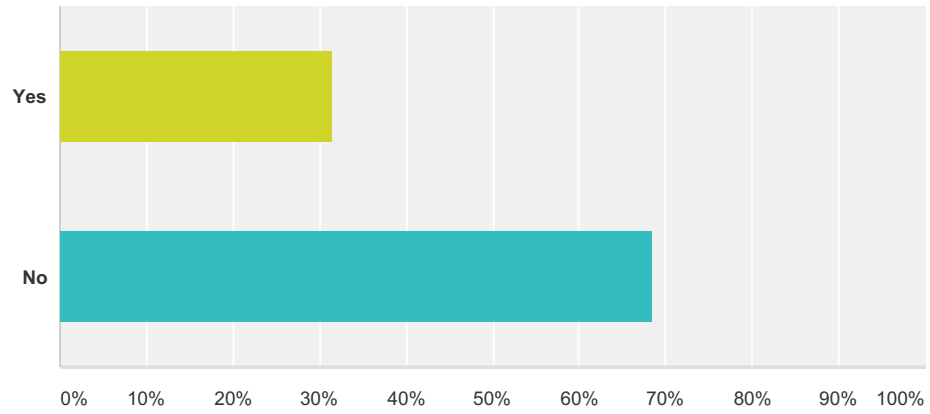
Answered: 73 Skipped: 0



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Indoor Worker  | 93.15%    | 68        |
| Outdoor Worker | 6.85%     | 5         |
| <b>Total</b>   |           | <b>73</b> |

## Q2 Does your role require you to supervise staff?

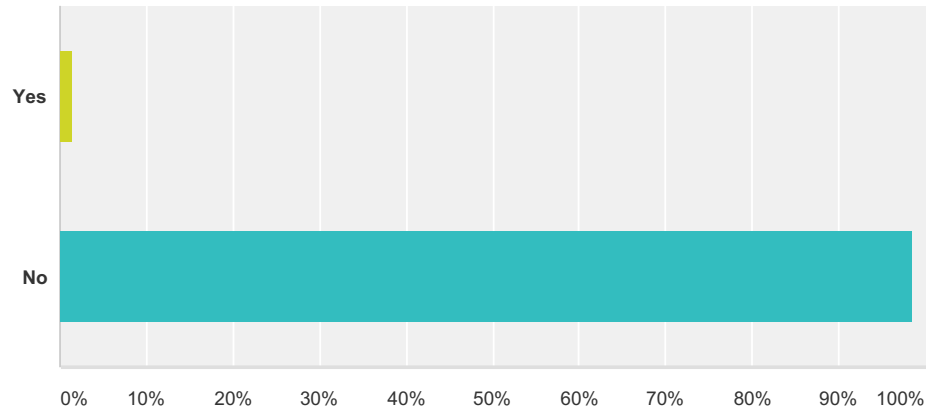
Answered: 73 Skipped: 0



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Yes            | 31.51%    | 23        |
| No             | 68.49%    | 50        |
| <b>Total</b>   |           | <b>73</b> |

### Q3 Are you of Aboriginal or Torres Strait Islander origin?

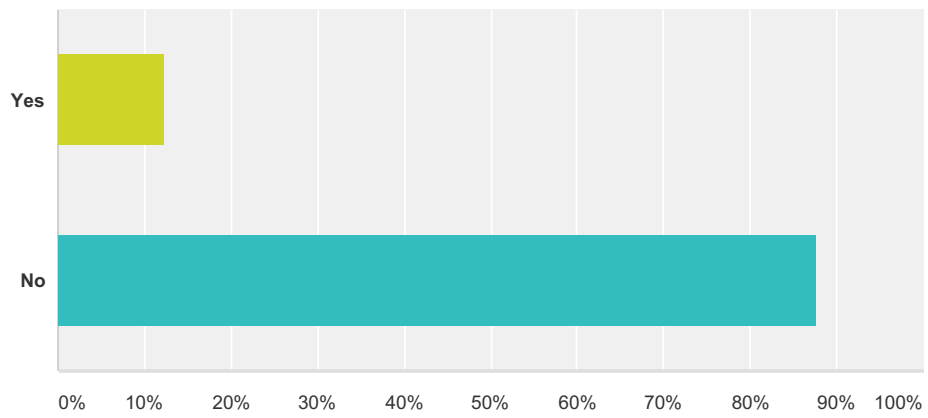
Answered: 73 Skipped: 0



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Yes            | 1.37%     | 1         |
| No             | 98.63%    | 72        |
| <b>Total</b>   |           | <b>73</b> |

### Q4 Do you identify as coming from a Culturally and Linguistically Diverse (CALD) Background?

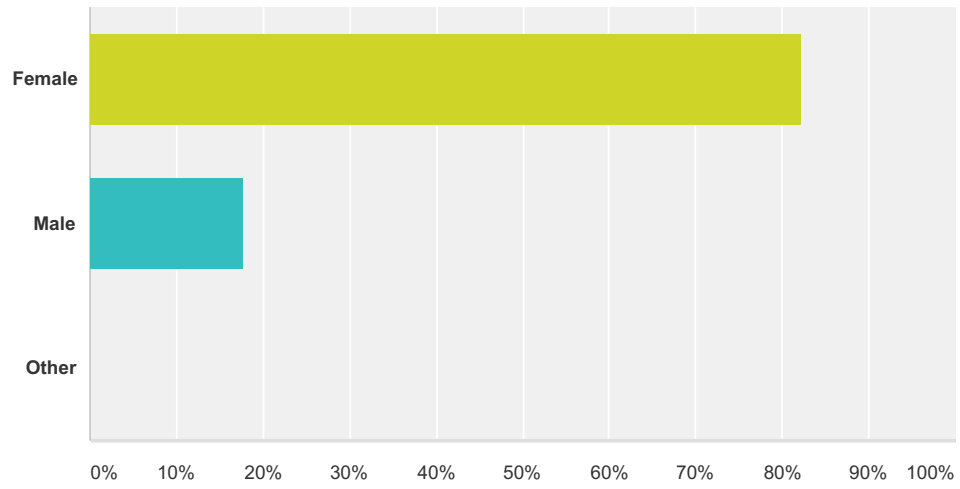
Answered: 73 Skipped: 0



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Yes            | 12.33%    | 9         |
| No             | 87.67%    | 64        |
| <b>Total</b>   |           | <b>73</b> |

### Q5 Are you

Answered: 73 Skipped: 0

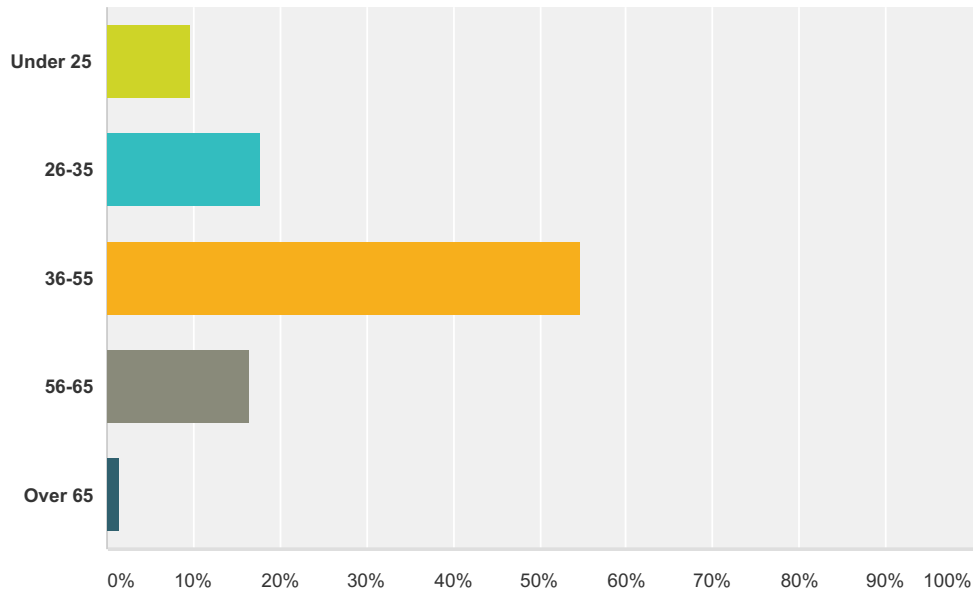


| Answer Choices | Responses | Count     |
|----------------|-----------|-----------|
| Female         | 82.19%    | 60        |
| Male           | 17.81%    | 13        |
| Other          | 0.00%     | 0         |
| <b>Total</b>   |           | <b>73</b> |



### Q6 What is your age range?

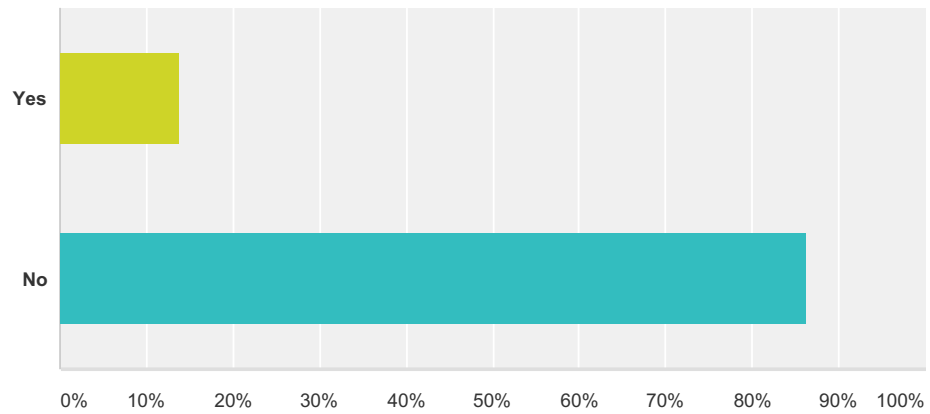
Answered: 73 Skipped: 0



| Answer Choices | Responses |
|----------------|-----------|
| Under 25       | 9.59% 7   |
| 26-35          | 17.81% 13 |
| 36-55          | 54.79% 40 |
| 56-65          | 16.44% 12 |
| Over 65        | 1.37% 1   |
| <b>Total</b>   | <b>73</b> |

### Q7 Do you consider yourself to have a disability?

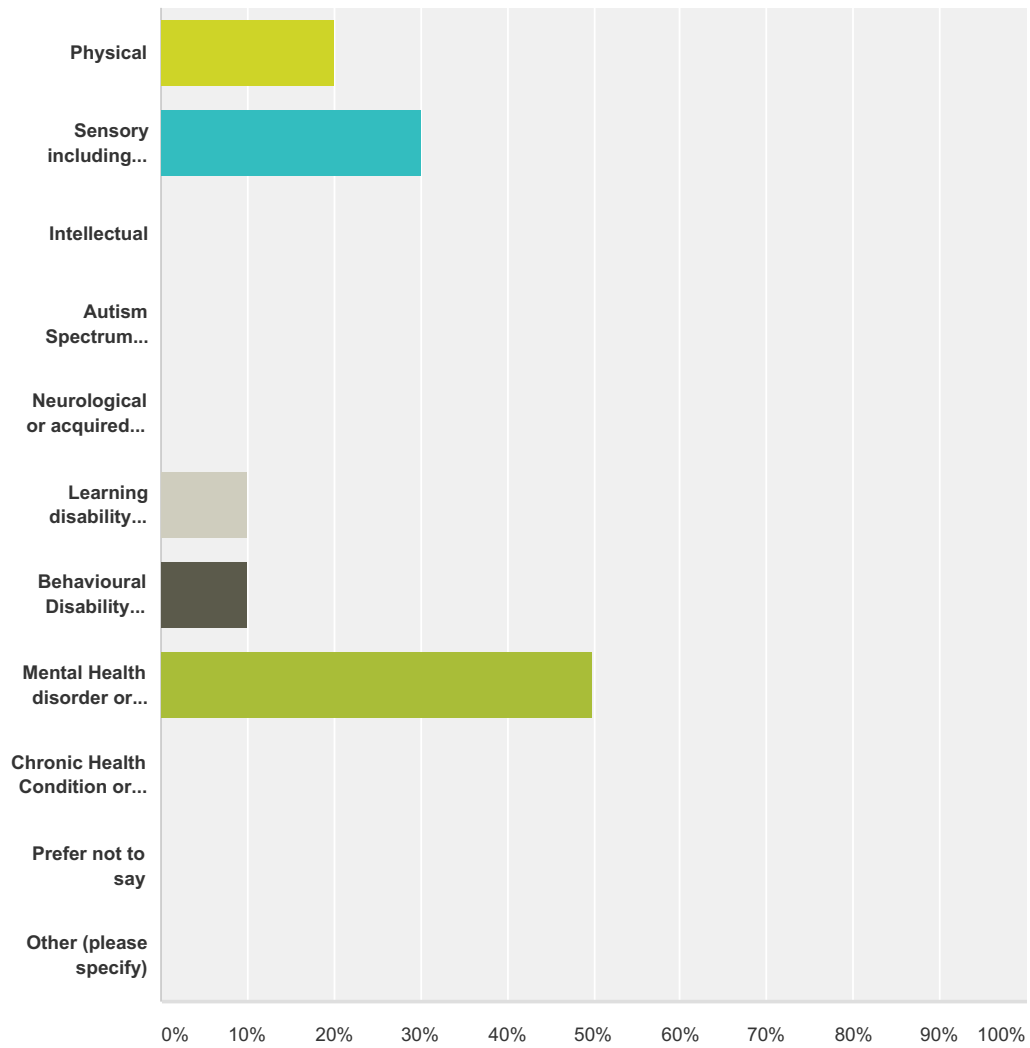
Answered: 73 Skipped: 0



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Yes            | 13.70%    | 10        |
| No             | 86.30%    | 63        |
| <b>Total</b>   |           | <b>73</b> |

### Q8 Please indicate which of the following you believe best describes your disability?

Answered: 10 Skipped: 63



| Answer Choices  | Responses |
|---|-----------|
| Physical  | 20.00% 2  |
| Sensory including hearing, vision or speech                                     | 30.00% 3  |
| Intellectual  | 0.00% 0   |
| Autism Spectrum Disorder  | 0.00% 0   |
| Neurological or acquired brain injury   | 0.00% 0   |
| Learning disability including: dyslexia, illiteracy                             | 10.00% 1  |
| Behavioural Disability including: ADHD, ADD, OD                                 | 10.00% 1  |
| Mental Health disorder or psychosocial disability                               | 50.00% 5  |
| Chronic Health Condition or illness which has a significant impact on your life | 0.00% 0   |
| Prefer not to say   | 0.00% 0   |
| Other (please specify)  | 0.00% 0   |
| <b>Total Respondents: 10</b>  |           |

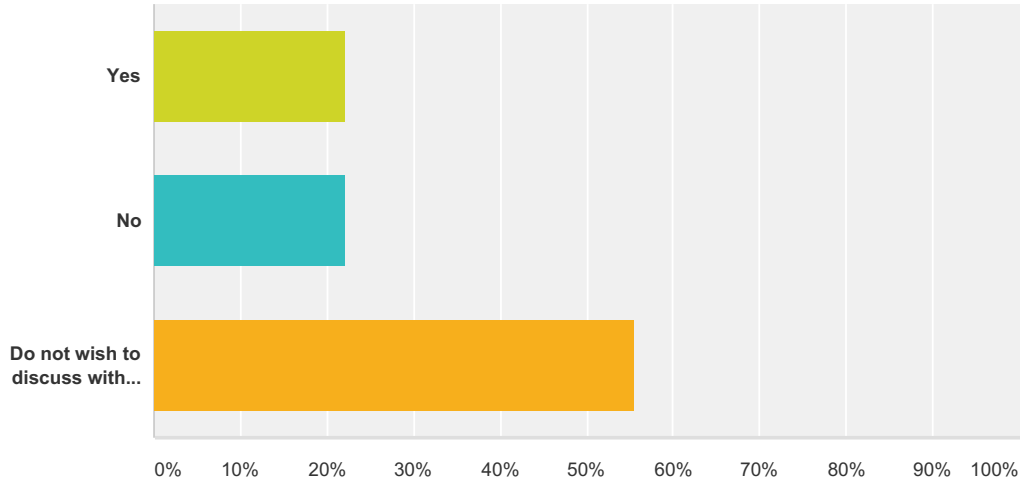
## Wollondilly Shire Council Disability Inclusion Action Plan Staff Survey

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| # | Other (please specify)  | Date |
|---|-------------------------|------|
|   | There are no responses. |      |

**Q9 Are you comfortable discussing your disability and any consequent reasonable adjustments you require in the workplace with your supervisor or other senior manager?**

Answered: 9 Skipped: 64

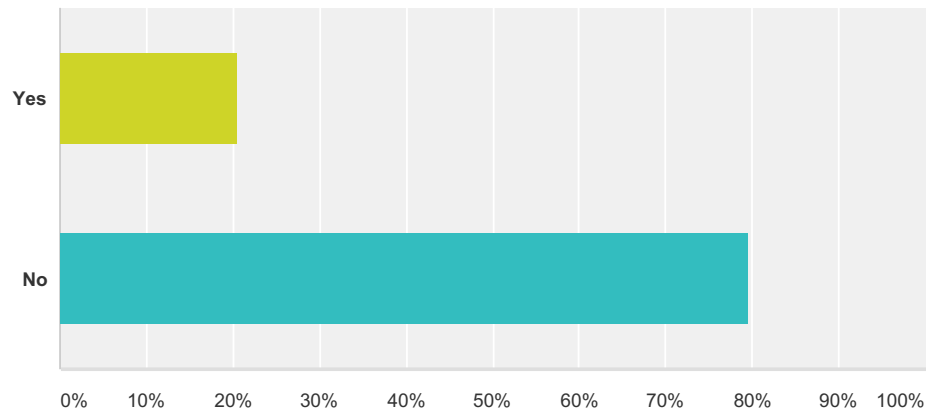


| Answer Choices  | Responses |
|---|-----------|
| Yes   | 22.22% 2  |
| No  | 22.22% 2  |
| Do not wish to discuss with my supervisor or senior manager | 55.56% 5  |
| <b>Total</b>  | <b>9</b>  |

| # | Please comment.   | Date              |
|---|---|-------------------|
| 1 | Happy to discuss some but not all off the difficulties I have as I manage them well without need for support or adjustment. | 2/28/2017 7:16 AM |

### Q10 Do you regularly care for a person with disability or who is frail aged?

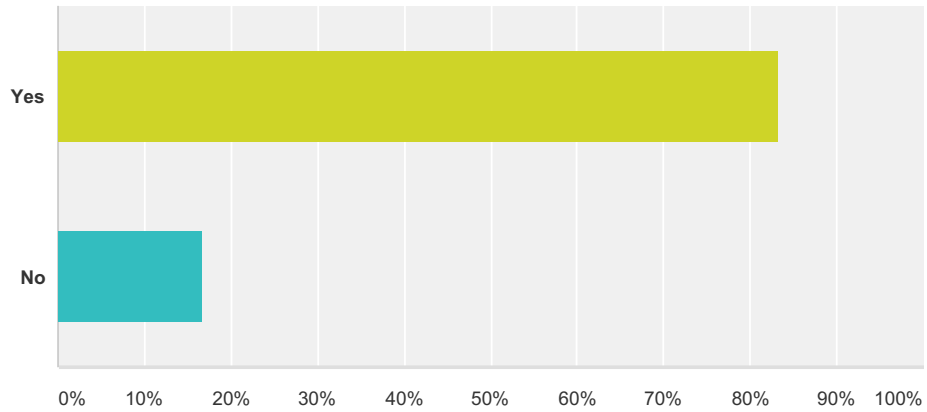
Answered: 73 Skipped: 0



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Yes            | 20.55%    | 15        |
| No             | 79.45%    | 58        |
| <b>Total</b>   |           | <b>73</b> |

### Q11 Do you feel that Council supports you sufficiently as a carer?

Answered: 12 Skipped: 61

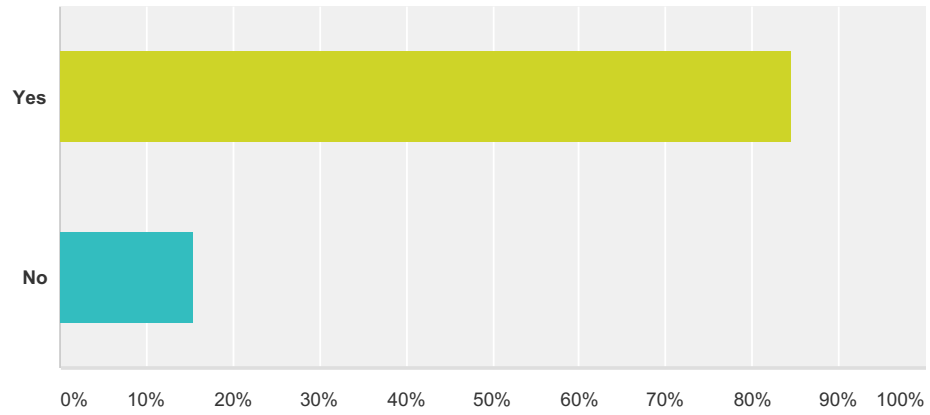


| Answer Choices | Responses |
|----------------|-----------|
| Yes            | 83.33% 10 |
| No             | 16.67% 2  |
| <b>Total</b>   | <b>12</b> |

| # | Please comment   | Date              |
|---|--|-------------------|
| 1 | I am more than happy with the support I receive from Council and the flexibility to be able to attend to my daughters need if they arise during work hours without feeling guilt, etc. | 3/1/2017 2:00 PM  |
| 2 | Absolutely, I have always felt supported and able to react without guilty feelings if I get suddenly called away to deal with issues that my child may be experiencing.                | 2/28/2017 3:44 PM |
| 3 | My manager is very supportive and considerate.   | 2/28/2017 8:37 AM |
| 4 | Feel that there is no care for any personal circumstances I have - ie my Director shows no interest at all in anything about my personal life  | 2/28/2017 7:46 AM |
| 5 | Yes  | 2/28/2017 7:33 AM |
| 6 | The people I care for are not within the Wollondilly LGA   | 2/28/2017 7:23 AM |
| 7 | I do my mothers shopping, take her to the doctor's, pick up her medication. I do this mostly on the weekends. My mother is in the Wollongong Council Shire.                            | 2/28/2017 7:18 AM |

**Q12 Are you comfortable discussing your caring responsibilities with your supervisor or other senior manager?**

Answered: 13 Skipped: 60



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Yes            | 84.62%    | 11        |
| No             | 15.38%    | 2         |
| <b>Total</b>   |           | <b>13</b> |



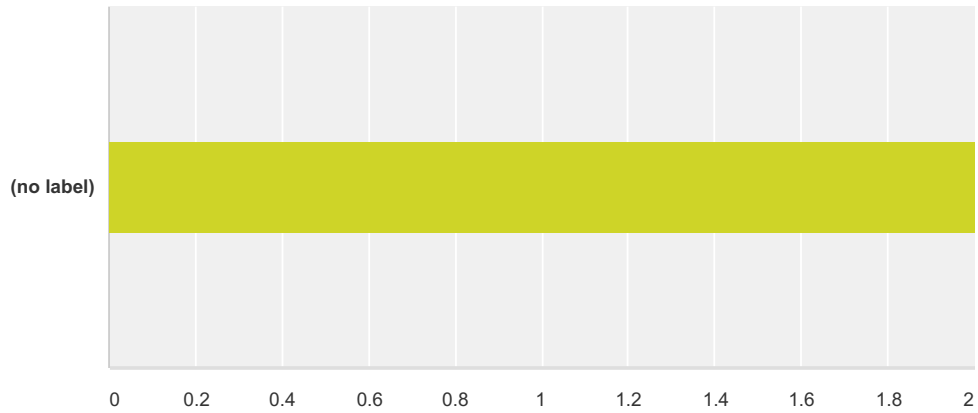
**Q13 If you arent comfortable discussing your caring responsibilities with your supervisor, please comment on why and what would make you feel more comfortable**

Answered: 8 Skipped: 65

| # | Responses   | Date              |
|---|---|-------------------|
| 1 | ....  | 2/28/2017 3:44 PM |
| 2 | Very supportive   | 2/28/2017 9:34 AM |
| 3 | My manager is very supportive and considerate. He is approachable and I feel comfortable discussing my responsibilities with him.   | 2/28/2017 8:37 AM |
| 4 | N/A   | 2/28/2017 8:14 AM |
| 5 | N/A   | 2/28/2017 7:56 AM |
| 6 | My supervisor has no interest in any personal circumstances of mine - only interested in work and even then generally only the work that affects them directly. Recently I had an acting supervisor who rang me 3 times while on 1 weeks leave to discuss non-urgent matters. | 2/28/2017 7:46 AM |
| 7 | I'm comfortable   | 2/28/2017 7:33 AM |
| 8 | I am a very private person  | 2/28/2017 7:18 AM |

### Q14 Council staff display positive attitudes and behaviours towards people with disability

Answered: 57 Skipped: 16

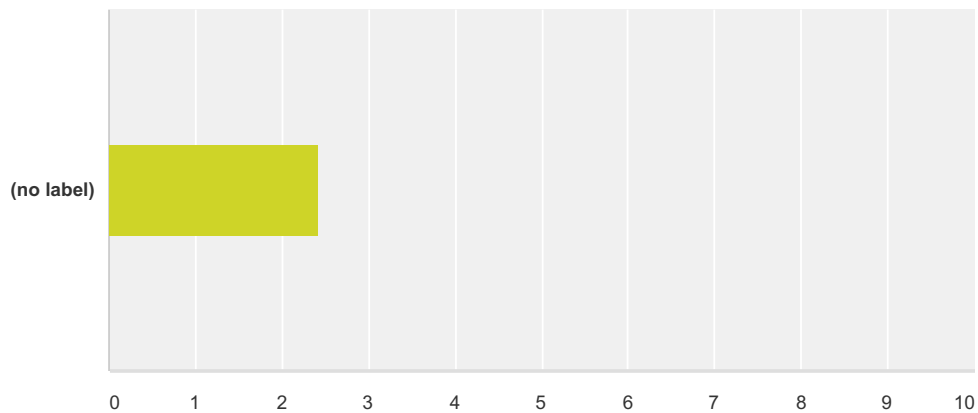


|            | Strongly Agree | Agree        | Not Sure/Neutral | Disagree   | Strongly Disagree | Total | Weighted Average |
|------------|----------------|--------------|------------------|------------|-------------------|-------|------------------|
| (no label) | 26.32%<br>15   | 47.37%<br>27 | 26.32%<br>15     | 0.00%<br>0 | 0.00%<br>0        | 57    | 2.00             |

| # | Please Comment  | Date              |
|---|---|-------------------|
| 1 | I am new to the council and didn't come accross enough situations.  | 3/1/2017 7:52 AM  |
| 2 | In previous years the focus was more along the lines as to why we couldnt include someone eg we dont have the facilities eg toilets accessable for wheelchairs etc  | 2/28/2017 1:49 PM |
| 3 | Although find that some staff seem to resent taking steps to include disabled people  | 2/28/2017 7:50 AM |
| 4 | Most people do but there is a common and archaic thought across many people at Council that people with disability can contribute to the community in a limited capacity only or that they have an intellectual disability. | 2/28/2017 7:43 AM |
| 5 | Officially Council staff have positive attitudes, but individually some staff are negative.   | 2/28/2017 7:26 AM |

### Q15 Council buildings, facilities and events are accessible for people with disability

Answered: 57 Skipped: 16

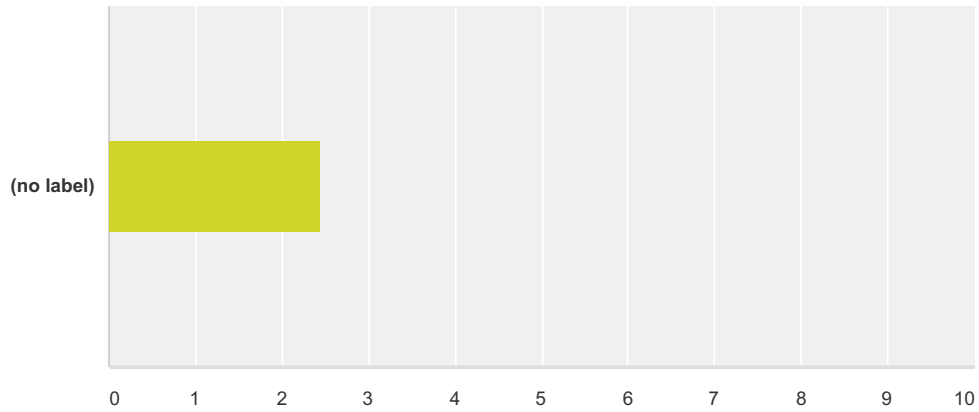


|            | Strongly Agree | Agree        | Not Sure/Neutral | Disagree    | Strongly Disagree | Total | Weighted Average |
|------------|----------------|--------------|------------------|-------------|-------------------|-------|------------------|
| (no label) | 7.02%<br>4     | 54.39%<br>31 | 28.07%<br>16     | 10.53%<br>6 | 0.00%<br>0        | 57    | 2.42             |

| # | Please Comment  | Date               |
|---|---|--------------------|
| 1 | Colden Street office has stairs but no lift   | 3/1/2017 11:59 AM  |
| 2 | Some probably more than others - not sure if all community halls are.   | 2/28/2017 3:13 PM  |
| 3 | I answer this with ramp access in mind though I realise there are a broad range of disabilities where level access is not as relevant.  | 2/28/2017 3:09 PM  |
| 4 | Refits of buildings/facilities are more accessible however older buildings etc are not  | 2/28/2017 1:49 PM  |
| 5 | Not all facilities are accessible   | 2/28/2017 10:33 AM |
| 6 | Small walkways in council - could impact people who require wheelchairs   | 2/28/2017 8:22 AM  |
| 7 | Paqrticularly Council's sportsgrounds where there is often uneven car parks, no marked accessible spaces, no connectivity from car park to sportsfield edge, amenities or coffee van  | 2/28/2017 7:50 AM  |
| 8 | While some facilities and buildings are accessible, events need to consider accessibility more such as illuminarte and major facilities such as the botanic gardens need to be upgraded. Council needs to commit funds to upgrading on an annual basis so that all toilets meet minimum standards. Staff toilets do not include ambulant toilets, not all people with mobility issues want to use the accessible toilets. Council should have at least one ambulant toilet on each floor for each male/female group of toilets. Council needs to consider locations when doing community engagement only 2 hearing loops, and we do not promote to include people with disability and invite them and make them feel welcome. | 2/28/2017 7:43 AM  |

### Q16 People with disability are encouraged to apply for positions with Council

Answered: 57 Skipped: 16

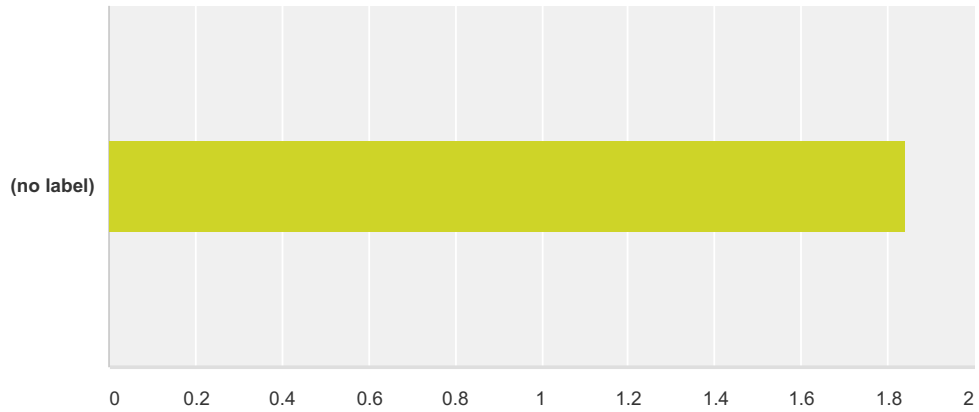


|            | Strongly Agree | Agree        | Not Sure/Neutral | Disagree   | Strongly disagree | Total | Weighted Average |
|------------|----------------|--------------|------------------|------------|-------------------|-------|------------------|
| (no label) | 10.53%<br>6    | 40.35%<br>23 | 43.86%<br>25     | 5.26%<br>3 | 0.00%<br>0        | 57    | 2.44             |

| # | Please comment  | Date               |
|---|---|--------------------|
| 1 | I think people with a disability who apply for positions at Council are treated equally, however I'm not sure if they are encouraged to apply for positions.  | 3/1/2017 9:57 AM   |
| 2 | My brothe rin law is unable to work for Coucnil due to his disability being an OHS risk   | 2/28/2017 10:33 AM |
| 3 | Council could do more to encourage people with disability to apply for positions and review job descriptions to ensure that they only include essential to the position details - some positions advise a minimum weight carrying capacity when this is not always essential to the role. | 2/28/2017 7:43 AM  |
| 4 | Never seen an advertisement   | 2/28/2017 7:24 AM  |
| 5 | At present it seems the current approach towards disability is for identified positions only rather than a broad approach   | 2/28/2017 7:23 AM  |

### Q17 Council supports people with disability in the workplace

Answered: 57 Skipped: 16

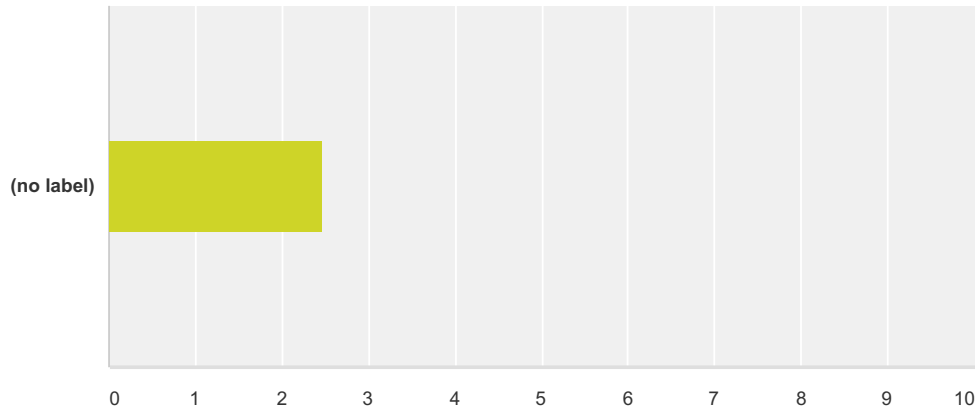


|            | Strongly Agree | Agree        | Not Sure/Neutral | Disagree   | Strongly Disagree | Total | Weighted Average |
|------------|----------------|--------------|------------------|------------|-------------------|-------|------------------|
| (no label) | 31.58%<br>18   | 52.63%<br>30 | 15.79%<br>9      | 0.00%<br>0 | 0.00%<br>0        | 57    | 1.84             |

| # | Please Comment   | Date              |
|---|--|-------------------|
| 1 | Although find that some staff seem to resent taking steps to include disabled people   | 2/28/2017 7:50 AM |
| 2 | I believe council goes above and beyond in many areas but I think improvements could be made such as ambulant toilets for staff and an accessible toilet upstairs. | 2/28/2017 7:43 AM |
| 3 | They support a person I know with depression, heavy smoking etc. They also support a lady that has hearing problems.   | 2/28/2017 7:24 AM |

### Q18 Council supports carers of people with disability/frail aged in the workplace

Answered: 57 Skipped: 16

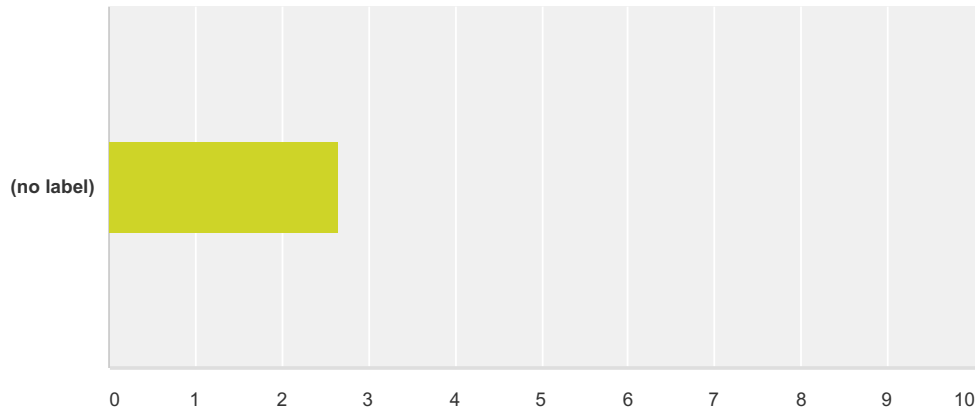


|            | Strongly Agree | Agree        | Not Sure/Neutral | Disagree   | Strongly Disagree | Total | Weighted Average |
|------------|----------------|--------------|------------------|------------|-------------------|-------|------------------|
| (no label) | 14.04%<br>8    | 28.07%<br>16 | 54.39%<br>31     | 3.51%<br>2 | 0.00%<br>0        | 57    | 2.47             |

| # | Please Comment  | Date              |
|---|---|-------------------|
| 1 | Though I'm not directly aware of anyone in this situation I imagine Council would be accommodating where possible in terms of work flexibility. | 2/28/2017 3:09 PM |
| 2 | Flexitime is more supportive than rigid hours   | 2/28/2017 1:49 PM |
| 3 | In some areas it is great. In other areas there is lip service to support services but no genuine caring or interest.                           | 2/28/2017 7:50 AM |
| 4 | I have heard good things from many staff about how their supervisors and council have been supported in a variety of ways.                      | 2/28/2017 7:43 AM |
| 5 | The lady with the hearing problem always has a lady signing at the monthly meetings   | 2/28/2017 7:24 AM |

### Q19 Council considers people with disability when accessing our website and technology

Answered: 57 Skipped: 16

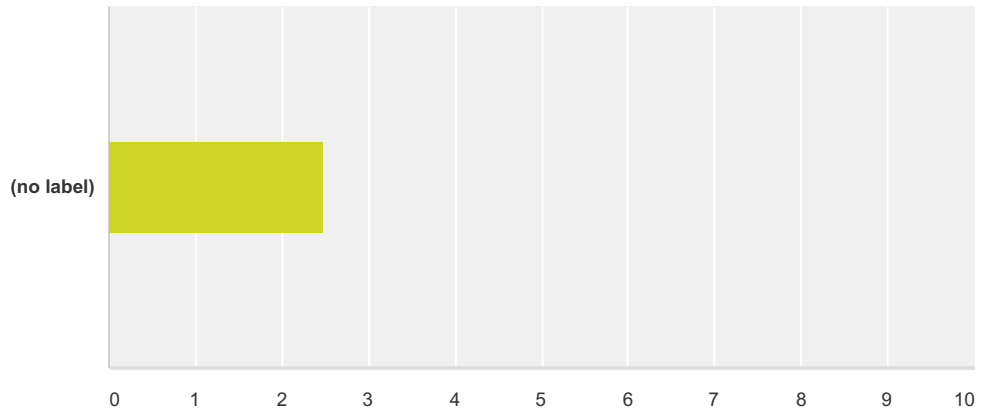


|            | Strongly Agree | Agree  | Not Sure/Neutral | Disagree | Strongly Disagree | Total | Weighted Average |
|------------|----------------|--------|------------------|----------|-------------------|-------|------------------|
| (no label) | 10.53%         | 24.56% | 54.39%           | 10.53%   | 0.00%             | 57    | 2.65             |
|            | 6              | 14     | 31               | 6        | 0                 |       |                  |

| # | Please Comment  | Date               |
|---|---|--------------------|
| 1 | Some of the font colours on the website don't necessarily work well with eye sight. Personally, I have issues with reading red writing on whiteboards, and the different colours used on the website is a bit difficult to read when the text is small (mainly the magenta, orange and purple).   | 3/3/2017 9:02 AM   |
| 2 | Probably but I'm not sure   | 2/28/2017 3:13 PM  |
| 3 | This is not something that I have directly considered when preparing text for the website. I would hope that it was considered at the backend in terms of the overall management of the website and if there were specific requirements for documents which are uploaded than staff would be advised. I'm not personally aware of what features a website should have to improve access for people with a disability. | 2/28/2017 3:09 PM  |
| 4 | The search bar on Council website is hard to find and is written in green which can be hard for people with a vision impairment to see.   | 2/28/2017 10:33 AM |
| 5 | Staff need training to ensure that documents and website is up to WCAG2.0 AA minimum standard as all councils are required to be at the AA standard minimum. More needs to be done and staff are willing but need the training.   | 2/28/2017 7:43 AM  |
| 6 | I really haven't looked at the website  | 2/28/2017 7:24 AM  |
| 7 | Improvements could be made in this area with recent livestream of councillor meetings - captions.   | 2/28/2017 7:23 AM  |

### Q20 Council is flexible and able to provide information in a range of formats for people with disability

Answered: 57 Skipped: 16



|            | Strongly Agree | Agree        | Not Sure/Neutral | Disagree   | Strongly Disagree | Total | Weighted Average |
|------------|----------------|--------------|------------------|------------|-------------------|-------|------------------|
| (no label) | 7.02%<br>4     | 40.35%<br>23 | 49.12%<br>28     | 3.51%<br>2 | 0.00%<br>0        | 57    | 2.49             |

| # | Please Comment   | Date              |
|---|--|-------------------|
| 1 | I'm not aware of any protocols in place for how to facilitate this if a request was received. Is it something that anyone can do by following a checklist/instruction or is there someone who would be responsible for this if a request was received. | 2/28/2017 3:09 PM |
| 2 | In some cases we do eg hearing loop fonts however lam sure there is more to do   | 2/28/2017 1:49 PM |



## Q21 Do you have any ideas on how Council could improve the workplace to be more inclusive?

Answered: 17 Skipped: 56

| #  | Responses   | Date               |
|----|---|--------------------|
| 1  | Posters, Facebook.  | 3/16/2017 9:28 AM  |
| 2  | No  | 3/1/2017 12:14 PM  |
| 3  | I'm not sure that Council that Council is not inclusive of people with a disability.  | 3/1/2017 9:57 AM   |
| 4  | None at the moment.   | 3/1/2017 7:52 AM   |
| 5  | Not really. Possibly some staff training may assist   | 2/28/2017 3:13 PM  |
| 6  | Raising awareness around disabilities and how broad this term is. This could be as simple as posters around the building. Raising the profile of the DIAP within the organisation. Integrating it with other policies where relevant. Discussion of WHS and safety is a standing item on team meetings. Perhaps as a one off once or more times a year this could have a theme of Disability to focus consideration on this issue. I appreciate that WHS is more about preventing injury so perhaps there is a more appropriate tool that could be used. Maybe an exercise for team meetings that then feeds back to you of there was a specific action or consultation point within the DIAP. Making staff aware of how the organisation can assist in terms of leave/flexibility to accommodate staff who live or care for someone with a disability. | 2/28/2017 3:09 PM  |
| 7  | Create more awareness of all types of disabilities not just ones that are visible. As working in an environment knowing everyone is aware and accepting would help the workplace be more inclusive for people without even having to openly admit the disability to everyone.   | 2/28/2017 2:25 PM  |
| 8  | No mainly due to a lack of training in this area  | 2/28/2017 1:49 PM  |
| 9  | Active recruitment and/or work training for people with a disability. More flexible work practices such as work from home and flexible core hours (for carers and PWD)  | 2/28/2017 10:33 AM |
| 10 | No  | 2/28/2017 9:33 AM  |
| 11 | Have a disability inclusion policy/protocol.  | 2/28/2017 8:13 AM  |
| 12 | We need to change the mindset and make the workplace more inclusive for all. This should be in the form of education programs so people know what support and requirements are needed. A review of Council facilities would need to address what percentage are inclusive so a plan can be formulated to address changing needs over the coming years.  | 2/28/2017 8:11 AM  |
| 13 | produce list of those positions that can be undertaken by people with disability and positively discriminate to place disabled people in those positions  | 2/28/2017 7:53 AM  |
| 14 | The executive need to be active in actually showing interest in the emotional welfare of their staff.   | 2/28/2017 7:50 AM  |
| 15 | Ambulant toilets, teach us basic sign language so we can communicate with our deaf employees  | 2/28/2017 7:43 AM  |
| 16 | I think they are already doing it?  | 2/28/2017 7:24 AM  |
| 17 | Education and increased awareness of what a disability actually is. It can be something from a mental health issue (anxiety) to someone wheelchair bound and everything in between.   | 2/28/2017 7:14 AM  |

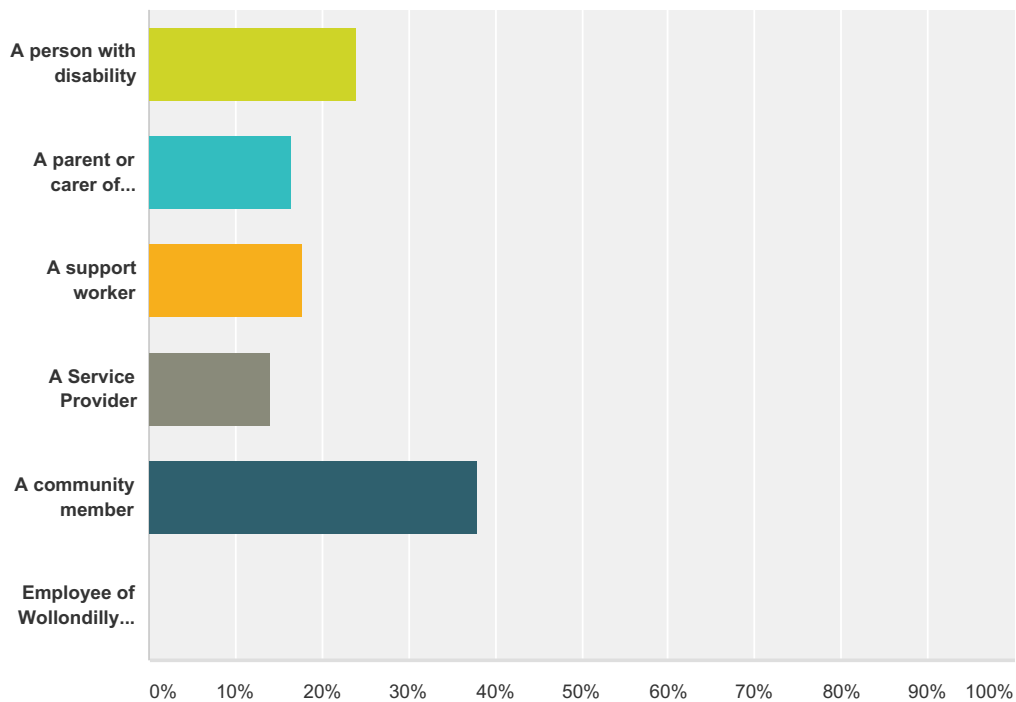
**Q22 If you have any other ideas about how Council could be more inclusive of people with disability please comment**

Answered: 7 Skipped: 66

| # | Responses  | Date               |
|---|--|--------------------|
| 1 | Signs on the grounds where it is a disability parking i.e. not only the sign on the pole. Thanks   | 3/1/2017 7:52 AM   |
| 2 | I think council tries to be inclusive, not sure if people with disability will agree.  | 2/28/2017 3:13 PM  |
| 3 | Staff training on how to deal with/accommodate customers with a disability, especially recognising when there might be a disability which is not immediately obvious. Knowing how some people with disabilities which may behave (I'm thinking of neurological based disabilities which may make someone easily irritable). I'm not sure how broad such training would need to be. | 2/28/2017 3:09 PM  |
| 4 | No   | 2/28/2017 1:49 PM  |
| 5 | More prominent advertising of ways to navigate website if you have a disability. Creation/identification of jobs suited to people with disability  | 2/28/2017 10:33 AM |
| 6 | The Disability Access Advisory Committee should become more prevelant and maybe there needs to be an internal working committee to work through how Council can perform better   | 2/28/2017 8:11 AM  |
| 7 | give free mlak keys (why should people with disabilitiy have to pay to go to the toilet?),upgrade accessible toilets (esp. Botanic Gardens), improve access and promotion of events/engagement/workshops and increase accessibility of them - consult with expert in the field.  | 2/28/2017 7:43 AM  |

### Q1 Which of the following best describes you?

Answered: 79 Skipped: 5

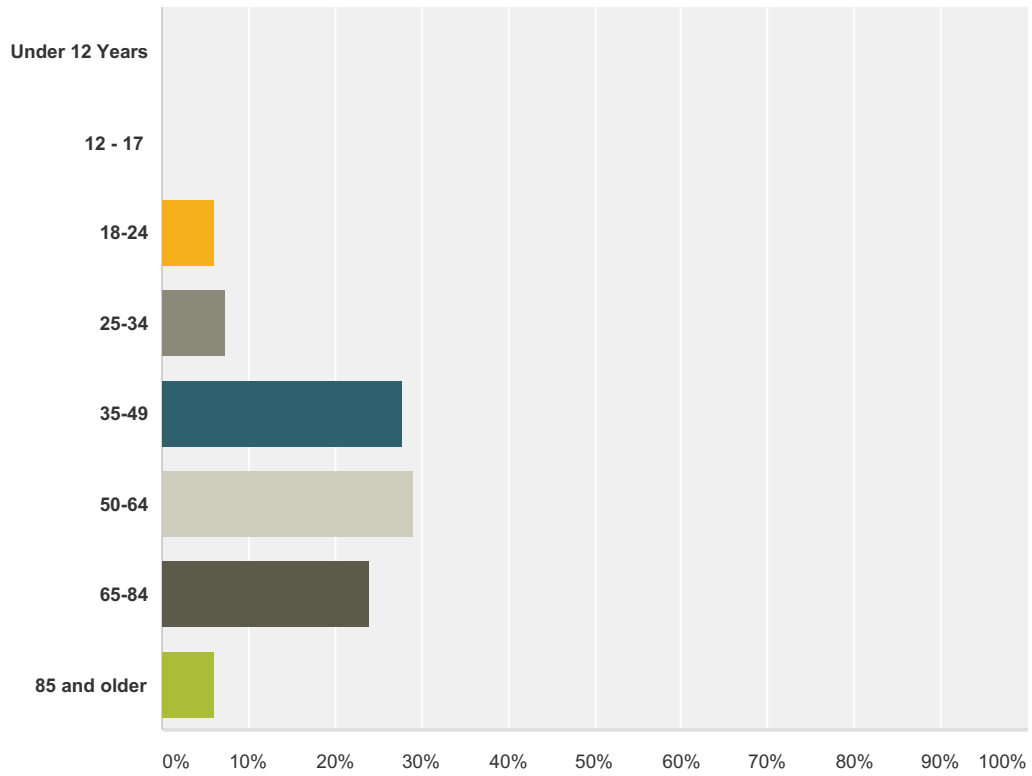


| Answer Choices                                 | Responses |
|--|-----------|
| A person with disability                       | 24.05% 19 |
| A parent or carer of someone with a disability | 16.46% 13 |
| A support worker                               | 17.72% 14 |
| A Service Provider                             | 13.92% 11 |
| A community member                             | 37.97% 30 |
| Employee of Wollondilly Shire Council          | 0.00% 0   |
| <b>Total Respondents: 79</b>                   |           |

| # | Other (please specify)                            | Date               |
|---|---|--------------------|
| 1 | Volunteer   | 2/1/2017 12:48 PM  |
| 2 | More mobility & some housework needs              | 2/1/2017 12:42 PM  |
| 3 | Aged with back & leg difficulties                 | 2/1/2017 10:46 AM  |
| 4 | Wife is visibly impaired - Husband is the carer   | 2/1/2017 10:43 AM  |
| 5 | I have a quadriplegic Respirator dependent sister | 1/31/2017 1:19 PM  |
| 6 | Teacher   | 1/30/2017 10:53 AM |
| 7 | A family member of someone with a disability.     | 1/12/2017 8:23 PM  |
| 8 | Team leader with SWS CRCC                         | 1/10/2017 8:41 AM  |

## Q2 What is your age?

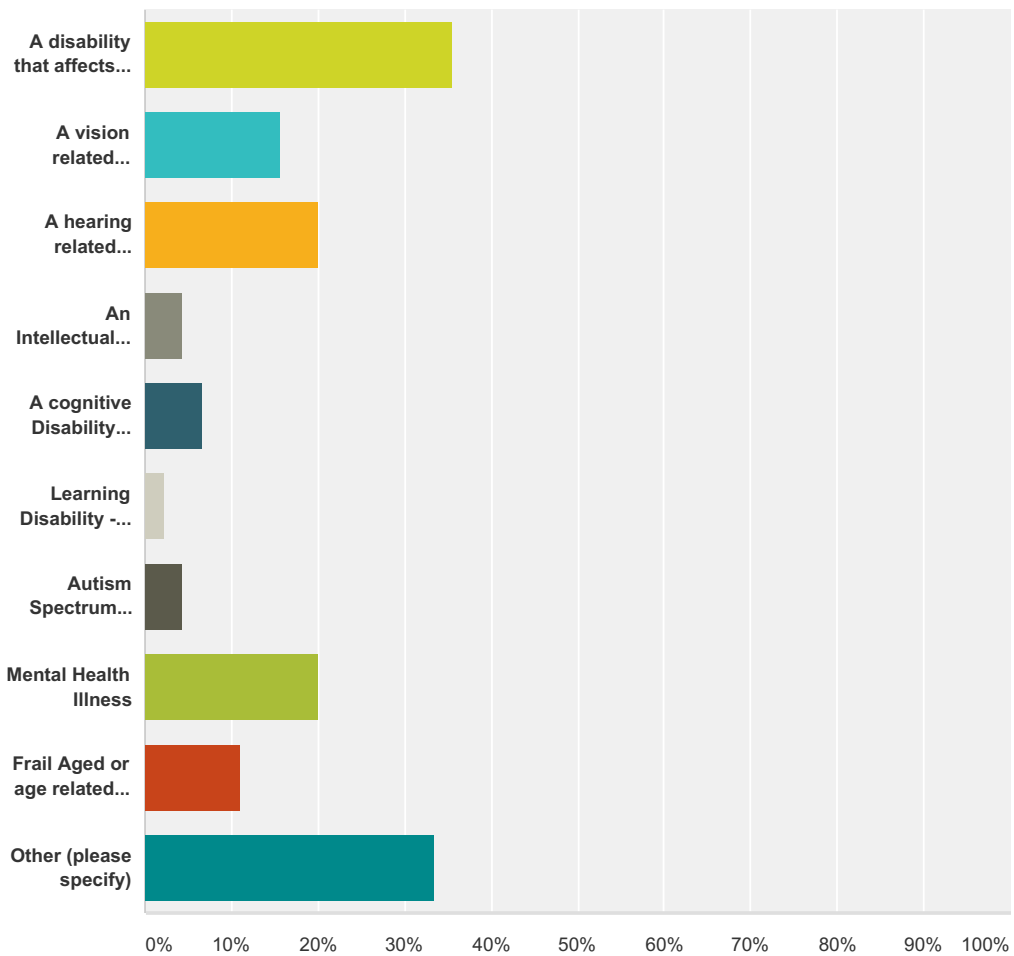
Answered: 83 Skipped: 1



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| Under 12 Years | 0.00%     | 0         |
| 12 - 17        | 0.00%     | 0         |
| 18-24          | 6.02%     | 5         |
| 25-34          | 7.23%     | 6         |
| 35-49          | 27.71%    | 23        |
| 50-64          | 28.92%    | 24        |
| 65-84          | 24.10%    | 20        |
| 85 and older   | 6.02%     | 5         |
| <b>Total</b>   |           | <b>83</b> |

### Q3 Have you been diagnosed with or do you consider yourself to have any of the following?

Answered: 45 Skipped: 39



| Answer Choices  | Responses |
|---|-----------|
| A disability that affects mobility                                  | 35.56% 16 |
| A vision related disability   | 15.56% 7  |
| A hearing related disability  | 20.00% 9  |
| An Intellectual Disability  | 4.44% 2   |
| A cognitive Disability including Acquired Brain Injury, Stroke etc. | 6.67% 3   |
| Learning Disability - eg. Dyslexia, dyspraxia etc                   | 2.22% 1   |
| Autism Spectrum Disorder  | 4.44% 2   |
| Mental Health Illness   | 20.00% 9  |
| Frail Aged or age related disability                                | 11.11% 5  |
| Other (please specify)  | 33.33% 15 |
| <b>Total Respondents: 45</b>  |           |

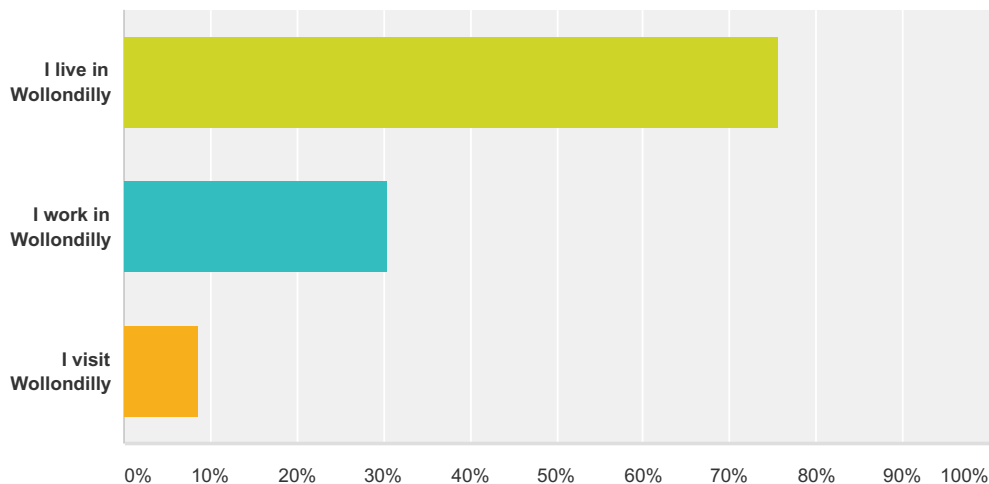
| # | Other (please specify) | Date |
|---|------------------------|------|
|---|------------------------|------|

## Disability Inclusion Action Planning - Wollondilly Shire Council

|    |  |                    |
|----|--|--------------------|
| 1  | None of the above  | 2/1/2017 12:52 PM  |
| 2  | Pacemaker & defibrillator  | 2/1/2017 12:42 PM  |
| 3  | Heart Pacemakers - since 1981  | 2/1/2017 12:06 PM  |
| 4  | Down Syndrome  | 2/1/2017 11:04 AM  |
| 5  | COPD & Asthma - Oxygen 16 hours a day  | 2/1/2017 10:55 AM  |
| 6  | Advocate for those that are frail aged, have dementia and/or have a disability | 1/30/2017 3:18 PM  |
| 7  | N/A  | 1/30/2017 10:53 AM |
| 8  | N/A  | 1/14/2017 5:19 PM  |
| 9  | copd   | 1/13/2017 8:39 PM  |
| 10 | No but my son-in-law became disabled after a stroke.                           | 1/12/2017 8:23 PM  |
| 11 | I have a parent with a disability  | 1/11/2017 2:48 PM  |
| 12 | Severe allergies   | 1/11/2017 9:23 AM  |
| 13 | ADHD ODD   | 1/10/2017 11:12 AM |
| 14 | None   | 1/5/2017 6:36 AM   |
| 15 | work with clients with all above   | 1/5/2017 5:15 AM   |

### Q4 Please select your relationship with Wollondilly and let us know where you live.

Answered: 82 Skipped: 2



| Answer Choices               | Responses |
|------------------------------|-----------|
| I live in Wollondilly        | 75.61% 62 |
| I work in Wollondilly        | 30.49% 25 |
| I visit Wollondilly          | 8.54% 7   |
| <b>Total Respondents: 82</b> |           |

| #  | Town or Village that you live in | Date              |
|----|----------------------------------|-------------------|
| 1  | camden                           | 2/4/2017 3:46 PM  |
| 2  | Tahmoor                          | 2/1/2017 12:55 PM |
| 3  | Buxton                           | 2/1/2017 12:53 PM |
| 4  | Bargo                            | 2/1/2017 12:52 PM |
| 5  | 2572                             | 2/1/2017 12:49 PM |
| 6  | Wilton                           | 2/1/2017 12:48 PM |
| 7  | Silverdale                       | 2/1/2017 12:46 PM |
| 8  | Waratah Highlands - Bargo        | 2/1/2017 12:42 PM |
| 9  | Bargo                            | 2/1/2017 12:37 PM |
| 10 | Bargo                            | 2/1/2017 12:34 PM |
| 11 | Tahmoor                          | 2/1/2017 12:18 PM |
| 12 | Buxton                           | 2/1/2017 12:14 PM |
| 13 | Tahmoor                          | 2/1/2017 12:08 PM |
| 14 | Thirlmere                        | 2/1/2017 12:06 PM |
| 15 | Thirlmere                        | 2/1/2017 12:04 PM |
| 16 | Tahmoor                          | 2/1/2017 11:17 AM |
| 17 | Silverdale                       | 2/1/2017 11:09 AM |
| 18 | Bargo                            | 2/1/2017 11:08 AM |
| 19 | Bargo                            | 2/1/2017 11:04 AM |
| 20 | Tahmoor                          | 2/1/2017 11:01 AM |

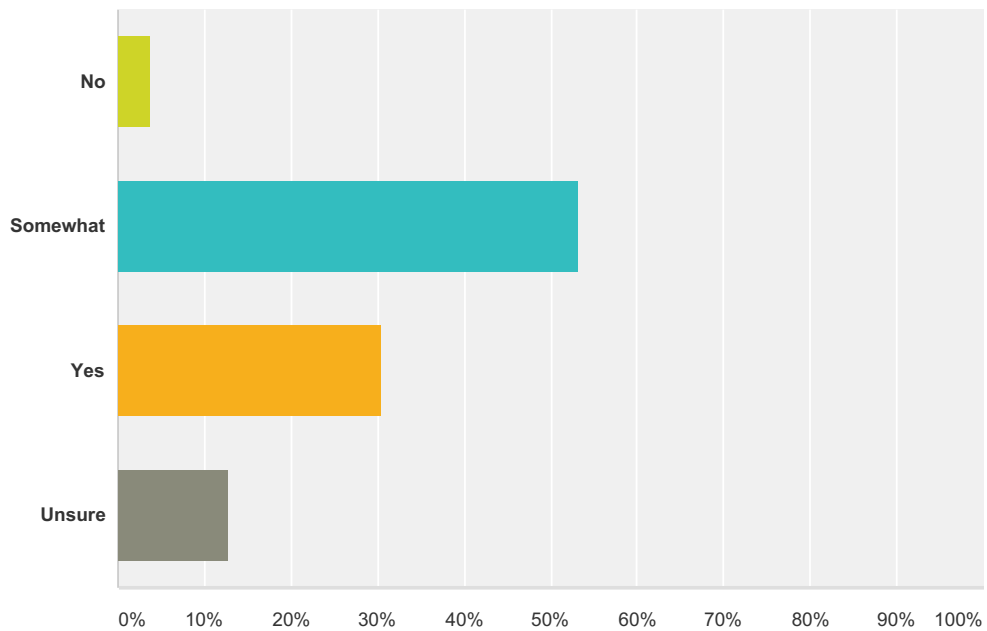
## Disability Inclusion Action Planning - Wollondilly Shire Council

|    |                                    |                    |
|----|------------------------------------|--------------------|
| 21 | Bargo                              | 2/1/2017 10:55 AM  |
| 22 | Bargo                              | 2/1/2017 10:46 AM  |
| 23 | Picton                             | 2/1/2017 10:43 AM  |
| 24 | Buxton                             | 1/31/2017 1:47 PM  |
| 25 | Picton                             | 1/31/2017 1:19 PM  |
| 26 | Wilton                             | 1/26/2017 9:36 AM  |
| 27 | Bargo                              | 1/18/2017 1:50 AM  |
| 28 | Yerrinbool                         | 1/15/2017 8:00 PM  |
| 29 | Thirlmere                          | 1/14/2017 7:22 AM  |
| 30 | Picton                             | 1/13/2017 8:39 PM  |
| 31 | Stanwell Park                      | 1/13/2017 11:39 AM |
| 32 | Picton                             | 1/12/2017 8:23 PM  |
| 33 | Buxton                             | 1/12/2017 7:28 PM  |
| 34 | live in Eschol Park visit Menangle | 1/11/2017 2:48 PM  |
| 35 | Camden Park                        | 1/11/2017 7:08 AM  |
| 36 | Tahmoor                            | 1/10/2017 8:34 PM  |
| 37 | Picton                             | 1/10/2017 2:52 PM  |
| 38 | Wollongong                         | 1/10/2017 2:47 PM  |
| 39 | Pheasants Nest                     | 1/10/2017 2:10 PM  |
| 40 | Tahmoor                            | 1/10/2017 11:27 AM |
| 41 | Picton                             | 1/9/2017 2:57 PM   |
| 42 | Tahmoor                            | 1/9/2017 12:06 PM  |
| 43 | Warragamba                         | 1/6/2017 10:11 AM  |
| 44 | Yanderra                           | 1/5/2017 9:08 AM   |
| 45 | Menangle                           | 1/5/2017 8:19 AM   |
| 46 | Thirlmere                          | 1/5/2017 6:36 AM   |
| 47 | Wilton Live Tahmoor work           | 1/5/2017 5:15 AM   |



### Q5 Do you think that the Wollondilly community has positive attitudes and behaviours towards people with disability?

Answered: 79 Skipped: 5



| Answer Choices | Responses |
|----------------|-----------|
| No             | 3.80% 3   |
| Somewhat       | 53.16% 42 |
| Yes            | 30.38% 24 |
| Unsure         | 12.66% 10 |
| <b>Total</b>   | <b>79</b> |

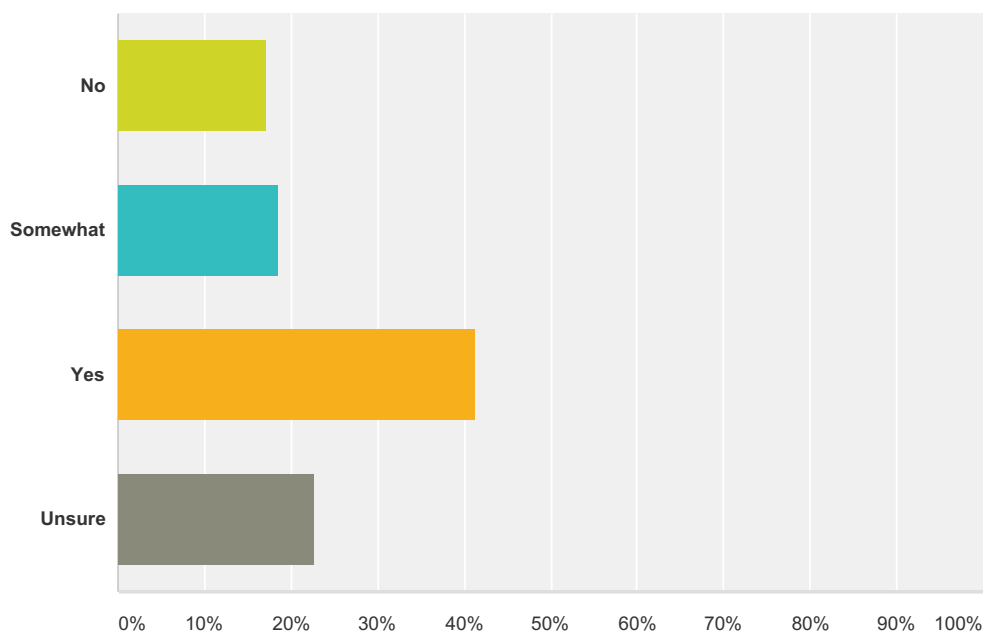
| #  | You are welcome to share specific examples and experiences  | Date               |
|----|---|--------------------|
| 1  | All government services & retail staff very helpful. Two instances of diabetic hypoglycaemia 2016 whilst shopping were dealt with efficiently and service extended to delivering purchases to me  | 2/1/2017 12:57 PM  |
| 2  | some of my child's friends mums are quiet supportive to some level. as a community they have only some what knowledge about autism but mostly untrue facts  | 2/1/2017 12:16 PM  |
| 3  | Wilton Public School is wonderful & caring  | 2/1/2017 11:05 AM  |
| 4  | Home deliveries Community Organisations   | 2/1/2017 10:48 AM  |
| 5  | For the most part, my disabilities are invisible - i look fine  | 1/31/2017 1:23 PM  |
| 6  | More access for people with a disability to community services as in transport  | 1/30/2017 10:54 AM |
| 7  | Have not spent enough time in Wollondilly yet.  | 1/13/2017 11:43 AM |
| 8  | My son in law has difficulty finding employment because he has lost the use of his left arm. However, he has learnt to do most things with one arm but nobody is willing to give him a go. People seem to ignore him when he is in a group. | 1/12/2017 8:30 PM  |
| 9  | I used to work at the leisure centre and found that they cater well for people with disabilities  | 1/12/2017 7:30 PM  |
| 10 | There is some disabled access but people who have poor mobility or in wheelchairs can struggle to get around picton eg. accessing IMB bank there is only stair access   | 1/11/2017 7:09 AM  |
| 11 | More could be done to assist those with a disability have inclusion in the community and participate in a more meaningful way.  | 1/10/2017 2:31 PM  |

## Disability Inclusion Action Planning - Wollondilly Shire Council

|    |   |                   |
|----|---|-------------------|
| 12 | There is no accessible transport for many Wollondilly residents including those with a disability. Buildings do not always cater well for disability clients, with poor access or visibility.   | 1/10/2017 2:11 PM |
| 13 | From what I've seen community members are very supportive of individual people with a disability who live in the community. I don't hear much talk locally about prioritising the needs of people with a disability or ensuring the community grows in a way that is inclusive of people with a disability when it comes to infrastructure and community facilities though. | 1/9/2017 3:09 PM  |
| 14 | People living with a disability have expressed concern that council run events are not set up or particularly welcoming to people with disability.  | 1/9/2017 11:21 AM |
| 15 | At events ,special arrangements for mobility impaired are evident   | 1/5/2017 10:18 AM |

### Q6 Have you experienced positive attitudes and behaviours towards people with disability from Council staff?

Answered: 70 Skipped: 14

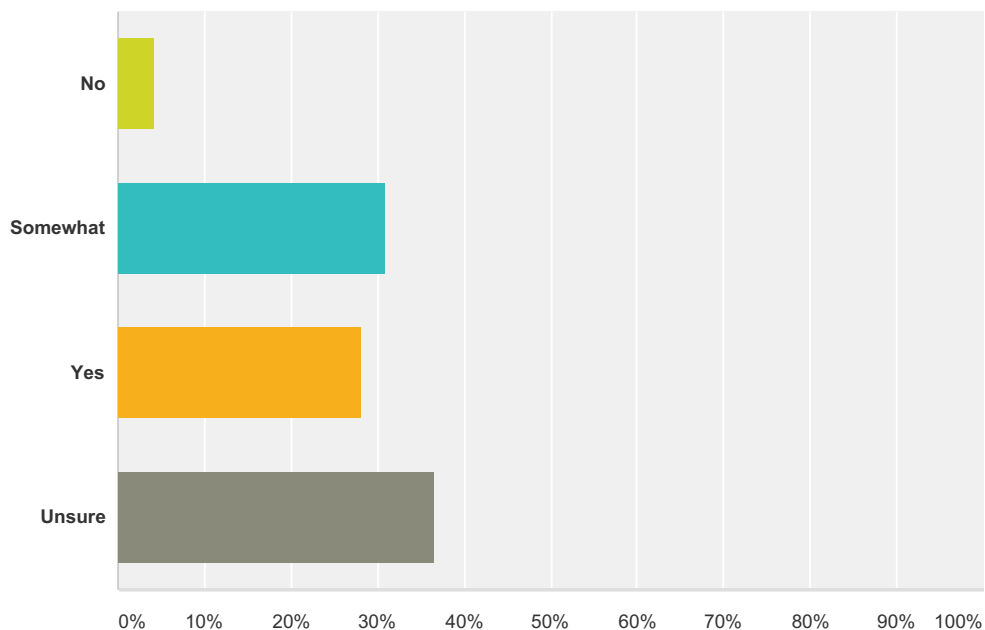


| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| No             | 17.14%    | 12        |
| Somewhat       | 18.57%    | 13        |
| Yes            | 41.43%    | 29        |
| Unsure         | 22.86%    | 16        |
| <b>Total</b>   |           | <b>70</b> |

| #  | You are welcome to share specific examples and experiences you have had  | Date               |
|----|--|--------------------|
| 1  | When we have the NDIS Meeting at the Council building but otherwise i have not come accross it yet   | 2/1/2017 12:16 PM  |
| 2  | The Silverdale & Warragamba Neighbourhood Centre staff are very helpful to everyone  | 2/1/2017 11:13 AM  |
| 3  | Haven't really been in a situation to comment  | 2/1/2017 11:05 AM  |
| 4  | i have had little contact with council staff   | 2/1/2017 10:57 AM  |
| 5  | N/A No dealings with council   | 2/1/2017 10:39 AM  |
| 6  | Staff at Picton Pool.  | 1/13/2017 11:43 AM |
| 7  | I have emailed Wollondilly council regarding footpaths in Menangle for my disabled mother, the email was not acknowledged other than an automatic email, it is has been 2 months | 1/11/2017 2:50 PM  |
| 8  | Only interaction is with library staff and it is very positive   | 1/11/2017 7:09 AM  |
| 9  | Wollondilly council staff have always been understanding and helpful with enquires   | 1/10/2017 11:30 AM |
| 10 | My son is registered with Family Day Care and staff are extremely understanding  | 1/10/2017 11:16 AM |
| 11 | Can't comment on this.   | 1/9/2017 3:09 PM   |
| 12 | Steam fest is required to provide disabled parking & toilets. Not evident at other events I attend   | 1/5/2017 10:18 AM  |
| 13 | Council staff are approachable and helpful.  | 1/4/2017 1:18 PM   |

### Q7 Are people with disability made to feel welcome and encouraged to attend Council events, forums and consultations?

Answered: 71 Skipped: 13



| Answer Choices | Responses |
|----------------|-----------|
| No             | 4.23% 3   |
| Somewhat       | 30.99% 22 |
| Yes            | 28.17% 20 |
| Unsure         | 36.62% 26 |
| <b>Total</b>   | <b>71</b> |

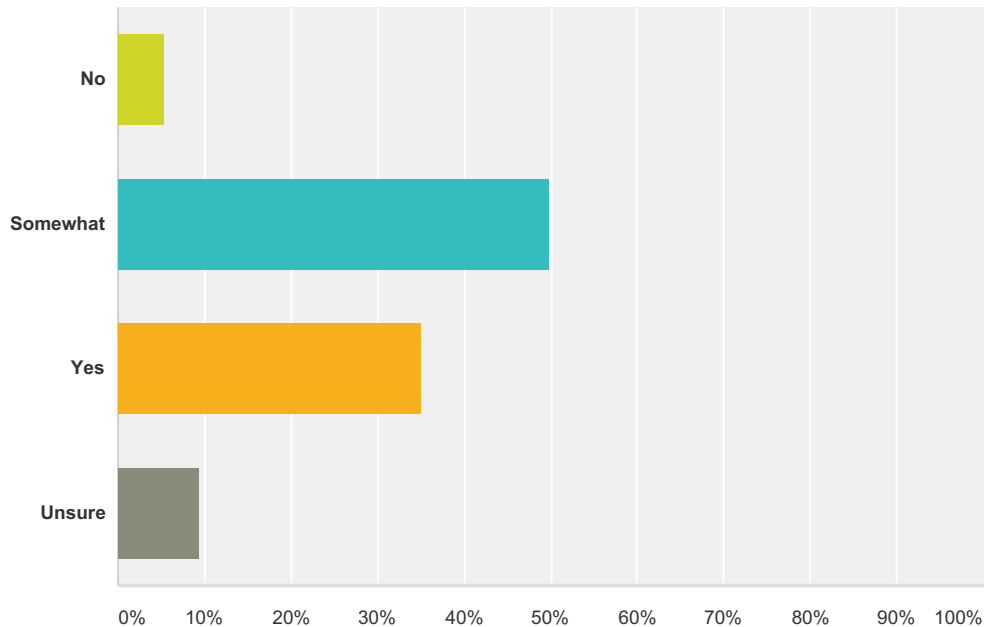
| #  | What does Council need to do to make people feel welcome and encourage them to attend?   | Date               |
|----|--|--------------------|
| 1  | Perhaps to hold forums, consultations in daylight hours when public transport is available when possible.                              | 2/1/2017 12:57 PM  |
| 2  | Due to changes in your hiring of the council bus, we have cancelled our bus trips this year to support groups                          | 2/1/2017 12:50 PM  |
| 3  | State that they will provide for the disabled - mentally and physically  | 2/1/2017 12:35 PM  |
| 4  | But i'm sure they would Not had the chance to come accross it  | 2/1/2017 12:16 PM  |
| 5  | Expo at Warragamba Townhall  | 2/1/2017 11:13 AM  |
| 6  | I don't think i can speak on the issue as i don't have a disability  | 2/1/2017 11:02 AM  |
| 7  | Possibly phone or email contact, or car pool if an issue DIRECTLY AFFECTS a resident   | 2/1/2017 10:57 AM  |
| 8  | N/A as above   | 2/1/2017 10:39 AM  |
| 9  | Liaise with local disability organisations to provide information about forums and consultations to encourage their members to attend. | 1/15/2017 8:03 PM  |
| 10 | Specify level of accessibility   | 1/13/2017 11:43 AM |
| 11 | Council needs to specifically invite people with a disability and explain the ways they can contribute.                                | 1/12/2017 8:30 PM  |
| 12 | Better communicate activities and events with providers.   | 1/10/2017 11:30 AM |

## Disability Inclusion Action Planning - Wollondilly Shire Council

|    |   |                    |
|----|---|--------------------|
| 13 | Now that my child attends mainstream school in Wollondilly, I no longer receive information about support programs and events that I previously did through community preschool or early intervention programs that we attended. It's not that I don't feel that my child is welcome, I am not aware of what is available from council to attend or support us. | 1/10/2017 11:16 AM |
| 14 | Can't comment on this   | 1/9/2017 3:09 PM   |
| 15 | Find out in they have any particular requirements e.g. parking, seating arrangements, assistance  | 1/9/2017 11:21 AM  |
| 16 | Dedicated viewing/photographic area at events. Fence off pedestrian pathway at Illuminarte for seniors & wheelchairs (noted they struggled last year) Steam festival had a roped off area for parade ,well appreciated & received lovely feedback.  | 1/5/2017 10:18 AM  |
| 17 | The needs of people with physical or intellectual disabilities can be quite different. Sometimes those with an intellectual disability need a quiet space, or somewhere not too crowded, just so they can relax if the crowds are stressing them eg Illuminarte   | 1/5/2017 9:11 AM   |
| 18 | Promote events and forums etc as being accessible. Don't assume that people know that they can get access.  | 1/4/2017 1:18 PM   |

### Q8 Are people with disability able to physically access community facilities - playgrounds, leisure centres, halls, sportsgrounds

Answered: 74 Skipped: 10



| Answer Choices | Responses |
|----------------|-----------|
| No             | 5.41% 4   |
| Somewhat       | 50.00% 37 |
| Yes            | 35.14% 26 |
| Unsure         | 9.46% 7   |
| <b>Total</b>   | <b>74</b> |

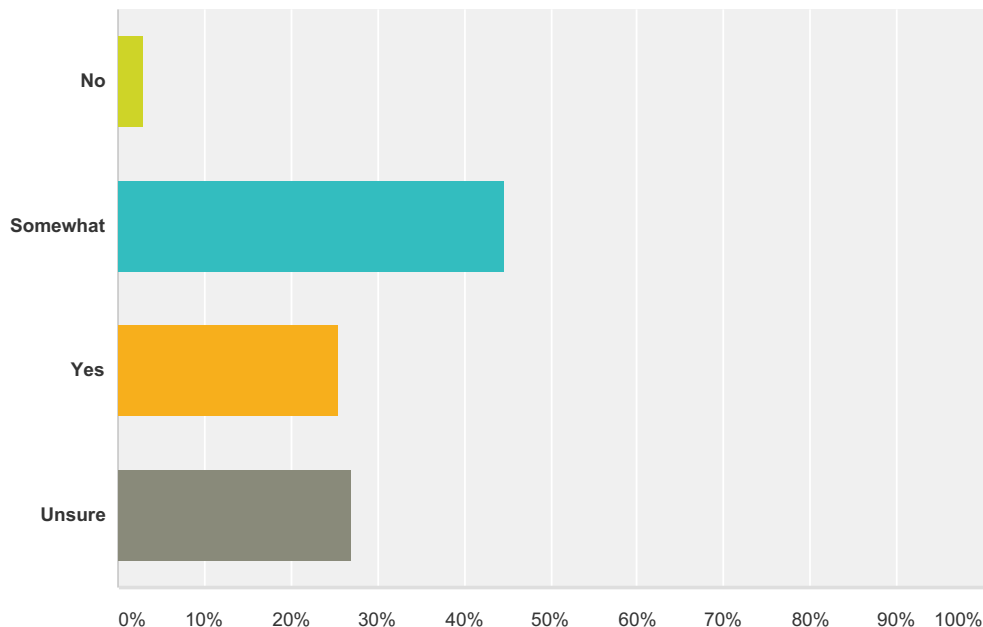
| # | You are welcome to share specific examples   | Date               |
|---|--|--------------------|
| 1 | Warragamba Townhall needs upgrading where the seniors are having their meeting   | 2/1/2017 11:14 AM  |
| 2 | Our son can only visit the park at Tahmoor He absconds so parks without enclosed fences we can not attend  | 2/1/2017 11:06 AM  |
| 3 | Train Stations - unable to access due to no staff to assist and a wide gap between platform and train. no lifts at Bargo train station, too many stairs  | 2/1/2017 10:53 AM  |
| 4 | Any new or upgraded facility plans should be reviewed at start of process by body with credentials and experience to do so across a wide range of disabilities. Facilities can meet minimum standards, but best to be optimally accessible. After all, these facilities are there for all. | 1/13/2017 11:49 AM |
| 5 | The botanic gardens in picton is well set out for people with disabilities, so is the leisure centre and the library.  | 1/12/2017 7:33 PM  |
| 6 | footpath in Menangle around the main intersection, so that a person using a 4 wheel walker does not have to deal with traffic, could also benefit parents with prams to access the playground  | 1/11/2017 2:53 PM  |
| 7 | Not all buildings are equipped well for disabled clients, such as School of Arts building. The Library has been improved but poor lighting in the Picton area deters people to walk around in the evening.   | 1/10/2017 2:13 PM  |
| 8 | Unless vandals have interfered   | 1/5/2017 12:53 PM  |
| 9 | See question 7   | 1/5/2017 10:20 AM  |

## Disability Inclusion Action Planning - Wollondilly Shire Council

|    |   |                  |
|----|---|------------------|
| 10 | The larger towns in the Wollondilly Shire have council facilities that are accessible- however smaller villages have far less accessible facilities (eg Menangle has very limited footpaths to the general store and churches and no footpaths to the train station or playground). | 1/5/2017 8:23 AM |
| 11 | Some yes some no.   | 1/4/2017 1:20 PM |

**Q9 Are people with disability able to access Council events, forums and consultations?  
Please consider physical access, toilets, ramps, hearing loops, interpreters**

Answered: 67 Skipped: 17



| Answer Choices | Responses |
|----------------|-----------|
| No             | 2.99% 2   |
| Somewhat       | 44.78% 30 |
| Yes            | 25.37% 17 |
| Unsure         | 26.87% 18 |
| <b>Total</b>   | <b>67</b> |

| # | You are welcome to share specific examples and experiences  | Date               |
|---|---|--------------------|
| 1 | As previously stated forums and consultations where possible held in daylight hours for ease of transport or a forum arranged both daylight and evening if an important issue.                      | 2/1/2017 12:58 PM  |
| 2 | Parking can prove difficult for people with mobility issues who have to walk a long way   | 2/1/2017 10:58 AM  |
| 3 | Mostly i am unable to attend any of these events  | 2/1/2017 10:53 AM  |
| 4 | disable toilets are NOT always available, then it makes it very hard if you are on your own.  | 1/13/2017 8:44 PM  |
| 5 | If access not for all, then only those able to access will be represented.  | 1/13/2017 11:49 AM |
| 6 | It can often be hard to park larger vehicles to unload wheelchairs close to these events.   | 1/11/2017 7:11 AM  |
| 7 | Hearing loops at Shire Hall would be good (as evidenced at St Marks church services currently held there)   | 1/5/2017 10:20 AM  |
| 8 | Not all buildings have hearing loops, i have never seen interpreters availability advertised, most buildings seem to be accessible. Most toilets are not up to standard such as the Botanic Gardens | 1/4/2017 1:20 PM   |
| 9 | Having to pay for a key to gain access to a disabled toilet is discrimination. I understand that the toilets are locked to keep down the useage and also they cleaning bills.                       | 12/17/2016 7:44 AM |



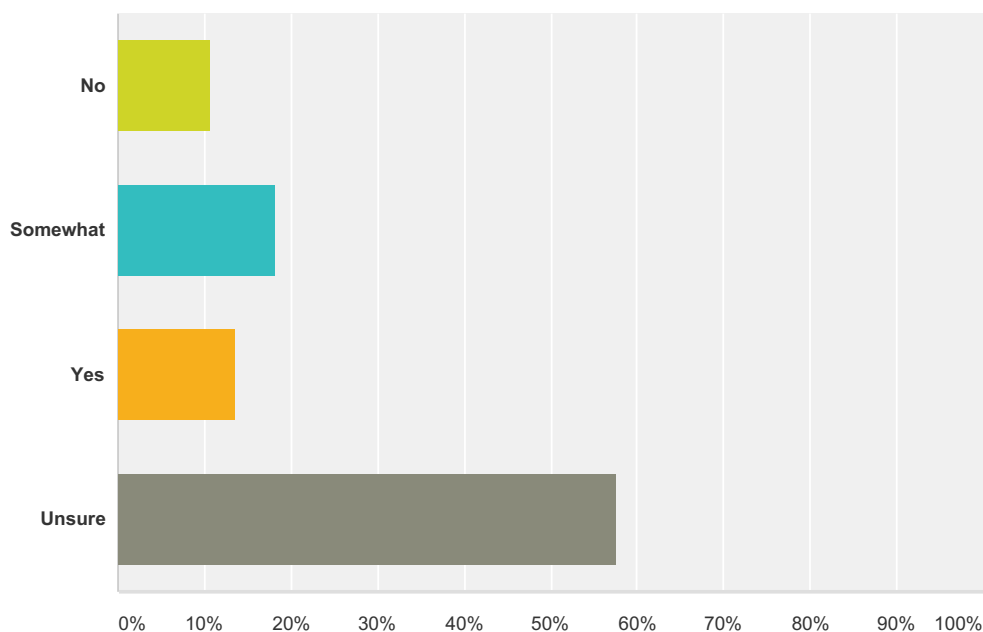
**Q10 Which Council facilities, forums or events would you like to use that you are unable to?**

Answered: 22 Skipped: 62

| #  | Responses  | Date               |
|----|--|--------------------|
| 1  | All accessible parking can be difficult.   | 2/1/2017 12:58 PM  |
| 2  | None   | 2/1/2017 12:52 PM  |
| 3  | When medical appointments allow, i would like to try some of your day outings  | 2/1/2017 12:44 PM  |
| 4  | Translators  | 2/1/2017 12:35 PM  |
| 5  | Due to vision impairment, unable to attend night time meeting  | 2/1/2017 12:19 PM  |
| 6  | Due to vision impairment, unable to attend night time meetings   | 2/1/2017 12:09 PM  |
| 7  | Picton activities too far from Silverdale & Warragamba   | 2/1/2017 11:14 AM  |
| 8  | N/A  | 2/1/2017 11:06 AM  |
| 9  | I am too restricted to attend, but have in the past  | 2/1/2017 10:58 AM  |
| 10 | Community  | 2/1/2017 10:53 AM  |
| 11 | under the stars  | 1/31/2017 5:23 PM  |
| 12 | Toilets in town.   | 1/13/2017 8:44 PM  |
| 13 | Insufficient experience of Wollondilly facilities.   | 1/13/2017 11:49 AM |
| 14 | -  | 1/11/2017 9:24 AM  |
| 15 | Thirlmere Steam Festival, Australia day celebrations   | 1/11/2017 7:11 AM  |
| 16 | Carols in the park Aussie citizen day  | 1/5/2017 12:53 PM  |
| 17 | N/A  | 1/5/2017 10:20 AM  |
| 18 | None.  | 1/5/2017 9:12 AM   |
| 19 | NA   | 1/5/2017 8:23 AM   |
| 20 | For children with autism crowds and lights are difficult   | 1/5/2017 6:25 AM   |
| 21 | Illuminarte can be overwhelming  | 1/4/2017 1:20 PM   |
| 22 | I am happy just the way things are except I think that making new business to have to comply with disability access is in fact discriminating on that person who is trying to have a go in life in there business. I think that there is plenty of accessible services and if someone is successful in there business that once they are established they could look at becoming accessible as this can be an expensive process. | 12/17/2016 7:44 AM |

### Q11 Do you think there are employment opportunities for people with disability at Wollondilly Shire Council?

Answered: 66 Skipped: 18



| Answer Choices | Responses |           |
|----------------|-----------|-----------|
| No             | 10.61%    | 7         |
| Somewhat       | 18.18%    | 12        |
| Yes            | 13.64%    | 9         |
| Unsure         | 57.58%    | 38        |
| <b>Total</b>   |           | <b>66</b> |

| # | You are welcome to provide comment  | Date               |
|---|---|--------------------|
| 1 | Don't know  | 2/1/2017 10:44 AM  |
| 2 | Unknown   | 2/1/2017 10:39 AM  |
| 3 | Public employers have a responsibility to maximise employment opportunities for people with disabilities.   | 1/13/2017 11:52 AM |
| 4 | My son in law was not considered for a position as a traffic controller (sign holder) because he only had the use of his right hand, yet he could have easily done this job. He had worked as a linesman, team leader and assistant in nursing before his stroke. | 1/12/2017 8:38 PM  |
| 5 | I am aware as I work for a DES provider that councils flag some roles for people with a disability however have not had direct communication from council in regards to these roles.  | 1/10/2017 11:33 AM |
| 6 | Are Council staff & premises prepared for employment of people with a disability e.g. physical environment & staff trained in disability awareness and being comfortable around people with disability  | 1/9/2017 11:21 AM  |

## Disability Inclusion Action Planning - Wollondilly Shire Council

|   |   |                    |
|---|---|--------------------|
| 7 | <p>There is already way to many people employed by the council. This is why council can't maintain our infrastructure. I think that I idea of creating extra subdivisions/residents in our shire so that council can gain money for its staff is not in the best interest of the existing residents. There doesn't seem to be any sensible planning happening on councils behalf. eg. the roads should of be restored and brought up to date to cater for the already increased population before anymore subdivisions are built (this is why there was a huge increase in rates over the last few years but note that money has only been wasted). Look at the beautification of the main road through Bargo all of the extra hours paid out in over time a the huge blowout in budget. Now the existing driveways that feed the chemist and other shops in that section are now death traps, when trying to exit if there is a larger vehicle parked (as forced by the extra wide footpath) closer to the lanes you have to stick the front of your vehicle out into the lane before seeing if there is room to exit onto road. Then there is also the problem of Picton flooding which is just getting worse each time as more housing subdivision is continued to be passed by council. Each house built has increased the buildup and flow of water into the creek and yet council hasn't seen the warnings. Even after the devastation of the floods they have continued to pursue the subdivisions on the side of Ant hill, one can only hope that each dwelling is made to put in there own water catchment to slow the flow rain of water, it is common knowledge in the U.K. that houses being built should not have concrete driveways as this also directs extra water as do the extra roads that are being built for these new subdivisions. Then there is the traffic lights that seem to pop up everywhere with these we are loosing our rural shire. At Wilton these developers should be putting the infrastructure in first. The traffic lights that were put in are a disaster, there have already been a lot of accidents caused by the lights. That intersection should be built as a contraflow at the expense of the developers and if they don't like that idea they should go to elsewhere instead of destroying our native flora and fauna and local farms.</p> | 12/17/2016 8:41 AM |
|---|---|--------------------|

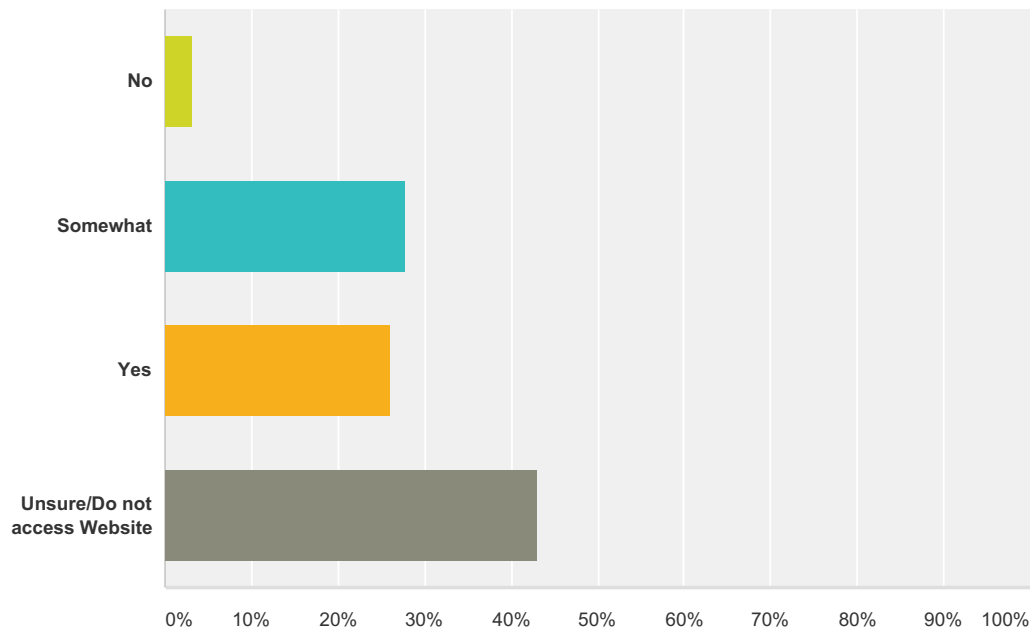
## Q12 How do you think we could improve and encourage people with disability to apply for positions at Wollondilly Shire Council?

Answered: 30 Skipped: 54

| #  | Responses   | Date               |
|----|---|--------------------|
| 1  | Stated in position advertised that people with disability encouraged where qualification is equal.  | 2/1/2017 1:04 PM   |
| 2  | By advertising the fact   | 2/1/2017 12:53 PM  |
| 3  | Not sure  | 2/1/2017 12:50 PM  |
| 4  | By making sure there is interest in the community for the activity/action/course before establishing some   | 2/1/2017 12:45 PM  |
| 5  | Advertise for the availability of employment for people with disability   | 2/1/2017 12:36 PM  |
| 6  | Maybe saying in the adds "disability" friendly  | 2/1/2017 12:17 PM  |
| 7  | Specify in your ads that disabled people are welcomed to apply for jobs advertised through your council   | 2/1/2017 12:09 PM  |
| 8  | Maybe to some, but not for me at the 80+  | 2/1/2017 11:16 AM  |
| 9  | Unsure  | 2/1/2017 11:06 AM  |
| 10 | Be SPECIFIC in job description so that a person has a clear idea that they could fulfill requirements. Thus avoiding embarrassment & time wastage for everyone  | 2/1/2017 11:00 AM  |
| 11 | Provide able facilities and equipment as one necessity  | 2/1/2017 10:54 AM  |
| 12 | No idea   | 2/1/2017 10:44 AM  |
| 13 | improve toilets   | 1/31/2017 5:24 PM  |
| 14 | Have traineeships for customer service  | 1/30/2017 3:20 PM  |
| 15 | perhaps more work experience for young people with a disability   | 1/30/2017 10:55 AM |
| 16 | Advertise it  | 1/18/2017 1:53 AM  |
| 17 | Look at design of positions together with disability employment providers. Remember best disability access is really universal design.  | 1/13/2017 11:52 AM |
| 18 | I think the Council should offer work experience and retraining for those with a disability and allow them to gain confidence and demonstrate what they can do.   | 1/12/2017 8:38 PM  |
| 19 | -   | 1/11/2017 9:24 AM  |
| 20 | Recruitment drive targeted at that cohort defining all the reasons why it is so important for this to happen.   | 1/10/2017 2:33 PM  |
| 21 | Direct contact with providers when positions are coming up to give providers the opportunity to advise suitable applicants and assist them to properly prepare for the recruitment process.   | 1/10/2017 11:33 AM |
| 22 | Show that you have everything in place to make them welcomed and valued staff members.  | 1/9/2017 11:21 AM  |
| 23 | Work with local business to improve access to premises and promote and support disability services in Wollondilly   | 1/6/2017 10:14 AM  |
| 24 | Utilise current staff as "ambassadors" to give confidence   | 1/5/2017 10:21 AM  |
| 25 | People with an intellectual disability often need supported employment, maybe promoting some positions through various disability agencies could help. Having part time supported positions shows that Council is not just being inclusive but is actively reaching out to those with intellectual disabilities.  | 1/5/2017 9:14 AM   |
| 26 | - Build and maintain strong relationships with local disability employment services. - Continue to promote Council as an EEO employer and mentioning in advertisements that council welcomes and encourages people with a disability to apply. - Referencing accessible and inclusive practices in advertisements when relevant (eg physical access of job location, flexible working hours, reasonable adjustments etc). | 1/5/2017 8:53 AM   |
| 27 | Similar to mds have work programs   | 1/5/2017 6:25 AM   |
| 28 | Provide details of positions available to local disability service providers and create disability specific roles   | 1/5/2017 5:17 AM   |
| 29 | Advertise as being a disability friendly employer.  | 1/4/2017 1:21 PM   |
| 30 | I don't think there is any hope as there is no common sense.  | 12/17/2016 8:41 AM |

### Q13 Are your specific needs met when accessing information from Council's website? If not, please specify what we need to do to meet your needs.

Answered: 65 Skipped: 19

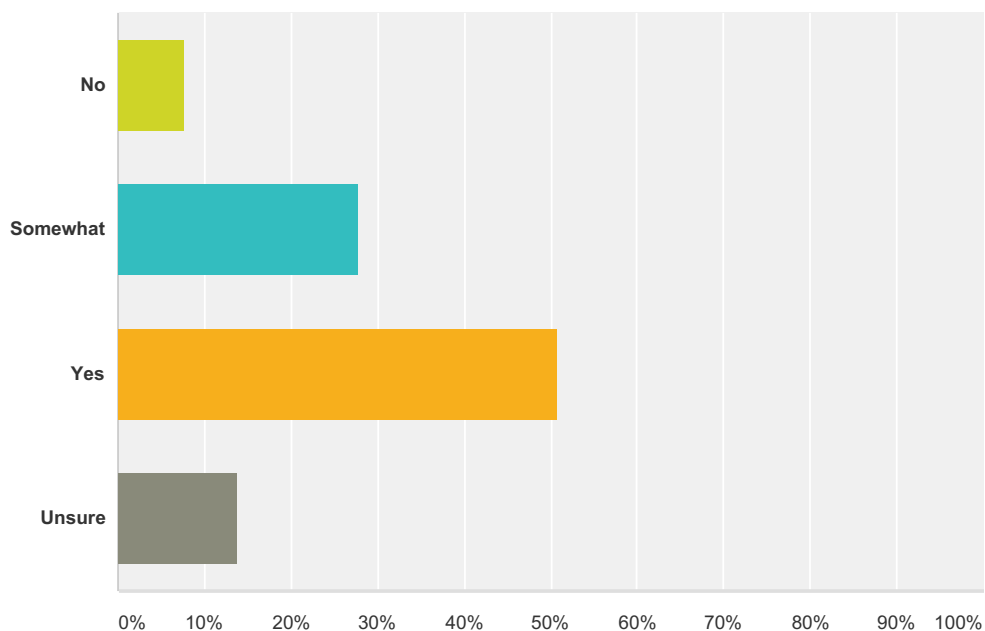


| Answer Choices               | Responses |
|------------------------------|-----------|
| No                           | 3.08% 2   |
| Somewhat                     | 27.69% 18 |
| Yes                          | 26.15% 17 |
| Unsure/Do not access Website | 43.08% 28 |
| <b>Total</b>                 | <b>65</b> |

| # | What are your specific needs?   | Date               |
|---|---|--------------------|
| 1 | Information provided was not specific enough and not in full detail. did not cater to people who were new to information regarding disability help  | 2/1/2017 12:37 PM  |
| 2 | Have difficulties in accessing internet due to constantly being hacked. Don't know whether you can help with this.  | 2/1/2017 12:13 PM  |
| 3 | I need to become more skilled   | 2/1/2017 11:00 AM  |
| 4 | Don't own a computer and are not on the internet  | 2/1/2017 10:45 AM  |
| 5 | I usually look up information about the library   | 1/12/2017 7:35 PM  |
| 6 | Positions vacant are advertised however no further communication as to roles being Disability identified  | 1/10/2017 11:38 AM |
| 7 | I am not special needs. Use info to improve event services though   | 1/5/2017 10:23 AM  |
| 8 | It would be great if the website featured more information about community venues (eg parks, halls and sports grounds). Eg a photo of the venue and more specific information about access including whether or not it is wheelchair accessible, are there wheelchair bathrooms, does the playground have a liberty swing, do you need a MLAK key to open the wheelchair accessible bathroom? | 1/5/2017 8:59 AM   |
| 9 | website is confusing, not well laid out. Alt text tags are missing. colour contrasting not great.   | 1/4/2017 1:22 PM   |

### Q14 Do you feel comfortable requesting information from Council?

Answered: 65 Skipped: 19



| Answer Choices | Responses |
|----------------|-----------|
| No             | 7.69% 5   |
| Somewhat       | 27.69% 18 |
| Yes            | 50.77% 33 |
| Unsure         | 13.85% 9  |
| <b>Total</b>   | <b>65</b> |

| # | Feel free to share specific examples   | Date               |
|---|--|--------------------|
| 1 | Queries about development plans  | 2/1/2017 12:47 PM  |
| 2 | By phone when i am aware of events and being on mailing lists                                | 2/1/2017 12:13 PM  |
| 3 | N/A  | 2/1/2017 11:07 AM  |
| 4 | Never asked  | 2/1/2017 10:40 AM  |
| 5 | I found it difficult to get Full and correct information about services for disabled people. | 1/12/2017 8:41 PM  |
| 6 | If I have any questions I call or go into the council chambers, they are usually helpful     | 1/12/2017 7:35 PM  |
| 7 | No sure who to contact in regards to disability identified roles                             | 1/10/2017 11:38 AM |
| 8 | I find the people at the front counter to be disgruntled and not approachable.               | 12/17/2016 8:45 AM |

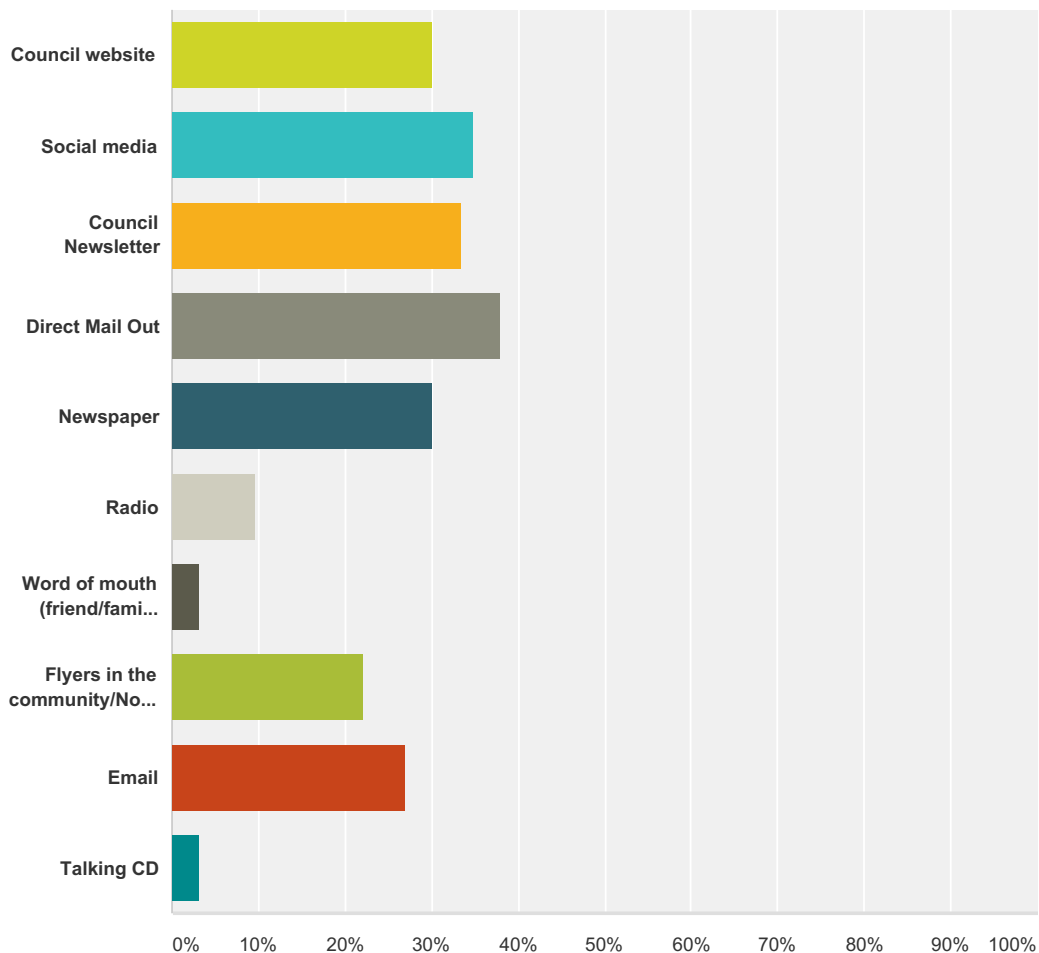
**Q15 Do you have any specific format requirements when accessing information?  
Eg. Auslan, braille,**

Answered: 19 Skipped: 65

| #  | Responses  | Date               |
|----|--|--------------------|
| 1  | No   | 2/1/2017 12:53 PM  |
| 2  | No   | 2/1/2017 12:50 PM  |
| 3  | No   | 2/1/2017 12:17 PM  |
| 4  | No   | 2/1/2017 11:17 AM  |
| 5  | No   | 2/1/2017 11:16 AM  |
| 6  | N/A  | 2/1/2017 11:07 AM  |
| 7  | No   | 2/1/2017 10:54 AM  |
| 8  | No   | 2/1/2017 10:45 AM  |
| 9  | no   | 1/31/2017 5:24 PM  |
| 10 | no   | 1/30/2017 10:56 AM |
| 11 | Use plain or easy English. Many individuals have a mild intellectual disability or a learning disability that they choose not to disclose. | 1/13/2017 12:09 PM |
| 12 | No   | 1/12/2017 8:41 PM  |
| 13 | no   | 1/11/2017 2:57 PM  |
| 14 | NA   | 1/10/2017 2:37 PM  |
| 15 | No   | 1/5/2017 10:23 AM  |
| 16 | no   | 1/5/2017 9:15 AM   |
| 17 | No   | 1/5/2017 8:59 AM   |
| 18 | No   | 1/5/2017 6:26 AM   |
| 19 | no   | 1/4/2017 1:22 PM   |

### Q16 How would you like to receive information about Council?

Answered: 63 Skipped: 21



| Answer Choices                          | Responses | Count |
|---|-----------|-------|
| Council website                         | 30.16%    | 19    |
| Social media                            | 34.92%    | 22    |
| Council Newsletter                      | 33.33%    | 21    |
| Direct Mail Out                         | 38.10%    | 24    |
| Newspaper                               | 30.16%    | 19    |
| Radio                                   | 9.52%     | 6     |
| Word of mouth (friend/family/neighbour) | 3.17%     | 2     |
| Flyers in the community/Noticeboards    | 22.22%    | 14    |
| Email                                   | 26.98%    | 17    |
| Talking CD                              | 3.17%     | 2     |
| <b>Total Respondents: 63</b>            |           |       |



The purpose of this evaluation is to report on feedback from participants of the Disability Inclusion Action Plan

‘Community Conversations’

This research will provide valuable information about engaging with community and help shape future consultations. It will also be used as a resource to inform the development of Council’s DIAP.

A total of 58 surveys were completed and received.



## Macarthur Regional Disability Inclusion Action Plan Consultation 17 November 2016

Community Conversations

Lisa Grimson

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## Introduction

As part of Council's development of the NSW Disability Inclusion Action Plan (DIAP), Camden, Campbelltown and Wollondilly Councils held a Macarthur Regional DIAP Consultation, 'Community Conversations' session.

Approximately 70 residents and services of Macarthur attended including people with disability, carers and community groups. Residents and services participated in two hour guided conversation sessions which included a presentation on each of the four disability inclusion focus areas prior to engaging in the conversations.

Each table comprised of approximately 6 participants, 1 facilitator and 1 scribe. The facilitator guided the participants through a series of questions that provided an opportunity for people from diverse backgrounds to be heard and have open discussion about existing resources, needs and improvements Councils can do to make Macarthur a more inclusive and accessible community. Many different ideas, opinions and experiences were discussed, building on the four DIAP focus areas which are:

- Attitudes and Behaviours
- Liveable Communities
- Employment
- Systems and Processes

Community Conversations are a powerful tool for engaging people and building on stronger connections within the community. It is proposed that the information collected from these conversations will also focus on helping government and non-government organisations and community to gain a stronger sense of people's aspirations for the community, a window into how they talk about their concerns and lives and create a way to develop partnerships with people with disability, carers, community groups and services to ultimately have greater impact in their communities.

Camden, Campbelltown and Wollondilly Councils would like to acknowledge the advice, ideas, views and experiences provided by community and services that participated in the consultation and contributed to the robust conversations that made them lively and interactive. Thank you to the volunteers, facilitators and scribes for supporting, guiding and documenting the important information provided by participants. Council would also like to recognise and appreciate the contributions of people with disability and carers that make Macarthur a more inclusive and accessible place to live now and in to the future.



In total 63% of participants identified as a person with disability or carer. Service providers totalled 37%. These included the Vision Impaired Group, Schizophrenia Fellowship NSW, Macarthur Disability Services, the Deaf Group and Northcott Disability Services. Macarthur Parkinsons Support Group, Myrtle Cottage, Department of Education, Connectlink, Macarthur Autism Spectrum Family Support/The Autism Challenge. Narellan Probus, Care –N-Co, Leap Different Abilities, Macarthur Respite Choices, South West Community Transport, Jaanimili Uniting and Macarthur Diversity Services Inc. Early Links (lifestart), NCO-NSW, Seniors Issues Group, Wollondilly Heritage Centre, Wesley Mission, South Western Local Area Health District, South West Region Tenants Association, Ability Links and Sector Connect.

The conversations were represented by a diverse range of ages.

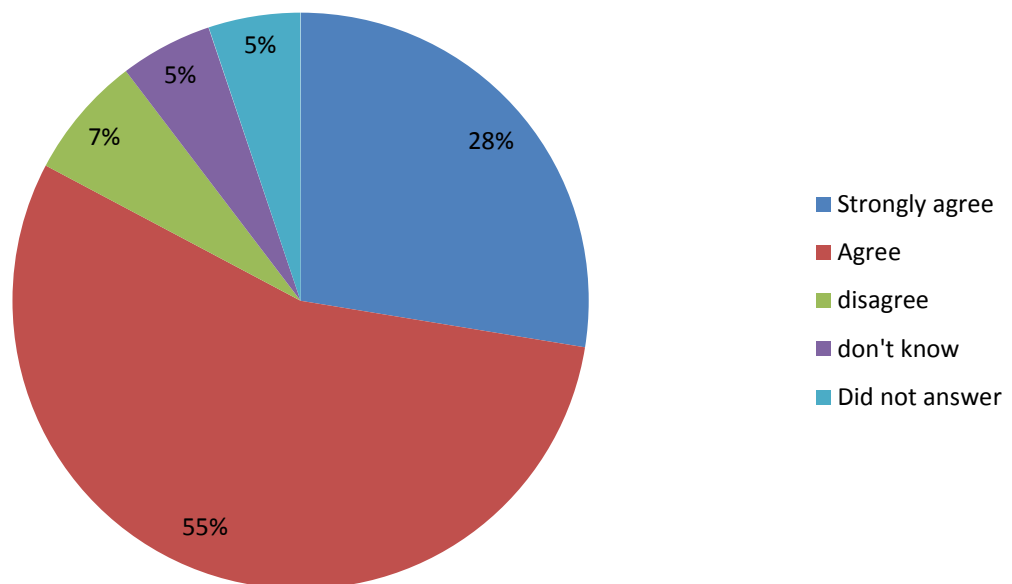
In total of 59% of participants were residents of the Macarthur area. 18% service providers represented the Campbelltown LGA and 20% service providers represented all suburbs across Macarthur.

The majority of participants were interested in contributing to future consultations and receiving information about the development of DIAP.

**The following section provides feedback about the consultation and its Community Conversation format.**

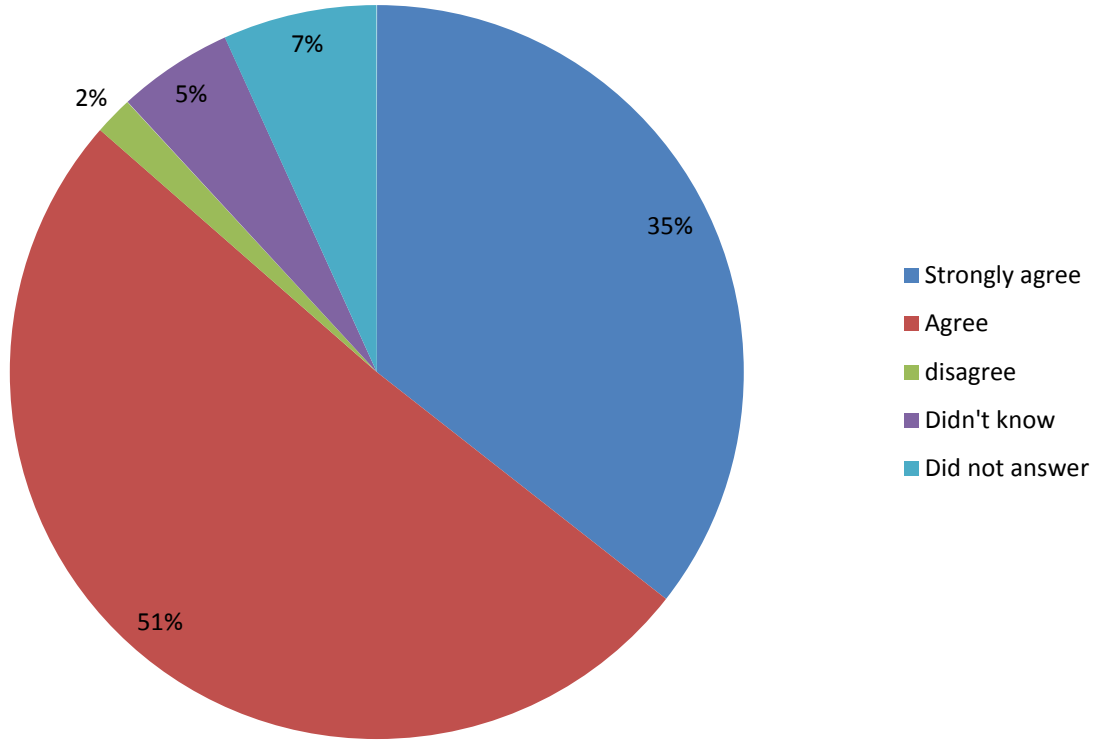


**This conversation will contribute to improved access and inclusion for people with disability now and into the future**





**I would invite someone I know to attend another session like this if one is held in the future**



**Participants listed any other particular topics or issues they would like to approach or think that the community would benefit from in future Community Conversations that would contribute to living accessible and inclusive lives. These included:**

- The public environment, not just Council facilities
- Disability, Education, Mental Health, Disability Groups, Transport
- Community Transport – Access and Attitudes
- Housing Affordability
- I would like to use all these if I can to have
- Interpreting
- Non Council facilities including – traffic lights and roads
- Street access, environment
- Services for disabled people to disseminate to them
- Put this question on Website please
- Early intervention
- Social events and inclusion
- Day care and after school care
- Wheelchair parking inclusive. Not Disability. Wheelchairs being hosted onto traffic is putting user at RISK!
- Will think about these matters for next year
- Events – special parking areas be made available on the day for the disabled. Stickers – side streets etc.

#### **General comments made included:**

- It would be important for the community to know the outcomes of these consultations– Are we being heard and listened too!
- Is this going to be taken into consideration and when is the follow up meeting?
- Thank you for allowing me to contribute today.
- Thanks
- I feel that for individuals that are not employed in the disability sector this session was too technical and jargonized for them
- This was about inclusion in council not in the community. Doesn't reflect the name Disability Inclusion Action Plan. Inclusion in what?
- Don't ask questions we can't answer
- We need more conversations regarding these topics
- Thank you
- The session was well run and timely
- Today was really good, but perhaps look at another way to reach out to more people for an event like this
- Great to be informed of ways we are able to include people with disability
- Very good session. Well done!





# IN2 Attachment

1. Draft Implementation Strategy – Warragamba Trial RV Friendly Site

**Tuesday 18 April 2017**

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IN2 – Proposed Warragamba RV Friendly Site Trial

## **Executive summary:**

Following the resolution from the 16 November 2016 Council Meeting, Council has reviewed the feasibility of Recreational Vehicle (RV)/camper van short stay accommodation at Warragamba as a trial site for Council's 'RV camping strategy'. Preliminary investigations of options for the creation of a short term parking area at Warragamba Recreation Reserve identifies a suitable location adjacent to the Boomerang Shelter in the north of the Reserve. The high level/strategic cost estimate at this stage is \$35,000.

Four options were considered in the review with 'Option 1' being considered suitable for the trial site for the short stay area, based on the following:

- Manoeuvrability is easier than other options;
- Ordered parking area is available;
- The Recreation Reserve security can be maintained as an automatic boom gate closes off the Reserve in concurrence with locking of the other security gates around the Reserve;
- Pin code system provides Council with a level of control over the number of short term stayers utilising the parking area and also the length of stay;
- Close proximity and access to barbeque facilities, outdoor sink, tables, and existing potable water service;
- Close proximity to toilet facilities during daylight hours (note: RVs are to be self contained in any case)
- Wet weather has less of an impact than other options; and
- Close proximity to shops, dam wall, pool and off leash dog area allowing short term stayers to walk and explore the town.

## **Option 1 Implementation Plan:**

1. Preparation and submission of a Development Application
2. Discussion with Campervan and Motorhome Club of Australia (CMCA) and submission of the RV Friendly Town Application for Warragamba
3. Implementation of works on ground (line marking, installation of boom gate, signage)
4. Establish a pin code process and system
5. Promotion of the site and education (media release, website update etc)
6. Review of RV trial at Warragamba after 12 months of implementation. Evaluation to consist of:
  - Review of trial site utilisation from record of pin code access
  - Surveys of local businesses and site users
  - Anecdotal feedback, particularly from Council's Area Maintenance Officer
  - Assessment of site wear and tear
  - Complaints and customer requests for maintenance received
  - Feedback from the CMCA
  - Feedback from Council's Compliance Officers

- Costs associated with waste disposal services, maintenance of boom gate operation etc
- Effectiveness of the fee free arrangement in relation to management costs and adherence to the 48 hour stay limit

## **Background:**

Following the Resolution from the 16 November 2016 Council Meeting regarding Recreational Vehicle (RV)/camper van short stay accommodation at Warragamba as a trial site for Council's 'RV camping strategy', the subsequent items are progressing:

- (1) There are four mandatory criteria required to gain 'RV Friendly' status from the CMCA as follows:
  - a. Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce
  - b. Provision of short term, low cost overnight parking for self-contained RVs, as close as possible to the CBD
  - c. Access to potable water
  - d. Access to a free dump point at an appropriate location.
- (2) Following discussion with CMCA, it has been advised that the provision to park eight RVs as a minimum are desirable.
- (3) The CMCA has confirmed that 24/7 access to the dump point is not required; access is required in daylight hours only.
- (4) CMCA has advised that it is desirable for parking provisions to accommodate vehicles up to 19.5m in length.

## **Preliminary findings:**

From preliminary investigations, there were four options considered for the creation of a trial site of the short term stay area at the Warragamba Recreation Reserve. See [Appendix A](#) for the locations of each option.

Plans of Management (PoM) have been reviewed and currently there is currently no PoM in place for Warragamba Recreation Reserve.

For all options, the following items are being managed:

- Site security and safety needs to be maintained for all options
- The definition of 'recreational vehicle' includes caravans, campervans, motorhomes etc. Consideration into what type of RVs will be permitted within the short term stay area
- Compliance issues with creating short term stay area, including management of the type of vehicle staying as well as management of the length of people staying (i.e. who will ensure that short term stayers do not stay for longer)
- Management and administration of a pin code system for all hours access to the RV parking area
- Number of recreational vehicles permitted at any one time

- Appropriate compliance signage is required for all options. Signage is required to highlight that the short term stay area is for self-contained RVs only, no camping in tents, short term stay area subject to community requirements etc. It is noted that there are some good examples of wording other Councils have used for this sort of short stay accommodation
- Increased workload for maintenance staff of the Warragamba Recreation Reserve as well as increased operational costs (for example, weekly servicing of rubbish bins, maintenance of boom gate)
- Whether a nominal fee for short term stayers would be imposed. It is highlighted that there are administration issues with charging for accommodation (including creation and management of the fee/permit system, collection of fees etc). It is envisaged that the trial period will be fee free to maximise economic benefit to the Warragamba area. Charging a fee provides some offset to Council's operational costs which will be reviewed as part of the evaluation of the trial.

### Planning requirements:

- Warragamba Recreation Reserve is 'Community Land' and is zoned RE1.
- A camping ground is permitted with development consent in an RE1 Public Recreation Zone and is regulated by the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (the '*Regulation*'). Specifically, this proposal is in line with Part 3, Division 3, Subdivision 9, Clause 132.2b, and 132.3.
- A recreation vehicle or campervan is included in the definition of camping grounds under Wollondilly Local Environmental Plan 2011.
- The type of camping will impact this proposal and will need to be identified as part of the development consent.
- Section 68 approvals may be required and will be sought within the development application process.
- A 'primitive' camp ground would be the most applicable for Warragamba. The individual sites will not be designated.
- The Regulations limit the maximum number of caravans/campervans using a primitive camping area at any one time to 2 for each hectare of camping ground. The total area of Warragamba Recreation Reserve is approximately 11 hectares. Therefore the maximum number of caravans, campervans, is limited to 22. However, Council are to consider what numbers of recreational vehicles are permitted.
- The regulation also stipulates that the Council can impose restrictions on what area of the camping ground the installation of campervans and caravans is permitted for health, safety and ecologically sustainable development or for any other purpose. Council can designate a specific camping area (i.e. siting the short term stay area at Option 4) to control the location of where campers are situated which minimises impacts on local community use of the Reserve.

## Option 1 – Short term camping area opposite the Boomerang shelter

This option is to create a short term parking/stay area opposite the boomerang shed in Warragamba Recreation Reserve parallel to the kerb.

This proposal means that the RVs will take up some of the sealed area that is used by the public for parking. 45 degree angle parking bays will be reduced to make way for parallel to the kerb parking along the north side of the public car park. This is approximately 100m in length. It has been noted that local community groups including a disability group regularly use the facility (on a weekly basis).

There are some site security issues including vandalism at the site facilities in this area (particularly the Boomerang shed). Therefore consideration into the site access and maintaining security across the whole Picnic Ground is paramount. It is noted that having short term stayers provides natural surveillance of this area.

Provision of an automatic boom gate was deemed a requirement for this location. Maintaining a secure perimeter overnight is necessary to maintain site security. A key system was discounted due to the management issues with administering a key system (ie local shop open to hold keys, opening hours of shop, potential for gate to be left open therefore opening up the area to unwanted cars accessing the reserve, lost keys, etc).

### Proposed scope of work includes:

- Installation of automatic boom gate to manage site access after hours
- Creation of a pin code system (including bookings, procedure) for boom gate
- Line marking including blacking out of current line marking and additional line marking
- Installation of compliance signage around the reserve, as well as tourist signage
- Installation of signage to educate about pin code access
- Entering into an agreement with Well Done to administer after hours pin code system
- Reduction of the speed limit in the car park to 10 kph
- Provision of additional bins for waste produced by short term stayers

### Pros and Cons for Option 1:

| Positives  | Negatives   |
|--|---|
| Camping on hard stand area – no issues with wet weather                                    | Safety issues with people walking between caravans to access picnic tables, potential to step out in front of vehicles.   |
| Ease of manoeuvrability into parking spaces (this option more suitable for large vehicles) | Some boulders may be required in certain locations to ensure that campers only park on hard stand area (not on the landscaped areas or jump kerb to park on grass ) |
| Less need for RVs/camper vans to reverse into parking area                                 | Removal of some public parking areas, including scrubbing existing line marking   |
| Cheaper than Option 2  | Fewer shady areas for short term stayers. Camping on asphalt during summer may be unpleasant.   |
| Parking area is more 'ordered'   | Very open to public who use park facilities.  |
| Close proximity to barbeque hut behind Boomerang Shed                                      | Community use impacted by fewer car parks, including during Dam Fest. As an example, over   |



| Positives   | Negatives   |
|---|---|
|   | the weekend of the 10/11 December 2016, car park was utilised by a Mini Cooper Club and by the community. Images in <u>Appendix B</u> (Figures 7 and 8) demonstrate the large number of community members using the facility. |
| Boom gate means that after hours access is limited to short term stayers that have registered   | Short stayers may impact the use of the picnic area to the north of the car parking area.   |
| Picnic tables in close proximity  | Fewer car parking spaces available than other options (100m length)   |
| Natural surveillance of the boomerang shelter and surrounding facilities with presence of short term stayers  | Administration of pin code system increases workload for internal staff as well as after hours company  |
| Ease for garbage collection   |   |
| Toilet facilities in close proximity during daylight hours (however, RVs must be self-contained)  |   |
| Provision of additional potable water service is not required as existing potable water service is suitable. Outdoor sink and hot water dispenser are located nearby to parking area. |   |
| Pin code system provides Council with some control over number of short term stayers and length of stay, and allows Council to assess utilisation                                     |   |

### Preliminary Cost Estimate for Option 1:

| Item                                | Description  | Cost Estimate |
|-------------------------------------|--|---------------|
| Line marking                        | Including blacking out of existing 45 degree angle parking and small amount of new line marking at each end of the parking area  | \$4,000       |
| Boom gate with keypad and auto exit | Supply and installation of 7m boom gate for automatic after hours access to area. Includes \$400 + GST annual service fee.   | \$11,800      |
| Electrician                         | Connection of boom gate to power supply  | \$3,000       |
| Compliance signage                  | <ul style="list-style-type: none"> <li>Numerous signs throughout the Reserve with wording for permitted activities (ie 2 night stay only 48 hours, Self-contained recreational vehicles only).</li> <li>Signage regarding pin code system</li> </ul> | \$1,500       |

| Item   | Description  | Cost Estimate                  |
|--|--|--------------------------------|
| Large tourist type sign within the short stay area | Sign to inform short term stayers about what facilities are in the vicinity (eg pool, shops, off leash dog area, dam etc)  | \$2,000 (allowance)            |
| Bins   | Additional bins required in the vicinity of the short term stay area. Cost estimate includes 4 x bin stands, \$800/annum weekly service charge for 2 x 240L yellow bins and 2 x 240L red bins. | \$1,600 <sup>1</sup>           |
| Well Done  | Management fee for after-hours calls for campers to gain access to pin code  | \$1,000                        |
| Subtotal   |  | \$24,900.00                    |
| Design (7.5%)                                      |  | \$1,867.50                     |
| Contingency (25%)                                  |  | \$6,225.00                     |
| Development Application (estimate)                 |  | \$1,396.50                     |
| <b>Total Cost Estimate (exc GST)</b>               |  | <b>\$34,389.00<sup>2</sup></b> |

<sup>1</sup> Cost estimate is based on the installation of bin stands to minimise household waste being placed in the bins which are \$200 each. High quality dual bin enclosures are estimated at \$5,000 each and have not been allowed for.

<sup>2</sup> Cost estimate for option 1 does not include provision for boulders as their requirement is not confirmed therefore has not been included at this time but may be required if dangerous parking/driving occurs.

## Option 2 – Short term stay off Production Avenue

This proposal is to site the RV/Camper Van short stay area to the north west of the site, with access to the short term stay area from Production Avenue.

This site is able to be defined from the rest of the Warragamba Recreation Reserve, which minimises the opportunity for vandals to enter the picnic grounds and the facilities in vehicles.

The site also provides ample shade as well as picnic tables and has a nice aspect. The site is approximately 500m from the shops, as well as being close to the Warragamba Dam entrance. The Dam entrance has security guards.

The proposal includes the relocation of the security gate further within the Reserve and the addition of boulders to create a boundary. The provision of taps for potable water supply as well as signage is required.

Design issues have been highlighted with this option, as the existing excess off Production Avenue is too restricted for medium and large vehicles. There is a sign indicating that the entrance is to be for cars only and not for trucks and buses. An alternative access needs to be provided, or the entrance needs to be reconfigured.

### Proposed scope of work includes:

- Reconfiguration of Production Avenue entrance
- Boulders to delineate short term stay area
- Relocation of security gate
- Increased taps (plumber to quote on trenching and installation of 2 taps)
- Signage at the entrance off Production Avenue
- Tourist signage or similar within the designated area, to allow people to know where various facilities are, including the off leash dog area, pool, shops etc.
- Signage for access to permits in the town where permits are to be picked up
- Provision of additional bins for waste produced by short term stayers

### Pros and Cons for Option 2:

| Positives   | Negatives   |
|---|---|
| Lots of shady areas   | More expensive than other Options   |
| Access to picnic tables within the short term parking area            | During periods of wet weather, short term parking may be ceased   |
| Short term stayers impact on local community use of facilities is low | Area is small compared to options 3 and 4   |
| Easier to manage (no requirement for key code)                        | Manoeuvrability is fairly tight. As the area fills up it will be more difficult for large RVs to turn and get into position |
| Very close proximity to dam   | Parking is not delineated   |
| More short term stay areas than Option 1                              | This portion of the site will be accessible at all times  |
|   | Lots of underground services in this area. May be   |

| Positives | Negatives  |
|-----------|--|
|           | difficult to run water lines.  |
|           | Longer walking distance to town than other options   |
|           | Existing entrance off Production Avenue is too restricted for medium and large vehicles. Alternative access needs to be provided, or entrance reconfiguration. |
|           | Long time frame to implement this option, due to entrance reconfiguration requirements or alternative access creation.   |
|           | Short term stayers potentially bypass the town   |
|           | Less control of length of stay and numbers of RVs than Option 1  |

### Preliminary cost estimate for Option 2:

| Item   | Description   | Cost Estimate |
|--|---|---------------|
| Relocation of security gate  | Backhoe, concrete, labour, tipping fees, demolish concrete around existing gate, allowance only   | \$5,000       |
| Reconfiguration of vehicle entrance                                | Production Avenue entrance to Warragamba Recreation Reserve needs reconfiguration to allow medium to large vehicles.<br>Allowance only  | \$20,000      |
| Service location (for security gate as well as trenching for taps) | Contractor  | \$1,000       |
| Installation of two new taps, including trenching                  | Plumbing contractor   | \$3,000       |
| Additional boulders  | Medium to large sized boulders around \$120 each<br>100 meters of boulders required<br>\$2,000 for excavator to place boulders (inc float)<br>\$1,000 for delivery of boulders  | \$9,000       |
| Compliance signage   | <ul style="list-style-type: none"> <li>Including sign at entrance off Production Avenue</li> <li>Numerous signs throughout the Reserve with wording for permitted activities (ie 2 night stay only (72 hours), Self contained recreational vehicles only).</li> </ul> | \$1,500       |

| Item                                   | Description  | Cost Estimate                  |
|--|--|--------------------------------|
|  | <ul style="list-style-type: none"> <li>Signage regarding where permits are collected</li> </ul>  |                                |
| Large tourist type sign                | Sign to inform short term stayers about what facilities are in the vicinity (eg pool, shops, off leash dog area, dam etc)  | \$2,000                        |
| Bins                                   | More bins required in the vicinity of the short term stay area. Cost estimate includes 4 x bin stands, \$800/annum weekly service charge for 2 x 240L yellow bins and 2 x 240L red bins. | \$1,600 <sup>1</sup>           |
| Subtotal                               |  | \$43,100.00                    |
| Design (7.5%)                          |  | \$3,232.50                     |
| Contingency (25%)                      |  | \$10,775.00                    |
| Development Application Fee (estimate) |  | \$1,471.50                     |
| <b>Total Cost Estimate (exc GST)</b>   |  | <b>\$58,579.00<sup>2</sup></b> |

<sup>1</sup> estimate is based on the installation of bin stands to minimise household waste being placed in the bins which are \$200 each. High quality dual bin enclosures are estimated at \$5,000 each and have not been allowed for.

<sup>2</sup> Cost estimate for option 2 does not include potential cost for management of permit system (if required).

### Option 3 – short stay area north east corner of the reserve (Corner of Farnsworth Ave and Warradale Rd)

This option is to create a short stay area in the north east corner of the reserve. This area has lots of trees, with a small section of concrete area.

There are no taps for potable water in this area therefore some plumbing works would be required.

Access to the parking area would be through a single gate off the entrance road coming from Warradale Road. The security gate at the entrance off Warradale Road would need to be relocated to allow access at all times to this area.

Some boulders would be required to the west of the area to create a boundary.

Alternative access into the parking area would be through the entrance off Farnsworth Avenue whilst security gates are unlocked, then into the entrance to the camping area.

#### Proposed scope of work includes:

- Boulders to delineate short term stay area
- Relocation of security gate
- Increased taps (plumber to quote on trenching and installation of 2 taps)
- Tourist signage or similar within the designated area, to allow people to know where various facilities are, including the off leash dog area, pool, shops etc.
- Signage for access to permits in the town where permits are to be picked up
- Entering into an agreement with a local business to administer permits
- Provision of additional bins for waste produced by short term stayers

#### Pros and Cons for Option 3:

| Positives  | Negatives   |
|--|---|
| Lots of shady areas  | Parking is not delineated   |
| Fewer boulders required to create a boarder for the area compared to options 2 and 4 | During periods of wet weather, short term parking may be ceased   |
| Short term stayers impact on local community use of facilities is low                | Manoeuvrability issues to enter and exit from Warradale Road for larger vehicles due to kerb and gutter on both sides of road as well as narrow lay back. Potential future project if this becomes an issue |
| Easier to manage (no requirement for key code system)                                | More expensive than Option 1  |
| Very close proximity to shops, pool, off leash dog area etc                          | Provision of water service required   |
| Lots of room for short term stayers  | This portion of the site will be accessible at all times  |
| Easier manoeuvrability once in the area than option 2                                | Less control of length of stay and numbers of RVs than Option 1   |
| Some concrete areas that campers may choose to stay on                               |   |

### Preliminary cost estimate for Option 3:

| Item   | Description   | Cost Estimate                  |
|--|---|--------------------------------|
| Relocation of security gate  | Backhoe, concrete, labour, tipping fees<br>Allowance of 1 day to demolish concrete around existing gate, allowance only   | \$5,000                        |
| Service location (for security gate as well as trenching for taps) | Contractor  | \$1,000                        |
| Installation of two new taps, including trenching                  | Plumbing contractor   | \$3,000                        |
| Additional boulders  | Medium to large sized boulders around \$120 each (gap of 1.5m between each boulder).<br>35 meters of boulders required (approx.)<br>\$2,000 for excavator to place boulders (inc float)<br>\$1,000 for delivery of boulders   | \$5,100                        |
| Compliance signage   | <ul style="list-style-type: none"> <li>Including sign at entrance off Production Avenue</li> <li>Numerous signs throughout the Reserve with wording for permitted activities (ie 2 night stay only (72 hours), Self contained recreational vehicles only).</li> <li>Signage regarding where permits can be collected</li> </ul> | \$1,500                        |
| Large tourist type sign  | Sign to inform short term stayers about what facilities are in the vicinity (eg pool, shops, off leash dog area, dam)   | \$2,000                        |
| Bins   | Bins required in the vicinity of the short term stay area. Cost estimate inc 4 bin stands, \$800/annum weekly service charge for two 240L yellow bins & two 240L red bins.  | \$1,600 <sup>1</sup>           |
| Subtotal   |   | \$19,200.00                    |
| Design (7.5%)  |   | \$1,440.00                     |
| Contingency (25%)  |   | \$4,800.00                     |
| Development Application Fee  |   | \$1,399.50                     |
| <b>Total Cost Estimate (exc GST)</b>                               |   | <b>\$26,839.50<sup>2</sup></b> |

<sup>1</sup> estimate is based on the installation of bin stands to minimise household waste being placed in the bins which are \$200 each. High quality dual bin enclosures are estimated at \$5,000 each and have not been allowed for.

<sup>2</sup> Cost estimate for option 3 does not include potential cost for management of permit system (if required)

### **Option 4 – short stay area south east corner of the reserve**

This option has benefits in that short stayers will be in close proximity to approx. 10 barbeques (4 huts). Each hut has an existing potable water service via a single tap.

The area is expansive; boulders may be used to reduce the size of the parking area (see [Appendix A](#) for potential boundary). There is an opportunity for various camping areas, including shaded areas, or a couple of concrete pads.

Access to the parking area would be through a single gate off the entrance road coming from Warradale Road.

The security gate at the entrance off Warradale Road would need to be relocated to allow access at all times to the short stay area.

Alternative access into the parking area may be through the entrance off Farnsworth Avenue whilst security gates are unlocked, then into the entrance to the camping area.

### **Proposed scope of work includes:**

- Relocation of security gate from Warradale Road
- Boulders to delineate short stay area
- Signage for location of permits in town
- Tourist signage or similar within the designated area, to allow people to know where various facilities are, including the off leash dog area, pool, shops etc.
- Entering into an agreement with a local business to administer permits
- Provision of additional bins for waste produced by short term stayers



### Pros and Cons for Option 4:

| Positives   | Negatives  |
|---|--|
| Good number of shady areas  | Parking is not delineated  |
| Can accommodate a larger number of recreational vehicles of varying lengths (noting that larger vehicles may have some difficulty entering the reserve from Warradale Road) | During periods of wet weather, short term parking may be ceased  |
| Provision of water service not required   | Manoeuvrability issues to enter and exit from Warradale Road for larger vehicles due to kerb and gutter on both sides of road as well as narrow lay back. Potential future project if this becomes an issue. |
| Short term stayers impact on local community use of facilities is low   | This portion of the site will be accessible at all times   |
| Easier to manage (no requirement for pin code)  | More expensive than Option 1   |
| Very close proximity to shops, off leash dog walking area, pool.  | More boulders required to boarder the area than option 3   |
| Provision of many tables  | Council has less control over number of RVs and length of stay compared with Option 1  |
| Campers have access to barbeques and water in very close proximity  |  |
| No need for additional water service  |  |
| Easier manoeuvrability once in the area than option 2 and 3   |  |
| Some concrete areas where campers may choose to stay  |  |

### Preliminary cost estimate for Option 4:

| Item                                 | Description   | Cost Estimate |
|--------------------------------------|---|---------------|
| Relocation of security gate          | Backhoe, concrete, labour, tipping fees<br>Demolish concrete around existing gate, allowance only   | \$5,000       |
| Service location (for security gate) | Contractor  | \$1,000       |
| Additional boulders                  | Medium to large sized boulders around \$120 each.<br>75 meters of boulders required<br>\$2,000 for excavator to place boulders (inc float)<br>\$1,000 for delivery of boulders                                    | \$7,500       |
| Compliance signage                   | <ul style="list-style-type: none"> <li>Including sign at entrance off Production Avenue</li> <li>Numerous signs throughout the Reserve with wording for permitted activities (ie 2 night stay only (72</li> </ul> | \$1,500       |

| Item                                   | Description   | Cost Estimate                  |
|--|---|--------------------------------|
|  | hours), Self contained recreational vehicles only).<br><ul style="list-style-type: none"> <li>• Signage regarding where permits can be collected. Signage to confirm area of parking</li> </ul> |                                |
| Large tourist type sign                | Sign to inform short term stayers about what facilities are in the vicinity (eg where dump point is located, pool, shops, off leash dog area, dam etc)  | \$2,000                        |
| Bins                                   | More bins required in the vicinity of the short term stay area. Cost estimate includes 4 x bin stands, \$800/annum weekly service charge for 2 x 240L yellow bins and 2 x 240L red bins.        | \$1,600 <sup>1</sup>           |
| Subtotal                               |   | \$18,600.00                    |
| Design (7.5%)                          |   | \$1,395.00                     |
| Contingency (25%)                      |   | \$4,650.00                     |
| Development Application Fee (estimate) |   | \$1,396.50                     |
| <b>Total Cost Estimate (exc GST)</b>   |   | <b>\$26,041.50<sup>2</sup></b> |

<sup>1</sup> estimate is based on the installation of bin stands to minimise household waste being placed in the bins which are \$200 each. High quality dual bin enclosures are estimated at \$5,000 each and have not been allowed for.

<sup>2</sup> Cost estimate for option 2 does not include potential cost for management of permit system (if required).

## Summary:

Consultation with various internal council stakeholders has taken place, as well as Ward Councillors, with the conclusion that Option 1 is a suitable location for the trial short stay site, providing campers with access to picnic tables, barbeques, taps in close proximity to the stop over area. Furthermore, this option makes manoeuvrability of recreational vehicles easier as well as provides order of the available parking areas. Through installation of an automatic boom gate, site access will be managed after hours. The boom gate also provides the length of stay and number of RVs using the parking area can be managed to a higher degree than other options.

It is highlighted that development consent is required for the camping area and this will impact the timeframe for implementation of the proposal. Submission to Council of development application can occur in a 3 week timeframe.

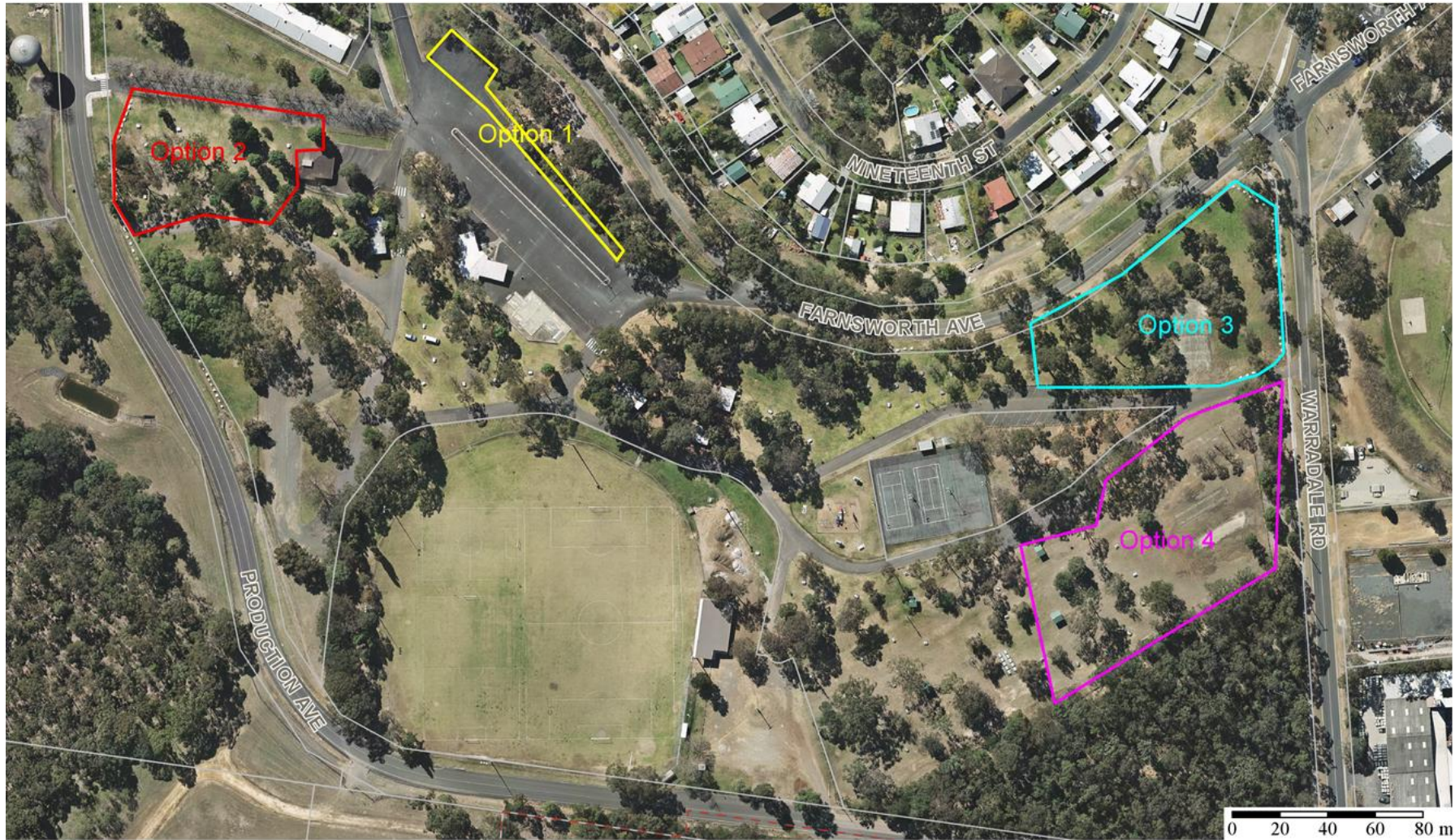
Indicative timeframe for determination of application from the CMCA is approximately 4 weeks (timeframe for CMCA's RV Friendly signage delivery to be confirmed).

The lead time for compliance signage is approx. 4 weeks with a longer timeframe for the custom made tourist sign.

The lead time for supply and delivery of boulders is 2 weeks minimum.

Timeframe for boom gate supply is 2 weeks lead time, provided that the item is in stock. Installation timeframe is dependent on installers current work program.

**Appendix A - Location of options for short stay parking for recreational vehicles**



**Appendix B – Site photographs**



**Figure 1 – Option 1 - site access gate to be replaced with a boom gate**



**Figure 2 – Option 1 - removal of 45 degree car parks (where ute is located) to allow for parallel parking of RVs**



Figure 3 - Option 2 General site photo



Figure 4 - Option 3 - general site photo



Figure 5 - General site photo for Option 4



Figure 6 - Example of compliance signage used near RV dump point in Picton



Figure 7 - Photograph taken on the weekend (10/11 December 2016) demonstrating community use



Figure 8 - Photograph taken on the 10/11 December 2016 demonstrating community use of carpark