

# 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 are more appropriate environmental zones such as E2 Environmental Conservation and more suitable lots sizes to manage the

environmental qualities of these areas. E3 Environmental Management and E4 Environmental Living may be considered where supported by a detailed ecological report. In any case, the natural gorges are highly valuable environmental assets which while having high ecological value also contribute to the natural beauty and recreational value of the Shire. Development must an appropriate balance between density in the right locations and protection and enhancement of our natural assets.

- 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.

### **Open Space**

- The open space network suggests that there will be "connected open space corridors for fauna movements". There is currently no reference to where or how these networks will be created to link spaces east/west and north/south.

### **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.
- The proposal also refers to potential for new jobs emerging in time with the use of smart technologies. While this is not disputed it cannot be used to justify failure to deliver a self-sustaining new town which reduces the dependence of long commutes to access employment opportunities outside the LGA. Local employment generation is a critical success determinant and the LUIS must ensure that housing growth is supported by provision of sufficient local employment opportunities.

- 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 employment strategy submitted includes employment for an 80 room accommodation facility. There is no reference to the facility in the indicative layout plan or other supporting documentation.

### **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.
- It is noted that there is no access to the North West Precinct for northbound traffic off the Hume Highway. This design is making the assumption that all traffic will be coming from a southbound direction into the North West Precinct. The implication will be that any construction traffic travelling northbound will be required to travel through Bingara Gorge (via Pembroke Ave) to access the site. This needs to be avoided and the design should therefore incorporate both access from the Hume Highway into the North West Precinct for northbound traffic and egress from the North West Precinct onto the Hume Highway northbound.
- It is requested that Niloc bridge be duplicated in the early stages of development of Wilton North West Precinct and that provision of a northbound direct access ramp to Hume Highway also be included.

- The road and transport traffic strategy that informs the LUIS is not completed. This must include amongst other things provision for the upgrade of the Hume Highway to three lanes in each direction.

## **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.
- While bus services are appropriate in the short to medium term in the development of Wilton New Town it is the strong view of the Council that passenger rail would provide the best outcome for Wilton New Town.
- The Department of Planning & Environment in consultation with Council must review options to imbed the use of value capture funding models (including, but not limited to the SIC) for the provision of heavy rail and ensure that such a funding framework

is supported by the LUIS.

### **Educational Facilities**

- While provision is made for a private K-12 School on the Bradcorp Holdings land, the proposal claims that “A Public K-12 school if the adjacent landowner is not developing and Wilton New Town has reached 5,000 dwellings.”
- The Land Use and Infrastructure Strategy needs to include clear thresholds for the establishment of a K-12 Public School and must at designate the spatial location for such a school within the LUIS and demonstrate how it integrates with the overall masterplan for Wilton New Town.
- Council does not support the ad hoc approach to the provision of educational facilities and expects that the LUIS structure planning process presents the optimal opportunity to reach agreement with relevant agencies to identify community educational needs over time and coordinate planned rollout of infrastructure to meet those needs in a way which complements the masterplanned approach. This must consider the significant gaps in public school services across the Shire and at minimum commit to one new K-12 Public School before further land is released for housing at Wilton.

### **Health Care Facilities**

- The identification of an appropriately sized site for an integrated health care facility within Wilton New Town is required. This site needs to be capable of servicing the staged population growth predictions (including Wilton New Town and proposed Appin West) across all three tiers of health care ultimately including a new hospital. The addition of a planned health service will provide valuable high skilled employment opportunities.
- Council does not support the view of the NSW Department of Planning & Environment that Wilton can access hospital facilities at Campbelltown up to and including full development of approximately 50,000-60,000 people. This would result in an unacceptable situation where a City the size of Wagga Wagga would not have access to tertiary public health care services within 30 kilometres. At today’s current driving times this is still roughly 30 minutes to access essential health services in an emergency. As Wilton continues to grow however, traffic congestion is likely to see travel times increase beyond 30 minutes, particularly in the morning and afternoon peaks.

### **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.
- The Cycle Connections (Figure 20) in the planning proposal was originally prepared by Connor Holmes and does not reflect the current road network as being developed by consultants appointed by the NSW Department of Planning & Environment.
- The LUIS should include a high level bicycle and pedestrian network masterplan which includes the key access points between each precinct. Each precinct plan submitted with planning proposals should then include a cycleway and pedestrian connectivity masterplan/overlay which demonstrates that the network provides

access to key nodes within the precinct, including open space areas, schools, community facilities and neighbourhood centres.

- 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 and emphasises 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.
- Targets for retirement living and aged care should be identified in the LUIS. There is reference to employment being generated by aged care but no plan in the proposal which identifies locations of such facilities or the number of units which should be provided to accommodate this important demographic. As yet there is no way to assess whether sufficient provision of aged care and retirement living are being provided.

### **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 favoured where housing density is *planned* close to services, amenities and along designated transport corridors such as local bus routes. The proposed approach 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.
- In keeping with Council's preferred design method of achieving greater housing diversity and density in designated areas close to the town centre, it is recommended the removal of 4.1C “4d) Within 200 metres of a recreation area” and Clause 4.3 Height of Buildings “3a(iv) Recreation Area” should the concept of exceptions to lot sizes and heights be adopted.

### **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).

### **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.

### **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 have negotiated 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.
- The commercial agreement between South 32 and Bradcorp should not be to the detriment of providing any state or local infrastructure either through a SIC or a VPA. The adequate provision of infrastructure to support urban growth at Wilton is a critical success factor to Wilton New Town delivering the vision contained in the Masterplan and Council's continuing support.
- 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.
- The NSW Government must provide cabinet support for the cancellation of mining licenses through commercial agreements with landowners in relation to any land within the Wilton Priority Growth Area before any land is rezoned.

### **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.