



PLANNING PROPOSAL

PICTON TOWN CENTRE

GOVERNMENT SERVICES BUILDING

April 2021

Document Register

| VERSION | DATE | OFFICER | DETAILS | FILE LOCATION |
|---------|------------|-------------------|--|---------------|
| 1 | 08/04/2021 | Keylan Consulting | Prepared for Gateway Determination Request | 12200 |
| | | | | |

Contents

| | |
|--|----|
| Introduction | 4 |
| Part 1 – Objectives or Intended Outcomes | 9 |
| Part 2 – Explanation of Provisions | 9 |
| Section A – Need for the Planning Proposal | 9 |
| Section B – Relationship to strategic planning framework | 10 |
| Section C – Environmental, Social and Economic Impacts | 21 |
| Section D – State and Commonwealth Interests | 28 |
| Part 4 – Mapping | 33 |
| Part 5 – Community Consultation | 34 |
| Part 6 – Project Timeline | 35 |
| Attachments | 36 |

Introduction

Planning Proposal

A Planning Proposal is a legal process for changing the zoning of land and changing other land-use planning controls in a Local Environmental Plan. The enabling legislation is in the NSW Environmental Planning and Assessment Act 1979 (Part 3 Planning Instruments, Division 3.4 Environmental planning instruments—LEP).

The planning proposal process includes consultation with the community, Council staff and the NSW State Government. To find out more information about the planning proposal process follow the link below to the Wollondilly Shire Council web site:

<https://www.wollondilly.nsw.gov.au/assets/Documents/Planning-and-Development/Guidelines-Controls/Fact-Sheets/Fact-Sheet-Planning-Proposals-The-process-for-changing-the-WLEP.pdf>

Picton Town Centre – Government Services Building Planning Proposal

The Planning Proposal (PP) seeks to amend the Wollondilly Local Environmental Plan 2011 (WLEP 2011) by increasing the building height control established for the site under clause 4.3 of the WLEP 2011 from 9m to 16m for land at 6-8 Colden Street and 62-64 Menangle Street, Picton, NSW 2571 and legally described as Lot 21 Section 3 DP939379, Part Lot 1021 DP1071455 and Part Lot 4 DP580175.

The purpose of this amendment is to enable the development of a new Council administrative building, which forms part of the wider Wollondilly Shire Cultural, Civic and Community Precinct (CCCP). Council adopted a Masterplan for the CCCP on 19 August 2019 and has since been granted funding for the first stage as part of the Western Sydney City Deal programme for Liveability.

Council's vision for the CCCP is to provide a flexible, multipurpose community space that supports a diversity of community, cultural and civic activities and attracts a wide range of community members, businesses and visitors. The Precinct also seeks to be a community gathering place that provides a safe and inclusive venue for a wide range of formal and informal events and activities.

The delivery of the CCCP will involve four main stages including:

- Stage 1: Demolition of buildings and relocation of some services, new car parking, initial refurbishments of the Shire Hall, construction of a new performance space and construction of a new childcare building.
- Stage 2: Construction of a new Council Service Centre/ Administrative Building and basement parking.
- Stage 3: Creation of a new green civic square, demolition of existing Council building, further Shire Hall improvements, additional car parking.
- Stage 4: Construction of new library and learning centre, repurposing of existing library, and public domain works across the Precinct and to Colden Street and Corbett Lane (formerly Manolis Lane).

As detailed above, the Council administrative building is to be delivered within Stage 2 of the CCCP.

A copy of the CCCP Master Plan is provided in the Figure below.

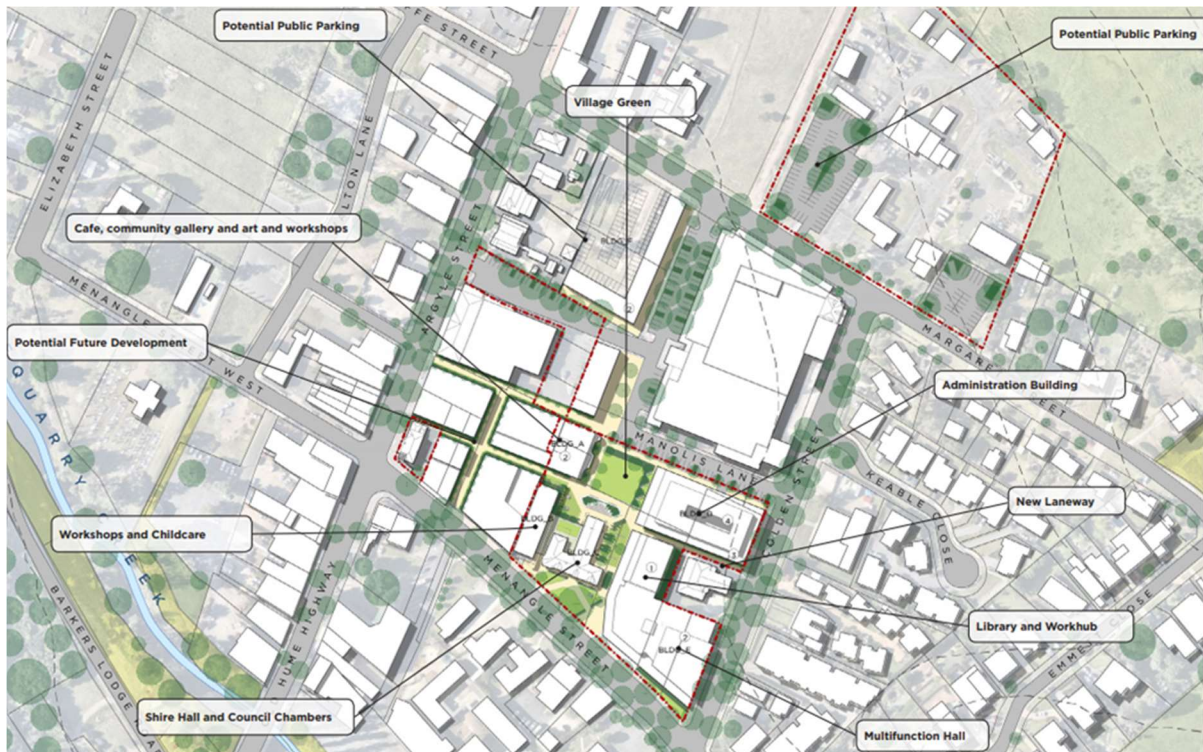


FIGURE 1: Extract Wollondilly Shire Cultural, Civic and Community Precinct Master Plan (Source: Wollondilly Shire Council)

Council's final adopted Wollondilly Shire Cultural, Civic and Community Precinct master plan included a new Council administration building because of significant issues with the current building, and the benefits of having a service centre. These include providing space for local and NSW Government Services, generating higher productivity from staff (and higher service levels for the community), and provide greater efficiencies in operational costs.

It is noted that the Wollondilly Shire Cultural, Civic and Community Precinct will be covered by the new Picton Place Plan. The Picton Place Plan is a guiding document that creates shared goals and a vision for the broader town centre and will assist Council and the community in working together to identify the purpose and character of Picton, now and into the future.

The draft Plan acknowledges the important role the Community, Cultural and Civic Precinct will play in establishing and shaping the core of Picton. It notes the bulk and scale of the proposed Council administration building as an anchor, and that it will help define the Village Green and pedestrian links, which in turn will connect to Menangle Street and the vibrant main spine of Argyle Street.

As Wollondilly Shire Council is the owner of the site and to ensure an independent and transparent process, Keylan Consulting was engaged by Council to undertake an independent assessment of the PP. Keylan also engaged specialist traffic and heritage consultants to provide independent reviews and advice on the PP.

Site Description

The PP relates to the land at the junction of Colden Street and Manolis Lane known as 6-8 Colden Street and 62-64 Menangle Street, Picton. The land on which the site is located is legally described as Lot 21 Section 3 DP939379, part Lot 1021, DP1071455, part Lot 4 DP580175 and is outlined in red in Figure 2 with the wider CCCP outlined in blue.

The site comprises a rectangular portion of the above properties that is approximately 2,500m² in size. It is zoned B2 Local Centre under the WLEP 2011 and is subject to a maximum building height control of 9m. There is no FSR control for the site.

The site is owned and managed by the applicant, Wollondilly Shire Council, and is currently utilised as an at-grade hard stand car park, which is accessible from both Colden Street and Manolis Lane.

The site is bounded by Colden Street to the east, a Masonic Temple and Wollondilly Council Buildings and associated at-grade car park to the south, at-grade car park to the west and Manolis Lane to the north.

The development on the northern side of Manolis Lane comprises the Picton Mall, which is an approximately 9 metres high single storey indoor shopping centre with at-grade parking accessed from Manolis Lane and Margaret Street. Servicing of the shopping centre is located on Colden Street.

To the east of the site, on the opposite side of Colden Street is a single storey residential-scale retail building containing the Vinnies charity shop.

To the south-east of the site accessed from Colden Street is the single storey Picton Masonic Hall, constructed out of redbrick with dual pitched roof, it contains a neo-classical façade with pillared detail to the street frontage. The Former Catholic Presbytery is located perpendicular on the opposite side of Colden Street at number 7.

The existing modernist two storey Council administration building is located to the south accessed from Menangle Street, adjacent to the listed Former Wollondilly Shire Hall located to the south west of the site. Further to the south-west is the existing Council library building with pedestrian access to the neighbouring at-grade car parking.

The west of the site is predominantly at-grade car parking and the rear of retail premises located on Argyle Street.

The site gently slopes away from Colden Street and lies within the Study Area for the Stonequarry Creek watercourse with parts of the site located either within the overland flow or mainstream Flood Planning Areas.

The site does not include any items of heritage significance. However, it is located within Precinct 1 (Commercial Centre) of the Picton Conservation Area (PCA), which is identified as item C2 in Schedule 5 of the WLEP 2011. There are several individually listed heritage items in the vicinity of the site, including:

- Former Catholic Presbytery, 7 Colden Street (item I168);
- Former Wollondilly Shire Hall, 48-60 Menangle Street (item I188 in LEP);
- St Anthony's Catholic Church and school hall, 63 Menangle Street (item I187); and
- Soldiers Memorial School of Arts, 65 Menangle Street (item I190).

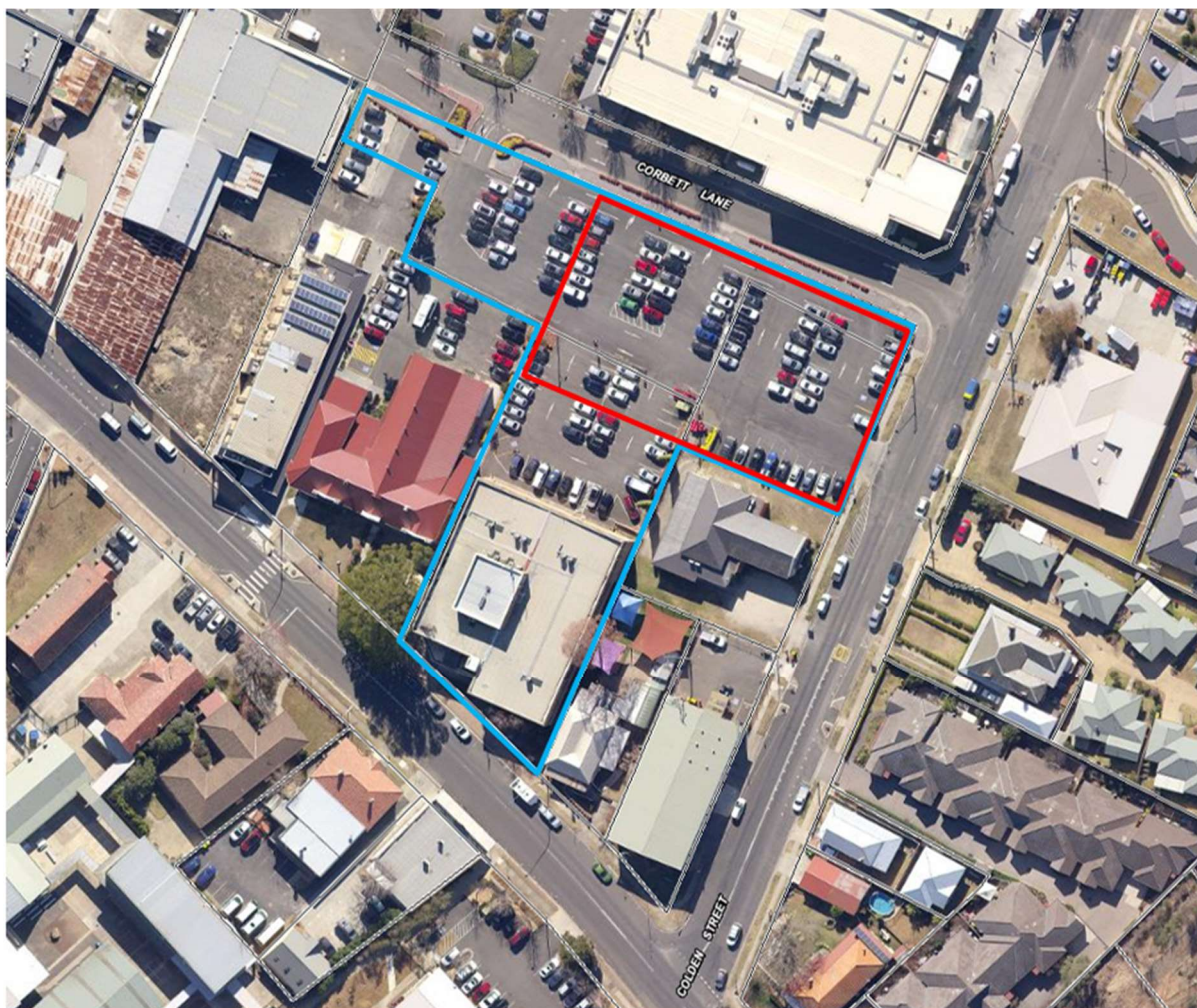


FIGURE 2: Location map – Subject site outlined in red, 6-8 Colden Street and 62-64 Menangle Street, Picton outlined in blue (Source: SixMaps)

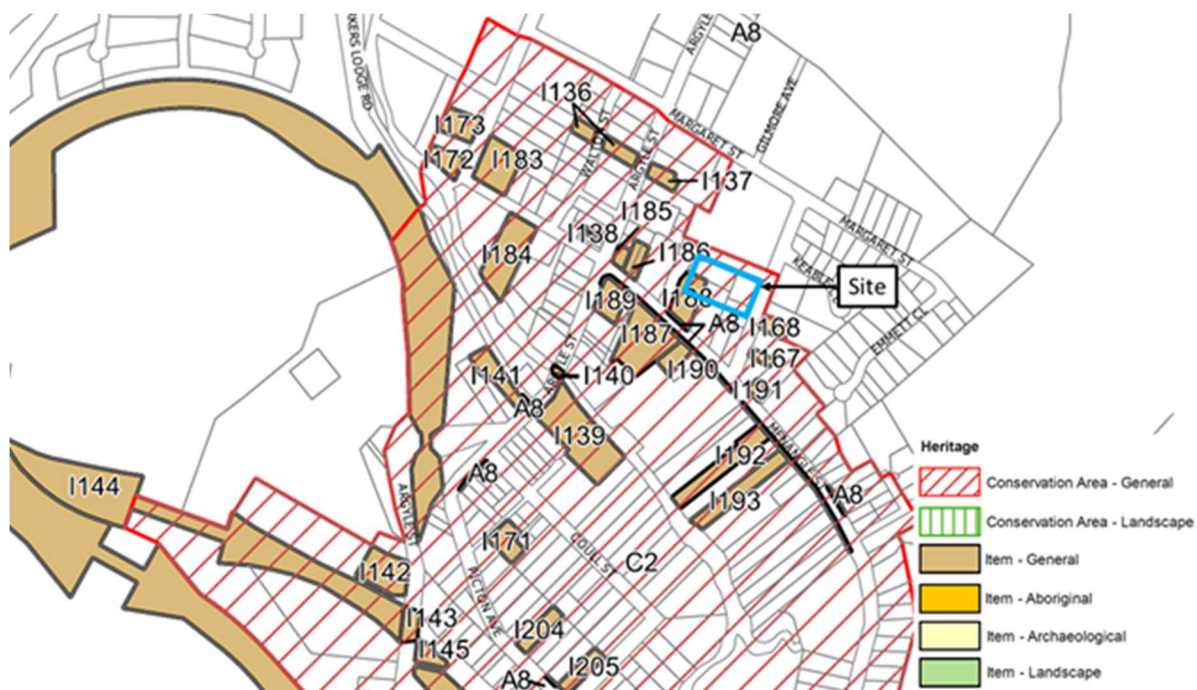


FIGURE 3: WLEP 2011 Heritage Map extract – site outlined in blue (Source: WLEP 2011)

Description of proposal

This PP seeks to amend the WLEP 2011 by increasing the building height control established for the site under clause 4.3 from 9m to 16m. The purpose of this amendment is to enable the development of a new Council administration building, which forms part of the wider Wollondilly Shire CCCP. A copy of the PP is provided at Attachment 1.

No change to the current B2 Local Centre land use zoning for the site is proposed under this PP. This is due to the fact that commercial premises, which include business, office and retail premises, are permitted with consent in the B2 zone.

Progress of the Planning Proposal to date

The proposal has been subject to preliminary notification with no public submissions received. The proposal has been referred to the relevant Public Agencies as detailed in Part 3.D of this report.

The PP was reported to the Wollondilly Local Planning Panel (LPP) for its advice on 25 February 2021. The recommendations of the LPP to Council are provided below and a copy of the LPP's Meeting Minutes are attached (Attachment 2).

The panel:

1. *Is satisfied the proposal has strategic and site specific merit*
2. *Consider the proposed increase in height reasonable and is satisfied that it is the outcome of a detailed strategic analysis of the town centre.*
3. *Support the recommendation in the Assessment Report that a site specific DCP should be prepared and include consideration of built form design, heritage, parking & access, landscaping, flooding.*
4. *Recommend that the DCP should include consideration of built form, heritage, parking, access, landscaping and flooding and should encompass the civic precinct generally defined in Figure 1 of the Assessment Report being the area enclosed by Menangle Street, Colden Street, Manolis Lane and the western perimeter of the library site.*
5. *Recommend that the DCP should specifically reference the massing provided within the planning proposal submission.*

Council resolved to support the PP at its Ordinary Meeting of 16 March 2021.

1. *Support the Planning Proposal for 6-8 Colden Street and 62-64 Menangle Street, Picton, NSW 2571.*
2. *Agrees and endorses the advice of the Wollondilly Shire Local Planning Panel:*
 - a. *that the proposal has strategic and site specific merit and that the height is reasonable based on outcomes of a detailed strategic analysis of the town centre,*
 - b. *agrees to commence a site specific DCP for land within the precinct that generally defined in Figure 1 of the Assessment Report being the area enclosed by Menangle Street, Colden Street, Corbett Lane and the western perimeter of the library site which includes consideration of built form, heritage, parking, access, landscaping and flooding and also specifically references the massing provided within the planning proposal submission.*
3. *Agrees to support the Planning Proposal as a relevant planning authority; and*
4. *Forwards the Planning Proposal to the Department of Planning, Industry & Environment for a Gateway Determination.*

A copy the Agenda and Resolution of the Ordinary Council Meeting held on 16 March 2021 is provided at Attachments 3 and 4 respectively.

Part 1 – Objectives or Intended Outcomes

The PP seeks to enable the development of a new Council administrative building, which forms part of the wider Wollondilly Shire Cultural, Civic and Community Precinct (CCCP).

Part 2 – Explanation of Provisions

To achieve the objectives of the PP, the following amendments to the Wollondilly Local Environmental Plan (WLEP) 2011 are proposed:

- Amending the Wollondilly LEP 2011 Height of Buildings map in accordance with the proposed height of building map showing in Part 4 by Map 1.

In addition, a site specific Development Control Plan (DCP) is to be prepared by Council for the wider CCCP to guide the future redevelopment of the Precinct. This DCP will include consideration of built form, heritage, parking, access, landscaping, flooding and reference the massing as provided within the PP submission.

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

Yes, the PP is a result of the Wollondilly 2040 Local Strategic Planning Statement. This is addressed in detail in Part 3.4 of this report.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The current building height of 9 metres for the site would preclude the scale of proposed future development envisioned for the site under the CCCP.

The only alternative approach would be to lodge a clause 4.6 request to vary a development standard. However, to achieve the desired building height of 16 metres would require a variation of 77.7% beyond the existing maximum building height control.

The PP is therefore the best means of achieving the identified objectives and outcomes.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The following regional and sub-regional strategies are relevant:

- Greater Sydney Regional Plan 2018
- Western City District Plan 2018

Greater Sydney Region Plan

The *Greater Sydney Region Plan* (Region Plan) outlines how Greater Sydney will manage growth and change in the context of social, economic, and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of 3 unique but connected cities:

- the established Eastern Harbour City
- the developing Central River City
- the emerging Western Parkland City

Historically, Greater Sydney's jobs and transport have been focused to the east, requiring many people to make long journeys to and from work and other services. The 3 cities vision allows opportunities and resources to be shared more equitably while enhancing the local character we value in our communities.

By integrating land use, transport links and infrastructure across the three cities, more people will have access within 30 minutes to jobs, schools, hospitals and services.

This PP will increase the capacity of the Wollondilly Council administration building to cater for additional staff and services within the Picton Town Centre. The co-location of Council services with the wider CCCP ensures that more people will have access within 30 minutes to jobs and services.

The Council administration building forms part of the Wollondilly Shire CCCP and is **consistent** with the objectives and strategies of the Region Plan. The CCCP fosters improved public domain and opens space, optimises a central community hub, creates jobs and new spaces within an established Town Centre seeking reinvigoration. The concept for the precinct has been the result of extensive community and Council collaboration.

Western City District Plan 2018

The *Western City District Plan* is a 20 year plan that guides implementation of the *Greater Sydney Region Plan* and acts as a bridge between regional and local planning. It outlines a number of directions, priorities and actions for managing growth, delivering infrastructure and protecting and enhancing bushland and biodiversity.

The Wilton and Greater Macarthur Growth Areas and Camden Park are the only three locations in Wollondilly identified as either a 'land release area' or 'urban area' in the plan. The remainder of the LGA, with exception of protected natural areas, is mapped as Metropolitan Rural Area (MRA) under the District Plan, which includes the subject site.

According to the District Plan, future growth within the MRA is to take the form of 'local growth' within existing towns and villages. Whilst growth within the context of the District Plan refers mainly to housing growth, it can also be taken to mean associated infrastructure and commercial such as this PP.

Wollondilly is also expected to meet and exceed the District Plan's 2021 housing supply target of 1550 dwellings. This will occur due to dwelling completions since 2016, the existing capacity of rezoned land and the Wilton Growth Area.

Picton is within the MRA area in its entirety. However, this designation does not appear to take into account the well-established nature of Picton Town Centre and its urbanised surrounds. The MRA mapping of the established urban areas is not in alignment to the intent or objectives of the MRA designation.

The Region Plan states that the growth and intensification of business activity within rural villages is supported where they maintain or enhance local character. Further, Action 78 of the Western City District Plan seeks to ensure new development maintains or enhances the values of the MRA using place-based planning to deliver targeted environmental, social, and economic outcomes. In this regard, the PP is considered to support growth in a managed way, by encouraging the development of local services within an established urban setting in the MRA.

The PP will enable the development of the Council administration building within the CCCP and will contribute to Picton's ongoing role as the municipal centre of Wollondilly Shire providing major regeneration benefits to the town. Furthermore, it will allow Picton and Wilton to co-exist rather than compete, with each centre being capable of functioning independently.

This proposal seeks to facilitate and supports planned growth in the through development of the CCCP in an existing town centre. Furthermore, this PP will not reduce or compromise the capacity of MRA land be used for agricultural purposes nor does it propose residential housing. The PP is therefore considered consistent with the District Plan and Regional Plan.

The proposal is deemed to be **consistent** with the District Plan.

4. Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plans?

The following regional and sub-regional strategies are relevant:

- Wollondilly 2040: Local Strategic Planning Statement (LSPS)
- Create Wollondilly Community Strategic Plan 2033

Wollondilly 2040: Local Strategic Planning Statement

The *Wollondilly 2040 Local Strategic Planning Statement* (LSPS) is a 20 year land use vision for Wollondilly. It identifies four key themes which are supported by a number of planning priorities and actions that help guide the decisions we need to make to meet our vision for Wollondilly.

Most notably, planning priority 7 seeks to ensure Wollondilly is a creative and cultural destination which connects people with place. A key component of this planning priority is the implementation of the CCCP of which action 7.1 seeks to deliver within the short to medium term. The priority notes that the precinct will provide contemporary community and cultural facilities and revitalise Picton town centre as the heart of Wollondilly. CCCP will address gaps in community and cultural space and, within the context of the Wilton Growth Area, will allow Picton and Wilton to co-exist rather than compete.

The proposal is deemed to be **consistent** with the LSPS.

The below table provides an assessment of the PP against each theme and the supporting planning priorities in the LSPS:

INFRASTRUCTURE AND COLLABORATION

Planning Priorities:

1. Aligning infrastructure delivery with community needs
2. Embracing innovation to enhance liveable, connected and sustainable communities
3. Establishing a framework for sustainable managed growth

Assessment against Theme:

This PP seeks to amend the Wollondilly Local Environmental Plan 2011 (WLEP 2011) by increasing the building height control established for the site under clause 4.3 of the WLEP 2011 from 9m to 16m.

The purpose of this amendment is to enable the development of a new Council administrative building, which forms part of the wider Wollondilly Shire CCCP. This will facilitate the continued growth of the Shire and improve the public administrative functions of Wollondilly Shire Council.

This proposed increase in height is necessary to meet the growth projections as set out in the LSPS, which indicates a population of 92,102 by 2036. Accordingly, the council's administrative and resourcing function is projected to increase commensurate with this growth.

LIVEABILITY

Planning Priorities:

1. Creating vibrant, healthy and sustainable communities in our new town in Wilton
2. Providing housing options that meet local needs and match the local character of towns and villages
3. Embedding health and wellbeing considerations in land use planning for healthy places
4. Cultivating a creative and cultural destination connecting people with place
5. Enhancing vibrant, healthy and sustainable local towns and villages

Assessment against Theme:

Actions 7.1 and 7.2 of the LSPS are directly related to the PP as they seek to:

7.1 Implement the Cultural, Civic and Community Precinct at Picton

7.2 Progress a planning proposal to amend the LEP to facilitate the Picton Cultural, Civic and Community Precinct

The proposal is consistent with these actions and will enable the delivery of the future Council administration Building and wider CCCP.

The CCCP is located within the centre of Picton to reinforce and strengthen Picton's role as the community, cultural and civic hub of Wollondilly. It also seeks to reinforce the viability and vibrancy of Picton town centre and will facilitate urban regeneration.

The proposal seeks to maximising the development potential of the site and the wider CCCP, which will enable the delivery of a new council administration building, central park, marketplace, and multifunctional hall for the arts. As such, this PP would support the cultivation of a creative cultural destination for Picton support the vibrancy of the town.

The Urban Design Report indicates that the mass of the building could be broken down to fit the context of the site. The purpose of this design approach is to enable the future Council administration building to provide an appropriate transition to neighbouring buildings and to respond to the character of the area. The recommended site specific DCP will ensure that more detailed controls for building massing and design can be applied at DA stage.

| PRODUCTIVITY |
|---|
| <p>Planning Priorities:</p> <ol style="list-style-type: none"> 1. Developing the visitor experience and economy by increasing access to natural areas and rural landscapes 2. Attracting investment and growing local jobs 3. Leveraging greater investment and business opportunities from Western Sydney International (Nancy-Bird Walton) Airport |
| <p><u>Assessment against Theme:</u></p> <p>This proposed increase in height and development of the wider CCCP is necessary to meet the growth projections as set out in the LSPS, which indicates a population of 92,102 by 2036. Accordingly, the council's administrative and resourcing function is projected to increase commensurate with this growth. The increase in resource capacity of the Council will ultimately enable and facilitate the growth projections of the Shire and support job growth and attract investment.</p> |

| SUSTAINABILITY |
|---|
| <p>Planning Priorities:</p> <ol style="list-style-type: none"> 1. Valuing the ecological health of Wollondilly's waterways 2. Protecting biodiversity and koala habitat corridors 3. Planning high quality well connected open spaces 4. Delivering an urban tree canopy 5. Enhancing and protecting the diverse values of the Metropolitan Rural Area 6. Planning resource recovery options to serve local and district needs in appropriate strategic locations 7. Living with climate impacts and contributing to the broader resilience of Greater Sydney |
| <p><u>Assessment against Theme:</u></p> <p>The site of the proposal will comprise wholly of the Council administration building and forms part of the Wollondilly CCCP Master Plan. The CCCP has been adopted by Council and provides the vision for a significant community and civic hub within a well- designed public realm and civic open and closed spaces within Wollondilly. Council envisages the Precinct as an important Shire-wide civic asset that will bring together the community and become a focal point for services, congregation, civic and culture.</p> <p>The amendment to the height control will enable the delivery of the new administration building, ensuring the remained of the CCCP site can be developed to include a central park, marketplace, arts and multifunctional hall, thus contributing to a well-connected and high quality public space.</p> |

Create Wollondilly Community Strategic Plan 2033

The Create Wollondilly Community Strategic Plan 2033 (CSP) is Council's highest level long term plan. It identifies and expresses the aspirations held by the community of Wollondilly and sets strategies for achieving those aspirations.

The PP is deemed to be consistent with the CSP.

The below table provides an assessment of the PP against Sustainable and Balanced Growth objectives in the CSP:

| STRATEGY | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
|---|-------------|--|
| GR1 – Growth Manage growth to ensure that it is consistent with Council's Position on Growth and achieves positive social, economic and environmental outcomes for Wollondilly's towns and villages. | Consistent | <p>The increase in the height control will facilitate the new council administration building and assist Council in delivering services in the growing Shire.</p> <p>The subject site is located within the Picton Town Centre and will assist in its urban renewal through the redevelopment of the site as part of the wider Community, Civic and Cultural Precinct (CCCP) for the Shire.</p> |
| GR2 – Built Environment Manage land use and development to achieve a high quality built environment and innovative planning outcomes, while protecting our agricultural and rural landscape. | Consistent | <p>The increase in the height control will facilitate the development of the CCCP in Picton Town Centre.</p> <p>The location of the site at the centre of Picton is consistent with conventional built form hierarchy in urban centres and is considered suitable for the proposed additional building height.</p> <p>Agricultural and rural land will not be impacted by the proposal as it relates to a site within an already urbanised area.</p> <p>Furthermore, the view analysis included within the Urban Design Report details that the proposal will have limited impact on existing views. In particular, the views provided of Wollondilly Shire Hall (I188) and the former posted office (I185) from Menangle Street show minimal impact. However, it is noted the proposal will block a portion of the expansive view of the hills to the south of Picton when viewed from the intersection of Colden and Margaret Street. Notwithstanding, while the proposal is visible the view of the Hill's ridgeline is maintained and the setback of the upper levels would provide a visual continuation of the street scale.</p> |
| GR3 – Economic Development and Tourism Enhance economic development and tourism in Wollondilly Shire through the implementation of the Economic Development Strategy and the development of a Tourism Strategy and an Employment Strategy | Consistent | <p>The proposal will support the future redevelopment of the wider CCCP.</p> <p>The proposal will have positive economic impacts through construction jobs and on-going employment with the provision of a new and expanded Council administration building. In addition, the 400 jobs associated with the administration building will benefit the wider Picton Town Centre.</p> |
| GR4 – Liveable Communities Plan for and enhance Wollondilly's liveability by encouraging great places to live with communities that are resilient, safe, affordable, healthy, well connected and retain their unique characters. | Consistent | <p>The increase in the height control will facilitate the future Council administration building and wider CCCP. Accordingly, it would enable easier provision of services and infrastructure.</p> <p>In addition, the redevelopment of the site will facilitate the urban renewal of Picton Town Centre as part of the wider CCCP.</p> |
| GR5 – Wilton New Town | N/A | N/A |

| | | |
|---|------------|--|
| Create a new walkable and connected community supported by integrated public transport and matched by sustainable long-term local employment growth. | | |
| GR6 – Peri-urban Lands Manage, promote and adequately protect peri-urban lands and their values. | Consistent | The increase in the height control at the site is considered a sustainable option through maximising the development potential of previously developed land in the town centre. Thus, focusing development in this location will seek to protect peri-urban lands. |
| GR7 - Agriculture Encourage and support agriculture and associated industries so that they continue to be a productive, sustainable and integral part of our economy, community, landscape and environment. | Consistent | The concentration of the development within the defined town centre will enable easier provision of services and infrastructure. It will limit urban sprawl and will safeguard agricultural lands. |
| GR8 - Advocacy Advocate strongly for the interests of Wollondilly and its community in relation to planning and economic development outcomes and improved public transport services. | Consistent | The increase in height control will facilitate development of the wider CCCP and in particular Council's future administration building which will ensure the delivery of key services within the Shire. |

The below table provides an assessment of the PP against other relevant objectives outlined in the CSP:

| STRATEGY | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
|--|-------------|---|
| EN2 - Protect the environment from development pressures Contribute to development to achieve positive environmental, social and economic outcomes. | Consistent | The Council administration building forms a key part of the CCCP which is envisaged to be developed over a staged period until 3036 commensurate with the growth of the Shire. The building would accommodate up to 400 council administrative staff. The CCCP will re-focus the centre of Picton and provide vitality and viability to the town centre. Accordingly, the redevelopment of this site as part of the wider CCCP will bring major regenerative benefits to the centre and strengthen Picton as the community, cultural, civic centre of Wollondilly Shire. |
| EN3 – Vegetation management Achieve a balance between risk-based management and conserving biodiversity and maintaining public and private assets. | Consistent | The site does not contain any significant vegetation and therefore the proposal will not adversely impact on biodiversity. |
| IN2 –Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future. | Consistent | The increase in height control will facilitate development of the CCCP and delivery of infrastructure, facilities and services within the growing Shire. This will be achieved by the redeveloping an existing at-grade car park the centre of Picton for these services and infrastructure, maximising the potential of the site in a sustainable way. |
| C02 – Engagement and Communication | Consistent | The masterplan for the wider CCCP has undergone extensive community consultation. |

| STRATEGY | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
|--|-------------|---|
| Implement excellence in our community engagement by consulting with and responding to the needs and concerns of our residents. | | In accordance with Council's Community Participation Plan and adopted PP Policy, an initial community consultation has been undertaken. The PP was exhibited on Council's website and at Wollondilly library for a period of 28 days between 28 October 2020 and 24 November 2020. A letter was sent to residents on 28 October 2020 and details of the exhibition were also published in local newspapers. No submissions were received from the community during this preliminary consultation period. |
| EC3 – Customer Service Deliver appropriate, responsive and effective service to our customers. | Consistent | The proposed amendment to the building height control will facilitate the new Council administration building. This will ensure a high level of customer service is capable of being provided into the future. |

5. Is the Planning Proposal consistent with applicable state environmental planning policies?

The NSW Government publishes State Environmental Planning Policies (SEPPs) and Sydney Regional Environmental Plans (SREPs). These documents deal with matters of state or regional planning significance. The proposal is deemed to be **consistent** with all applicable policies.

An assessment of the PP against all applicable SEPPs and SREPs is provided below:

| SEPP/SREP | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
|--|-------------|---|
| SEPP 55 – Remediation of Land | Consistent | A Preliminary Site Investigation was prepared by Environmental Investigations Australia, which included a site inspection and background review of the site's history and records. This report concludes that the site can be made suitable for the proposed development, subject to preparation of a Detailed Site Investigation (DSI), by way of an intrusive assessment of soil and groundwater quality. The preparation of a DSI can be addressed at the DA stage. |
| SEPP (State and Regional Development) 2011 | Consistent | The future development within the Precinct is likely to be deemed as 'regional development', meeting the relevant thresholds under Schedule 7 of the SEPP on development value, with the Sydney Western City Planning Panel acting as the determining authority. |
| SEPP (Sydney Drinking Water Catchments) 2011 | Consistent | The proposal is not expected to have a negative effect on water quality and Sydney Water have not raised any concerns with regard to potable water. |

6. Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 directions)?

The Minister for Planning has issued a number of Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979 which apply to the assessment of planning proposals.

The proposal is deemed to be **consistent** with all applicable directions.

The below table provides an assessment of the PP against relevant Section 9.1 Ministerial Directions:

| MINISTERIAL DIRECTION | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
|--|-------------|--|
| 1.1 Business Zones | Consistent | <p>The subject site is zoned B2 Local Centre and is located within the Picton Town Centre.</p> <p>The proposed Council administration building will enable the Council to meet the long term growth demands projected for the LGA.</p> <p>The proposed development will act as a catalyst for renewal and re-establishes Picton Town Centre's importance by providing urban renewal.</p> |
| 1.2 Rural Zones | Consistent | The site is located in the Picton Town Centre and will assist in the redevelopment of brownfield land. Accordingly, the PP will protect the agricultural production value of rural land in the Shire. |
| 1.3 Mining, Petroleum Production and Extractive Industries | N/A | Not applicable to the site. |
| 1.4: Oyster Aquaculture | N/A | Not applicable to the site. |
| 1.5 Rural Lands | Consistent | The site is located in the Picton Town Centre and will assist in the redevelopment of brownfield land. Accordingly, the PP will protect the agricultural production value of rural land in the Shire. |
| 2.1 Environment Protection Zones | Consistent | The PP does impact on any existing environmentally sensitive areas. |
| 2.2 Coastal Management | N/A | Not applicable to the site. |
| 2.3 Heritage Conservation | Consistent | <p>The PP will facilitate the CCCP within the centre of Picton and provide urban renewal in the centre of Picton.</p> <p>The site is located within the Picton Heritage Conservation Area and is close proximity to a number of heritage items.</p> <p>An independent Heritage Assessment has been undertaken by GML Heritage. This report is generally supportive of the PP and notes that the future redevelopment of the site to a new increased permissible height limit of 16 metres will need careful consideration if it is be consistent with the LEP objectives for Heritage Conservation.</p> <p>The concept building design within the Urban Design Report seeks to mitigate adverse impacts on neighbouring items of heritage significance by transitioning the building height from</p> |

| MINISTERIAL DIRECTION | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
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| | | <p>four to two storeys as it presents to Colden Street. In addition, building articulation including upper floor setbacks at 3rd floor level are illustrated to provide further transition to the neighbouring buildings to the north and south, noting the Masonic Hall adjoins the site to the south.</p> <p>Subject to the development of a site specific DCP it is considered that the PP will not materially impact on the heritage conservation of Picton town centre.</p> <p>No heritage items or elements are required to be demolished and the Site is proposed over an existing at-grade carpark away from any natural streams or banks, reducing likelihood of buried items of indigenous heritage significance.</p> |
| 2.4 Recreation Vehicle Area | N/A | Not applicable to the site. |
| 2.5: Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | N/A | Not applicable to the site. |
| 2.6 Remediation of Contaminated Land | | A Preliminary Site Investigation was prepared by Environmental Investigations Australia, which included a site inspection and background review of the site's history and records. This report concludes that the site can be made suitable for the proposed development, subject to preparation of a Detailed Site Investigation (DSI), by way of an intrusive assessment of soil and groundwater quality. |
| 3.1 Residential Zones | N/A | Not applicable to the site. |
| 3.2: Caravan Parks and Manufactured Home Estates | N/A | Not applicable to the site. |
| 3.3: Home Occupations | N/A | Not applicable to the site. |
| 3.4 Integrating Land Use and Transport | Consistent | The proposed development will provide urban renewal in the established Picton Town Centre and provide opportunities to centralise services and administrative offerings to the community. |
| 3.5: Development Near Regulated Airports and Defence Airfields. | N/A | Not applicable to the site. |
| 3.6: Shooting Ranges | N/A | Not applicable to the site. |
| 3.7: Reduction in non-hosted short term rental accommodation period | N/A | Not applicable to the site. |
| 4.1: Acid Sulfate Soils | N/A | The Site is not identified as containing acid sulphate soils. |
| 4.2 Mine Subsidence and Unstable Land | Consistent | The NSW Subsidence Authority have been notified about this PP and have not raised objection or concerns. |
| 4.3 Flood Prone Land | Consistent | The site is identified as flood prone land. Notwithstanding the PP only seeks to increase the maximum building height at the site from 9 meters to 16 meters and does not propose any built structures at this stage. |

| MINISTERIAL DIRECTION | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
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| | | <p>The PP is supported by a Preliminary Flood Assessment prepared by WMAwater. This report concludes that the construction of the Council administration building:</p> <p><i>...would have a localised effect on flood behaviour, redirecting the overland flow around the buildings. However, given the relatively shallow depths occurring at the site (less than 100 mm), it is likely that the degree of flood hazard would not be substantially increased elsewhere. An impact assessment would be needed to confirm this assumption, and to ensure that overland flow is not directed into new buildings within the precinct. The flood impact assessment will need to be undertaken in the subsequent stages of this project when proposed designs have been progressed further.</i></p> <p>The need for a flood impact assessment at the DA stage is acknowledged and recommended.</p> <p>The PP and Preliminary Flood Assessment has been reviewed by Council's Engineering Department. This assessment is supportive of the PP and concludes that the proposed building height increase does not have any implications from a flood perspective.</p> <p>The PP has been assessed against the relevant Section 9.1 Ministerial Direction relating to Flood Prone Land. The proposal does not rezone the site nor alter the uses that are permitted within the B2 Local Centre zone. As such, the proposal does not permit a significant increase in the development of the site. The PP is therefore consistent with the relevant ministerial direction relating to flood prone land.</p> <p>On the basis of the above assessment, it is considered that a flood impact assessment would need to be undertaken to support any future DA for the site. In addition, it is recommended that the site specific DCP include appropriate flood planning controls. This may include the establishment of an appropriate freeboard at ground floor level within the site and wider CCCP.</p> |
| 4.4 Bush Fire Prone Land | N/A | The Site is not identified as being bushfire prone land. |
| 5.1: Implementation of Regional Strategies (Revoked 17 October 2017) | N/A | Not applicable to the site. |
| 5.2 Sydney Drinking Water Catchment | Consistent | The proposal is not expected to have a negative effect on water quality and Sydney Water have not raised any concerns with regard to potable water. |
| 5.3: Farmland of State and Regional Significance on the NSW Far North Coast | N/A | Not applicable to the site. |
| 5.4: Commercial and Retail Development | N/A | Not applicable to the site. |

| MINISTERIAL DIRECTION | CONSISTENCY | COUNCIL ASSESSMENT COMMENT |
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| along the Pacific Highway, North Coast | | |
| 5.5: Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010) | N/A | Not applicable to the site. |
| 5.6: Sydney to Canberra Corridor (Revoked 10 July 2008) | N/A | Not applicable to the site. |
| 5.7: Central Coast (Revoked 10 July 2008) | N/A | Not applicable to the site. |
| 5.8: Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018) | N/A | Not applicable to the site. |
| 5.9: North West Rail Link Corridor Strategy | N/A | Not applicable to the site. |
| 5.10 Implementation of Regional Plans | N/A | Not applicable to the site. |
| Direction 5.11: Development of Aboriginal Land Council Land | N/A | Not applicable to the site. |
| 6.1 Approval and Referral Requirements | Consistent | <p>This direction aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>The PP seeks to increase the maximum permissible height limit pertaining to the footprint of the proposed Council administration building only, therefore changes to the WLEP 2011 will be minimal.</p> |
| 6.2 Reserving Land for Public Purposes | Consistent | The Proposal does not contain land identified for public purposes (i.e. SP2 zoned land) nor does it propose land for public purposes. |
| 6.3 Site Specific Provisions | Consistent | <p>The objective of Direction 6.3 is to discourage unnecessarily restrictive site specific planning controls.</p> <p>This PP only seeks to increase the maximum permissible height control under the WLEP 2011 for the proposed building footprint.</p> <p>Notwithstanding, a site specific DCP is to be prepared as the design, architecture and setting of any future building at the site will be critical in achieving a quality urban design outcome. This is particularly important noting the character of surrounding development and the heritage significance of the area.</p> |

Section C – Environmental, Social and Economic Impacts

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?

The proposal will not have any adverse impacts on threatened species, populations or ecological communities or their habitats.

8. Are there any likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Traffic

An assessment of the key traffic and parking matters is provided below.

Access and Servicing

Vehicular access to the car park for the Council administration building will be from Manolis Lane and Colden Street. These locations have been reviewed by GTA Consultants (GTA) within their independent traffic and parking assessment and are considered to be acceptable.

The PP does not nominate a location for service vehicles to use. SLR Consulting Australia (SLR) have advised that the future location for service vehicle access will be provided elsewhere within the CCCP.

While not specifically a planning proposal consideration, the ability to service the site needs to be rationalised in the context of the wider CCCP. It is considered that vehicle servicing arrangements can be satisfactorily addressed in the recommended site specific DCP.

Parking

The Traffic and Transport Report prepared by SLR identifies that the Council administration building will require 148 car parking spaces. The methodology for calculating this parking demand has been reviewed and is supported by GTA.

The proposal seeks to provide a total of 159 car parking spaces:

- 78 parking spaces within the basement car park of the Council administration building; and
- 81 additional spaces split between the Council Depot on Margaret Street (34 spaces) and the expansion of the Council Staff car park at Margaret Street (47 spaces).

An excess of 11 car parking spaces is proposed which is considered acceptable as there will be no adverse impact on parking availability or traffic generation. Furthermore, the proposed off-site car parking areas are located within a suitable walking distance of the site (less than 400 metres).

It is considered that parking rates, including accessible, motorbike and bicycle parking, can be satisfactorily addressed in the recommended site specific DCP.

Traffic

GTA have undertaken a review of both the trip generation and intersection modelling provided by SLR and confirmed that the trip generation rates for all land uses within the CCCP are acceptable.

The Traffic and Transport Report prepared by SLR included intersection modelling to determine the traffic impacts arising from the development of the CCCP.

This modelling included:

- A 2019 base case
- A 2036 'do minimum' scenario
- A 2036 base case plus development scenario, incorporating the CCCP volumes

GTA have reviewed this modelling and confirmed that the network is currently (utilising the 2019 base case scenario) performing satisfactorily.

The SLR Report, however, does not test the addition of any of the proposed development volumes under the CCCP against the 2019 scenario. The only scenario tested for additional volumes is the 2036 scenario which assumes the completion of intersection upgrades in the Picton Town Centre identified under the Picton Town Centre Transport Plan 2026. SLR have confirmed that this approach was adopted on the basis that Council has committed to constructing these road upgrades.

GTA have advised that the results of the 2036 development scenario indicate satisfactory performance, demonstrating that the network will cope with increases in background traffic volumes together with the CCCP when fully developed. However, the assessment does not confirm if the CCCP can be partially or fully operational at a timeframe before these upgrades are implemented.

Due to this deficiency in the modelling, GTA have recommended that additional modelling be undertaken if it is proposed to open the administration building before the year 2036.

These issues are considered relevant to the DA stage of the administration building rather than the current PP.

It is also noted that issues including access points, service vehicle arrangements and travel demand management measures to guide the assessment of future development applications can be addressed through the recommended site-specific DCP.

Flooding

Whilst it is acknowledged that the site is flood prone land, the PP only seeks to increase the maximum building height at the site from 9 meters to 16 meters and does not propose any built structures at this stage.

The PP is supported by a Preliminary Flood Assessment prepared by WMAwater. This report concludes that the construction of the Council administration building:

...would have a localised effect on flood behaviour, redirecting the overland flow around the buildings. However, given the relatively shallow depths occurring at the site (less than 100 mm), it is likely that the degree of flood hazard would not be substantially increased elsewhere. An impact assessment would be needed to confirm this assumption, and to ensure that overland flow is not directed into new buildings within the precinct. The flood impact assessment will need to be undertaken in the subsequent stages of this project when proposed designs have been progressed further.

The need for a flood impact assessment at the DA stage is acknowledged and recommended.

The PP and Preliminary Flood Assessment has been reviewed by Council's Engineering Department. This assessment is supportive of the PP and concludes that the proposed building height increase does not have any implications from a flood perspective.

The PP has been assessed against the relevant Section 9.1 Ministerial Direction relating to Flood Prone Land. The proposal does not rezone the site nor alter the uses that are permitted within the B2 Local Centre zone. As such, the proposal does not permit a significant increase in the development of the site. The PP is therefore consistent with the relevant ministerial direction relating to flood prone land.

On the basis of the above assessment, it is considered that a flood impact assessment would need to be undertaken to support any future DA for the site. In addition, it is recommended that the site specific DCP include appropriate flood planning controls. This may include the establishment of an appropriate freeboard at ground floor level within the site and wider CCCP.

Wastewater

Correspondence with Sydney Water has been submitted to inform the PP. This includes two (undated) planning advice letters from Sydney Water. These letters confirm the Picton WRP is at capacity but also advise that Sydney Water can provide services to the proposed expansion of the CCCP. An extract of this advice is provided below (**BOLD our emphasis added**)

*Picton Town Centre is currently serviced by Sydney Water. The updated growth number indicates that additional EP has increased from 100 to 158, resulting additional average dry weather flow increase from 0.2 l/s to 0.3 l/s Since it is a minimal dry weather flow increase to WRP, **Sydney Water can provide services to proposed expansion based on the following conditions.***

- *Health check should be carried out on all new development to ensure that no wet weather flow is discharging into Sydney Water system.*
- *The new assets from the development will reduce the current inflow infiltration in the system.*

In addition to the above, a Feasibility Letter from Sydney Water dated 20 May 2020 was also provided. This letter specifically relates to the Council administration building rather than the wider CCCP and advises that (**BOLD our emphasis added**):

*Development within the Town Centre may need to be delayed until the effluent management strategy is finalised and any upgrades to the plant are confirmed. The strategy is due for completion in the second half of 2020 and **it is anticipated that upgrades to the plant should be completed by late 2025**, subject to Sydney Water funding approvals.*

Based on the above timeline, it is expected that the upgrades with the Picton WTP will be completed by 2025. Should the PP proceed to Gateway, it is considered it will not be finalised until late 2021. A DA for the Council administration building will be required to be lodged and assessed by Council. On this basis, the timeframe of 2025 for the completion of the Picton WTP upgrade works is considered acceptable as it aligns with the delivery of the Council administration building.

This position is supported by Council's Health and Regulatory Services Team who advised that Council should ensure that Sydney Water can provide the necessary wastewater disposal prior to the issue of any Construction Certificate for the works.

Given the timeline for the administration building PP it is considered that this matter can be dealt with the DA stage and should not preclude the PP from progressing to Gateway Determination.

9. How has the Planning Proposal adequately addressed any social and economic effects?

Building Height and Urban Design

The site is currently utilised as an at-grade car park, accessed off Manolis Lane and Colden Street. The site is set among a mix of built form and land uses. While the scale is generally low density with building heights of one to two storeys, the adjoining Picton Mall development has a height of approximately 9 metres, generally equivalent to a three storey development.

The proposal seeks to increase the building height from 9 metres to 16 metres for the site. No other built form controls are proposed. Contextually, the proposed Council administration building would be the tallest building within the precinct, at a height of 16m or comparative four storeys. The Urban Design Report indicates that the mass of the building would be broken down to fit the context of the site. The purpose of this design approach is to enable the future Council administration building to provide an appropriate transition to neighbouring buildings and to respond to the character of the area.

In particular, the concept design seeks to respond to the topography of the site and the scale of surrounding development by transitioning height across the site from two to four storeys, as illustrated in the below figures.



FIGURE 4: East-west cross-section through the concept design



FIGURE 5: North-south cross-section through the concept design – Colden Street frontage (Source: e8urban)



FIGURE 8: North-south cross-section through the concept design – future village green frontage (Source: e8urban)

As illustrated in Figures 6 and 7 above, the eastern elevation of the building is to comprise a two storeys façade, similar to the existing scale of development along Colden Street. This design approach will avoid privacy impacts to properties on the eastern side of Colden Street. The two storey building height would be achieved through the incorporation of a large building setback to Colden Street, together with a design that responds to the sloping nature of the site by transitioning the ground floor level to underground basement car parking.

As illustrated in Figure 8, the western façade of the building is four storeys or 16 metres in height fronting onto the proposed village green within the CCCP. This design approach provides a ceremonial entrance to the building and frames the new village green centre. In addition, building articulation including upper floor setbacks at 3rd floor are illustrated to provide further transition to the neighbouring buildings to the north and south.

The Urban Design Report also states that enhanced public domain with street trees and verge planting will be provided. It is considered that suitable landscaping should be incorporated into the future design at the site to soften its setting within the surrounding landscape.

If built to the maximum building envelope with a height of 16 metres across the entire site, the Council administrative building could result in a relatively large and bulky building in the context of the surrounding character of the surrounding area, particularly noting the nil setback control for commercial development within the Wollondilly Development Control Plan 2016 (WDCP 2016). However, the development of suitable urban design controls including building storey heights, setbacks (such as the indicative upper level setback to Colden Street), site coverage and landscaping could ensure the proposed building height is suitable for the site by facilitating it's future redevelopment in a manner that appropriately responds to its surroundings.

With regard to view loss, it is noted that a view analysis was included within the Urban Design Report prepared by e8urban and includes key views including:

- Corner of Colden Street and Menangle Street looking North
- Corner of Colden Street and Margaret Street Looking South
- Menangle Street looking East
- East Towards the Shire Hall from Menangle Street
- North through the Shire Hall and current council offices

This view analysis details the impact of the concept design on both the existing and emerging site context through the future redevelopment of the site CCCP. The view analysis details that the proposal will have limited impact on views. In particular, the views provided of Wollondilly Shire Hall (I188) and the former Post Office (I185) from Menangle Street show minimal impact. It is noted the proposal will block a portion of the expansive view of the hills to the south of Picton when viewed from the intersection of Colden and Margaret Street. Notwithstanding this, while the proposal is visible the view of the Hill's ridgeline is maintained and the setback of the upper levels provides for a visual continuation of the street scale.

It is noted the Council administration building forms a key part of the CCCP which is envisaged to be developed over a staged period until 2036 commensurate with the growth of the Shire. The building would accommodate up to 400 council administrative staff. The CCCP will re-focus the centre of Picton and provide vitality and viability to the town centre. Accordingly, the redevelopment of this site as part of the wider CCCP requires a building of sufficient scale to accommodate its proposed future use and to bring major regenerative benefits to the centre and strengthen Picton as the community, cultural, civic centre of Wollondilly Shire.

The Urban Design Report does not detail the heights of adjoining buildings within the CCCP. These buildings are depicted as two storey buildings, which when applying standard floor to ceiling heights for commercial buildings, would appear consistent with the 9m height control. Notwithstanding, it is considered that the applicant should clarify the building heights proposed across the entire precinct through more detailed controls.

On the basis of the above assessment the preparation of a site-specific DCP which includes the adjoining CCCP is recommended. Subject to the preparation of this DCP it is considered the increase in height at this location would not harm the prevailing and emerging character of the centre of Picton. This approach would ensure the proposed increase in height is contextually managed and planned with regards to the adjacent buildings and surrounding built form.

Heritage

The site does not include any items of heritage significance. However, it is located within Precinct 1 (Commercial Centre) of the Picton Conservation Area (PCA), which is identified as item C2 in Schedule 5 of the WLEP 2011. There are several individually listed heritage items in the vicinity of the site, including:

- Former Catholic Presbytery, 7 Colden Street (item I168);
- Former Wollondilly Shire Hall, 48-60 Menangle Street (item I188 in LEP);
- St Anthony's Catholic Church and school hall, 63 Menangle Street (item I187); and
- Soldiers Memorial School of Arts, 65 Menangle Street (item I190).

With regard to Aboriginal heritage the site is an existing at-grade car park so it is unlikely to be considered an Aboriginal place of heritage significance or contain Aboriginal objects. Notwithstanding, it is recommended that an Aboriginal Due Diligence Assessment be required at DA Stage, as per GML's advice.

The proposed increase in building height has the potential to adversely impact on the heritage setting and significance of the neighbouring heritage items and the wider conservation area. Furthermore, the HIS prepared by GBA Heritage identifies that the visual character and scale of the adjoining Masonic Hall at 4 Colden Street contributes to the character and streetscape of the wider PCA. This building is therefore also considered within this assessment.

Both Heritage Reports acknowledge the need for careful consideration of the future building design in order to ensure it is consistent with the relevant heritage objectives under clause 5.10 of the WLEP 2011.

Whilst the site is located on the edge of the PCA and it is not located on a main street in the conservation area (Argyle Street or Menangle Street), the increase in height still needs to respect the character of the conservation area.

If developed to the full building envelope, it is considered the proposal would result in a new built form element in the conservation area in terms of scale and bulk and could impact on the setting of the neighbouring heritage items on Colden Street, the Masonic Hall and the former Wollondilly Shire Hall. Accordingly, the design of the building and choice of materials should be appropriate for the setting of the site within the conservation area and developed to a scale that is harmonious with the prevailing character of the conservation area.

The concept building design within the Urban Design Report seeks to mitigate adverse impacts on neighbouring items of heritage significance by transitioning the building height from four to two storeys as it presents to Colden Street. In addition, building articulation including upper floor setbacks at 3rd floor level are illustrated to provide further transition to the neighbouring buildings to the north and south, noting the Masonic Hall adjoins the site to the south.

It is therefore considered design controls should be developed to sensitively manage and mitigate any impact on the setting of neighbouring items of heritage significance. The HIS prepared by GBA Heritage includes the following design recommendations:

- The increased permissible building height be applicable only to that part of the subject site to be occupied by the proposed Administration Building;
- Means of reducing the area and height of the top (fourth) storey of the proposed Administration Building be further explored;
- A two storey podium with set-back upper storeys be applied to the east and, insofar as possible, the north and south facades of any future development; and
- The facades of any future development be articulated so as to achieve greater consistency with the character of the PCA.

It is noted that the Heritage Council of NSW has reviewed and supports these design mitigation measures.

On the basis of the above assessment, it is considered that appropriate design controls can be incorporated into the site specific DCP for the site and the wider CCCP. This DCP should contain provisions specifically aimed at ensuring that future development accords with the prevailing and emerging character of the PCA and setting of neighbouring heritage items. This will include controls to modulate the building façades and specify materiality which is appropriate within the Conservation area.

Further, podiums and upper storey setbacks should be developed with particular regard to the north, south and east to mitigate impacts on the heritage significance of adjacent buildings and prevailing character of the conservation area.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning Proposal

The PP will require capacity upgrades to the Picton WTP. As detailed in Section C of this report, it is expected that the required upgrades will be completed by 2025.

Should the PP proceed to Gateway, it is considered it will not be finalised until late 2021. A DA for the Council administration building will be required to be lodged and assessed by Council. On this basis, the timeframe of 2025 for the completion of the Picton WTP upgrade works is considered acceptable as it aligns with the delivery of the Council administration building.

This position is supported by Council's Health and Regulatory Services Team who advised that Council should ensure that Sydney Water can provide the necessary wastewater disposal prior to the issue of any Construction Certificate for the works.

Given the timeline for the administration building PP it is considered that this matter can be dealt with the DA stage and should not preclude the PP from progressing to Gateway Determination.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Comment was sought from relevant government agencies as part of preliminary consultation for comment on the PP. These agencies included:

- Subsidence Advisory NSW
- Heritage Council NSW
- Transport for NSW
- Sydney Water

A complete assessment of matters raised by public agencies is provided below.

| COMMENTS | ASSESSMENT RESPONSE |
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| <i>Subsidence Advisory NSW</i> <ul style="list-style-type: none"> ▪ The proposal does not overlie any coal mining or coal exploration leases. SA NSW records indicate there are no historical mine workings under the site. | <p>Subsidence Advisory of NSW were consulted on the proposal and confirmed the site does not overlie any coal, mining or coal exploration leases. Furthermore, no historical mine works are under the site.</p> <p>Based on this advice it is considered that the Subsidence Authority NSW has no issues with the proposal.</p> |
| <i>Heritage NSW</i> <ul style="list-style-type: none"> ▪ Considered the proposal will not have a direct physical or visual impact on any heritage items listed on the State Heritage Register and/or State significant historical archaeology. ▪ Noted the site is in a heritage conservation area and in proximity to the following heritage items: <ul style="list-style-type: none"> ○ Former Catholic Presbytery ○ Former Wollondilly Shire Hall ○ St Anthony's Catholic Church and school hall ○ Soldiers Memorial School of Arts ▪ Considered the mitigation measures in the Statement of Heritage Impact are appropriate, and should inform detailed design at the development application stage | <p>The response from Heritage NSW indicates that the principle of the proposed increase in height is acceptable from a state heritage perspective.</p> <p>From a local heritage perspective Heritage NSW notes that the proposal has the potential to impact on the Picton Conservation Area and local heritage items. Notwithstanding, it was concluded that the mitigation measures noted by GBA Heritage in the Heritage Impact Statement (HIS) are considered appropriate.</p> <p>An independent Heritage Assessment has been undertaken by GML Heritage. This report is generally supportive of the PP and notes that the future redevelopment of the site to a new</p> |

| COMMENTS | ASSESSMENT RESPONSE |
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| | <p>increased permissible height limit of 16 metres will need careful consideration if it is be consistent with the LEP objectives for Heritage Conservation.</p> <p>The concept building design within the Urban Design Report seeks to mitigate adverse impacts on neighbouring items of heritage significance by transitioning the building height from four to two storeys as it presents to Colden Street. In addition, building articulation including upper floor setbacks at 3rd floor level are illustrated to provide further transition to the neighbouring buildings to the north and south, noting the Masonic Hall adjoins the site to the south.</p> <p>Subject to the development of a site specific DCP it is considered that the PP will not materially impact on the heritage conservation of Picton town centre.</p> <p>No heritage items or elements are required to be demolished. The site is an existing at-grade carpark away from any natural streams or banks, reducing likelihood of buried items of indigenous heritage significance.</p> |
| <p>Sydney Water <u>Potable Water</u></p> <ul style="list-style-type: none"> Based on the information presented the proposed Building 'D' can be served by a new connection to the existing 100mm watermain in Colden Street. Fire-fighting requirements for the proposed Building may require amplification of watermain. Any amplification would need to be supported by a Statement of Available Pressure and flow that has the proposed amplification included in the computer model. To service the greater Town Centre Masterplan, as a minimum, amplification or duplication of the Colden Street and Margaret Street watermain will be required. Further details of amplifications will be supplied as more detail of the proposed changes to existing land use become available. <p><u>Wastewater</u></p> <ul style="list-style-type: none"> A minor extension of the wastewater network would be required to service Building 'D'. Amplification of the network would be required as part of the overall Town centre development. As a minimum, any new wastewater pipe asset within the Town Centre would need to be DN225 in preparation for downstream amplification / adjustment of assets. However, the site including Building D is within the Picton Water Recycling Plant (WRP) catchment. The WRP currently has no capacity | <p>Sydney Water have confirmed that the site can be served by potable water through a new connection to the existing water main on Colden Street. Further information on this extension will be required at the DA stage.</p> <p>With regard to wastewater; Sydney Water advised that the site is within the Picton WRP catchment, which currently has no capacity to accept growth.</p> <p>The correspondence received from Sydney Water was issued to the applicant and additional information regarding wastewater was requested.</p> <p>A response was received on 27 January 2021. This response outlined the correspondence undertaken by the applicant with Sydney Water to date and included two undated planning advice letters from Sydney Water. These letters confirm the Picton WRP is at capacity but also advise that Sydney Water can provide services to the proposed expansion of the CCCP. An extract of this advice is provided below (BOLD our emphasis added):</p> <p><i>Picton Town Centre is currently serviced by Sydney Water. The updated growth number indicates that additional EP has increased from 100 to 158, resulting additional average dry weather flow increase from 0.2</i></p> |

| COMMENTS | ASSESSMENT RESPONSE |
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| <p>to accept growth that has not previously been considered.</p> <ul style="list-style-type: none"> Development within the Town Centre may need to be delayed until the effluent management strategy is finalised and any upgrades to the plant are confirmed. The strategy is due for completion in the second half of 2020. Sydney Water is looking to assess all Planning Proposals reliant upon Picton WRP EPA licence variations and will work with the council to ensure we have all relevant data and understand timescales. Council should engage with their Sydney Water account manager, regarding the timing of the proposed Town Centre development. | <p><i>l/s to 0.3 l/s Since it is a minimal dry weather flow increase to WRP, Sydney Water can provide services to proposed expansion based on the following conditions.</i></p> <ul style="list-style-type: none"> <i>Health check should be carried out on all new development to ensure that no wet weather flow is discharging into Sydney Water system.</i> <i>The new assets from the development will reduce the current inflow infiltration in the system.</i> <p>In addition to the above, the applicant also provided a Feasibility Letter from Sydney Water dated 20 May 2020. This letter specifically relates to the Council administration building rather than the wider CCCP and advises that (BOLD our emphasis added):</p> <p><i>Development within the Town Centre may need to be delayed until the effluent management strategy is finalised and any upgrades to the plant are confirmed. The strategy is due for completion in the second half of 2020 and it is anticipated that upgrades to the plant should be completed by late 2025, subject to Sydney Water funding approvals.</i></p> <p>Based on the above timeline, it is expected that the upgrades with the Picton WTP will be completed by 2025. Should the PP proceed to Gateway, it is considered it would not be finalised until late 2021. A DA for the Council administration building would then need to be lodged and assessed by Council. On this basis, the timeframe of 2025 for the completion of the Picton WTP upgrade works is considered acceptable as it aligns with the delivery of the Council administration building.</p> <p>This position is supported by Council's Health and Regulatory Services Team who advised that Council should ensure that Sydney Water can provide the necessary wastewater disposal prior to the issue of any Construction Certificate for the works.</p> <p>Given the timeline for the administration building PP it is considered that this matter can be dealt with the DA stage and should not preclude the PP from progressing to Gateway Determination.</p> |

| COMMENTS | ASSESSMENT RESPONSE |
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| <p>TfNSW</p> <ul style="list-style-type: none"> Consideration should be given to the provision of pedestrian refuges to assist pedestrians in crossing the local roads and to encourage mode shift through safe crossing opportunities to access the site. TfNSW recommend this is discussed with Council (traffic team). TfNSW recommends a site specific Development Control Plan (DCP) accompanies this planning proposal to set out the access points, service vehicle arrangements and travel demand management measures to guide the assessment of the future development application(s). The intersection performance should be modelled to assess the impact of the development on the network in the absence of the Picton Town Centre Transport Plan 2026 network improvements (realignment of the Argyle Street/ Lumsdaine Street intersection to include signal control; proposed improvements to the Argyle Street/ Prince Street intersection; right turn ban to traffic turning from Menangle Street at the Argyle Street/ Menangle Street intersection; and proposed upgrade to signal control at the Menangle Street/ Prince Street intersection). TfNSW notes that the status of proposed changes to the road network outlined within the Picton Town Centre Transport Plan 2026 are uncommitted/unfunded, as it was prepared "to discuss this plan with elected members and the wider community, with a view to securing support and funding to allow delivery of the plan by 2026". As these improvements are not funded at this stage, modelling should be conducted to assess and document the impact of the planning proposal on the road network without these improvements in the event they are not delivered. TfNSW requests that the electronic copies of the AIMSUN modelling files (and any model development/calibration and validation report) are provided for our review and comment. Table 12 of the Traffic and Transport Report – Trip rates: The trip rate assumed (presumably vehicle trip rate) for Administration Building (1.65 vtpm AM and 1.28 vtpm PM per 100sqm) appears to reflect the average rate for office premises from the former RMS TDT 2013/04a Updated Traffic Surveys. It should be noted that the mode share of the localities surveyed had high public and active transport mode share and were mostly in close walking distance to high frequency heavy rail services in Sydney. It is not expected that these rates would be reflective of the subject locality which has an approximate mode share of 4.74% to public transport for travel to work according to | <p>The provision of a pedestrian refuge is a detailed planning matter and can be dealt with at the DA stage. The increase in the height control at this site will not materially impact pedestrian safety.</p> <p>The requested development of a site specific DCP is supported.</p> <p>The requested intersection performance modelling and AIMSUN files trip rate information were issued to TfNSW for review.</p> <p>With regard to funding mechanisms, SLR and GTA have both advised that the that the proposal would not be of a scale to trigger regionally significant transport requirements. Notwithstanding, any future DA over the site will be assessed against the applicable Contributions Plan.</p> <p>It is noted that a copy of TfNSW's submission was issued to the applicant who provided a response on 16 December 2020. The applicant's response was provided to TfNSW, who provided two further responses on 22 and 26 February 2021.</p> <p>These responses generally relate to the traffic modelling assessment and trip generation assumptions in the applicant's Traffic and Transport Report.</p> <p>The advice recommends that these matters be addressed following the issue of a Gateway determination, pre-exhibition. It is considered that this approach is appropriate as the matters raised are generally of a detailed, technical nature that do not be fully resolved at this stage.</p> |

| COMMENTS | ASSESSMENT RESPONSE |
|--|---------------------|
| <p>Australian Bureau of Statistics census data from 2016. We recommend that a rate is sourced from a comparable site with consideration to mode share and accessibility factors.</p> <ul style="list-style-type: none"> ▪ An appropriate funding mechanism should be in place to help ensure that developer contributions are obtained on an equitable basis for the provision of state and regional transport infrastructure required to support development uplift and future growth in the Picton Town Centre. | |

Part 4 – Mapping

Map 1 – New Height of Buildings (HOB)



Part 5 – Community Consultation

Community Consultation

In accordance with Council's Community Participation Plan and adopted Planning Proposal Policy, and initial community consultation has been undertaken. The PP was exhibited on Council's website and at Wollondilly Library for a period of 28 days between 28 October 2020 and 24 November 2020. A letter was sent to residents on 28 October 2020 and details of the exhibition were also published in local newspapers.

No submissions were received from the community during this preliminary consultation period.

Part 6 – Project Timeline

| PROJECT DETAIL | TIMEFRAME | ESTIMATED COMPLETION |
|---|-------------|-------------------------|
| Consideration of Planning proposal and issue of Gateway Determination by DPIE | 2- 3 months | May - June 2021 |
| Public exhibition | 1 month | July 2021 |
| Consider submissions and prepare report to Council | 1-2 months | August - Sept 2021 |
| LEP amendment made | 1-2 month | October - November 2021 |

Attachments

1. Administration Building Planning Proposal – Urban Design Report
2. Wollondilly Local Planning Panels Meeting Minutes
3. Agenda of Ordinary Council Meeting held on 16 March 2021
4. Resolution of Ordinary Council Meeting held on 16 March 2021
5. Consultation with Internal Council Staff
6. Heritage Review – GML Heritage
7. Traffic and Parking Peer Review – GTA Consultants
8. Response to Traffic and Transport Matters – SLR Consulting Australia
9. Response to Comments – GTA Consultants
10. Sydney Water Feasibility Letter dated 20 May 2020