PLANNING PROPOSAL

Expansion of IN3 Heavy Industrial & Environmental Conservation Zones
Maldon Bridge Road, Maldon

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Planning Proposal

Maldon Bridge Road, Maldon

Prepared for

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By

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Table of Contents

Introduction 1

Report Structure 2
Background 4
Site Description and Context 4
Proposed LEP amendments - Employment Generating & Environmental Conservation 10

Part 1 – Objectives or Intended Outcomes 11

Part 2 – Explanation of Provisions 12

Part 3 – Justification 17

Section A – Need for the planning proposal 17
Section B – Relationship to strategic planning framework 19
Section C – Environmental, social and economic impact 42
Section D – State and Commonwealth Interests 47

Part 4 – Mapping 48

Part 5 – Community Consultation 49

Part 6 – Project Timeline 50

Conclusion and Recommendations 51

Glossary 52

Appendices

Appendix A: Bushfire Assessment
Appendix B: DPIE email on Mine Subsidence status
Appendix C: Preliminary Site Investigation
Appendix D: Services advice
Appendix E: Traffic assessment
Appendix F: LEP Map Tiles

Introduction

This Planning Proposal seeks to rezone land at 40-45 Maldon Bridge Road and Staff Road, Maldon for employment and environmental conservation purposes. To do this, the Planning Proposal will:

- Amend Wollondilly Local Environmental Plan 2011 (Wollondilly LEP 2011) to rezone the land from the existing RU2 Rural Landscape Zone to IN3 Heavy Industrial and E2 Environmental Conservation Zones and amend the minimum lot size controls appropriate to the proposed IN3 Zone

- Identify amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (**Growth Centres SEPP**) to exclude its application to require a separate Precinct Planning exercise.

Boral's existing operations at Maldon are primarily located east of Maldon Bridge Road on land zoned IN3 Heavy Industrial under Wollondilly LEP 2011. The Boral operation manufactures, processes and stores materials used in the construction industry. Boral has a rail siding from the Southern Main Rail Line so that the use can operate as a transport distribution terminal and it has funded the roundabout at the intersection of Maldon Bridge Road and Picton Road to accommodate heavy vehicles including B doubles at this site. The Planning Proposal seeks to rezone residue land zoned RU2 Rural Landscapes on the western side of Maldon Bridge Road and Staff Road that has historically been associated with the Boral operation, including land already used and operating as a concrete batching plant and both previous (now demolished) and existing workers cottages that enjoy existing use rights.

Maldon is located in the Macarthur Region and the Wilton Priority Growth Area and the vast majority of the land sits within the boundaries of the Growth Centres SEPP, but with the underlying zoning and planning controls remaining under Wollondilly LEP 2011. Strategic studies addressing the Macarthur and Wilton area have included a raft of studies that have examined the urban capability and physical suitability of the land, including the site. This work has culminated in the determination of a future land use strategy, first within the *Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan* (**Wilton LUIIP**) published in August 2017 and then in *Wilton 2040, A Plan for the Wilton Growth Area* (**Wilton 2040**) published in August 2018. Both these documents identify 'employment land' on the residue Boral land on the western side of Maldon Bridge Road as well as 'employment land for future investigation' on the eastern side of Picton Road. This Planning Proposal only relates to the rezoning of land to the west of the existing Boral operation south of Picton Road.

The implementation of the employment zoning on the site under the Growth Centres SEPP must follow a Precinct Planning exercise. However, given the extent of investigations already carried out by both the Department of Planning, Industry and the Environment (**DPIE**) and Wollondilly Shire Council (**Council**), this Planning Proposal can rely on these, supplemented by additional studies that address infrastructure, bushfire, contamination and traffic. Additionally, the Planning Proposal relies on the subsequent draft Cumberland Plain Conservation Plan as a basis for the mapping of 'constrained land' as the proposed Environmental Conservation Zone and the 'unconstrained' that will ultimately be bio certified for the proposed employment land, as noted in Wilton 2040.

The preparation of a Planning Proposal is the first step in the DPIE's Gateway process for amending Wollondilly LEP 2011. It also forms a request to the Department of Planning, Industry and Environment (**DPIE**) to make consequential amendments to the Growth Centres SEPP that specifically dispense with the need to carry out further Precinct Planning to facilitate the future development of the land as outlined in this Planning Proposal. This process was flagged in the Wilton LUIPP. The specific amendments to the Growth Centres SEPP are included in the Planning Proposal so that it can be considered and incorporated as part of the Gateway request.

The Gateway Process sets out a series of steps for making or amending local environmental plans as outlined in **Table 1**.

Table 1 Steps for making and amending a local environmental Plan

No.	Step	Explanation
1	Planning Proposal	Council prepares a document explaining the effect of and justification for the making or amending of a local environmental plan and submits the Planning Proposal to the NSW Minister for Planning for consideration.
2	Gateway	The Department of Planning and Environment, as a delegate of the Minister for Planning, determines whether a Planning Proposal should proceed.
3	Community Consultation	The Planning Proposal is publicly exhibited.
4	Assessment	Council considers the submissions received in response to the public exhibition, varying the Planning Proposal if necessary.
5	Drafting	Parliamentary Counsel prepares a draft local environmental plan.
6	Decision	The relevant planning authority approves the local environmental plan, making it law.

This Planning Proposal has been prepared to assist Council address the relevant matters in Step 1 of the process including addressing the required changes to the Growth Centre SEPP.

Report Structure

This Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act) with consideration of DPIE's *A guide to preparing Planning Proposals* (December 2018). Consistent with these documents and to give context to the investigations, this Planning Proposal is structured into the following parts:

- Background
- Area Description including key planning considerations
- Statutory Planning Framework
- Preferred Land Uses and Infrastructure Requirements
- Part 1 - A Statement of the Objectives and Intended Outcome
- Part 2 - Explanation of Provisions
- Part 3 - Justification
- Part 4 - Mapping

- Part 5 - Community Consultation
- Part 6 - Project timeline

Background

On 28 September 2018, the DPIE released *Wilton 2040*. The plan seeks to provide a high-level framework for the Wilton Town Centre, surrounding residential, commercial and employment areas. Wilton 2040 identifies land on the western side of Maldon Bridge Road as an area that can provide employment opportunities, with additional land to the north of Picton Road identified as employment land for further investigation. The Planning Proposal relates only to the land west of Maldon Bridge Road, together with adjoining land west on Staff Road containing existing workers cottages.

On 23 March 2020, the Greater Sydney Commission (**GSC**) provided its letter of assurance for the Wollondilly Local Strategic Planning Statement (**LSPS**). The LSPS is consistent with Wilton 2040 in identifying the Maldon area for additional future employment.

There have been many studies prepared to support DPIE's and Council's strategic framework for Maldon. These have investigated the urban capability and physical suitability of the land to arrive at the recommended employment land use, including examining economic development, heritage, potential for Bio-certification, water quality, utilities, social infrastructure and transport (noting further work was required).

The DPIE's work on bio-certification culminated in the exhibition of the draft Cumberland Plain Conservation Plan (**draft CPCP**) in 2020; a tool to apply to determine the future zones and, as a consequence, the land which will be subject to a future bio certification framework and offset scheme. The draft CPCP provides useful mapping overlays to, among other things, identify constrained land and the recommended extent of the E2 Environmental Conservation Zoning to preserve existing vegetation communities of value. This mapping overlay has been adopted for this rezoning proposal. Separately, until the bio-certification detail is finalised, it is unknown whether the significant areas of natural bushland zoned IN3 Heavy Industrial to the east of the existing Boral operations will be identified for offset acquisition or will be incorporated into the regional open space network.

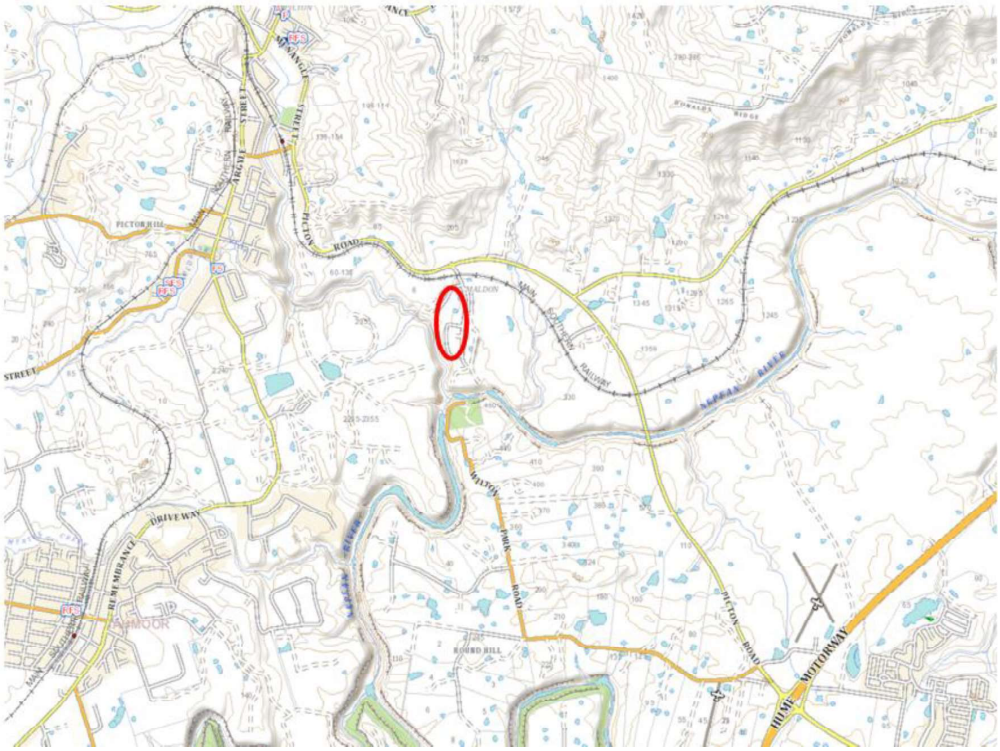
Consistent with the strategic planning framework, the Planning Proposal seeks to implement an employment zoning as an IN3 Heavy Industrial Zone on land on the western side of Maldon Bridge Road as well as on land adjacent to Staff Road. The Planning Proposal will also extend the E2 Environmental Conservation Zone as included in the draft CPCP to those parts of the site identified as having environmental features worthy of preservation including native vegetation and the steep gully leading to Stonequarry Creek.

Site Description and Context

The site comprises some 22.35ha of land located on the western side of Maldon Bridge Road and Staff Road in Maldon. The land is located some 3 kilometres from Picton and 6 kilometres from the interchange with the Hume Motorway via Picton Road. Importantly, the land is relatively close to the future Wilton Growth Area which is likely to drive an increase in demand for construction materials from the existing and nominated employment lands in this area as well as provide local employment opportunities.

The Planning Proposal land is residue to the Boral operation south of Picton Road and the Main Southern Rail line that crosses Maldon Bridge Road at a rail level crossing approximately 90 metres

to the south of Picton Road. The railway line provides freight services used by Boral and others. The location of the site within the district is shown on **Figure 1.**



Source: Six Maps

Figure 1: Planning Proposal Location

The existing Boral operations are located to the east of Maldon Bridge Road and comprise a rail freight distribution terminal and onsite manufacturing, processing and storage of construction materials.

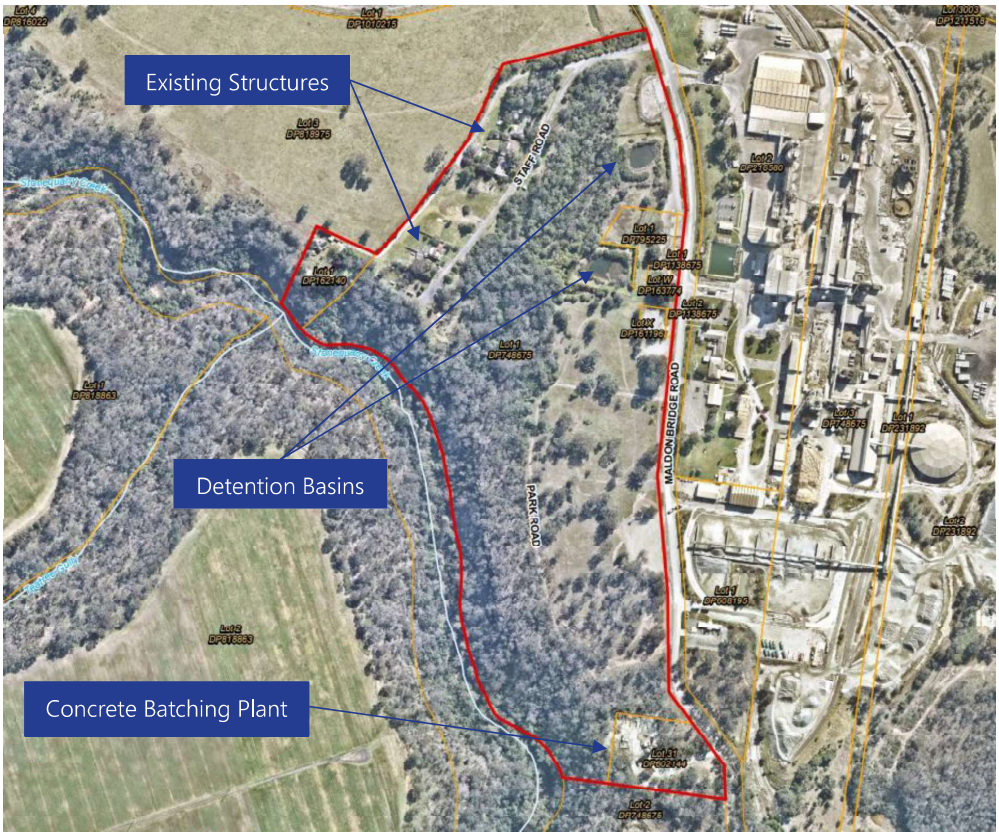
The Planning Proposal site is part of Boral's ownership at Maldon and it comprises the following lots and areas of land located on the western side of Maldon Bridge Road and Staff Road:

Lot	Area
Lot 1 DP748675	20.99ha
Lot 1 DP795225	4,589m^2
Lot W DP163774	752m^2
Lot X DP161196	937m^2
Lot 1 DP 162140	6,392m^2

Lot	Area
Lot 1 DP 1138675	802m^2
Lot 2 DP 1138675	270m^2
Lot 31 DP 602144	9,928m^2
Total	**23.357ha**

The land on the western side of Maldon Bridge Road includes a concrete batching plant, and both previous and existing workers cottages that enjoy existing use rights. The land also incorporates existing basins. A high voltage electricity easement traverse east west across the land just north of the existing concrete batching plant. Part of the Planning Proposal site also comprises land with environmental values including native vegetation and steep gullies leading to Stonequarry Creek. At the end of Maldon Bridge Road and not included in the Planning Proposal site is a Council Depot.

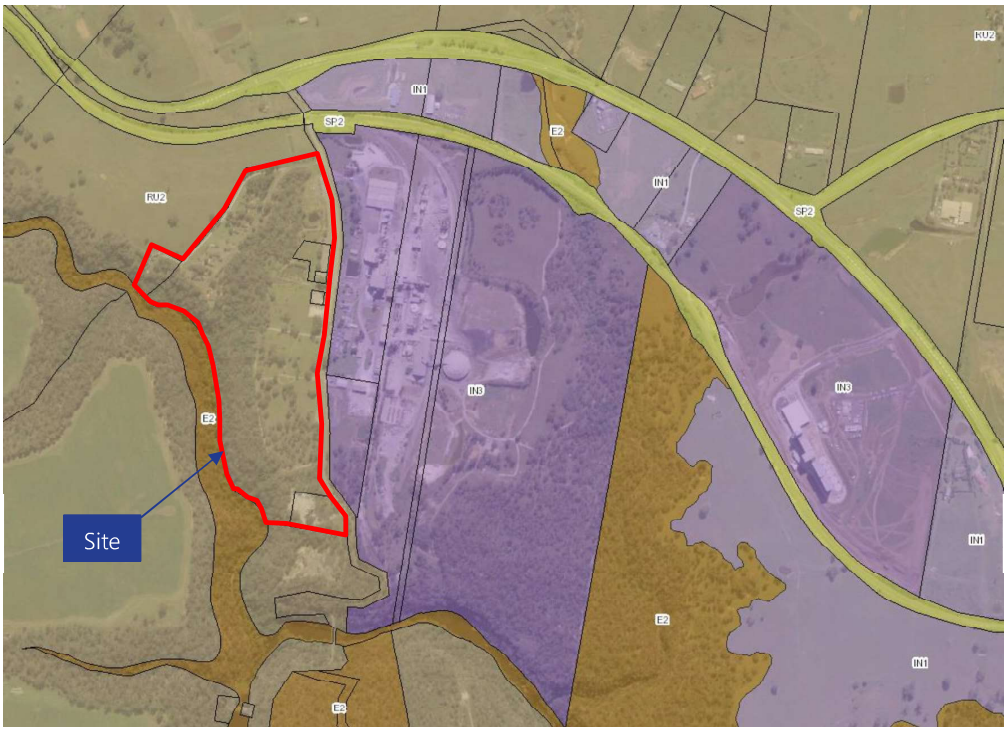
Figure 2 shows the boundaries of the Planning Proposal.



Source: JBS&G

Figure 2: The Planning Proposal Site including land west of Maldon Road and Staff Road

The site of the Planning Proposal is zoned RU2 Rural Landscapes under Wollondilly LEP 2011 as shown in **Figure 3.**



Source: NSW Spatial Viewer

Figure 3: Site zoning extract

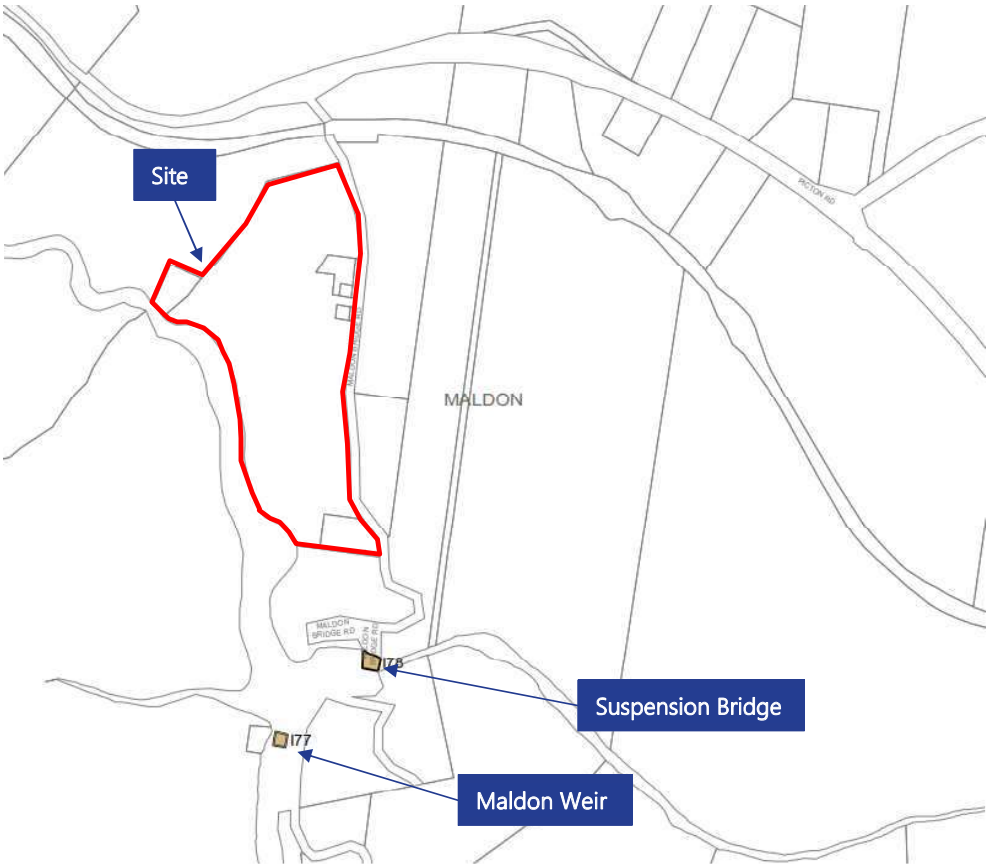
The RU2 Rural Landscape Zone has the following objectives:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide areas where the density of development is limited in order to maintain a separation between urban areas.*

The minimum lot size for subdivision is 100ha. It is noted that the existing uses undermine the ability of this land to meet any of the existing zone objectives.

The site is not mapped with any height of buildings control, floor space ratio (**FSR**) control or is it included as 'sensitive land' under the Natural Resources – Biodiversity map.

The site also does not contain any mapped heritage items. However, listed heritage items in proximity to the Planning Proposal site included Item I79 – Suspension Bridge over the Nepean River and Item I77 – Maldon Weir generally to the south of the Planning Proposal land (**Figure 4**).



Source: Wollondilly LEP

Figure 4: Wollondilly LEP Heritage Map Extract

The Planning Proposal site is sufficient distant and unlikely to have an adverse impact on the heritage significance of these two listed items.

The vast majority of the land (aside from one lot) is identified within the boundaries of the Wilton Growth Area Precinct Boundary Map but outside the Wilton Growth Area Precinct Boundary under the Growth Centres SEPP. See **Figure 5**.

The Growth Centres currently does not identify any zoning, lot size, height of building or heritage relating to this part of the release area such that the existing zoning and other planning controls under Wollondilly LEP 2011 continue to apply. The detailed planning under the Growth Centres SEPP is implemented through a Precinct Planning process under the SEPP. In this case, the Planning Proposal is best implemented by seeking exemption to the Precinct Planning Process under the Growth Centres SEPP, with the new zoning and controls incorporated into Wollondilly LEP 2011 and supplemented by controls in Wollondilly DCP.

Source: Growth Centres SEPP

Figure 5: Extract of Wilton Growth Area Precinct Boundary Map (Sheet PCB_001)

Proposed LEP amendments - Employment Generating & Environmental Conservation

Consideration of and mapping of the urban capability and physical suitability of the land as identified in previous studies, together with the information from new studies has resulted in the preparation of a plan that shows the possible future subdivision of the employment generating uses in the proposed IN3 Heavy Industrial Zone and land preserved with environmental constraints in a future E2 Environmental Conservation Zone as shown in **Figure 6**.

Source: GLN

Figure 6: Proposed Zoning and indicative lot sizes

The studies that have informed the various strategies, and additional studies commissioned by Boral are discussed in more detail in Part 3 of this Planning Proposal. These, in effect, replace the Precinct Planning process under the Growth Centres SEPP and are sufficient to give certainty and appropriate development controls for what is a relatively minor expansion of the existing IN3 Heavy Industrial Zone adjacent to the existing Boral plant including applying to the existing heavy industrial uses operating as a concrete batching plant under existing use rights.

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to enable the redevelopment of land to the south of Picton Road and west of Maldon Road and along Staff Road for employment uses as reflected in Wilton 2040.

The specific objectives for this Planning Proposal are to:

- enable the expansion of employment generating uses on land including establishing minimum lot sizes for subdivision
- identify land with environmental constraints to be zoned for environmental conservation
- ensure that future development can incorporate or has access to adequate utility services for each proposal.

To implement the objectives identified above, the Planning Proposal for the site at Maldon includes the following package of changes to the Wollondilly LEP 2011:

- Amend the Land Zoning Map to rezone land from RU2 Rural Landscape to part IN3 Heavy Industrial Zone and part E2 Environmental Conservation Zone.
- Introduce a Minimum Subdivision Lot Size requiring a minimum of 5,000m^2 for creation of a new lot.

Future development will also rely on Clause 7.1 of Wollondilly LEP 2011 contains an existing clause which requires that services that are essential for the proposed development are available, or that adequate arrangements have been made to make them available when required for:

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage.

As per Clause 7.1 of Wollondilly LEP 2011, future applications will be required to detail what services must be provided and include works to deliver additional services these to the site if required. The SMEC infrastructure report referenced later in this Planning Proposal confirms upgrades for essential services are achievable in the future should they be required for a particular proponent.

Growth Centres SEPP was established to require detailed Precinct Planning to progress the future development of land identified within the Growth Centres boundary. The Precinct Planning for this part of the Wilton Growth Area was identified 'under investigation' as opposed to 'in planning' in Wilton 2040'. However, there is a need to progress the planning for this part of Wilton on what constitutes a relatively minor expansion of the adjoining IN3 Heavy Industrial Zone over land that is used or has been used ancillary to the existing Boral operation.

Clause 7A of the Growth Centres SEPP enables precinct or part precincts to be identified that will be subject to planning provisions outside the SEPP and typically under the relevant local environmental plan. The listing of this part of the Wilton Growth Area in Clause 7A to be subject to the provisions on Wollondilly LEP will mean that the Precinct Planning can be dispensed with and the new controls in the LEP that are proposed to apply under this Planning Proposal will prevail.

Part 2 – Explanation of Provisions

The objectives and intended outcomes of the Planning Proposal are summarised in the following Statement of Intended Effects and will be achieved by amending Wollondilly LEP 2011 and the Growth Centres SEPP as set out in the sections below.

Statement of Intended Effects

Amendments to Wollondilly LEP 201

The Planning Proposal seeks amendment of the Land Use Zone Map and Lot Size Map of Wollondilly LEP 2011 to enable employment generation and environmental conservation outcomes for land comprising Lot 1 DP748675, Lot 1 DP795225, Lot W DP163774, Lot X DP161196, Lot 31 DP 602144, Lot 1 DP 1138675, Lot 2 DP 1138675 and Lot 1 DP162140 located on the western side of Maldon Bridge Road and Staff Road in Maldon.

The purpose of the amendment is to implement the statutory mechanisms to expand the existing employment zoning applying to land adjacent Boral site to the existing concrete batching plant and previously and currently used as worker cottages as well as introduce an Environmental Conservation Zone to protect environmentally significant land. The LEP will also introduce a minimum lot size for subdivision of 5,000m^2. These controls will ensure development can be appropriately sited having regard to bushfire hazard.

The proposed amendment to the LEP is generally consistent with Council's endorsed Local Strategic Planning Statement and a raft of strategic planning documents prepared by the State Government identifying future land use in the Macarthur Region and Wilton Areas and by Council to inform future amendments to Wollondilly LEP 2011.

Amendments to the Growth Centres SEPP

The Planning Proposal generates a need to amend the Growth Centres SEPP. The specific amendment to Clause 7A of the Growth Centres SEPP to enable nominates the provisions of Wollondilly LEP 2011 to apply to this particular parcel in the Wilton Growth Area. Importantly, it will enable these employment uses that will support the growth of Wilton to establish in a timely manner. Other Clauses in the Growth Centres SEPP are not relevant as the land is not flood prone or the land affected by a major creek (Part 5) or is the land within State Environmental Planning Policy (Western Sydney Parkland) 2006 meaning Part 6 on vegetation does not apply.

General Objectives/Intended Outcomes

The Planning Proposal responds to a number of planning strategies and studies that have identified land within the site for employment generating uses and environmental conservation.

At a State Government level, *Wilton 2040 – A Plan for the Wilton Growth Area* prepared 8 August 2018 identified the majority of the land as Employment land, with the exception of the land on Staff Road including the single lot that extends outside the Growth Centre boundary.. Importantly, DPIE has progressed the draft CPCP tool which provides guidance on ecology and as a result 'constrained land', future 'Environmental Conservation Zoning, and land 'certified' as urban capable including the majority of land along Staff Road.

At a Local Government level, Wollondilly Council has prepared its Local Strategic Planning Statement which is generally consistent with Wilton 2040 and the Wollondilly Employment Land Strategy prepared in 2020, which also included the land along Staff Road.

Whilst the studies have demonstrated the strategic merit of the employment land and environmental conservation land, additional studies for bushfire hazard, contamination and servicing have identified an additional range of requirements to be considered at the development application stage.

Amendments to Wollondilly LEP 2011 Maps

In order to achieve the desired objectives, the following amendments to the Wollondilly LEP 2011 would need to be made:

1. Amend the Land Use Zone Map (Sheet LZN_008G) to rezone 12.15ha from the existing RU2 Rural Landscape Zone to a IN3 Heavy Industrial Zone and 10.1ha to a E2 Environmental Conservation Zone.
2. Amend the Minimum Lot Size Map (Sheet LSN_008G) to implement a 5,000m2 minimum lot size for land proposed to be IN3 Heavy Industrial.

The following discusses these amendments.

Amendments to the Land Zoning Map

The proposed amendments to the Land Zoning Map will allow both employment land and environmental conservation.

The expansion of the Employment Land to area west of Maldon Bridge Road and Staff Road would adopt the existing IN3 Land Use Table applying to the existing Boral operation which is extracted below:

Zone IN3 Heavy Industrial

1 Objectives of zone

- *To provide suitable areas for those industries that need to be separated from other land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of heavy industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To enable land uses that provide facilities or services to meet the day to day needs of workers in the area.*

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industries; Industrial training facilities; Intensive plant agriculture; Kiosks; Offensive

storage establishments; Oyster aquaculture; Roads; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Amusement centres; Animal boarding or training establishments; Business premises; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Forestry; Function centres; Hardware and building supplies; Highway service centres; Home industries; Medical centres; Passenger transport facilities; Places of public worship; Pond-based aquaculture; Recreation facilities (indoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Retail premises; Self-storage units; Sex services premises; Timber yards; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals; Water recreation structures; Wharf or boating facilities; Wholesale supplies

The remaining part of the land will be zoned E2 Environmental Conservation by extending this zoning from adjoining land along Stonequarry Creek into the Planning Proposal site. The E2 Land Use Table is as follows:

Zone E2 Environmental Conservation

1 Objectives of zone

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Information and education facilities; Oyster aquaculture; Roads; Water supply systems

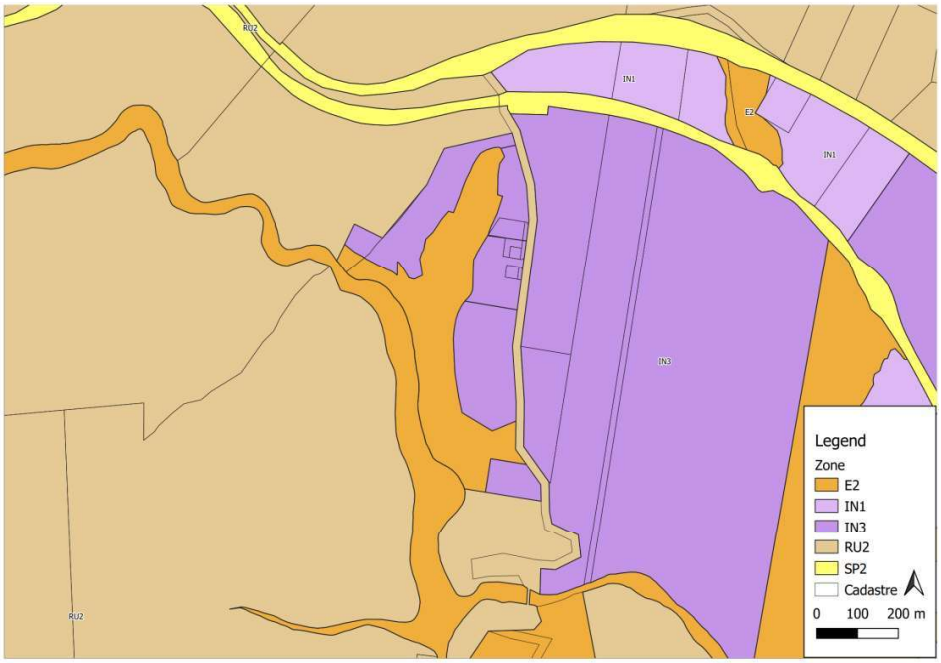
4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service station; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3.

An extract of the amended Land Use Zoning map is at **Figure 7**.

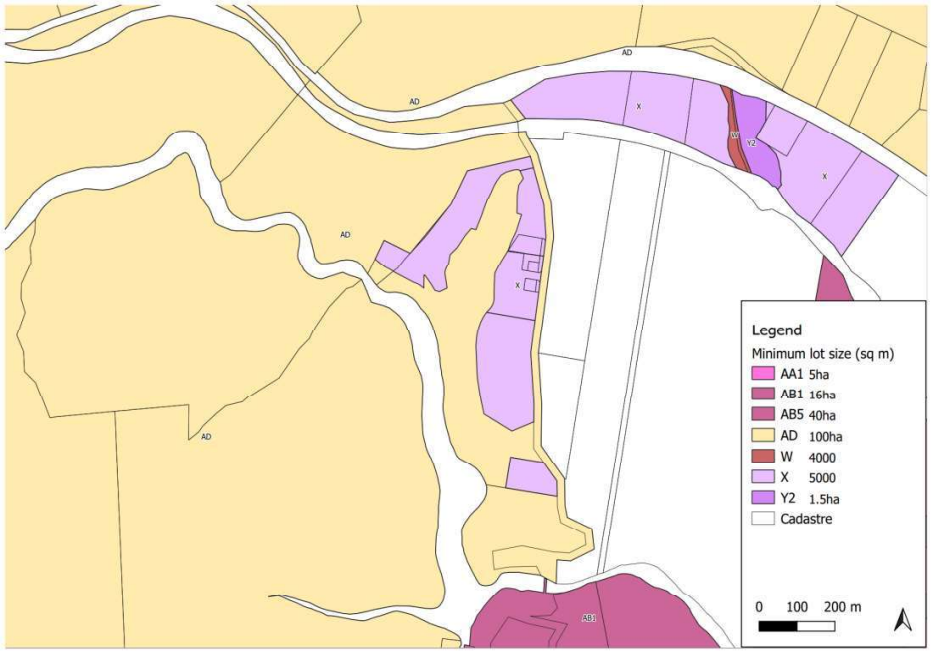
Amendments to the Lot Size Map

Amendment of the Lot Size Map for the employment lands to introduce a minimum 5,000m2 (labelled "X" on the map) which is consistent with the IN1 land north of Picton Road and sufficiently large to ensure provision of services if required on site. See **Figure** 8



Source: GLN

Figure 7: Proposed Zoning Map



Source: GLN

Figure 8: Proposed Minimum Lot Size Map

Amendment to Growth Centre SEPP

The following amendments (shown underlined in the Clause below are required to the Growth Centres SEPP as a consequence of the Planning Proposal.

7A Controls applying to Colebee, Edmondson Park, Bingara Gorge, Menangle Park, Mount Gilead and Glenlee Precincts

For the purposes of this Policy, the provisions applying to the carrying out of development in the following precincts are those specified below for the precincts—

(a) the provisions of Blacktown Local Environmental Plan 1988 are specified for the Colebee precinct within the North West Growth Centre,

(b) the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002, Liverpool Local Environmental Plan 2008 and Schedule 3 to State Environmental Planning Policy (Major Development) 2005 are specified for the land within Edmondson Park Precinct within the South West Growth Centre to which those instruments, or parts of instruments, apply,

(c) the provisions of Wollondilly Local Environmental Plan 2011 are specified for the land within the Bingara Gorge Precinct within the Wilton Growth Area,

(d) the provisions of Campbelltown Local Environmental Plan 2015 are specified for the land within Menangle Park Precinct and Mount Gilead Precinct within the Greater Macarthur Growth Area,

(e) the provisions of Camden Local Environmental Plan 2010 and Campbelltown Local Environmental Plan 2015 are specified for the land within Glenlee Precinct within the Greater Macarthur Growth Area,

(f) the provisions of Wollondilly Local Environmental Plan 2011 are specified for the land known as Lot 1 DP748675, Lot 1 DP795225, Lot W DP163774, Lot X DP161196, Lot 31 DP 602144, Lot 1 DP 1138675, Lot 2 DP 1138675 and Lot 1 DP162140 located on the western side of Maldon Bridge Road and Staff Road with Maldon Precinct within the Wilton Growth Area.

Part 3 – Justification

This section discusses the consistency of the Planning Proposal with the strategic planning framework, the potential urban impacts that could occur (including mitigating actions), and State and Commonwealth interests.

Section A – Need for the planning proposal

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

LSPS and Wollondilly Employment Land Strategy

This Planning Proposal is consistent with Council's LSPS which seeks to:

> *attract high employment-generating opportunities in specific locations in the Shire such as Maldon, where there is ready access to rail and highway links, to leverage the strengths of existing and nominated employment lands (page 16).*

The LPSP references Wilton 2040as shown in **Figure** 9 below.

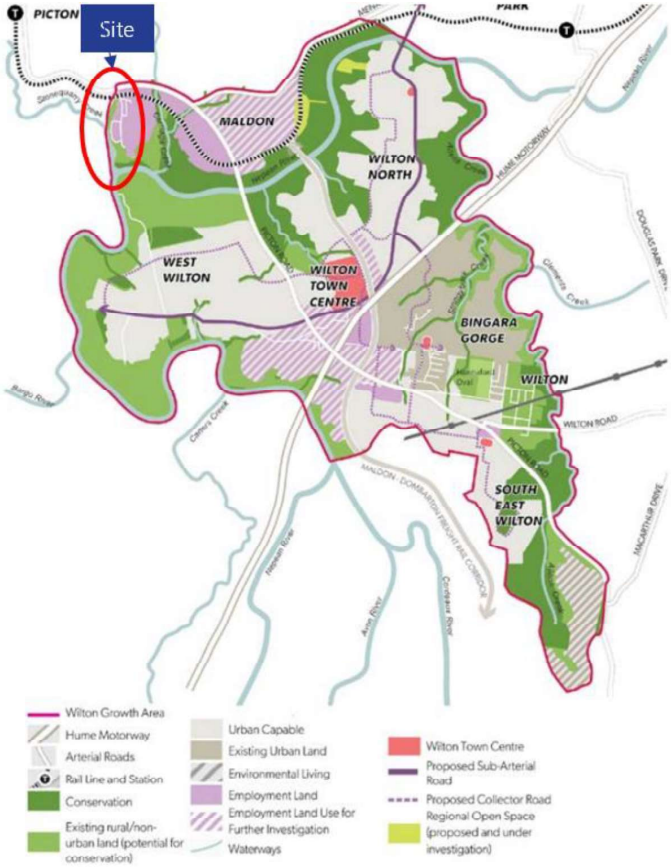


Figure 9: LSPS and Wilton 2040 shows new employment land west of Maldon Bridge Road

Planning Priority 10 of the LSPS contains a specific Action aimed at *Attracting Investment and Growing Local Jobs.* Action 10.3 of the LSPS seeks to progress additional jobs at Maldon in the short to medium term.

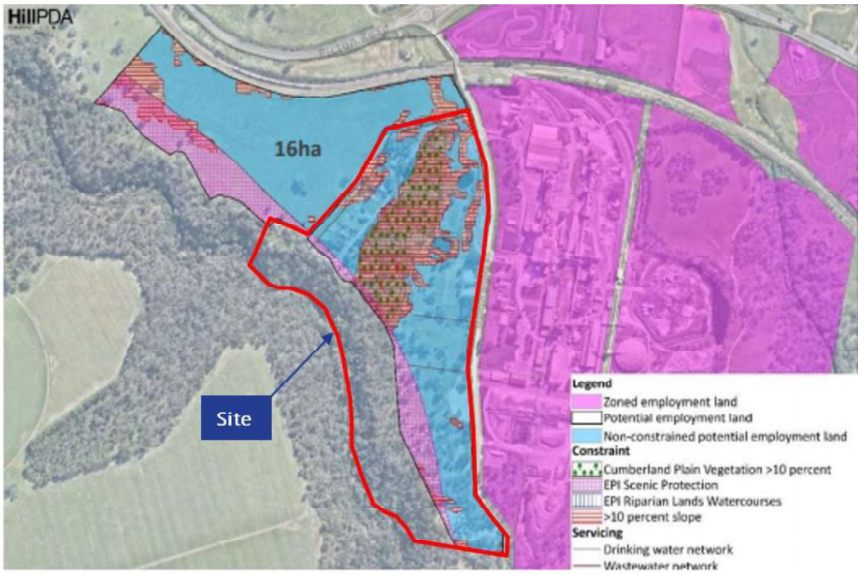
The Planning Proposal is consistent with this action by providing additional employment land that is serviced by road and rail freight connections. The LSPS also notes that the site is located near the Maldon/Dombarton Freight Rail Investigation area that may benefit from additional freight capacity as that transport investigation progresses. Providing additional employment opportunities near the existing employment hubs will capitalise on any improvements made to the existing freight network.

Wollondilly Employment Land Strategy (prepared by Hill PDA in 2020) supports the LSPS identifying Maldon as a future employment area. In Section 5.0, entitled Broad Market Trends, it is noted that:

> *Any new industrial land should be planned in locations that have strong access to motorway connections and, if possible, rail freight connections. These connections should have multi-directional access intersections. Industrial land in Maldon and at Wilton Junction would be appropriate for accommodating industrial land and attracting larger transport distribution and manufacturing servicers.*
>
> *The Maldon employment precinct and the future Wilton Junction employment precincts provide ideal locations for last mile logistics services as they are close to population centres and have good access to major highways and motorways.*

The Wollondilly Employment Land Strategy contains Action 4.1 to *Consider rezoning land to the west of Maldon Bridge Road from RU2 Rural Landscape to IN3 Heavy Industrial to leverage the existing intersection and enable incremental expansion of existing industries.* This action was high priority to be completed in the short term.

The opportunity raised in Action 4.1 includes a plan which is extracted and shown at **Figure 10**.



Source: Hill PDA, Wollondilly Employment Lands Strategy

Figure 10: Proposed expansion of Employment Land

Figure 10 not only identifies the site as a proposed employment expansion area but also maps potential unconstrained land for additional employment generating uses further to the west of Staff Road on Sydney Water land as a logical extension to the Maldon employment precinct. It should also be noted that the Figure shows some small parts of the proposed employment lands having slopes greater than 10% (ie the hatched land). However, it is also noted that these are isolated and, in some cases, manmade features that could be easily addressed as part of any bulk earthworks for construction of buildings. The Cumberland Plain vegetation shown on the Figure sits within the proposed Environmental Conservation Land.

The progression of the Employment Land into a future draft LEP or even as part of a Precinct Planning exercise would have also required some additional site-specific studies. The Planning Proposal is supported by:

- A traffic assessment report
- A services assessment report
- A preliminary contamination site investigation
- A bushfire assessment report
- Visual Impact assessment

These studies are discussed later in this this Part.

Is the planning proposal the best means of achieving the objectives or intended outcome, or is there a better way?

The amendments to the planning controls as outlined in this Planning Proposal are the most appropriate and best means of achieving the objectives and intended outcomes.

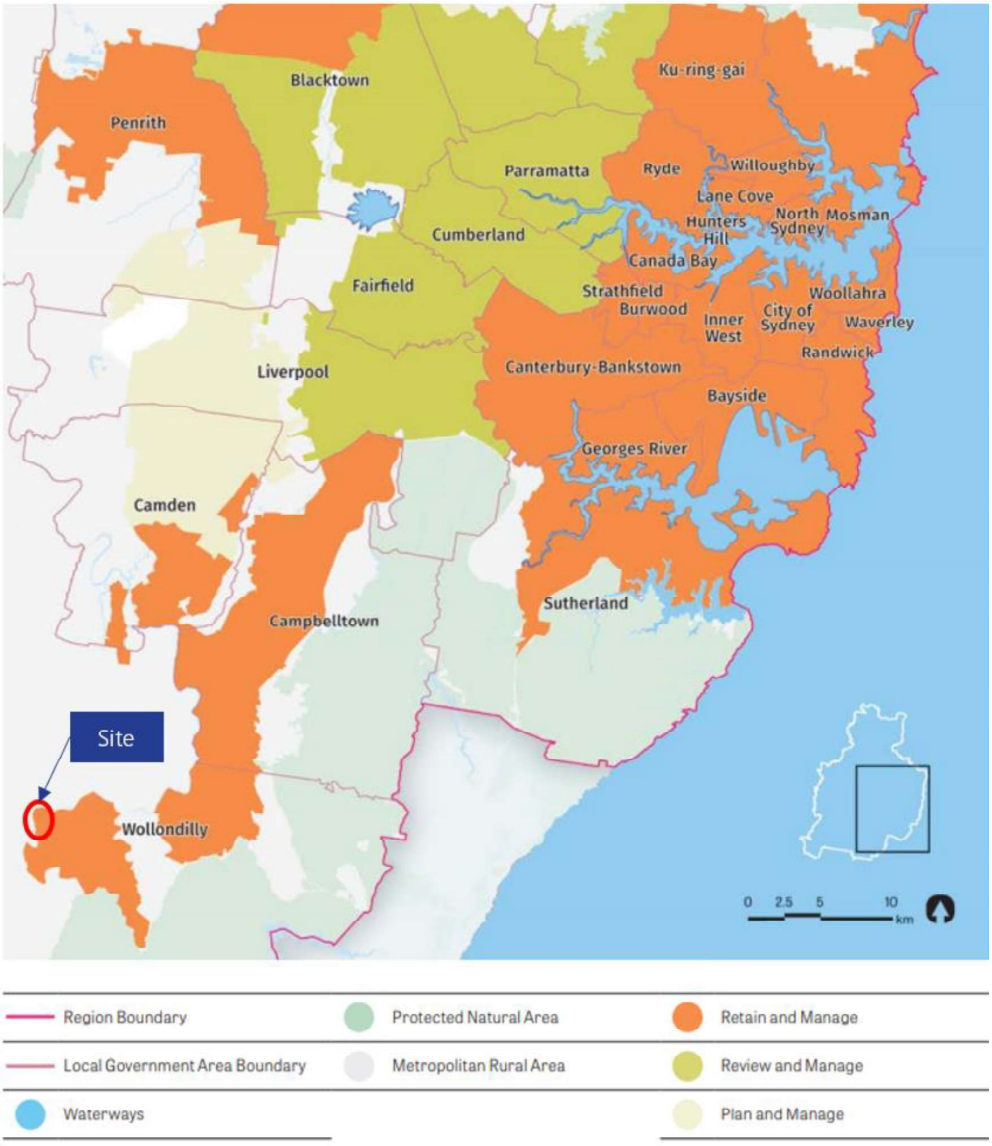
The proposed amendments include allocating land uses and principal development standards that will facilitate urban development of the site.

Section B – Relationship to strategic planning framework

Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan and Western City District Plan

Greater Sydney Region Plan - A Metropolis of Three Cities prepared by the Greater Sydney Commission sets the vision for the Western Parkland City. Figure 42 in this Strategy identifies the site primarily as industrial and urban service land in existing and planned urban areas (See **Figure 11**).



Source: Greater Sydney Commission

Figure 11: Retain and manage industrial and urban service land

The mapped existing and planned urban area shown in Figure 11 applies to land within the Wilton Growth Area and by implication the proposed land on Staff Road containing existing workers cottages identified as Metropolitan Rural Land – an area which the Strategy seeks to protect and preserve to maintain existing natural attributes and agricultural production values. This part of the Planning Proposal site comprises a slither of land with an area of around 3.91ha along Staff Road containing 6 workers cottages having existing use rights under the Environmental Planning and Assessment Act.

There is little to no scope for the land along Staff Road to be consolidated with the adjoining Sydney Water land to the west that is used for irrigation as part of the treatment works. If there is no change in zoning, the area will continue to be used for workers cottages in a bushfire risk area. However, the inclusion of the land in the Planning Proposal as employment land provides a better planning outcome in an area well served by good transport infrastructure and in close proximity to major release areas with a high demand for construction and other materials.

It is noted that the Wollondilly Employment Land Strategy supports a broader area to the west of the Growth Centre boundary including the land along Staff Road and land owned by Sydney Water (See Figure 10). Ultimately, the final land use decisions identifying where zoning boundaries may best be located can have regard to land ownership, existing land uses and assess whether the rural values inherent in the description of Metropolitan Rural Land can be achieved. It is noted that the Draft Cumberland Plain Conservation Plan has included this same land as 'certified' land such that its inclusion in a future employment land zoning has been considered as part of future biodiversity offset schemes.

The Western City District Plan (**District Plan**) prepared by the Greater Sydney Commission is consistent with the A Metropolis of Three Cities. The existing Maldon industrial area is identified in Figure 18 of the District Plan as the 'Western City District industrial and urban services land and freight assets'. This appears to recognise only the existing zoned employment lands, and does not include the subsequent Wilton 2040 for the land or the future Employment Land Use for further Investigation identified to the east on Picton Road.

Action 51 from the District Plan requires Council to:

> *Retain and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government areas' … 'by safeguarding all industrial zoned land from conversion to residential development, including conversion to mixed use zones. In updating local environmental plans, councils are to conduct a strategic review of industrial land.*
>
> *Where a retain and managed approach is being undertaken, councils are to conduct a strategic review of industrial land as part of updating local environmental plans. (Page 90).*

The Wollondilly Employment Land Strategy 2020 discussed above is a response to Action 51 of the District Plan as it recommends an expanded employment zoning including all of the Planning Proposal Land outside of the constrained land associated with the gully and adjacent areas.

Table 2 below details the consistency of the planning proposal against the Directions and objectives of the Greater Sydney Region Plan and the Planning Priorities of the Western City District Plan.

Table 2: Consistency with Strategic Plans

Criteria	Planning Proposal Response
Regional / District Plan	**Greater Sydney Region Plan (2018)** *Direction 1 – A city supported by infrastructure* *Objective 4 – Infrastructure use is optimised*

Criteria	Planning Proposal Response
	The planning proposal leverages the connections to existing road and rail infrastructure that have capacity to service an expanded Employment Lands in this part of Wollondilly. *Direction 2 – A collaborative city* *Objective 5 – Benefits of growth realised by collaboration with governments, community and business.* This Planning Proposal responds to the Wilton Priority Growth Area - Interim Land Use and Infrastructure Implementation Plan, Council's LSPS and the findings of the Wollondilly Employment Land Strategy 2020. Boral as the landowner supports the application. Community consultation will occur as part of the Planning Proposal process. *Direction 6 – A well-connected city* *Objective 17 – Regional connectivity is enhanced* The site benefits from easy access to regional road and rail links that have capacity to accommodate additional Employment Lands. Importantly, the Planning Proposal site is also well located to the Wilton Growth area which will require supply of construction materials and the provision of local jobs. The location and expansion of Heavy Industry on the Planning Proposal site is important to serve this demand. *Direction 7 – Jobs and skills for the city* *Objective 23 – Industrial and urban services land is planned, retained and managed* The site forms part of a larger parcel of industrial and urban services land operated by Boral that is identified to be retained and maintained. The Planning Proposal site seeks to expand the existing IN3 Heavy Industrial Zone to adjacent land that includes a concrete batching plant and existing workers cottages that enjoy existing use rights. Expanding the additional employment land with good transport infrastructure presents an increasingly rare opportunity at a time when there will be an increased demand for construction materials and freight traffic in the area. *Direction 8 – A city in its landscape* *Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced* The Planning Proposal seeks to use land that is mapped as certified under the Draft CPCP which will ultimately lead to biodiversity certification. *Objective 28 – Scenic and cultural landscapes are protected* Wilton 2040 identifies that the Department will consider scenic values as part of the Maldon employment lands. Whilst substantive changes in scenic values are more likely to apply to the Employment Land Use for future investigation to the east of the site opposite on Picton Road, and screening by existing and future tree planting will ensure that the Planning Proposal will not impact on the scenic quality of the area. The extension of the E2 Environmental Conservation Zone along the gully north of Stonequarry Creek and adjoining lands will ensure existing scenic and cultural landscapes are protected. The proposed extension of the IN3 Heavy Industrial zone occurs against the prominent and significant industrial backdrop of the existing Boral buildings in addition to the existing Allied Mills industrial operations. *Objective 29 – Environmental, social and economic values in rural areas are protected and enhanced* The existing land uses substantially undermine the environmental, social and economic values inherent in other typical rural areas. The Planning Proposal seeks to extend the existing IN3 Heavy Industrial Zone to apply to Borals landholdings to the west that include a concrete batching plant and areas

Criteria	Planning Proposal Response
	previously and currently used as workers cottages. The expansion of the Employment Zone has been confirmed in the Wollondilly Employment Land Strategy, supporting the economic and social benefits in progressing the proposed uses The proposed E2 Environmental Protection Zone will apply to over 10ha of land identified in the CPCP as constrained land including containing ecological communities to be preserved. *Direction 9 – An efficient city* *Objective 35 – More waste is re-used and recycled to support the development of a circular economy* The proposed industrial use would provide opportunities for future development to include waste management facilities as part of future applications. The provision of additional land for waste management services is consistent with the development of a circular economy. *Direction 10 – A resilient city* *Objective 37 – Exposure to natural and urban hazards is reduced* The site is mapped as bushfire prone land. Future development would need to consider bushfire construction standards to achieve a BAL29 standard. Future applications would also need to consider Planning for Bushfire Protection 2019. As noted in the Bushfire Hazard Assessment, the removal of the existing cottages and replacement by industrial uses in this location will be a beneficial planning outcome. The preliminary contamination site investigation concluded any contamination associated with demolished dwellings could be remediated after Development Application stage. The site is not affected by a landslip policy, is not mapped as flood prone land under the Wollondilly LEP 2011 and is not located within the Wilton mine subsidence district. **Western City District Plan** *Planning Priority W1 – Planning for a city supported by infrastructure* The site benefits from existing road and rail infrastructure specifically designed to cater to freight and logistics traffic types and volumes. The connection of other utility services will be assessed as part of future applications. *Planning Priority W7 – Establishing land use and development structure to deliver a liveable, productive and sustainable Western Parkland City* The planning proposal is generally consistent with this priority as it would provide additional employment land that would support the productivity directions and objectives of the Western Parkland City. The additional employment lands will also assist in providing local employment opportunities for residents in Wollondilly that would assist in achieving the 30-minute city vision. *Planning Priority W10 – Maximising freight and logistics opportunities and planning and managing industrial and urban services land* The planning proposal is consistent with this priority as it would allow additional employment land to utilise the existing road and rail infrastructure. The site is consistent with the objective of planning, retaining and managing industrial land and will assist in providing a local supply of industrial land in Wollondilly.
Change in circumstances	N/A

Wilton Priority Growth Area – Interim Land Use and Infrastructure Implementation Plan August 2017

Wilton Priority Growth Area – Interim Land Use and Infrastructure Implementation Plan (Wilton LUIIP):

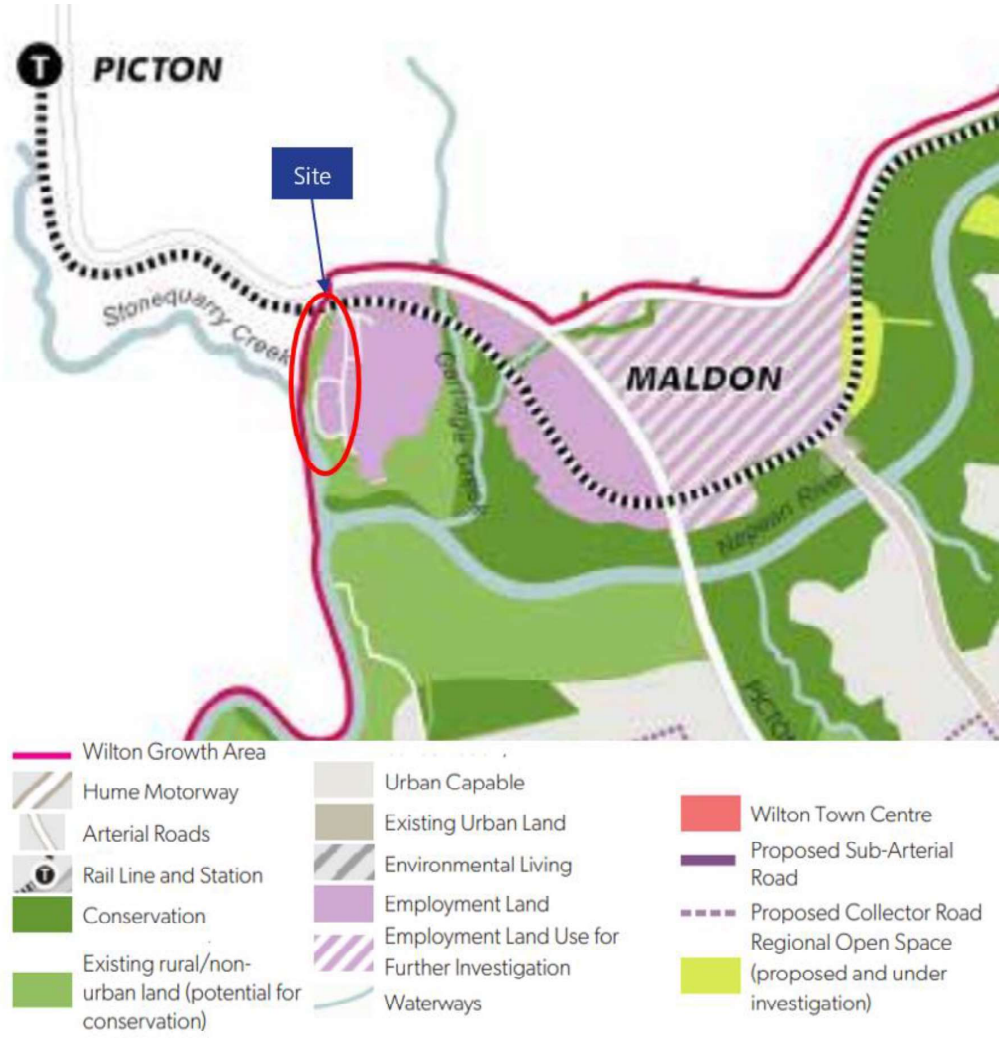
> *provides a comprehensive framework for the delivery of a new town at Wilton. It sets out the long term vision for Wilton so that the community grows as planned. It also provides an infrastructure masterplan to coordinate delivery of essential infrastructure to support new homes and jobs* (page5).

The key features of the Plan for Wilton include a new town around 15,000 new homes, 60,000m^2 of retail and business space and a target of 15,000 local jobs to create employment opportunities close to new homes (page 3). The employment opportunities are planned for both the new Wilton Town Centre and at an expanded Maldon employment precinct.

The Wilton town centre and employment area at Maldon will provide local jobs in line with Wollondilly Shire Council's vision for local growth in population and employment. The Wilton LUIIP notes that the "area's proximity to existing and future regional transport connections provides opportunities for employment in industries such as freight, logistics and manufacturing" (page 8).

The Wilton LUIIP was put in place as a framework to consider subsequent Planning Proposals, but only in conjunction with the infrastructure upgrades required to support the development. As noted previously, the existing employment area of Maldon, particularly south of Picton Road is well served by transport infrastructure, and existing controls in the LEP can ensure appropriate provision of services can be considered at the development application stage.

Figure 12 is an extract from Wilton LUIIP showing that the land west of Maldon Bridge Road as Employment Land. The land in Staff Road is not included as it sits outside this boundary, but still within the Growth Centres SEPP boundary. However, as set out in this Planning Proposal, the expansion of employment land to this area has the benefits of proximity and access to the rail freight terminus and upgraded intersection to Picton Road as well as being included in the draft CPCP.



Source: Department of Planning, Industry and Environment

Figure 12: Site location in the Wilton LUIIP

Does the proposal have strategic merit?

Will it:

- ***Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or***

The previous section outlines the consistency of the Planning Proposal with relevant Strategic Plans.

Importantly, the Wilton LUIIP and Wilton 2040, which the LSPS adopts, identifies the area west of Maldon Bridge Road for Employment Use and the Planning Proposal is consistent with this outcome. The Planning Proposal is also consistent with the Wollondilly Employment Land Strategy that supports a broader area to the west of the land along Staff Road and land owned by Sydney Water for Employment Land.

The land benefits from the same access and proximity to the road and rail infrastructure built or upgraded at Boral's cost that provide significant additional capacity for growth.

- ***Give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or***

The Planning Proposal will give effect to the LSPS for the land immediately west of Maldon Bridge Road. The Planning Proposal also contains additional land along Staff Road which contains a number of workers cottages that enjoy existing use rights. The Bushfire Report notes that the proposed industrial use is considered lower risk than residential in the context of bushfire planning provisions. This land has also been included in the draft CPCP which nominates it as certified land, enabling it to be included in any future biodiversity certification scheme. Finally, this land is also identified in the Wollondilly Employment Land Strategy that supports the land along Staff Road and land further west being included as employment land.

- ***Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans?***

The existing infrastructure provided for the Boral operation has been recognised in the Strategies that look at the expansion of the Employment Zone.

There is land in Boral ownership in the Planning Proposal site which contains steep gullies and vegetation communities that are not recognised in some strategies but are identified in the recently exhibited draft CPCP as constrained land for preservation in an E2 Environmental Conservation Zone. The zoning of this land for environmental conservation is consistent with Strategic Planning Priorities seeking to retain and preserve key scenic and cultural lands.

Does the proposal have site-specific merit having regard to the following?

- **the *natural environment (including known significant environmental values, resources or hazards) and***

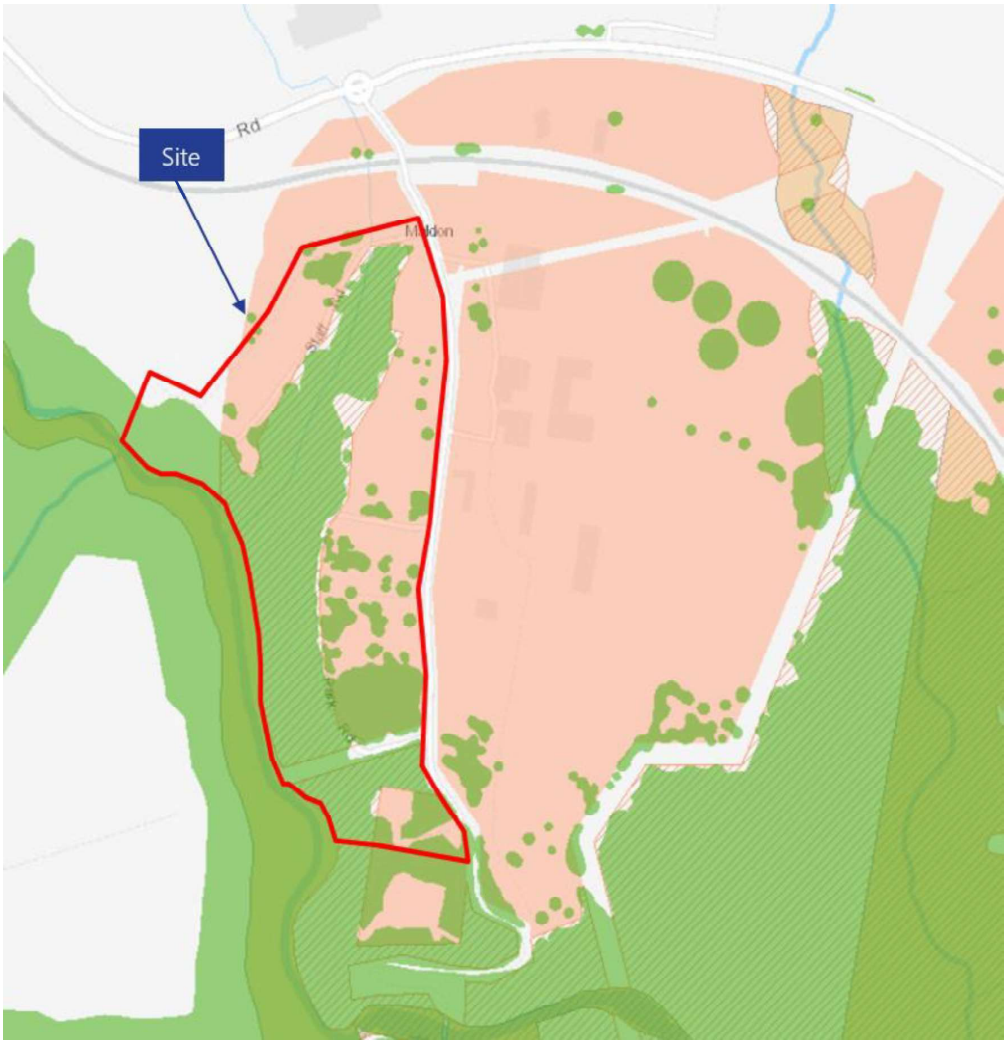
The following outlines the approach to addressing the natural environmental attributes of the Planning Proposal Land:

Biodiversity

Those parts of the site that are proposed to be zoned IN3 contain a concrete batching plant or have previously been cleared as part of past and current worker cottage uses. These areas include both exotic and some regenerating native trees and small stands of retained native vegetation.

There are other areas within the Planning Proposal site boundaries that have not been cleared which are generally located adjacent to the sandstone tops and gully that leads to Stonequarry Creek which are proposed to be zoned E2 Environmental Conservation

The Draft Cumberland Plain Conservation Plan (**Draft CPCP**) provides a mapping base that can be used to inform the areas 'certified' as urban capable and where bio-certification will occur. Whilst the CPCP mapping tools provide an understanding of the various vegetation communities that currently occur on the land, the mapped certified lands are areas that have been deemed appropriate for development, but where the developer will be required to contribute to securing land to offset the impacts of clearing any existing vegetation for development. **Figure 13** overlays the 'Certified – Urban Capable' land (in Pink) and the future 'Proposed Environmental Conservation' land (cross hatch) over the existing vegetation green within the site boundaries.



Source: Department of Planning, Industry and Environment

Figure 13: Overlay showing Certified, Proposed Environmental Conservation land in the site

Separate from the Planning Proposal site, it is not known at this stage whether the stands of native vegetation of the eastern side of the Boral operational land zoned for IN3 Heavy Industry has been identified or can be considered as a potential offset for any future development within the Planning Proposal site boundaries. This can await the gazetted bio-certification and the lodgement of future development applications.

Riparian Areas

The western boundary of the Planning Proposal site aligns with Stonequarry Creek along which is a 50m sensitive land buffer under the Natural Resources – Water Map under Wollondilly LEP 2011. This buffer will not impact on future applications on the land identified for Employment Land.

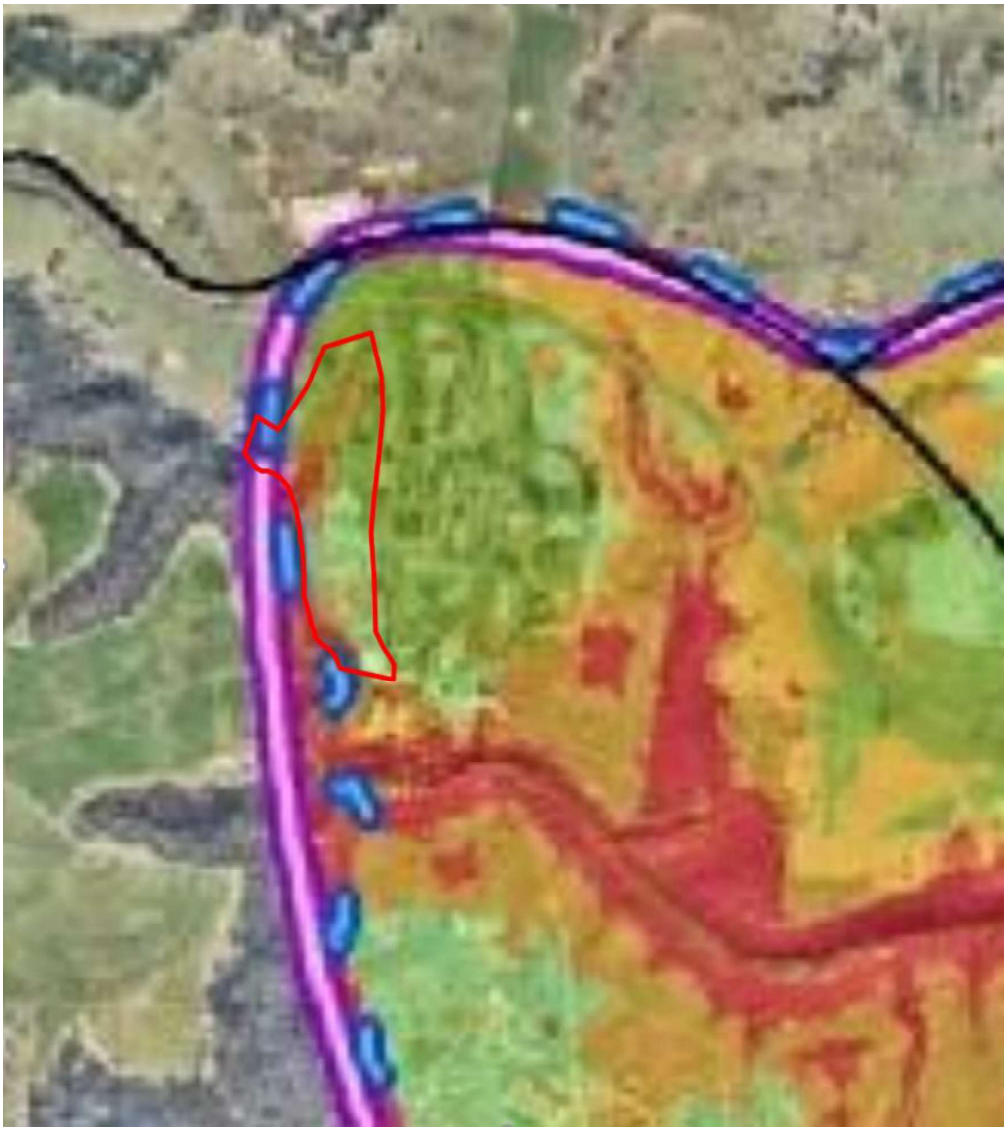
Heritage

As noted previously, the site is not identified as containing any listed items of European heritage, although there are listed items being a suspension bridge and weir to the south and in the bottom of the gully. These will not be impacted by the proposal.

It is also noted that Archaeological and Heritage Management Solutions Pty Ltd (AHMS) was commissioned by DPIE to undertake an Aboriginal and Historic Heritage Gap Analysis of the Greater Macarthur Investigation Area (GMIA) as a first step in characterising the cultural heritage values of the area and identifying any further investigation required.

The report by AHMS in 2017 notes that there has been only limited Aboriginal and historic heritage investigation in the GMIA to date. Part of the scope of the work by AHMS was to develop an archaeological model using environmental data and known cultural heritage sites to 'predict' where significant Aboriginal objects and/or sites may be present and to assist in consideration of areas of high potential that should be conserved.

It is noted that the Planning Proposal site sits outside the area the Aboriginal community consider to be rich in art and campsites. Further, the Planning Proposal site is identified as low potential, with the adjoining gully formation extending into the Planning Proposal site being medium potential with a small amount of high potential adjacent to its confluence with Stonequarry Creek (**Figure 14**).



Source: AHMS - Aboriginal and Historic Heritage Gap Analysis of the Greater Macarthur Investigation Area (2017)

Figure 14: Enlarged extract superimposing the site onto Figure 9 Composite predictive model of Aboriginal archaeological sensitivity for the GMIA places

The study recommended the following in respect to aboriginal archaeology:

- Areas identified as having high archaeological sensitivity should be considered for inclusion in permanent conservation areas.
- Further investigation of previous studies and databases, and the development of new assessments should be undertaken on individual locations or precincts when they are proposed for planning and development. This process could be streamlined through development of an

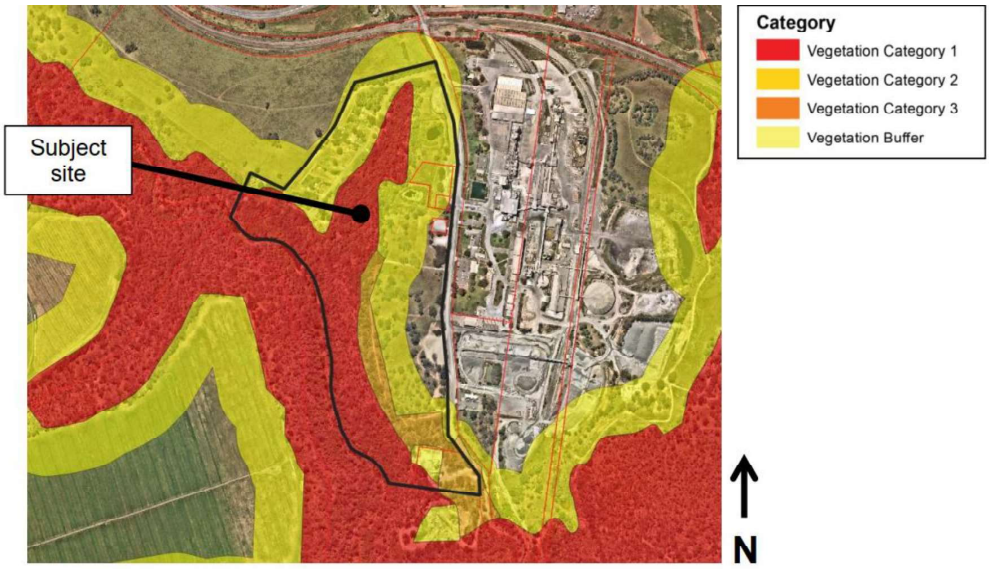
integrated Aboriginal and historic regional archaeological research design and management strategy (RARDMS) for the GMIA.

The fact the employment land the subject of the Planning Proposal has previously been used for residential purposes and a concrete batching plant, and is rated low in the composite predictive model, suggests that these further archaeological investigations could occur at the development application stage.

Bushfire

Building Code and Bushfire Hazard Solutions Pty Ltd has prepared a bushfire assessment report for the Planning Proposal site assuming the inclusion of the gully in an E2 Environmental Conservation Zone and the Employment land in an IN3 Heavy Industrial Zone (See **Appendix A**).

The site is mapped with a mixture of category 1, 2 and 3 bushfire prone land as a result of existing remnant and riparian vegetation (**Figure 15**).



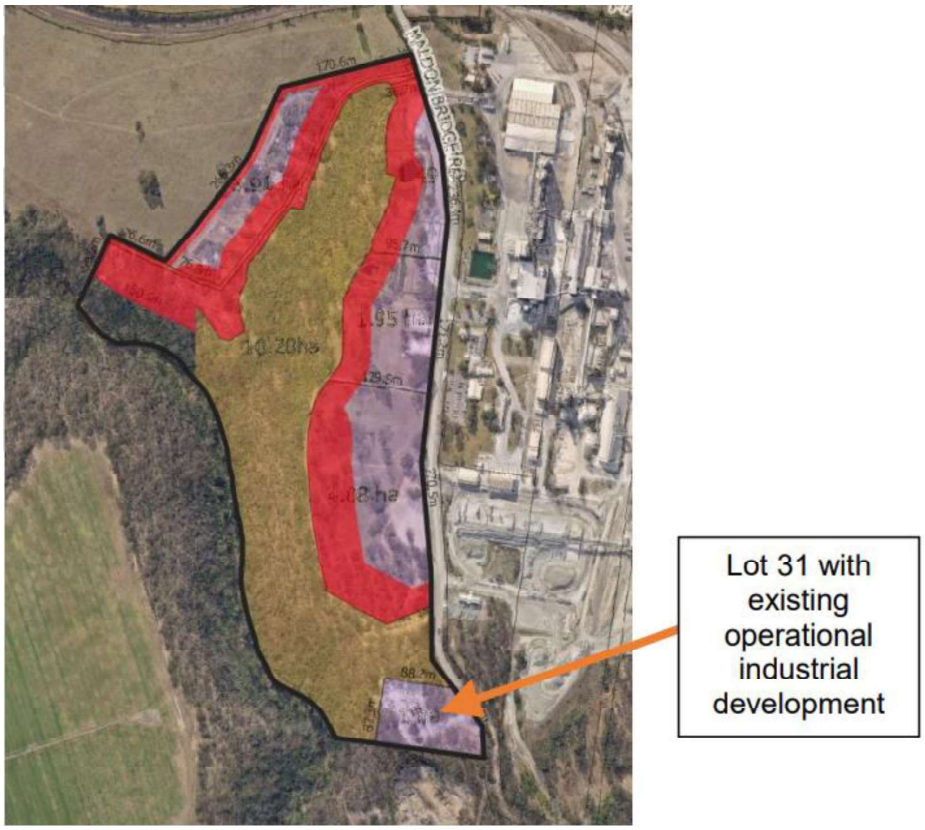
Source: Building Code & Bushfire Hazard Solutions Pty Ltd

Figure 15: Extract of bushfire mapped land

The Planning Proposal anticipates that the six existing residential cottages along Staff Road would ultimately be redeveloped to facilitate additional employment generating development, removing sensitive land uses from this area. Remnant vegetation would also be removed within the site, however, vegetation along the banks of Stonequarry Creek would be retained and this vegetation along with the topography of the site will continue to present a bushfire risk.

Planning for Bushfire Protection 2019 (**PBP 2019**) details the measures that need to be considered and implemented for development in bushfire prone land. This means that future buildings will need to be located to comply with the proposed asset protection zones (APZ) site to achieve a Bushfire Attack Level (**BAL**) of 29. This BAL rating will need to be considered in the design and construction of future development in accordance with AS 3959 – Construction of buildings in bushfire-prone

areas. An APZ has not been identified for the concrete batching plant in the south eastern corner of the site as it is an existing use that is located on RU2 Rural Landscape zoned land (See **Figure** 16).



Source: GLN, Building Code and Bushfire Hazard Solutions Pty Ltd

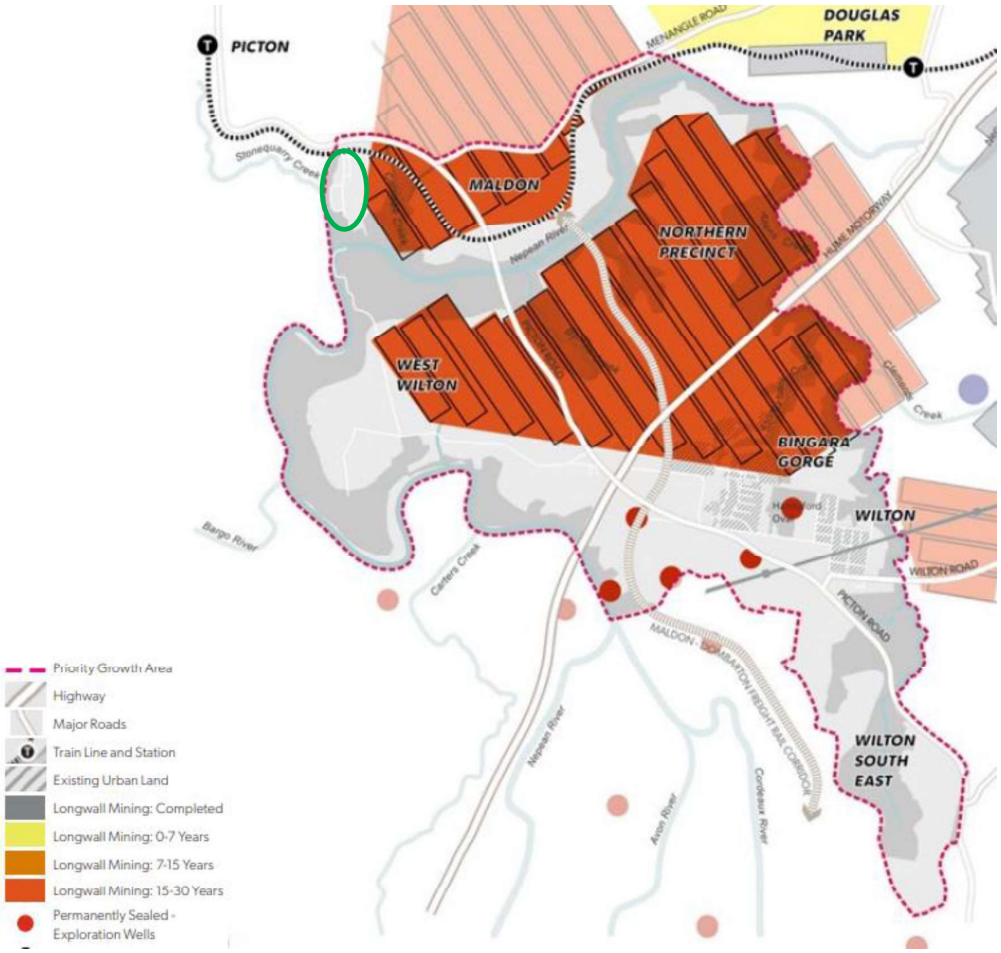
Figure 16: Proposed APZs for development overlaid over the proposed zoning

A Development Control Plan can include the APZ applicable to the Planning Proposal site. Future applications will be required to include further assessment of bushfire risks that consider new building works and specific industrial or employment uses.

Mine Subsidence

Wilton: Interim Land Use and Infrastructure Implementation Plan Background Analysis identified land with resources identified as available for extraction. **Figure 17** shows the mapped resources in relation to the site (circled green).

The DPIE has also confirmed that this part of the employment lands as included in the Planning Proposal site is not located within the Wilton mine subsidence district (**Appendix B**).



Source: Extract from Wilton: Interim Land Use and Infrastructure Implementation Plan Background Analysis

Figure 17: Mapped Resources available for extraction in Wilton Growth Area and site circled green

- ***the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and***

The identification of this area for Employment Land is appropriate. The land is an extension of the zonings applying to the eastern side of Maldon Bridge Road on which Boral carries out its operations. To the west is land owned by Sydney Water used for irrigation. This land is expected to be retained for this use or possibly zoned for employment land in line with the Wollondilly Employments Land Strategy. Council's Depot is located further south on Maldon Bridge Road. There are no other adjoining or nearby urban uses that will be impacted by development of the site.

The land already contains an existing concrete batching plant and dwellings enjoying existing use rights. JBS&G has prepared a Phase 1 Preliminary Site Investigation of the site to determine its suitability for the proposed IN3 Heavy Industrial Zone use in accordance with *State Environmental Planning Policy No. 55 Remediation of Land* (see **Appendix C**).

Given the previous land use, the assessment identified some areas of environmental concern and contaminants of potential concern including potential asbestos containing material in isolated areas and in existing structures along Staff Road, septic tanks and an above ground storage tank.

The assessment confirmed the site can be made suitable for its proposed use, subject to additional investigations being undertaken as part of future development applications after rezoning occurs.

- ***the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.***

It is noted that the existing workers cottages and concrete batching plant are all connected to water, electricity and have on site septic systems.

SMEC Australia (**SMEC**) were engaged to provide a services assessment of the site and identify new or upgraded service connections to support additional development if required (see **Appendix D**). These services are discussed below:

Sewer

The existing Boral operations utilise septic and on-site effluent treatment. It is not uncommon for remote employment operations to function in this way due to the cost of providing formalised reticulation and the lower levels of demand generated by staff compared to other land uses. It is noted that the existing Boral operation has implemented the following sewer management systems:

- Quarry Terminal – Managed with an on-site septic system.
- Cement Terminal – Managed through several septic systems across the site, with each system operating at the same time with the final treated effluent pumped onto the lawns on site. The main septic system is equipped with a rain detector to ensure effluent pumping does not occur when it is raining. The system is inspected on a monthly basis and is reported to Council, if requested.
- Concrete Plant – Managed with an on-site septic system with an absorption trench.

Sydney Water has advised that to sewer the land lead in infrastructure would be required as well as a capacity upgrade at the Picton Treatment Facility. The nearest sewer reticulation to the site is in Matthews Lane located approximately 2km to the north east of the site on Picton Road.

Water

The site is serviced by an existing 100mm potable watermain, however, it does not have sufficient capacity to meet the likely water demands of the site once rezoned for employment purposes. Augmentation will therefore be required to service the proposed development subject to the needs of the future uses which can be assessed at development application stage.

Electricity

Electricity is provided to the site via the existing Endeavour Energy Maldon Zone Substation. The substation is a 66kv facility that steps down to 11kv and is located at 270 Picton Road, approximately 980m from the site. The existing network cannot fully meet the likely demand of the site.

To support additional industrial development, the feeder lines will need to be duplicated once they reach capacity. This is estimated to occur when 70% of the site is developed but would depend on the uses proposed under future development applications. Future applications may also consider renewable energy generation.

NBN and Gas

National Broadband Network services are not available at the site and the site is not currently serviced by gas reticulation. Lead-in construction would be required as part of future development to provide gas reticulation if required.

Interim Servicing

It is not possible to predict the servicing requirements for the range of uses that may locate on the land following rezoning. Clause 7.1 of Wollondilly LEP 2011 requires that services that are essential for the proposed development are available, or that adequate arrangements have been made to make them available when required for:

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage.

It is noted that the existing Boral Operations provides on-site management of sewage.

In summary, the advice from SMEC confirms that essential services as required, can be extended when required and this timing of this canl be assessed with each development application when potential reliance on service is known.

Transport Infrastructure

The area is serviced by good transport infrastructure including a roundabout at the intersection of Maldon Bridge Road and Picton Road to accommodate large trucks from the site and Boral maintains a freight rail terminal with siding to the Main Southern Line.

Figure 18 shows an aerial photograph showing the roundabout that was constructed by Boral for trucks entering and leaving its landholding and rail siding.

Source: Nearmap

Figure 18: Site access from Picton Road

Transport and Urban Planning Pty Ltd were engaged to prepare a traffic assessment for the expansion of the IN3 Heavy Industrial and Environmental Conservation zones in Maldon Bridge Road, Maldon (see Appendix E). This report examines the traffic impacts of;

- The existing Boral Operation at Maldon, together with a current Development Application before Wollondilly Council for proposed alterations and additions; and
- The cumulative traffic impact of the proposal incorporating future traffic generation of the proposed rezoned land

The report by Transport and Urban Planning Pty Ltd concludes:

The rezoning proposal could generate up to 175vph in the weekday AM and PM peak hour. These vehicles would use the roundabout controlled intersection of Maldon Bridge Road/Picton Road as the principal intersection to access the proposed industrial land.

The assessment has found that the existing traffic conditions at this intersection are very good with a Level of Service A operation in the AM and PM peak hours.

Boral currently has a development proposal being assessed by Wollondilly Council which will generate up to 26 truck movements (13 in/13 out) in the AM and PM peak hours.

The assessment of the cumulative impacts of the current development proposal, as well as the rezoning proposal has found that the roundabout intersection will continue to operate at a very good Level of Service with a Level of Service A operation in the AM and PM peak hours and low vehicle delay.

Away from the intersection, traffic from the rezoning proposal will be dispersed over a number of roads, and traffic conditions on the wider road network are expected to remain satisfactory.

Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Wollondilly 2040 is Council's LSPS. The proposal seeks to provide additional employment opportunities on the site which is consistent with the LSPS. A key Planning Priority 10 is *Attracting Investment and Growing Local Jobs,* with Action 10.3 of the LSPS to progress additional jobs at Maldon in the short to medium term. The Planning Proposal will assist in progressing additional employment land that is serviced by road and rail freight connections.

The site is also located near the Maldon/Dombarton Freight Rail Investigation area and may benefit from additional freight capacity as that transport investigation progresses. Providing additional employment opportunities near the existing employment hubs will capitalise on any improvements made to the existing freight network.

Is the planning proposal consistent with the applicable State Environmental Planning Policies?

Table 3 details the State Environmental Planning Policies (SEPPs) relevant to the planning proposal.

Table 3 Consistency with relevant SEPPs

State Environmental Planning Policy	Comment / Consistency (Y/N, N/A)
SEPP No. 55 Remediation of Land	The Planning Proposal is supported by a preliminary site investigation prepared by JSB&G. The assessment investigated the historic land uses of the site, areas of environmental concern and contaminants of potential concern. The report concluded the site can be made suitable for the proposed employment land and it recommended detailed site investigations are carried out as part of future applications. The report also recommended a

State Environmental Planning Policy	Comment / Consistency (Y/N, N/A)
	hazardous building material survey is carried out on existing site structures prior to demolition.
SEPP 64 – Advertising and Signage (SEPP 64)	SEPP 64 would continue to apply to the site for signage required as part of future development applications, where applicable.
SEPP No. 65 Design Quality of Residential Apartment Development	N/A
SEPP (Affordable Rental Housing) 2009	N/A
SEPP (Concurrences) 2018	N/A
SEPP (State and Regional Development) 2011	N/A
SEPP (BASIX) 2004	N/A
SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP)	The Codes SEPP would continue to apply to the site. The planning proposal would not impact the application of this SEPP for future exempt of complying development.
SEPP (Infrastructure) 2007 (ISEPP)	The ISEPP would continue to apply to the site. The planning proposal would not adversely affect the application of the SEPP to the land.
SEPP No 33 – Hazardous and Offensive Development	This SEPP would continue to apply to the site depending on the uses that would take place within the proposed IN3 Heavy Industrial zone.
SEPP (Koala Habitat Protection) 2020	This SEPP would continue to apply to the site.
SEPP (Educational and Child Care Facilities) 2017	N/A
SEPP (Urban Renewal)	N/A
SEPP (Affordable Rental Housing) 2009	N/A
SEPP (Rural Lands) 2008	N/A
SEPP (Western Sydney Employment Area)	N/A
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A
SEPP (Miscellaneous Consent Provisions) 2007	N/A
SEPP (Housing for Seniors or People with a Disability) 2004	N/A
SEPP (Penrith Lakes Scheme) 1989	N/A
SEPP (Kurnell Peninsula) 1989	N/A

State Environmental Planning Policy	Comment / Consistency (Y/N, N/A)
SEPP No. 1 Development Standards	N/A
SEPP No. 14 Coastal Wetlands	N/A
SEPP No. 19 Bushland in Urban Areas	N/A
SEPP No. 21 Caravan Parks	N/A
SEPP No. 26 Littoral Rainforest	N/A
SEPP No. 30 Intensive Agriculture	N/A
SEPP No. 36 Manufactured Home Estates	N/A
SEPP No. 47 Moore Park Showgrounds	N/A
SEPP No. 50 Canal Estate Development	N/A
SEPP No 52 Farm Dams and Other Works in Land and Other Water Management Plan Areas	N/A
SEPP No. 62 Sustainable Aquaculture	N/A
SEPP No. 65 Design Quality of Residential Apartment Development.	N/A
SEPP No. 70 Affordable Rental Housing (Revised Schemes)	N/A
SEPP No. 71 Coastal Protection	N/A
State Environmental Planning Policy (Coastal Management) 2018	N/A

Table 4 below details the consistency of the planning proposal against the applicable Regional Environmental Plans (deemed SEPPs).

Table 4 Consistency with Regional Environmental Plans

Regional Environmental Plan	Comment / Consistency (Y/N, N/A)
Sydney REP No. 8 - Central Coast Plateau Areas	N/A
Sydney REP No. 9 - Extractive Industry	N/A
SREP No. 16 - Walsh Bay	N/A
SREP No. 20 - Hawkesbury-Nepean River	The Planning Proposal will ensure that the stormwater management regime for the site will be consistent with Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean Rivers and Council's engineering specifications.

Regional Environmental Plan	Comment / Consistency (Y/N, N/A)
SREP No. 24 - Homebush Bay Area	N/A
SREP No. 26 - City West	N/A
SREP No. 30 - St Marys	N/A
SREP No. 33 - Cooks Cove	N/A
SREP (Sydney Harbour Catchment)	N/A
Greater Metropolitan REP No. 2 - Georges River	N/A
Willandra Lakes REP No. 1 - World Heritage Property	N/A
Murray REP No. 2 - Riverine Land	N/A

Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

Table 5 below addresses the consistency of the Planning Proposal against the relevant Ministerial Directions.

Table 5 Consistency with relevant Ministerial Directions

Relevant Direction	Justification
1. Employment and Resources	
1.1 Business and Industrial Zones	The Planning Proposal seeks to apply the IN3 Heavy Industrial Zone and E2 Environmental Conservation Zone to replace the RU2 Rural Landscape Zone currently contained within the site. The proposed employment zone is consistent with Councils endorsed LSPS, which has been assured by the GSC, and will provide expanded employment opportunities in the Maldon Employment Precinct.
1.2 Rural Zones	While this Planning Proposal would rezone land from RU2 Rural Landscape to industrial, this land use change is identified in Councils LSPS and Employment Lands Strategy. The LSPS has been assured by the GSC on 11 February 2020. The existing site includes a concrete batching plant and workers dwellings which enjoy existing use rights but which reflect few attributes typical of the rural zone. The Planning Proposal inherently provides a more appropriate outcome for this land.
1.3 Mining, Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A

Relevant Direction	Justification
1.5 Rural Lands	N/A
2. Environment and Heritage	
2.1 Environment Protection Zones	The Planning Proposal will introduce an E2 Environmental Protection Zone that reflects in its entirety the recommended E2 Environmental Conservation Zone in the Draft CPCP and hence is consistent with this Direction.
2.2 Coastal Protection	N/A
2.3 Heritage Conservation	N/A. The site does not contain any listed or proposed heritage items. The rezoning is not anticipated to impact the existing heritage items to the south.
2.4 Recreation Vehicle Areas	N/A
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
2.6 Remediation of Contaminated Land	The Planning Proposal is supported by a preliminary site investigation that confirms the site can be made suitable for the proposed industrial use subject to additional investigations that would be undertaken as part of future applications.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	N/A
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	N/A
3.4 Integrating Land Use and Transport	This Direction references DPIE's document entitled Integrating Land Use and Transport- Improving Transport Choice prepared in 2001. This document notes that low density employment areas should be used only for industries that have legitimate needs for land, freight movement and separation from other land uses. The Planning Proposal is considered consistent with this Direction.
3.5 Development Near Licensed Aerodromes	N/A
3.6 Shooting Ranges	N/A
4. Hazards and Risk	
4.1 Acid Sulfate Soils	The preliminary site investigation concludes there is a very low likelihood that the site is affected by acid sulphate soils.

Relevant Direction	Justification
4.2 Mine Subsidence and Unstable Land	The site is not located within the Wilton mine subsidence district.
4.3 Flood Prone Land	N/A. The site is not identified as flood prone in the LEP. The recently completed Stonequarry Creek Floodplain Risk Management Study and Plan does not extend to capture the site.
4.4 Planning for Bushfire Protection	The site is mapped as bushfire prone land. Recommended APZs in accordance with PBP 2019 are provided in the bushfire assessment and future development for employment uses will need to reflect a BAL29 construction standard in addition to providing further bushfire assessment to reflect their scale and intended use and operation. The site is currently serviced and can be upgraded to ensure an adequate water supply is provided for firefighting purposes. The existing road network would not create difficulties in evacuation.
5. Regional Planning	
5.2 Sydney Drinking Water Catchment	The Planning Proposal is consistent with this direction. While this direction applies to the Wollondilly LGA, the site is located outside of the Sydney drinking water catchment and sub-catchments.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development Along Pacific Highway, North Coast	N/A
5.9 North West Rail Link Corridor Strategy	N/A
5.10. Implementation of Regional Plans	The Planning Proposal is consistent with the Wilton Priority Growth Area – Interim Land Use and Infrastructure Implementation Plan to progress local employment at Maldon.
6. Local Plan Making	
6.1 Approval and Referral Requirements	The Planning Proposal is consistent with the Direction in that it does not introduce new consultation, concurrence or referral requirements.
6.2 Reserving Land for Public Dedication	No additional land is proposed to be reserved for acquisition or dedication.
6.3 Site Specific Provisions	No site-specific provisions are proposed.
7. Metropolitan Planning	
7.1 Implementation of a Plan for Growing Sydney	N/A as this strategy has been replaced by A Metropolis of Three Cities.

Relevant Direction	Justification
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The Planning Proposal is consistent with this Ministerial direction and responds to the identified need for additional employment. While the Precinct Planning Principles were further evolved in Wilton 2040 for application to the Wilton Town Centre, the information in this Planning Proposal addresses: • Place Principles including land use and lot size controls and opportunities to retain and create green canopies • Landscape Principles by being consistent with the CPCP and incorporates APZ and other bushfire protection measures as well as new Environmental Conservation Zoning • Land Use Principles including confirming no conflicts with resources and appropriate interfaces to adjoining uses. • Built Form Principles by setting large lot sizes to limit built form and provide opportunities for onsite stormwater management and landscaping. • Movement Principles by confirming that the major intersection at Maldon Bridge Road and Picton Road has ample capacity to cater for the expansion of the IN3 zoning • Infrastructure Principles by noting that most of the existing Heavy Industrial Operations are relatively self sufficient in terms of infrastructure servicing but there is the opportunity to upgrade and extend services to the land as future requirements are known at development application stage.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A
7.12 Implementation of Greater Macarthur 2040	The Planning Proposal is consistent with the direction

Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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?

As noted previously, the land identified for employment uses is land that currently contains a concrete batching plant, and previously and currently contains workers cottages which continue to enjoy existing use rights. This land has been substantively cleared for these previous uses but does

contain some smaller stands and isolated regrowth of native trees. The vegetation on this land was assessed as part of the draft CPCP.

The draft CPCP is a mapping tool that identifies remnant vegetation communities land that will constrain future development and should be preserved, to be included in an E2 Environmental Conservation Zone. The remaining land can be 'certified' as urban its development will be subject to a future biodiversity offset scheme. The Planning Proposal is consistent with this approach.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no other anticipated environmental effects that can't be managed as part of the assessment process. In this regard, the existing DCP already contains appropriate provisions for setbacks, car parking, landscaping and stormwater management and the future subdivision and development will require a bushfire assessment at which stage the relevant Asset Protection Zones can be provided. The proposed expansion to the IN3 zone is compatible with the adjacent IN3 zoning that contains the existing Boral operations.

In terms of visual impact, the existing Boral operations on the land immediately east of the Planning Proposal is a prominent industrial landscape with heights above 20m (**Figure 19** and **Figure 20**).

Source: GLN

Figure 19: Local view near the intersection of Maldon Bridge Road and Staff Road

Source: GLN

Figure 20: Internal site view from Maldon Bridge Road looking north east

The existing industrial structures dominate the landscape with the lower to mid-levels of the building screened by existing vegetation from distant locations (**Figure 21**, **Figure 22** and **Figure 23**).

Source: GLN

Figure 21: Local view looking east from Staff Road

Source: GLN

Figure 22: Distant view of the site from Picton Road looking south east

Source: GLN

Figure 23: Regional view of the site looking east from Hill St Picton

Most of the more significant trees that screen the existing industrial structures will remain as these will be located in the Environmental Conservation zoning that follows the gully and immediately adjoining lands.

Because of the scale of the existing buildings achievable on the larger Boral site, these will continue to visually dominate the landscape compared to the conventional industrial buildings on the Planning Proposal land.

How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is anticipated to have a positive economic and social impact in Wollondilly LGA and the Southern District. Providing additional employment land adjacent to an existing industry is a logical and efficient use of land that will allow either the expansion of Boral operations or complementary industries and operations to co-locate.

The use of additional employment land will provide social benefits through increased local job capacity through direct employment and potentially indirect employment via ancillary industries to the core industrial operations at the site.

Section D – State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The site is currently well serviced by road and rail infrastructure. Maldon Bridge Road and Staff Road provide local site access. Maldon Bridge Road joins Picton Road via a roundabout funded by Boral that can support heavy industrial vehicles up to and including B-Doubles. This part of Maldon also contains a freight rail terminal. Both the freight rail terminal and intersections to the adjoining road network have capacity to accommodate the growth in employment land.

The site has limited existing utility services and these may need to be extended and/or upgraded to support additional development as identified in the services report prepared by SMEC. Upgrades would be required for electricity reticulation and water supply depending on the industrial operator. The current site operations utilise a series of septic systems as the site is not serviced by sewer.

As noted previously, Clause 7.1 of Wollondilly LEP 2011 requires that services that are essential for the proposed development are available, or that adequate arrangements have been made to make them available, when required, for:

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage.

Future applications will be required to detail and include works to deliver additional services to the site, however, the SMEC report confirms upgrades for essential services are achievable in the future.

What are the views of the State and Commonwealth public authorities consulted in accordance with the gateway determination?

The views of specific State and Commonwealth public authorities would be confirmed as part of the Gateway Determination. However, this Planning Proposal is consistent with the relevant strategic plans as they relate to the site to provide additional employment opportunities.

Council will consult the following State Agencies as part of the assessment of the Planning Proposal:

- Sydney Water
- Rural Fire Service
- State Emergency Services – Infrastructure NSW
- Transport for NSW
- Office of Environment and Heritage
- Endeavour Energy
- Subsidence Advisory NSW

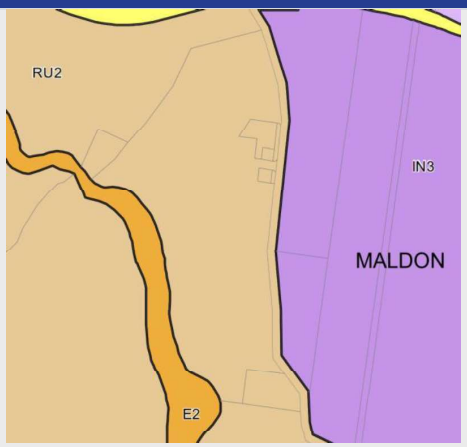
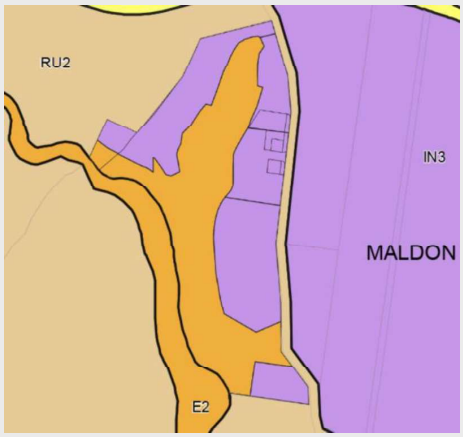
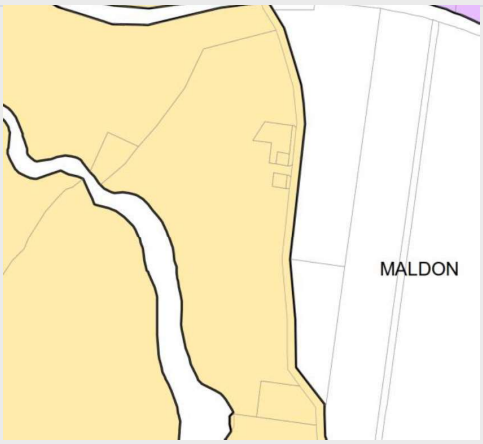
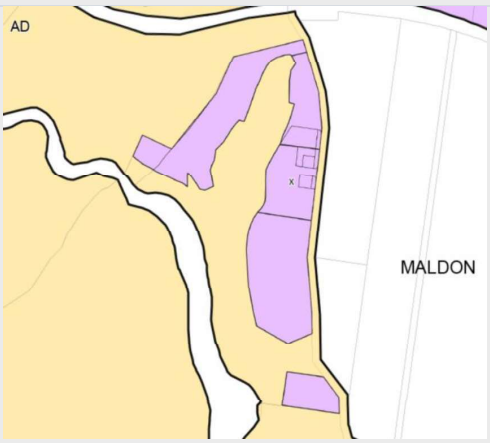
Part 4 – Mapping

This section identifies the mapping changes for this planning proposal in accordance with the Departments guidelines on LEPs and Planning Proposals.

The following map tiles are proposed to be amended as part of the Planning Proposal.

Map	Tile Number
Land Zoning	Sheet LZN_008G
Lot Size Map	Sheet LSZ_008G

Extracts of the existing and proposed Wollondilly LEP 2011 map tiles are provided below with the complete tiles provided at **Appendix F.**

Existing	Proposed
	
	

Part 5 – Community Consultation

Schedule 1, Clause 4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination.

The Gateway Determination will outline the community consultation to be undertaken.

Part 6 – Project Timeline

An anticipated project timeline is shown in Table 6.

Table 6 Anticipated Planning Proposal Timeframe

Timeframe	Action
June 2021	Presented at the Local Planning Panel meeting
July 2021	Presented to Wollondilly Shire Council
September 2021	Gateway Review
September- October 2021	State Agency Consultation
September- October 2021	Community Consultation
November 2021	Consideration of submissions and proposal post-exhibition
December 2021	Post-exhibition report to Council
February 2022	Legal drafting and making of the plan

Conclusion and Recommendations

This Planning Proposal has been prepared to support the rezoning of the parcel comprising Lot 1 DP748675, Lot 1 DP795225, Lot W DP163774, Lot X DP161196 and Lot 1 DP162140 located on the western side of Maldon Bridge Road and Staff Road in Maldon from RU2 Rural Landscape Zone to IN3 Heavy Industrial Zone and E2 Environmental Conservation Zone and introduce a minimum lot size controls under the Wollondilly LEP 2011. The Planning Proposal also flags amendments to the Growth Centres SEPP to dispense with the Precinct Planning Process.

The Planning Proposal will facilitate the delivery of additional serviced employment land to provide a range of employment generating uses that can leverage the existing road connections to Picton Road and the Hume Highway and rail infrastructure to the Main Southern Rail Line and is well located to service the growth of the Wilton Urban Release Area.

The Planning Proposal is consistent with the objectives of A Metropolis of Three Cities, Western City District Plan and Councils endorsed LSPS. The planning proposal is also consistent with Councils employment lands strategy for Maldon.

Glossary

Term	Definition
BC Act	*Biodiversity Conservation Act 2016*
BDAR	Biodiversity Development Assessment Report
Codes SEPP	*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
Council	Wollondilly Shire Council
District Plan	Western City District Plan
EPI	Environmental Planning Instrument
EP&A Act, the	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
FSR	Floor Space Ratio
GFA	Gross Floor Area
GSC	Greater Sydney Commission
LGA	Local Government Area
LoS	Level of Service
LSPS	Local Strategic Planning Statement
Wollondilly LEP 2011	*Wollondilly Local Environmental Plan 2011*
Regional Plan	*Greater Sydney Region Plan: A Metropolis of Three Cities*
SEPP	State Environmental Planning Policy
TfNSW	Transport for New South Wales
Wilton 2040	*Wilton 2040 - A Plan for the Wilton Growth Area*

Bushfire Assessment Report

Planning Proposal

At:
Maldon Bridge Road,
Maldon NSW

Reference Number: 210369

Prepared For:
Boral Land & Property Group

21st December 2020

Prepared By:
Building Code & Bushfire Hazard Solutions Pty Limited

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SILVER MEMBER
Fire Protection Association Australia

Contents

		Page No.
Copyright and Disclosure		2
List of Abbreviations		3
Executive Summary		4 - 5
1.0	Introduction	6
2.0	Purpose of Report	6
3.0	Scope of Report	6
4.0	Aerial Image, BPLM, Site Plan & Zoning	7 - 10
5.0	Bushfire Assessment	11 - 22
6.0	Conclusion	23
7.0	Annexure	24

- List of referenced documents and attachments
- Attachments

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4.14 applications (under the Environmental Planning and Assessment Act 1979) and all infill development applications *may be* referred by Council to the NSW Rural Fire Service for review and concurrence during the DA process. S100B applications under the Rural Fires Act 1997 (subdivisions and Special Fire Protection Purpose Developments), Flame Zone determinations and Alternate Solutions *must be* referred by Council to the NSW Rural Fire Service for review and receipt of a Bushfire Safety Authority (BSA) or other such recommended conditions from the NSW Rural Fire Service before the consent can be granted.

The onus is on the applicant to cross reference this document with any conditions of consent issued by Council or any requirements supplied by the NSW Rural Fire Service following development approval. Building Code & Bushfire Hazard Solutions can review and cross reference these documents however the onus is on the applicant to provide them to us and request this review – Building Code and Bushfire Hazard Solutions Pty. Ltd. is not in a position to track every DA through Council and we rely upon the applicant to undertake this role as project co-ordinator.

Where any discrepancy between this document and the development approval or the NSW Rural Fire Service requirements is found, the conditions of consent always take precedence until such time as an application to review, amend or vary these conditions is approved.

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Version Control			
Version	Date	Prepared by	Details
1	10/12/2020	Stuart McMonnies BPAD Accreditation No. 9400	Draft Report
2	21/12/2020	Stuart McMonnies BPAD Accreditation No. 9400	Final Report

List of Abbreviations:

APZ	Asset Protection Zone
AS3959	Australian Standard 3959 – 2018 as amended
BAL	Bushfire Attack Level
BPMs	Bushfire Protection Measures
BPLM	Bush Fire Prone Land Map
Council	Wollondilly Shire Council
DA	Development Application
EP&A Act	Environmental Planning and Assessment Act - 1979
ESD	Ecologically Sustainable Development
FRNSW	Fire & Rescue NSW
IPA	Inner Protection Area
NCC	National Construction Code
NP	National Park
NSP	Neighbourhood Safer Places
OPA	Outer Protection Area
PBP	Planning for Bush Fire Protection – 2019
ROW	Right of Way
RF Act	Rural Fires Act - 1997
RFS	NSW Rural Fire Service
SBFS	Strategic Bush Fire Study
SEPP	State Environmental Planning Policy
SFPP	Special Fire Protection Purpose
SWS	Static Water Supply

Executive Summary

Building Code and Bushfire Hazard Solution P/L has been commissioned by Boral Land & Property Group to prepare an independent Bushfire Assessment Report for a planning proposal at Maldon Bridge Road, Maldon to facilitate future industrial development.

The subject site comprises of eight (8) existing allotments (Lot 1 DP 748675, Lot 1 DP 162140, Lot 1 DP 795225, Lot 1 DP 1138675, Lot W DP 163774, Lot 31 DP 602144, Lot X DP 161196 and Lot 2 DP 1138675) zoned RU2: Rural Landscape. The subject site is located within the Wollondilly Shire Council local government area.

The proposed IN3: Heavy Industrial zoning will facilitate future industrial development within the already disturbed portions of the site, while establishing an E2: Environmental Conservation zone for the existing vegetated areas (see Figure 03). The existing six (6) dwellings within the site will be decommissioned to facilitate the future industrial development.

The subject site is located within the Wilton Priority Growth Area, which in accordance with the Interim Land Use and Infrastructure Implementation Plan will include around 15,000 new homes, 60,000m^2 of retail and business space and a target of 15,000 local jobs. The subject site is nominated as being 'Employment Land' under this plan, which is consistent with this planning proposal.

In this instance the subject site is depicted on Wollondilly Shire Council's Bushfire Prone Land Map as containing Category 1 and 2 Vegetation and their associated buffer zone. The subject site is therefore considered 'bushfire prone'.

The vegetation identified as posing the potential bushfire threat to the proposed industrial lands is located centrally within the subject site along a tributary to Stonequarry Creek and along Stonequarry Creek to the east. The vegetation is located within well-defined gullies with a high concentration of exposed rock outcrops.

In relation to this planning proposal Wollondilly Shire Council is required to apply section 9.1(2) of the *Environmental Planning and Assessment Act 1979*. Direction 4.4 'Planning for Bushfire Protection' identifies matters for consideration for proposals that affect or are in proximity to land mapped as bushfire prone. Under these directions the following objectives apply:

> *i. to protect life, property and the environment from bush fire, by discouraging the establishment of incompatible land uses in bush fire prone areas; and*
>
> *ii. to encourage sound management of bush fire prone areas.*

As part of the consultation process with the NSW Rural Fire Service, a bush fire assessment is required to demonstrate compliance with the s9.1(2) Directions and Planning for Bush Fire Protection 2019 (PBP). Where the proposal is of a strategic nature, this assessment should take the form of a Strategic Bush Fire Study as outlined in section 4.2 of PBP.

A Strategic Bush Fire Study has been undertaken and concluded the proposal is appropriate in the bush hazard context.

In addition to the Strategic Bush Fire Study an assessment of the proposal against Chapter 8 'Other Development' of PBP has concluded the future Development Applications have the capacity to comply with the relevant specifications and requirements.

A key consideration for planning proposals in bushfire prone areas is limiting or excluding incompatible development commensurate with the level of risk. In this regard the subject site is considered to have a low bushfire risk when considering the characteristics of the vegetation and the fact there have been no recorded wildfires within the immediate area (closest recorded wildfire (Nepean River 2002) >1.7km to the southeast).

It is also important to consider the improved outcome as a result of this planning proposal with the decommissioning of the six (6) residential dwellings.

The proposal satisfies all relevant specifications and requirements of Planning for Bush Fire Protection 2019 and results in an improved bushfire safety outcome for the site.

1.0 Introduction

The subject site comprises of eight (8) existing allotments (Lot 1 DP 748675, Lot 1 DP 162140, Lot 1 DP 795225, Lot 1 DP 1138675, Lot W DP 163774, Lot 31 DP 602144, Lot X DP 161196 and Lot 2 DP 1138675) zoned RU2: Rural Landscape. The subject site is located within the Wollondilly Shire Council local government area.

The planning proposal involves the establishment of an IN3: Heavy Industrial zone within the already disturbed portions of the site to facilitate future industrial development. It should be noted that Lot 31 (100 Maldon Bridge Road) contains an existing operating industrial development (concrete batching plant).

It is proposed for the existing vegetated areas to have an E2: Environmental Conservation zone.

The existing six (6) dwellings within the site will be decommissioned to facilitate the future industrial development.

The subject site is located within the Wilton Priority Growth Area, which in accordance with the Interim Land Use and Infrastructure Implementation Plan will include around 15,000 new homes, 60,000m^2 of retail and business space and a target of 15,000 local jobs. The subject site is nominated as being 'Employment Land' under this plan, which is consistent with this planning proposal.

In this instance the subject site is depicted on Wollondilly Shire Council's Bushfire Prone Land Map as containing Category 1 and 2 Vegetation and their associated buffer zones. Subject site is therefore considered 'bushfire prone'.

In relation to this planning proposal Wollondilly Shire Council is required to apply section 9.1(2) of the Environmental Planning and Assessment Act 1979. Direction 4.4 Planning for Bushfire Protection identifies matters for consideration for proposals that affect or are in proximity to land mapped as bushfire prone.

This report includes a Strategic Bush Fire Study and an assessment of the proposal against Chapter 8 'Other Development' in accordance with section 4.4 of PBP.

2.0 Purpose of Report

The purpose of this Bushfire Assessment Report is to provide an independent bushfire assessment together with appropriate recommendations for bushfire mitigation measures considered necessary having regard to development within a designated 'bushfire prone' area.

3.0 Scope of this Report

The scope of this report is limited to providing a bushfire assessment and recommendations for the subject site. Where reference has been made to the surrounding lands, this report does not purport to directly assess those lands; rather it may discuss bushfire impact and/or progression through those lands and possible bushfire impact to the subject site.

4.0 Aerial Image, BPLM, Site Plan & Zoning

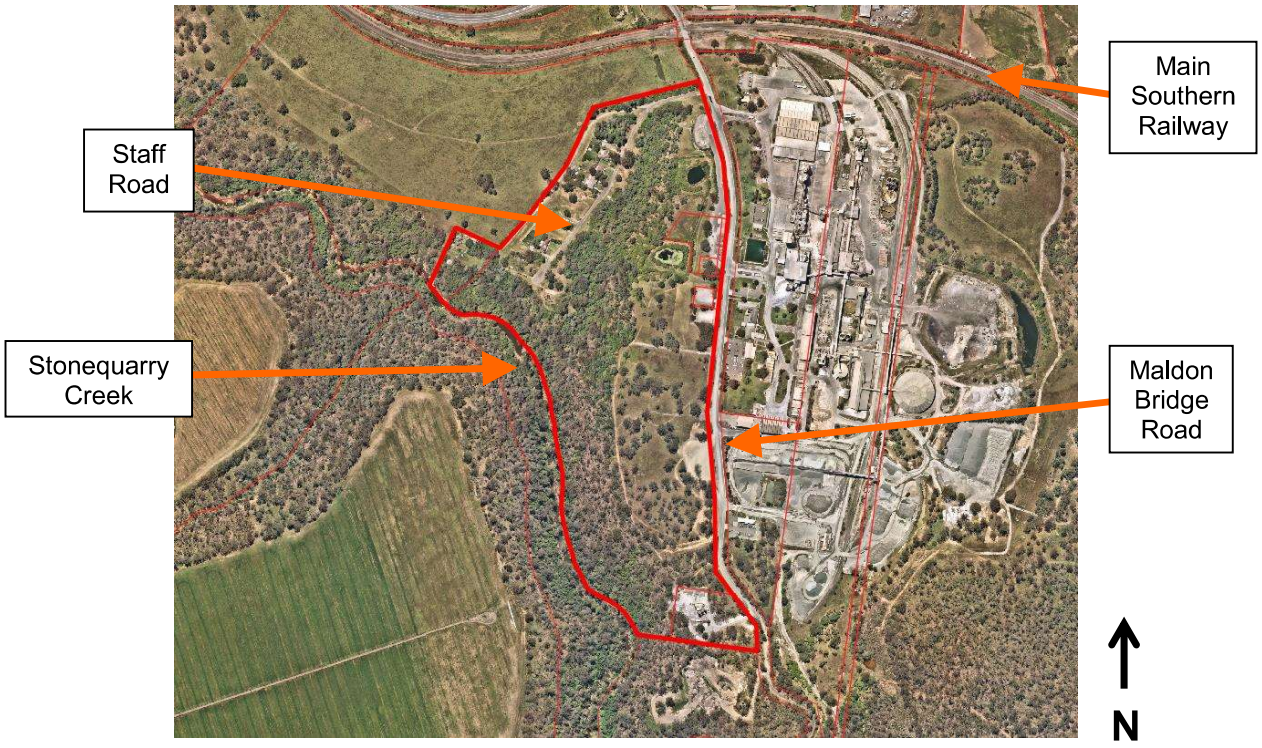

Figure 01: Aerial view of the subject site (red outline)

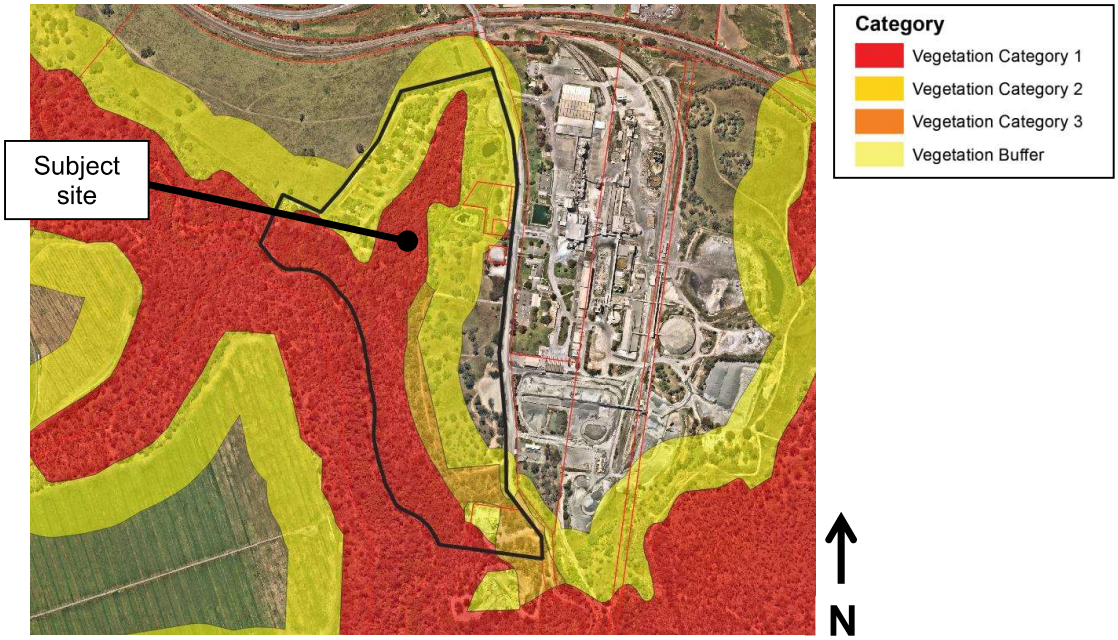

Figure 02: Extract from Wollondilly Shire Council's Bushfire Prone Land Map

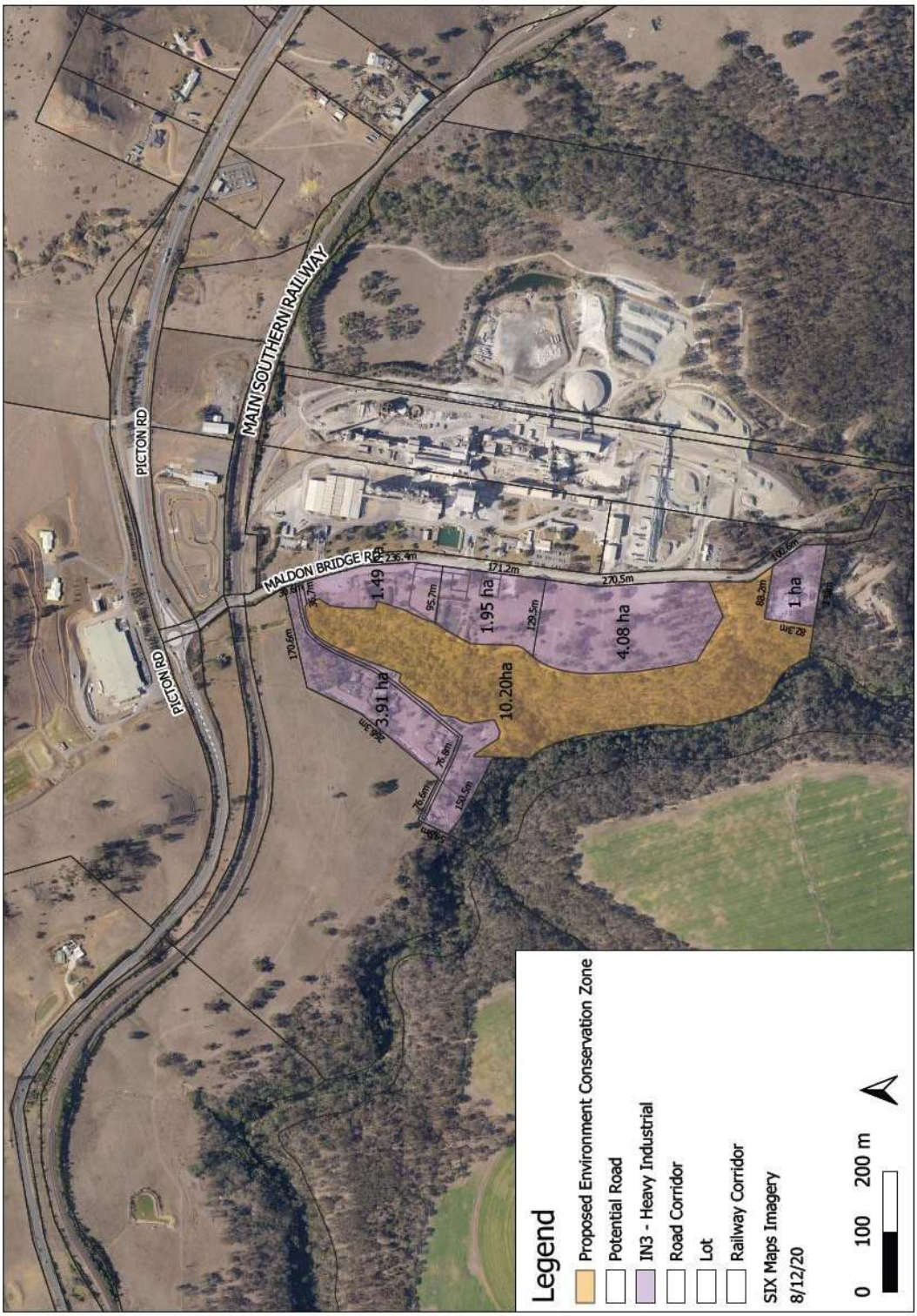

Figure 03: Extract of proposed Plan

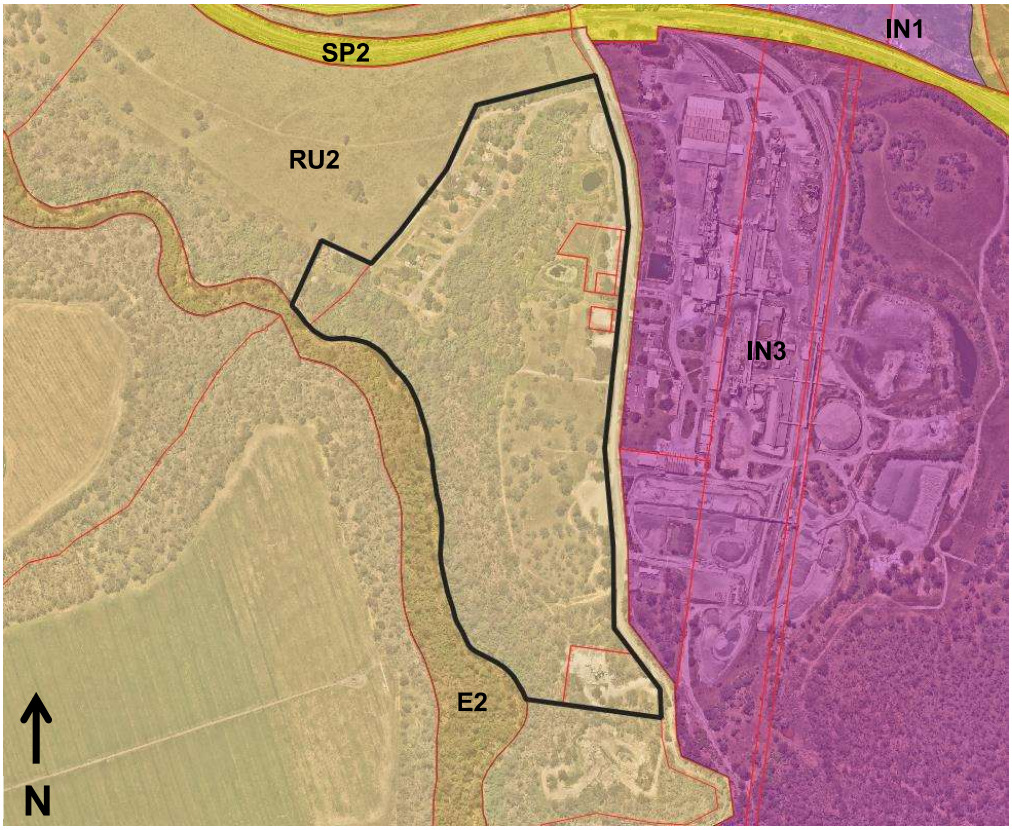

Figure 04: Land zoning of the subject area

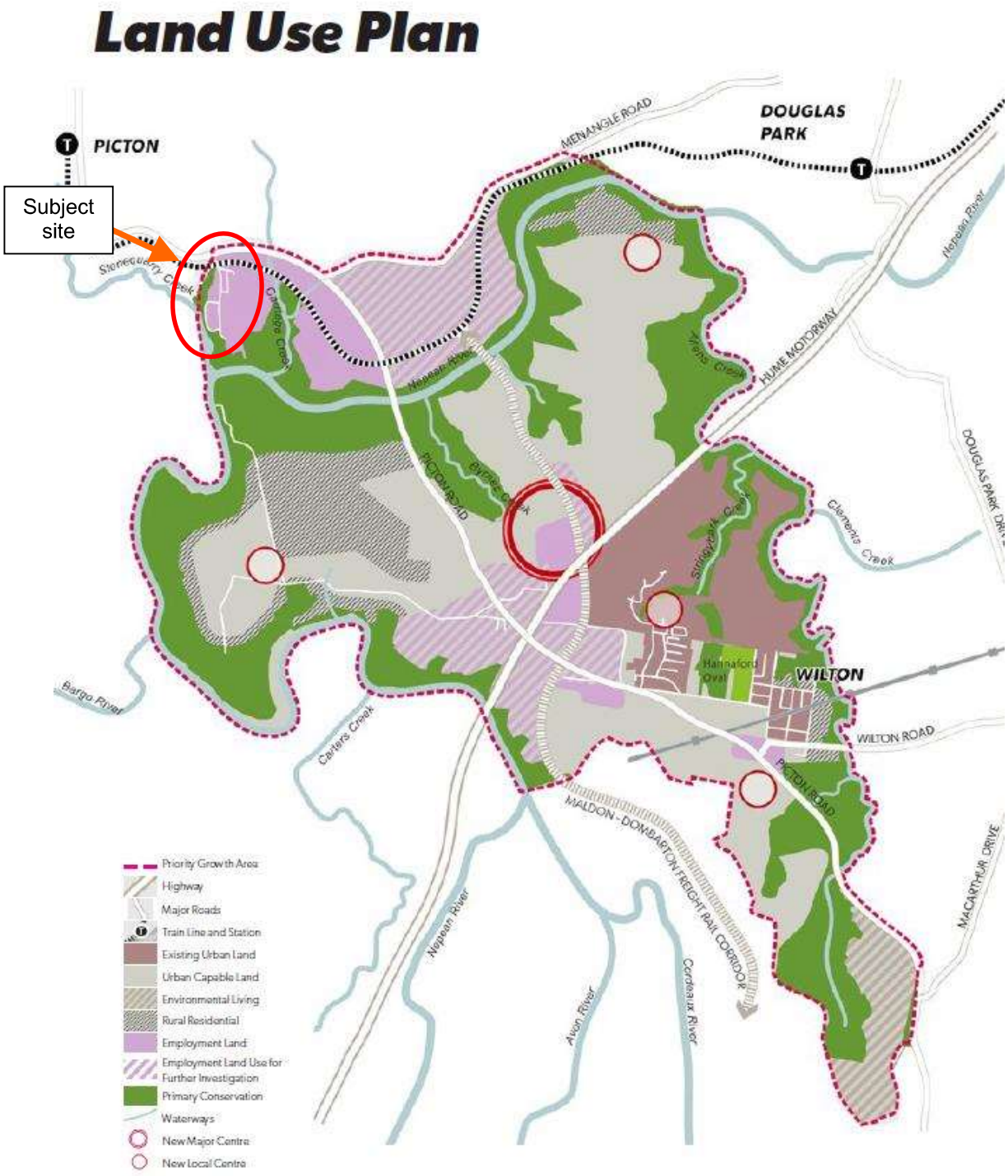

Figure 05: Wilton Priority Growth Area Land Use Plan

5.0 Bushfire Assessment

5.01 Preface

Properties considered to be affected by possible bushfire impact are determined from the local Bushfire Prone Land Map as prepared by Council and/or the Rural Fire Service. All development within affected areas is subject to the application of the relevant specifications and requirements of 'Planning for Bush Fire Protection - 2019' (PBP).

PBP formally adopted on the 1st March 2020 provides for the protection of property and life (including fire-fighters and emergency service personnel) from bushfire impact.

In this instance the subject site is depicted on Wollondilly Shire Council's Bushfire Prone Land Map as containing Category 1 and 2 Vegetation and their associated buffer zones and is therefore considered 'bushfire prone'.

As the subject site is considered 'bushfire prone' Wollondilly Shire Council is required to apply section 9.1(2) of the *Environmental Planning and Assessment Act 1979* when assessing this planning proposal. Direction 4.4 'Planning for Bushfire Protection' identifies matters for consideration for proposals that affect or are in proximity to land mapped as bushfire prone. Under these directions the following objectives apply:

> *i. to protect life, property and the environment from bush fire, by discouraging the establishment of incompatible land uses in bush fire prone areas; and*
>
> *ii. to encourage sound management of bush fire prone areas.*

Under direction 4.4 the Commissioner of the NSW RFS must be consulted and any comments taken into account. As part of the consultation process with the NSW RFS, a bush fire assessment is required to be submitted to demonstrate compliance with the s9.1(2) Directions and PBP. Where the proposal is of a strategic nature, this assessment should take the form of a Strategic Bush Fire Study as outlined in section 4.2 of PBP.

In addition to the Strategic Bush Fire Study an assessment of the proposal against Chapter 8 'Other Development' of PBP must be undertaken to ensure the future Development Applications have the capacity to comply with the relevant specifications and requirements.

Consideration must be given to limiting or excluding incompatible development in bushfire affected areas commensurate with the level of risk. A key principle to ensure this is that future development is designed and sited capable of complying with PBP.

The NSW Rural Fire Service also encourages the application of zones that limit or exclude inappropriate development in bushfire prone areas where:

- *the development area is exposed to a high bush fire risk and should be avoided;*
- *the development is likely to be difficult to evacuate during a bush fire due to its siting in the landscape, access limitations, fire history and/or size and scale;*
- *the development will adversely effect other bush fire protection strategies or place existing development at increased risk;*

- *the development is within an area of high bush fire risk where density of existing development may cause evacuation issues for both existing and new occupants; and*
- *the development has environmental constraints to the area which cannot be overcome.*

We provide the following assessment in consideration of the above and Planning for Bush Fire Protection 2019 to highlight the suitability of the site for industrial development and the relevant bushfire protection measures.

5.02 Strategic Bush Fire Study

Planning proposals of a strategic nature which relate to bushfire prone properties require the preparation of a Strategic Bush Fire Study. The Strategic Bush Fire Study (SBFS) provides opportunity to assess the broader landscape and ultimately assesses whether the new zone and proceeding development is appropriate in the bushfire hazard context.

Once these strategic issues have been addressed in the SBFS, an assessment of whether the proposal can comply with PBP must then be carried out. The assessment against PBP is addressed in section 5.03 of this report.

The following assessment details the components in Table 4.2.1 of PBP which must be addressed in a SBFS.

Bushfire Landscape Assessment

The Bushfire Landscape Assessment component considers the likelihood of a bushfire and its potential severity and intensity and the potential impact on life and property in the context of the broader surrounding landscape.

Location

The subject site comprises of eight (8) existing allotments (zoned RU2: Rural Landscape), being:

Street Address	Lot and DP
6 Maldon Bridge Road, Maldon	Lot 3 DP 818975
Staff Road, Maldon	Lot 1 DP 162140
80 Maldon Bridge Road, Maldon	Lot 1 DP 795225
40 Maldon Bridge Road, Maldon	Lot 1 DP 1138675
40 Maldon Bridge Road, Maldon	Lot W DP 163774
45 Maldon Bridge Road, Maldon	Lot X DP 161196
42 Maldon Bridge Road, Maldon	Lot 2 DP 1138675
100 Maldon Bridge Road, Maldon	Lot 31 DP 602144

The subject site is located within Wollondilly Shire Council's local government area.

The subject site is within the Wilton Priority Growth Area, which in accordance with the Interim Land Use and Infrastructure Implementation Plan will include around 15,000 new homes, 60,000m^2 of retail and business space and a target of 15,000 local jobs.

The subject site has street frontage to Maldon Bridge Road to the east and abuts neighbouring allotments to the north and south and Stonequarry Creek to the west.

Vegetation

The subject site was predominately found to comprise of previously disturbed and managed areas with more pronounced vegetation along the tributary of Stonequarry Creek and embankment down to Stonequarry Creek.

As part of this bushfire assessment process consideration has been given to all existing vegetation within neighbouring allotments and any retained or proposed vegetated areas within the subject site. In this regard it is proposed for the existing vegetated areas to have an E2: Environmental Conservation zone (see Figure 03) and subsequently assessed as a bushfire hazard.

The vegetation identified a posing a potential bushfire / grassfire threat was found to be located to the north within a neighbouring allotment, the proposed E2: Environmental Conservation zone land within the subject site and to the south within neighbouring private allotments.

The vegetation posing a hazard within the neighbouring property to the north was found to comprise of grassland.

The proposed E2: Environmental Conservation zone land has been defined by the extent of the more natural vegetation within the subject site. This vegetation is located within well-defined gullies with a high concentration of exposed rock outcrops.

The vegetation along the tributary of Stonequarry Creek was also found to have a high concentration of known hard to burn species, including privet and pittosporums.

The vegetation within the proposed E2: Environmental Conservation zone and within the neighbouring properties to the south has been reported by EMM Consulting (2018) as predominately comprising of the following Plant Community Types:

- PCT 1395 - Narrow-leaved Ironbark – Broadleaved Ironbark - Grey Gum open forest of the edges of the Cumberland Plain, Sydney Basin Bioregion

- PCT 1181 - Smooth-barked Apple – Red Bloodwood - Sydney Peppermint heathy open forest on slopes of dry sandstone gullies of western and southern Sydney, Sydney Basin Bioregion

Site observations where consistent with a Forest classification although it was noted that the presence of the rock outcrops has resulted in areas having a lower quantity of surface and near surface fuels and a sparser canopy than that commonly associated with Forest communities.

Regardless as a conservative assessment a Forest classification was adopted for the purpose of this bushfire assessment.

Figure 06: Extract aerial view of subject area with assessed Forest hazard (green shade)

Photograph 01: View of an area containing a high concentration of known hard to burn species along the tributary of Stonequarry Creek

Photograph 02: View of an area containing a high concentration of rock outcrops along Stonequarry Creek

Photograph 02: View of an area containing a high concentration of rock outcrops along Stonequarry Creek

Slope and Topography

The slope that would most significantly affect bushfire behaviour must be assessed for at least 100 metres from within the bushfire hazards.

The most significant grassfire impact from the north is expected to be a fire travelling down slope toward the subject site.

The vegetation posing a hazard along the tributary of Stonequarry Creek and Stonequarry Creek is located within well-defined gullies with a high concentration of exposed rock outcrops.

The gradient of the embankments of the tributary of Stonequarry Creek where generally found to be consistent at 5 – 10 degrees down.

It was generally observed that there is an escarpment (3-8m high) 30-50 metres from Stonquarry Creek. The gradient below this escarpment was found to exceed 20 degrees down and above was relatively flat (0-5°).

The steeper gradient beneath the escarpment has a very high concentration of exposed rock outcrops (clearly visible from aerial imagery), reducing the amount of available fuels. In consideration of the attributes of the vegetation and local landscape features we are of the opinion that application of a 15-20 effective slope is appropriate in this instance.

The slope that would most significantly influence bushfire impact was determined onsite using an inclinometer and verified using 1 metre LiDar contour mapping of the subject area and are shown in Figure 07 overleaf.

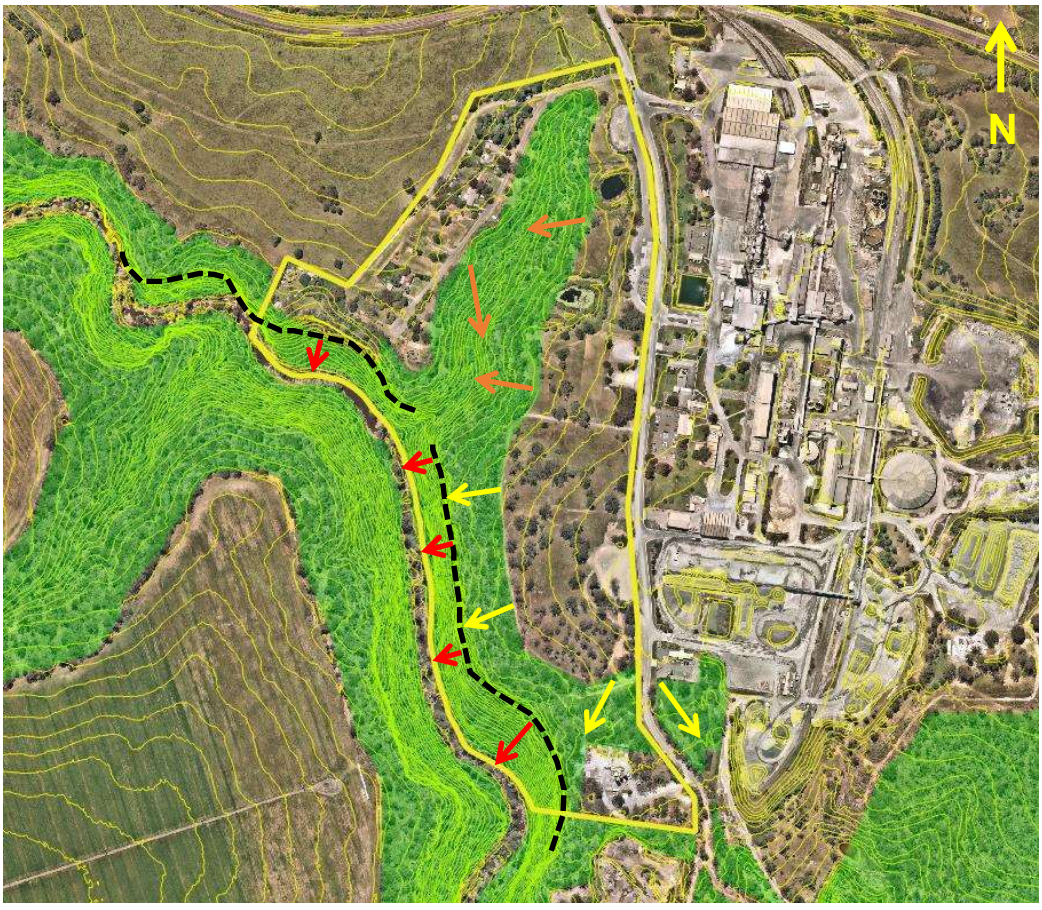

Figure 07: LiDar contour mapping of subject area (1m contours)
3-8 metre high Escarpment (black dotted line), 0-5° down (yellow arrows), 5-10° down (orange arrows) and >20° (red arrows)

Fire Weather

The subject site is located within the Greater Sydney Region Fire Area which attracts a Fire Danger Index (FDI) of 100 for bushfire planning purposes.

Previous Bushfire History

There are areas within NSW that have significant fire history and are recognised as known fire paths. In a planning context it is important to identify these locations and ensure incompatible development is not proposed.

In this instance there have been no recorded wildfires or hazard reductions within the subject site or immediate surrounding area (source NPWS Fire History dataset).

There were also no visual indicators of previous bushfires at the time of our inspection.

The closest recorded wildfire was found to be located >1.7 kilometres to the southeast of the subject site (Nepean River Fire 2002).

The subject site is therefore not considered to be within a known fire path. Furthermore in consideration of the previous bushfire history the likelihood of a bushfire occurring within the immediate area is considered unlikely.

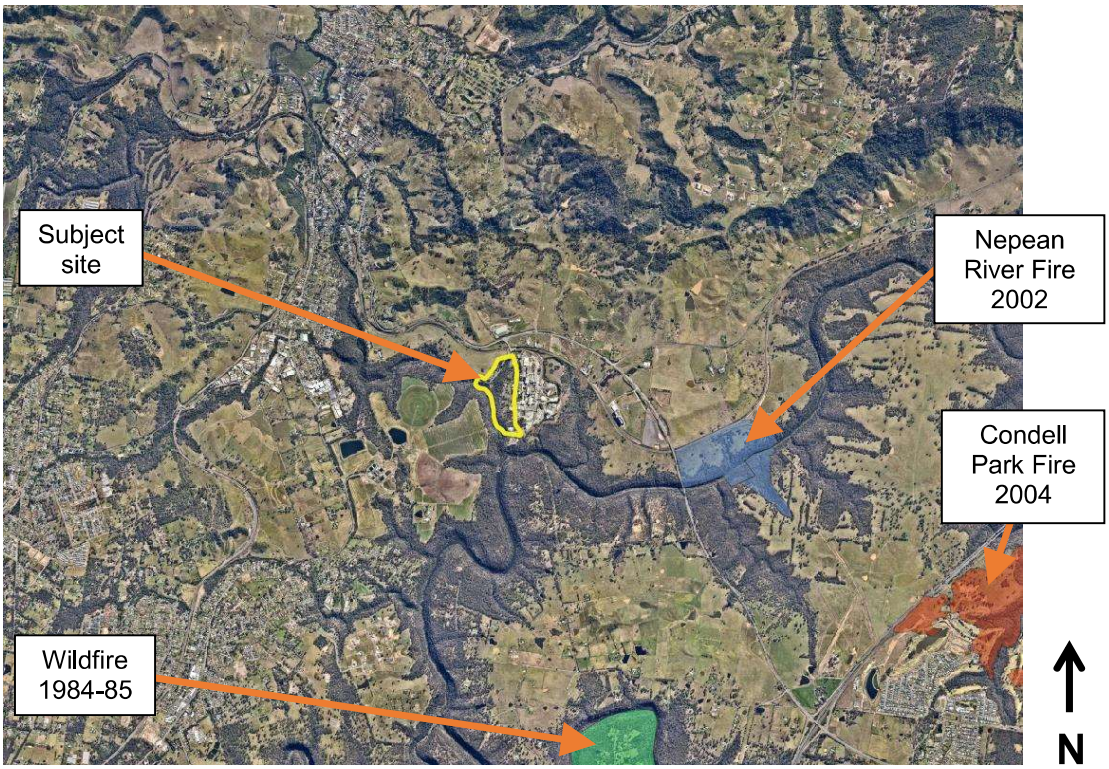

Figure 08: Aerial view of the subject area

Access & Suppression

Access for attending fire services to undertake early suppression is a key factor in whether a fire has the opportunity to develop into a quasi-steady state at which point the opportunity to control / extinguish the fire becomes far more challenging.

Where good access is available it provides opportunity to control / extinguish a fire in its growth phase before developing further and consequently becoming more difficult to conduct a direct attack.

In this particular instance the vegetation posing a bushfire hazard is concentrated along existing watercourses (Stonequarry Creek, Nepean River and their tributaries).

Access is available to this vegetation via the paddocks above, or by utilising existing road and service trails.

In consideration of the access available to and along the vegetated corridors and their exposure to the public from Picton Road the early identification of a bushfire is considered probable.

Land Use Assessment

The Land Use Assessment identifies the most appropriate locations in the Masterplan area for the proposed land uses.

In this instance the proposal does not include a broad masterplan but rather a specific 'spot' rezoning to facilitate future industrial development.

The subject site is located within the Wilton Priority Growth Area, which in accordance with the Interim Land Use and Infrastructure Implementation Plan will include around 15,000 new homes, 60,000m^2 of retail and business space and a target of 15,000 local jobs. The subject site is nominated as being 'Employment Land' under this plan, which is consistent with this planning proposal.

The existing six (6) dwellings within the site will be decommissioned to facilitate the future industrial development.

The proposed industrial use is considered lower risk than residential in the context of bushfire planning provisions.

The proposed IN3: Heavy Industrial zone has the following permitted use:

> *Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industries; Industrial training facilities; Intensive plant agriculture; Kiosks; Offensive storage establishments; Oyster aquaculture; Roads; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4*

Some developments by their very nature are considered to be hazardous, for their ability to either start bush fires or their susceptibility to the impact of bushfire.

Planning for Bush Fire Protection lists a number of hazardous industries that should not be permitted on bushfire prone land. Generally hazardous industries should not be located within 100 metres of a bushfire hazard and / or within 50 metres of a Grassland hazard.

Hazardous industries include but are not limited to:

- power generating works
- sawmills
- junk yards
- liquid fuel depots
- hazardous industries/storage
- chemical industries/storage
- service stations
- ammunition storage/manufacture
- fireworks manufacture/storage.

There is a pathway to have hazardous industries considered / approved on bushfire prone land however this would involve extensive consultation with the NSW Rural Fire Service and the preparation of a detailed performance-based solution / Bushfire Design Brief.

We are of the opinion the proposed land use is appropriate.

Access and Egress

The subject site is accessed via Maldon Bridge Road to the east.

The key evacuation route from the subject site is to the east via Maldon Bridge Road and Picton Road further north. This key evacuation route is away from the identified bushfire hazards.

Maldon Bridge Road and Picton Road were found to exceed the minimum carriageway requirements for perimeter roads as described in section 5.3.2 of PBP.

In consideration of the surrounding road network and proposed use the access and egress routes are considered acceptable.

Emergency Services

In some circumstances the scale of a planning proposal warrants a need to include provisions for a new fire station.

The subject site is located within the NSW Rural Fire Service area and has two (2) fire stations (NSW Rural Fire Service and NSW Fire & Rescue) located approximately 3 kilometres (measure in line of sight) (source street-directory.com.au) in Picton.

In consideration of the relatively modest size of the future industrial development the existing fire service coverage is considered acceptable.

Infrastructure

An assessment of the issues associated with infrastructure and utilities must be undertaken. This assessment is to include the ability of the reticulated water system to deal with a major bushfire event in terms of pressures, flows and spacing of hydrants.

The subject site is connected to reticulated towns water which in this locality is serviced by Sydney Water. The capabilities of the broader hydrant network is the responsibility of Sydney Water. The modest size of the future industrial development is unlikely to have a significant adverse impact on this system.

The site contains an existing hydrant system which will be upgraded / modified to service the future industrial development as needed. The sizing, spacing and pressures of the internal hydrant system must comply with AS2419.1-2005.

5.03 Planning for Bush Fire Protection

As the strategic issues have been satisfactorily addressed in the SBFS, an assessment of whether the proposal can comply with PBP is required. This section addresses the future industrial developments capacity to comply with the relevant specifications and requirements of PBP.

One of the objectives underpinning Planning for Bush Fire Protection is to provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings.

Asset Protection Zones

While there are no minimum required Asset Protection Zones for this type of development it is acknowledged that for commercial and industrial development PBP requires that the provisions within Chapter 7, inclusive of APZs, are to be used as the base for the package of measures.

Chapter 7 requires that APZs are provided in accordance with table A1.12.2, which details the minimum APZs to achieve 29kW/m^2 (BAL 29).

Figure 09 depicts the minimum APZs for residential development as determined from table A1.12.2, which can be achieved entirely within the subject site.

The subject site has the capacity to comply with the minimum required Asset Protection Zones for residential development as detailed in PBP.

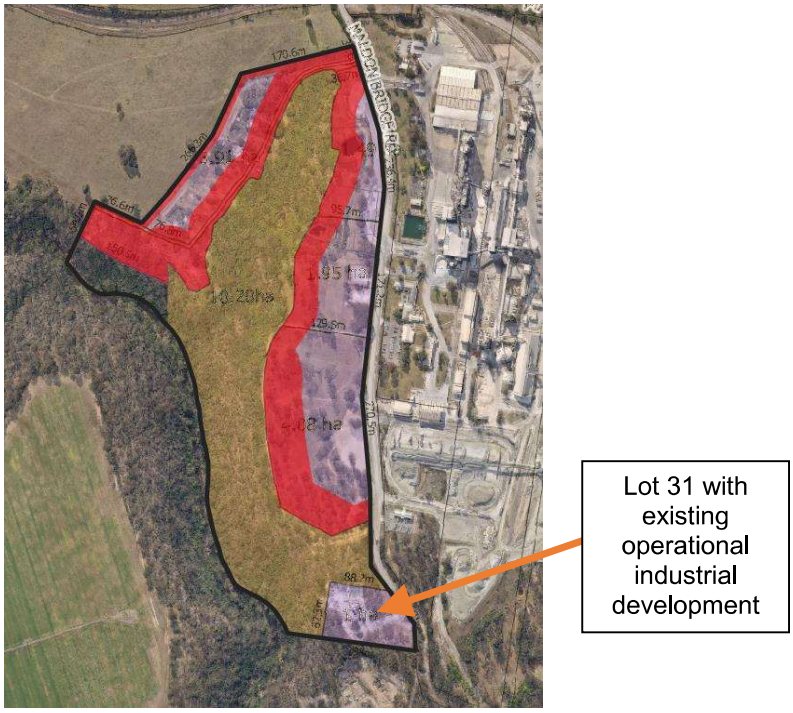

Figure 09: Aerial view of the subject site overlayed with the APZs detailed in Chapter 7

Fire Fighting Water Supply

The site contains an existing hydrant system which will be upgraded / modified to service the future industrial buildings as needed. The sizing, spacing and pressures of any upgrade / modification must comply with AS2419.1-2005.

Hydrants are also available along Maldon Bridge Road and Picton Road for the replenishment of attending fire services.

The subject site has the capacity to comply with the Water Supply requirements as detailed in Chapter 7 of PBP.

Property Access

The subject site has street frontage to Maldon Bridge Road to the east.

Planning for Bush Fire Protection addresses design considerations for internal roads (public roads) for properties determined to be bushfire prone.

Perimeter roads are typically provided to separate bushland from urban / industrial areas, allowing more efficient use of firefighting resources. Perimeter roads also provide space to conduct firefighting operations and hazard reduction activities.

The proposal does not include detail on future access arrangements however in consideration of the size of the properties we are satisfied that the future internal road system has the capacity to comply with the requirements for Access under Chapter 7 of PBP.

Construction

The objectives of Planning for Bush Fire Protection – 2019 are for the protection of life including fire fighters. Provided these objectives can be met the construction of buildings is feasible and both the Rural Fire Service and Council should be in a position to consider such applications.

No new buildings are proposed as part of this application. Future industrial development will require further assessment under s4.14 of the *Environmental Planning and Assessment Act* 1997 or *State Environmental Planning Policy (Exempt and Complying Development)* 2008 at the time of any application for the construction of any new building.

6.0 Conclusion

The subject site comprises of eight (8) existing allotments (Lot 1 DP 748675, Lot 1 DP 162140, Lot 1 DP 795225, Lot 1 DP 1138675, Lot W DP 163774, Lot 31 DP 602144, Lot X DP 161196 and Lot 2 DP 1138675) zoned RU2: Rural Landscape. The subject site is located within the Wollondilly Shire Council local government area.

The planning proposal involves the establishment of an IN3: Heavy Industrial zone within the already disturbed portions of the site to facilitate future industrial development. It should be noted that Lot 31 (100 Maldon Bridge Road) contains an existing operating industrial development (concrete batching plant). It is proposed for the existing vegetated areas to have an E2: Environmental Conservation zone.

The existing six (6) dwellings within the site will be decommissioned to facilitate the future industrial development.

In this instance the subject site is depicted on Wollondilly Shire Council's Bushfire Prone Land Map as containing Category 1 and 2 Vegetation and their associated buffer zones. Subject site is therefore considered 'bushfire prone'.

We are satisfied that the subject site and proposed Concept Layout Plan has the capacity to comply with the relevant specifications and requirements of Planning for Bush Fire Protection 2019.

Furthermore we are satisfied that the proposed Concept Layout Plan, in combination with the bushfire protection measures discussed herein will not result in areas that are difficult to evacuate, create control difficulties during a bushfire or adversely affect other bush fire protection strategies or place existing development at increased risk.

We are therefore in support of the rezoning application.

Should you have any enquiries regarding this project please contact me at our office.

Prepared by
Building Code & Bushfire Hazard Solutions P/L

Stuart McMonnies
Manager Bushfire Section
G. D. Design in Bushfire Prone Areas.
Certificate IV Fire Technolog
Fire Protection Association of Australia BPAD – L3 Accredited Practitioner
Certification number – BPAD9400

7.0 Annexure 01

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Attachments

Attachment 01: N/A

Tom Piovesan

From: Murray Jay <Murray.Jay@planning.nsw.gov.au>
Sent: Monday, 29 April 2019 10:10 AM
To: Peter Lawrence
Cc: Gwenda Kullen; Bruce Colman
Subject: Maldon Precinct and Coal Mining Leases

Hi Peter,

Just to follow up from our phone conversation last week regarding coal mining leases impacting the Maldon Precinct, our GIS analyst has found out the following:

The site to the west of the existing Boral plant is not impacted.

The greenfield site (Lot 2 DP 252362) is impacted by Consolidated Coal Lease 767 which completely overs the site.

Thanks

Murray Jay
Senior Planning Officer
South West Land Release
Planning and Design Division
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Preliminary Site Investigation
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
11 November 2020
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Preliminary Site Investigation

Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW

11 November 2020

59586/132086 (Rev 0)

JBS&G Australia Pty Ltd

Table of Contents

Abbreviations v

Executive Summary vi

1. Introduction 1
   - 1.1 Objectives 1
   - 1.2 Scope of Work 1

2. Site Condition and Surrounding Environment 2
   - 2.1 Site Identification 2
   - 2.2 Site Description 2
   - 2.3 Surrounding Land-use 4
   - 2.4 Topography 5
   - 2.5 Geology and Soils 5
   - 2.6 Hydrology 5
   - 2.7 Hydrogeology 6
   - 2.8 Acid Sulfate Soils 6
   - 2.9 Salinity 6

3. Assessment of Background Records and Site History 8
   - 3.1 EPA Records 8
   - 3.2 Australian and NSW Heritage Register 9
   - 3.3 Section 10.7 Planning Certificate Search 9
   - 3.4 Aerial Photographs 9
   - 3.5 Historical Title Review 10
   - 3.6 Integrity Assessment and Summary of Site History 11

4. Conceptual Site Model (CSM) 12
   - 4.1 Potential Areas of Environmental Concern 12
   - 4.2 Potentially Contaminated Media 12
   - 4.3 Potential for Migration from Site 13
   - 4.4 Exposure Pathways and Receptors 13
   - 4.5 Preferential Pathways 14

5. Conclusions and Recommendations 15
   - 5.1 Recommendations 15

6. Limitations 16

List of Tables

Table 2.1 Summary Site Details 2
Table 2.2: Registered Groundwater Bore Search Summary 6
Table 4.1: Areas of Environmental Concern and Associated Contaminants of Potential Concern 12

List of Figures

Figure 1 Site Location
Figure 2 Site Layout
Figure 3 Site Areas
Figure 4 Site Features Overview
Figure 4A Site Features - North
Figure 4B Site Features - South

Appendices

Appendix A Photographic Log
Appendix B Registered Groundwater Bores
Appendix C EPA Records
Appendix D Heritage Records
Appendix E Section 10.7 Planning Certificates
Appendix F Historical Aerial Photographs
Appendix G Historical Land Title Records

Abbreviations

Term	Definition
ACM	Asbestos Containing Material
AEC	Area of Environmental Concern
AHD	Australian Height Datum
ASS	Acid Sulfate Soils
AST	Above Ground Storage Tank
bgs	Below Ground Surface
BTEX	Benzene, Toluene, Ethylbenzene and Xylenes
CLM Act	Contaminated Land Management Act 1997
COPC	Contaminant of Potential Concern
CSM	Conceptual Site Model
DECCW	NSW Department of Environment, Climate Change and Water
DLWC	NSW Department of Land and Water Conservation
DP	Deposited Plan
DSI	Detailed Site Investigation
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
HBMS	Hazardous Building Material Surveys
JBS&G	JBS&G Australia Pty Ltd
LEP	Local Environmental Plan
NEPC	National Environment Protection Council
OCPs	Organochlorine Pesticides
OEH	Office of Environment and Heritage
PAHs	Polycyclic Aromatic Hydrocarbons
PCB	Polychlorinated Biphenyls
POEO Act	Protection of the Environment Operations Act 1997
PSI	Preliminary Site Investigation
TRH	Total Recoverable Hydrocarbons

Executive Summary

JBS&G Australia Pty Ltd (JBS&G) was engaged by Boral (the client) to conduct a Preliminary Site Investigation (PSI) of Boral landholdings at Maldon near the intersection of Picton Road and Menangle Road, south of Picton Road. The site is located on the western side of Maldon Bridge Road, and is legally identified as Lot 1 in Deposited Plan (DP) 748675, Lot 1 DP162140, Lot 1 DP795225, Lot 1 & 2 DP1138675, Lot W DP163774, Lot X DP161196 and Lot 31 DP6022144. The site covers an area of approximately 23.3 hectares (ha) and the site location and site layout are presented on **Figures 1** and **2** respectively.

The site is currently zoned RU2 Rural Landscape under *Wollondilly Local Environmental Plan 2012* and has not yet been intensively developed. The site could be rezoned to expand the employment capacity of the existing operation or establish new industrial uses.

It is understood that the client requires an assessment of potential contamination status at the site, to support planning proposals for rezoning to IN3 Heavy Industrial, compliant with *State Environmental Planning Policy 55 – Remediation of Land* (SEPP 55). The PSI has been developed in general accordance with guidelines made or approved by the NSW Environment Protection Authority (EPA) including the *National Environment Protection (Assessment of Site Contamination) Measure 1999* as amended 2013 (NEPC 2013[1]), and relevant Australian Standards.

The completed scope of work comprised a desktop review of readily available site history and site condition records to identify areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs), and completion of a detailed site inspection by an appropriately qualified and experienced JBS&G environmental consultant on 23 September 2020.

The site was bound by Maldon Bridge Road to the east, agricultural land to the north, Stonequarry Creek to the west, and commercial property and the Nepean River to the south. The site was partially developed with areas of residual bushland. For the purposes of this assessment, the site has been divided into areas defined as Residential Area, Bushland Area, Cleared Area and Concrete Plant, as presented on **Figure 3**. Key site features are shown on **Figures 4, 4A and 4B**.

The Residential Area was characterised by workers cottages with several sheds, caravans and shelters in the immediate area, sealed/gravel surfaced roads and grassed, cleared land. Brick and/or potential asbestos containing material (ACM) were used to construct the cottages. Some areas of exposed soil with minor anthropogenic materials including brick, concrete, glass and tiles, were noted in surface soils in the area. Septic tanks were noted at existing and former residences.

The Bushland Area was characterised by thick residual bushland. Numerous stockpiles of discarded anthropogenic waste including brick, metal framework and concrete, were observed adjacent to Park Road. ACM was observed at one location, associated with a pile of bricks.

The Cleared Area was characterised by cleared grass land with sparse tree cover, two dams and concrete sealed/gravel surfaced carparks and driveways. PVC pipes, wooden posts and a 250L drum were observed to be stored within the fenced area of the southern dam. Plastic drums were observed within the fence line of the northern dam. The contents of the drums were unknown. Minor inclusions of brick, concrete and glass fragments were visible in the exposed soil track. ACM fragments were observed in areas of exposed soil, across the southern portion of the Cleared Area.

The Concrete Plant was located in the south eastern end of the site, and included stored chemicals, an aboveground fuel storage tank (AST), stockpiled imported soils, and a truck wash facility.

[1] *National Environmental Protection (assessment of Site Contamination) Measure 1999* (as amended 2013), National Environment Protection Council, 2013 (NEPC 2013).

A summary of the findings of the PSI are as follows:

- An assessment of the site history has identified that the primary land use in developed areas of the site was residential and commercial/ industrial. The site was used for residential purposes in the northern and central eastern portions of the site (Lot 1 DP748675) with cottages constructed between 1949 and 1955. The eastern cottages were demolished between 1994 and 2002. The northern residential area is currently in use, although a number of former structures have been demolished. Lot 1 DP162140 may have been used for agricultural purposes between 1921 and 1956. The southern portion (Lot 31 DP602144) has also been in use for commercial purposes as a concrete plant. The plant was established between 1975 and 1984, and is currently operational. Two dams were constructed on the site between 1975 and 1984. The remainder of the site appears to have been dedicated to residual bushland, carparks and to access paths to site facilities.
- Based on an assessment of the history, environmental setting and a detailed site inspection, potentially contaminating activities were identified, including use of the land for commercial and rural residential use, possible introduction of fill to create site levels and dams, discarded soil and anthropogenic waste, fuel and chemical storage/use, and the presence of current and former structures potentially containing hazardous building materials such as ACM and lead-based paint.
- Aesthetic issues were observed including ACM on the ground surface, an AST, chemical storage drums/containers, discarded anthropogenic waste (including brick, concrete, and metal stockpiles), and general anthropogenic inclusions (i.e. brick, concrete, tile and glass) in fill.
- Although the potential for contamination is noted, the assessment did not identify the potential for gross or widespread contamination which may preclude redevelopment for the intended land use, and potential contamination and aesthetic issues identified are readily able to be remedied by standard industry methods.

Based on the findings of this investigation and the limitations in **Section 6**, it is concluded the site is capable of being made suitable for the proposed IN3 Heavy Industrial land use.

It is recommended that the site be subject to detailed site investigation(s) at the time of future development applications, consistent with SEPP 55.

It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken on existing site structures prior to any demolition works.

1. Introduction

JBS&G Australia Pty Ltd (JBS&G) was engaged by Boral (the client) to conduct a Preliminary Site Investigation (PSI) of Boral landholdings at Maldon near the intersection of Picton Road and Menangle Road, south of Picton Road. The site is located on the western side of Maldon Bridge Road, and is legally identified as Lot 1 in Deposited Plan (DP) 748675, Lot 1 DP162140, Lot 1 DP795225, Lot 1 & 2 DP1138675, Lot W DP163774, Lot X DP161196 and Lot 31 DP6022144. The site covers an area of approximately 23.3 hectares (ha). The site location and layout are presented on **Figures 1** and **2** respectively.

The site is currently zoned RU2 Rural Landscape under *Wollondilly Local Environmental Plan 2012* (Wollondilly LEP) and has not yet been intensively developed. The site could be rezoned to expand the employment capacity of the existing operation or establish new industrial uses.

It is understood that the client requires an assessment of potential contamination status at the site, to support planning proposals for rezoning to IN3 Heavy Industrial, compliant with *State Environmental Planning Policy 55 – Remediation of Land* (SEPP 55). The PSI has been developed in general accordance with guidelines made or approved by the NSW Environment Protection Authority (EPA) including *National Environment Protection (Assessment of Site Contamination) Measure 1999* as amended 2013 (NEPC 2013[2]), and relevant Australian Standards.

1.1 Objectives

The objectives of the investigations are to assess the potential for contamination based on current and historical site activities and to draw preliminary conclusions of the potential contamination status of the site to support planning proposals for rezoning to IN3 Heavy Industrial, compliant with SEPP 55.

1.2 Scope of Work

To achieve the objectives of the investigation, the following scope of works was conducted:

- Desktop review of readily available site history and site condition records to identify areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs);
- Compilation of historical aerial photographs, council planning certificates, current and historical land title records, Office of Environment and Heritage (OEH) heritage records, EPA notifications, EPA contaminated land records, and review licensed groundwater data;
- Completion of a detailed site inspection; and
- Preparation of a PSI report in general accordance with relevant EPA guidelines, including recommendations for further investigation of potential contamination if deemed appropriate.

[2] National Environmental Protection (assessment of Site Contamination) Measure 1999 (as amended 2013), National Environment Protection Council, 2013 (NEPC 2013).

2. Site Condition and Surrounding Environment

2.1 Site Identification

The site location is shown on **Figure 1**. The site layout and associated cadastral boundaries are shown on **Figure 2**. The site details are summarised in **Table 2.1** and described in detail in the following sections.

Table 2.1 Summary Site Details

Lot/Deposited Plan (DP)	Lot 1 in DP748675, Lot 31 in DP602144, Lot 1 in DP795225, Lot W in DP163774, Lot X in DP161196, Lots 1 & 2 in DP1138675 and Lot 1 in DP162140
Address	Boral Lands, West of Maldon Bridge Road, Maldon, NSW Addresses as detailed in planning certificates include 40, 50, 80 & 100 Maldon Bridge Road and Staff Road, Maldon, NSW.
Local Government Authority	Wollondilly Shire Council
Approximate MGA Coordinates (GDA94 - MGA56)	E: 281670 N: 6213569
Site Zoning	RU2 Rural Landscape under Wollondilly Local Environmental Plan 2012 (LEP)
Current Use	Rural residential/agricultural/commercial
Previous Use	Rural residential/agricultural/commercial
Site Area	Approximately 23.3 hectares

2.2 Site Description

A detailed site inspection was completed by an experienced and appropriately qualified JBS&G environmental consultant on 23 September 2020. Photographs collected during the inspection are presented in **Appendix A**.

The site was bound by Maldon Bridge Road to the east, agricultural land to the north, Stonequarry Creek to the west, and commercial property and the Nepean River to the south.

The site was partially developed with some areas of residual bushland. For the purposes of this assessment, the site has been divided into areas defined as Residential Area, Bushland Area, Cleared Area and Concrete Plant, as presented on **Figure 3**. Each of the areas is described in detail below. Potential areas of environmental concern and visible indicators of potential contamination are presented in **Figure 4** and in more detail for the northern and southern portions of the site in **Figures 4A** and **4B** respectively.

Residential Area:

The Residential Area is in the north west of the site, and site features are presented on **Figure 4A**.

The following observations were made:

- The area was accessed via Staff Road, an asphalt and gravel sealed road (**Photo 1**).
- Six workers cottages were noted, with several sheds, caravans and shelters in the surrounding area. Septic tanks were also observed in the front yard of each residence (**Photo 2**).
- The northernmost structure and garage, and two south easternmost structures and a garage were constructed of potential asbestos containing (ACM) cement fibre board (**Photo 2**). The westernmost structure was constructed of potential ACM weatherboard cladding. Eaves should also be considered as potential ACM.
- Potential lead paint was observed on window and door frames.
- Minor anthropogenic materials including brick, concrete, glass and tiles, were noted in surface soils of a vacant plot near a former concrete driveway (**Photo 3**). No ACM was observed.

- A shelter with wooden frame, metal roof and a concrete slab (**Photo 4**) was observed in the southern portion of the Residential Area, at the end of Staff Road. A gravel path lead to the structure and brick, concrete and tile fragments were observed in surface soils in the vicinity. No ACM was observed.
- South east of the shelter was a concrete footing on the eastern side of Staff Road, in the south eastern portion of the Residential Area. Brick, concrete, glass and tile fragments were observed in surrounding surface soil. No ACM was observed.
- Two concrete septic tanks were observed to the south of the footing.

Bushland Area

The Bushland Area was located across most of the site, generally in the western portion. Site features are presented on **Figures 4A & 4B**.

The area was heavily vegetated with thick residual bushland.

Numerous stockpiles of discarded anthropogenic waste including brick, metal framework and concrete, were observed adjacent to Park Road, in the central southern portion of the site (**Photos 5 to 8**). ACM was observed at one location, associated with a pile of bricks (**Photo 6**). The discarded waste stockpiles extended approximately 5 m west into the area. No significant anthropogenic materials were observed closer to the Creek.

No observable signs of contamination or anthropogenic materials were noted in the bushland in the north, between the Cleared and Residential Areas or to the west between the Residential Area and Stonequarry Creek. The western length of the site was bordered by a steep sandstone rocky outcrop and steep decline towards Stonequarry Creek.

Cleared Area

The Cleared Area was present adjacent to Maldon Bridge Road in the eastern end of the site, and site features are presented on **Figures 4A & 4B**.

Two dams were present in the northern portion of the area. The land surrounding the dams was largely covered in grass, with sparse tree cover and exposed soil observed in areas of high foot traffic. A staircase was present at the south eastern end of the southern dam, potentially leading to a pump. It is unknown what the water held by the dams was used for, although it is surmised they relate to the adjacent cement work operations. A small stockpile of soil with inclusions of gravel and organic matter was present north west of the northern dam. No ACM was observed.

The land between the two dams was characterised by thick, knee-high grass cover. A drainage line was noted through the area, running south towards the southern dam. A second drainage line ran south from the southern dam to Stonequarry Creek.

The dams were secured by a chain wire fence and observations were made from the fence line as there was no access at the time of the inspection. PVC pipes, wooden posts and a 250L drum were observed to be stored within the fenced area of the southern dam (**Photo 9**). Plastic drums were observed within the fence line of the northern dam (**Photo 10**). The contents of the drums were unknown.

A concrete sealed/gravel surfaced carpark was present north east of the northern dam, which was approximately 2.5 to 3 m above the ground level to the west (**Photo 11**). A gravel and concrete sealed road lead south from the carpark to a second carpark (**Photo 12**), east of the southern dam. Some pooled surface water was noted in wheel ruts. No odours or sheens were overserved on the water. Fly tipped general waste was observed in the carpark areas.

The grassed area south of the southern dam appeared to have been levelled via potential cut and fill activities, and sloped steeply downward at the southern end, towards Park Road (**Photo 13**). A dirt

track led from the south eastern corner of the southern dam to Park Road (see **Figure 4A**). Minor inclusions of brick, concrete and glass fragments were visible in the exposed soil track. A third carpark was present east of the dirt footpath.

Park Road extended west into the site from Maldon Bridge Road. The northern (east to west) length of the road was sealed with asphalt, and continued as a dirt vehicle track to the south and then east back toward Maldon Bridge Road north of the Concrete Plant.

The general centre of the Cleared Area had formerly held worker cottages. Excavation work had previously occurred in the area for the installation of a sprinkler system (**Photo 14**). Dilapidated drainage inlets were noted in the area (**Photo 15**). Potential ACM fragments were observed on the ground surface in the area (**Photo 16**). A stockpile of gravel and a concrete slab was present in the western end of the area (**Photo 17**).

South of the former worker cottages, the land was characterised by sparse trees with expansive grass cover and dirt footpaths and track were common. Potential ACM fragments were observed on the ground surface in areas of exposed soil (**Photo 18**). A gravel surfaced area was located off Maldon Bridge Road and was in use at the time for truck and dog parking (**Photo 19**).

At the southern end of the area was a transmission line easement where exposed soils of red/yellow sandy clay were observed (**Photo 20**).

Concrete Plant:

The Concrete Plant was located in the south eastern end of the site, and site features are presented on **Figure 4B**.

The following observations were made:

- The Plant area ground surface was sealed with concrete.
- Three semi-permanent operational structures were present in the area including a site office, chemical storage building (**Photo 21**) and a control building (**Photo 22**). They were constructed of metal, with potential ACM eaves observed on the chemical storage and control buildings. Several metal sheds and a shipping container were also present. A bunded concrete additive chemical storage tank area was present at the western end of the control building, in the general centre of the plant.
- The chemical storage building in the south western portion of the occupied area (**Photo 21**) stored chemicals including oil, oxides, weed killer and truck washing products.
- Sand and aggregates were stockpiled in bays in the northern end of the concrete plant (**Photo 23**).
- A 4,500 L capacity aboveground storage tank (AST) labelled for distillate (diesel) storage was located in a bund, in the east of the concrete plant (**Photo 24**). Potential leakage was evident as staining on the southern bund wall.
- Truck wash facility in the west of the concrete plant.

2.3 Surrounding Land-use

Surrounding land-uses at the time of site inspection are described following:

- North: Southern Highlands Train Line, commercial property (Picton Karting Track), Picton Road, and commercial (Multiquip poultry hatchery) and agricultural land/ rural residential properties beyond;
- East: Maldon Bridge Road and commercial/ industrial property (Boral Cement and Quarry Terminal). Residual bushland and Carriage Creek were present beyond;

- South: Maldon Bridge Road, commercial/ industrial property (Council-owned material storage area), bushland and the Nepean River; and
- West: Stonequarry Creek, residual bushland and agricultural land.

2.4 Topography

Review of topographic information obtained from Google Earth Pro (Google Earth, 2018[3]) indicated that site had an undulating elevation, ranging from 94 m to 152 m Australian Height Datum (AHD) sloping down to Stonequarry Creek, generally to the west. The highest elevation was located in the general centre of the eastern site boundary, with the lowest located at the southernmost point of Stonequarry Creek.

2.5 Geology and Soils

A review of the Wollongong – Port Hacking 1:100 000 Geological Series Sheet (DME 1985[4]) indicated that most of the site is underlain by middle Triassic aged Hawkesbury Sandstone from the Hawkesbury Sandstone Group. This material is characterised by medium to coarse-grained quartz sandstone, very minor shale and laminate lenses. In areas along the eastern edge of the site Hawkesbury Sandstone may be overlain by middle Triassic aged Wianamatta Group sediment including Ashfield Shale characterised by laminite and dark-grey siltstone. Exposed sandstone was observed during the site inspection, as a rocky outcrop along Stonequarry Creek.

Reference to the online ESPADE 2.0 tool hosted by the NSW Office of Environment and Heritage (OEH 2020[5]) indicates that most of the site is present within the Blacktown Soil Landscape Group. This Landscape Group is characterised by:

- **Landscape**: Gently undulating rises on Wianamatta Group shale. Local relief to 30m; slopes are usually <5%. Broad rounded crests and ridges with gently inclined slopes. Almost completely cleared eucalypt woodland, open-forest and tall open-forest (wet sclerophyll forest).
- **Soils**: Shallow to deep (<150 cm) Red Podzolic Soils and Brown Podzolic Soils on crests, upper slopes and well-drained areas; deep (150-300 cm) Yellow Podzolic Soils and Soloths on lower slopes and in drainage depressions and localised areas of poor drainage.
- **Limitations**: Moderately reactive, highly plastic subsoils, low soil fertility.

2.6 Hydrology

The closest water body was Stonequarry Creek which bordered the western length of the site. The confluence of Teatree Gully to Stonequarry Creek was located at the most western point of the site. Stonequarry Creek flowed south to the Nepean River, 80m south of the site.

As discussed in **Section 2.2**, the site was predominantly unsealed, with some pockets of residual bushland. As such, precipitation falling onto the site is expected to infiltrate surface soils where exposed at a rate reflective of the permeability of the underlying soils. Excess water, especially during periods of heavy or prolonged rainfall, is expected to follow the topographic gradient and be collected by the two dams and associated drainage system or Stonequarry Creek.

[3] Google Earth Pro, imagery date 12 March 2018, accessed 16 September 2020, (Google Earth, 2018)
[4] Wollongong – Port Hacking Geological Series Sheet 9029-9129 (1st Edition), NSW Department of Minerals and Energy, 1985 (DME 1985)
[5] *ESPADE 2.0*. NSW Office of Environment and heritage, accessed 16 September 2020 (OEH 2020)

2.7 Hydrogeology

A search for registered groundwater bore information was undertaken on Water NSW[6] website and results are included as **Appendix B**. A total of 4 registered bores were located within a 1.5 km radius of the site boundary, and their relevant information is summarised in **Table 2.2**.

Although the standing water level of the two closest wells were not provided, as monitoring wells they were installed to target groundwater between 15 m to 27 m based on the well depths. It is anticipated that groundwater will be shallowest close to Stonequarry Creek, at the southern end of the site. The other bores were installed to capture deeper groundwater in bedrock aquifers.

Table 2.2: Registered Groundwater Bore Search Summary

Bore ID	Use	SWL[1] (m bgs)	Final Drilled Depth (m)	Approximate distance/ direction from site centre	Lithology
GW102481	Monitoring	-	27.0	360 m West	-
GW102482	Monitoring	-	17.0	1 km South West	-
GW067606	Stock, Domestic, Farming	WBZ[2]: 98.5-98.8 and 140.7-140.9	150	1.2 km South East	0.0-0.3m: Topsoil 0.3-4.8m: Shale 4.8-35.8m: Sandstone 35.8-36.1m: Shale 36.1-150m: Sandstone
GW104558	Domestic	103	186	1.4 km South East	0.0-3.0m: Clay 3.0-48.0m: Sandstone 48.0-49.0m: Shale 49.0-62.0m: Sandstone 62.0-64.0m: Shale 64.0-186.0m: Sandstone

1. SWL: Standing water level
2. WBZ: Water bearing zones

2.8 Acid Sulfate Soils

Review of the Acid Sulfate Soil (ASS) Risk Maps (DLWC 1997[7]) catalogue indicates that there are no risk maps available for Maldon. Review of the Australia Soil Resource Information System (ASRIS 2014[8]) maps indicated that the site is located within an area of extremely low probability of occurrence of ASS. This is consistent with the topographic and geologic setting of the site.

Based on review of geology maps, soil maps and site topography it is unlikely that acid sulfate soils would be present on-site. No further consideration of requirements for the management of acid sulfate soil is required.

2.9 Salinity

Review of the regional salinity potential map[9] indicated that the eastern length of the site is located in an area of moderate salinity potential, consistent with the area underlain by shale/siltstone bedrock.

The definition provided on the map indicates moderate salinity potential is where scattered areas of scalding and indicator vegetation have been noted but no concentrations have been mapped. High salinity potential areas are those where conditions are similar to areas of known salinity, that is, where aerial photography interpretation and field observations have confirmed more than one of the following:

- scalding

6 Water NSW website, https://realtimedata.waternsw.com.au/, accessed 16 September 2020
7 *Acid Sulfate Soil Risk Maps* (Edition 2), NSW Department of Land and Water Conservation (DLWC 1997)
8 Australian Soil Resource Information System, http://www.asris.csiro.au/mapping/viewer.htm, Last updated 30 June 2014, accessed 16 September 2020 (ASIRS 2014)
9 Salinity Potential in Western Sydney 2002, Department of Infrastructure, Planning and Natural Resources (DIPNR, 2003).

- salt efflorescence
- vegetation dieback
- salt tolerant plant species
- waterlogging.

Areas of high salinity potential are typically encountered in lower slopes and drainage systems where water accumulation is high.

Urban infrastructure such as roads, buildings, water and sewage pipes can be degraded by urban salinity to such an extent that they have to undergo expensive repair or premature replacement.[10]

During the site inspection, no evidence of scalding, salt efflorescence or vegetation dieback were noted during the site inspection.

[10] Introduction to Urban Salinity, DIPNR, 2006.

3. Assessment of Background Records and Site History

3.1 EPA Records

A search of the NSW EPA database was undertaken for the site and immediate surrounding properties. EPA records are provided in **Appendix** C. The search was done through the following public registers:

- NSW EPA *Protection of the Environment Operations Act 1997* (POEO Act) public register of licence, applications and notices (maintained under Section 308 of the POEO Act).
  - No prevention, clean-up or prohibitions notices has been issued under the POEO Act for the site.
  - An Environment Protection Licence (EPL) (No. 212) was issued to Boral Cement Limited currently located at the site. The licence relates to cement or lime production and is currently active, predominantly on the main cement works east of the site. The EPL refers to monitoring of air emissions and water discharges, and includes reference to one sediment dam in the west of the cement works. Maldon Cement Works are listed on the Australian Government's National Pollution Inventory (NPI) database[11], which lists fugitive air emission data for a range of substance including particulate matter, polycyclic aromatic hydrocarbons (PAHs) and volatile organic compounds (VOCs). No land or water emissions were noted.
  - An Environment Protection Licence (EPL) (No. 12498) was issued to Allied Pinnacle Pty Ltd (Allied Mills) 330 Picton Road, Maldon, approximately 600 m east of the site. The licence relates to general agricultural processing. Considering the distance and nature of the licence (agricultural processing), it is unlikely to impact the site.
- NSW EPA contaminated land public register of record of notices (under Section 58 of the *Contaminated Land Management Act 1997* (CLM Act)).
  - No notices have been issued under the CLM Act for the site and immediate surroundings.
  - A notice was issued to Blue Circle Southern Cement Ltd Lot 2 Wilton Road, Maldon, located south of site and south of the Nepean River. The notice relates to the disposal of asbestos contaminated wastes on site. Considering the distance from the site, with the river in between, and nature of the contaminant (asbestos waste), it is unlikely to impact the site.
- NSW contaminated sites notified to the EPA (under Section 60 of the CLM Act).
  - The site or immediate surrounding are not on the list of NSW contaminated sites notified to the EPA.
- Per- and polyfluoroalkyl substances (PFAS) Investigation Program.
  - The site is not listed by EPA on the NSW Government PFAS Investigation program. The closest PFAS investigation area identified by the EPA is the Camden Airport (Aerodrome Road, Cobbitty). Given the Airport is 17.5 km north east of the site, and its location outside the catchment area of the site, it is unlikely any PFAS related impacts at the airport pose a risk to the site.

[11] *2017/2018 report for Boral Cement Limited, Maldon Cement Works - Maldon, NSW*, Australian Government, Department of the Environment and Energy, accessed 06-10-2020, http://www.npi.gov.au/npidata/action/load/emission-by-individual-facility-result/criteria/state/NSW/year/2018/jurisdiction-facility/454

3.2 Australian and NSW Heritage Register

A search of the Australian Heritage and the NSW Heritage database did not identify any heritage listed items at the site or surrounding area.

Both Australian Heritage Trust and NSW Heritage information are included in **Appendix D.**

3.3 Section 10.7 Planning Certificate Search

Section 10.7 (2) and (5) Planning certificates were obtained for Lot 1 DP748675, Lot 31 DP602144, Lot 1 DP795225, Lot W DP163774, Lot X DP161196, Lots 1 & 2 DP1138675 and Lot 1 DP162140 from Wollondilly Shire Council (**Appendix E**). The planning certificates included the following pertinent information regarding the site:

- The site is zoned as RU2 Rural Landscape under Wollondilly LEP;
- The land is not affected by policy for landslip, bushfire, tidal inundation, subsidence or any other risk (other than flooding);
- The land is within a Mine subsidence district;
- Part of the land is wholly bushfire prone (Lot 1 DP795225, Lot 31 DP602144), part of the land is partially bush fire prone (W DP163774, Lot 1 DP1138675, Lot X DP161196, Lot 1 DP748675) and part of the land is not shown as bushfire prone (Lot 2 DP1138675);
- Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register;
- The land or part of the land is not subject to flood related development controls for the purposes of dwelling, dual occupancies, multi dwelling housing or residential buildings. The land is not subject to riverine flood related development controls;
- The land does not include or comprise critical habitat, is not in a conservation area and is not biodiversity certified;
- The land is not in a Heritage Conservation Area and no Items of environmental heritage are situated on the land;
- The land is not within an investigation area or remedial site, subject to a management or remediation order, subject of an approved voluntary management or remediation proposal, or subject of a site audit statement within the meaning of the CLM Act 1997.

3.4 Aerial Photographs

Historical aerial photographs provided by the Land and Property Information Division of the Department of Finances, Services and Innovation or Near-Map Imagery were reviewed for this assessment (**Appendix F**). The aerial photograph review identified the following features in relation to historical use of the site:

1949	The site was partially cleared, with some residual bushland and some sparse tree cover. The site appeared to have been vacant, with no structures evident. A drainage channel/creek line was present through the north western area of the site, running from the north end to the general north of the western boundary, into Stonequarry Creek. Maldon Bridge Road, Picton Road and the Southern Highland Train Line had been established. The surrounding land to the east appeared to be in use primarily for commercial use in the footprint of the current cement works, with a small orchard to the northeast. Residual bushland was present to the west and south of the site. The land further west and to the north of the site was in use for agricultural purposes

1955	The site was partly obscured by cloud or smoke. Staff Road was present and led to a residential area of workers cottages in the northern portion of the site. Cottages were also present in the general centre of the eastern portion of the site. The ground appeared to have been disturbed on the eastern boundary in the north, where current carparks exist. The commercial property east of the site (cement works) appeared the have been further developed, and preparation of a rail siding in the north has replaced the orchard. The remainder of the site and surrounding land appeared similar to the 1949 imagery.
1961	Potential earthworks or clearing had occurred north of the cottages in the eastern portion of the site, including the establishment of Park Road and a carpark. The remainder of the site and the surrounding land appeared similar to the 1955 image. The rail siding in the north of the cement works has been completed and was in use.
1975	Additional dwellings had been constructed in the northern cottage area, including one southeast of Staff Road, and further tree clearing had occurred in the area. A cottage with shed in the south of the Cleared Area of the site has been demolished. Further ground disturbance was evident north of the cottages in the eastern portion of the site. A track had appeared in the southern end of the site, leading to a cleared area south of site, but north of the Nepean river, where the Council-owned material storage area currently exists. The commercial area (cement works) to the east of site had expanded east. The remainder of the site and surrounding land appeared similar to the 1961 image.
1984	A driveway and carparks had been constructed along the eastern boundary, with a structure (possible office) located at the edge of the concrete driveway central to the eastern boundary. Two dams had been established on site in the north. Drainage lines were visible that ran to the drainage channel/creek line. A stand of trees had been planted north of the northern residential area. The Concrete Plant had been established in the southern end of the site. The southern cleared area had been expanded and appeared to hold stockpiled materials.
1994	A cottage had been demolished in the northern residential area west of Staff Road, and the structure southeast of Staff Road in this area had also been demolished. The site and the surrounding land appeared similar to the 1984 image.
2002	Concrete carpark had been added to the concrete driveway in the northern end of the eastern boundary. The central eastern cottages had been demolished. The remainder of the site appeared similar to the 1994 image. A recreational use carting track had been established north of site. Centre pivot irrigation had been installed west of the site on property west of Nepean River. The remainder of the surrounds appeared similar to the 1994 image.
2010	The southern carpark on the eastern boundary had been extended south. Further expansion of southern commercial area on site. The remainder of the site and surrounds appeared similar to the 2002 image.
2020	Bare ground was visible along the eastern boundary towards the south. Further structures had been demolished in the northern residential area. Commercial structure built to north of site, north of Picton Road and the trainline. The remainder of the site and the surrounding land appeared similar to the 2010 image.

3.5 Historical Title Review

A copy of the historical title's documentation obtained for the site is provided in **Appendix G**. A summary of the search findings is provided below.

Most of the site (all except Lot 1 DP162140) was held by a private landowner (Robert Antill, Esquire) from 1901, until the lots were transferred to Perpetual Trustee Company Ltd in 1928. They were then transferred to Metropolitan Portland Cement Pty Ltd in 1949.

Lot 1 DP795225 and Lot X DP161196 were owned by various commercial properties from the mid-1950s until 1978.

Lot 1 DP162140 was owned by a farmer likely forming part of the neighbouring agricultural area from 1921 to 1956. The land was then transferred to a school teacher from 1956 until 1966, and was likely used for residential purposes during that time. The lot was then acquired by The Commonwealth Portland Cement Company Pty Ltd.

Between 1959 and 1978, Lot W DP163774 was held by private landowners including a manager, process worker, store keepers and a retired coal miner. Historical structures on the site at this time may have been utilised for commercial or residential purposes. Metropolitan Portland Cement Pty Ltd acquired the lot in 1978.

Following the ownership as outlined above, the site was acquired by Boral (formerly Blue Circle Southern Cement) in 1979 (Lot 31 DP602144) and 1989 (Lot 1 DP795225, Lot X DP161196, Lot 1 DP162140 and Lot W DP163774). Lots 1 & 2 DP1138675 were acquired in 1987 by Metropolitan Portland Cement Ltd.

3.6 Integrity Assessment and Summary of Site History

Historically, the site appeared to have been used for residential purposes in the northern and central eastern portions of the site (Lot 1 DP748675) with cottages constructed between 1949 and 1955. The eastern cottages were demolished between 1994 and 2002. A cottage in the south of Cleared Area was demolished earlier, between 1961 and 1975. The northern residential area is currently in use, although some structures have been demolished. Lot 1 DP162140 may have been used for agricultural purposes between 1921 and 1956.

The site has also been in use for commercial purposes as a concrete plant, in the southern portion (Lot 31 DP602144). The plant was established between 1975 and 1984 and is currently operational.

Two dams were constructed on the site between 1975 and 1984. The remainder of the site appears to have been dedicated to residual bushland, carparks and to access paths to site facilities.

Based on the range of sources and the general consistency of the historical information along with historical aerial photographs, it is considered that the historical assessment has an acceptable level of accuracy with respect to the potentially contaminating activities historically occurring at the site. These appear to relate predominantly to use of the land for commercial and rural residential use, possible introduction of fill to create site levels and dams, discarded soil and anthropogenic waste, a diesel AST, stored chemicals, and the presence of current and former structures possibly containing hazardous building materials.

4. Conceptual Site Model (CSM)

4.1 Potential Areas of Environmental Concern

Based on the history review and observations made during the JBS&G inspection of the site, areas of environmental concern have been identified and are presented in **Table 4.1**.

Table 4.1: Areas of Environmental Concern and Associated Contaminants of Potential Concern

Area of Environmental Concern (AEC)	Primary Contaminants of Potential Concern (COPC)
Fill materials of unknown origin used to create current site levels	Total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene and xylene (BTEX), polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyl (PCBs), heavy metals, organochlorine pesticides (OCPs) and asbestos
Historical filling associated with easement construction and service installation	TRH, BTEX, PAHs, PCBs, heavy metals, OCPs and asbestos
Fly-tipping or illegal dumping (waste & stockpiles)	TRH, BTEX, PAHs, PCBs, heavy metals, OCPs and asbestos
Dam walls (filling or dumping during formation)	TRH, BTEX, PAHs, PCBs, heavy metals, OCPs and asbestos
Surface water and sediments in dams	Heavy metals, OCPs, TRH/BTEX, PAHs, Nutrients, biologicals (E.coli, faecal coliforms), per- and polyfluoroalkyl substances (PFAS), pH
Current and former residential structures with hazardous building materials (asbestos, lead-based paint), including garden maintenance and septic systems	Asbestos, heavy metals, OCPs, TRH, BTEX, PAH, biologicals and PFAS (septic)
Commercial land use (concrete plant) including fuel and chemical storage/use, waste/process water & sediments, vehicle wash bay, possible storage/use of PFAS-containing aqueous film-forming foams for fire-fighting	TRH, BTEX, PAHs, phenols, heavy metals, OCPs, asbestos, PFAS, pH
Historical agricultural land use	OCPs and heavy metals
Off-site sources including cement works and agriculture, with surface water runoff, wastewater discharges, particulate emission fallout	TRH, BTEX, PAHs, phenols, heavy metals, OCPs, PFAS, pH

4.2 Potentially Contaminated Media

Potentially contaminated media present at the site includes:

- Surface/fill soils;
- Natural soils/bedrock;
- Surface water; and
- Soil vapour.

Fill and surface soils are considered to be potential impacted media. There was evidence of use of fill materials to create site levels and dams, discarded soil and anthropogenic waste, potential ACM fragments on the ground surface in localised areas, and the presence of current and former structures containing hazardous building materials and with septic systems. In addition, surface soils may be impacted by activities associated with commercial land-uses such as heavy vehicle use and maintenance, process products and waste streams, stored fuels and chemicals, and off-site contaminant sources.

Based on the potential leachability of contaminants within fill material/surface soils, vertical migration of contamination from the fill materials/surface soils into shallow underlying natural soils/rock may have occurred. As such, the natural site soils are considered to be a potentially contaminated medium.

Given the established drainage channels and surface water storage dams observed on and off site, it is considered that where present, contaminants could migrate onto site and off-site via surface

water runoff. In the northern portion of the site, potentially contaminated surface water may be captured and held by the dams.

Groundwater at depth below the site is considered not to be a potentially contaminated medium based on the likely depth to groundwater within bedrock. There may be some shallow/perched seepage water at the soil/rock interface dependent on rainfall infiltration and leakage from surface water storage areas, and such perched groundwater could be contaminated through leaching of contaminants from soil/fill or leaking fuel storage or other surface infrastructure and off-site sources (cement works).

Based on the volatile nature of some identified COPC, there is potential that where these are present in soil and perched groundwater, vapour may be present in areas of the site, particularly at the concrete plant.

4.3 Potential for Migration from Site

Contaminants generally migrate from source areas via a combination of windblown dusts, rainwater infiltration, groundwater migration, vapour convection/diffusion and surface water runoff. The potential for contaminants to migrate is a combination of:

- The nature of the contaminants (solid/liquid and mobility characteristics);
- The extent of the contaminants (isolated or widespread);
- The location of the contaminants (surface soils or at depth); and
- The site topography, geology, hydrology and hydrogeology.

The COPC identified as part of the site history review and site inspection are potentially present in solid form (e.g. asbestos, cement products, etc.) or liquid form (e.g. fuels/oils, chemicals, etc.).

Given the observations of grass, gravel or hardstand covered ground there is limited potential for wind-blown dust migration. It is also noted that where identified, asbestos fragments were observed to be non-friable and in good condition, however there is the potential for weathered/damaged fragments to release fibres and for non-visible friable asbestos forms to be present.

There is potential for infiltration of water and subsequent migration through the soil profile as most of the site is unsealed.

Given the sloping nature of the site and well-established drainage channels observed during the site inspection, it is considered that where present, contaminants could migrate onto site and off-site via surface water runoff.

It is anticipated contamination in liquid form will also be absorbed in the soils. Given the depth to groundwater, migration to and via deeper bedrock groundwater aquifers from the site is considered to be a low risk. However, there is a risk of COPC migration onto and from the site via shallow perched groundwater at/near the soil/rock interface.

Where volatile COPC may have entered soil or shallow groundwater, there is the potential for volatile COPC to migrate via vapour.

Migration of COPC from off-site sources (i.e. the cement works) via fallout of air emissions is a possibility based on NPI data (**Section 3.1**).

4.4 Exposure Pathways and Receptors

Potential pathways and receptors of environmental impact within the site which will need to be addressed with respect to potential risks to current and/or future site user include:

- Current and future site users and landowners who may potentially be exposed to COPC through direct contact with or ingestion of impacted soils/surface water and/or inhalation of

dusts / fibres /gases / vapours associated with impacted soils and/or shallow groundwater; and/or

- Excavation / construction / maintenance workers conducting activities at the site, who may potentially be exposed to COPC through direct contact with impacted soils/surface water/perched groundwater present within excavations and/or inhalation of dusts / fibres associated with impacted soils;
- Any flora species to be established on the vegetated areas of the site;
- Existing and/or future users/occupants and of adjoining properties should contamination migrate from the site. This is anticipated to be limited to potential contaminant migration via windblown dusts / airborne fibres
- Existing and/or future ecological receptors, namely the Stonequarry creek and Nepean River system should contamination migrate from the site. This is anticipated to be limited to potential contaminant migration via windblown dusts / airborne fibres and/or surface water and shallow perched groundwater.

The site is currently primarily covered by vegetation with some areas of gravel, concrete or asphalt sealed surfaces, presenting an ongoing risk to potential ecological receptors, although no vegetation stress relating to potential contamination from known AECs was observed during site inspection. Flora on site are potential receptors of shallow soil contamination if present. Possible off-site ecological receptors include potential surface water dams and Stonequarry Creek, which the drainage lines flow into.

4.5 Preferential Pathways

For the purpose of this assessment, preferential pathways have been defined as natural and/or man-made pathways that result in the preferential migration of COPC as either solid (sediments, dust, etc) or liquid (surface water).

Man-made preferential pathways are likely present throughout the site, generally associated with areas of previously disturbed natural ground present beneath the existing ground surface and unconsolidated fill materials, such as historic buildings. Fill materials and disturbed natural soil are anticipated to have a higher permeability than the underlying natural soils and/or bedrock.

5. Conclusions and Recommendations

A summary of the findings of the PSI are as follows:

- An assessment of the site history has identified that the primary land use in developed areas of the site was residential and commercial/ industrial. The site was used for residential purposes in the northern and central eastern portions of the site (Lot 1 DP748675) with cottages constructed between 1949 and 1955. The eastern cottages were demolished between 1994 and 2002. The northern residential area is currently in use, although a number of former structures have been demolished. Lot 1 DP162140 may have been used for agricultural purposes between 1921 and 1956. The southern portion (Lot 31 DP602144) has also been in use for commercial purposes as a concrete plant. The plant was established between 1975 and 1984, and is currently operational. Two dams were constructed on the site between 1975 and 1984. The remainder of the site appears to have been dedicated to residual bushland, carparks and to access paths to site facilities.
- Based on an assessment of the history, environmental setting and a detailed site inspection, potentially contaminating activities were identified, including use of the land for commercial and rural residential use, possible introduction of fill to create site levels and dams, discarded soil and anthropogenic waste, fuel and chemical storage/use, and the presence of current and former structures potentially containing hazardous building materials such as ACM and lead-based paint.
- Aesthetic issues were observed including ACM on the ground surface, an AST, chemical storage drums/containers, discarded anthropogenic waste (including brick, concrete, and metal stockpiles), and general anthropogenic inclusions (i.e. brick, concrete, tile and glass) in fill.
- Although the potential for contamination was noted, the assessment did not identify the potential for gross or widespread contamination which may preclude redevelopment for the intended IN3 Heavy Industrial land use, and potential contamination and aesthetic issues identified are readily able to be remedied by standard industry methods.

Based on the findings of this investigation and the limitations in **Section 6**, it is concluded the site is capable of being made suitable for the proposed IN3 Heavy Industrial land use.

5.1 Recommendations

It is recommended that the site be subject to detailed site investigation(s) at the time of future development applications, consistent with SEPP 55.

It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken on existing site structures prior to any demolition works.

6. Limitations

This report has been prepared for use by the client who has commissioned the works in accordance with the project brief only and has been based in part on information obtained from the client and other parties.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client or amended in any way without prior approval by JBS&G, and should not be relied upon by other parties, who should make their own enquiries.

Sampling and chemical analysis of environmental media is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the sampling and analysis considered appropriate based on the regulatory requirements.

Limited sampling and laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Ground conditions between sampling locations and media may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information detailed in the site history. Further chemicals or categories of chemicals may exist at the site, which were not identified in the site history and which may not be expected at the site.

Changes to the subsurface conditions may occur subsequent to the investigations described herein, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.

This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS&G reserves the right to review the report in the context of the additional information.

Figures

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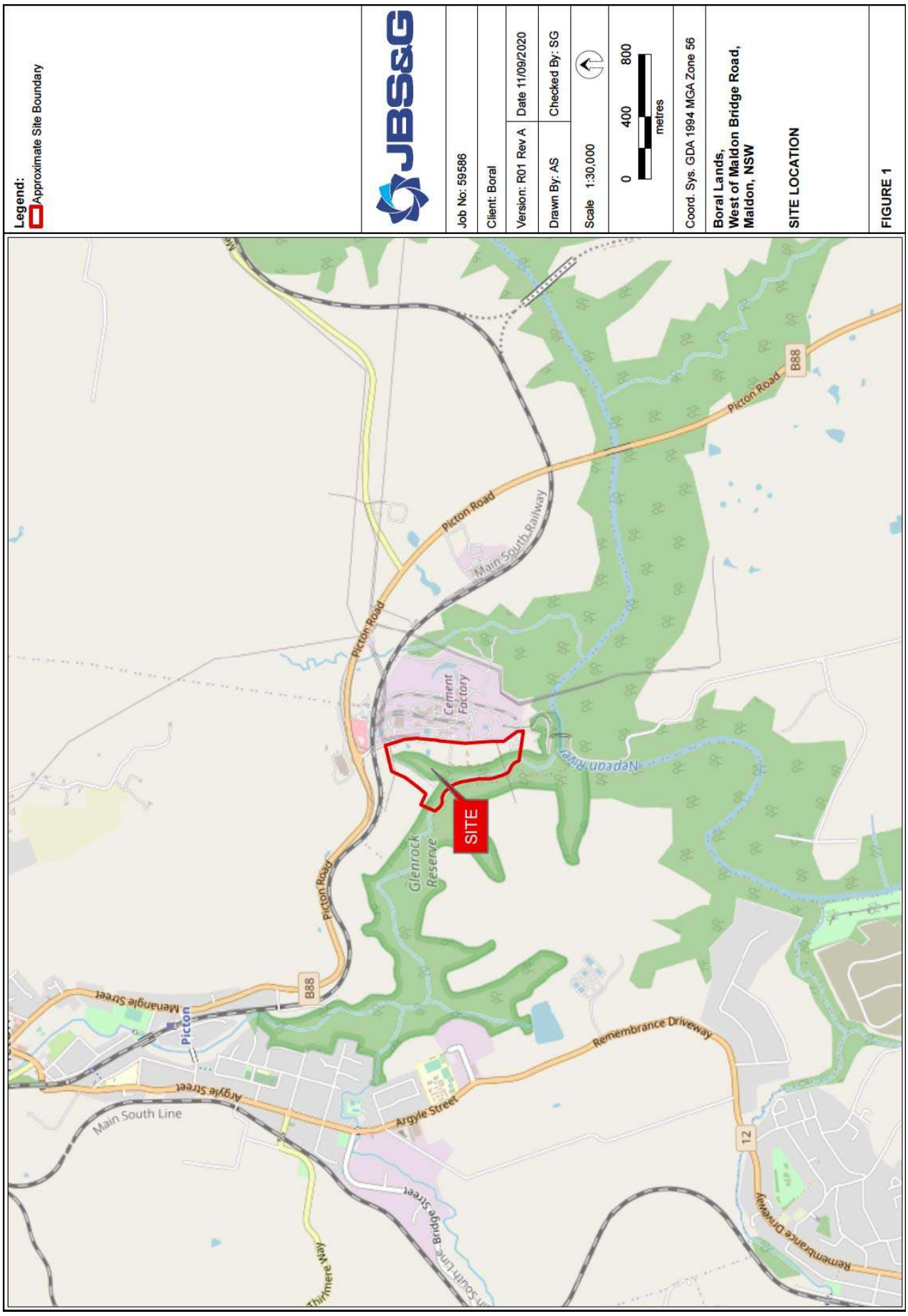
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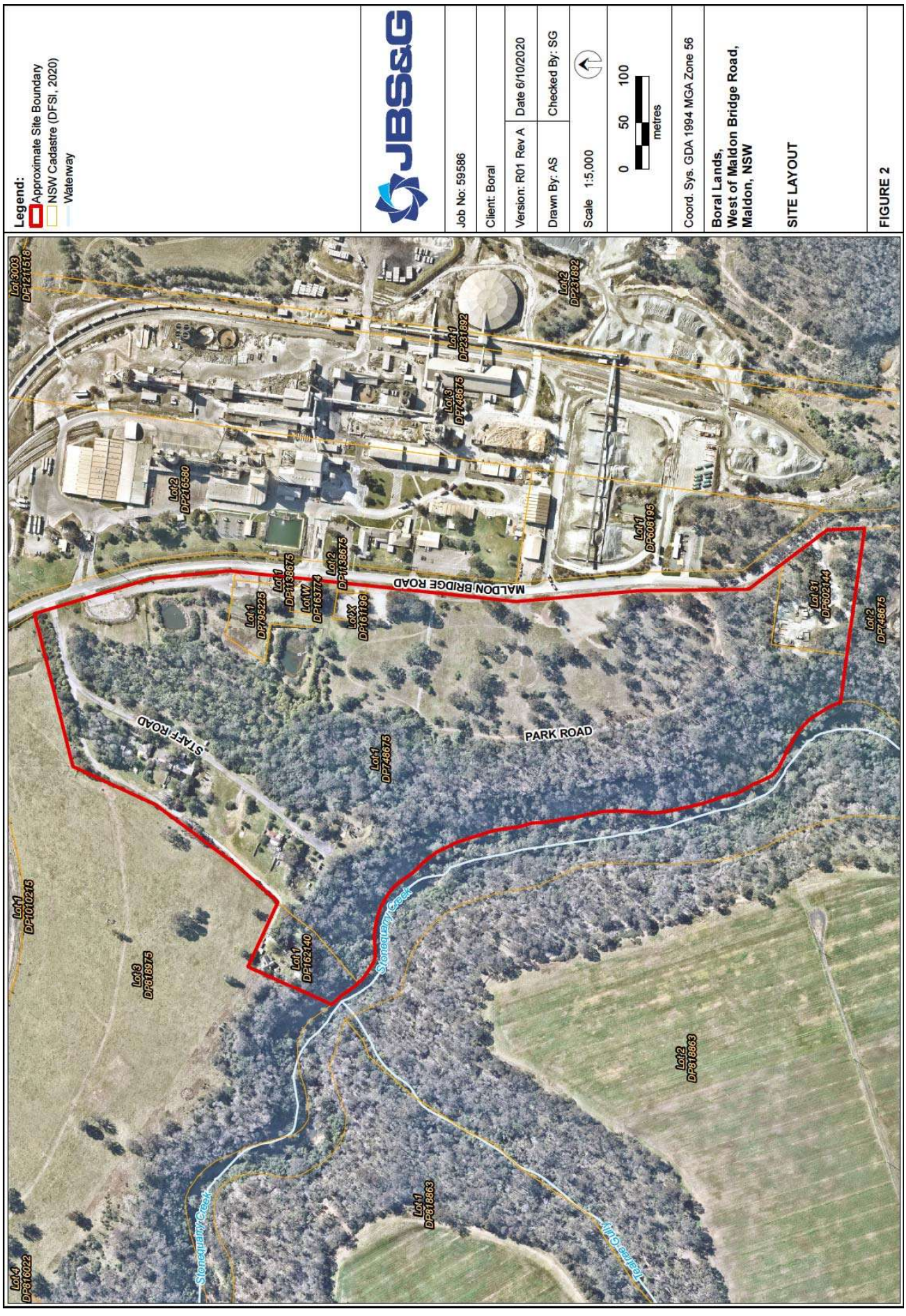
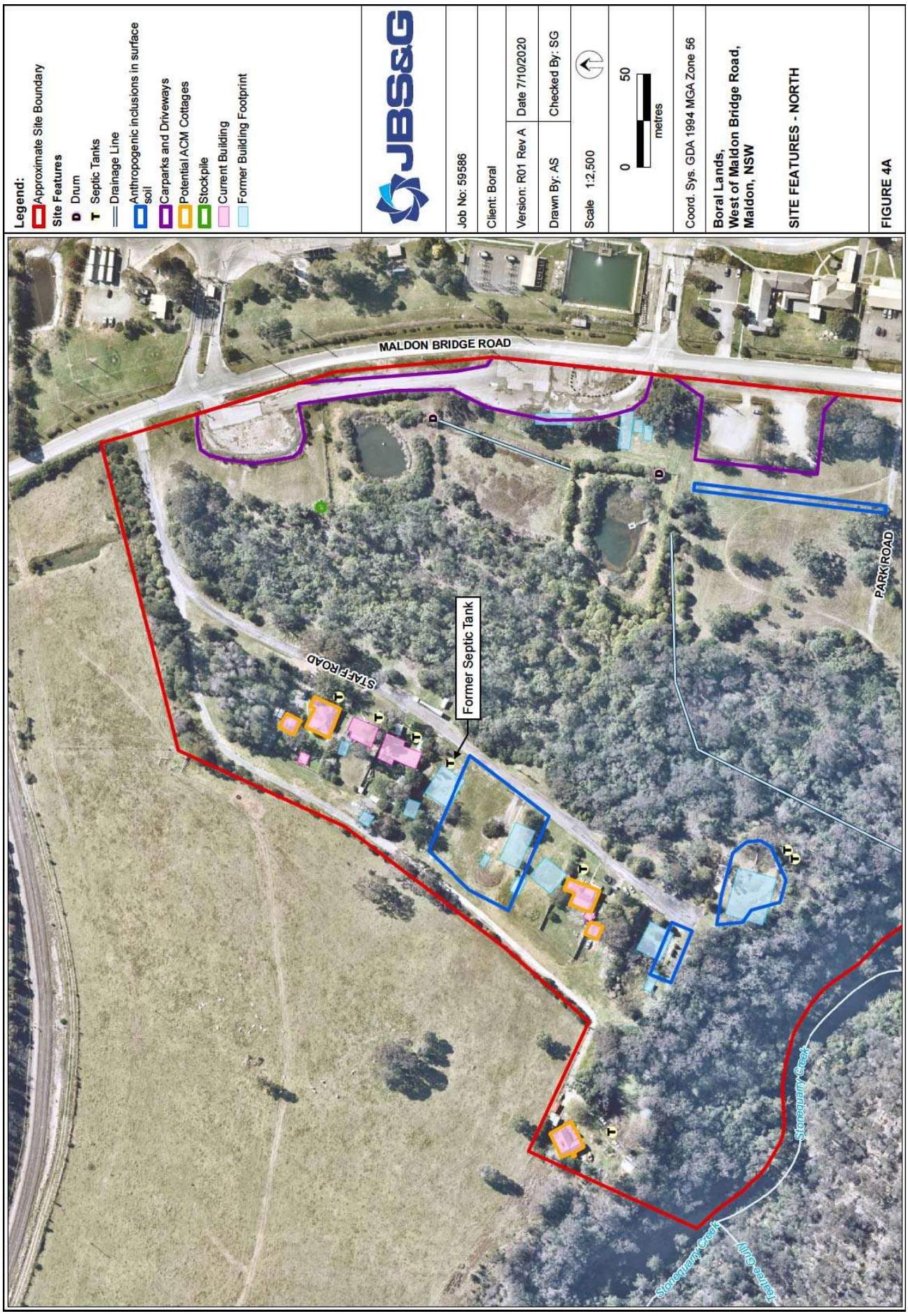
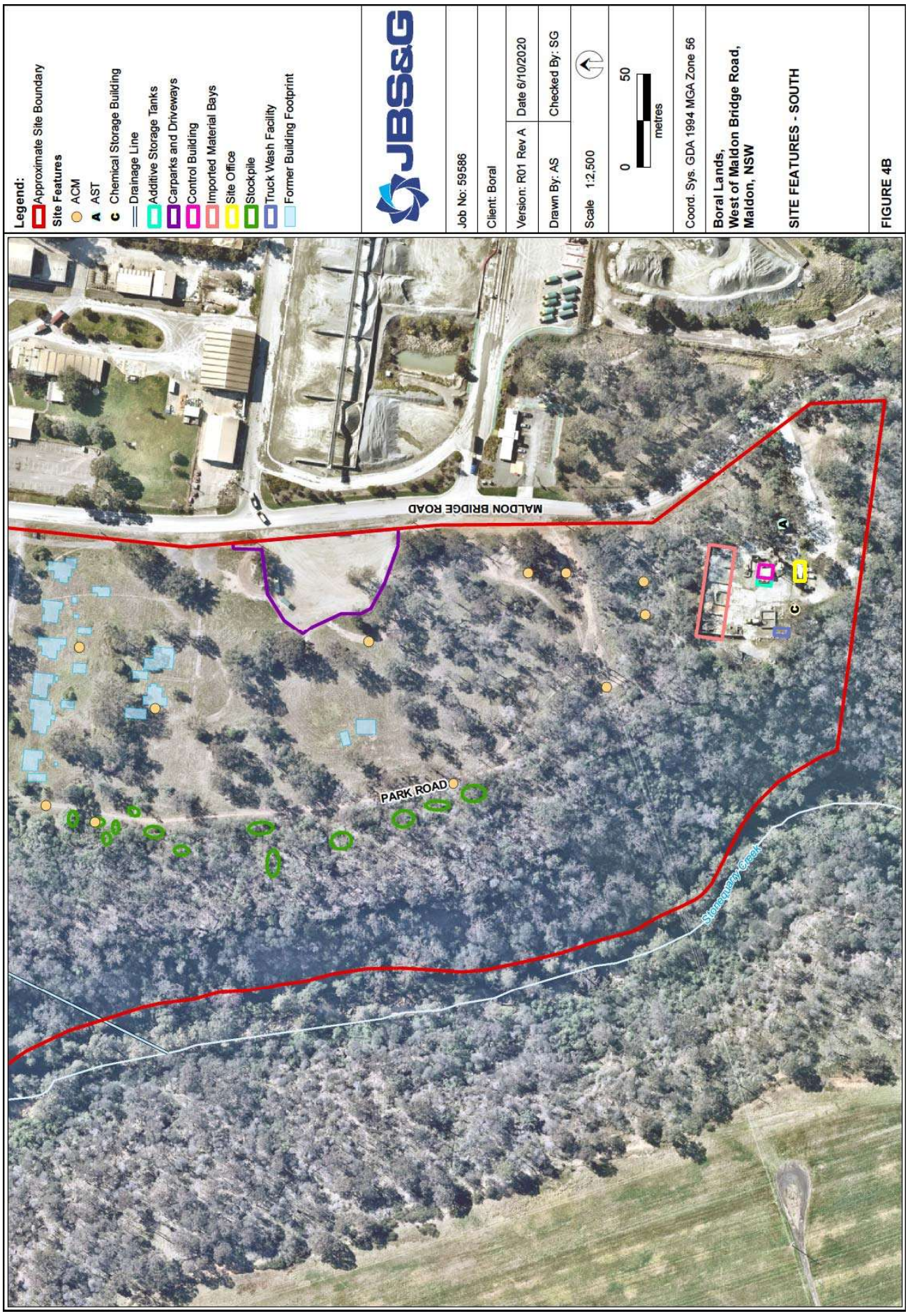
Approximate Site Boundary
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
Scale 1:30,000
0 400 800
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
SITE LOCATION
FIGURE 1
SITE
Picton Road
B88
Main South Railway
Cement Factory
Nepean River
Glenrock Reserve
Menangle Street
Picton
Argyle Street
Main South Line
Remembrance Driveway
Thirlmere Way
12


Legend:
Approximate Site Boundary
NSW Cadastre (DFSI, 2020)
Waterway
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 6/10/2020
Drawn By: AS
Checked By: SG
Scale 1:5,000
0 50 100
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
SITE LAYOUT
FIGURE 2
MALDON BRIDGE ROAD
PARK ROAD
STAFF ROAD
Stonequarry Creek
Stonequarry Creek
Teatree Gully
Lot3003 DP1211518
Lot2 DP216560
Lot11 DP231692
Lot2 DP231692
Lot3 DP746675
Lot1 DP808195
Lot1 DP795225
Lot11 DP1138675
LotW DP163774
Lot2 DP1138675
LotX DP161196
Lot31 DP803144
Lot2 DP746675
Lot1 DP746675
Lot1 DP1010215
Lot3 DP818975
Lot11 DP162140
Lot12 DP818663
Lot1 DP818663
Lot4 DP816022

Legend:
Approximate Site Boundary
Waterway
Bushland
Cleared Area
Concrete Plant
Current Building
Residential Area
Former Building Footprint
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 7/10/2020
Drawn By: AS
Checked By: SG
Scale 1:5,000
0 50 100
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
SITE AREAS
FIGURE 3
MALDON BRIDGE ROAD
PARK ROAD
STAFF ROAD
Residential Area
Cleared Area
Bushland
Concrete Plant
Stonequarry Creek
Stonequarry Creek
Tributary Gully

Legend:
Approximate Site Boundary
Site Features
ACM
AST
Chemical Storage Building
Drum
Septic Tanks
Drainage Line
Additive Storage Tanks
Anthropogenic inclusions in surface soil
Carparks and Driveways
Control Building
Imported Material Bays
Potential ACM Cottages
Site Office
Stockpile
Truck Wash Facility
Current Building
Former Building Footprint
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 7/10/2020
Drawn By: AS
Checked By: SG
Scale 1:5,000
0 50 100
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
SITE FEATURES
FIGURE 4
MALDON BRIDGE ROAD
PARK ROAD
STAFF ROAD
Stonequarry Creek
Stonequarry Creek
Teatree Gully


Legend:
Approximate Site Boundary
Site Features
D Drum
T Septic Tanks
Drainage Line
Anthropogenic inclusions in surface soil
Carparks and Driveways
Potential ACM Cottages
Stockpile
Current Building
Former Building Footprint
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 7/10/2020
Drawn By: AS
Checked By: SG
Scale 1:2,500
0
50
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
SITE FEATURES - NORTH
FIGURE 4A
MALDON BRIDGE ROAD
STAFF ROAD
PARK ROAD
Former Septic Tank
Stonequarry Creek
Stonequarry Creek
Tenure Gully


Legend:
Approximate Site Boundary
Site Features
ACM
AST
Chemical Storage Building
Drainage Line
Additive Storage Tanks
Carparks and Driveways
Control Building
Imported Material Bays
Site Office
Stockpile
Truck Wash Facility
Former Building Footprint
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 6/10/2020
Drawn By: AS
Checked By: SG
Scale 1:2,500
0
50
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
SITE FEATURES - SOUTH
FIGURE 4B
MALDON BRIDGE ROAD
PARK ROAD
Stonequarry Creek

Appendix A Photographic Log

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1: STAFF ROAD LEADING INTO THE RESIDENTIAL AREA, FACING SOUTH WEST

2: NORTHERNMOST COTTAGE CONSTRUCTED WITH POTENTIAL ACM, FACING WEST. ALSO NOTED IS POTENTIAL LEAD PAINT ON WINDOW AND DOOR FRAMES.

3: CONCRETE INCLUSIONS IN SURFACE SOIL

4: SHELTER IN SOUTHERN PORTION OF THE RESIDENTIAL AREA, FACING NORTH

JBS&G

Job No: 59586	
Client: Boral	
Version: R01 Rev A	Date: 30/09/2020
Drawn By: SG	Checked By: MB
Not to Scale	
Coord. Sys n/a	

Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW

Residential Area

APPENDIX A – PHOTO LOG

6: DISCARDED ANTHROPOGENIC IN SOUTHERN END OF BUSHLAND AREA. POTENTIAL ACM FRAGMENT IS CIRCLED
8: DISCARDED ANTHROPOGENIC IN SOUTHERN END OF BUSHLAND AREA
5: DISCARDED ANTHROPOGENIC IN SOUTHERN END OF BUSHLAND AREA
7: DISCARDED ANTHROPOGENIC IN SOUTHERN END OF BUSHLAND AREA
JBS&G
Job No:59586
Client:Boral
Version:R01 Rev A
Date:30/09/2020
Drawn By:SG
Checked By:MB
Not to Scale
Coord. Sys n/a
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
Bushland Area
APPENDIX A – PHOTO LOG

10: PLASTIC DRUMS WITHIN THE FENCE LINE OF THE NORTHERN DAM
12: CARPARK EAST OF SOUTHERN DAM, FACING SOUTH EAST
9: PVC PIPES, WOODEN POSTS AND A 250L DRUM STORED WITHIN THE FENCED AREA OF THE SOUTHERN DAM
11: CONCRETE SEALED/GRAVEL SURFACED CARPARK HELD APPROXIMATELY 2.5 TO 3 M ABOVE THE GROUND LEVEL TO THE WEST, FACING EAST
JBS&G
Job No:59586
Client:Boral
Version:R01 Rev A
Date:30/09/2020
Drawn By:SG
Checked By:MB
Not to Scale
Coord. Sys n/a
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
Cleared Area (North)
APPENDIX A – PHOTO LOG

13: SLOPED SOUTHERN END OF LEVELLED GRASSED AREA, SOUTH OF THE SOUTHERN DAM (FACING WEST)
14: SPRINKLER SYSTEM IN HISTORICAL COTTAGE AREA, FACING WEST
15: DILAPIDATED DRAINAGE INLET IN HISTORICAL COTTAGE AREA
16: POTENTIAL ACM FRAGMENTS ON GROUND SURFACE OF HISTORICAL COTTAGE AREA. POTENTIAL ACM FRAGMENT IS CIRCLED
JBS&G
Job No:59586
Client:Boral
Version:R01 Rev A
Date:30/09/2020
Drawn By:SG
Checked By:MB
Not to Scale
Coord. Sys n/a
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
Cleared Area (Central)
APPENDIX A – PHOTO LOG

17: GRAVEL AND A CONCRETE SLAB WAS PRESENT IN THE WESTERN END OF THE HISTORICAL COTTAGES, FACING NORTH

18: POTENTIAL ACM FRAGMENTS ON THE GROUND SURFACE IN AREAS OF EXPOSED SOIL, SOUTH OF THE HISTORICAL COTTAGES

19: GRAVEL SURFACED AREA IN USE FOR TRUCK AND DOG PARKING, FACING EAST

20: TRANSMISSION LINE EASEMENT IN THE SOUTHERN END OF THE CLEARED AREA, FACING WEST

JBS&G

Job No: 59586	
Client: Boral	
Version: R01 Rev A	Date: 30/09/2020
Drawn By: SG	Checked By: MB
Not to Scale	
Coord. Sys n/a	

Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW

Cleared Area (South)

APPENDIX A – PHOTO LOG

21: CHEMICAL STORAGE BUILDING, FACING WEST

22: CONCRETE ADDITIVE CHEMICAL STORAGE TANKS AND CONTROL BUILDING, FACING NORTH EAST

23: BAYS OF STOCKPILED SAND AND AGGREGATES, FACING NORTH

24: BUNDED 4,500 L CAPACITY ABOVEGROUND STORAGE TANK, FACING NORTH EAST. POTENTIAL LEAKAGES ARE EVIDENT ON THE RIGHT WALL.

JBS&G

Job No: 59586

Client: Boral

Version: R01 Rev A	Date: 30/09/2020
Drawn By: SG	Checked By: MB

Not to Scale

Coord. Sys n/a

Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW

Concrete Plant

APPENDIX A – PHOTO LOG

Appendix B Registered Groundwater Bores

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WaterNSW
Work Summary

GW067606

Licence: **Licence Status:**

Authorised Purpose(s):
Intended Purpose(s): STOCK, DOMESTIC, FARMING

Work Type: Bore
Work Status:
Construct.Method: Cable Tool
Owner Type: Private

Commenced Date: **Final Depth:** 150.00 m
Completion Date: 03/10/1989 **Drilled Depth:** 150.00 m

Contractor Name: (None)
Driller: John Hans Iselt
Assistant Driller:

Property: **Standing Water Level (m):**
GWMA: **Salinity Description:** Fresh
GW Zone: **Yield (L/s):**

Site Details

Site Chosen By:

	County	Parish	Cadastre
Form A:	CAMDEN	WILTON	L5 DP243079
Licensed:			

Region: 10 - Sydney South Coast **CMA Map:**
River Basin: 212 - HAWKESBURY RIVER **Grid Zone:** **Scale:**
Area/District:

Elevation: 0.00 m (A.H.D.) **Northing:** 6212095.000 **Latitude:** 34°12'34.1"S
Elevation Source: Unknown **Easting:** 282421.000 **Longitude:** 150°38'18.1"E

GS Map: - **MGA Zone:** 56 **Coordinate Source:** GD.,ACC.GIS

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1	1	Casing	Galvinised Steel	-0.30	6.20	168			Driven into Hole

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
98.50	98.80	0.30	Consolidated	98.00		0.30			
140.70	141.90	1.20	Consolidated	94.00		2.50			

Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.30	0.30		Topsoil	
0.30	4.80	4.50	Shale & Clay	Shale	
4.80	13.10	8.30	Grey Sandstone	Sandstone	
13.10	27.40	14.30	Yellow Sandstone	Sandstone	
27.40	35.80	8.40	Brown Sandstone	Sandstone	
35.80	36.10	0.30		Shale	

36.10	98.50	62.40	Grey Sandstone	Sandstone	
98.50	98.80	0.30	Grey Sandstone (w.b.)	Sandstone	
98.80	140.70	41.90	Grey Sandstone	Sandstone	
140.70	141.90	1.20	Grey Sandstone (w.b)	Sandstone	
141.90	150.00	8.10	Grey Sandstone	Sandstone	

***** End of GW067606 *****

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

WaterNSW
Work Summary

GW102481

Licence:
Licence Status:
Authorised Purpose(s):
Intended Purpose(s): MONITORING BORE

Work Type: Bore
Work Status:
Construct.Method:
Owner Type:

Commenced Date:
Completion Date: 01/01/1995
Final Depth: 27.00 m
Drilled Depth:

Contractor Name: ENGINEERING EXPLORATIONS PTY LTD
Driller:
Assistant Driller:

Property:
GWMA:
GW Zone:
Standing Water Level (m):
Salinity Description:
Yield (L/s):

Site Details

Site Chosen By:

	County	Parish	Cadastre
Form A:		UNKNOWN	
Licensed:			

Region: 10 - Sydney South Coast
River Basin: - Unknown
Area/District:
CMA Map:
Grid Zone:
Scale:

Elevation: 0.00 m (A.H.D.)
Elevation Source: Unknown
Northing: 6213597.000
Easting: 281032.000
Latitude: 34°11'44.3"S
Longitude: 150°37'25.2"E

GS Map: -
MGA Zone: 56
Coordinate Source: Unknown

Remarks

01/10/1999: DATA FROM AG APPLICATION ONLY

*** End of GW102481 ***

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WaterNSW
Work Summary

GW102482

Licence:		**Licence Status:**	
		Authorised Purpose(s):	
		Intended Purpose(s):	MONITORING BORE
Work Type:	Bore		
Work Status:			
Construct.Method:			
Owner Type:			
Commenced Date:		**Final Depth:**	17.00 m
Completion Date:	01/01/1995	**Drilled Depth:**	
Contractor Name:	ENGINEERING EXPLORATIONS PTY LTD		
Driller:			
Assistant Driller:			
Property:		**Standing Water Level (m):**	
GWMA:		**Salinity Description:**	
GW Zone:		**Yield (L/s):**	

Site Details

Site Chosen By:

		County	**Parish**	**Cadastre**
		Form A:	UNKNOWN	
		Licensed:		
Region:	10 - Sydney South Coast	**CMA Map:**		
River Basin:	- Unknown	**Grid Zone:**		**Scale:**
Area/District:				
Elevation:	0.00 m (A.H.D.)	**Northing:**	6212276.000	**Latitude:** 34°12'27.3"S
Elevation Source:	Unknown	**Easting:**	281217.000	**Longitude:** 150°37'31.2"E
GS Map:	-	**MGA Zone:**	56	**Coordinate Source:** Unknown

Remarks

01/01/1995: Form A Remarks:
DATA FROM AG APPLICATION ONLY

***** End of GW102482 *****

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WaterNSW
Work Summary

GW104558

Licence: 10WA110798 **Licence Status:** CURRENT

Authorised Purpose(s): DOMESTIC
Intended Purpose(s): DOMESTIC

Work Type: Bore
Work Status: Supply Obtained
Construct.Method: Rotary
Owner Type: Private

Commenced Date:
Completion Date: 11/12/2002
Final Depth: 186.00 m
Drilled Depth: 186.00 m

Contractor Name: SOUTHERN TABLELANDS DRILLING
Driller: Roger Charles Ritchie
Assistant Driller:

Property: N/A NSW
GWMA: -
GW Zone: -
Standing Water Level (m): 103.000
Salinity Description:
Yield (L/s): 0.260

Site Details

Site Chosen By:

	County	Parish	Cadastre
Form A:	CAMDEN	WILTON	LT8 DP243079
Licensed:	CAMDEN	WILTON	Whole Lot 8//243079

Region: 10 - Sydney South Coast
River Basin: 212 - HAWKESBURY RIVER
Area/District:
CMA Map: 9029-4S
Grid Zone:
Scale:

Elevation: 0.00 m (A.H.D.)
Elevation Source: (Unknown)
Northing: 6211841.000
Easting: 282447.000
Latitude: 34°12'42.4"S
Longitude: 150°38'18.9"E

GS Map: -
MGA Zone: 56
Coordinate Source: Unknown

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	36.00	205			Down Hole Hammer
1		Hole	Hole	36.00	186.00	165			Down Hole Hammer
1	1	Casing	Pvc Class 9	-0.50	36.00	160	148		

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
125.00	126.00	1.00	Unknown	103.00		0.17	126.00		
140.00	141.00	1.00	Unknown	103.00		0.16	141.00		
149.00	150.00	1.00	Unknown	103.00		0.26	150.00		

Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	3.00	3.00	CLAY AND SOIL	Clay	
3.00	16.00	13.00	WHITE SANDSTONE	Sandstone	
16.00	18.00	2.00	SANDSTONE 10% SHALE	Sandstone	

18.00	32.00	14.00	YELLOW SANDSTONE	Sandstone	
32.00	33.00	1.00	YELLOW SANDSTONE AND 10%SHALE	Sandstone	
33.00	36.00	3.00	YELLOW SANDSTONE	Sandstone	
36.00	38.00	2.00	YELLOW SANDSTONE AND SHALE	Sandstone	
38.00	48.00	10.00	YELLOW SANDSTONE	Sandstone	
48.00	49.00	1.00	SHALE AND SANDSTONE	Shale	
49.00	62.00	13.00	WHITE SANDSTONE	Sandstone	
62.00	64.00	2.00	SHALE AND SANDSTONE	Shale	
64.00	163.00	99.00	WHITE SANDSTONE	Sandstone	
163.00	186.00	23.00	WHITE SANDSTONE AND 10%SHALE	Sandstone	

***** End of GW104558 *****

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

Appendix C EPA Records

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List of current or former licences, applications, notices, audits or pollution studies and reduction programs

Number	Name	Location	Type	Status	Issued date	Comments
1096534	ALLIED MILLS AUSTRALIA PTY LIMITED	330 Picton Road, MALDON, NSW 2571	s.58 Licence Variation	Issued	2-Feb-09	0.6km West, General agricultural processing
1109597	ALLIED MILLS AUSTRALIA PTY LIMITED	330 Picton Road, MALDON, NSW 2571	s.58 Licence Variation	Issued	4-Dec-09	0.6km West, General agricultural processing
1502889	ALLIED MILLS AUSTRALIA PTY LIMITED	330 Picton Road, MALDON, NSW 2571	s.58 Licence Variation	Issued	23-Jan-12	0.6km West, General agricultural processing
12498	ALLIED PINNACLE PTY LIMITED	330 Picton Road, MALDON, NSW 2571	POEO licence	Issued	6-Jul-06	0.6km West, General agricultural processing
212	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	POEO licence	Issued	19-Oct-00	Onsite, Cement or lime production
1018313	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	18-Feb-03	Onsite, Cement or lime production
1044518	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	17-Feb-05	Onsite, Cement or lime production
1052303	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	2-Dec-05	Onsite, Cement or lime production
1081359	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	16-Jan-08	Onsite, Cement or lime production
1087628	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	9-Jul-08	Onsite, Cement or lime production
1104422	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	25-Sep-09	Onsite, Cement or lime production
1129114	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	6-Jul-11	Onsite, Cement or lime production
1500876	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	23-Aug-11	Onsite, Cement or lime production
1503505	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	17-Jan-12	Onsite, Cement or lime production
1505365	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	5-Apr-12	Onsite, Cement or lime production
1507249	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	10-Jul-12	Onsite, Cement or lime production
1507847	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	6-Aug-12	Onsite, Cement or lime production
1508365	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	24-Aug-12	Onsite, Cement or lime production
1515385	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	26-Jul-13	Onsite, Cement or lime production
1518203	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	13-Dec-13	Onsite, Cement or lime production
1577287	BORAL CEMENT LIMITED	40 MALDON BRIDGE ROAD, MALDON, NSW 2571	s.58 Licence Variation	Issued	2-Apr-19	Onsite, Cement or lime production

Home Contaminated land Record of notices

Search results

Your search for:Suburb: MALDON

Matched 1 notice relating to 1 site.

Search Again

Refine Search

Suburb	Address	Site Name	Notices related to this site
MALDON	Lot 2 Wilton Park ROAD	Maldon Works	1 current

Page 1 of 1

21 September 2020

For business and industry

For local government

Contact us

- 131 555 (tel:131555)
- Online (https://yoursay.epa.nsw.gov.au/epa-website-feedback)
- info@epa.nsw.gov.au (mailto:info@epa.nsw.gov.au)
- EPA Office Locations (https://www.epa.nsw.gov.au/about-us/contact-us/locations)

Accessibility (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index)
Disclaimer (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/disclaimer)
Privacy (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/privacy)
Copyright (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/copyright)

Find us on (https://au.linkedin.com/company/environment-protection-authority-nsw)

Background

A strategy to systematically prioritise, assess and respond to notifications under Section 60 of the ***Contaminated Land Management Act 1997*** (CLM Act) has been developed by the EPA. This strategy acknowledges the EPA's obligations to make information available to the public under ***Government Information (Public Access) Act 2009***.

When a site is notified to the EPA, it may be accompanied by detailed site reports where the owner has been proactive in addressing the contamination and its source. However, often there is minimal information on the nature or extent of the contamination.

After receiving a report, the first step is to confirm that the report does not relate to a pollution incident. The Protection of the Environment Operations Act 1997 (POEO Act) deals with pollution incidents, waste stockpiling or dumping. The EPA also has an incident management process to manage significant incidents (https://www.epa.nsw.gov.au/reporting-and-incidents/incident-management).

In many cases, the information indicates the contamination is securely immobilised within the site, such as under a building or carpark, and is not currently causing any significant risks for the community or environment. Such sites may still need to be cleaned up, but this can be done in conjunction with any subsequent building or redevelopment of the land. These sites do not require intervention under the CLM Act, and are dealt with through the planning and development consent process. In these cases, the EPA informs the local council or other planning authority, so that the information can be recorded and considered at the appropriate time (https://www.epa.nsw.gov.au/your-environment/contaminated-land/managing-contaminated-land/role-of-planning-authorities).

Where indications are that the contamination could cause actual harm to the environment or an unacceptable offsite impact (i.e. the land is 'significantly contaminated'), the EPA would apply the regulatory provisions of the CLM Act to have the responsible polluter and/or landowner investigate and remediate the site. If the reported contamination could present an immediate or long-term threat to human health NSW Health will be consulted. SafeWork NSW and Water NSW can also be consulted if there appear to be occupational health and safety risks or an impact on groundwater quality.

As such, the sites notified to the EPA and presented in the list of contaminated sites notified to the EPA are at various stages of the assessment and remediation process. Understanding the nature of the underlying contamination, its implications and implementing a remediation program where required, can take a considerable period of time. The list provides an indication, in relation to each nominated site, as to the management status of that particular site. Further detailed information may be available from the EPA or the person who notified the site.

The following questions and answers may assist those interested in this issue.

Frequently asked questions

Why does my land appear on the list of notified sites?

Your land may appear on the list because:

- the site owner and/or the polluter has notified the EPA under section 60 of the CLM Act
- the EPA has been notified via other means and is satisfied that the site is or was contaminated.

If a site is on the list, it does not necessarily mean the contamination is significant enough to regulate under the CLM Act.

Does the list contain all contaminated sites in NSW?

No. The list only contains contaminated sites that EPA is aware of. If a site is not on the list, it does not necessarily mean the site is not contaminated.

The EPA relies on responsible parties and the public to notify contaminated sites.

How are notified contaminated sites managed by the EPA?

There are different ways the EPA can manage notified contaminated sites. Options include:

- regulation under the CLM Act, POEO Act, or both
- notifying the relevant planning authority for management under the planning and development process
- managing the site under the Protection of the Environment Operation (Underground Petroleum Storage Systems) Regulation 2014.

There are specific cases where contamination is managed under a tailored program operated by another agency (for example, the Resources & Geoscience's Legacy Mines Program).

What should I do if I am a potential buyer of a site that appears on the list?

You should seek advice from the seller to understand the contamination issue. You may need to seek independent contamination or legal advice.

The information provided in the list is indicative only and a starting point for your own assessment. Land contamination from past site uses is common, mainly in urban environments. If the site is properly remediated or managed, it may not affect the intended future use of the site.

Who can I contact if I need more information about a site?

You can contact the Environment Line at any time by calling 131 555 or by emailing info@environment.nsw.gov.au.

List of NSW Contaminated Sites Notified to the EPA

Disclaimer

The EPA has taken all reasonable care to ensure that the information in the list of contaminated sites notified to the EPA (the list) is complete and correct. The EPA does not, however, warrant or represent that the list is free from errors or omissions or that it is exhaustive.

The EPA may, without notice, change any or all of the information in the list at any time.

You should obtain independent advice before you make any decision based on the information in the list.

The list is made available on the understanding that the EPA, its servants and agents, to the extent permitted by law, accept no responsibility for any damage, cost, loss or expense incurred by you as a result of:

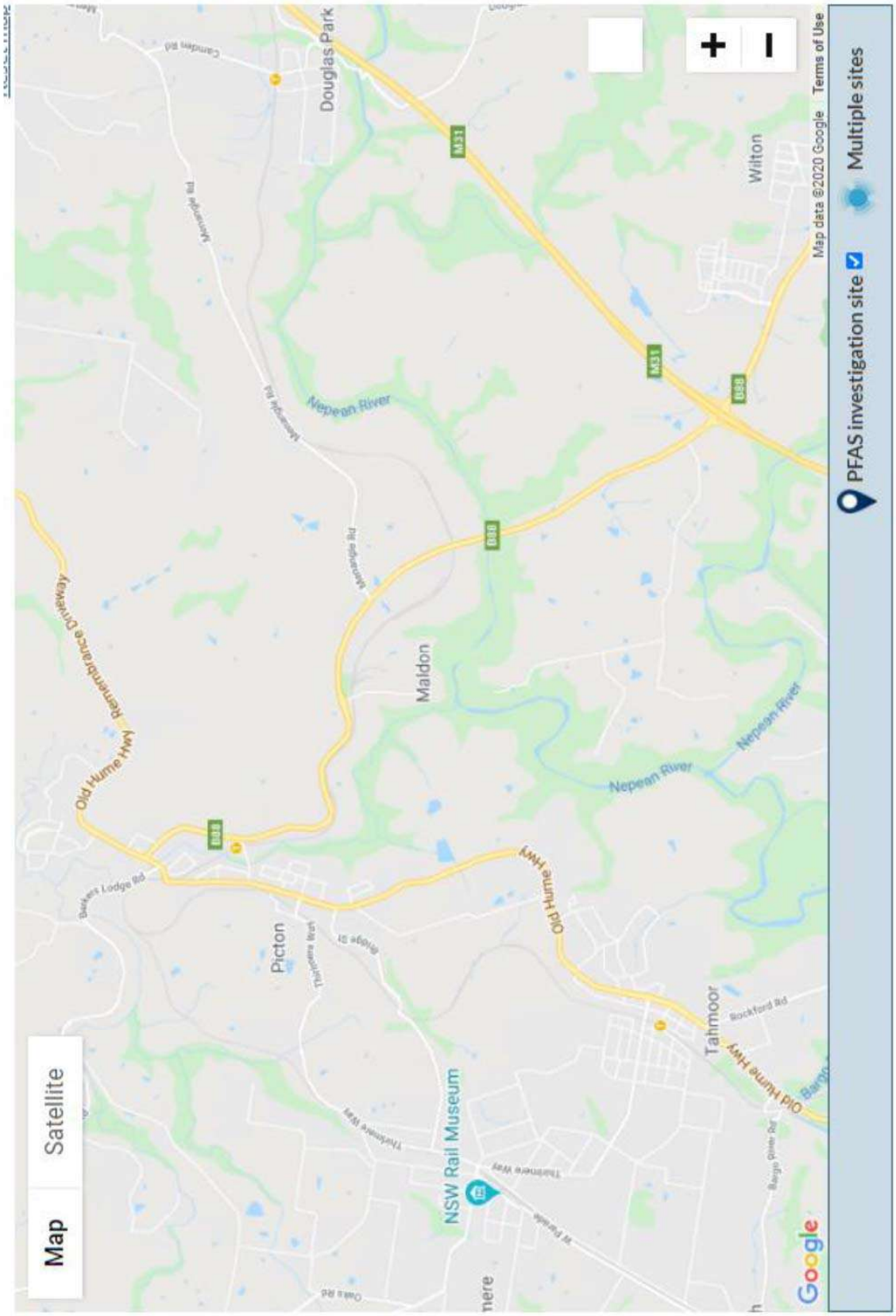
1. any information in the list; or
2. any error, omission or misrepresentation in the list; or
3. any malfunction or failure to function of the list;
4. without limiting (2) or (3) above, any delay, failure or error in recording, displaying or updating information.

Site Status	Explanation
Under assessment	The contamination is being assessed by the EPA to determine whether regulation is required. The EPA may require further information to complete the assessment. For example, the completion of management actions regulated under the planning process or *Protection of the Environment Operations Act 1997*.
Under Preliminary Investigation Order	The EPA has issued a Preliminary Investigation Order under s10 of the *Contaminated Land Management Act 1997*, to obtain additional information needed to complete the assessment.

Regulation under CLM Act not required	The EPA has completed an assessment of the contamination and decided that regulation under the *Contaminated Land Management Act 1997* is not required.
Regulation being finalised	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*. A regulatory approach is being finalised.
Contamination currently regulated under CLM Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). Management of the contamination is regulated by the EPA under the CLM Act. Regulatory notices are available on the EPA's Contaminated Land Public Record.
Contamination currently regulated under POEO Act	Contamination is currently regulated under the Protection of the Environment Operations Act 1997 (POEO Act). The EPA as the appropriate regulatory authority reasonably suspects that a pollution incident is occurring/ has occurred and that it requires regulation under the POEO Act. The EPA may use environment protection notices, such as clean up notices, to require clean up action to be taken. Such regulatory notices are available on the POEO public register.
Contamination being managed via the planning process (EP&A Act)	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. The contamination of this site is managed by the consent authority under the *Environmental Planning and Assessment Act 1979* (EP&A Act) planning approval process, with EPA involvement as necessary to ensure significant contamination is adequately addressed. The consent authority is typically a local council or the Department of Planning and Environment.
Contamination formerly regulated under the CLM Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation under the *Contaminated Land Management Act 1997* (CLM Act). The contamination was addressed under the CLM Act.

Contamination formerly regulated under the POEO Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed under the *Protection of the Environment Operations Act 1997* (POEO Act).
Contamination was addressed via the planning process (EP&A Act)	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed by the appropriate consent authority via the planning process under the *Environmental Planning and Assessment Act 1979* (EP&A Act).
Ongoing maintenance required to manage residual contamination (CLM Act)	The EPA has determined that ongoing maintenance, under the Contaminated Land Management Act 1997 (CLM Act), is required to manage the residual contamination. Regulatory notices under the CLM Act are available on the EPA's Contaminated Land Public Record.

Suburb	SiteName	Address	ContaminationActivityType	ManagementClass	Latitude	Longitude
MACQUARIE PARK	Caltex North Ryde Service Station	41-43 Epping ROAD	Service Station	Regulation under CLM Act not required	-33.79138236	151.1312248
MACQUARIE PARK	1-7 Waterloo Road, Macquarie Park	1-7 Waterloo ROAD	Other Petroleum	Regulation under CLM Act not required	-33.78806877	151.1332148
MACQUARIE PARK	Porters Creek Depot - Proposed Operations Centre Site	160 Wicks ROAD	Landfill	Regulation under CLM Act not required	-33.785348	151.13663
MACQUARIE PARK	De Burghs Cycleway - Lane Cove National Park	Riverside DRIVE	Other Petroleum	Regulation under CLM Act not required	-33.77802854	151.1367529
MAITLAND	Maitland Gasworks	Charles STREET	Gasworks	Contamination currently regulated under CLM Act	-32.73603658	151.5578926
MAITLAND	Hannan and High Street	Hannan Street and High STREET	Service Station	Regulation under CLM Act not required	-32.72731682	151.5515673
MAITLAND	Coles Express Service Station	235 High STREET	Service Station	Regulation under CLM Act not required	-32.73923807	151.5620399
MALABAR	ANZAC Rifle Range former landfill	Franklin STREET	Landfill	Regulation being finalised	-33.95792671	151.2566373
MANDALONG	Mandalong Mine	Mandalong ROAD	Other Industry	Regulation under CLM Act not required	-33.11725583	151.4616452
MANGROVE MOUNTAIN	Poultry Litter Containment Pit site	258 Waratah ROAD	Unclassified	Regulation under CLM Act not required	-33.28917277	151.167235
MANILLA	Tamworth Regional Council Works Depot - Manilla	73 River STREET	Other Petroleum	Regulation under CLM Act not required	-30.74879943	150.7181011
MANLY	Caltex Service Station	86 Pittwater ROAD	Service Station	Regulation under CLM Act not required	-33.79306889	151.2858638
MANLY	Former Little Manly Point Gasworks	End of Stuart STREET	Gasworks	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.80842005	151.2877784
MANLY	St Patrick's Estate	151 Darley ROAD	Unclassified	Regulation under CLM Act not required	-33.8044568	151.2938595
MANLY	Little Manly Point	Stuart STREET	Gasworks	Contamination formerly regulated under the CLM Act	-33.80814626	151.2876245


Map
Satellite
PFAS investigation site
Multiple sites
Map data ©2020 Google
Terms of Use
Douglas Park
Wilton
Nepean River
Maldon
Picton
Tahmoor
NSW Rail Museum
Old Hume Hwy
M31
Google

Appendix D Heritage Records

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Search Results

2 results found.

Maldon Bridge Wilton Park Rd	Maldon via Picton, NSW, Australia	(Registered) Register of the National Estate (Non-statutory archive)
Wilton Park Stables Group Wilton Park Rd	Maldon via Picton, NSW, Australia	(Registered) Register of the National Estate (Non-statutory archive)

Report Produced: Tue Sep 29 18:00:01 2020

Accessibility | Disclaimer | Privacy | © Commonwealth of Australia (cc) BY

Heritage NSW

Search for NSW Heritage

Return to search page where you can refine/broaden your search.

Statutory listed items

Information and items listed in the State Heritage Inventory come from a number of sources. This means that there may be several entries for the same heritage item in the database. For clarity, the search results have been divided into three sections.

- **Section 1** - contains Aboriginal Places declared by the **Minister for the Environment** under the National Parks and Wildlife Act. This information is provided by Heritage NSW.
- **Section 2** - contains heritage items listed by the **Heritage Council of NSW** under the Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the Heritage Act. This information is provided by Heritage NSW.
- **Section 3** - contains items listed by **local councils** on Local Environmental Plans under the Environmental Planning and Assessment Act and **State government agencies** under s.170 of the Heritage Act. This information is provided by local councils and State government agencies.

Section 1. Aboriginal Places listed under the National Parks and Wildlife Act.

Your search did not return any matching results.

Section 2. Items listed under the Heritage Act.

Your search did not return any matching results.

Section 3. Items listed by Local Government and State Agencies.

Your search returned 3 records.

Item name	Address	Suburb	LGA	Information source
Maldon Weir		Maldon (Nepean River)	Wollondilly	LGOV
Suspension Bridge over Nepean River	End of Maldon Bridge Rd End of Wilton Park Dr	Maldon	Wollondilly	LGOV
Webster Street Cottages	Webster Street	MALDON	Wollondilly	LGOV

There was a total of 3 records matching your search criteria.

Key:
LGA = Local Government Area
GAZ= NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study, LGOV = Local Government, SGOV = State Government Agency.
Note: While Heritage NSW seeks to keep the Inventory up to date, it is reliant on State agencies and local councils to provide their data. Always check with the relevant State agency or local council for the most up-to-date information.

Appendix E Section 10.7 Planning Certificates

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Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201957
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 15430

DESCRIPTION OF PROPERTY

Address: **40 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: 1 DP: 795225**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is wholly bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that

effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land is subject to a management order within the meaning of that Act. Further details can be obtained from the Department of Environment and Climate Change.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 2:59:12 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201961
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 15433

DESCRIPTION OF PROPERTY

Address: **40 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: W DP: 163774**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is partially bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that

effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land is subject to a management order within the meaning of that Act. Further details can be obtained from the Department of Environment and Climate Change.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Starssmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 2:58:56 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201958
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 22203

DESCRIPTION OF PROPERTY

Address: **40 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: 1 DP: 1138675**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is partially bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that

effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued.

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 2:58:25 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201959
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 22204

DESCRIPTION OF PROPERTY

Address: **42 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: 2 DP: 1138675**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is not shown as bushfire prone land in Council's records.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is

aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 3:23:53 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201962
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 15431

DESCRIPTION OF PROPERTY

Address: **50 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: X DP: 161196**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is partially bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that

effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land is subject to a management order within the meaning of that Act. Further details can be obtained from the Department of Environment and Climate Change.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 3:05:55 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201956
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 11477

DESCRIPTION OF PROPERTY

Address: **80 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: 1 DP: 748675**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE RURAL HOUSING CODE

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.
Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

THE GREENFIELD HOUSING CODE

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is partially bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and

(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land is subject to a management order within the meaning of that Act. Further details can be obtained from the Department of Environment and Climate Change.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 3:05:37 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201960
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 12533

DESCRIPTION OF PROPERTY

Address: **100 Maldon Bridge Road MALDON 2571**
Land Description: **Lot: 31 DP: 602144**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development MAY be carried out on the land under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is wholly bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that

effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land is subject to a management order within the meaning of that Act. Further details can be obtained from the Department of Environment and Climate Change.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir
Senior Development Assessment Planner
Wednesday, 23 September 2020 3:08:05 PM
Development Services

Signed on behalf of the
Chief Executive Officer of

WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Wollondilly Shire Council

Frank McKay Building 62-64 Menangle Street Picton NSW 2571
All Correspondence to PO Box 21 Picton NSW 2571
Telephone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au
ABN: 93 723 245 808

RURAL LIVING

PLANNING CERTIFICATE UNDER SECTION 10.7(2) & (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Ms S Gray
sgray@jbsg.com.au

Planning Certificate No.: 20201955
Receipt No.: 721
Issue Date: 22 September 2020
Applicant's Reference: 59586
Property No.: 14852

DESCRIPTION OF PROPERTY

Address: **Staff Road MALDON 2571**
Land Description: **Lot: 1 DP: 162140**

Notes:

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(3) The name of each development control plan that applies to the carrying out of development on the land.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No 2 - 1997)

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy (Koala Habitat Protection) 2019
(Note: Excludes land dedicated or reserved as National Park)

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Housing Diversity) 2020

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU2 Rural Landscape

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

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

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.
Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

(a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 100 hectares; or
(b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
(c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal).

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not propose any new development standards.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to land in a conservation area.

(h) whether an item of environmental heritage (however described) is situated on the land.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not identify a change to any items of environmental heritage.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

To the extent that the land is within any zone (however described) under:

(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) a Precinct Plan (within the meaning of the 2006 SEPP), or

(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is not within a Growth Centre.

3. COMPLYING DEVELOPMENT

(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE RURAL HOUSING CODE

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.
Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

THE GREENFIELD HOUSING CODE

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE LOW RISE HOUSING DIVERSITY CODE

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land

identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help preventpotential damage from coal mine subsidence.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment under:

(a) Division 2 of Part 3 of the *Roads Act* 1993, or

(b) Any environmental planning instrument, or

(c) Any resolution of the council.

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

(a) Adopted by the council, or

(b) Adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

(3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

No

8. LAND RESERVED FOR ACQUISITION

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (LEP Review Program Stage 1 Planning Proposal) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the Threatened Species Conservation Act 1995 for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the Local Land Services Act 2013 by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the Local Land Services Act 2013.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is wholly bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

If the land is land to which a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that

effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Whether an order has been made under the *Trees (Disputes between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

(a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(i) the period for which the certificate is current, and
(ii) that a copy may be obtained from the head office of the Department, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

(a) the period for which the certificate is valid, and
(b) that a copy may be obtained from the head office of the Department.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

(a) the period for which the certificate is current, and
(b) that a copy may be obtained from the head office of the Department.

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

None

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

(a) the matter certified by the certificate, and

NOTE. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989)* that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

(2) A statement of:

(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

(3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.
building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

NOTE. The following matters are prescribed by section 59(2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

No.

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued.

No.

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.

2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

   In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The Western Sydney International (Nancy-Bird Walton) Airport plans were finalised in 2016. Construction of the future airport has commenced and is on track to begin operations in 2026. The location of the airport will have implications for certain lands in the Wollondilly local government area, including, but not limited to, a number of suburbs being Warragamba, Silverdale, Lake Burragorang, Wallacia, Werombi and Theresa Park.

   Information on the current status of proposed Flight Path Design and further Noise Assessment for the airport (including aircraft noise measures (Australian Noise Exposure Concept (ANEC), Australian Noise Exposure Forecast (ANEF) and potential Obstacle Height Limitations) can be obtained from the Federal Department of Infrastructure, Transport, Cities and Regional Development or at http://www.westernsydneyairport.gov.au.

   The plans for the Western Sydney Aerotropolis, which includes the Airport site were released on 6 December 2019. For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

4. **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS)**

   Plans for NSW's newest city were released by the NSW Government on 6 December 2019. The plan sets the future vision for the region and provides a roadmap for the rezoning of individual precincts, including the site for the Western Sydney International (Nancy-Brid Walton) Airport.

   For more information please contact the Department of Planning, Industry and Environment, or view their website: https://www.planning.nsw.gov.au/aerotropolis

5. Other Matters (if applicable)

   PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at www.transport.nsw.gov.au/corridors.

SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website www.wollondilly.nsw.gov.au or contact Council for more information on 4677 1100.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Anthony Richardson
DA Planner
Thursday, 24 September 2020 11:45:07 AM
Development Services

Signed on behalf of the
Chief Executive Officer of
WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices
Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)
Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)
Vegetation clearing
Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

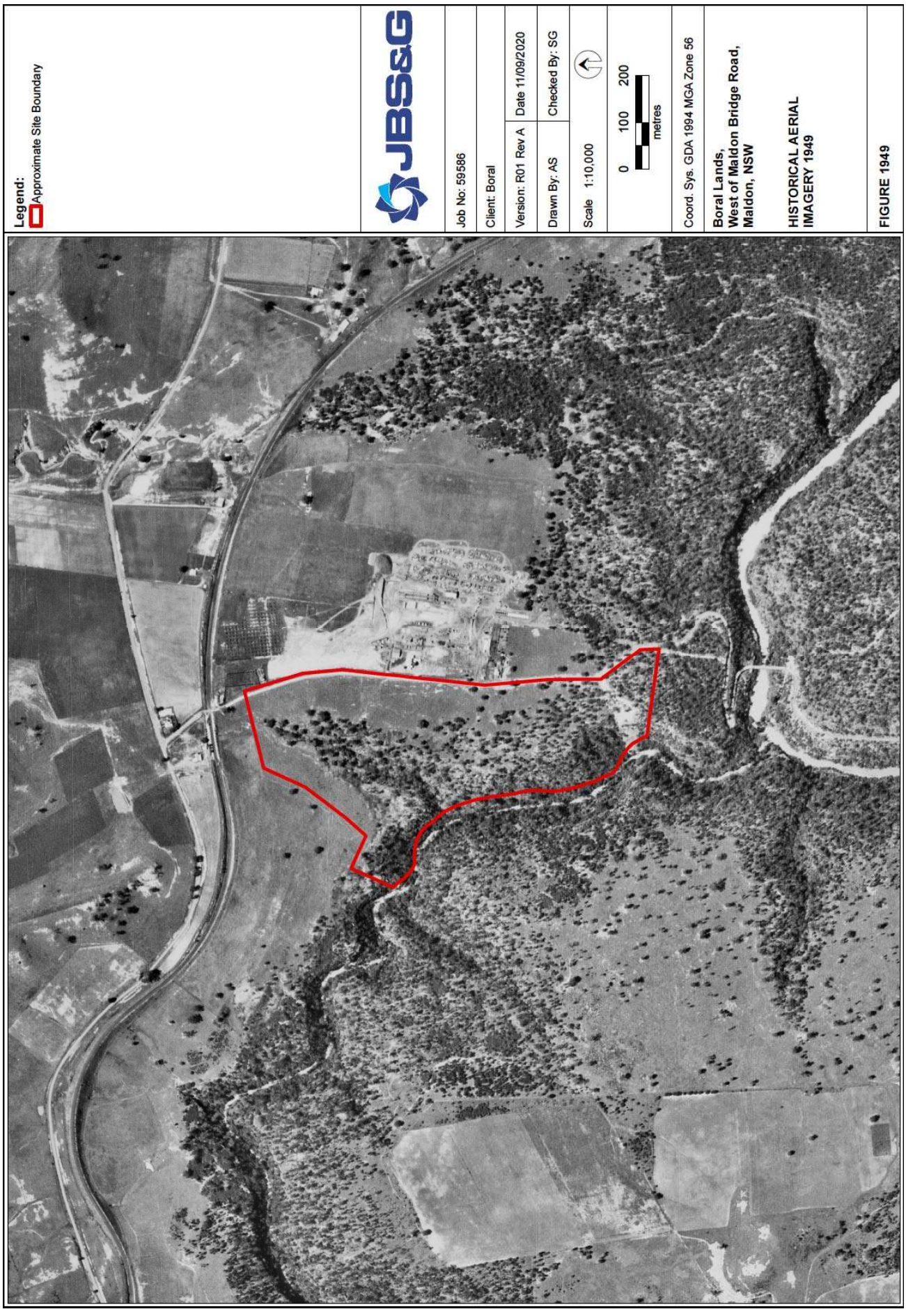
Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.
This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

Appendix F Historical Aerial Photographs

©JBS&G Australia Pty Ltd | 59586/132086 (Rev 0)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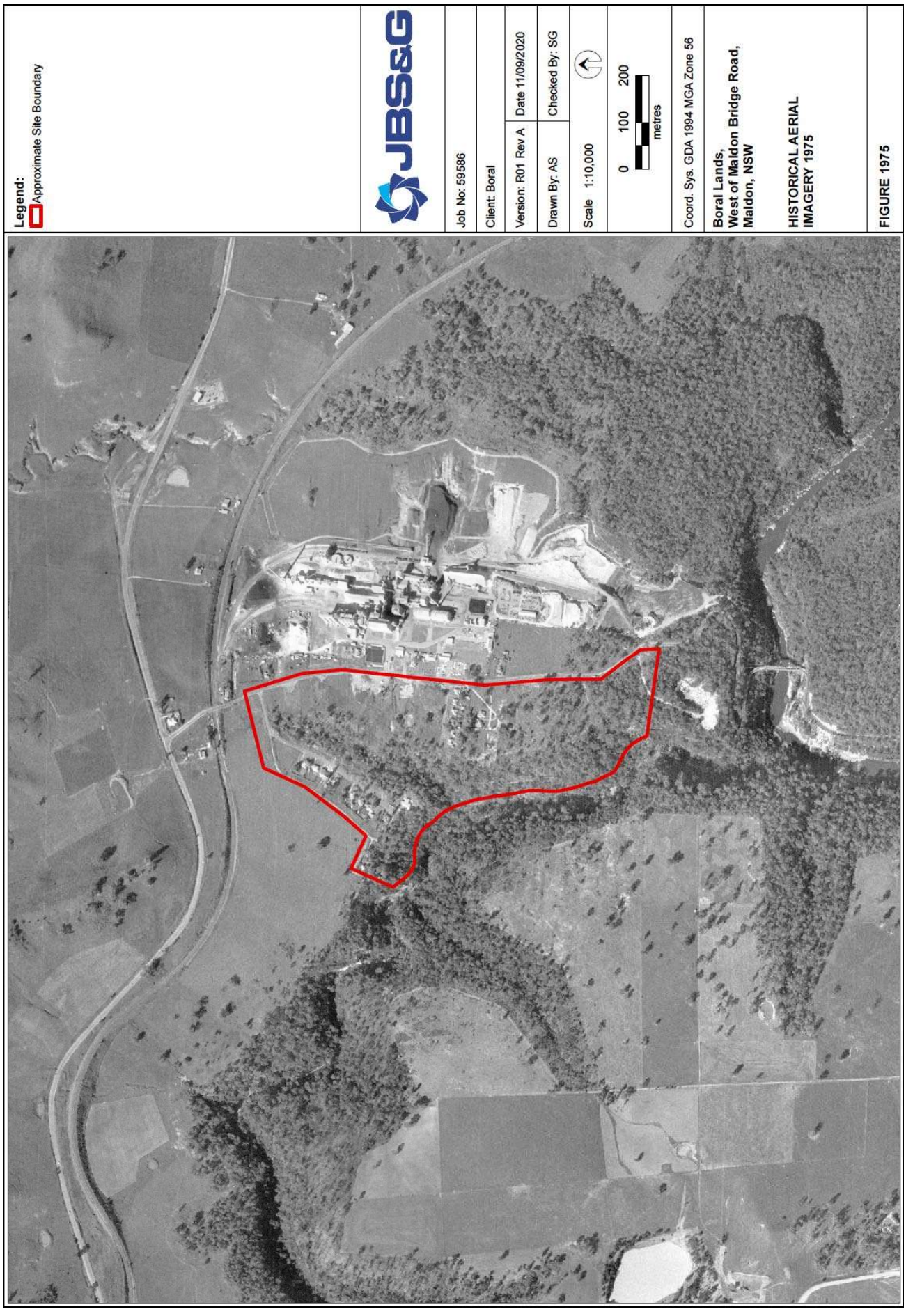
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
Scale 1:10,000
0 100 200
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 1949
FIGURE 1949

Legend:
Approximate Site Boundary
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 14/09/2020
Drawn By: AS
Checked By: SG
Scale 1:10,000
0 100 200
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 1955
FIGURE 1955

Legend:
Approximate Site Boundary
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
Scale 1:10,000
0 100 200
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 1961
FIGURE 1961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Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
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0 100 200
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 1975
FIGURE 1975

Legend:
Approximate Site Boundary
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 14/09/2020
Drawn By: AS
Checked By: SG
Scale 1:10,000
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metres
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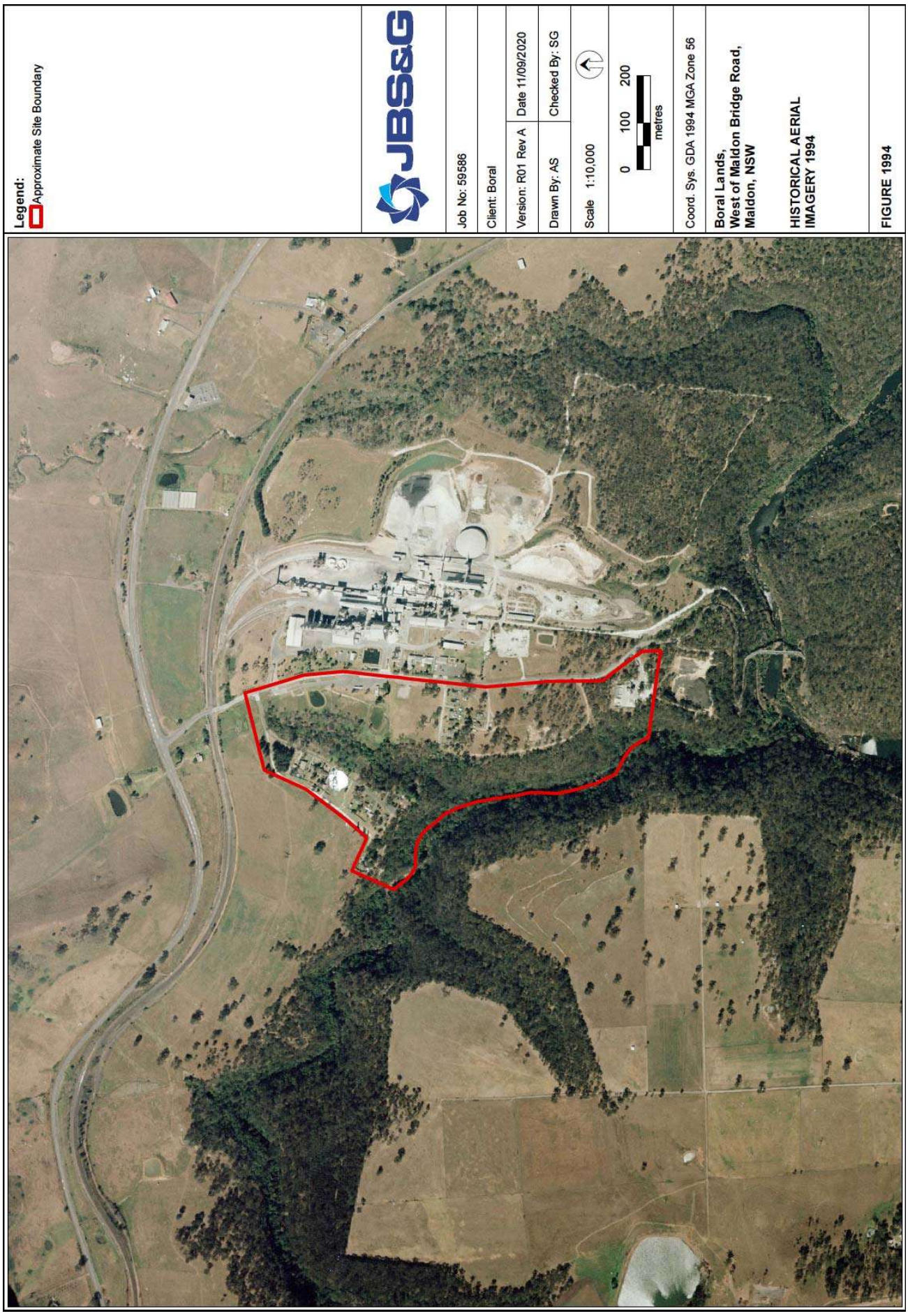
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 1984
FIGURE 1984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Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
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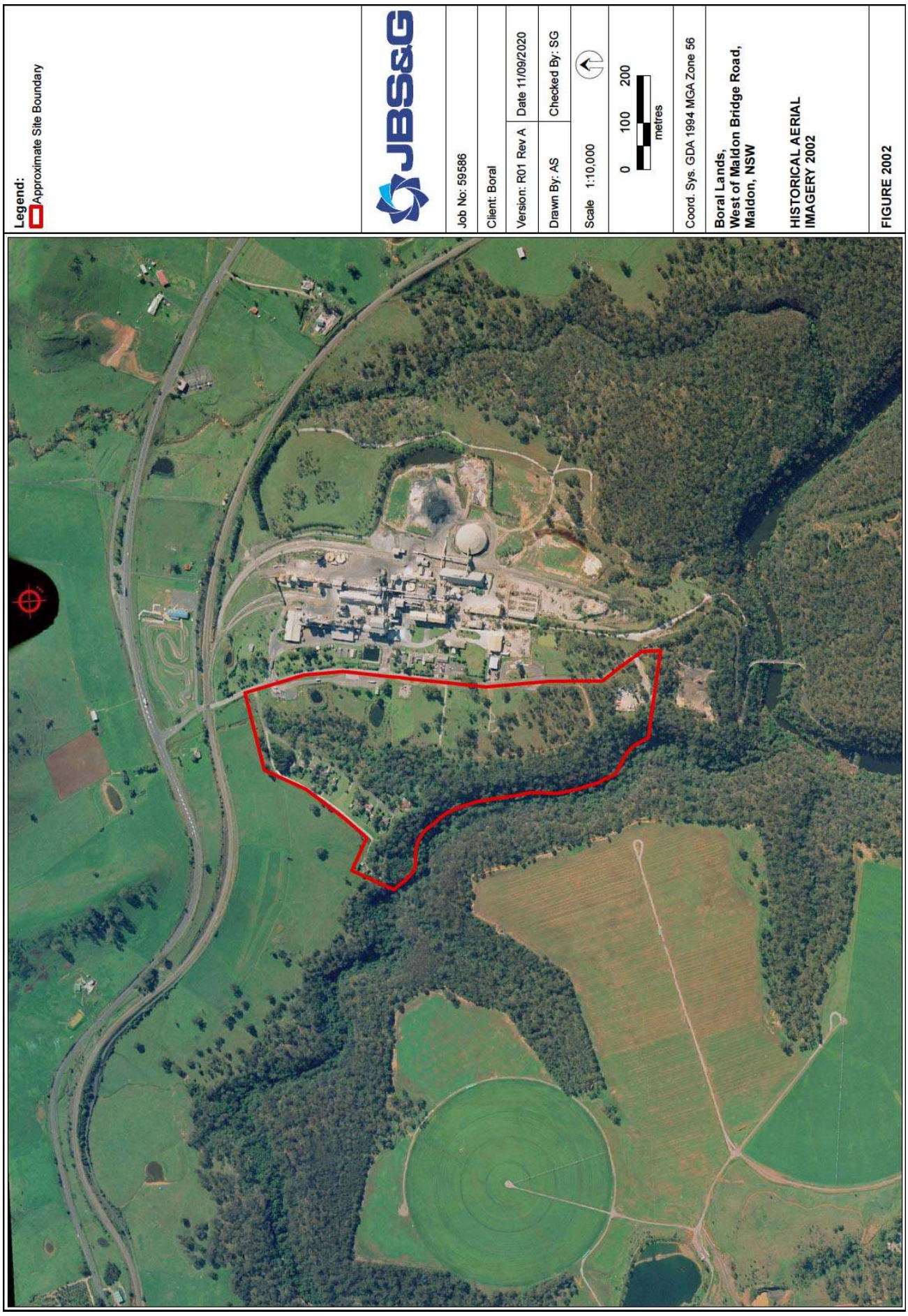
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 1994
FIGURE 1994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Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
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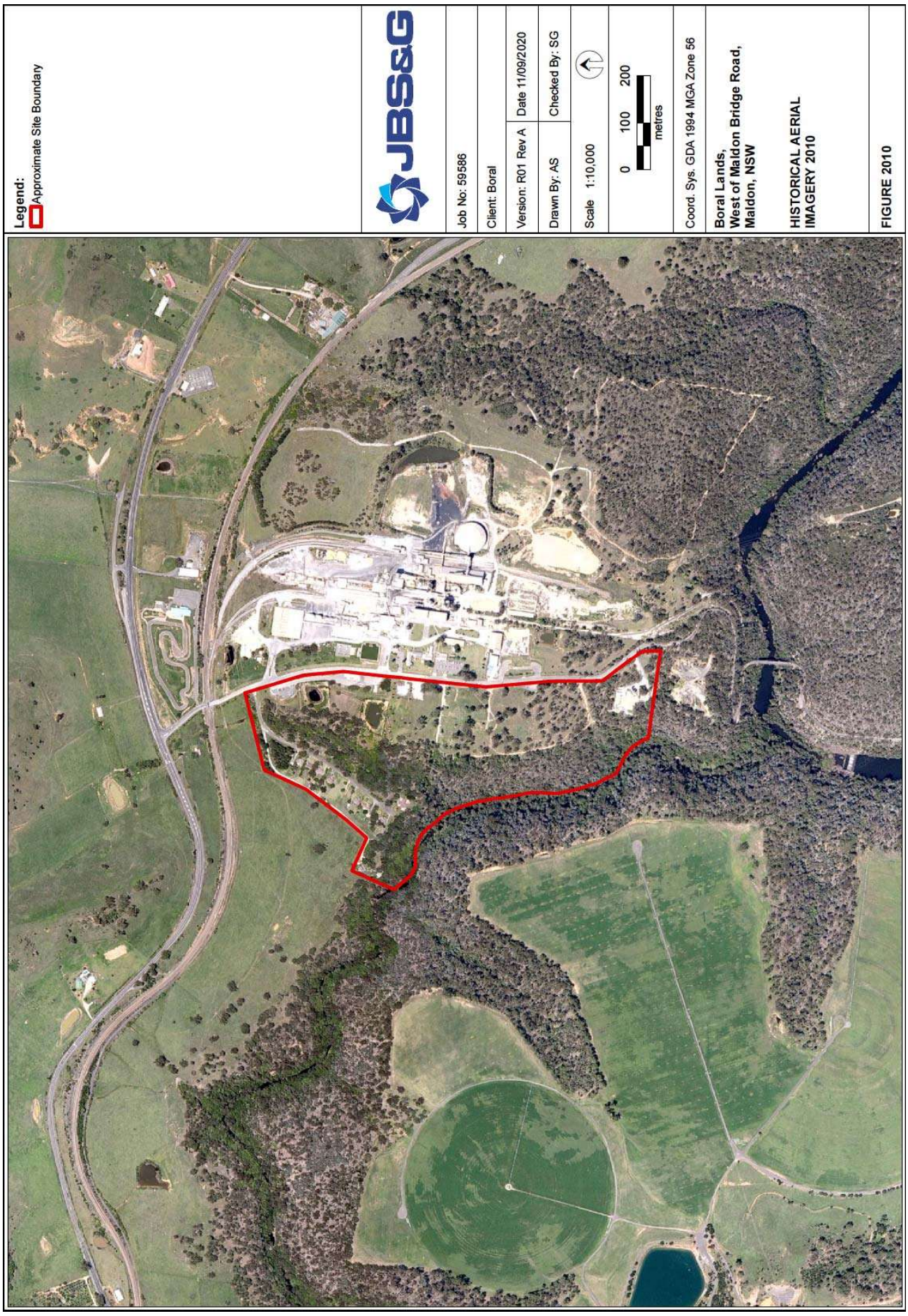
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 2002
FIGURE 2002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JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
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0 100 200
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 2010
FIGURE 2010

Legend:
Approximate Site Boundary
JBS&G
Job No: 59586
Client: Boral
Version: R01 Rev A
Date 11/09/2020
Drawn By: AS
Checked By: SG
Scale 1:10,000
0 100 200
metres
Coord. Sys. GDA 1994 MGA Zone 56
Boral Lands,
West of Maldon Bridge Road,
Maldon, NSW
HISTORICAL AERIAL
IMAGERY 2020
FIGURE 2020

Appendix G Historical Land Title Records

©JBS&G Australia Pty Ltd | 59586/132086 (Rev 0)

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

Summary of Owners Report

Address: - Maldon Bridge Road, Maldon

As regards to Lot 1 in D.P. 748675

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1989)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49 Now 1/748675
23.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	1/748675

 # Denotes current registered proprietors

Leases: - NIL

Easements: -
(Y3939865) Easement for Transmission Line
(E317631) Easement for Transmission purposes

As regards to Lot 31 in D.P. 602144

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1989)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49 Now Vol 13875 Fol 165
20.09.1979 (1979 to date)	#Blue Metal & Gravel (Country) Pty. Limited Now #Boral Resources (Country) Pty Limited	Vol 13875 Fol 165 Now 31/602144

 # Denotes current registered proprietors

Easements & Leases: - NIL

Email: mark.groll@infotrack.com.au

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards to Lot 1 in D.P. 795225

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1956)	Metropolitan Portland Cement Limited	Book 2099 No 49
20.12.1956 (1956 to 1971)	Orbit Haulage Pty Limited Now Burraneer Trading Pty Limited	Book 2400 No 676
10.02.1971 (1971 to 1978)	TNT Holdings Pty Ltd	Book 3006 No 88
26.05.1978 (1978 to 1989)	Metropolitan Portland Cement Pty Limited	Book 3321 No 271
06.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	Book 3788 No 51 Now 1/795225

 # Denotes current registered proprietors

Easements & Leases: - NIL

As regards to Lot X in D.P. 161196

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1955)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49
13.07.1955 (1955 to 1970)	Nepean River County Council	Book 2339 No 837
08.07.1970 (1970 to 1978)	Commonwealth Portland Cement Co. Pty. Ltd.	Book 2979 No 194
27.11.1978 (1978 to 1989)	Metropolitan Portland Cement Pty Limited	Book 3348 No 140
06.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	Book 3788 No 50 Now X/161196

 # Denotes current registered proprietors

Easements & Leases: - NIL

Email: mark.groll@infotrack.com.au 2

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards to Lot 1 in D.P. 162140

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
25.07.1921 (1921 to 1956)	Leslie Alphonsus Tyson Sheil (Farmer)	Book 1230 Fol 145
19.01.1956 (1956 to 1966)	Herbert Thomas Hodges (School teacher) Shirley Marsh Hodges (Wife)	Book 2361 No 127
08.02.1966 (1966 to 1989)	The Commonwealth Portland Cement Company Limited Now The Commonwealth Portland Cement Company Pty Limited	Book 2780 No 115
06.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	Book 3788 No 52 Now 1/162140

 # Denotes current registered proprietors

Easements & Leases: - NIL

As regards to Lot W in D.P. 163774

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1956)	Metropolitan Portland Cement Limited	Book 2099 No 49
20.12.1956 (1956 to 1959)	Orbit Haulage Pty Limited	Book 2400 No 676
24.08.1959 (1959 to 1972)	Vernon Alexander Roach (Manager)	Book 2512 Fol 83 Now Vol 10977 Fol 20
28.04.1972 (1972 to 1975)	Ashley Mervyn Simmons (Process Worker) Joyce Kathleen Simmons (Wife) Mary Teresa Gullison (Married Woman	Vol 10977 Fol 20
17.07.1975 (1975 to 1976)	Thomas William Gullison (Storekeeper) Helen Marie Gullison (Storekeeper)	Vol 10977 Fol 20
19.07.1976 (1976 to 1978)	Clarence Lawrence Gullison (Retired Coal Miner)	Vol 10977 Fol 20
13.06.1978 (1978 to 1989)	Metropolitan Portland Cement Pty Limited	Vol 10977 Fol 20 Now W/163774
23.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	W/163774

 # Denotes current registered proprietors

Easements & Leases: - NIL

Email: mark.groll@infotrack.com.au

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards to Lot 1 & 2 in D.P. 1138675

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1968 to 1969)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1987)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1987 to 1987)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49 Now 1/1138675 2/1138675
23.10.1987 (1987 to date)	#Metropolitan Portland Cement Limited	1/1138675 2/1138675

 # Denotes current registered proprietors

Easements & Leases: - NIL

Yours Sincerely
Ashleigh Taylor-Reeve
(Checked by Mark Groll)
7 October 2020

Email: mark.groll@infotrack.com.au

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

Summary of Owners Report

Address: - Maldon Bridge Road, Maldon

As regards to Lot 1 in D.P. 748675

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1989)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49 Now 1/748675
23.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	1/748675

 # Denotes current registered proprietors

Leases: - NIL

Easements: -
(Y3939865) Easement for Transmission Line
(E317631) Easement for Transmission purposes

As regards to Lot 31 in D.P. 602144

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1989)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49 Now Vol 13875 Fol 165
20.09.1979 (1979 to date)	#Blue Metal & Gravel (Country) Pty. Limited Now #Boral Resources (Country) Pty Limited	Vol 13875 Fol 165 Now 31/602144

 # Denotes current registered proprietors

Easements & Leases: - NIL

Email: mark.groll@infotrack.com.au

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards to Lot 1 in D.P. 795225

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1956)	Metropolitan Portland Cement Limited	Book 2099 No 49
20.12.1956 (1956 to 1971)	Orbit Haulage Pty Limited Now Burraneer Trading Pty Limited	Book 2400 No 676
10.02.1971 (1971 to 1978)	TNT Holdings Pty Ltd	Book 3006 No 88
26.05.1978 (1978 to 1989)	Metropolitan Portland Cement Pty Limited	Book 3321 No 271
06.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	Book 3788 No 51 Now 1/795225

 # Denotes current registered proprietors

Easements & Leases: - NIL

As regards to Lot X in D.P. 161196

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1955)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49
13.07.1955 (1955 to 1970)	Nepean River County Council	Book 2339 No 837
08.07.1970 (1970 to 1978)	Commonwealth Portland Cement Co. Pty. Ltd.	Book 2979 No 194
27.11.1978 (1978 to 1989)	Metropolitan Portland Cement Pty Limited	Book 3348 No 140
06.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	Book 3788 No 50 Now X/161196

 # Denotes current registered proprietors

Easements & Leases: - NIL

Email: mark.groll@infotrack.com.au

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards to Lot 1 in D.P. 162140

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
25.07.1921 (1921 to 1956)	Leslie Alphonsus Tyson Sheil (Farmer)	Book 1230 Fol 145
19.01.1956 (1956 to 1966)	Herbert Thomas Hodges (School teacher) Shirley Marsh Hodges (Wife)	Book 2361 No 127
08.02.1966 (1966 to 1989)	The Commonwealth Portland Cement Company Limited Now The Commonwealth Portland Cement Company Pty Limited	Book 2780 No 115
06.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	Book 3788 No 52 Now 1/162140

 # Denotes current registered proprietors

Easements & Leases: - NIL

As regards to Lot W in D.P. 163774

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1901 to 1928)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1949)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1949 to 1956)	Metropolitan Portland Cement Limited	Book 2099 No 49
20.12.1956 (1956 to 1959)	Orbit Haulage Pty Limited	Book 2400 No 676
24.08.1959 (1959 to 1972)	Vernon Alexander Roach (Manager)	Book 2512 Fol 83 Now Vol 10977 Fol 20
28.04.1972 (1972 to 1975)	Ashley Mervyn Simmons (Process Worker) Joyce Kathleen Simmons (Wife) Mary Teresa Gullison (Married Woman	Vol 10977 Fol 20
17.07.1975 (1975 to 1976)	Thomas William Gullison (Storekeeper) Helen Marie Gullison (Storekeeper)	Vol 10977 Fol 20
19.07.1976 (1976 to 1978)	Clarence Lawrence Gullison (Retired Coal Miner)	Vol 10977 Fol 20
13.06.1978 (1978 to 1989)	Metropolitan Portland Cement Pty Limited	Vol 10977 Fol 20 Now W/163774
23.10.1989 (1989 to date)	#Blue Circle Southern Cement Limited Now #Boral Cement Limited	W/163774

 # Denotes current registered proprietors

Easements & Leases: - NIL

Email: mark.groll@infotrack.com.au

ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards to Lot 1 & 2 in D.P. 1138675

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
21.02.1901 (1968 to 1969)	Robert Henry Antill (Esquire)	Book 682 No 62
10.09.1928 (1928 to 1987)	Perpetual trustee Company (Limited)	Book 1537 No 290
26.07.1949 (1987 to 1987)	Metropolitan Portland Cement Pty Limited	Book 2099 No 49 Now 1/1138675 2/1138675
23.10.1989 (1987 to date)	#Metropolitan Portland Cement Limited	1/1138675 2/1138675

 # Denotes current registered proprietors

Easements & Leases: - NIL

Yours Sincerely
Ashleigh Taylor-Reeve
(Checked by Mark Groll)
7 October 2020

Email: mark.groll@infotrack.com.au

LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:58PM

FOLIO: 1/748675

First Title(s): OLD SYSTEM
Prior Title(s): VOL 13875 FOL 166

Recorded	Number	Type of Instrument	C.T. Issue
19/10/1987	DP748675	DEPOSITED PLAN	FOLIO CREATED EDITION 1
16/3/1989	DP642037	DEPOSITED PLAN	
14/6/1989	Y393865	TRANSFER GRANTING EASEMENT	EDITION 2
23/10/1989	Y660365	TRANSFER	EDITION 3
2/9/1991	DP645050	DEPOSITED PLAN	
19/3/1992	E317631	TRANSFER GRANTING EASEMENT	EDITION 4
4/8/2017	AM617341	DEPARTMENTAL DEALING	
1/9/2020	AQ354102	CHANGE OF NAME	EDITION 5
16/9/2020	AQ396904	DEPARTMENTAL DEALING	EDITION 6

*** END OF SEARCH ***

Maldon PRINTED ON 6/10/2020

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

R754036 /Doc:DL Y660365 /Rev:27-Aug-2010 /NSW LRS /Pgs:ALL /Prt:06-Oct-2020 13:02 /Seq:1 of 2
fice of the Registrar-General /Src:INFOTRACK /Ref:INFOTRACKaldon

RP 13 STAMP DUTY [redacted]

OFFICE USE ONLY Y6603

OFFICE OF STATE REVENUE (N.S.W. TREASURY) $7 THE STAMP DUTY IS PAYABLE ON THIS INSTRUMENT

TRANSFER

REAL PROPERTY ACT, 1900

T 3 1 of 1 X R 1/1 $44

Torrens Title Reference	If Part Only, Delete Whole and Give Details	Location
DESCRIPTION OF LAND Note (a)	WHOLE	
VOLUME 10977 FOLIO 20 ~~14319 168~~ ~~13875 168~~	Now 3/1635774 Now 1/1608195	MALDON MALDON ~~MALDON~~ MALDON MALDON MALDON
FOLIO IDENTIFIER 1/748675 3/748675 2/216580		

TRANSFEROR Note (b): METROPOLITAN PORTLAND CEMENT PTY LIMITED of 1 McLaren Street, NORTH SYDNEY

ESTATE Note (c): (the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of $ the terms of a Deed dated the 14th day of July 1989 and transfers an estate in fee simple in the land above described to the TRANSFEREE

TRANSFEREE Note (d): BLUE CIRCLE SOUTHERN CEMENT LIMITED of 1 McLaren Street, NORTH SYDNEY

OFFICE USE ONLY S

TENANCY Note (e): as joint tenants/tenants in common

PRIOR ENCUMBRANCES Note (f): subject to the following PRIOR ENCUMBRANCES 1. ..... 2. ..... 3. .....

DATE 14 · 9 · 89

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

EXECUTION Note (g): Signed in my presence by the transferor who is personally known to me

..... Signature of Witness

..... Name of Witness (BLOCK LETTERS)

..... Address and occupation of Witness

Signed in my presence by the transferee who is personally known to me

Note (g)

..... Signature of Witness

..... Name of Witness (BLOCK LETTERS)

..... Address and occupation of Witness

The COMMON SEAL of METROPOLITAN PORTLAND CEMENT PTY LIMITED was affixed hereto in the presence of:

METROPOLITAN PORTLAND CEMENT PTY LIMITED Common Seal DIRECTOR

Secretary/Signature of Transferor

JOHN KEVIN SMITH
1 McLaren Street,
NORTH SYDNEY 2060.

Solicitor for Signature of Transferee

TO BE COMPLETED BY LODGING PARTY Notes (h) (i)

LODGED BY
J.K. SMITH,
SOLICITOR,
1 McLAREN STREET,
NORTH SYDNEY 2060
Ref:
Delivery Box Number 4Q

LOCATION OF DOCUMENTS: CT / OTHER — Herewith / In L.T.O. with / Produced by

OFFICE USE ONLY

Checked	Passed	REGISTERED -19
Signed	Extra Fee	23 OCT 1989

Secondary Directions

Delivery Directions: CT 4Q J K Smith Solicitor 1 McLaren St Nth Sydney 2060

R754036 /Doc:DL Y660365 /Rev:27-Aug-2010 /NSW LRS /Pgs:ALL /Prt:06-Oct-2020 13:02 /Seq:2 of 2
fice of the Registrar-General /Src:INFOTRACK /Ref:INFOTRACKaldon

ANNEXURE

To a Transfer BETWEEN **METROPOLITAN PORTLAND CEMENT PTY LIMITED** Transferor and **BLUE CIRCLE SOUTHERN CEMENT LIMITED** dated 14 September, 1989.

Prior Encumbrances:

Folio Identifier 1/748675	1.	BK 2099 No. 49
	2.	BK 1238 No. 652
	3.	Y393865
3/748675	1.	BK 2099 No. 49
	2.	Excepting land below 20 metres - See DP 252232
	3.	Easement - K712382
	4.	BK 1238 No. 652
	5.	Y393865
2/216580	1.	BK 1238 No. 652
	2.	BK 2099 No. 49
	3.	Y393865

The COMMON SEAL of **METROPOLITAN PORTLAND CEMENT PTY LIMITED** was affixed hereto in the presence of:

.....
Secretary.

METROPOLITAN PORTLAND CEMENT PTY LIMITED
Common Seal

.....
DIRECTOR

.....
Solicitor for Transferee
JOHN KEVIN SMITH
1 McLaren Street,
NORTH SYDNEY 2060.

LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/748675

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	6	16/9/2020

LAND

LOT 1 IN DEPOSITED PLAN 748675
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP748675

FIRST SCHEDULE

BORAL CEMENT LIMITED (CN AQ354102)

SECOND SCHEDULE (5 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DK 2099 NO 49 LAND EXCLUDES MINERALS BELOW A DEPTH OF 60.96 METRES
3 BK 1238 NO 652 COVENANT
4 Y393865 EASEMENT FOR TRANSMISSION LINE AFFECTING THAT PART OF THE LAND WITHIN DESCRIBED DESIGNATED (A) IN DP642037
5 E317631 EASEMENT FOR TRANSMISSION PURPOSES AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN AS EASEMENT FOR TRANSMISSION LINE IN DP645050

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

maldon PRINTED ON 6/10/2020

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

R755400 /Doc:CT 13875-165 CT /Rev:25-Jan-2011 /NSW LRS /Pgs:ALL /Prt:06-Oct-2020 14:57 /Seq:1 of 2
ffice of the Registrar-General /Src:INFOTRACK /Ref:INFOTRACKaldon

13875

CERTIFICATE OF TITLE

NEW SOUTH WALES

[redacted] PROPERTY ACT, 1900

Vol. 13875 Fol. 165

Appln. No. 42926

Prior Title Vol.9765 Fol.147

CANCELLED AND ISSUED
15 6 1979

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

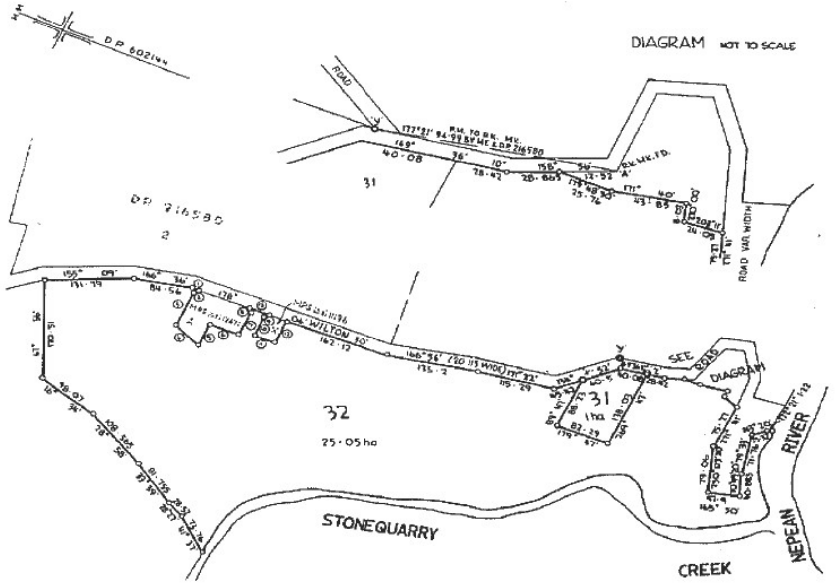
SEE AUTO FOLIO

Registrar General.

(Page 1) Vol. 13875 Fol. 165

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



NO.	BEARING	DISTANCE
①	118° 06' 30"	10·51
②	58° 03' 30"	9·57
③	130° 01'	61·63
④	204° 28'	50·19
⑤	190° 01'	41·67
⑥	115° 06' 30"	45·12
⑦	190° 01'	41·15
⑧	64° 03'	4·353
⑨	238° 03' 40"	6·57
⑩	130° 01'	35·06
⑪	118° 06' 30"	30·755
⑫	90° 01'	39·63
⑬	118° 06' 30"	29·37

PERMANENT MARKS			
NO.	TYPE OF MARK	BEARING	DISTANCE
X	RM C.I. PIPE	89° 47'	1·0
Y	PH C.B. FOUND	259° 28'	0·435
Z	RM G.I. PIPE	269° 47'	0·64

D.P. 216580

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 31 in Deposited Plan 602144 at Maldon in the Shire of Wollondilly Parish of Picton and County of Camden being part of Portion 146 granted to Henry Colden Antill on 9-7-1822. EXCEPTING THEREOUT the mines veins and seams of coal and ironstone and other mines minerals and metals below a depth of 60.96 metres from the surface excepted by Conveyance Book 2099 No.49.

FIRST SCHEDULE

~~METROPOLITAN PORTLAND CEMENT PTY. LIMITED.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Book 1238 No.652 Covenant.

2/62 NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

R755400 /Doc:CT 13875-165 CT /Rev:25-Jan-2011 /NSW LRS /Pgs:ALL /Prt:06-Oct-2020 14:57 /Seq:2 of 2
fice of the Registrar-General /Src:INFOTRACK /Ref:INFOTRACKaldon

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	REGISTERED	Signature of Registrar General
Blue Metal & Gravel (Country) Pty. Limited	Transfer	R433185	20-9-1979	
CANCELLED				
SEE AUTO FOLIO				

Vol. 13875 Fol. 165

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	

(Page 2 of 2 pages)

NOTE: ENTRIES RULED THROUGH ARE AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL AND SIGNATURE

LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:59PM

FOLIO: 31/602144

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 13875 FOL 165

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
31/8/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
1/9/2020	AQ354144	CHANGE OF NAME	EDITION 1

*** END OF SEARCH ***

Maldon PRINTED ON 6/10/2020

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LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 31/602144

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	1	1/9/2020

LAND

LOT 31 IN DEPOSITED PLAN 602144
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP602144

FIRST SCHEDULE

BORAL RESOURCES (COUNTRY) PTY LIMITED (CN AQ354144)

SECOND SCHEDULE (3 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DK 2099 NO 49 LAND EXCLUDES MINERALS EXCEPTED BELOW A DEPTH OF 60.96 METRES FROM THE SURFACE
3 BK 1238 NO 652 COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:58PM

FOLIO: 1/795225

First Title(s): OLD SYSTEM
Prior Title(s): CA42551

Recorded	Number	Type of Instrument	C.T. Issue
27/11/1989	CA42551	CONVERSION ACTION	FOLIO CREATED EDITION 1
1/9/2020	AQ354102	CHANGE OF NAME	EDITION 2
16/9/2020	AQ396904	DEPARTMENTAL DEALING	EDITION 3

*** END OF SEARCH ***

Maldon PRINTED ON 6/10/2020

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LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/795225

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	3	16/9/2020

LAND

LOT 1 IN DEPOSITED PLAN 795225
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP795225

FIRST SCHEDULE

BORAL CEMENT LIMITED (CN AQ354102)

SECOND SCHEDULE (3 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 20J(1) AND 20J(1A) OF THE REAL PROPERTY ACT, 1900. ENTERED 27.11.1989 BK 3788 NO 51
3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:59PM

FOLIO: X/161196

First Title(s): OLD SYSTEM
Prior Title(s): CA42551

Recorded	Number	Type of Instrument	C.T. Issue
27/11/1989	CA42551	CONVERSION ACTION	FOLIO CREATED EDITION 1
1/9/2020	AQ354102	CHANGE OF NAME	EDITION 2
16/9/2020	AQ396904	DEPARTMENTAL DEALING	EDITION 3

*** END OF SEARCH ***

Maldon PRINTED ON 6/10/2020

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LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: X/161196

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	3	16/9/2020

LAND

LOT X IN DEPOSITED PLAN 161196
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP161196

FIRST SCHEDULE

BORAL CEMENT LIMITED (CN AQ354102)

SECOND SCHEDULE (3 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 20J(1) AND 20J(1A) OF THE REAL PROPERTY ACT, 1900. ENTERED 27.11.1989 BK 3788 NO 50
3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

maldon PRINTED ON 6/10/2020

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LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:58PM

FOLIO: 1/162140

First Title(s): OLD SYSTEM
Prior Title(s): CA42551

Recorded	Number	Type of Instrument	C.T. Issue
27/11/1989	CA42551	CONVERSION ACTION	FOLIO CREATED EDITION 1
1/9/2020	AQ354102	CHANGE OF NAME	EDITION 2
16/9/2020	AQ396904	DEPARTMENTAL DEALING	EDITION 3

*** END OF SEARCH ***

Maldon PRINTED ON 6/10/2020

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LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/162140

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	3	16/9/2020

LAND

LOT 1 IN DEPOSITED PLAN 162140
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP162140

FIRST SCHEDULE

BORAL CEMENT LIMITED (CN AQ354102)

SECOND SCHEDULE (3 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 20J(1) AND 20J(1A) OF THE REAL PROPERTY ACT, 1900. ENTERED 27.11.1989 BK 3788 NO 52
3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

maldon PRINTED ON 6/10/2020

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R755440 /Doc:CT 10977-020 CT /Rev:21-Dec-2010 /NSW LRS /Pgs:ALL /Prt:06-Oct-2020 14:58 /Seq:1 of 2
fice of the Registrar-General /Src:INFOTRACK /Ref:INFOTRACKaldon

[redacted]

ERTIFICATE OF TITLE

ROPERTY ACT, 1900, as amended.

NEW SOUTH WALES

IVA No.1969

ID

Vol. 10977 Fol. 20

CANCELLED

Edition issued -4- 2 -1969

SEE AUTO FOLIO

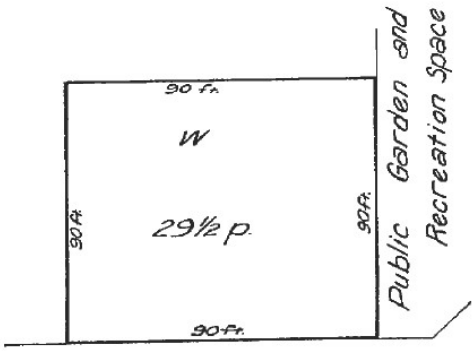
Fol. 20 Vol. 10977 (Page 1)

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land with described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness L. Colliver

Registrar General.

PLAN SHOWING LOCATION OF LAND



IVA 1969 MG.

Scale: 40 feet to one inch.

SVA 1969

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot W in Miscellaneous Plan of Subdivision (O.S.) Registered No.13774 (filed as F.P.163774) at Maldon in the Shire of Wollondilly Parish of Picton and County of Camden being part of Portion 146 granted to Henry Colden Antill on 9-7-1822 EXCEPTING THEREOUT the mines, veins and seams of coal and ironstone and all other mines and minerals and metals below a depth of 200 feet from the surface excepted by Deed Book 2099 No.49.

FIRST SCHEDULE

~~VERNON ALEXANDER ROACH of Primbee, Manager.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
~~2. CAUTION No.L308043 pursuant to Section 28(2) the Real Property Act, 1900.~~ Cancelled Q618027
~~3. Caveat No. L308044 by the Registrar General.~~ WITHDRAWN M560438

Registrar General

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

R755440 /Doc:CT 10977-020 CT /Rev:21-Dec-2010 /NSW LRS /Pgs:ALL /Prt:06-Oct-2020 14:58 /Seq:2 of 2
fice of the Registrar-General /Src:INFOTRACK /Ref:INFOTRACKaldon

17 V.C.N. Blight, Government Printer

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar-General
~~Kelly Georgia Simmonds of Docklands, Victoria, Australian Diesel Engineer and Mary Jane Sullivan Australian Diesel Engineer as joint tenants~~ Mary Jane Sullivan of Malvern, Married Woman	Transfer	M560438	25-10-1971	28-4-1972	
~~Mary Jane Sullivan of Malvern, Married Woman~~ Thomas William Gullison and Helen Marie Gullison, both of Malden, Storekeepers as joint tenants	Transfer	M560439	25-10-1971	28-4-1972	
~~Thomas William Gullison and Helen Marie Gullison, both of Malden, Storekeepers as joint tenants~~ Clarence Lawrence Gullison of Malden, Retired Coal Miner	Transfer	P333363	------	17-7-1975	
~~Clarence Lawrence Gullison of Malden, Retired Coal Miner~~ Metropolitan Portland Cement Pty.Ltd.	Transfer	P808555	------	19-7-1976	
	Transfer	Q717176	------	13-6-1978	

Vol. 10977 Fol. 20

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION		Signature of Registrar-General
Caveat	M144521	20-1-1971	~~Transfer~~ to Commonwealth Trading Bank of Australia	2-2-1971		Withdrawn	M560437	
~~Mortgage~~	P674729	------	~~to Commonwealth Trading Bank of Australia~~	~~13-4-1976~~		Discharged	P808554	

(Page 2 of 2 pages)

LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:59PM

FOLIO: W/163774

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 10977 FOL 20

Recorded	Number	Type of Instrument	C.T. Issue
29/7/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
25/8/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
23/10/1989	Y660365	TRANSFER	EDITION 1
1/9/2020	AQ354102	CHANGE OF NAME	EDITION 2
16/9/2020	AQ396904	DEPARTMENTAL DEALING	EDITION 3

*** END OF SEARCH ***

Maldon PRINTED ON 6/10/2020

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: W/163774

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	3	16/9/2020

LAND

LOT W IN DEPOSITED PLAN 163774
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP163774

FIRST SCHEDULE

BORAL CEMENT LIMITED (CN AQ354102)

SECOND SCHEDULE (2 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DK 2099 NO 49 LAND EXCLUDES MINERALS BELOW A DEPTH OF 60.96 METRES FROM THE SURFACE

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

maldon PRINTED ON 6/10/2020

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LAND REGISTRY SERVICES

Historical Title

InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
6/10/2020 12:59PM

FOLIO: 2/1138675

First Title(s): OLD SYSTEM
Prior Title(s): BK 2099 NO 49

Recorded	Number	Type of Instrument	C.T. Issue
28/4/2009	DP1138675	DEPOSITED PLAN	FOLIO CREATED CT NOT ISSUED
28/4/2009	CA137911	CONVERSION ACTION	

*** END OF SEARCH ***

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LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/1138675

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:01 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 1 IN DEPOSITED PLAN 1138675
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP1138675

FIRST SCHEDULE

METROPOLITAN PORTLAND CEMENT LIMITED (CA137911)

SECOND SCHEDULE (5 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
* 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT 1900. THIS TITLE WAS CREATED USING LAND AND PROPERTY INFORMATION RECORDS IN ACCORDANCE WITH SECTION 28D OF THE REAL PROPERTY ACT 1900. DELIVERY OF THE TITLE AND/OR REGISTRATION OF ANY DEALING WILL REQUIRE LODGMENT OF A STATEMENT OF TITLE PARTICULARS SUPPLYING COMPLETE OWNERSHIP DETAILS.
* 3 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT, 1900. ENTERED 28-4-2009 BK. 2099 NO. 49
* 4 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
* 5 BK 2099 NO 49 LAND EXCLUDES MINERALS BELOW A DEPTH OF 60.96 METRES FROM THE SURFACE

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND REGISTRY SERVICES **Title Search** InfoTrack

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1138675

SEARCH DATE	TIME	EDITION NO	DATE
6/10/2020	3:02 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 2 IN DEPOSITED PLAN 1138675
AT MALDON
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF PICTON COUNTY OF CAMDEN
TITLE DIAGRAM DP1138675

FIRST SCHEDULE

METROPOLITAN PORTLAND CEMENT LIMITED (CA137911)

SECOND SCHEDULE (5 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
* 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT 1900. THIS TITLE WAS CREATED USING LAND AND PROPERTY INFORMATION RECORDS IN ACCORDANCE WITH SECTION 28D OF THE REAL PROPERTY ACT 1900. DELIVERY OF THE TITLE AND/OR REGISTRATION OF ANY DEALING WILL REQUIRE LODGMENT OF A STATEMENT OF TITLE PARTICULARS SUPPLYING COMPLETE OWNERSHIP DETAILS.
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NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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		Name	Name	Signature	Date
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Services Assessment Report
Maldon Bridge Road

Boral Land & Property Group

78181-Services Assessment Report
09 November 2020

www.smec.com

DOCUMENT/REPORT CONTROL FORM

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Project Number:	300178181.00
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Revision #	Date	Prepared by	Reviewed by	Approved for Issue by
00	04-08-2020	Brendan Stokes		
01	05-11-2020	Paul D'Orazio, Tahsen Rasheed and Murphy Su	Graeme Fleming	Graeme Fleming
02	9-11-2020	Paul D'Orazio	Graeme Fleming	Graeme Fleming

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Table of Contents

1. Executive Summary 3
2. Introduction 4
3. Services 5
3.1 Sewer 5
3.1.1 Services Inspection 5
3.1.2 Feasibility Application 6
3.1.3 Costings 6
3.2 Potable Water 7
3.2.1 Utility Investigation 7
3.2.2 Feasibility Application 8
3.2.3 Options And Costings 9
3.4 Electricity 12
3.4.1 Existing Infrastructure 12
3.4.2 Desktop Capacity Assessment Endeavour Energy Advice 13
3.4.3 Further Recommendation 15
3.5 Telecommunications 16
3.6 Gas 17
Appendix A – Sydney Water Feasibility Letter 18
Appendix B – Endeavour Energy Technical Review 19

Table of Figures

Figure 1 - Subject Site (Six Maps)
Figure 2- Wilton and Greater Macarthur Priority Growth Areas, Utilities Services Study by AECOM
Figure 3- Sydney Water existing reticulation map (SWC – 29/07/2020)
Figure 4- Sydney Water existing reticulation map (SWC – 29/07/2020)
Figure 5- Wilton and Greater Macarthur Priority Growth Areas, Utilities Services Study by AECOM
Figure 6 - Existing Sydney Water Potable Water mains surrounding the proposed site.
Figure 7 - Proposed required upsizing.
Figure 8 - Google Map showing the location and distance of the required upsize.
Figure 9 - Sydney Water record – showing existing and proposed water main along Menangle St and Picton Rd to the proposed site
Figure 10 – Existing 66KV Feeders from Maldon Zone Substation
Figure 11 – Existing 11KV feeders from Maldon Zone Substation bypassing subject site.
Figure 12– Table C3 'Maximum Demand, AS3000
Figure 13 - Telstra Pit Staff Road & Maldon Bridge Road (Google street maps 29/07/2020)
Figure 14 - NBN Co Network Rollout Map (NBN Co – 31/07/2020)

1. Executive Summary

This report prepared by SMEC Australia undertakes a review of the availability of existing utility services for 40 / 45 Maldon Bridge Road & Staff Road, Maldon. The subject site includes Lot 1 DP 748675, Lot 1 DP795225, Lot 1 DP1138675, Lot 2 DP1138675, Lot W DP163774, Lot X DP161196 and Lot 1 DP 162140.

A Dial Before You Dig (DBYD) search was undertaken on the 29th July 2020 to investigate the proximity of key existing service infrastructure within the vicinity of the Subject Site. Enquiries were also made with Sydney Water and Endeavour Energy to clarify assumptions from the DBYD search.

Based on the results of the DBYD as well as feasibility applications submitted to Endeavour Energy, Sydney Water and Telstra our advice for the 22.5Ha, 4 lot industrial site is as follows:

- Sewer is not readily available to the site. Sydney water has advised that lead in infrastructure would be required as well as a capacity upgrade at the Picton Treatment Facility. SMEC has included an option and costings for onsite reticulation, detention, and treatment in section 3.1.3
- Potable Water services is available to the site, but will require augmentation to service the proposed development (SMEC has included a breakdown of costs in section 3.2.3)
- Electricity is available to the site but will require the duplication of feeders once the existing feeders reach capacity (estimated 70% of site). (SMEC has included estimated costs for duplication as well as other options in section 3.4.2)
- Telstra and NBN Co. have advised that the National Broadband Network does not service the site. There are options to provide telecommunication services to the site, which vary in cost and lead times (See section 3.5)
- Jemena have advised that there are currently no gas assets that can be utilised to service the site. Lead-in construction would be required to provide gas reticulation (Information and high-level costing available in section 3.6)

2. Introduction

This report prepared by SMEC Australia undertakes a review of the availability of existing utility services for 40 / 45 Maldon Bridge Road & Staff Road, Maldon.

The Subject Site includes Lot 1 DP 748675, Lot 1 DP795225, Lot 1 DP1138675, Lot 2 DP1138675, Lot W DP163774, Lot X DP161196 and Lot 1 DP 162140. The total land area is approximately 22.50Ha.

Figure 1 - Subject Site (Six Maps)

3. Services

3.1 Sewer

3.1.1 Services Inspection

A small number of existing dwellings within the nominated area (Staff Road) are all connected to onsite septic tanks. The nearest existing sewer reticulation is shown in Matthews Lane approximately 2kms northeast of the site on Picton Road.

The NSW Planning Growth Area 'Utility Services Report' prepared for Wilton provides an 'Indicative Wastewater Infrastructure Augmentation and Upgrade Plan', see Figure 2 below, showing a proposed pumping station (orange dot) south of the subject site (red rectangle below) becoming operational in 2026.

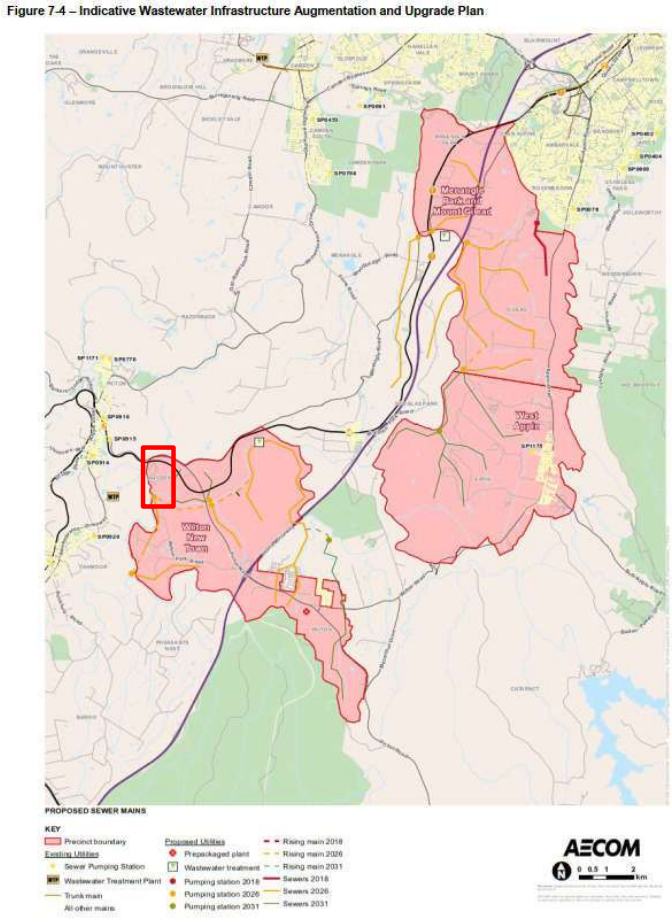

Figure 2- Wilton and Greater Macarthur Priority Growth Areas, Utilities Services Study by AECOM

Other options could be available to services the subject site for a period of time until the future infrastructure reaches the development such as an Interim Operating Procedure (IOP).

3.1.2 Feasibility Application

A Feasibility Application was submitted to Sydney Water for the subject site on the 12/08/2020. The feasibility letter was received on the 12/10/2020 from Sydney Water. The letter states that the advice is a guide only and it provides general information about what Sydney Water requirements could be when the developer applies for a section 73 Certificate for the proposed development. Sydney Water advice is accurate as of the issued date only.

Refer to Appendix A for Sydney Water Feasibility Letter

The Sydney Water assessments found that:

- The subject site has no sewer mains close to the proposed development and the nearest wastewater scheme is the Picton Sewerage System.
- Currently, the Picton Wastewater Recycling Plant has no capacity to manage additional treated effluent.
- Sydney Water is presently working with the Environmental Protection Authority (EPA) to increase effluent management capacity at the Picton Wastewater Recycling Plant. Based on their projected timelines, Sydney Water are aiming to obtain EPA approval to their Environmental Protection Licence variations by July 2021 and subject to the EPA's approval, upgrades to the Picton Wastewater Recycling Plant upgrades could take up to four years to deliver.
- Sydney Water will not be able to provide a wastewater connection for any proposed development or partial development outside of the existing Picton Sewerage Scheme boundary until such time as Sydney Water has implemented its effluent management strategy to expand the Picton wastewater scheme and these required amplification works have been implemented.

As per the Sydney Water advice there is no existing sewer system in the area. Additionally, the wastewater treatment plant is at full capacity and cannot manage additional treated effluent. Sydney Water advised that they are seeking approval to increase the capacity of the Picton treatment facility. If this is approved the additional capacity works can be undertaken and completed circa 2025.

3.1.3 Costings

On site reticulation Sewer system with Septic tank and onsite wastewater treatment management is the only option to service the proposed site.

For each lot in the subdivision the following will be required:

Item	Estimated Cost (Excl. GST)
Design / Water Service Coordination	$20,000
Construction	$250,000
TOTAL	$270,000 per lot.

The above prices will vary depending on the size and capacity requirements of each individual lot.

3.2 Potable Water

3.2.1 Utility Investigation

An existing 150mm diameter cast iron Cement Lined (CICL) potable water main that runs from Picton Road to the subject site within Maldon Bridge Road. There is also a 100mm diameter cast iron Cement Lined (CICL) potable water main that services both Staff Road & Park Road.

Figure 3- Sydney Water existing reticulation map (SWC – 29/07/2020)

Figure 4- Sydney Water existing reticulation map (SWC – 29/07/2020)

The NSW Planning Growth Area 'Utility Services Report' prepared for Wilton provides an 'Indicative Potable Water Infrastructure Augmentation and Upgrade Plan', see Figure 5 below, showing a proposed utility strategy for the lead-in trunk main (blue line) to reach Maldon in Approximately 2031.

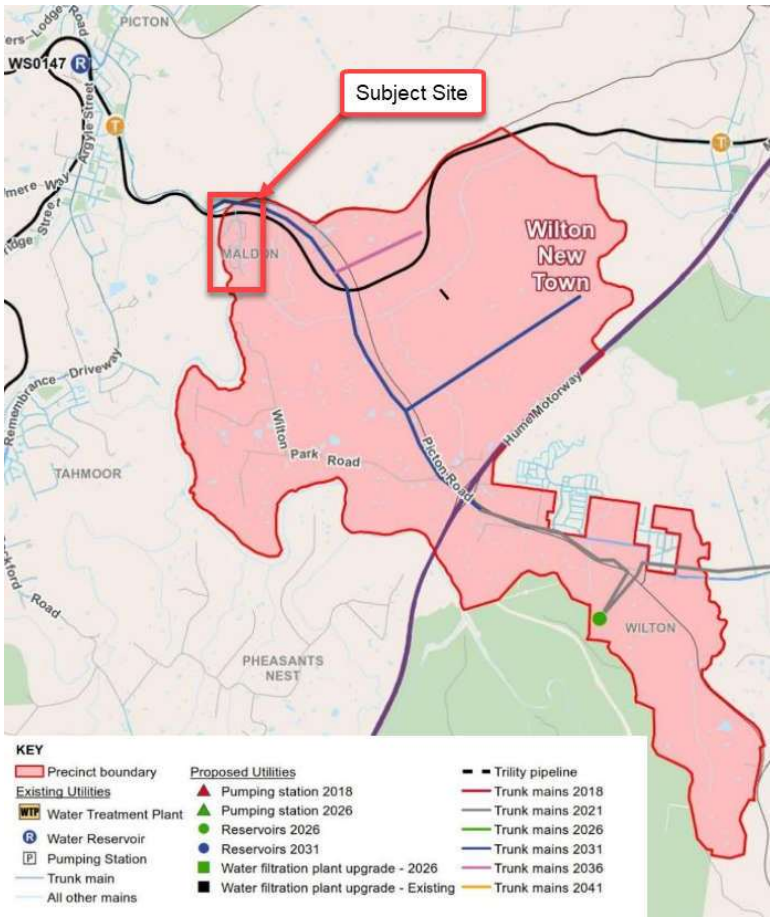

Figure 5- Wilton and Greater Macarthur Priority Growth Areas, Utilities Services Study by AECOM

3.2.2 Feasibility Application

A Feasibility Application was submitted to Sydney Water for the subject site on the 12/08/2020. The feasibility letter was received on the 12/10/2020 from Sydney Water. The letter stated that the advice is a guide only and it provides general information about what Sydney Water requirements could be when the developer applies for a section 73 Certificate for the proposed development. Sydney Water advice is accurate as of the issued date only.

Refer to Appendix A for Sydney Water Feasibility Letter

Sydney Water has assessed the application and found that:

- The existing 100mm potable water main located in Maldon Bridge Road fronting the proposed development site does not have the capacity to supply the required water demand to the site. An amplification of the existing potable water main would be required.

- It is advised that the developer would need to engage a hydraulic consultant to model the water demand and identify the size and length of the amplification to service the proposed development.

3.2.3 Options and Costings

Option 1:

The existing DN100 main fronting the development as per Sydney Waters advice will need to be upsized to DN150.

The required upgrade length will be approx. 1km

The estimated costs of upsizing the existing Water main to DN150 are:

Item	Estimated Cost (Excl. GST)
Design / Water Service Coordination	$75,000
Construction ($300/m)	$300,000
Disconnection and removal of the existing DN100 Water main ($50/m)	$50,000
TOTAL	$425,000

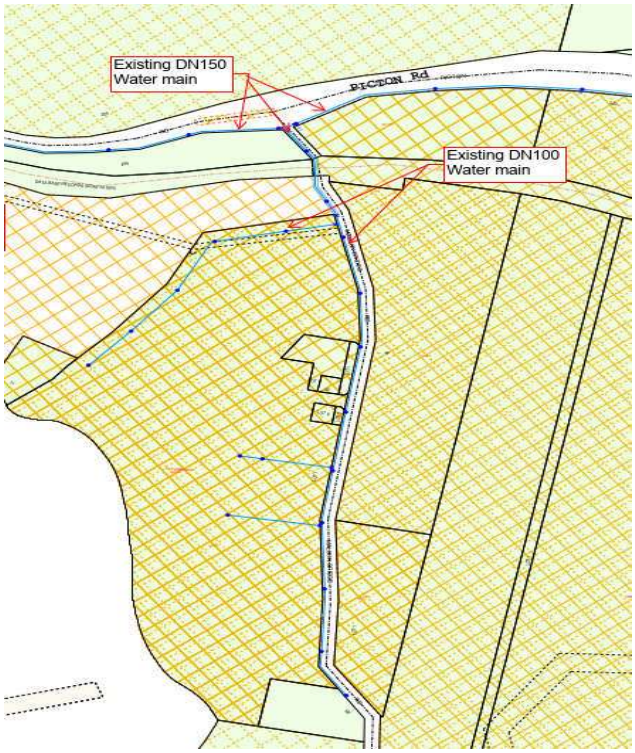

Figure 6 - Existing Sydney Water Potable Water mains surrounding the proposed site.

Figure 7 - Proposed required upsizing.

Option 2:

Should option 01 not reach the requirement for the proposed development the following may also be required.

- Booster pumps with tanks for each lot to provide the required flow and Pressure. Anticipated costs are as follows:

Item	Estimated Cost (Excl. GST)
Design / Water Service Coordination (From Option 1)	$75,000
Construction ($300/m) (From Option 1)	$300,000
Disconnection and removal of the existing DN100 Water main ($50/m) (From Option 1)	$50,000
Booster Pump ($37,000 x 4 lots)	$148,000
Tank (If Required) ($12,500 x 4 lots)	$50,000
TOTAL	$623,000

Option 3:

Upgrade existing DN100 and DN150 Water main from the intersection of Old Hume Hwy and Menangle St to the proposed site for approx. 5km.

Analysis for required sizing and costing in conjunction with Sydney Water would be required only if options 1 and 2 are proven not feasible for the proposed development.

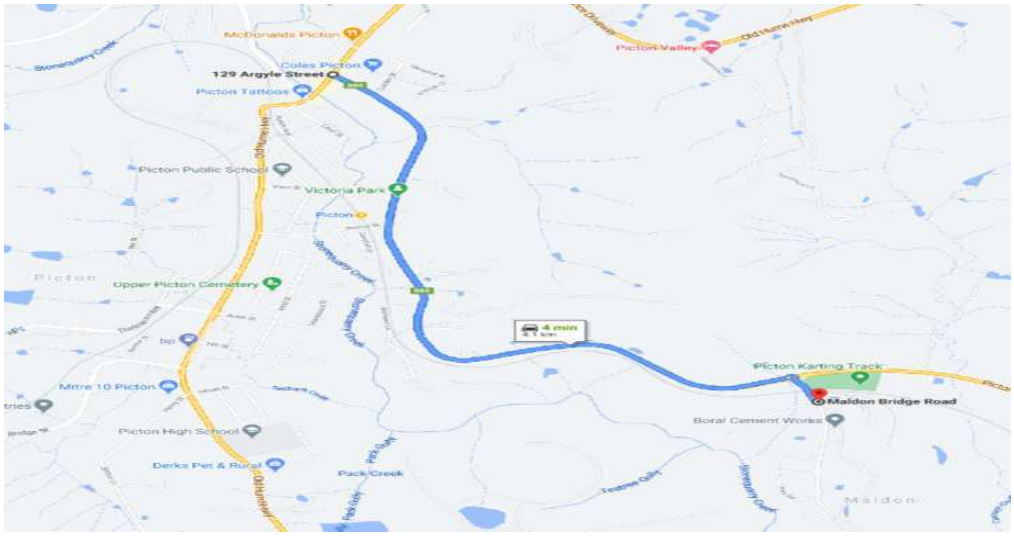

Figure 8 - Google Map showing the location and distance of the required upsize.

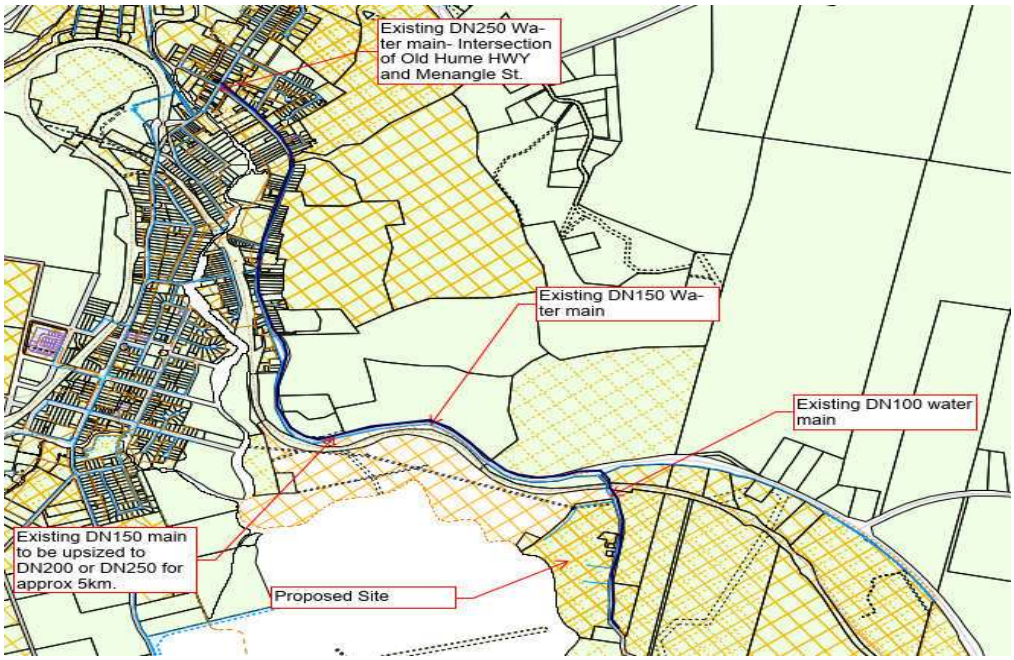

Figure 9 - Sydney Water record – showing existing and proposed water main along Menangle St and Picton Rd to the proposed site

3.4 Electricity

3.4.1 Existing Infrastructure

The existing Boral Cement Works, east of Maldon Bridge Road is a 66kV High Voltage Customer directly supplied from Endeavour Energy Maldon 66kV/11kV Zone substation located at 270 Picton Road, which is approximately 980m away from the site (route length along the existing road of Picton Road and Maldon Bridge Road).

Endeavour Energy Maldon Zone Substation is an 66kV to 11kV step-down substation primarily supply the communities with 11kV feeders except Boral Cement Works.

The subject site has 3 x 66kV feeders running from Maldon Bridge Rd / Picton Rd Intersection to the south. These feeders are:

- Feeders 846 and 847 running from the Maldon Bridge Rd / Picton Rd Intersection to the south for approximately 400m turning into the Boral Cement Works Switching station;
- Feeder 848 continues south toward the Tahmoor Zone Substation.

The subject site has 2 x 11kV feeders off Maldon Zone Substation bypassing the site:

- Feeder 35891 runs along the northern edge of the subject site. This feeder is an overhead line with 19/3.25AAC (Neptune) conductor.
- Feeder 61617 runs along Maldon Bridge Rd and turns west along the southern edge of the site. This feeder is an overhead line with mixed 7/4.50 AAC (Mercury) and 30/7/3.50 ACSR (Lime) conductor.

The existing Pole Transformer DS10184 is located at middle of Maldon Bridge Rd. This Pole Transformer is not recorded with its capacity but from Google Street view, it appears to be a 200kVA Pole Transformer.

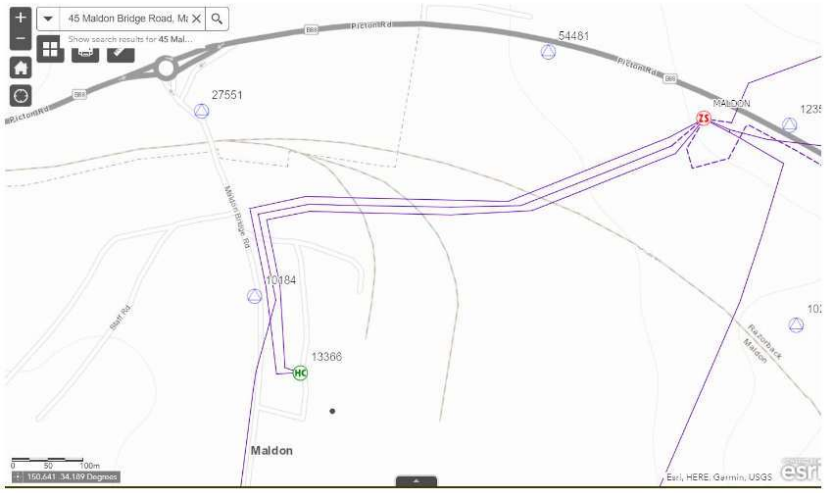

Figure 10 – Existing 66KV Feeders from Maldon Zone Substation

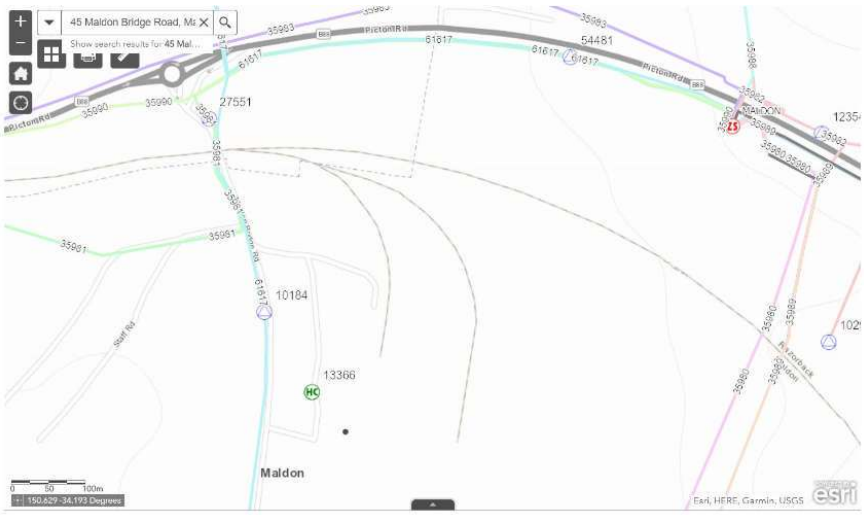

Figure 11 – Existing 11KV feeders from Maldon Zone Substation bypassing subject site.

3.4.2 Desktop Capacity Assessment Endeavour Energy Advice

The required capacity for the subject site situated at 45 Maldon Bridge Rd, Maldon with the approximately development area of 22.5HA is assumed as industrial (heavy). In accordance with AS3000 Table C3, the proposed max demand is calculated as 15,750kVA, which is 15.75MVA. With other reduction factor such as un-useable land and public roads, the max demand is deemed to be reduced to 14MVA, from 15.75MVA.

Spare Capacity from the existing Endeavour Energy network (date sourced from Endeavour Energy Distribution Annual Planning Report at https://dapr.endeavourenergy.com.au/#)

The substation consists of 2 x 35MVA transformers. The firm rating of this zone substation is 35MVA that is secured to the community.

Voltage Levels	Transformer Description (MVA)	Installed Capacity Total 'N' (MVA)	Firm Rating Secure 'N-1' (MVA)	95% Peak Load Exceeded (hours)	Embedded Generation (MW)
66/11kV	2 x 35	70	35	2.75	5.51

1. Maldon Zone Substation anticipated summer load at 2023 is 24.8MVA.

Forecast Data Summer

Forecast PF	Actual (MVA)			Forecast (MVA)			
	2018	2019	2020	2021	2022	2023	2024
0.998	21.2	23.5	24.5	24.8	24.9	24.8	24.8

2. Maldon Zone Substation anticipated winter load at 2023 is 19.8MVA.

Forecast Data Winter

Forecast PF	Actual (MVA)			Forecast (MVA)			
	2017	2018	2019	2020	2021	2022	2023
0.990	17.4	16.5	19.3	19.9	19.9	19.9	19.8

3. Endeavour Energy from the response ENL3835 to preliminary enquiry confirmed as of the time of the report, Maldon Zone Substation has enough capacity. However the assessment is based on diversified load but not on peak load / maximum demand. Endeavour Energy

requires that any large spot loads to be assessed further on a case by case basis.

Potential supply requirements

At present time, it is envisaged that there is spare capacity at Endeavour Energy's Maldon Zone Substation (ZS) to supply this proposed development without zone substation capacity upgrades. This is assessed by Endeavour Energy for normal industrial & commercial subdivisions based on its diversified load. However, if large spot load is identified by the developer for particular tenants or subsequent developments within the subdivision, the implication of the load must be assessed on case by case basis.

4. Existing feeders 35891 And 61617 are not overloaded at the moment.

Distribution HV Feeder Overload

FDR Name	Extent of Primary Feeder Overload (% above normal cyclic rating) (Summer)			Extent of Primary Feeder Overload (% above normal cylic rating) (Winter)			Reduction Required (MVA)	Potential Solution
	Actual 18/19	Forecast 19/20	Forecast 20/21	Actual 2019	Forecast 2020	Forecast 2021		
35988	6.2%	9.1%	12.1%	0.0%	0.0%	0.0%	0.55	Load Transfer
35990	2.8%	5.6%	8.5%	0.0%	0.0%	0.0%	0.39	Monitor
35991	0.0%	0.0%	0.0%	0.0%	0.1%	2.8%	0.13	HVC

5. Existing overhead feeder 35891 has 90A / 1.71MVA spare capacity as of the report time.
   - Commercial & industrial spare capacity on Maldon 35981 Haddon Pl is around 90 A (1.71MVA).
6. Existing overhead feeder 61617 has 50A / 0.95MVA spare capacity as of the report time.
   - Commercial & industrial spare capacity on feeder 61617 is around 50 A (0.95MVA);

Due to the excessive demand from the proposed site, the existing Endeavour Energy overhead network of feeders 35891 and 61617 does **not** have enough capacity to feed the proposed industrial site as full load. However, as a new subdivision, it seems approximately 70% site can be supplied from Endeavour Energy with installing two additional 11kV feeders from Maldon Zone Substation to the site. From Endeavour Energy from the response ENL3835, Endeavour Energy confirmed that supplying the site can be utilized by using existing feeders 35891 and 61617 until they reach the limit.

Existing Maldon ZS 11 kV feeders 61617 Tahmoor & 35981 Haddon Pl can be utilised to supply this proposed development until a new 11kV feeder from Maldon ZS is required. Below provides information on feeder spare capacity at time of this assessment:

Once the limit is reached to feeders 61617 and 36981, a new HV feeder from Maldon Zone Substation to the site will be required. The preferred method is the feeder to be installed underground from Maldon Zone Substation to the site along Picton Road and then Maldon Bridge Road. This estimate is based on Endeavour Energy Asset Valuation Sheet (AVS), which is used by Endeavour Energy to estimate the cost, if this work were completed by Endeavour Energy itself. With different margin and industrial overhead cost, it is common that the contestable work (funded and constructed by the customer) has 20%-25% extra cost on Endeavour Energy AVS value as AVS does not include any auxiliary cost such as traffic control, road full restoration etc.

In this case, AVS returns $398,000 at the developers cost. With 25% extra including working on Picton Road and railway crossing, it is anticipated the developer Cost is approximately $500,000. It shall be noted under current Endeavour Energy HV reimbursement scheme, all HV cables are funded by Endeavour Energy directly at cost of approximately $76,000 but at no cost to the developer.

Item	Estimated Cost (Excl. GST)
AVS Cost (Works)	$398,000
Additional 25% - additional works	$99,500
HV Cable ($76,000)	Supplied by Endeavour Energy
TOTAL	$497,500

The cost estimate includes HV lead-in works for trenching, conduit laying and cable installation only and excludes HV cable material supply cost and any power supply to any subdivided lot as there has

been no strategy to the development yet. Further cost estimate can be completed once supply strategy is given to each lot (e.g. LV customer or HV customer etc.).

Table C3 Maximum Demand – Energy Demand Method for non-Domestic Installations

Type of occupancy		Energy demand	
		Range, VA/m2	Average, VA/m2
Offices	Light and Power Air conditioning -cooling -reverse cycle -zonal reheat -variable volume	40-60 30-40 20-30 40-60 20	50 35 25 50 20
Carparks	Open Air EV charging Basement EV charging	0-10 5-15 10-20 10-30	5 10 15 20
Retail Shops	Light and Power Air conditioning	40-100 20-40	70 30
Warehouses	Light and Power Ventilation Special Equipment	5-15 5 (use load details)	10 5
Light industrial	Light and Power Ventilation Air conditioning Special Equipment	10-20 10-20 30-50 (use load details)	15 15 40
Taverns, licensed clubs	Total	60-100	80
Theatres	Total	80-120	100

Figure 12– Table C3 'Maximum Demand, AS3000

3.4.3 Further Recommendation

It is strongly recommended that the developer considers renewable generator to be installed with building / workshop construction. Solar panels would be the preferred method as the power consumption from industrial sites almost perfectly aligns with solar power generation curve, unless significant night-time activities are proposed.

Further assessment can be taken to for the above.

3.5 Telecommunications

The existing telecommunication utilities available within the vicinity of the Subject Site is provided by Telstra & NBN Co. A summary of the existing services is outlined below:

- Telstra main: Underground telecommunication line parallel to Maldon Bridge Road which is transferred to an overhead wire via a UGOH pole in Staff Road to service the existing dwellings.

Figure 13 - Telstra Pit Staff Road & Maldon Bridge Road (Google street maps 29/07/2020)

- NBN Co: Refer to Figure 14 for the NBN Co Rollout Map. NBN has been constructed in Picton to the west of the Subject Site. No other NBN as a result of the DBYD search is available within the proximity of the Subject Site.

  Option 1 – existing technology utilised for the area

- NBN have advised that utilising the Sky Muster Satellite Technology will be quite expensive as you are essentially paying for the data that you use. It is understood that the only cost will be the ongoing contract that the client will enter into with a service provider
- NBN have also advised to have testing undertaken to investigate if the site can utilise the Fixed Wireless network, which they believe can be done as there are multiple NBN towers located within the area. This will incur a cost for NBN to attend site and conduct an investigation of the signal strength. The cost will be provided by NBN prior to testing being undertaken.

  Option 2 – Technology Change

- In order to undertake a cost analysis for option 2 the developer will need to submit an application to NBN as they will carry out the works required inhouse. It is likely that the cost for this will be excessive as the closest NBN Pit and pipe infrastructure is approximately 2.5km away. NBN has advised that this process could take up to 3 months to return the required information.

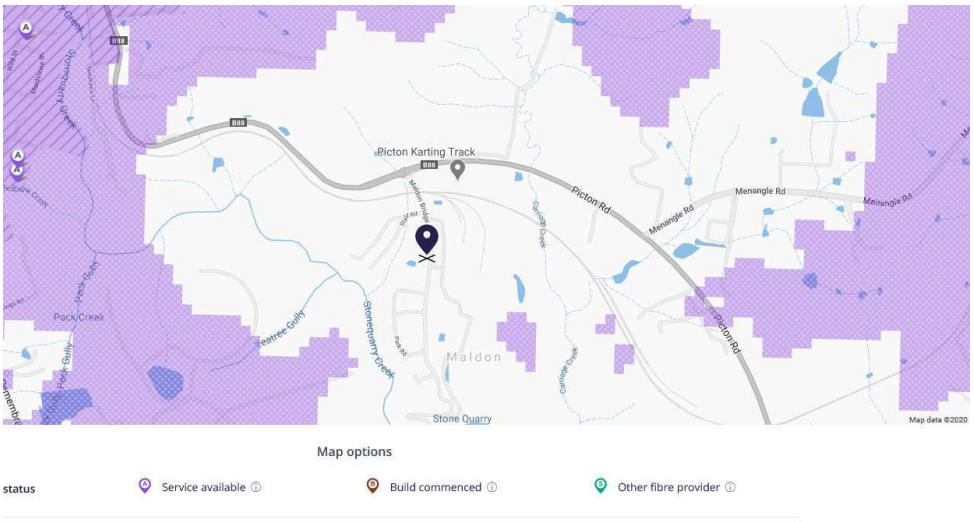

Figure 14 - NBN Co Network Rollout Map (NBN Co – 31/07/2020)

3.6 Gas

No existing gas reticulation is located on any of our DYBD searches.

Jemena correspondence outlined in the Wilton and Greater Macarthur Priority Growth Areas, Utilities Services Study prepared by AECOM in June 2017 states *'Jemena has no substantial infrastructure in the vicinity to supply this development. At this stage a significant contribution of greater than $15 Million (Desktop Estimate) would be required in order for Jemena to consider bringing natural gas this this development'.*

Appendix A – Sydney Water Feasibility Letter

Case Number: 186539

12 October 2020

BORAL LAND AND PROPERTY GROUP
c/- SMEC AUSTRALIA PTY LTD

FEASIBILITY LETTER

Developer:	**BORAL LAND AND PROPERTY GROUP**
Your reference:	**78181-Feas**
Development:	**Lot 1 DP748675 MALDON BRIDGE RD, Maldon**
Development Description:	**Proposed Heavy Industrial development.**
Your application date:	**12 August 2020**

Note: **Level 1 water restrictions are now in place**, which limits how and when water can be used outdoors. This can impact you and your contractors in the activities they need to undertake for this proposal.

Using water to suppress dust is not restricted, but this does mean that you/your contractors will need to apply for an exemption permit to use water for most outdoor uses including:

- Cleaning equipment and the exterior of new buildings
- Drilling and boring, and
- Batching concrete on-site

Fines for deliberate breaches of restriction rules apply from 1 September 2019.
For more information on the restrictions and for applying for an exemption, visit our web site at http://www.sydneywater.com.au/SW/water-the-environment/what-we-re-doing/water-restrictions/index.htm
The more water everyone saves, the longer we can stave off the progression to stricter restrictions or emergency measures.
Please provide this information to your contractors and delivery partners to inform them of their obligations.

Dear Applicant

This Feasibility Letter (Letter) is a guide only. It provides general information about what Sydney Water's requirements could be if you applied to us for a Section 73 Certificate (Certificate) for your proposed development. **The information is accurate at today's date only.**

If you obtain development consent for that development from your consent authority (this is usually your local Council) they will require you to apply to us for a Section 73 Certificate. You will need to submit a new application (and pay another application fee) to us for that Certificate by using your current or another Water Servicing Coordinator (Coordinator).

Sydney Water will then send you either a:

- Notice of Requirements (Notice) and Developer Works Deed (Deed) or
- Certificate.

These documents will be the definitive statement of Sydney Water's requirements.

There may be changes in Sydney Water's requirements between the issue dates of this Letter and the Notice or Certificate. The changes may be:

- if you change your proposed development eg the development description or the plan/ site layout, after today, the requirements in this Letter could change when you submit your new application; and

- if you decide to do your development in stages then you must submit a new application (and pay another application fee) for each stage.

No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from Sydney Water and to the extent that it is able, Sydney Water limits its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.

What You Must Do To Get A Section 73 Certificate In The Future.

To get a Section 73 Certificate you must do the following things. You can also find out about this process by visiting www.sydneywater.com.au > Plumbing, building & developing > Developing > Land development.

1. **Obtain Development Consent from the consent authority for your development proposal.**

2. **Engage a Water Servicing Coordinator (Coordinator).**

   You must engage your current or another authorised Coordinator to manage the design and construction of works that you must provide, at your cost, to service your development. If you wish to engage another Coordinator (at any point in this process) you must write and tell Sydney Water.

   For a list of authorised Coordinators, either visit www.sydneywater.com.au > Plumbing, building & developing > Developing > Providers > Lists or call **13 20 92.**

   The Coordinator will be your point of contact with Sydney Water. They can answer most questions that you might have about the process and developer charges and can give you a quote or information about costs for services/works (including Sydney Water costs).

3. **Developer Works Deed**

   It would appear that your feasibility application is served from existing mains and does not require any works to be constructed at this time. Sydney Water will confirm this with you after you have received Development Approval from Council and your Coordinator has submitted a new Development application and Sydney Water has issued you with a formal Notice of Requirements.

4. **Water and Sewer Works**

   4.1 **Water**

   Your development must have a frontage to a water main that is the right size and can be used for connection.

   Sydney Water has assessed your application and found that:

   - The existing 100mm potable water main located in Maldon Bridge Road fronting the proposed development site does not have the capacity to supply the required water demand to the site. An amplification of the existing potable water main would be required.
   - It is advised that the developer would need to engage a hydraulic consultant to model the water demand and identify the size and length of the amplification to service the proposed development.

4.2 Sewer

Sydney Water has assessed your application and found that:

- The subject site has no sewer mains close to the proposed development and the nearest wastewater scheme is the Picton Sewerage System.
- Currently, the Picton Wastewater Recycling Plant has no capacity to manage additional treated effluent.
- Sydney Water is presently working with the Environmental Protection Authority (EPA) to increase effluent management capacity at the Picton Wastewater Recycling Plant. Based on our projected timelines, Sydney Water are aiming to obtain EPA approval to our Environmental Protection Licence variations by July 2021 and subject to the EPA's approval, upgrades to the Picton Wastewater Recycling Plant upgrades could take up to four years to deliver.
- Sydney Water will not be able to provide a wastewater connection for any proposed development or partial development outside of the existing Picton Sewerage Scheme boundary until such time as Sydney Water has implemented its effluent management strategy to expand the Picton wastewater scheme and these required amplification works have been implmented. For more information please see https://www.sydneywater.com.au/SW/water-the-environment/what-we-re-doing/current-projects/improving-our-wastewater-system/picton-water-recycling-plant/index.htm

5. Ancillary Matters

5.1 Asset adjustments

After Sydney Water issues this Notice (and more detailed designs are available), Sydney Water may require that the water main/sewer main/stormwater located in the footway/your property needs to be adjusted/deviated. If this happens, you will need to do this work as well as the extension we have detailed above at your cost. The work must meet the conditions of this Notice and you will need to complete it **before we can issue the Certificate**. Sydney Water will need to see the completed designs for the work and we will require you to lodge a security. The security will be refunded once the work is completed.

5.2 Entry onto neighbouring property

If you need to enter a neighbouring property, you must have the written permission of the relevant property owners and tenants. You must use Sydney Water's **Permission to Enter** form(s) for this. You can get copies of these forms from your Coordinator or the Sydney Water website. Your Coordinator can also negotiate on your behalf. Please make sure that you address all the items on the form(s) including payment of compensation and whether there are other ways of designing and constructing that could avoid or reduce their impacts. You will be responsible for all costs of mediation involved in resolving any disputes. Please allow enough time for entry issues to be resolved.

OTHER THINGS YOU MAY NEED TO DO

Shown below are other things you need to do that are NOT a requirement for the Certificate. They may well be a requirement of Sydney Water in the future because of the impact of your development on our assets. You must read them before you go any further.

Approval of your building plans

Please note that the building plans must be approved when each lot is developed. This can be done at Sydney Water Tap in™. Visit www.sydneywater.com.au > Plumbing, building & developing > Building > Sydney Water Tap in™.

This is not a requirement for the Certificate but the approval is needed because the construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains).

Where a Sydney Water stormwater channel, pipe or culvert is located within ten (10) metres of your development site it must be referred to Sydney Water for further assessment.

Your Coordinator can tell you about the approval process including:

- Possible requirements;
- Costs; and
- Timeframes.

Note: You must obtain our written approval before you do any work on Sydney Water's systems. Sydney Water will take action to have work stopped on the site if you do not have that approval. We will apply Section 44 of the *Sydney Water Act 1994.*

Soffit Requirements

Please be aware that floor levels must be able to meet Sydney Water's soffit requirements for property connection and drainage.

Requirements for Business Customers for Commercial and Industrial Property Developments

If this property is to be developed for Industrial or Commercial operations, it may need to meet the following requirements:

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must wait for approval of this permit before any business activities can commence.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

A **Boundary Trap** is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable **Backflow Prevention Containment Device** appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on **1300 889 099**.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:
http://www.sydneywater.com.au/Plumbing/BackflowPrevention/

Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, http:// www.waterrating.gov.au/
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to http://www.sydneywater.com.au/Water4Life/InYourBusiness/ RWTCalculator.cfm
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a **contingency plan** for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at: http:// www.sydneywater.com.au/OurSystemsandOperations/TradeWaste/ or contact Business Customer Services on **1300 985 227** or businesscustomers@sydneywater.com.au

Fire Fighting

Definition of fire fighting systems is the responsibility of the developer and is not part of the Section 73 process. It is recommended that a consultant should advise the developer regarding the fire fighting flow of the development and the ability of Sydney Water's system to provide that flow in an emergency. Sydney Water's Operating Licence directs that Sydney Water's mains are only required to provide domestic supply at a minimum pressure of 15 m head.

A report supplying modelled pressures called the Statement of Available pressure can be purchased through Sydney Water Tap in™ and may be of some assistance when defining the fire fighting system. The Statement of Available pressure, may advise flow limits that relate to system capacity or diameter of the main and pressure limits according to pressure management initiatives. If mains are required for fire fighting purposes, the mains shall be arranged through the water main extension process and not the Section 73 process.

Large Water Service Connection

A water main are available to provide your development with a domestic supply. The size of your development means that you will need a connection larger than the standard domestic 20 mm size.

To get approval for your connection, you will need to lodge an application with Sydney Water Tap in™. You, or your hydraulic consultant, may need to supply the following:

- A plan of the hydraulic layout;
- A list of all the fixtures/fittings within the property;
- A copy of the fireflow pressure inquiry issued by Sydney Water;
- A pump application form (if a pump is required);
- All pump details (if a pump is required).

You will have to pay an application fee.

Sydney Water does not consider whether a water main is adequate for fire fighting purposes for your development. We cannot guarantee that this water supply will meet your Council's fire fighting requirements. The Council and your hydraulic consultant can help.

Disused Water Service Sealing

You must pay to disconnect all disused private water services and seal them at the point of connection to a Sydney Water water main. This work must meet Sydney Water's standards in the Plumbing Code of Australia (the Code) and be done by a licensed plumber. The licensed plumber must arrange for an inspection of the work by a NSW Fair Trading Plumbing Inspection Assurance Services (PIAS) officer. After that officer has looked at the work, the drainer can issue the Certificate of Compliance. The Code requires this.

Other fees and requirements
The requirements in this Notice relate to your Certificate application only. Sydney Water may be involved with other aspects of your development and there may be other fees or requirements. These include:

- plumbing and drainage inspection costs;
- the installation of backflow prevention devices;
- trade waste requirements;
- large water connections and
- council fire fighting requirements. (It will help you to know what the fire fighting requirements are for your development as soon as possible. Your hydraulic consultant can help you here.)

No warranties or assurances can be given about the suitability of this document or any of its provisions for any specific transaction. It does not constitute an approval from Sydney Water and to the extent that it is able, Sydney Water limits its liability to the reissue of this Letter or the return of your application fee. You should rely on your own independent professional advice.

END

Appendix B – Endeavour Energy Technical Review

28 September 2020

Endeavour Energy Ref: ENL3835 – 2014/02306/001

SMEC Australia
20 Berry Street
NORTH SYDNEY NSW 2060

Attention: Murphy Su

ENL3835 – Technical Review | LOT 1, DP 748675, 80 Maldon Bridge Road, MALDON

Thank you for your technical review request, providing information of the proposed development at the above location. Your enquiry has been registered under the above reference number. Please quote this reference number on all future correspondence.

Endeavour Energy understands that the proposed industrial rezoning and subdivision development is located west of Boral Cement Works in Maldon and is probably to yield 20Ha of usable lands for industrial purpose. The indicative subdivision lot layout is shown in Figure 1 below.

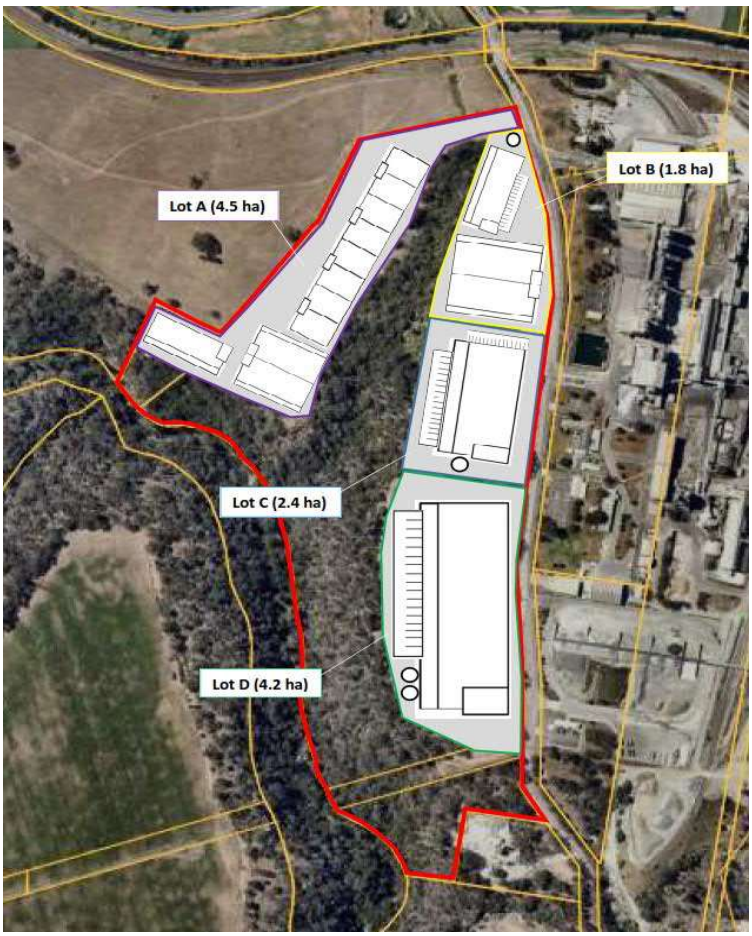

Figure 1 – Maldon industrial rezoning indicative lot layout

Endeavour Energy assessed load

Endeavour Energy assessed load for the proposed Maldon industrial rezoning and subdivision is 6MVA (diversified load) based on 40VA/sqm with some reasonable diversity factor applied on top.

Potential supply requirements

At present time, it is envisaged that there is spare capacity at Endeavour Energy's Maldon Zone Substation (ZS) to supply this proposed development without zone substation capacity upgrades. This is assessed by Endeavour Energy for normal industrial & commercial subdivisions based on its diversified load. However, if large spot load is identified by the developer for particular tenants or subsequent developments within the subdivision, the implication of the load must be assessed on case by case basis.

Existing Maldon ZS 11 kV feeders 61617 Tahmoor & 35981 Haddon Pl can be utilised to supply this proposed development until a new 11kV feeder from Maldon ZS is required. Below provides information on feeder spare capacity at time of this assessment:

- Commercial & industrial spare capacity on feeder 61617 is around 50 A (0.95MVA);
- Commercial & industrial spare capacity on Maldon 35981 Haddon Pl is around 90 A (1.71MVA).

To supply the rest of this development, a new feeder will need to be constructed from Maldon ZS. Endeavour Energy will investigate and nominate suitable feeder connection CB at Maldon ZS during connection application stage and works associated with making connection point CB available within Zone Substations are generally funded and constructed by Endeavour Energy in parallel with customer's connection works.

Please note that above response is based on the information and data available at present time. Endeavour Energy does not reserve capacity, and network capacity investigations will need to be conducted when the formal application for subdivision or connection of load is submitted in the future.

Endeavour Energy is committed to making provisions for proponents to connect to its network in a fair and equitable manner. This is in line with reasonable legislated user pays principles for connection works and in a manner, which will ensure an acceptable quality of supply for all existing and future customers. In general, design and construction of the connection assets must be funded by the customer and gifted to Endeavour Energy under the contestable works framework. This process is documented in Endeavour Energy's Model Standing Offer for a Standard Connection Service. The customer must engage Level 3 and Level 1 Accredited Service Providers (ASP) for the proposed electrical works.

Should you have any questions regarding the response to your technical review request please contact the undersigned.

Yours faithfully,

J. Lei

Jonathan Lei
Contestable Works Project Manager
Ph: 02 9853 7905
Email: Jonathan.Lei@endeavourenergy.com.au

TRAFFIC AND TRANSPORT ASSESSMENT REPORT

FOR

PLANNING PROPOSAL TO EXPAND THE IN3 HEAVY INDUSTRIAL AND ENVIRONMENTAL CONSERVATION ZONE MALDON BRIDGE ROAD MALDON

Ref. 21005r

12 March 2021

Prepared By

TRANSPORT & URBAN PLANNING PTY LTD
Traffic Engineering, Transport Planning
Road Safety & Project Management Consultants
5/90 Toronto Parade
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SUTHERLAND NSW 2232
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CONTENTS

1.0	**INTRODUCTION**		**1**
	1.1	Introduction	1
	1.2	Planning Proposal	1
	1.3	This Report	1
2.0	**BORAL'S OPERATION AND REZONING PROPOSAL**		**3**
	2.1	Boral Existing Operation	3
	2.2	Boral's Current Development Proposal	3
	2.3	Rezoning Proposal	4
3.0	**EXISTING ROAD NETWORK AND TRAFFIC CONDITIONS**		**5**
	3.1	Existing Road Network	5
	3.2	Existing Traffic Conditions	5
	3.3	Bus Routes	8
	3.4	Bicycle Routes	8
	3.5	Future Proposals	8
	3.6	Future Traffic Growth	9
4.0	**CUMULATIVE TRAFFIC IMPACTS OF REZONING PROPOSAL**		**10**
	4.1	Traffic Impacts of Boral's Current Development Proposal	10
	4.2	Traffic Generation of Rezoning Proposal	11
	4.3	Cumulative Traffic Impact of Rezoning Proposal	12
5.0	**CONCLUSIONS**		**13**

ILLUSTRATIONS

Figure 1	Location
Figure 2	Rezoning Proposal
Figure 3	Traffic Management at Picton Road/Maldon Bridge Road Intersection
Figure 4	Existing AM and PM Peak Hour Traffic Volumes
Figure 5	Traffic Volumes from Boral's Current Development Application in Maximum Hour
Figure 6	Additional Traffic from Rezoning Proposal in AM and PM Peak Hours

APPENDICES

Appendix 1	SIDRA Outputs
Appendix 2	Extracts of Picton Bypass Strategic Corridor Option Study

1.0 INTRODUCTION

1.1 Introduction

This report documents the findings of a traffic assessment for the expansion of the IN3 Heavy Industrial and Environmental Conservation zones in Maldon Bridge Road, Maldon. **Figure 1** shows the location.

The traffic assessment has been undertaken as part of planning proposal for the rezoning of the land prepared by GLN Planning on behalf of Boral.

1.2 Planning Proposal

The planning proposal seeks to amend *Wollondilly Local Environmental Plan 2011* (Wollondilly LEP 2011) to rezone land that is currently RU2 Rural Landscape to IN3 Heavy Industrial and E2 Environmental Conservation and introduce minimum lot size controls at 40-45 Maldon Bridge Road and Staff Road, Maldon.

The existing Boral operations at Maldon are primarily located east of Maldon Bridge Road on land zoned IN3 Heavy Industrial under Wollondilly LEP 2011. The Boral operation manufactures, processes and stores materials used in the construction industry. Boral has a rail siding from the Southern Main Rail Line so that the use can operate as a transport distribution terminal and it has funded the roundabout at the intersection of Maldon Bridge Road and Picton Road to accommodate heavy vehicles, including B doubles at the site. The planning proposal seeks to rezone residue land zoned RU2 Rural Landscapes on the western side of Maldon Bridge Road and Staff Road that has historically been associated with the Boral operation, including land use as a concrete batching plant and both previous (now demolished) and existing workers cottages that enjoy existing use rights.

1.3 This Report

This report examines the traffic impacts of;

- The existing Boral Operation at Maldon, together with a current Development Application before Wollondilly Council for proposed alterations and additions; and

- The future traffic generation of the proposed rezoned land.

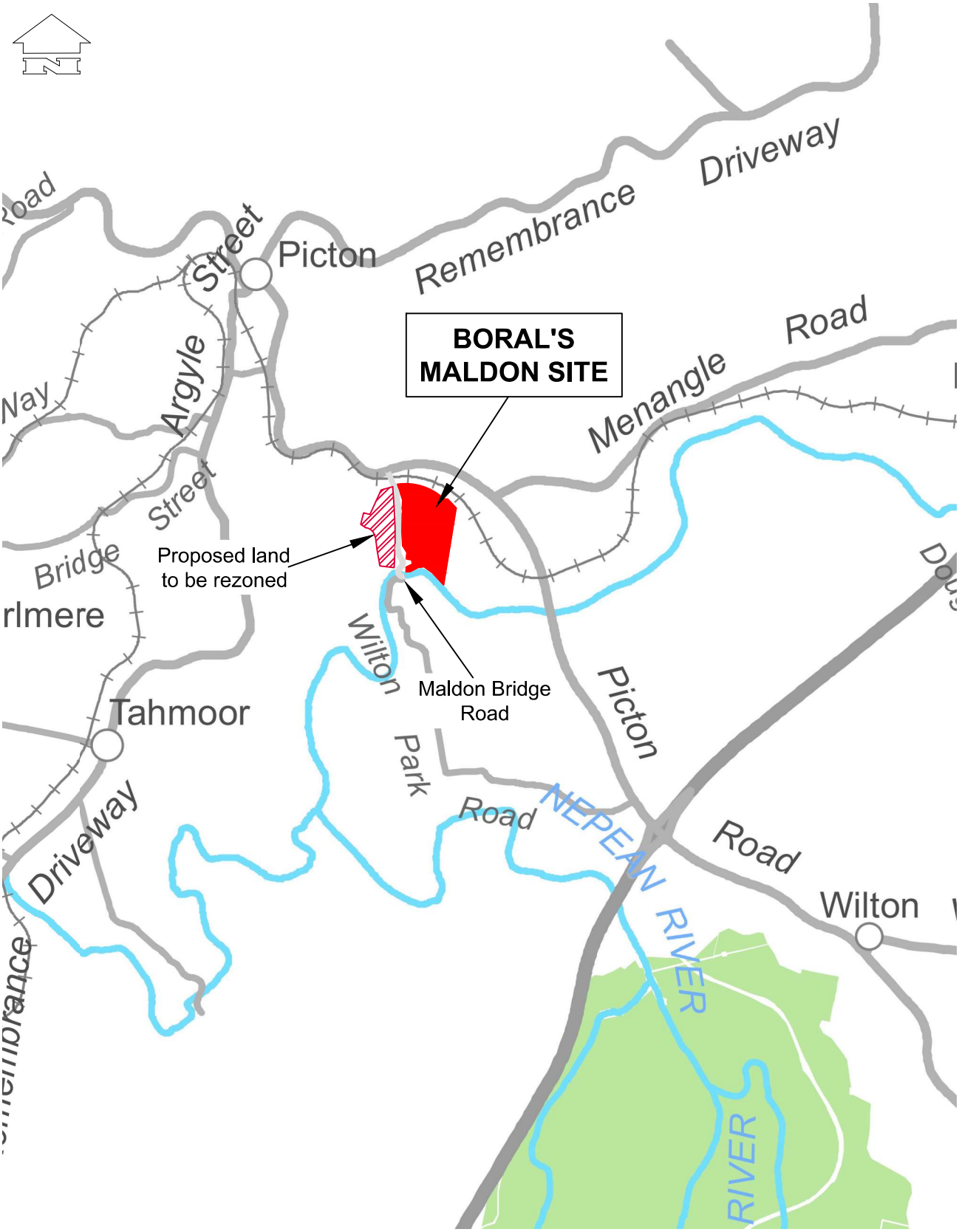
This traffic impact assessment has been prepared in accordance with the Transport for NSW (former RTA/RMS) Guide to Traffic Generating Developments, October 2002 and addresses all relevant issues as outlined in Table 2.1 of the Guide.

Other relevant standards/guidelines adopted and used during the traffic assessment include:

- Austroads Guide to Traffic Management and, in particular, Part 12 – Traffic Impacts of Developments; and

- Transport for NSW Austroads Guide Supplements – Austroads Guide to Traffic Management.

The traffic modelling undertaken as part of this assessment has used SIDRA 9 software, which is a Transport for NSW approved traffic model for intersection analysis.



TRANSPORT AND URBAN PLANNING

TRAFFIC, TRANSPORT & PROJECT MANAGEMENT CONSULTANTS

5/90 Toronto Parade, Sutherland NSW 2232
Phone 02 9545 1411
admin@transurbanplan.com.au

FIGURE 1

MALDON REZONING

LOCATION

JOB NO.21005

3 MARCH 2021

The remaining sections of this report document the following;

- Section 2 describes the Boral Site operation, including the proposed additions, as well as details of the rezoning proposal;
- Section 3 examines the existing traffic conditions in the area;
- Section 4 documents the assessment of the cumulative traffic impacts of the Boral operation and the rezoning proposal; and
- Section 5 presents the conclusions.

2.0 BORAL'S OPERATION AND REZONING PROPOSAL

2.1 Boral Existing Operation

Boral has a number of business units on the Maldon site which generally operate independently of each other under separate development consents. The Cement Works is located on the northern part of the site. The Rail Terminal is located on the southern boundary of the Cement Works. A concrete batching plant is located on the western side of Maldon Bridge Road.

The site is accessed off Maldon Bridge Road via a roundabout off Picton Road, Maldon. The roundabout formed part of the intersection upgrade, as part of the Rail Terminal consent.

The Rail Terminal has been in operation since 2013 and the Cement Works has been operating since the 1950s.

The Quarry stockpiling facility is positioned adjacent on the western side of the Maldon rail siding which allows for the transport of quarry product via rail.

The Cement Works operates 24 hours, 7 days and the Concrete Batching Plant between 6.00am to 6.00pm Monday to Saturday. The Rail Terminal hours are as follows;

- Train unloading and stockpiling: Monday to Sunday 24 hours.
- Truck loading and despatch: Monday to Saturday 5:00 am to 10:00 pm.
- Maintenance: Monday to Sunday 24 hours.

Currently there is a total of 77 employees on the site.

2.2 Boral's Current Development Proposal

Boral's current development proposal is for proposed alterations and additions which will be located on the southern section of the Boral site, on the eastern side of Maldon Bridge Road.

The development proposal includes:

- A new blending plant incorporating a coating plant which can produce up to 250,000 tpa of blended product; and

- Additional, formalised stockpiling for product unloaded from trains brought into site, as well as associated stormwater management structures.

The development proposal will require one (1) additional full time employee.

Material blended within the plant will comprise of aggregate (crushed rock) from Peppertree Hard Rock Quarry (which will be brought in via the train) and cement from Boral's cement operations at Berrima. Stabiliser (a Boral Cement stabilment used as a binder in road stabilisation products) will be delivered to the plant in 25-28 tonne tankers at a rate of no more than one to two cement truck deliveries per week. Some product will also be delivered from other Boral quarries by road.

The blended product will be produced on demand. The product will be discharged directly from the plant into trucks for delivery to customers or temporarily stockpiled overnight. All product produced by the blending plant will be transported by truck.

Table 2.1 shows the proposed tonnages and one way truck movements generated by the proposed blending plant.

Trucks delivering product to the site by road (quarry products and cement) for use in the proposed blending plant would, on most occasions, also take out material produced by the blending plant.

TABLE 2.1

BLENDING PLANT, TONNAGE AND ONE WAY TRUCK LOADS

	Tonnes	Truck dispatches (one way) based on (32t truck)
Annual	250,000t	7,813
Daily Max	1,800t	56
Daily Average	800t	25
Hourly Max	400t	13

2.3 Rezoning Proposal

The planning proposal identifies an indicative 12.43 hectares of area to be zoned as IN3 (Heavy Industrial) and 10.927 hectares as potential Environmental Conservation Zone.

All of this land is located on the western side of Maldon Bridge Road with a frontage to Maldon Bridge Road and Staff Road. **Figure 2** shows the Rezoning Proposal.

A portion of the IN3 land (i.e. 1 hectare site) is already occupied by a Boral Concrete Batching Plant.

Therefore, the future area that could be developed as Heavy Industrial (IN3 land) is 11.43 hectares.

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FIGURE 2

MALDON REZONING

REZONING PROPOSAL

JOB NO 21005 3 MARCH 2021

3.0 EXISTING ROAD NETWORK AND TRAFFIC CONDITIONS

3.1 Existing Road Network

The principal roads that provide access to Boral's Maldon site include Maldon Bridge Road and Picton Road. Both of these roads are approved 25-26 metre long B-double routes.

Maldon Bridge Road, a local council road, forms a T-junction intersection with Picton Road and is a dead end road approximately 1.0km south of Picton Road. While not signposted, the speed limit in Maldon Bridge Road is 60km/h.

A rail level crossing is located in Maldon Bridge Road some 90 metres south of Picton Road. Controls include flashing lights, boom gates, advance signage and road marking.

Picton Road, which is a state road, links the town of Picton to Hume Motorway and further to the east links to Princes Highway, north of Wollongong.

In the section between Maldon Bridge Road and Hume Motorway, Picton Road is constructed as a 2-3 lane rural road with wide sealed shoulders, centreline and edgeline road markings and guidepost and reflectors. Auxiliary or turning lanes are provided at intersections including at Menangle Road, Allied Mills Access Road, Wilton Park Road and On and Off Ramps to Hume Motorway.

The section of Picton Road from Hume Motorway to the west for a distance of 2.6kms incorporates two lanes travelling towards the Motorway (i.e. easterly direction) with a single through lane between this point and Maldon Bridge Road. A single through lane is provided in the opposite direction (i.e. western direction) between the Motorway and Maldon Bridge Road.

The speed limit in this section of Picton Road is a mixture of 80km/h and 100km/h.

The Picton Road/Maldon Bridge Road intersection (**Figure 3**) was upgraded by Boral as part of the Rail Terminal Consent to provide a large single lane roundabout with a left turn auxiliary slip lane in the eastern approach of Picton Road, into Maldon Bridge Road. The speed limit in Picton Road at the roundabout is 80km/h and street lighting is provided at the roundabout, together with appropriate signage.

The other intersections in this section of Picton Road are subject to sign control (stop or give way) on the intersecting side road.

3.2 Existing Traffic Conditions

Traffic counts were undertaken at the intersection of Picton Road and Maldon Bridge Road on Wednesday 11 March 2020, from 5.30am to 9.30am and 3.30pm to 7.00pm. These times cover the main shift times at Boral's Maldon site.

Table 3.1 summarises the hourly traffic volumes using the Picton Road – Maldon Bridge Road roundabout intersection for each approach during the 5.30am – 9.30am and 3.30pm to 7.00pm periods.

Reference to Table 3.1 shows that the traffic volumes using Picton Road are relatively tidal with the eastbound direction the heaviest in the AM period and the westbound direction the heaviest in the PM period.

In the AM period, eastbound volumes range between 487 vehicles per hour (vph) and 584vph while westbound volumes range between 187vph and 428vph.

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FIGURE 3
MALDON REZONING
TRAFFIC MANAGEMENT AT PICTON ROAD / MALDON BRIDGE ROAD INTERSECTION
JOB NO 21005 3 MARCH 2021

In the PM period, eastbound volumes range between 302vph and 442vph, while westbound volumes range between 587vph and 755vph.

Maldon Bridge Road carries relatively light traffic volumes generally associated with the existing operations in both directions in both the AM and PM periods. Northbound volumes in the AM and PM periods were 26-29vph and 18-46vph respectively. Southbound volumes in the same periods were 31-44vph (AM) and 9-25vph (PM).

TABLE 3.1

WEEKDAY AM AND PM TRAFFIC VOLUMES USING PICTON ROAD AND MALDON BRIDGE ROAD

	Picton Road			Maldon Bridge Road		
	East bound	West bound	Total (both directions)	North bound	South bound	Total (both directions)
5.30-6.30am	536	187	723	26	43	69
6.30-7.30am	490	340	830	29	44	73
7.30-8.30am	584	368	952	27	38	65
8.30-9.30am	487	428	915	27	31	58
3.30-4.30pm	442	587	1029	41	23	64
4.30-5.30pm	404	726	1130	46	25	71
5.30-6.30pm	302	755	1057	18	9	27
6.30-7.00pm	104	236	340	8	2	10

Source: Traffic Counts – Wednesday 11 March 2020

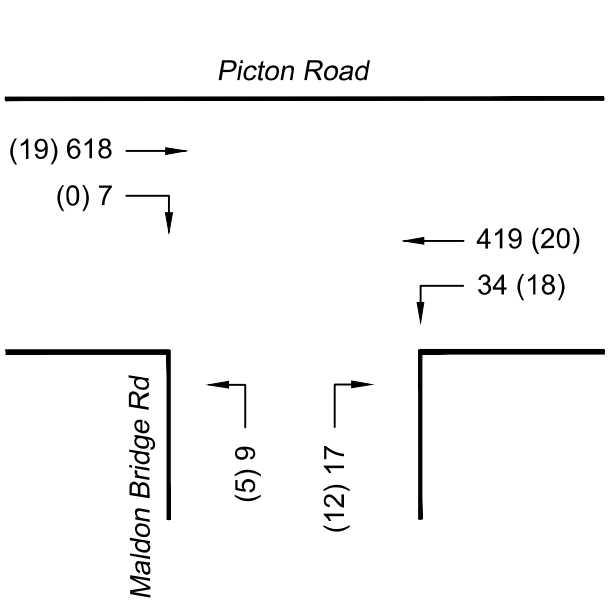
The peak hours at the intersection occurred between 7.45am – 8.45am and 4.45pm – 5.45pm. **Figure 4** shows the traffic volumes using the roundabout during these periods.

To assess the existing operational capacity of the Picton Road/Maldon Bridge Road roundabout intersection during the AM and PM peak hours, traffic modelling using the SIDRA 9.0 traffic model was undertaken.

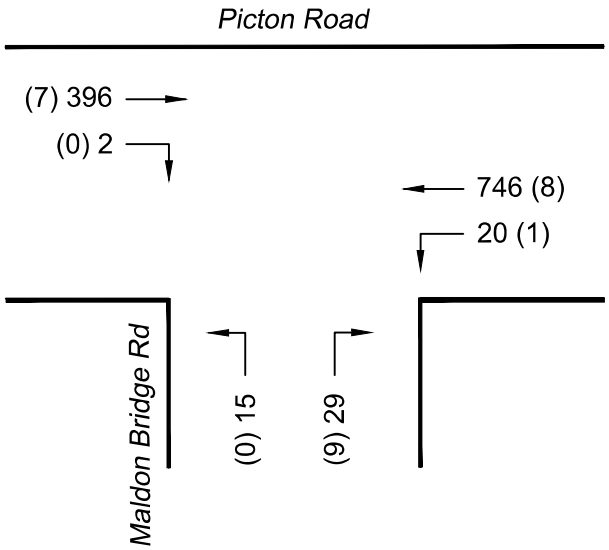
SIDRA is a suitable model to assess the operational performance of intersections. Criteria for interpreting an intersection controlled operation are Level of Service (LS), Degree of Saturation (DS) and Average Vehicle Delay (AVD). For intersections under Priority/Stop Sign control and Roundabout Control, Average Vehicle Delay for Individual Movements is relevant.

Table 3.2 is reproduced from the RTA's Guide to Traffic Generating Developments (October 2002) and provides an explanation of the various levels of service for intersections.

A Level of Service D or better (i.e. A, B, C or D) is generally considered to be a minimum design requirement for intersections. The level of service for intersections controlled by Give Way/Stop Signs or under Roundabout Control is determined from the movement with the highest average vehicle delay.



AM PEAK HOUR
7:45am - 8:45am



PM PEAK HOUR
16:45pm - 17:45pm

KEY
344 TOTAL VEHICLES
(27) HEAVY VEHICLES

SOURCE
TRAFFIC COUNTS WEDNESDAY 11 MARCH 2020

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FIGURE 4
MALDON REZONING
EXISTING AM AND PM PEAK HOUR TRAFFIC VOLUMES

JOB NO 21005 3 MARCH 2021

TABLE 3.2

LEVEL OF SERVICE CRITERIA FOR INTERSECTIONS

Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way & Stop Signs
A	<14	Good operation	Good operation
B	15 to 28	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
C	29 to 42	Satisfactory	Satisfactory, but accident study required
D	43 to 56	Operating near capacity	Near capacity and accident study required
E	57 to 70	At capacity; at signals, incidents will cause excessive delays. Roundabouts require other control mode	At capacity, requires other control mode
F	>70	Intersection is oversaturated	Oversaturated, requires other control mode

Source: Table 4.2 Guide to Traffic Generating Developments October 2002. Roads and Traffic Authority

The traffic intersection performance modelling has been undertaken using the existing traffic volumes determined by traffic counts and shown in **Figure 4** as well as the geometry of the Picton Road/Maldon Bridge Road roundabout intersection.

Table 3.3 shows the results of the modelling for both peak periods. Reference to Table 3.3 shows that the roundabout intersection currently operates at a Level of Service A operation, which is a very good level of service in both peak hours with low vehicle delays. The right turn out of Maldon Bridge Road experiences the highest delays, which are in the order of 10.6 to 12.1 seconds per vehicle. These are relatively low vehicle delays and these delays and the level of service indicate that the intersection has plenty of spare capacity.

Extracts of the SIDRA Modelling Outputs are included in Appendix 1.

TABLE 3.3

SIDRA TRAFFIC MODELLING FOR ROUNDABOUT AT PICTON ROAD/MALDON BRIDGE ROAD INTERSECTION FOR EXISTING CONDITIONS IN AM AND PM PEAK HOURS ON A WEEKDAY

	LS	DS	AVD (Seconds)	95th% Queue Length (metres)	Worst Movement for Vehicle Delay
AM Peak Hour	A	0.399	10.6 (4.1)	13.2	Right turn from Maldon Bridge Road
PM Peak Hour	A	0.419	12.1 (4.2)	16.5	Right turn from Maldon Bridge Road

Where:

LS – Level of Service of Intersection
DS – Degree of Saturation
AVD - Average Vehicle Delay in seconds. Value in brackets is for all vehicles. Value not bracketed is for Movement with Highest Delay
95th% Queue Length - Longest 95th% Queue Length for any movement in metres
Worst Movement for vehicle delay - Movement with highest Average Vehicle Delay

Table 3.4 shows the number of times the rail level crossing in Maldon Bridge Road was closed to traffic during the weekday morning (5.30am – 9.30am) and afternoon (3.30pm – 7.00pm) periods as recorded on Wednesday 11 March 2020.

Reference to Table 3.4 shows that the level crossing closures ranged between 3 to 6 occasions in any one hour period, with the total duration of these closures per hour ranging between 1 minute 44 seconds up to 6 minutes 33 seconds.

Queue lengths in Maldon Bridge Road were also recorded when the level crossing operated. Over the full 4 hour AM period northbound queue lengths ranged between 0-2 vehicles and southbound queue lengths ranged between 0-4 vehicles.

During the 3 ½ hour PM period no queues occurred in either direction when the rail level crossing was closed.

TABLE 3.4

RAIL LEVEL CROSSING CLOSURES IN MALDON BRIDGE ROAD DURING AM AND PM PERIODS ON A WEEKDAY

Time	Level Crossing No. of Closures	Total Duration of Level Crossing Closures
5.30am-6.30am	4	4 minutes, 39 seconds
6.30am-7.30am	4	2 minutes, 49 seconds
7.30am-8.30am	5	2 minutes, 51 seconds
8.30am-9.30am	6	6 minutes, 33 seconds
3.30pm-4.30pm	5	6 minutes, 20 seconds
4.30pm-5.30pm	3	5 minutes, 5 seconds
5.30pm-6.30pm	3	1 minutes, 44 seconds
6.30pm-7.00pm	3	2 minutes, 4 seconds

Source: Traffic Counts – Wednesday 11 March 2020

3.3 Bus Routes

Bus routes that operate along Picton Road include the 901 bus service which operates between Wilton/Douglas Park to Picton. This route provides a limited service on Monday to Fridays with limited stops along the route.

3.4 Bicycle Routes

There are no formal bike routes at Maldon. Experienced cyclists can use the road verge along Picton Road, although the width of the sealed shoulders in Picton Road are variable.

3.5 Future Proposals

TfNSW proposes to provide a future bypass of Picton Town Centre and has undertaken a Strategic Corridor Options Study (Picton Bypass. Strategic Corridor Options Report. TfNSW December 2020).

The study examined 14 corridor options and identified a preferred option (Corridor 9) for community consultation and further development.

Corridor 9 will provide a road link between Picton Road, approximately 450 metres north west of Maldon Bridge Road and Remembrance Driveway approximately 300 metres south of Wonga Road. New intersections will be provided in Picton Road and Remembrance Driveway.

The corridor which is shown in an extract in Appendix 2 does not impact on the land proposed to be rezoned, in Maldon Bridge Road.

3.6 Future Traffic Growth

The Strategic Corridor Options Report also identified future traffic growth on the road network around Picton, between 2018 and 2036, based on the planned future development around Picton Town Centre and the Wilton Priority Growth Area.

For Picton Road near Maldon, daily traffic growth is estimated to increase from 12,110 vehicles per day (vpd) in 2018 to 20,200 vehicles per day (vpd) in 2036.

As the Boral Maldon site is identified as Employment Land in the Wilton Growth Area, it could be assumed that the traffic inputs from this proposed rezoning area were accounted for in the Strategic Corridor Assessment.

4.0 CUMULATIVE TRAFFIC IMPACTS OF REZONING PROPOSAL

4.1 Traffic Impacts of Boral's Current Development Proposal

As noted in Section 2, the maximum hourly truck generation of the proposed blending plant is 13 loads per hour. To adopt a worst case, it is assumed that there will be 13 inbound and 13 outbound truck movements per hour and these will be new or additional truck trips.

All of these trucks will arrive and depart from/to the east along Picton Road except for a small proportion of local sales (estimated as 5%) which may depart to the west.

However, for the purpose of the assessment it is assumed that 100% of the trucks will arrive and depart from/to the east along Picton Road.

Figure 5 shows the additional trucks assigned to the road network.

To assess the impact of the additional trucks from the Boral's development proposal on the operation of the Picton Road/Maldon Bridge Road roundabout intersection, SIDRA traffic modelling has been undertaken, with the additional truck movements overlaid on to existing AM and PM peak hour traffic volumes.

The results of the modelling are shown in Table 4.1.

Reference to Table 4.1 shows that the intersection will retain a Level of Service A operation and relatively low vehicle delays. This is a very good operation and demonstrates that the current development application will have satisfactory traffic impacts.

Extracts of the SIDRA modelling outputs are contained in Appendix 1.

TABLE 4.1

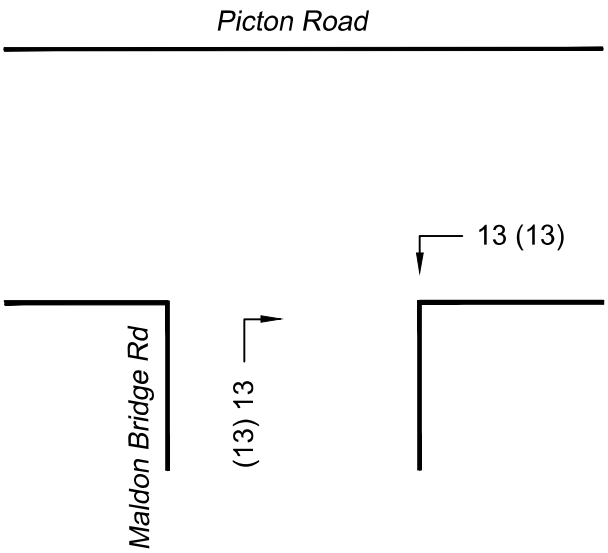
SIDRA TRAFFIC MODELLING FOR ROUNDABOUT AT PICTON ROAD/MALDON BRIDGE ROAD INTERSECTION WITH ADDITIONAL VEHICLES FROM CURRENT DEVELOPMENT APPLICATION IN AM AND PM PEAK HOURS ON A WEEKDAY

	LS	DS	AVD (Seconds)	95th% Queue Length (metres)	Worst Movement for Vehicle Delay
AM Peak Hour	A	0.414	10.8 (4.2)	14.0	Right turn from Maldon Bridge Road
PM Peak Hour	A	0.419	12.6 (4.3)	16.8	Right turn from Maldon Bridge Road

Where:

LS – Level of Service of Intersection
DS – Degree of Saturation
AVD - Average Vehicle Delay in seconds. Value in brackets is for all vehicles. Value not bracketed is for Movement with Highest Delay
95th% Queue Length - Longest 95th% Queue Length for any movement in metres
Worst Movement for vehicle delay - Movement with highest Average Vehicle Delay

On the wider road network, east of Maldon including Picton Road, Hume Motorway and or the Princes Highway, 13 additional truck movements per hour, travelling in each direction will be dispersed over these roads and will have a very small impact on these roads.



KEY
13 TOTAL VEHICLES
(13) HEAVY VEHICLES

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FIGURE 5

MALDON REZONING

TRAFFIC VOLUMES FROM BORAL'S CURRENT DEVELOPMENT APPLICATION IN MAXIMUM HOUR

JOB NO 21005 3 MARCH 2021

As the transport routes to be used by the product trucks, are approved 25/26 metre B-Double routes, no safety implications are envisaged.

4.2 Traffic Generation of Rezoning Proposal

As noted in Section 2.3, the planning proposal incorporates 12.43 hectares of land to be rezoned as IN3 (Heavy Industrial). However, as 1.0 hectare of this area is already used by Boral as a concrete batching plant, the additional traffic generation of the proposed IN3 (Heavy Industrial) area is based on 11.43 hectares.

At this time, it is not known if Boral will occupy any part of this land. For the purposes of this traffic assessment, it is assumed that the future uses will be a mix of general industrial uses which may include factories. As the future floor area and the type of uses that will occupy 11.43 hectare area is unknown, the traffic generation has been estimated based on Section 3.10 of the RTA's (now TfNSW) Guide to Traffic Generating Developments.

Adopting the indicative figure of 28 employees per developed hectare, the future employment numbers are estimated as 320 people.

The RTA (now TfNSW) Guidelines indicate that for industrial estates, some 55% of employees arrive and depart in the weekday AM and PM peak hours.

The 2016 Census data for Wollondilly LGA indicated the following mode of travel for journey to work trips for residents in Wollondilly.

- Car driver - 70.4%
- Car passenger - 3.6%
- Truck - 2.6%
- Motorbike - 0.3%
- Bus - 0.3%
- Train - 4.0%
- Taxi - 0.1%
- Bicycle - 0.1%
- Walk - 1.4%
- Other - 0.8%
- Worked at home - 5.3%
- Did not go to work - 9.9%
- Not stated - 1.1%

The industrial subdivision at Maldon is likely to have a higher driver rate than the above 2016 statistics.

Adopting a higher driver rate of 90% of trips by motor vehicle (i.e. car, motorbike, truck) would provide a conservative (i.e. worst case) assessment.

Adopting the above assumptions then the traffic generation of the employee trips would be 158 vehicle trips in the AM and PM peak hours.

Heavy vehicle trips would be expected to be around 10% of the light vehicle trips which would add another 17 vehicle trips, with the total traffic generation in the AM and PM peak hours of 175 vehicle trips.

Based on 80:20 split between peak and non peak direction of travel the maximum traffic generation is calculated to be as follows.

- AM peak hour - 140 inbound trips and 35 outbound trips
- PM peak hour - 35 inbound trips and 140 outbound trips

4.3 Cumulative Traffic Impact of Rezoning Proposal

Figure 6 shows the additional traffic from the rezoning proposal assigned to the Maldon Bridge Road/Picton Road intersection based on a 50:50 split in Picton Road to/from the east and west. The split for heavy vehicles is 60:40 to/from east and west.

To assess the impact of the additional traffic from the rezoning proposal on the operation of the Picton Road/Maldon Bridge Road roundabout intersection, SIDRA traffic modelling has been undertaken, with the additional vehicles as shown in **Figure 6** overlaid on to existing and Boral's proposed AM and PM peak hour traffic volumes.

The results of the modelling are shown in Table 4.2.

Reference to Table 4.2 shows that the intersection will continue to operate at a Level of Service A operation with relatively low vehicle delays and spare capacity. This is a very good operation and demonstrates that the rezoning proposal will have satisfactory traffic impacts.

Extracts of the SIDRA modelling outputs are contained in Appendix 1.

TABLE 4.2

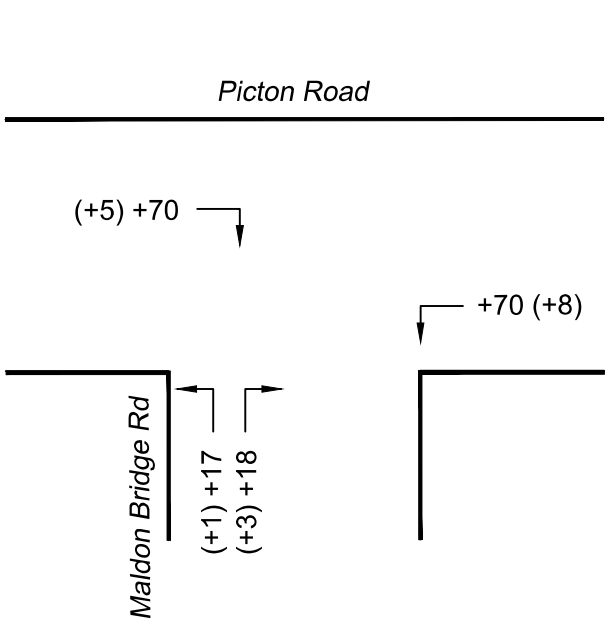
SIDRA TRAFFIC MODELLING FOR ROUNDABOUT AT PICTON ROAD/MALDON BRIDGE ROAD INTERSECTION WITH ADDITIONAL VEHICLES FROM REZONING PROPOSAL IN AM AND PM PEAK HOURS ON A WEEKDAY

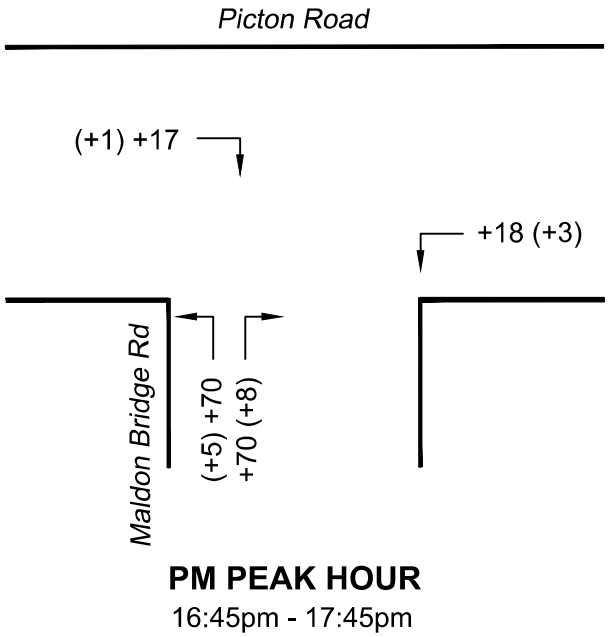
	LS	DS	AVD (Seconds)	95th% Queue Length (metres)	Worst Movement for Vehicle Delay
AM Peak Hour	A	0.473	10.6 (4.7)	17.8	Right turn from Maldon Bridge Road
PM Peak Hour	A	0.432	12.6 (5.0)	19.0	Right turn from Maldon Bridge Road

Where:

LS –	*Level of Service of Intersection*
DS –	*Degree of Saturation*
AVD -	*Average Vehicle Delay in seconds. Value in brackets is for all vehicles. Value not bracketed is for Movement with Highest Delay*
95th% Queue Length -	*Longest 95th% Queue Length for any movement in metres*
Worst Movement for vehicle delay -	*Movement with highest Average Vehicle Delay*

Away from the intersection, the additional traffic from the rezoning proposal will be dispersed over a number of roads and traffic conditions on the wider road network are expected to remain satisfactory.





KEY
13 TOTAL VEHICLES
(13) HEAVY VEHICLES

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FIGURE 6
MALDON REZONING
ADDITIONAL TRAFFIC FROM REZONING PROPOSAL IN AM AND PM PEAK HOURS
JOB NO 21005 3 MARCH 2021

5.0 CONCLUSIONS

This report documents the assessment of the traffic and transport impacts of a planning proposal to rezone an indicative 12.43 hectares of land in Maldon Bridge Road to IN3 Heavy Industrial.

The land is located on the western side of Maldon Bridge Road opposite Boral's cement works and rail terminal.

The rezoning proposal could generate up to 175vph in the weekday AM and PM peak hour.

These vehicles would use the roundabout controlled intersection of Maldon Bridge Road/Picton Road as the principal intersection to access the proposed industrial land.

The assessment has found that the existing traffic conditions at this intersection are very good with a Level of Service A operation in the AM and PM peak hours.

Boral currently has a development proposal being assessed by Wollondilly Council which will generate up to 26 truck movements (13 in/13 out) in the AM and PM peak hours.

The assessment of the cumulative impacts of the current development proposal, as well as the rezoning proposal has found that the roundabout intersection will continue to operate at a very good Level of Service with a Level of Service A operation in the AM and PM peak hours and low vehicle delay.

Away from the intersection, traffic from the rezoning proposal will be dispersed over a number of roads, and traffic conditions on the wider road network are expected to remain satisfactory.

APPENDIX 1

SIDRA Outputs

MOVEMENT SUMMARY

Site: 101 [Picton Rd & Maldon Rd - Ex AM (Site Folder: General)]

Ex AM
Site Category: (None)
Roundabout

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Maldon Rd														
1	L2	9	5	9	55.6	0.031	5.3	LOS A	0.1	2.1	0.35	0.62	0.35	51.1
3	R2	17	12	18	70.6	0.031	10.6	LOS A	0.1	2.1	0.35	0.62	0.35	51.6
Approach		26	17	27	65.4	0.031	8.8	LOS A	0.1	2.1	0.35	0.62	0.35	51.4
East: Picton Rd														
4	L2	34	18	36	52.9	0.024	4.6	LOS A	0.0	0.0	0.00	0.48	0.00	53.9
5	T1	419	20	441	4.8	0.243	3.9	LOS A	1.1	8.5	0.04	0.37	0.04	57.3
Approach		453	38	477	8.4	0.243	4.0	LOS A	1.1	8.5	0.04	0.38	0.04	57.0
West: Picton Rd														
11	T1	618	7	651	1.1	0.399	3.9	LOS A	1.8	13.2	0.09	0.38	0.09	57.1
12	R2	7	0	7	0.0	0.399	9.0	LOS A	1.8	13.2	0.09	0.38	0.09	57.2
Approach		625	7	658	1.1	0.399	4.0	LOS A	1.8	13.2	0.09	0.38	0.09	57.1
All Vehicles		1104	62	1162	5.6	0.399	4.1	LOS A	1.8	13.2	0.08	0.39	0.08	56.9

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Intersection and Approach LOS values are based on average delay for all vehicle movements.
Roundabout Capacity Model: SIDRA Standard.
Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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Organisation: TRANSPORT AND URBAN PLANNING PTY LTD | Licence: NETWORK / 1PC | Processed: Monday, 1 March 2021 3:39:30 PM
Project: C:\Users\Terry\TransUrban Dropbox\Terry Lawrence (terry)\My PC (DESKTOP-F6FBNCR)\Documents\Version Control on Old PC \21005 Maldon (2020_10_27 07_28_25 UTC).sip9

MOVEMENT SUMMARY

Site: 101 [Picton Rd & Maldon Rd - Ex PM (Site Folder: General)]

Ex PM
Site Category: (None)
Roundabout

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Maldon Rd														
1	L2	15	0	16	0.0	0.052	6.5	LOS A	0.2	2.6	0.53	0.69	0.53	51.5
3	R2	29	9	31	31.0	0.052	12.1	LOS A	0.2	2.6	0.53	0.69	0.53	51.9
Approach		44	9	46	20.5	0.052	10.2	LOS A	0.2	2.6	0.53	0.69	0.53	51.7
East: Picton Rd														
4	L2	20	1	21	5.0	0.011	4.1	LOS A	0.0	0.0	0.00	0.48	0.00	55.5
5	T1	746	8	785	1.1	0.419	3.9	LOS A	2.3	16.5	0.02	0.38	0.02	57.5
Approach		766	9	806	1.2	0.419	3.9	LOS A	2.3	16.5	0.02	0.38	0.02	57.4
West: Picton Rd														
11	T1	396	7	417	1.8	0.266	4.0	LOS A	1.1	8.3	0.11	0.38	0.11	57.0
12	R2	2	0	2	0.0	0.266	9.0	LOS A	1.1	8.3	0.11	0.38	0.11	57.1
Approach		398	7	419	1.8	0.266	4.0	LOS A	1.1	8.3	0.11	0.38	0.11	57.0
All Vehicles		1208	25	1272	2.1	0.419	4.2	LOS A	2.3	16.5	0.07	0.39	0.07	57.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
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Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

Site: 101 [Picton Rd & Maldon Rd - AM & Current DA (Site Folder: General)]

AM with Current DA
Site Category: (None)
Roundabout

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Maldon Rd														
1	L2	9	5	9	55.6	0.050	5.4	LOS A	0.2	3.7	0.36	0.64	0.36	51.1
3	R2	30	25	32	83.3	0.050	10.8	LOS A	0.2	3.7	0.36	0.64	0.36	51.1
Approach		39	30	41	76.9	0.050	9.5	LOS A	0.2	3.7	0.36	0.64	0.36	51.1
East: Picton Rd														
4	L2	47	31	49	66.0	0.036	4.7	LOS A	0.0	0.0	0.00	0.48	0.00	53.5
5	T1	419	20	441	4.8	0.243	3.9	LOS A	1.1	8.6	0.04	0.37	0.04	57.3
Approach		466	51	491	10.9	0.243	4.0	LOS A	1.1	8.6	0.04	0.38	0.04	56.9
West: Picton Rd														
11	T1	618	7	651	1.1	0.414	4.0	LOS A	1.9	14.0	0.14	0.38	0.14	56.8
12	R2	7	0	7	0.0	0.414	9.1	LOS A	1.9	14.0	0.14	0.38	0.14	57.0
Approach		625	7	658	1.1	0.414	4.1	LOS A	1.9	14.0	0.14	0.38	0.14	56.8
All Vehicles		1130	88	1189	7.8	0.414	4.2	LOS A	1.9	14.0	0.10	0.39	0.10	56.6

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
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Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

Site: 101 [Picton Rd & Maldon Rd - PM & Current DA (Site Folder: General)]

PM with Current DA
Site Category: (None)
Roundabout

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Maldon Rd														
1	L2	15	0	16	0.0	0.075	6.6	LOS A	0.3	4.8	0.53	0.72	0.53	51.2
3	R2	42	22	44	52.4	0.075	12.6	LOS A	0.3	4.8	0.53	0.72	0.53	50.9
Approach		57	22	60	38.6	0.075	11.0	LOS A	0.3	4.8	0.53	0.72	0.53	51.0
East: Picton Rd														
4	L2	33	14	35	42.4	0.022	4.5	LOS A	0.0	0.0	0.00	0.48	0.00	54.2
5	T1	746	8	785	1.1	0.419	3.9	LOS A	2.3	16.8	0.02	0.38	0.02	57.5
Approach		779	22	820	2.8	0.419	3.9	LOS A	2.3	16.8	0.02	0.38	0.02	57.3
West: Picton Rd														
11	T1	396	7	417	1.8	0.275	4.0	LOS A	1.2	8.6	0.14	0.39	0.14	56.8
12	R2	2	0	2	0.0	0.275	9.1	LOS A	1.2	8.6	0.14	0.39	0.14	56.9
Approach		398	7	419	1.8	0.275	4.0	LOS A	1.2	8.6	0.14	0.39	0.14	56.8
All Vehicles		1234	51	1299	4.1	0.419	4.3	LOS A	2.3	16.8	0.09	0.40	0.09	56.8

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
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MOVEMENT SUMMARY

Site: 101 [Picton Rd & Maldon Rd - Rezoning AM (Site Folder: General)]

AM with Rezoning Proposal
Site Category: (None)
Roundabout

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Maldon Rd														
1	L2	26	6	27	23.1	0.083	5.1	LOS A	0.3	5.0	0.38	0.64	0.38	52.1
3	R2	48	28	51	58.3	0.083	10.6	LOS A	0.3	5.0	0.38	0.64	0.38	52.1
Approach		74	34	78	45.9	0.083	8.6	LOS A	0.3	5.0	0.38	0.64	0.38	52.1
East: Picton Rd														
4	L2	117	39	123	33.3	0.075	4.5	LOS A	0.0	0.0	0.00	0.48	0.00	54.5
5	T1	419	20	441	4.8	0.268	4.1	LOS A	1.3	10.2	0.19	0.39	0.19	56.5
Approach		536	59	564	11.0	0.268	4.2	LOS A	1.3	10.2	0.15	0.41	0.15	56.0
West: Picton Rd														
11	T1	618	7	651	1.1	0.473	4.1	LOS A	2.4	17.8	0.18	0.43	0.18	56.2
12	R2	77	5	81	6.5	0.473	9.2	LOS A	2.4	17.8	0.18	0.43	0.18	56.1
Approach		695	12	732	1.7	0.473	4.6	LOS A	2.4	17.8	0.18	0.43	0.18	56.2
All Vehicles		1305	105	1374	8.0	0.473	4.7	LOS A	2.4	17.8	0.18	0.43	0.18	55.9

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
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HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

Site: 101 [Picton Rd & Maldon Rd - Rezoning PM (Site Folder: General)]

PM with Rezoning Proposal
Site Category: (None)
Roundabout

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Maldon Rd														
1	L2	85	5	89	5.9	0.233	7.1	LOS A	1.1	12.5	0.60	0.78	0.60	51.2
3	R2	112	30	118	26.8	0.233	12.6	LOS A	1.1	12.5	0.60	0.78	0.60	51.9
Approach		197	35	207	17.8	0.233	10.2	LOS A	1.1	12.5	0.60	0.78	0.60	51.6
East: Picton Rd														
4	L2	51	17	54	33.3	0.033	4.4	LOS A	0.0	0.0	0.00	0.48	0.00	54.5
5	T1	746	8	785	1.1	0.432	3.9	LOS A	2.6	19.0	0.10	0.37	0.10	57.0
Approach		797	25	839	3.1	0.432	4.0	LOS A	2.6	19.0	0.09	0.38	0.09	56.9
West: Picton Rd														
11	T1	396	7	417	1.8	0.310	4.2	LOS A	1.4	10.4	0.25	0.43	0.25	56.1
12	R2	18	1	19	5.6	0.310	9.3	LOS A	1.4	10.4	0.25	0.43	0.25	56.0
Approach		414	8	436	1.9	0.310	4.4	LOS A	1.4	10.4	0.25	0.43	0.25	56.1
All Vehicles		1408	68	1482	4.8	0.432	5.0	LOS A	2.6	19.0	0.21	0.45	0.21	55.8

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
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APPENDIX 2

Extracts of Picton Bypass Strategic Corridor Option Study

Picton Bypass

Strategic Corridor Options Report

Transport for NSW | December 2020

NSW GOVERNMENT

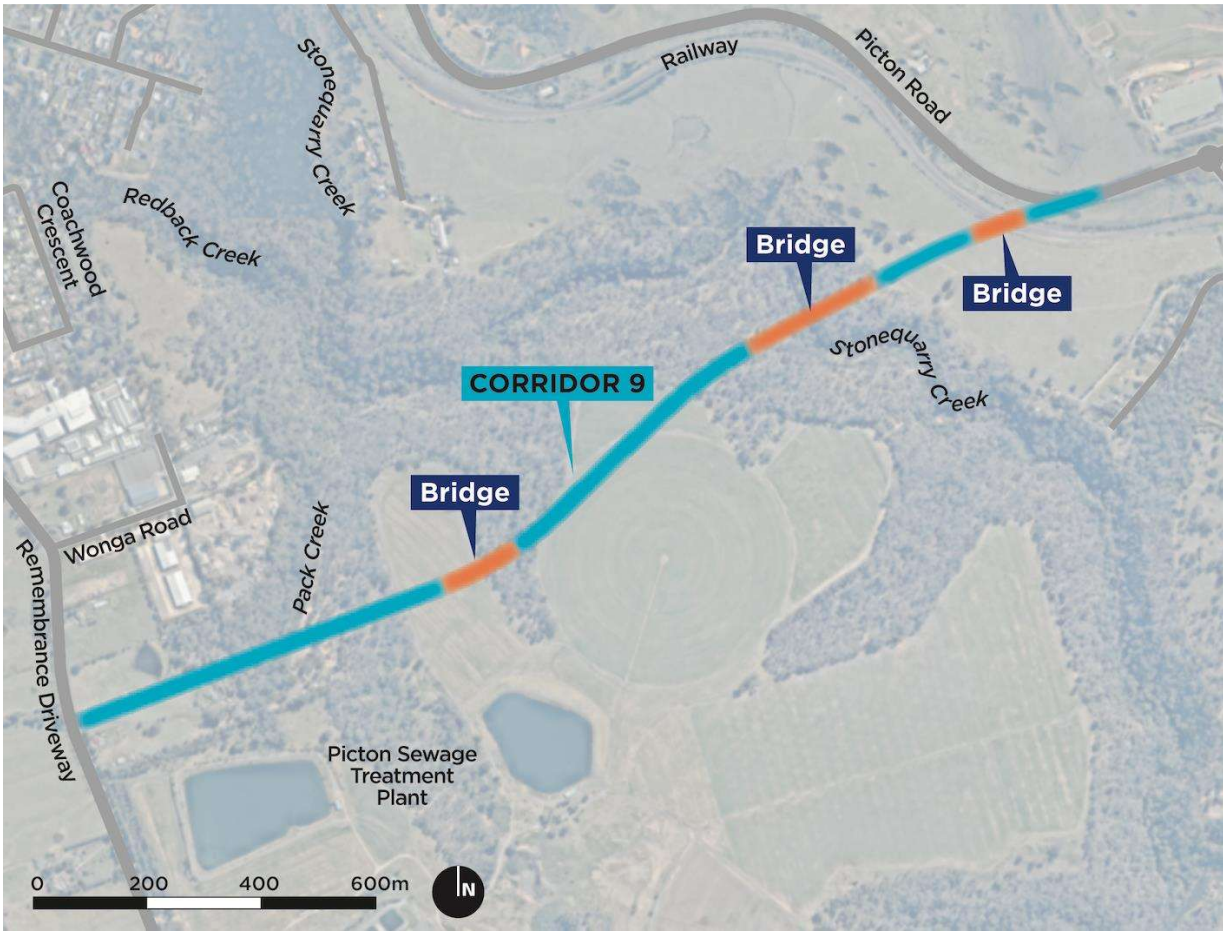

Figure 5-6: General alignment for Corridor 9

INFRASTRUCTURE DELIVERY PLAN

Planning proposal at Maldon Bridge Road, Maldon

GLN Planning Pty Ltd Trading as GLN Planning
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Infrastructure Delivery Plan

Maldon Bridge Road, Maldon

Prepared for

Boral

By

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Date of final issue:

File Path:	C:\Users\Peter McKenna\Dropbox (GLN Planning)\Public\Projects\Active\11071 Boral Planning Proposal Maldon\Reports\11071 - Infrastructure delivery plan.docx
Project Manager:	Peter Lawrence
Client:	Boral
Project Number:	1071

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Version	Issue to	Qty	Date	Prepared by	Reviewed by
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Contents

Executive Summary 5

1 Background 6

1.1 Introduction 6
1.2 Purpose and scope 7
1.3 Methodology and approach 7
1.4 Assumptions and limitations 8
1.5 Documents referenced in this report 8

2 Planning proposal and anticipated development 9

2.1 Site description 9
2.2 Planning proposal 10

3 Infrastructure planning context 11

3.1 Infrastructure delivery process and mechanisms 11
3.2 NSW infrastructure contributions reforms 12
3.3 Existing local and State / regional contributions plans 13

4 Infrastructure requirements 17

4.1 Utility / site servicing infrastructure 17
4.2 State and regional infrastructure 18
4.3 Local infrastructure 20

5 Infrastructure schedule 23

Tables

Table 1 - Documents referenced in this report 8
Table 2 - Infrastructure delivery mechanisms 12
Table 3 - Infrastructure contributions reforms 13
Table 4 – Local infrastructure delivery and post-development management arrangement 22
Table 5 - Infrastructure schedule 23

Figures

Figure 1 - Planning proposal location (site circled red) 9
Figure 2 – proposed zoning and indicative lot sizes 10
Figure 3 - Extract from Wollondilly Contributions Plan 2020 works map 14
Figure 4 – Site location relative to draft SIC area 15
Figure 5 - Draft SIC infrastructure map including location of the subject site 16
Figure 6 - Aerial of site with Corridor 9 superimposed 18

Executive Summary

An Infrastructure Delivery Plan (**IDP**) was requested by Wollondilly Council to support the Planning Proposal to expand employment lands and introduce environmental conservation zonings for the land at 40-45 Maldon Bridge Road and Staff Road, Maldon. To do this, the Planning Proposal seeks to amend Wollondilly Local Environmental Plan 2011 (**LEP**) to rezone the land from the existing RU2 Rural Landscape Zone to IN3 Heavy Industrial and E2 Environmental Conservation Zones, amend the minimum lot size controls for the proposed IN3 Zone and delete the minimum subdivision standard for the E2 land to facilitate appropriate environment conservation outcomes closer to the development application stage.

The land is within the ownership of Boral and is located south of the rail line and adjoins its existing operations at Maldon. It is noted that this is part of a larger and relatively isolated employment zone. Most land already developed for employment purposes has relied on extension and connection of existing infrastructure and the provision of its own infrastructure on site, where not available or not economically extended to service new development. The existing Wollondilly LEP 2011 contains a key clause that requires consideration of the infrastructure required to support the future use proposed at development application stage. This is because the range of uses permissible in the zone can have widely differing infrastructure requirements.

The IDP has been informed by the planning proposal and supporting investigations by specialist consultants that look at the utility services available and the broader road infrastructure including the capacity of the roundabout constructed on Maldon Bridge Road and Picton Road delivered to accommodate B double truck movements from the Boral operation. The results of these investigations confirm that the roundabout has substantial capacity and that planning for the extension of utility services is underway and these can be extended to service the site, if required, for the particular uses that may locate within the area in the future. Further, the site can be serviced by enabling infrastructure subject to future arrangements with infrastructure agencies.

The proposed development will be supported by a suite of on-site infrastructure including upgrades to Maldon Bridge Road as a public road, and an appropriate water cycle management regime to be delivered by the developer as part of future applications.

The development will also be levied s7.11 contributions under the existing Wollondilly Contributions Plan 2020 which will contribute towards the delivery of the road network in the Wilton Growth Area, however the proposal itself does not require any specific local road upgrades.

There are two key regional road upgrades planned in vicinity of the site including the Picton Bypass and the Picton Road upgrade. The minor increase in vehicle movements as a result of the proposed development does not require these upgrades, however subject to the future status of the existing draft Wilton Special Infrastructure Contribution and proposed Regional Infrastructure Contribution, there may be scope for contributions to be levied on future development to partly fund these upgrades.

Tables 4 and 5 of this report include schedules of infrastructure relating to the development, including the responsibility for delivery, timing, ownership and maintenance obligations.

1 Background

1.1 Introduction

This IDP supports a Planning Proposal for the expansion of employment lands and conserve environmental land adjacent to Boral's existing operations on land known as 40-45 Maldon Bridge Road and Staff Road, Maldon.

Maldon is located in the Macarthur Region and the Wilton Priority Growth Area and the vast majority of the land sits within the boundaries of the Growth Centres SEPP, but with the underlying zoning and planning controls remaining under Wollondilly LEP 2011. Both Council and the Department of Planning and Environment (**DPE**) were consulted early in the process to determine how best to progress the Planning Proposal on this land given the land is both within and outside the Growth Centre Boundary, and the nature of investigations required to inform this 'strategic planning' phase for this area.

The Planning Proposal including required studies was lodged with Wollondilly Council on 30 April 2021 (PP-2021-3179). The Planning Proposal noted the degree of infrastructure already provided by Boral to support its ongoing operations including substantial roundabout and associated widening along Picton Road. Of course, and as anticipated by the existing planning framework, development of employment land in this area often provides and manages its own infrastructure including sewer and water management devices as required at development application stage. This has been and will remain critical as this area grows for employment purposes.

The Planning Proposal was also accompanied by a traffic assessment report and services assessment report prepared by specialist subconsultants looking at existing and anticipated road infrastructure and the availability of utility services. It was noted from the advice in these reports that traffic associated with the proposed rezoning and ongoing operation and expansion of Boral operations could be accommodated by the existing intersection constructed by Boral at Picton Road. It was also noted that the existing planning framework that would apply once the land is rezoned under Wollondilly LEP and DCP already contains appropriate provisions to ensure new road construction, provision of services and a raft of other requirements such as setbacks, car parking, landscaping and stormwater management. These provisions will be appropriately considered and applied at the development application stage.

On 29 September 2021, Council requested the submission of an infrastructure delivery plan to ensure that the Planning Proposal addresses "infrastructure provision that aligns with and is commensurate to the proposed development" given:

1. (the site's) *relationship and positioning within the growth area,*
2. *importance of the site as part of a key future employment precinct*
3. *the surrounding growth/change expected including Wilton and PTT*
4. *key state infrastructure and road network issues - such as Picton Bypass, Picton Road widening*
5. *recent state-wide contributions reform that require an infrastructure delivery strategy early in the process.*

Council also advised that the infrastructure delivery plan should consider, where relevant:

- *proposed SIC infrastructure and other state infrastructure projects*
- *identify likely local infrastructure, as appropriate and include timeframes;*
- *identify land dedicated to Council (if any) and the types of assets (i.e. transport infrastructure, stormwater facilities etc.)*
- *address any impacts the proposal may have on surrounding areas planned for growth*
- *any relationship, impact on proposed improvement and clearly articulate safeguards*

1.2 Purpose and scope

The primary purpose of this IDP is to support the Council's assessment of the planning proposal. It does this by:

- providing an overall picture of the infrastructure needed (both on-site and off-site) to support the proposed rezoning; and
- proposing how the site's local infrastructure will be provided and maintained into the future.

The core of the IDP is a schedule of proposed infrastructure which is intended to assist Council and other infrastructure providers to specify inclusions when negotiating agreements or providing conditions of development consent for the provision of infrastructure.

The IDP and infrastructure schedule also address the following:

- proposed responsibilities and mechanisms for the delivery of the required infrastructure; and
- proposed infrastructure ownership and maintenance responsibilities following the delivery of the infrastructure.

As noted in the introduction to this report, Wollondilly Shire Council staff have been consulted and have provided advice on what the IDP should address and this advice has been taken into consideration in the preparation of this document.

1.3 Methodology and approach

The preparation of this IDP has been informed by the following key steps:

- Consulting with the proponent and staff from Wollondilly Shire Council.
- Review of the planning proposal documentation, and relevant specialist studies and reports, including details of consultations with infrastructure agencies.
- Reviewing the existing local and state infrastructure contributions plans which are relevant to the site and region.
- Listing the on-site and off-site infrastructure required to support the development, and determine the approximate timing of delivery, responsibility for delivery/funding and proposed ownership/maintenance responsibilities.

1.4 Assumptions and limitations

This IDP brings together information available at the time of drafting from the specialist studies and reports prepared for the planning proposal, along with the results of engagement with key infrastructure agencies regarding the infrastructure needs and provision for the proposal.

It is important to note the following assumptions and limitations when reviewing this IDP:

- The infrastructure requirements and proposals are based upon the plans and supporting studies submitted with the planning proposal and may be subject to further refinement as the planning proposal is assessed and updated over time, including changes to infrastructure requirements, scope and staging.
- Further consultation with Council and infrastructure agencies may alter the timing and scope of the enabling infrastructure to support the proposal.
- The framework for determining and levying contributions for State and regional infrastructure and the identification of key regional infrastructure priorities remains unclear and could change during Council's consideration of the planning proposal.

1.5 Documents referenced in this report

The IDP is informed by the following specialist studies and planning and infrastructure reports that have been prepared to support the proposal:

Table 1 - Documents referenced in this report

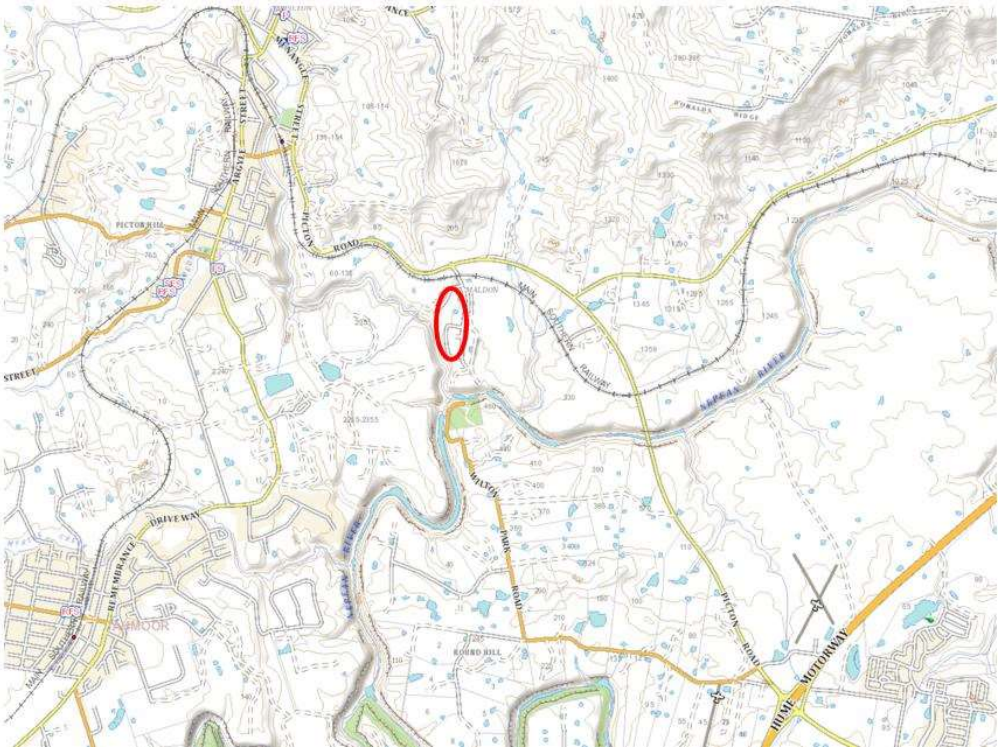
Report	Author	Date
Planning Proposal	GLN	April 2021
Traffic Assessment Report	Transport & Urban Planning Pty Ltd	March 2021
Services Assessment Report	SMEC	November 2020
Bushfire Assessment Report	Building Code & Bushfire Hazard Solutions Pty Ltd	December 2020
Road Design and Stormwater Management report	Southeast Engineering & Environmental	July 2022

2 Planning proposal and anticipated development

2.1 Site description

The site comprises some 23.35ha of land located on the western side of Maldon Bridge Road and Staff Road in Maldon. The land is located some 3 kilometres from Picton and 6 kilometres from the interchange with the Hume Motorway via Picton Road. Importantly, the land is relatively close to the future Wilton Growth Area which is likely to drive an increase in demand for construction materials from the existing and nominated employment lands in this area as well as provide local employment opportunities.

The Planning Proposal land is residue to the Boral operation south of Picton Road and the Main Southern Rail line that crosses Maldon Bridge Road at a rail level crossing approximately 90 metres to the south of Picton Road. The railway line provides freight services used by Boral. The location of the site within the district is shown on **Figure 1.**

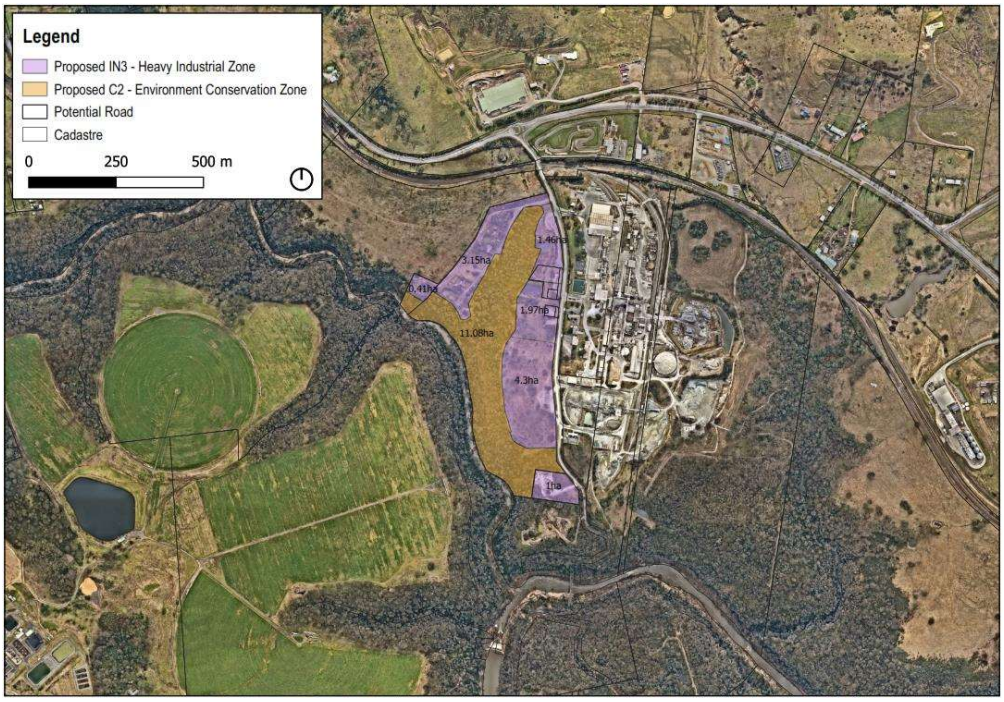


Source: Six Maps

Figure 1 - Planning proposal location (site circled red)

2.2 Planning proposal

A planning proposal has been prepared which seeks to rezone the site for employment and environmental conservation purposes as shown in **Figure 2** including 12.29 hectares of land zoned IN3 Heavy Industrial and 11.08 hectares of Environmental Conservation land. Maldon Bridge Road is an existing public road but improved only with pavement with limited kerb and guttering or drainage. Staff Road is a private road with no kerb and guttering or drainage and will remain in Boral ownership.



Source: GLN

Figure 2 – proposed zoning and indicative lot sizes

The ultimate uses of the proposed employment land are currently unknown and will be determined via future development applications following the subdivision of the land.

3 Infrastructure planning context

3.1 Infrastructure delivery process and mechanisms

Developer's role

Infrastructure requirements to support development are identified through the rezoning and subsequent development approval processes by State infrastructure agencies, public utility authorities, and the local council. The delivery strategy for infrastructure is confirmed at the development approval stage at which point the following considerations should be taken into account:

- Provision of the infrastructure required to directly serve a development area will usually be the developer's responsibility.
- Infrastructure that is either directly provided by the developer or the developer will arrange for its provision with the relevant infrastructure authority. Arranging provision may simply be the payment of a charge, contribution or levy to the authority (this is the case when the required infrastructure is outside of the developer's land, or the infrastructure serves multiple developments).

Consent conditions

Developers are required to meet the requirements through undertaking works, dedicating land and paying cash contributions to the relevant authority usually at some point in the subdivision application and certificate process or at the development application stage during the development approval phase.

Requirements are set out in development consents which include conditions that:

- require infrastructure works to be undertaken (either externally or on site to be incorporated in the development);
- include or refer to detailed requirements, such as works specifications; and
- identify the infrastructure authority responsible for certifying that the requirements of the consent condition have been met.

The developer may be required to enter into an agreement with an authority to ensure that any infrastructure physically delivered by a developer is fit for the purpose it was intended. Agreements also set out the conditions to be met before ownership of a completed infrastructure asset is transferred from the developer to the relevant authority.

Developer commitments to providing infrastructure may also be documented in a planning agreement negotiated with State or local government. Where such an agreement has been negotiated and an offer accepted by the planning authority, a consent condition will require the agreement to be entered into.

Table 2 shows the different mechanisms that can be used by planning authorities and consent authorities to require developments to make adequate provision for infrastructure to serve their developments.

Table 2 - Infrastructure delivery mechanisms

Mechanism	Brief description of mechanism
Direct developer provision	Conditions imposed on a DA consent under s4.17(1)(a) or (f) of the EP&A Act requiring the developer to (a) provide evidence (e.g. a compliance certificate) that satisfactory arrangements have been made with the relevant infrastructure agencies concerning the provision of utility infrastructure (whether provided directly on site or by a fee or charge), and (b) provide, replace or upgrade infrastructure needed as a result of a single development – e.g. roads and footpaths within a subdivision, new or upgraded intersections with the public road network to enable safe access to / from the site. There are also instances, as is the case with the existing Boral Plant where key infrastructure is provided by the developer on the site as part of the business operation. Effluent disposal and stormwater detention and treatment have typically been provided where these services are not available.
s7.11 contributions	A contribution of money or land imposed as a condition on a DA consent or complying development certificate. The contribution cannot be more than an amount that reflects the relationship (or nexus) between the development and the infrastructure the subject of the contribution. The contribution is applied to any public service or public amenity that is the local council's responsibility (excluding water and wastewater).
s7.12 fixed rate levies	Fixed-rate levy imposed as a condition on a DA consent or complying development certificate and applied by a council toward providing public services or public amenities (excluding water and wastewater). It is an alternative to a s7.11 contribution. Maximum levy rate is set by regulation and is generally 1% of the development cost.
s7.24 Special Infrastructure Contributions (SICs)	Contribution of money or land imposed as a condition on a DA consent or complying development certificate to be applied toward the provision of State or regional public infrastructure determined for a Special Contributions Area that is declared by the Minister for Planning.
Planning agreements (State and Local)	An agreement voluntarily negotiated between a developer and one or more planning authorities in which the developer commits to providing contributions of land, works and/or money for public purposes.

Source: GLN Planning

3.2 NSW infrastructure contributions reforms

The NSW Government has commenced a program of infrastructure contributions reforms which are intended to deliver a contributions system which is more certain, efficient, simple, transparent and consistent.

The reforms are the practical implementation of the 29 recommendations identified in the NSW Productivity Commissioner's review into the infrastructure contributions system and include legislative change via the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* and accompanying regulation (which has yet to be passed) and other policy changes.

The Government has indicated it intended to introduce some components of the reforms from July 2022, however at the date of this report the reforms have not progressed and the timing is uncertain as it relies upon the passing of the Bill and Regulation and the adoption of new policies, practice notes and Ministerial Directions.

The key elements of the reforms which are relevant to employment land rezonings are outlined in **Table 3** below and the RIC reform is discussed in greater detail and context in **Section 4.2** of this report

Table 3 - Infrastructure contributions reforms

Reform	Summary	Implications
Regional infrastructure contribution (RIC)	The proposed RIC will replace the existing Special Infrastructure Contributions (SIC) system and will apply to the Greater Sydney, Lower Hunter, Central Coast and Illawarra-Shoalhaven regions (the site sits within the Greater Sydney region). The RIC will introduce a contribution The RIC proposed to levy a base contribution on industrial development at a rate of $15/m2 of gross floor area (GFA) and a Strategic Biodiversity Component (SBC) contribution at a rate of $15/m2 of GFA, with potential additional contributions under the Transport Project Component (TPC). Given that the RIC is based upon the GFA of the development, the RIC will be calculated and levied when development consent is sought for the use of the land, rather than at subdivision stage.	This approach represents a shift away from the draft Wilton SIC as it proposes to levy contributions on employment land development. The exhibited reforms package foreshadowed that the RIC would come into force on 1 July 2022, however this requires legislative change which has yet to occur as at the date of this report. Accordingly, it is uncertain if or when the RIC will come into effect in lieu of the draft SIC.
Alignment of planning proposals **with** preparation of contributions plans	The reforms require the planning proposal authority to prepare and exhibit a draft contributions plan alongside the planning proposal.	Not applicable – it is not proposed to prepare a new contributions plan or amend an existing contributions plan in response to the proposed development.

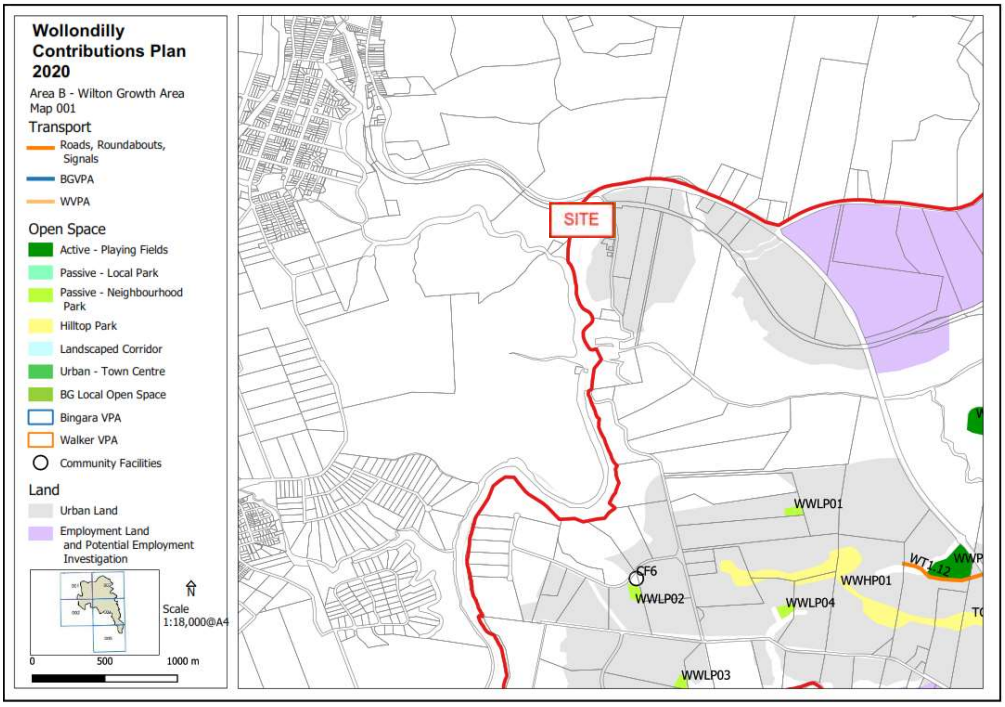
3.3 Existing local and State / regional contributions plans

Local infrastructure contributions plans

Wollondilly Contributions Plan 2020 commenced on 1 July 2020 and applies to the entire Wollondilly LGA, including the subject site. It identifies infrastructure to support the forecast growth across the LGA to 2036 and beyond, including an increase in population and future employment lands.

The subject site lies within "Area B – Wilton Growth Area". Under the plan, development located in Area B is required to contribute towards the cost of various public services and amenities within Area B.

The contributions plan works map is shown at **Figure 3** and the associated works schedule does not include any works items located on or near the subject site. However, the plan levies contributions on Employment Land development within Area B towards the cost of roads and transport works and land acquisition and the management and administration of the plan at a rate of $34,986 per hectare indexed to March 2022. The contributions will be levied upon future development applications for the subdivision of the land and will be payable prior to the issue of a subdivision certificate in accordance with *Part 4.1 Timing of Payments* in the Plan.



Source: Wollondilly Shire Council

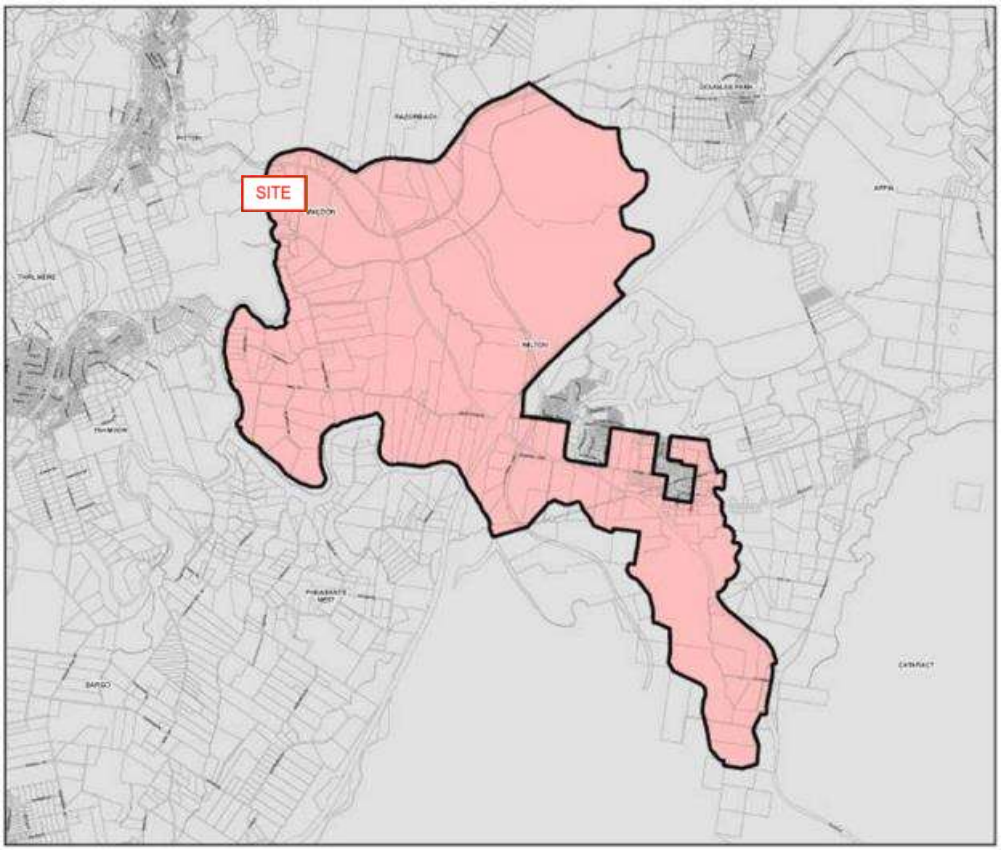
Figure 3 - Extract from Wollondilly Contributions Plan 2020 works map

State and regional contributions plans

No existing adopted state or regional contributions plans apply to the subject site.

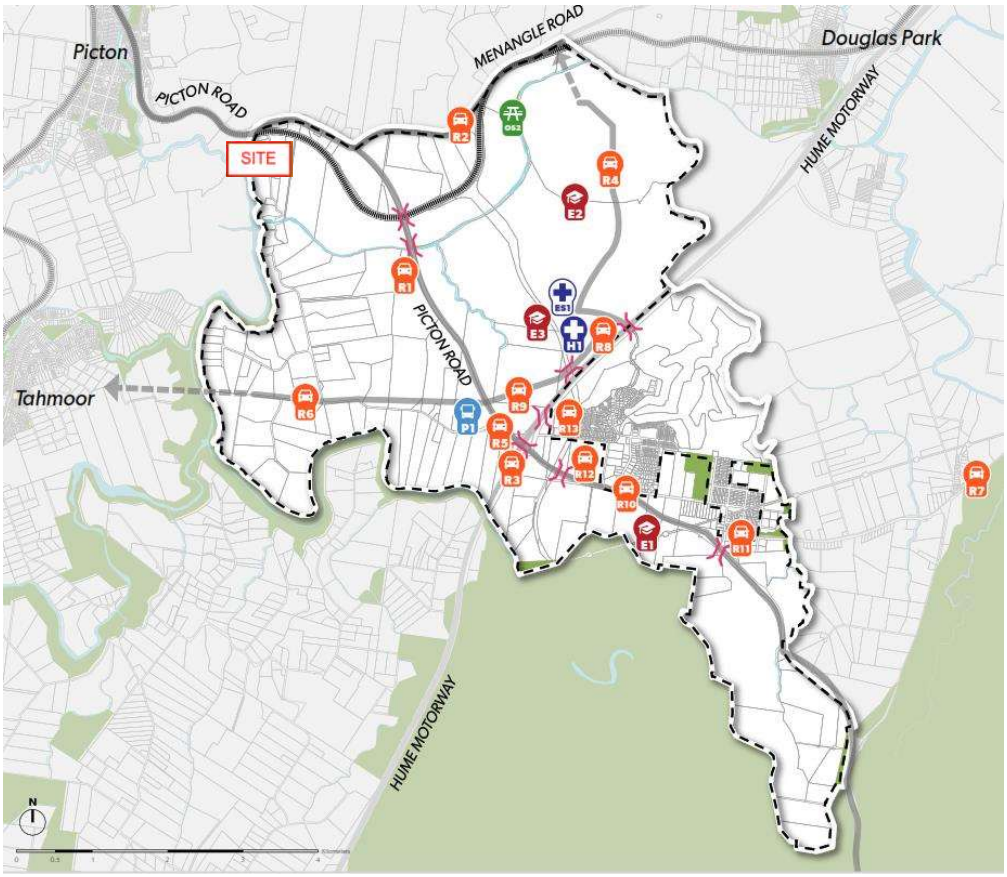
In 2018 the NSW Government exhibited the draft Wilton Special Infrastructure Contribution (SIC) which is intended to apply to the land as shown in **Figure 4** which includes the subject site. However, at the date of this report, the draft SIC is yet to be adopted. Importantly, the exhibited draft SIC was only planned to apply to residential development (i.e. the proposed development would not be levied a contribution).

The location of the infrastructure identified in the draft SIC area is shown in **Figure 5** and includes **Item R1** which comprises an upgrade to Picton Road including bridges to four lanes as a major road connection between the subject site and the M31 Hume Motorway, and **Item R2** which comprises an upgrade to Menangle Road to four lanes in the vicinity of the Wilton Growth Area.



Source: Department of Planning / GLN Planning

Figure 4 – Site location relative to draft SIC area



Source: Department of Planning / GLN Planning

Figure 5 - Draft SIC infrastructure map including location of the subject site

As noted in Section 3.2 of this report, the NSW Government exhibited the proposed RIC framework as part of its infrastructure contributions reforms in late 2021 and it is currently unclear if and when the RIC framework will be adopted. The exhibition material noted that only one state/regional infrastructure contributions regime will apply to any given site, therefore it is considered unlikely that the draft SIC will be adopted if the proposed RIC is implemented, and vice versa.

4 Infrastructure requirements

4.1 Utility / site servicing infrastructure

The Planning Proposal is supported by a Services Assessment Report prepared in November 2020 by SMEC Australia. The Assessment found:

- *Sewer is not readily available to the site. Sydney water has advised that lead in infrastructure would be required as well as a capacity upgrade at the Picton Treatment Facility. SMEC has included an option and costings for onsite reticulation, detention, and treatment*
- *Potable Water services is available to the site, but will require augmentation to service the proposed development*
- *Electricity is available to the site but will require the duplication of feeders once the existing feeders reach capacity (estimated 70% of site).*
- *Telstra and NBN Co. have advised that the National Broadband Network does not service the site. There are options to provide telecommunication services to the site, which vary in cost and lead times (See section 3.5)*
- *Jemena have advised that there are currently no gas assets that can be utilised to service the site. Lead-in construction would be required to provide gas reticulation if it was required*

Clause 7.1 of Wollondilly LEP 2011 requires that services that are essential for the proposed development are available, or that adequate arrangements have been made to make them available, when required, for:

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage.

This clause best reflects the nature and varied reliance on services for the type and range of uses that may be proposed consistent with the zoning. In all instances future applications will be required to detail and outline how the services required for the specific use can be addressed whether by extension of existing urban services or provision on site.

It is noted that the Maldon Industrial Area is an isolated employment area where existing industries have, wherever appropriate and required, either provided their own infrastructure on site to support the operation or paid for the extension and augmentation of the infrastructure to support the specific industrial activity proposed. As an example, Boral have constructed their own effluent disposal and stormwater management systems to support their existing operations.

As discussed above, the first application for a land use on site will determine the extent to which these services need extensions. There are some uses that will be permissible under the new zoning that could be established with connection to none of these services. Clause 7.1 provides the appropriate framework by which this aspect of servicing is assessed at the development application stage.

4.2 State and regional infrastructure

Transport and access

Transport for NSW (TfNSW) published the *Strategic Corridor Options Study (Picton Bypass. Strategic Corridor Options Report*. (Corridor Options Report) in December 2020 which examined 14 corridor options and identified a preferred option (Corridor 9) for community consultation and further development for a future bypass of Picton Town Centre.

Corridor 9 will provide a road link between Picton Road, approximately 450 metres north west of Maldon Bridge Road and Remembrance Driveway approximately 300 metres south of Wonga Road. New intersections will be provided in Picton Road and Remembrance Driveway.

Figure 6 overlays the Corridor 9 alignment from the Corridor Options Report onto an aerial image of the broader area and shows the location of the subject site.

Source: TfNSW / GLN Planning

Figure 6 - Aerial of site with Corridor 9 superimposed

As noted in the Traffic Assessment Report prepared by Transport and Urban Planning Pty Ltd, the Strategic Corridor Options Report identified:

> *future traffic growth on the road network around Picton, between 2018 and 2036, based on the planned future development around Picton Town Centre and the Wilton Priority Growth Area.*
>
> *For Picton Road near Maldon, daily traffic growth is estimated to increase from 12,110 vehicles per day (vpd) in 2018 to 20,200 vehicles per day (vpd) in 2036.*
>
> *As the Boral Maldon site is identified as Employment Land in the Wilton Growth Area, it could be assumed that the traffic inputs from this proposed rezoning area were accounted for in the Strategic Corridor Assessment.*

The Traffic Assessment Report that assessed the traffic impact using conservative parameters found that with respect to the existing roundabout intersection of Maldon Bridge Road and Picton Road:

> *the intersection will continue to operate at a Level of Service A operation with relatively low vehicle delays and spare capacity. This is a very good operation and demonstrates that the rezoning proposal will have satisfactory traffic impacts.*

The Traffic Assessment Report did not model the Maldon Bridge Road and Picton Road intersection to assess the impact of Corridor 9 as the Picton Bypass, if and when delivered, is designed to allow traffic travelling along Picton Road and Remembrance Driveway to bypass the township of Picton to reduce congestion, and would not result in an increase in total vehicle movements along these roads. As a result, it is anticipated that there will be no net impact on the intersection of Maldon Bridge Road and Picton Road as a result of the construction of the bypass.

Nexus with proposed Picton Bypass and Picton Road upgrades

Whilst the overall traffic flows are expected to increase as a result of the growth planned for the Wollondilly LGA and the Wilton Growth Area in particular, the increase in traffic attributable to the proposed development is minor.

For this reason, there is insufficient nexus to require the proposal to contribute directly towards the future construction of the Picton Bypass and the proposed upgrade to Picton Road as shown as Item R1 and R2 in the draft Wilton Growth Area SIC. However, the proposed amendments to the State and regional contributions framework as noted below may provide an opportunity to levy contributions towards these works.

Existing and future State and regional contributions framework

Section 3.4 of this report notes that the existing draft Wilton SIC does not propose to levy contributions on employment land development, and does not identify infrastructure upgrades that will directly benefit the proposed development

However, it is currently unclear whether the draft Wilton SIC will be adopted, or whether the NSW Government will instead proceed with the proposed Regional Infrastructure Contribution (RIC) which was exhibited in late 2021 as part of the infrastructure contributions reform package but has yet to come into force.

The RIC proposed to levy a base contribution on industrial development at a rate of $15/m2 of GFA and a Strategic Biodiversity Component (SBC) contribution at a rate of $15/m2 of GFA, with potential additional contributions under the Transport Project Component (TPC) which are subject to future determination. RIC contributions are proposed to be levied at development stage where the GFA of the development is known, rather than at subdivision stage. This approach represents a shift away from the draft Wilton SIC which did not propose to levy contributions on employment land development.

It is reasonable to assume that the NSW Government will seek to implement a State/regional infrastructure contributions mechanism so it can levy for the infrastructure identified through the preparation of the draft Wilton SIC to support the planned development in the growth area, along with other key regional infrastructure projects to support growth. If the RIC comes into effect, it could provide a potential funding source towards the delivery of the Picton Bypass.

4.3 Local infrastructure

The following section outlines the local infrastructure required to support the development. Further details on this infrastructure are included in the infrastructure schedule contained in **Section 5** of this report. The location of the infrastructure items are shown in the maps in **Section 6** of this report

Transport and access

The Traffic Assessment Report that assessed the traffic impact using conservative parameters found that with respect to the existing roundabout intersection of Maldon Bridge Road and Picton Road:

> *the intersection will continue to operate at a Level of Service A operation with relatively low vehicle delays and spare capacity. This is a very good operation and demonstrates that the rezoning proposal will have satisfactory traffic impacts.*

As a result, there is no requirement to undertake transport upgrades which are directly attributable to the proposed development.

The Road Design and Stormwater Management report by Southeast Engineering & Environmental has identified the proposed upgrades to Maldon Bridge Road required to support the proposed development, consistent with the design outcomes included in the Western Sydney Street Design Guidelines[1] including:

- Kerb and gutter on the western side with cutouts to allow for passive landscape irrigation and discharge to street WSUD components
- Modification to kerb and gutter on the eastern side to allow for parking and WSUD components
- Street WSUD components such as bioretention systems and swales
- Additional pit and pipe drainage to collect WSUD system outflows and stormwater from the eastern side of the road;

[1] Western Sydney Street Design Guidelines, 2020, Western Sydney Planning Partnership, NSW Government

- Footpath and cycle path with minor earthworks and retaining
- Formalised car parking and turning area to access car parks, and
- Where overhead powerlines allow, install tree plantings.

The proposed upgrade works to Maldon Bridge Road have been reviewed by Council officers and will be delivered and funded by Boral as part of the subdivision stage of the development. With Staff Road currently a private road, this is likely to be incorporated into the future site development with associated on site stormwater management facilities.

Council will levy s7.11 contributions on future development under the Wollondilly Contributions Plan 2020 which can be used by Council to deliver road upgrades to the Wilton Growth Area as identified in the Plan.

Water cycle management

The Road Design and Stormwater Management report by Southeast Engineering & Environmental identifies the following outcomes to manage stormwater:

> ***Site stormwater management***
>
> *Stormwater collection, detention and treatment will need to be undertaken at the subdivision lot level. This will include allowing space for stormwater detention and treatment systems, which would be in the order of 3-5% of the lot.*
>
> ***Stormwater easements***
>
> *As the subdivision develops, and the necessity of Dam West A and B are determined, easements for the stormwater pipe network and overland flows will need to be created within the IN3 zoned land. This can occur subsequent to the rezoning.*
>
> ***Stormwater discharge***
>
> *Infiltration and level spreaders should be used as the mechanism for stormwater discharge from the new industrial lots to the adjacent conservation area to limit concentrated flows and limit disturbance to the conservation zone area.*

The proposed water cycle management outcomes will be delivered during the subdivision stage by Boral, the future developers of the industrial land at development stage, or a combination of both. The water cycle management infrastructure is proposed to be retained in private ownership.

Implications of the proposal on surrounding areas planned for growth

Whilst the site is located within the Wilton Growth Area, it is relatively isolated and confined to a pocket of land in the upper north-western corner of the precinct, separated from future urban development in the Wilton Growth Area by the Nepean River. The Services Assessment Report indicates that the proposal can be serviced subject to further detail appropriately provided and assessed at the development application stage, and it is expected that the proposal will have minimal impact on infrastructure delivery and site servicing for future development in the growth area

Post-development ownership and maintenance

The proposed post-development local infrastructure ownership and maintenance responsibility regimes across the development are shown in **Table 4** below.

Local infrastructure type	Delivery mechanism	Ownership post delivery	Maintenance costs responsibility following defect liability period
Maldon Bridge Road upgrades, noting Staff Road will be incorporated into the development	Conditions of consent	Council	Council
Other internal subdivision roads	Not applicable	Not applicable	Not applicable
Stormwater management infrastructure	Conditions of consent	Boral / future landowners	Boral / future landowners
Upgrades to the local road network in the Wilton Growth Area	s7.11 contributions	Council	Council

Source: GLN

Table 4 – Local infrastructure delivery and post-development management arrangement

5 Infrastructure schedule

Infrastructure schedule context

The infrastructure schedule shown at **Table 5** below outlines how the infrastructure required by the proposal will be delivered, owned and maintained.

Table 5 - Infrastructure schedule

Item	Description	Proposed delivery responsibility	Proposed future asset owner	Proposed delivery mechanism	Proposed timing / priority
1	Maldon Bridge Road upgrades	Boral	Council	Conditions of development consent	In conjunction with the subdivision of the land
2	Stormwater management infrastructure	Boral / future landowners	Boral / future landowners	Conditions of development consent	Drainage for road infrastructure - in conjunction with the subdivision of the land Drainage for future industrial/employment land uses – in conjunction with the subdivision of the land or the individual developments on subsequent lots (TBC)
3	Picton Bypass and Picton Road upgrade	TfNSW/Council	TfNSW/Council	NSW Government (potential RIC funding)	TBC – no direct nexus with proposed development
4	Upgrades to the local road network in the Wilton Growth Area	Council	Council	s7.11 contributions via conditions of development consent	TBC by Council
6	Conservation land	Boral	Boral	N/A – land retained in Boral ownership	N/A – land retained in Boral ownership

Item	Description	Proposed delivery responsibility	Proposed future asset owner	Proposed delivery mechanism	Proposed timing / priority
7	Essential servicing infrastructure	Boral	Boral / future landowners / Council depending upon location of infrastructure asset in road reserve or private lot	Conditions of development consent	As required to enable the subdivision or development of the land

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Attachment 8

State and Local Policy Assessment

This document presents the assessment of the consistency of the planning proposal against the NSW strategic planning framework, as applicable.

1. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy?

1.1 Assessment against the Greater Sydney Regional Plan

The *Greater Sydney Regional Plan* (Regional Plan) sets a 40-year vision for how Greater Sydney will manage growth and change in the context of social, economic, and environmental matters. The Regional Plan aims to establish three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

Approximately 22 hectares of the subject site is located within the Wilton Growth Area under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021. The Region Plan's structure plan identifies Wilton as a *land release area* for future growth. The remainder of the site (approximately 0.60 hectares) sits outside of the growth area boundary, in the Wollondilly LEP 2011 and is identified as *Metropolitan Rural Area* (MRA).

The themes; *Infrastructure and Collaboration, Liveability, Productivity and Sustainability* and their supporting 10 directions have been assessed for the purposes of this planning proposal and is deemed to be **consistent** with the Regional Plan.

DIRECTIONS	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
INFRASTRUCTURE AND COLLABORATION 1. *A city supported by infrastructure* 2. *A collaborative city*	Consistent	The planning proposal report and supporting Traffic Assessment demonstrates that the employment land and transport network align so that infrastructure is optimised.
LIVEABILITY 3. *A city for people* 4. *Housing the city* 5. *A city of great places*	Consistent	The application of the C2 environmental conservation zone will help to retain natural areas and rural land view corridors to the south-west, preserving the local character of the area.
PRODUCTIVITY 6. *A well connected City* 7. *Jobs and skills for the city*	Consistent	The heavy industrial rezoning aligns with the objective to *retain and manage* urban services land nominated for the Wilton Growth Area. The Traffic Assessment has indicated an estimate of 320 jobs generated as a result of the proposal supporting employment opportunities for new and existing residents in Wollondilly.
SUSTAINABILITY 8. *A city in its landscape* 9. *An efficient city* 10. *A resilient city*	Consistent	The C2 zone will seek to protect and enhance areas of high biodiversity value and the Stonequarry Creek waterway. The retention of trees in the C2 zone will also help to minimise the impact of urban heat island effect associated with the site.

1.2 Assessment against the Western City District Plan

In alignment with the Regional Plan, the District Plan also identifies the growth area component of the site as land release area that should retain and manage the urban services land. No additional objectives or actions specific to the subject site were identified. The proposal is **consistent** with the District Plan.

1.3 Assessment against Wilton 2040: A Plan for the Wilton Growth Area

The *Wilton 2040: A Plan for the Wilton Growth Area* (Wilton 2040) document sets the overarching planning framework and 20-year vision for the Wilton Growth Area. The subject site is predominately located within the Maldon Precinct of the Wilton Growth Area which has been identified for future *employment land* and *conservation* land uses on the structure plan. The proposed heavy industrial rezoning is anticipated to generate an additional 320 jobs which will support Wilton's local economy and the 15,000 job target set for the growth area. Additionally, the planning proposal aligns with the strategic conservation planning outlined in Wilton 2040 which is assessed in section 1.4 below. The planning proposal is **consistent** with Wilton 2040.

1.4 Assessment against the Cumberland Plain Conservation Plan.

The CPCP was finalised in August 2022. The site is identified within the CPCP area which maps the subject land under three categories, strategic conservation area, urban capable and land avoided for biodiversity. The planning proposal has indicated the intention to align the heavy industrial and environmental conservation land use zone boundaries with the CPCP mapping and is therefore considered **consistent** with this policy.

2. Is the planning proposal consistent with Council's local strategy or local strategic plan?

2.1 Assessment against 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 (4) 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.

Overall the planning proposal is consistent with Wollondilly's LSPS. The proposal is located within the growth area, suitable for the expansion of industrial land and is well serviced with minimal infrastructure upgrades required to support future development. The proposal does not present any major social, environmental or economic impacts that would undermine successful implementation of the LSPS.

The below tables provide an assessment of the planning proposal 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:

The planning proposal supports Council's position on sustainable managed growth in Wollondilly. The site is primarily located within the Wilton Growth Area identified for future employment land uses. The site will leverage from the existing road and rail network connections without major impacts to the traffic servicing level of the area.

LIVEABILITY
Planning Priorities: 4. Creating vibrant, healthy and sustainable communities in our new town in Wilton 5. Providing housing options that meet local needs and match the local character of towns and villages 6. Embedding health and wellbeing considerations in land use planning for healthy places 7. Cultivating a creative and cultural destination connecting people with place 8. Enhancing vibrant, healthy and sustainable local towns and villages
Assessment against Theme: The proposal is consistent with the vision and structure plan identified in *Wilton 2040.* The proposal does not intend to deliver housing and is not located within a local town or village.

PRODUCTIVITY
Planning Priorities: 9. Developing the visitor experience and economy by increasing access to natural areas and rural landscapes 10. Attracting investment and growing local jobs 11. Leveraging greater investment and business opportunities from Western Sydney International (Nancy-Bird Walton) Airport
Assessment against Theme: Natural and vegetated areas will be retained and protected through the application of the C2 zone. The proposal is consistent with the Wollondilly Employment Land Study with potential for an additional 320 permanent jobs. The site is currently well connected. Opportunities to better leverage from the Western Sydney International Airport will become available via infrastructure projects such as the Outer Sydney Orbital.

SUSTAINABILITY
Planning Priorities: 12. Valuing the ecological health of Wollondilly's waterways 13. Protecting biodiversity and koala habitat corridors 14. Planning high quality well connected open spaces 15. Delivering an urban tree canopy 16. Enhancing and protecting the diverse values of the Metropolitan Rural Area 17. Planning resource recovery options to serve local and district needs in appropriate strategic locations 18. Living with climate impacts and contributing to the broader resilience of Greater Sydney
Assessment against Theme: The application of the C2 zone will provide a buffer between the industrial area and the riparian corridor which will help maintain the ecological health of Stonequarry Creek. The C2 zone also aligns to the draft CPCP Strategic Conservation Area which will protect areas of high biodiversity and known koala corridors. Less than three percent of the land is identified as Metropolitan Rural Area (MRA). The MRA layer is considered inconsistent with the strategic intent of the site.

2.2 Assessment against the Wollondilly Employment Land Strategy (ELS)

The ELS sets the strategic planning framework to guide the future development of employment lands within the Wollondilly LGA. The ELS recognises Maldon as a significant employment precinct with strong access to motorway and rail-freight connections, suitable for accommodating additional industrial land. The planning proposal site boundary is broadly consistent with the Maldon West investigation area and its corresponding actions. The planning proposal report acknowledges minor discrepancies with the slope constraints identified for the Maldon West expansion area and provides additional site-specific studies to justify future development feasibility. The planning proposal is **consistent** with the Wollondilly ELS.

3. Is the planning proposal consistent with applicable State Environmental Planning Polices?

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.

The below table provides an assessment of the planning proposal against all relevant SEPPs and SREPs:

SEPP/SREP	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
SEPP (Primary Production) 2021	N/A	Not applicable to this planning proposal
SEPP (Resources and Energy) 2021	N/A	Not applicable to this planning proposal
SEPP (Resilience and Hazards) 2021	Consistent	"Chapter 3 Hazardous and offensive development" would continue to apply to the site depending on the uses that would take place within the proposed IN3 Heavy Industrial zone. A Preliminary Site Investigation Report was prepared in accordance with requirements in "Chapter 4 Remediation of land".
SEPP (Industry and Employment) 2021	N/A	Not applicable to this planning proposal
SEPP (Transport and Infrastructure) 2021	N/A	Not applicable to this planning proposal
SEPP (Biodiversity and Conservation) 2021	Consistent	The site is not located within a drinking water catchment Majority of the site is located within a declared area of the Cumberland Plain Conservation Plan. The proposal is considered to be consistent with the relevant sections, and future development will need to occur in line with the requirements of the SEPP.
SEPP (Planning Systems) 2021	N/A	Not applicable to this planning proposal

SEPP (Precincts – Eastern Harbour City) 2021	N/A	Wollondilly is not located within the Eastern Harbour City
SEPP (Precincts – Central River City) 2021	N/A	Wollondilly is not located within the Central River City
SEPP (Precincts – Western Parkland City) 2021	Consistent	The proposal is consistent with the relevant chapters of this SEPP and the intent of Wilton 2040 which guides the planning and delivery of the Wilton growth area.
SEPP (Precincts – Regional) 2021.	N/A	Not applicable to this planning proposal
SEPP (Housing) 2021	N/A	Not applicable to this planning proposal
SEPP (Exempt and Complying Development Codes) 2008	N/A	This SEPP does not apply to planning proposals.
SEPP 65 – Design Quality of Residential Apartment Development	N/A	No residential apartment development is proposed as part of this proposal.

4. Is the planning proposal consistent with applicable Ministerial 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. Minor inconsistencies with directions have been justified and further discussed in the body of this report.

The below table provides an assessment of the planning proposal against the Section 9.1(2) Ministerial Directions:

MINISTERIAL DIRECTION	CONSISTENCY	JUSTIFICATION
PLANNING SYSTEMS		
1.1 Implementation of Regional Plans	Not inconsistent	The planning proposal is consistent with the Regional Plan.
1.2 Development of Aboriginal Land Council land	N/A	The direction does not apply to land within the Wollondilly LGA.
1.3 Approval and Referral Requirements	Not inconsistent	The planning proposal does not introduce new consultation, concurrence or referral requirements.
1.4 Site Specific Provisions	N/A	No site-specific provisions are proposed.
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	The direction does not apply to land within the Wollondilly LGA.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	The direction does not apply to land within the Wollondilly LGA.
1.7 Implementation of Greater Parramatta Priority	N/A	The direction does not apply to land within the Wollondilly LGA.

Growth Area Interim Land Use and Infrastructure Implementation Plan		
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not inconsistent	The planning proposal is consistent with Wilton 2040 which supersedes the Wilton Interim Land Use and Infrastructure Implementation Plan.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	The direction does not apply to land within the Wollondilly LGA.
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	The planning proposal is not located within an area subject to the *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020*.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	The direction does not apply to land within the Wollondilly LGA.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	The direction does not apply to land within the Wollondilly LGA.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	The direction does not apply to land within the Wollondilly LGA.
1.14 Implementation of Greater Macarthur 2040	N/A	The planning proposal is not located within the Greater Macarthur Growth Area.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	The direction does not apply to land within the Wollondilly LGA.
1.16 North West Rail Corridor Strategy	N/A	The direction does not apply to land within the Wollondilly LGA.
1.17 Implementation of the Bays West Place Strategy	N/A	The direction does not apply to land within the Wollondilly LGA.
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	The direction does not apply to land within the Wollondilly LGA.
1.19 Implementation of the Westmead Place Strategy	N/A	The direction does not apply to land within the Wollondilly LGA.
DESIGN AND PLACE		
[This Focus Area was blank when the Directions were made]		
BIODIVERSITY AND CONSERVATION		
3.1 Conservation Zones	Not inconsistent	The planning proposal will introduce an C2 zone consistent with the CPCP.
3.2 Heritage Conservation	Not inconsistent	There is currently no heritage listed items identified on the site. The proponent will need to do further work as a result of preliminary investigation that indicates there may be some potential for heritage items both European and Indigenous.
3.3 Sydney Drinking Water Catchments	N/A	The planning proposal is not located within the Sydney Drinking Water catchment area.

3.4 Application of C2 and C3 Zones and Environmental Overlays in Far	N/A	This direction does not apply to the Wollondilly LGA.
3.5 Recreation Vehicle Areas	N/A	The planning proposal does not enable land to be developed for the purpose of a recreational vehicle area.
3.6 Strategic Conservation Planning	Not inconsistent	The planning proposal will rezone avoided land to C2 Environmental Conservation.
RESILIENCE AND HAZARDS		
4.1 Flooding	Not inconsistent	The site is not identified as flood prone land.
4.2 Coastal Management	N/A	The site is not located within a coastal zone.
4.3 Planning for Bushfire Protection	Not inconsistent	A Bushfire Assessment was undertaken in accordance with Planning for Bushfire Protection 2019.
4.4 Remediation of Contaminated Land	Not inconsistent	The Preliminary Site Investigation Report assessed the potential contamination status of the site in accordance with SEPP 55 requirements.
4.5 Acid Sulfate Soils	Not inconsistent	The preliminary site investigation concludes there is a very low likelihood that the site is affected by acid sulphate soils.
4.6 Mine Subsidence and Unstable Land	N/A	The site is not located within the Wilton mine subsidence district.
TRANSPORT AND INFRASTRUCTURE		
5.1 Integrating Land Use and Transport	Not inconsistent	The planning proposal aligns with the Integrating Land Use and Transport- Improving Transport Choice (2001) document.
5.2 Reserving Land for Public Purposes	N/A	No additional land is proposed to be reserved for acquisition or dedication.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	The planning proposal does have an effect on land near a regulated airport.
5.4 Shooting Ranges	N/A	The planning proposal does not have an effect on land adjacent to and/or adjoining an existing shooting range.
HOUSING		
6.1 Residential Zones	N/A	The planning proposal does not have an effect on existing or propose residential zone land.
6.2 Caravan Parks and Manufactured Home Estates	N/A	The planning proposal is not located on Crown land or land dedicated or reserved under the *National Parks and Wildlife Act 1974.*
INDUSTRY AND EMPLOYMENT		

7.1 Business and Industrial Zones	Not inconsistent	The planning proposal is consistent with the objective to encourage employment growth in suitable locations.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	The planning proposal does not have an effect on non-hosted short-term rental accommodation.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This direction does not apply to the Wollondilly LGA
RESOURCES AND ENERGY		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	As per advice from DPIE, the site is not impacted by existing coal mining leases within the Maldon Precinct.
PRIMARY PRODUCTION		
9.1 Rural Zones	Inconsistent - minor	The planning proposal intends to rezone RU2 rural landscape zoned land, however inconsistencies are justified through alignment with Ministerial Direction 1.8.
9.2 Rural Lands	Inconsistent - minor	The planning proposal intends to rezone RU2 rural landscape zoned land, however inconsistencies are justified through alignment with Ministerial Direction 1.8.
9.3 Oyster Aquaculture	N/A	This planning proposal is not within an oyster aquaculture area.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	The direction does not apply to the Wollondilly LGA.

7.3 DRAFT PLANNING PROPOSAL - MALDON BRIDGE ROAD, MALDON

Reason for LPP Referral:	**The Local Planning Panel Direction - Planning Proposals, issued on 27 September 2018, requires all Planning Proposals to be referred to the LPP for advice before Council considers whether or not to forward to the Minister or GSC under s3.34**
Address:	**40-45 Maldon Bridge Road and Staff Road, Maldon**
Lot & DP:	**Lot 1 DP748675, Lot 1 DP795225, Lot W DP163774, Lot X DP161196, Lot 1 DP 162140, Lot 1 DP 1138675, Lot 2 DP 1138675 and Lot 31 DP 602144**
Current Zoning:	**RU2**
Proposal:	**Draft Planning Proposal to amend the Wollondilly Local Environmental Plan 2011 and the SEPP Sydney Region Growth Centres 2006 to enable heavy industrial development.**
Applicant:	**Boral Cement Ltd**

EXECUTIVE SUMMARY

The purpose of this report is to seek advice from the Wollondilly Local Planning Panel (the Panel) on a draft planning proposal received for land at 40-45 Maldon Bridge Road and Staff Road, Maldon.

The site is zoned under the Wollondilly LEP 2011 and in part mapped as part of the Wilton Growth Area under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*. The proposal seeks to rezone land from the existing RU2 Rural Landscape Zone to a combination of IN3 Heavy Industrial and E2 Environmental Conservation Zones and a minimum lot size of 5,000m^2. The amendments intend to facilitate the expansion of employment land adjacent to the existing Boral Cement and Quarries terminal facilities, and establish an environmental conservation zone for the native vegetation areas and gully leading to Stonequarry Creek.

The proposal has been subject to preliminary public consultation in line with Council policy, four submissions were received in total. Three submissions were received from the general public, one in support, one objection and one with comments. One submission was received from Sydney Water as an adjacent landowner, providing preliminary comments. The draft proposal was referred to internal Council departments with no objections raised.

It is proposed that the Growth Centres SEPP be the primary environmental planning instrument to facilitate development, noting both instruments (Growth Centres SEPP and LEP) will require amendment. It is recommended that the Planning Proposal is supported and be submitted for a Gateway Determination with conditions.

PUBLIC SUBMISSIONS

There were 2 registered speakers for this item.

PANEL CONSIDERATIONS AND RECOMMENDATION

During closed deliberations, the panel noted:

1. The Panel provides advice to Council in accordance with the Local Planning Panel Direction – Planning Proposals, issued on 27 September 2018 which will be attached to a future report to Council.
2. The Planning Proposal request meets the strategic merit test having regard to the relevant strategic planning strategies and the site specific merit test having regard to these studies and the site specific opportunities and constraints.
3. The Panel supports the Planning Proposal proceeding to gateway determination subject to:

I. **A condition to be sought in the Gateway Determination to refine and resubmit the Infrastructure Delivery Statement prior to formal public exhibition.**

II. **Agreement to be reached between DPIE, the land owner and Council regarding the need for a precinct structure plan and neighbourhood plan.**

III. **Further flora and fauna assessment will be required if, at the time of Gateway determination issue, the Cumberland Plain Conservation Plan has not been finalised.**

IV. **Development control plan be prepared to address the interface risks between the future IN3 and future E2 zones to ensure the ongoing integrity of the E2 zone can be secured by minimising impacts from surrounding industrial development.**

V. **Vegetation Management Plan be prepared to support the cohesive ongoing management of the E2 zone**

VI. **Water Management Plan be prepared and implemented through provisions in the LEP and DCP to ensure water quality impacts on the E2 land and surrounding waterways is minimised.**

VII. **Council consider future ownership options including the use of an 88B instrument to secure the long term protection of the E2 zone.**

VIII. **Council to consider if the requirements of State Environmental Planning Policy (Affordable Rental Housing) 2009 apply to the residences within the site.**

IX. **The landowner and council ensure tenants in the workers cottages are kept informed of the progress of the planning proposal.**

X. **The landowner be requested to provide appropriate support to tenants in the workers cottages on the site to move to new accommodation as the site becomes an industrial area.**

VOTING

3/0 – Expert Member Fiona Gainsford left the meeting for this item due to a perceived conflict of interest.

Attachment 10

Assessment against the Wollondilly Local Planning Panel Considerations and Recommendations

Meeting held 16 December 2021

	LPP Consideration/Recommendation	Officer Comment
1.	The Panel provides advice to Council in accordance with the Local Planning Panel Direction – Planning Proposals, issued on 27 September 2018 which will be attached to a future report to Council.	Noted, full minutes of LPP meeting provided within separate attachment
2.	The Planning Proposal request meets the strategic merit test having regard to the relevant strategic planning strategies and the site specific merit test having regard to these studies and the site specific opportunities and constraints.	Noted
3.	The Panel supports the Planning Proposal proceeding to gateway determination subject to:	
i.	A condition to be sought in the Gateway Determination to refine and resubmit the Infrastructure Delivery Statement prior to formal public exhibition.	An Infrastructure Delivery Schedule has been submitted to Council and reviewed by the relevant team. The report will form part of the Public Exhibition Material. **Specific condition no longer required.**
ii.	Agreement to be reached between DPIE, the land owner and Council regarding the need for a precinct structure plan and neighbourhood plan.	It is recognised that the expansion of an existing industrial area does not require the same level of consideration associated with higher demand uses, like residential area or centres, that would typically be addressed through the structure and neighbourhood plan process. IDS provides an overview of infrastructure required and timing of various. **This matter can be confirmed by DPE via the Gateway process.**
iii.	Further flora and fauna assessment will be required if, at the time of Gateway determination issue, the Cumberland Plain Conservation Plan has not been finalised	**The Cumberland Plain Conservation Plan was finalised in August 2022.** Slight adjustments to the proposed land use zones and minimum lot size have been made to reflect the CPCP. The certified land did not extend in Lot 1 DP 162140 which is located outside the

		Wilton Growth Area Boundary. Any future development that proposes clearing would be subject to the relevant assessment and approvals.
iv.	Development control plan be prepared to address the interface risks between the future IN3 and future E2 zones to ensure the ongoing integrity of the E2 zone can be secured by minimising impacts from surrounding industrial development.	The Biodiversity section (8.3) of the Wilton DCP includes controls that apply to certified - urban capable land in the Wilton Growth Area precincts that have been rezoned for urban development in order to mitigate and minimise impacts on the conservation areas. In addition, the expansion of the draft DCP chapter relating to employment and other uses could include additional site-specific controls to address the interface between the industrial and conservation land.
v.	Vegetation Management Plan be prepared to support the cohesive ongoing management of the E2 zone	Noted, this matter is best address at development application stage
vi.	Water Management Plan be prepared and implemented through provisions in the LEP and DCP to ensure water quality impacts on the E2 land and surrounding waterways is minimised	Council's Integrated Water Management Policy and supporting WSUD guidelines will need to be addressed at any future DA based on the specific land use. Provisions with the applicable DCP (being Wilton or Wollondilly) will also specify the requirements for water management in conjunction with the applicable policy and engineering specifications. Site specific provisions within an Environmental Planning Instrument are not considered appropriate in this context.
vii.	Council consider future ownership options including the use of an 88B instrument to secure the long-term protection of the E2 zone.	Noted, the applicant has indicated the following: *It is currently proposed that ownership of the E2 land will remain with Boral, Boral may consider entering into a stewardship arrangement under the Biodiversity Conservation Act for this land and in line with the CPCP*
viii.	Council to consider if the requirements of State Environmental Planning Policy (Affordable Rental Housing) 2009 apply to the residences within the site.	State Environmental Planning Policy (Affordable Rental Housing) 2009 was consolidated into State Environmental Planning Policy (Housing) 2021. Affordable Housing is defined by the EP&A Act 1979 as *housing for very low income households, low income households or moderate income households, being such households as are prescribed by the*

		regulations or as are provided for in an environmental planning instrument. The remaining dwellings are not recognised as part Wollondilly's Affordable Housing stock. Whilst they have been used as workers dwellings over time, affordable housing as defined by the planning framework is highly regulated and needs to meet a range of requirements. Affordable housing is typically provided by affordable housing providers, and meet the requirements set out in the relevant EPIs. An industrial zone is not an appropriate location for affordable housing. The site is not in proximity to public transport, or key services. The Local Housing Strategy identifies affordable housing will be provided for in our growth centres (Wilton and Appin), this is considered a more appropriate location as it will be better serviced to meet the day to day needs of residents.
ix.	The landowner and council ensure tenants in the workers cottages are kept informed of the progress of the planning proposal.	Letters notifying of council meeting and public exhibition will be sent to the houses along Staff Road. The applicant indicated the following in a letter dated 9 September 2022: *Boral has been working with each of the tenants in the 5 cottages through this process, including recently giving a lease extension to assist them finding appropriate alternative accommodation. At the time of writing this letter, 3 tenants had relocated and the remaining 2 were actively seeking new accommodation.* *Boral will continue to work with the remaining tenants to find alternative premises.* **Ongoing action**
x.	The landowner be requested to provide appropriate support to tenants in the workers cottages on the site to move to new accommodation as the site becomes an industrial area.	

Attachment 11

Summary and Assessment of Community Submissions to the Maldon Bridge Road, Maldon Planning Proposal

SUBMITTER REFERENCE	POSITION	ISSUES RAISED	COUNCIL ASSESSMENT RESPONSE	COUNCIL ACTION
01	Comments for Consideration	• Concerned of increased trucks coming up and down Picton via Menangle Road presenting a major hazard for existing residents. • Concerned there may not be positive benefit for families along Menangle Street. • Commented on the timing of the Picton By-Pass.	• The concern around increased truck movement is acknowledged. • The planning proposal's supporting Traffic and Transport Assessment Report investigated the cumulative road servicing impacts from the planning proposal and the current development application (DA) lodged with Council. The report found that the traffic generated from the planning proposal would not have a major impact to the existing road network service. • Transport for NSW (TfNSW) is yet to confirm the timing of the delivery of the Picton Bypass. Council continues to advocate for state government commitment and fast-tracking of the project.	• No actions required at this stage.

02	Support	• Supports changes to the zoning to allow for:
		  ○ The creation of temporary construction and civil works jobs;
		  ○ Increased permanent local jobs; and
		  ○ Retaining and promoting new industrial business opportunities in Wollondilly Shire.
			• Feedback is noted.	• No actions required at this stage.

03	Object	• Concerned the additional industrial area will spoil one of the main entrances to the Shire. • Commented on the industrial businesses in Maldon that are typically automated which may not result in increased local jobs. • Sought clarification as to whether the planning proposal site is where the Picton By-Pass is proposed.	• The concern regarding visual impact is acknowledged. A preliminary Visual Impact Assessment was included in the planning proposal report. Due to proposed minimum lot size controls and various improvements to the planning system, future development would be comparatively more modest in scale and less visually obtrusive than the adjacent industrial buildings. This matter is discussed in more detail in the body of the LPP Report. • The Traffic Assessment Report provided an indicative number 320 additional employees resulting from the industrial rezoning proposed. The number is based on the industry standard document, RTA's (now TfNSW) Guide to Traffic Generating Developments. These numbers are high level and sufficient to support the planning proposal intended changes. More accurate job generation numbers	• No actions required at this stage.

SUBMITTER REFERENCE	POSITION	ISSUES RAISED	COUNCIL ASSESSMENT RESPONSE	COUNCIL ACTION
			will be provided once the operational plan for the site has been established, typically at the DA stage. • The Traffic and Transport Assessment Report took the proposed Picton Bypass into consideration based on the TfNSW Picton Bypass Strategic Corridor Options Report exhibited December 2020. The report confirmed that the preferred Bypass corridor option does not impact the land within this planning proposal.	

Attachment 12

Summary and Assessment of Agency Submissions to the Maldon Bridge Road, Maldon Planning Proposal

AGENCY	DATE OF Response	COMMENTS	COUNCIL ASSESSMENT RESPONSE
Sydney Water	30 June 2021	**Water Servicing** ▪ The existing 100mm CICL potable water main located in Maldon Bridge Road has very limited capacity to supply any significant uplift of water demand to the site. An amplification of the existing potable water main would be required. ▪ The draft planning proposal identifies three potential options, with costings, for upgrading the potable watersupply, is consistent with the recommendation under Sydney Water feasibility case number 186539. ▪ The draft planning proposal does not identify the expected uplift in water demand, which therefore inhibits Sydney Water from providing any further advice as to the suitability of the developer-identified options at this stage. **Wastewater Servicing** ▪ The subject site has no sewer mains close to the proposed development. Currently, the Picton Wastewater Recycling Plant has no capacity to manage additional treated effluent. ▪ Sydney Water will not consider a wastewater connection for any proposed development or partial development outside of the existing Picton Sewerage Scheme boundary. ▪ The proponent is advised to investigate on-site wastewater treatment options.	Water servicing constraints are noted. Water demand and feasibility to undertake amplification to the existing potable water main will be assessed and appropriately detailed at time of development assessment. Sydney Water will be notified at such time through the Section 73 application process. Wastewater constraints are noted. The planning proposal has indicated an onsite wastewater treatment approach consistent with Sydney Water advice. Appendix D Services Assessment Report, Section 3.1.3 provides information on options and costing for onsite reticulation sewer system with septic tanks and onsite wastewater treatment management.

SOCIAL AND HEALTH IMPACT COMMENT ASSESSMENT

1. Assessment of Impacts

<table>
<tr><th>Impact Category</th><th>Relevance</th><th>Scoping Questions</th></tr>
<tr><td>Population change</td><td>The location, size, rate and type of population change have implications for social infrastructure planning, urban design and community cohesion.</td><td>Will the development result in a change to the age structure, household composition or permanence of the resident population?

Will the development result in the displacement of current residents, visitors and/or workers?

Will the development increase the size of the population significantly in a short period of time?</td></tr>
<tr><td colspan="3">Assessment</td></tr>
<tr><td colspan="3">Will the development result in significant change/s to the local area’s population (either permanently and/or temporarily)?</td></tr>
<tr><td>Yes

<s>No</s></td><td colspan="2">If yes, briefly describe how the development will impact on population change below</td></tr>
<tr><td></td><td colspan="2">Positive impacts:
Increased employment opportunities to support the working population of Picton, Wilton and surrounding areas;
Reduced travel distance to work with more opportunities for the local workforce;
Removal of housing located within a designated bushfire zone and adjacent a 24 hour operating industrial use; and
Delivering on the NSW Government and Council’s strategy for increased employment lands in the Maldon area.</td></tr>
<tr><td></td><td colspan="2">Negative impacts:
Ultimately, the employment land use will result in the removal of the five remaining residences located in Staff Road. It is noted that this use is inconsistent with the proposed employment land future of the Maldon area.</td></tr>
<tr><td></td><td colspan="2">Describe the proposed measures you have/will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts resulting from population change:
A provision of a minimum of 6 months’ notice to existing residential tenants will enable sufficient time to find alternate accommodation within the established communities of the Wollondilly area;
Once all properties are vacated, the homes will be removed by appropriately licenced contractors in accordance with necessary approvals to ensure the sites</td></tr>
</table>

	avoid potential vandalism and are stabilised for future employment uses; and • The removal of the dwellings does not mean the cessation for those employed at the existing operation but relocation to a non-industrial environment with better recreation, social and other facilities.	
Healthy lifestyle	Urban design influences participation in physical activity, such as walking, cycling, children's play and other activities (including walking to public transport), promoting healthy lifestyles and reducing the risk of disease and mortality. A range of parks and open spaces as well as the public domain provide important venues for physical activity and social interaction; these need to be well distributed across catchments.	Will the development encourage walking and cycling as convenient, safe and appealing forms of access? Do the location, proximity, design, range and management of open space cater to the needs of all user groups? Is open space consistent with the Charter for Open Space? Will the development be likely to alter existing physical activity, or future opportunities to participate in physical activity? Will the development contribute to the neighbourhood's walkability, particularly in terms of connectivity, density and land use mix?
Assessment		
Is the proposal impact likely to increase or reduce opportunities for healthy lifestyles, healthy pursuits, physical activity and other forms of leisure activity?		
Yes ~~No~~	If yes, briefly describe how the development will impact on healthy lifestyle below	
	Positive impacts: • Through rezoning the densely vegetated portion of the site to E2 Environmental Conservation, this has the potential to contribute to community use/walkability in the future; and • The existing dwellings have no dedicated public reserves, sportsgrounds or parks in proximity given the predominantly industrial landscape and operations. It is likely the residents will relocate to more established urban areas where planned recreation areas and activities are available.	
	Negative impacts: • None identified	

	Describe the proposed measures you have/will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts to support a healthy lifestyle: • Not applicable	
Healthy Communities	Health is not just the absence of disease. Healthy communities are places where water and air quality are good, there are opportunities for relaxation, there is good access to fresh food and local produce and people are able to locally access the supportive services they need. Healthy communities are ones where people can walk and cycle around their neighbourhoods, where higher density development is within walking distance to local centres, public transport and local services and where people have opportunities for informal interaction.	Will the proposal impact (positively or negatively) on the health of the community? Would the proposal create more opportunities for access to fresh food and local produce? Will the proposal support an increase in supportive social infrastructure (services and/or facilities) in the community? Does the density proposed match the walkable distance from the town centre? Will the proposal contribute to the walkability of the neighbourhood? Will the proposal support active transport options? Will the proposal encourage opportunities for informal interaction?
Assessment		
Will the proposal impact on the overall health of the community?		
Yes	If yes, briefly describe how the development will impact on healthy communities below	
~~No~~	Positive impacts: • Providing local employment opportunities would improve the health of the community through reduced travel distances/times and an increased local economy; • An increased local workforce would provide an increased sense of community; • The removal of the five remaining residences proximate to the existing and proposed heavy industrial uses would ultimately be better for the community with the households relocating to established urban areas where planned infrastructure provides better access to facilities and both formal and informal community interactions; and • Through rezoning the densely vegetated portion of the site to E2 Environmental Conservation, this has the potential to contribute to community use/walkability in the future.	
	Negative impacts: • Ultimately, the employment land use will result in the removal of the five remaining residences located in Staff	

	Road. It is noted that this use is inconsistent with the proposed employment land future of the Maldon area.	
	Describe the proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on community health and well-being: • A provision of a minimum of 6 months' notice to existing residential tenants will enable sufficient time to find alternate accommodation within the established communities of the Wollondilly area; and • Once all properties are vacated, the homes will be removed by appropriately licenced contractors in accordance with necessary approvals to ensure the sites avoid potential vandalism and are stabilised for future employment uses.	
Social cohesion and sense of belonging	Community connectedness, established through social networks and opportunities for incidental contact, helps people access the emotional and practical resources they need. A sense of belonging and cultural association with 'place' makes people feel valued and is a major contributor to strong communities and good health. Perceived trust along with shared values have a direct and positive effect on health and wellbeing. The absence of physical and social barriers promotes social interaction, social cohesion and belonging.	Will the development impact (positively or adversely) on the strength of the community's social networks, capacity for self help, identity or resilience? Will the development impact on an area or item of value or importance to the community? Will the development create or alter any physical or social barriers within or between communities? Will the development promote integration with adjacent communities (e.g. through design, access to facilities, co-operative action)? Will the development ensure public access to the public domain (including privately owned and managed public domain such as shopping centres)?
Assessment		
Is the development likely to increase or decrease opportunities social interaction or impact on cohesion within and between communities?		
Yes ~~No~~	If yes, briefly describe how the development will impact on community identity and/or a sense of belonging in the locality/Shire.	
	Positive impacts: • The existing residences are in part isolated from the main residential community of the surrounding area. While the initial transition may be disruptive, ultimately, the	

	occupants should be able to find accommodation in areas with improved social cohesion; • An increase in local employment opportunities would enable more of the community to live and work locally, increasing the sense of belonging; and • The rezoning of a portion of the site to E2 Environmental Conservation will clearly identify an area of importance to the community.	
	Negative impacts: • None identified	
	Describe the proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on community cohesion and/or a sense of belonging: • Not applicable	
Housing	Housing conditions impact on community health and wellbeing in a number of ways. Housing affordability and security are key factors in overcoming poverty, and influence access to employment and training opportunities. Housing stability helps maintain stable social networks. Housing mix encourages social diversity, stimulating social interaction and inclusion. Concentrated social disadvantage is associated with poorer health outcomes. Design of both housing and the neighbourhood influences the extent to which different groups' needs are met.	Will the development result in a mix of housing types and sizes? Will the development be appropriate to meet local needs and the needs of special groups? Will the development result in the displacement of existing residents, or alter the availability of affordable housing or boarding housing? Will the development be likely to result in or alter concentrated social disadvantage? Does neighbourhood design promote inclusion of different social groups and promote social interaction?
Assessment		
Will the proposal result in an increase or a reduction in housing diversity in the locality/and/or Shire?		
Yes	If yes, briefly describe how the development will impact on housing diversity below	
~~No~~	Positive impacts: • An increase in local employment opportunities has the potential improve access to employment and training,	

	boosting the local economy and ultimately benefiting housing affordability in the locality.	
	Negative impacts: • The future development of the land for employment uses will result in the removal of 5 houses.	
	Describe the proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on housing diversity: • A provision of a minimum of 6 months' notice to existing residential tenants will enable sufficient time to find alternate accommodation within the established communities of the Wollondilly area; and • Once all properties are vacated, the homes will be removed by appropriately licenced contractors in accordance with necessary approvals to ensure the sites avoid potential vandalism and are stabilised for future employment uses.	
Accessibility and Mobility	The location of housing, education, employment and community services and facilities in proximity to public transport, cycling and walking networks enhances their accessibility. Good connective infrastructure and universal access design benefits everyone in the community.	Is the development appropriately located to maximise accessibility to public transport, pedestrian and cycle networks. Does the proposal consider and provide measures to ensure universal access? Will the proposal result in particular group in the community being excluded or having limited in their access? Will someone with reduced mobility have trouble accessing and/or moving around this proposed development?
Assessment		
Will the development improve or reduce physical access to and from places, spaces and transport?		
~~Yes~~ **No**	If yes, briefly describe how the development will impact on population change below	
	Positive impacts: • Not applicable	
	Negative impacts: • Not applicable	

<table>
<tr><td></td><td colspan="2">Describe the proposed measures you will use to avoid, reduce, or mitigate any negative impacts on accessibility:
Not applicable</td></tr>
<tr><td>Community Safety</td><td>Feelings of being safe and reducing opportunities for crime is important to community wellbeing. When people feel safe in their community they are able to go about their daily lives without fear for their safety or the safety of others. Design of buildings, places and neighbourhoods can impact on community safety. Good design aims to reduce opportunities for opportunistic crime and is supportive of the safety of the community.</td><td>Has the proposal considered the principles of Crime Prevention Through Environmental Design (CPTED)? Such as natural surveillance, access control, territorial reinforcement and space management.

Does the proposal have potential to change the way people feel about their safety in the community/neighbourhood/street?

Is adequate lighting proposed to ensure safe night time use?

Has appropriate surveillance technologies been proposed?

Can the design and /or proposal be altered to improve community safety?</td></tr>
<tr><td colspan="3">Assessment</td></tr>
<tr><td colspan="3">Will the development increase or reduce public safety and opportunities for crime (perceived or actual crime)?</td></tr>
<tr><td>Yes</td><td colspan="2">If yes, briefly describe how the development will impact on crime and safety (including perceived) in the locality/Shire.</td></tr>
<tr><td><s>No</s></td><td colspan="2">Positive impacts:
The residences in Staff Road are relatively isolated and have low/limited street lighting. Relocation of residents to more established residential areas should provide improved public safety; and
Employment uses would result in improved site security and lighting, reducing opportunities for crime.</td></tr>
<tr><td></td><td colspan="2">Negative impacts:
Once houses have been vacated, they may provide a risk for crime and vandalism.</td></tr>
<tr><td></td><td colspan="2">Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on crime and feelings of safety:
Once all properties are vacated, the homes will be removed by appropriately licenced contractors in accordance with necessary approvals to ensure the sites avoid potential vandalism and are stabilised for future employment uses.</td></tr>
</table>

<table>
<tr><td>Access to employment and training</td><td>Access to employment and education are key factors in influencing a community's ability to function effectively, to be resilient, and to enjoy good health outcomes. Costly travel expenses can be a barrier to people on low incomes accessing work and/or education. Diverse local employment opportunities reduce the risk of unemployment and income disparity, which both result in poorer social and health outcomes.</td><td>Will the development alter the number or diversity of jobs available to the local community?

Will employment and education be readily accessible from the development?</td></tr>
<tr><td colspan="3">Assessment</td></tr>
<tr><td colspan="3">Will the proposal increase or reduce the quantity and/or diversity of local employment opportunities (temporary or permanent) or increase/decrease opportunities to access local training and further education?</td></tr>
<tr><td>Yes

<s>No</s></td><td colspan="2">If yes, briefly describe how the development will impact on employment and training and further education opportunities.

Positive impacts:
The proposal has the potential to have a considerable impact on employment opportunities for the region. Using a guide of 28 employees per developed hectare, the site has the potential to deliver in the order of 320 jobs;
With potential for diversified employment uses, there is a potential for varied jobs in the local community and increased opportunities for training and development; and
The proposal aligns with both the Wilton Growth Area Interim Land Use and Infrastructure Implementation Plan (Wilton LUIIP) published in August 2017 and the Wilton 2040, A Plan for the Wilton Growth Area (Wilton 2040) published in August 2018, with both of these documents identify 'employment land' on the subject site.
Negative impacts:
None identified
Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on the local employment and education and training opportunities:
Not applicable</td></tr>
<tr><td>Local Economy</td><td>Strong local economies support community wellbeing through support of local employment opportunities, promotion of</td><td>Will the proposal impact (positively or negatively) on the existing/emerging local economy? Is the proposal supportive of new</td></tr>
</table>

	business opportunities, tourism activities and local entertainment options.	economic opportunities in the community?
Assessment		
Will the proposal increase or reduce the quantity and/or diversity of the local economy?		
Yes ~~No~~	If yes, briefly describe how the development will impact on the local economy:	
	Positive impacts: • Increased local employment will result in an increase in the local economy; and • There is a potential for increased diversity as the future employment uses aren't necessarily linked to the existing operations east of Maldon Bridge road.	
	Negative impacts: • None identified.	
	Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on the local economy: • Not applicable	
Cultural and Community Significance	Items and places of cultural and community significance help to foster a sense of local identity and belonging. These places can be spiritually significant and can be culturally important to groups within the community. These places can also represent connections to the past and can create a focal point to help people to feel involved and welcome, and encourage community participation.	Have areas of community and cultural significance been investigated and considered? Are any areas or places of cultural and community significance located within the proposal site? Will the proposal impact (positively or negatively) on existing items or places of cultural and/or community significance? Has the community been consulted about this? Are measures proposed to reduce or remove impact on cultural and community significant areas? Does the proposal have the potential to create new items or places of cultural and/or community significance?
Assessment		
Is the development likely to impact on any items or places of cultural or community significance?		
Yes	If yes, briefly describe how the development will impact on items or places of cultural or community significance.	

~~No~~	Positive impacts: • The proposal will result in the increase of E2 Environmental Conservation Zoned land within the Wollondilly area.	
	Negative impacts: • None identified, with no areas or places of cultural and community significance located on site	
	Describe the proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on items or places of cultural or community significance: • Not applicable	
Arts and Creative Activities	Opportunities for engagement in the arts and creative activities represents an important dimension of community wellbeing by building social connections within groups and across communities.	Will the proposal impact (positively or negatively) on the existing/emerging local economy? Is the proposal supportive of new economic opportunities in the community?
Assessment		
Will the development impact on existing and/or future arts and creative activities?		
~~Yes~~ **No**	If yes, briefly describe how the development will impact on existing and/or future arts and creative activities in the locality/The Shire	
	Positive impacts: • Not applicable	
	Negative impacts: • Not applicable	
	Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on arts and creative activities in the locality/Shire: • Not applicable	
Supportive communities and needs of specific population groups	Supportive communities are inclusive communities that provide adequate services and facilities for everyone in the community. Communities are made up of a number of different population sub groups. These groups can be based on but not limited to, age, disadvantage and advantage, health status,	What subgroups in the community will be impacted by this proposal? Has adequate consideration been given to the specific needs of this group/s? How can the proposal address specific needs of different subgroups? Can the proposal be amended to be more inclusive?

	ability, religion and/or culture. It is important that the specific needs of the relevant population subgroups are considered and planned for in any proposal for change.	Does the proposal comply with the relevant Government Policy and Regulations?
Assessment		
Will the proposal impact on the needs of specific population groups?		
~~Yes~~ **No**	If yes, briefly describe how the development will impact on the needs of specific groups in the community (please list these community groups and the impacts specific to these groups).	
	Positive impacts: • Not applicable	
	Negative impacts: • Not applicable	
	Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on the needs of specific population groups: • Not applicable	
Participation in community life	Strong healthy communities are communities where people have opportunities to participate in community life and are able to develop strong community networks.	What opportunities are in the community to support participation in community life? Will the proposal alter any of these? Would the proposal cause anxiety or reduce trust? Will the proposal integrate or conflict with the surrounding community?
Assessment		
Will the proposal impact on the capacity for people to participate in community life and have meaningful social interactions?		
Yes ~~No~~	If yes, briefly describe how the development will impact on opportunities to participate in community life: Positive impacts: • By increasing local employment, the proposal would enable employees to participate more in community life through reduced travel to work, engagement with other locals and flow on benefits to other local businesses; • Extending further employment opportunities in an already established employment area would have an overall positive impact in the local community.	

	Negative impacts: • None identified.	
	Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on the opportunities to participate in community life: • Not applicable	
Impact on amenity (pleasantness) of place and surroundings	Places with good amenity have a strong positive impact on health and wellbeing. They contribute greatly to happiness, which brings significant health benefits. They also encourage people to spend time outside their homes, which boosts incidental social interaction and community participation. Good amenity also helps to build a sense of community stewardship over public areas and improves the ongoing maintenance and management of a neighbourhood.	Will the proposal have a positive or negative impact on amenity of the place and its surroundings? How can any positive impacts be amplified? How can any negative impacts be mitigated?
Assessment		
Will the development impact on the amenity or enjoyment of the area by the existing/future community?		
Yes ~~No~~	If yes, briefly describe how the development will impact on amenity or enjoyment of the area:	
	Positive impacts: • With the exception of the limited residences in Staff Road, the balance of the site is underutilised for the benefit of the greater community. A transition to employment uses will enable the community to enjoy the local area more and contribute to amenity within the Shire; and • Rezoning the western portion of the site to E2 Environmental Conservation provides surety of maintaining amenity into the future.	
	Negative impacts: • None identified.	
	Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on the amenity or enjoyment of the area: • Not applicable	

<table>
<tr><td>Impact on urban heat</td><td>Urban heat is a growing problem in Australia, and can lead to poor social and health outcomes. In addition to heat-related illnesses, it can lead to an over-reliance on air conditioning, inequity because of increased risks for people who do not have access to air conditioning, and a lack of social connection during hot weather as people stay at home. Planning should consider the need for shade and for cool area sanctuaries that are accessible to all and not restricted to libraries and commercial premises.</td><td>Will the proposal have a positive or negative impact on urban heat and people’s options for coping with urban heat?

How can any positive impacts be amplified? How can any negative impacts be mitigated?</td></tr>
<tr><td colspan="3">Assessment</td></tr>
<tr><td colspan="3">Will the development impact on urban heat or people’s options for dealing with urban heat?</td></tr>
<tr><td>Yes

<s>No</s></td><td colspan="2">If yes, briefly describe how the development will impact on urban heat or people’s options for dealing with urban heat:</td></tr>
<tr><td></td><td colspan="2">Positive impacts:
Consolidating employment uses adjacent existing employment areas will reduce pressure on other areas in the community and mitigate impacts;
Establishing the E2 Environmental Conservation zone along the western boundary of the site will ensure protection of the vegetation in this area and mitigate future impact on urban heat; and
Future landscaping as part of new industrial premises will shade car parks and reduce heat island effects.</td></tr>
<tr><td></td><td colspan="2">Negative impacts:
Employment land development will result in the removal of some trees/vegetation.</td></tr>
<tr><td></td><td colspan="2">Describe your proposed measures you will use (which may include social benefits) to avoid, reduce, or mitigate any negative impacts on urban heat or people’s options for dealing with urban heat:
Subject to future subdivision and/or development applications, where possible tree removal would be minimised around the perimeter of the development areas and new native vegetation would be established in available outdoor areas.</td></tr>
</table>

2. Additional Criteria for changes to Planning Instruments and Master Plans

Will the proposal generate the need for additional community facilities such as: - affordable and flexible community meeting spaces - affordable community office space to support government and non-government services. - recreational facilities (indoor and outdoor) **Not applicable**
Will the proposal generate the need for additional public transport and what measures are proposed to address this demand? **Not applicable**

3. Overall Summary of outcomes and proposed mitigations

On balance, the planning proposal to rezone land at 40-45 Maldon Bridge Road and Staff Road, Maldon for employment and environmental conservation purposes will have a positive impact on the health and wellbeing of the people of Wollondilly. Furthermore, the proposal aligns with the NSW Government and Council's planning for the region with both the *Wilton Growth Area Interim Land Use and Infrastructure Implementation Plan* (Wilton LUIIP) and *Wilton 2040, A Plan for the Wilton Growth Area* (Wilton 2040) identifying 'employment land' as the future use of the site. Of particular importance will be the provision of increased local employment opportunities to the region, with potential to deliver in the order of 320 jobs. With the Wilton growth area forecast to result in a considerable increase in the local population, there is an ever increasing need to provide local employment opportunities to the community. With increased local employment, there is a greater sense of community with people living and working in the same region being more engaged, connected and healthy. Local employment will reduce travel times for local employees, providing both an environmental benefit and increasing opportunities for engagement with the local community. Establishing the environmental conservation zone on the western portion of the site ensures the vegetation in this area is protected, providing amenity to the region, mitigating future impacts to urban heat and providing potential areas of local significance for the future. While the rezoning will ultimately lead to the loss of five houses along Staff Road, these residences are relatively isolated, proximate to existing heavy industry uses and would ultimately benefit from being better integrated into more established residential areas of Wollondilly. To facilitate this transition, extended notice periods can be provided to existing tenants to enable sufficient time to locate and move to alternate accommodation within the Wollondilly area. Once vacated, the properties would be removed to ensure no ongoing risk of vandalism.

Planning Proposal

120-140 BRIDGE STREET, PICTON

Report No: 320258/PP01_Rev 4

2 May 2022

PLANNING PROPOSAL
120-140 BRIDGE STREET, PICTON

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Document reference: 320258_PP01_Rev 4

DOCUMENT AUTHORISATION					
Revision	**Revision Date**	**Proposal Details**			
1	21/12/2021	Planning Proposal Report			
2	23/12/2021	Final Planning Proposal Report			
3	25/04/2022	Amended Report			
4	2/05/2022	Amended Report for Issue			
Prepared By		**Reviewed By**		**Authorised By**	
E Lawson		Paul Hume		Paul Hume	

CONTENTS

INTRODUCTION & EXECUTIVE SUMMARY 1

1. THE SITE & ITS CONTEXT 3
1.1 SITE DESCRIPTION 3
1.2 LOCAL & REGIONAL CONTEXT 4

2. LOCAL PLANNING CONTEXT 6
2.1 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2015 6

3. OBJECTIVES AND INTENDED OUTCOMES 11

4. EXPLANATION OF PROVISIONS 12
4.1 OVERVIEW 12
4.2 AMENDMENT TO WLEP2011 LAND USE ZONING 12
4.3 AMENDMENT TO WLEP2011 MINIMUM LOT SIZE 12

5. JUSTIFICATION 13
5.1 NEED FOR THE PLANNING PROPOSAL 13
5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK 13
5.3 ENVIRONMENTAL, SOCIAL OR ECONOMIC IMPACT 44
5.4 STATE AND COMMONWEALTH INTEREST 47

6. COMMUNITY CONSULTATION 48

7. CONCLUSION AND RECOMMENDATIONS 49

Figure 1: Site Context with Picton (NearMaps 2021) 3
Figure 2: The Site (NearMaps, 2021) 3
Figure 3: Site Context Map (Source : Google Maps, 2021) 4
Figure 4:Western City District Plan - Industrial and urban services land approach (pg91 5
Figure 5: Extract of WLEP2011 Zoning Map - LAZN_008G 6
Figure 6: Minimum Lot Size Map - LSZ_008G 7
Figure 7: Height of Buildings Map - HOB_008G 7
Figure 8:Natural Resources - Water Map (WLEP 2011 NRW_008) 8
Figure 9:Metropolitian Rural Area Map (WLEP - SMRA Map) 8
Figure 10: Wollondilly Shire Council Intramaps (2021) 9
Figure 11: Picton Mine Subsidence District Map 9
Figure 12:Councils identified within the Western City District pg.16 14
Figure 13: Figure 128 (Recommended Scenic Protection Areas) of the Draft Scenic and Cultural Landscape study 18
Figure 14:Picton proposed expansion area (pg23) 20

Table 1 Planning Proposal Inputs 1
Table 2 Assessment against Greater Sydney Regional Plan 15
Table 3 Assessment against Western City District Plan 16
Table 4 Assessment against CSP Outcomes 19
Table 5 Assessment against current SEPPS 21
Table 6 Assessment against current Ministerial Directions. 25

INTRODUCTION & EXECUTIVE SUMMARY

This Planning Proposal Request (the Proposal) is submitted to Wollondilly Shire Council (the Council) in support of an amendment to *Wollondilly Local Environmental Plan 2011* (WLEP) on behalf of Tebco Industries. The land to which the Proposal relates is 120 and 140 Bridge Street, Picton (the Site).

The purpose of the proposal is to permit an expansion of industrial development at the Site. The proposed amendments to the land use controls under the *Wollondilly Local Environmental Plan 2011* (WLEP2011) to facilitate this development include:

- Rezoning of part of the land zoned *RU2 Rural Landscape* to *IN2 Light Industrial.*
- Amending the minimum lot size map to 1500sqm to be consisting with adjoining IN1 Zoned land.

The proposed rezoning will extend the industrial area of Picton for the additional demands for industrial zoned land within the Wollondilly Local Government Area (LGA).

The Proposal has been prepared in accordance with Sections 3.33 and 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning, Infrastructure and Environment's *Local Plan Making Guideline (December 2021).* The Proposal has also considered the key / site specific matters to be addressed as detailed by the minutes of the Planning Proposal – Pre-lodgement meeting held with Council on 13 January 2021.

The Proposal is structured as follows:

- Section 1 – Site Analysis
- Section 2 – Planning Context
- Section 3 - Objectives and Intended Outcomes
- Section 4 – Explanation of Provisions
- Section 5 – Justification
- Section 6 – Community Consultation
- Section 7 – Conclusion

This report should be read in conjunction with the following specialist consultant reports and plans:

Discipline	**Consultant Report Details**
Bushfire	*Bushfire Assessment* prepared by Harris Environmental Consulting
Archaeology	*Preliminary Historical Heritage Assessment* prepared by Austral Archaeology
Ecological	*Flora and Fauna Assessment* prepared by Hayes Environmental
Flood Report	*Flood Report* prepared by D&M Consulting
Traffic Report	*Traffic and Parking Assessment Report* prepared by Positive Traffic
Survey Plan	*Survey Plan by Premise*
Concept Plan	*Proposal Plan by Abode Drafting Services*

Table 1 Planning Proposal Inputs

The Proposal is considered worthy of support for the following reasons:

- The Proposal would contribute to the provision of additional land used for employment generating services, within a growing local centre. Significantly, it would support the long-term expansion and retention of Tebco Industries– a locally created and established business – as part of the Picton Industrial Area and the creation of additional local employment.
- The Proposal is consistent with the State, Regional and Local strategic planning framework. As described through this report, the proposed development is consistent with the priorities and directions of Greater Sydney Region Plan, the Western City District Plan, and Council's *Employment Lands Strategy*.
- It is either consistent with the relevant Ministerial Directions or where inconsistent is justified.
- The existing and future planned infrastructure and services for Picton have the capability to effectively service demand from development under this Proposal; and
- Overall, there are no anticipated adverse social or economic impacts which would arise from the proposal.

1. THE SITE & ITS CONTEXT

1.1 SITE DESCRIPTION

The Proposal is in respect to land known as 120 and 140 Bridge Streety, Picton (the Site). The site is legally known as Lot 10 and Lot 11 in DP1012641. It is irregular in shape and covers an area approximately 1.052ha.

Refer to **Figures 1 and 2** which show the Site's context and provide a visual overview.

The site is accessed from Bridge Street, which intersects with Argyle Street, the main vehicular access road through Picton CBD. The site adjoins land zoned and used for Light Industrial, and is intended to be used by the proponent, Tebco Industries, to expand their current operations. The existing land currently is used for the storage of Augers and associated equipment. A Development application is currently being assessed by Council for the continued use of the site as a depot.

Figure 1: Site Context with Picton (NearMaps 2021)

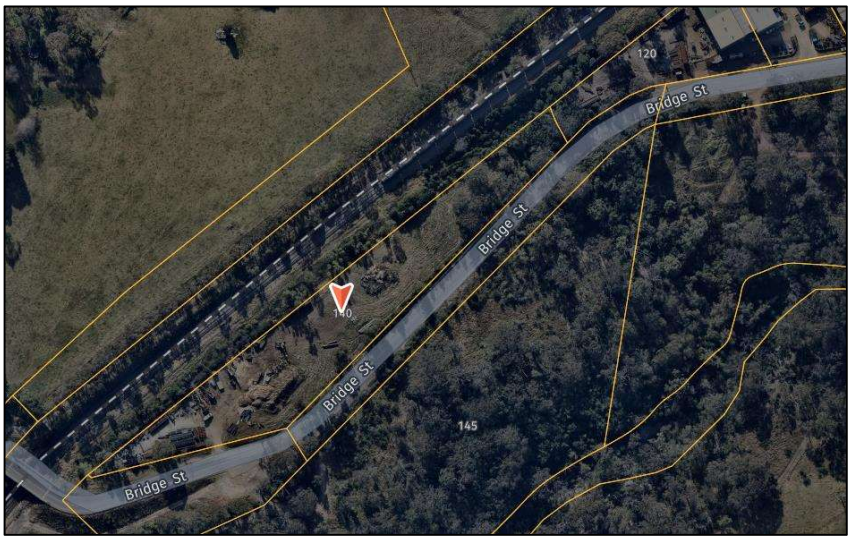


Figure 2: The Site (NearMaps, 2021)

1.2 LOCAL & REGIONAL CONTEXT

The Site is located approximately 1.3km from Picton CBD, approximately 2.5km from Picton Train Station and 10km West from Wilton. The character of the locality can be generally described as largely light industrial to the east blended with rural and agricultural land to the north, south and west. The Main Southern Railway Line adjoins the rear boundary of the Site.

The site resides within the Greater Sydney Regional Plan - *A Metropolis of three cities* (The Plan), which identifies the managing and retainment of industrial and urban services as a key driver to assist in the growth of the area. Wollondilly Shire is one of the eight LGA which fall under the Western City District Plan. This plan also identifies the need for additional employment generating land.

The resident population of the Wollondilly is forecast to increase by around 45,750persons or 85% over the next 21 years, reaching a total of around 99,600 residents. While employment is forecast to increase by 20,645 jobs or 133% over the period. This significant growth would have a corresponding increased the demand for industrial and urban service to be provided land in the LGA over that experienced in the past

Picton Road connects the LGA to Wollongong and Port Kembla increasing its attractiveness to freight, warehousing/storage, and other distribution services. The identification of a potential Maldon to Dombarton Railway Line would further increase the LGAs appropriateness for such services and subsequent demand for land.

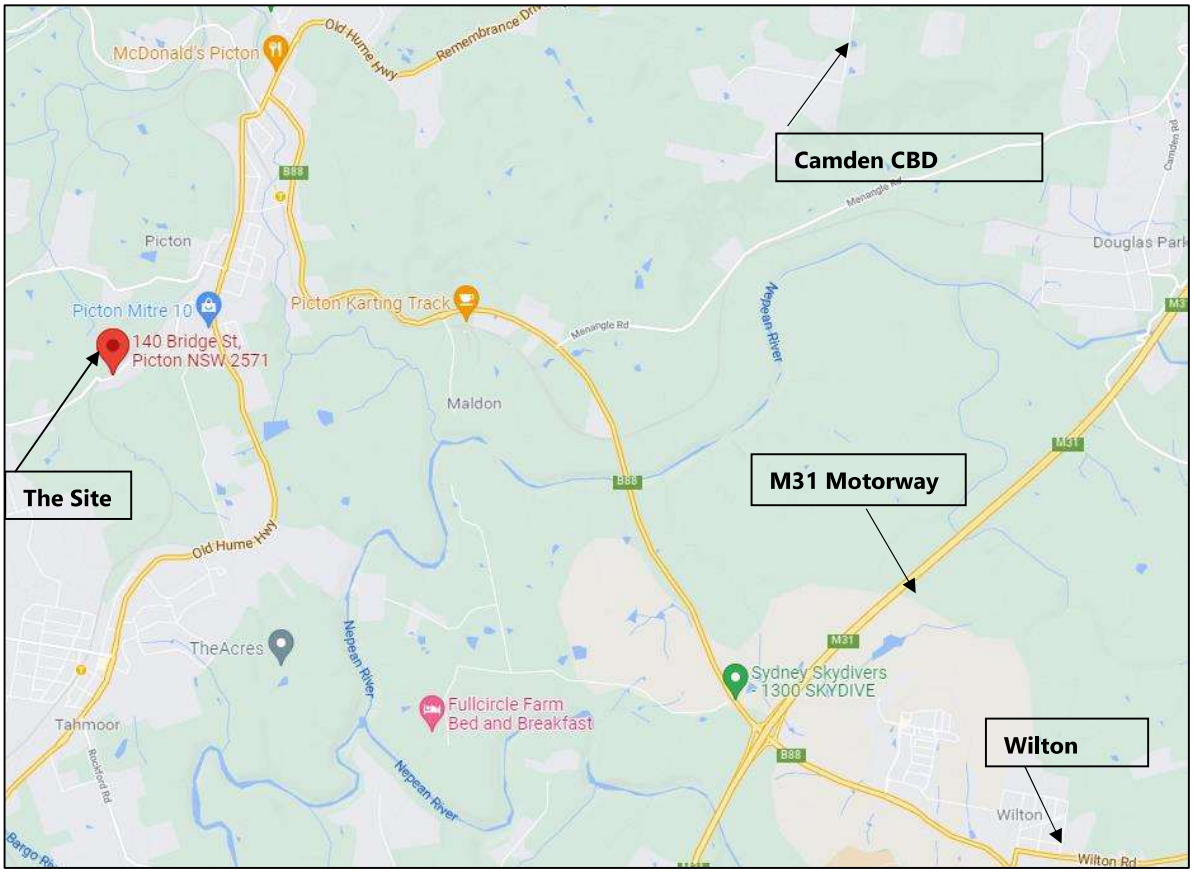


Figure 3: Site Context Map (Source : Google Maps, 2021)

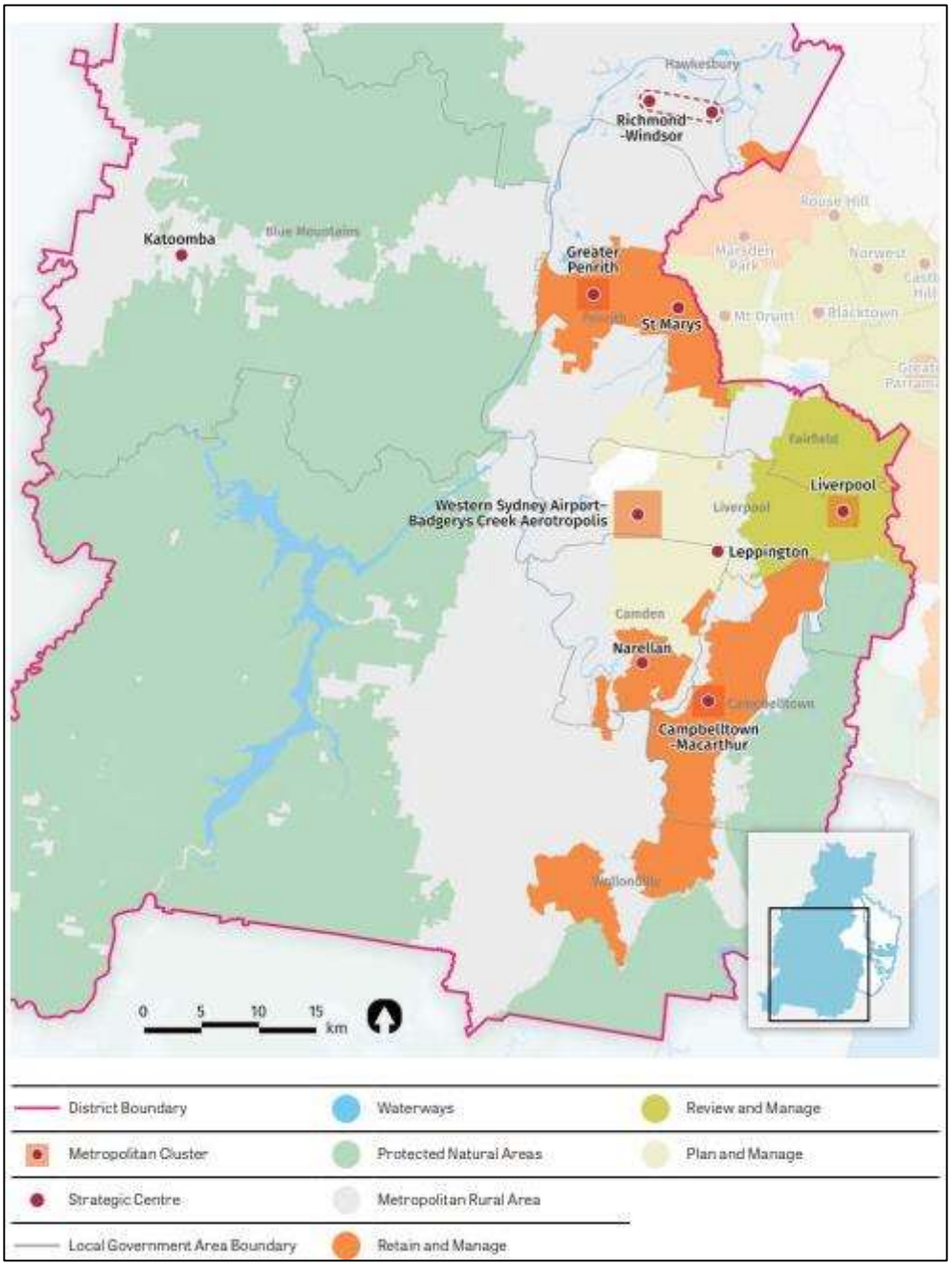


Figure 4:Western City District Plan - Industrial and urban services land approach (pg91

2. LOCAL PLANNING CONTEXT

2.1 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2015

The Site is subject to the provision of WLEP2011 being the primary Environmental Planning Instrument.

Zoning and Permissibility

The Site is zoned RU2 Rural Landscape under the WLEP2011. The objectives of the zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide areas where the density of development is limited in order to maintain a separation between urban areas.*
- *To support sustainable land management practices and local food production.*

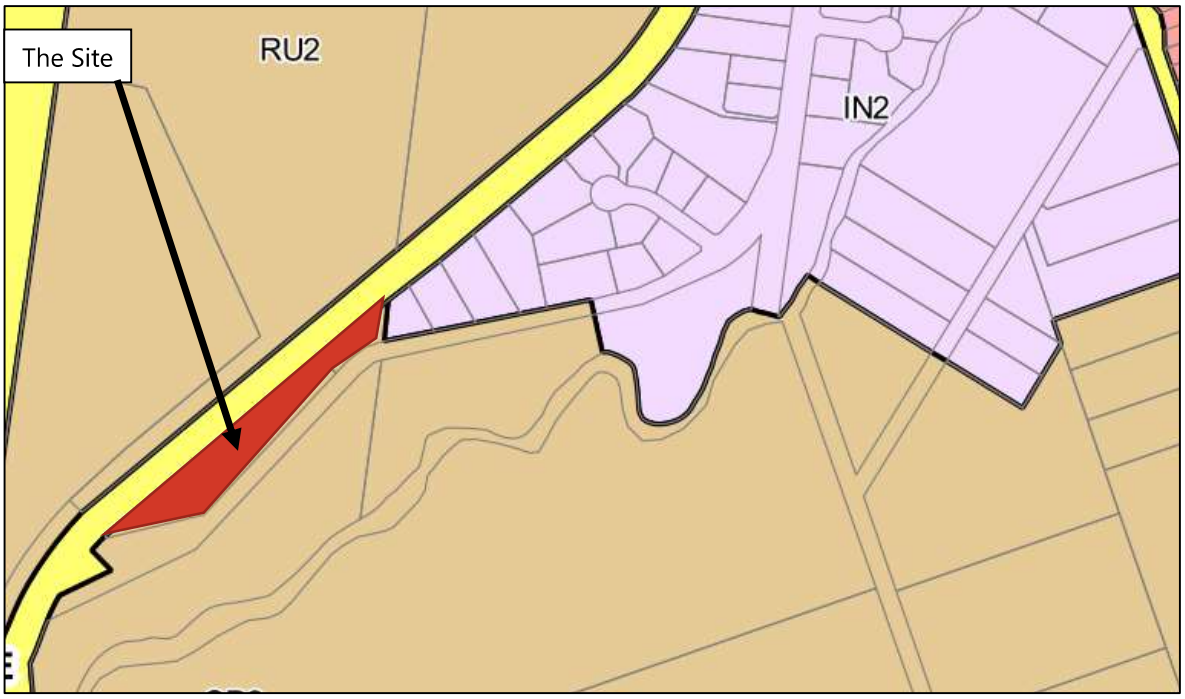


Figure 5: Extract of WLEP2011 Zoning Map - LAZN_008G

The principal development standards contained in WLEP 2011 are summarised as follows:

Clause 4.1 Minimum Lot Size

The Site is subject to a minimum lot size of 16ha.

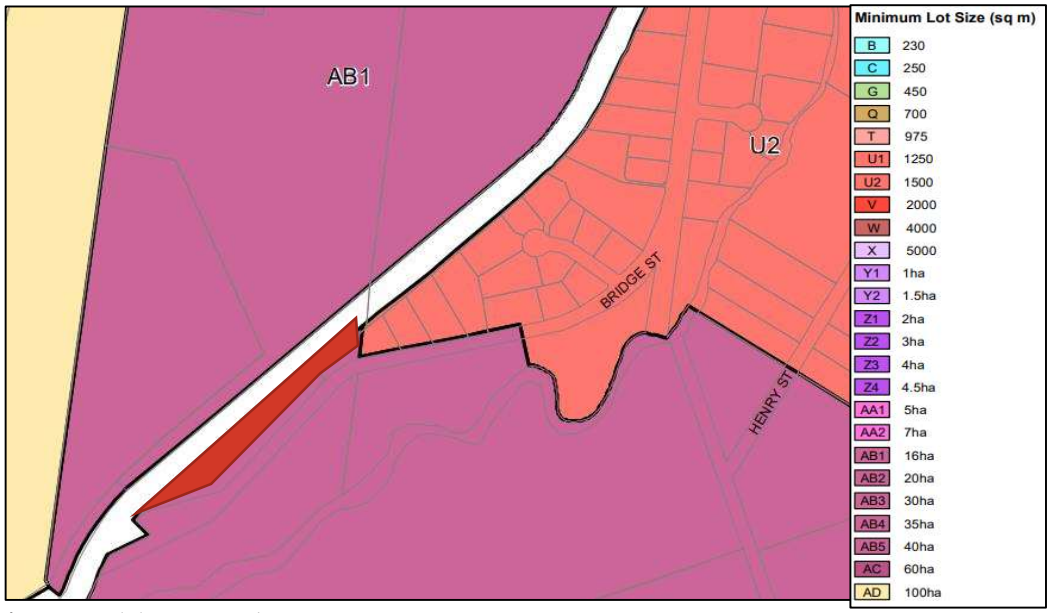


Figure 6: Minimum Lot Size Map - LSZ_008G

Clause 4.3 Height of buildings

The site does not have a prescribed maximum building height.

Figure 7: Height of Buildings Map - HOB_008G

Clause 7.3 Water Protection

Under the WLEP 2011 the site is mapped as containing a water course which traverses between the two boundaries of 120 and 140 Bridge Street, Picton. Consideration of the watercourse has been undertaken in terms of a Flood Report and Ecological Report.

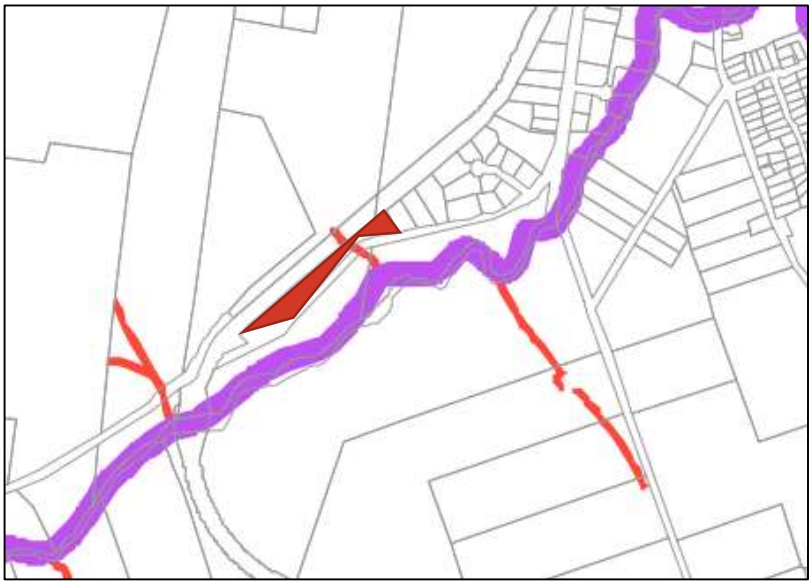


Figure 8:Natural Resources - Water Map (WLEP 2011 NRW_008)

Clause 7.9 Development within Metropolitan Rural Area

The site resides within the Metropolitan Rural Area Map. The considerations surrounding a Metropolitan Rural Area (MRA) are discussed within Section 5.2.1.3 of this report in relation to the Wollondilly 2040 – Local Strategic Planning Statement (LSPS).

Figure 9:Metropolitian Rural Area Map (WLEP - SMRA Map)

Bushfire Prone Land

A review of the Wollondilly Shire Council LGA Intramaps has identified the site as containing Bush Fire Prone Land with a Vegetation Buffer (refer to **Figure 11**). A Bushfire Impact Assessment has been prepared by Harris Environmental and is discussed further within Section 5.3 of this report. Any future development would need to consider *Planning for Bush Fire Protection 2019* (PBP) which was developed by the NSW Rural Fire Service (NSW RFS) to provide development standards for building in bush fire prone areas

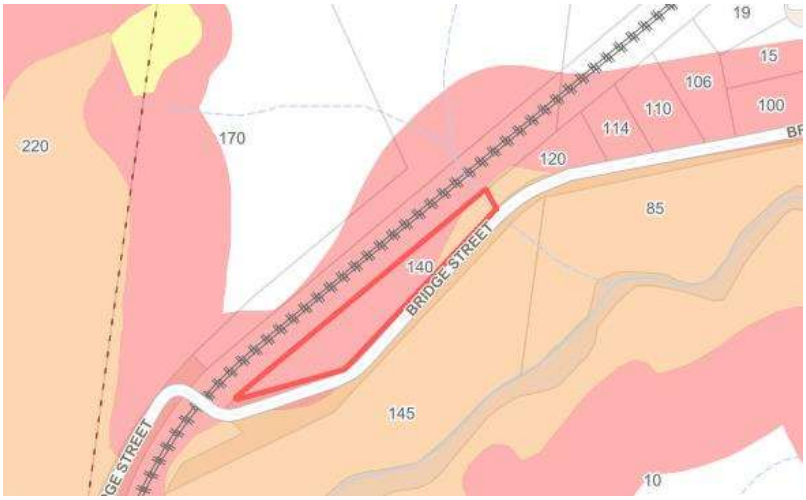


Figure 10: Wollondilly Shire Council Intramaps (2021)

Development on land identified as being bushfire prone land is required to satisfy the requirements of the PBP. This is discussed in further detail at Section 5.3.2 of this report.

Mine Subsidence

A portion of the Site falls within the Picton Mine Subsidence District. Underground coal mining (Tahmoor Colliery, Longwall 30) was completed in the area including the site on 15th of June 2017. Subsidence Advisory NSW advises any future development of the site will be subject to *Guideline 2 – Potential subsidence risk non-active workings.*

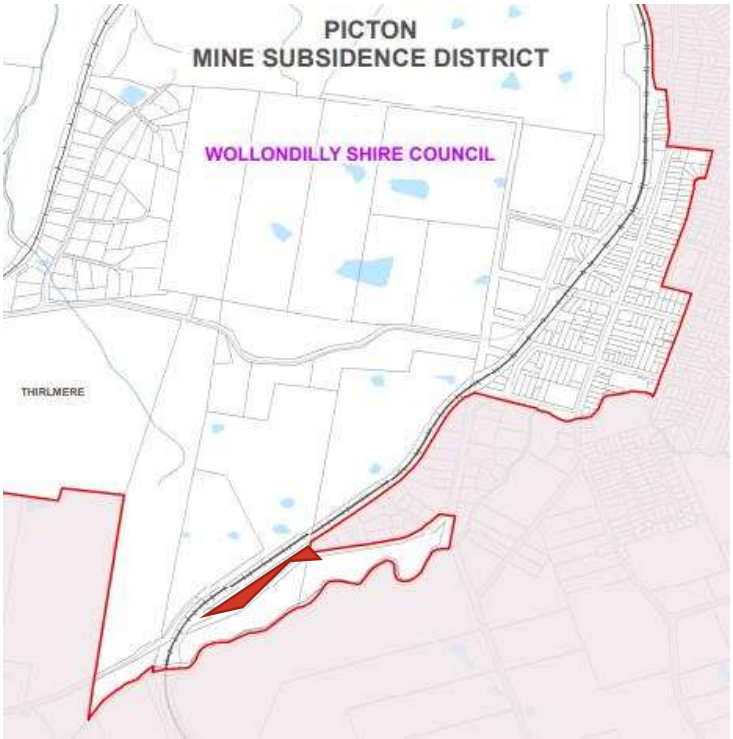


Figure 11: Picton Mine Subsidence District Map

2.3 WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016

The site is subject to the controls under the Wollondilly Development Control Plan 2016 (WDCP2016) which provides site specific controls and guidelines for development which is subject to the WLEP2011.

Volume 7 of the DCP contains controls for Industry and Infrastructure Developments. The objectives of Volume 7 of the DCP relevant to this request is outlined below:

1. To provide for development that protects the scenic qualities of the Wollondilly Shire Area.
2. To ensure that industrial development has a neutral or beneficial effect on the natural and built environments.
3. To provide employment opportunities that significantly contribute to economic activity within Wollondilly Shire.
4. To provide controls for industrial development that will encourage the use of land for sustainable and viable industrial activities.
5. To ensure the most efficient use of industrial land that is consistent with the existing amenity of the area.
6. To ensure the orderly provision of services and infrastructure.
7. To ensure good vehicular access, circulation and loading facilities on industrial sites to avoid impacts on pedestrian and vehicular mobility in the locality.
8. To ensure adequate on-site car parking is provided.
9. To ensure access to adequate services is provided for the disposal of waste.
10. To promote high standards of architecture, landscaping and building design that is visually attractive in form, design, colour, and scale.
11. To ensure that industrial developments are suitably designed and landscaped without restricting their viability through over regulation.
12. To ensure industrial development is undertaken in a manner that minimises land use conflicts.
13. To ensure buildings do not adversely affect views from adjoining zones, classified roads (Picton Road and Remembrance Driveway) or other public spaces.
14. To ensure soil conservation and sediment control measures are implemented during and post-construction.
15. To permit development which serves the daily convenience needs of persons working within industrial areas.
16. To encourage the integration of land use and transport, and provide for environments that are highly accessible and conducive to walking, cycling and the use of public transport

The proposed rezoning of the site to IN2 would not be antipathetic to these objectives. Any future development on the site, is required to address the objectives and ensure the future development is consistent with them. Furthermore, the proposed rezoning would assist in provided and encourage the integration of industrial land use into an existing industrial precinct whilst ensuring is sustainable and viable for industrial activities.

3. OBJECTIVES AND INTENDED OUTCOMES

The key objective of the Proposal is to amend the WLEP 2011 to permit Industrial development of the site to assist in facilitating the expansion of an existing light industrial business within Picton Industrial Estate.

The Proposal would facilitate the transition of a rural piece of land sympathetically into light industrial land use through a built form, scale and density which would respond to the demand for additional industrial zoned land for Picton and surrounding regions.

The intended outcomes of the Proposal are:

- Facilitate the long term, sustainable use of the site as industrial zoned land.
- Assist in the expansion of an already established business in the Picton Industrial Estate
- Provision of additional employment opportunities to locals within a growing region.,
- Provide an appropriate transition between rural and light industrial land use.
- Ensure land is able to be developed to its full potential by recognising the underutilisation of rural land adjacent to existing industrial developments.

A *Proposed Site Plan* by Abode Drafting Services accompanies this request to conceptually illustrate a potential development outcome from the rezoning and assist in the consideration of matters including bushfire risk assessment, ecological and traffic/access impacts. The plan is provided for information purposes only.

The intended outcome of the site once rezoned is to assist in the expansion of an existing industrial business within Picton. The expansion would support the retention of a locally established business in the Picton Industrial Area and creation of additional local industrial jobs in a highly accessible and suitable location, whilst ensuring the surrounding rural land located south of the site does not become sterilised. The industrial development intended for the site would be compatible to the industrial buildings located north of the site, integrating into the existing landscape whilst ensuring minimal impacts on traffic/access, mine subsidence and ecological issues.

4. EXPLANATION OF PROVISIONS

4.1 OVERVIEW

The amendments sought to the WLEP2011 are in respect to the existing land use zones, and minimum lot size

The proposal does not seek to amend the FSR or Natural Resources - Water Status of the Site. The amendments sought to these standards are discussed further within **Sections 4.2**, and **Section 4.3**

4.2 AMENDMENT TO WLEP2011 LAND USE ZONING

The objectives of this Proposal would be achieved through amending the prevailing RU2 Rural Landscape zoning of the Site under WLEP2011 to IN2 Light Industrial.

Adoption of the proposed rezoning will facilitate the provision of additional industrial land to be used for employment generating purposes. It will assist in the expansion of an existing business whilst utilising land which has sat vacant.

4.3 AMENDMENT TO WLEP2011 MINIMUM LOT SIZE

The site currently has a prescribed minimum lot size of 16ha. The proposal intends to prescribe a minimum lot size of 1500sqm

The amended lot size is to ensure consistency is achieved across the Industrial Area and brings the site in line with the controls under the WLEP2011.

5. JUSTIFICATION

5.1 NEED FOR THE PLANNING PROPOSAL

IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The Proposal responds to the framework established by *Wollondilly 2040 Local Strategic Planning Statement, and Draft Wollondilly Employment Land Strategy,* which seeks to provide land use and infrastructure for the Wollondilly Region, whilst ensuring expected growth and development is managed appropriately to ensure region maintains a rural and vibrant region

Overall, the intended outcomes and objectives are consistent with State, Regional and Local strategic planning frameworks, which are outlined at Section 5.2 below.

IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

It is considered the Proposal is the best means of achieving its objectives / intended outcomes. Under the current WLEP2011 the Site is Zoned RU2 Rural Landscape. This prevents the redevelopment potential of the site in line with the Strategic Documents outlined above. The proposed zoning amendments and associated lot size are the most effective means of permitting Industrial and employment generating development.

5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

5.2.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities 2018

A Plan for Growing Sydney (The Plan) was prepared by the NSW State Government as a guide to land use planning over the next 20 years. The Plan outlines strategies for accommodating Sydney's population growth and identifies areas to deliver 664,000 homes by 2031. The most suitable areas for new housing are locations which are in close proximity to jobs, community facilities, public transport, and services. The Plan is based on the vision of creating three cities comprising the Western Parkland City, the Central River City, and the Eastern Harbour City. Together they endeavour to achieve a broader vision of Sydney.

It is estimated by 2056 Greater Sydney is expected to increase in population by an additional 1.7million people with the need for additional homes to increase by 725,000. To ensure these targets art met, the Plan envisions to create a '30-minute City' whereby residents live within 30 minutes of their jobs, education establishments, services, and open space through the integration of land use and infrastructure planning to promote liveability, productivity, and sustainability.

The Site is within the Western Parkland City, with the Greater Macarthur Area identified as a new community to provide homes, jobs, diverse housing supply, open space, and future environmental conservation areas. There are 10 strategic directives which underpin this plan. **Table 2** at Section 5.2.1.2 following provides an assessment of the Proposal against the relevant Directions and Planning Priorities of the Greater Sydney Regional Plan and **Table 3** addresses the Western City District Plan. The proposal is generally consistent with the Plans, in particular the directions under Productivity and Jobs and Skills.

PLANNING PROPOSAL
120-140 BRIDGE STREET, PICTON

Figure 12:Councils identified within the Western City District pg.16

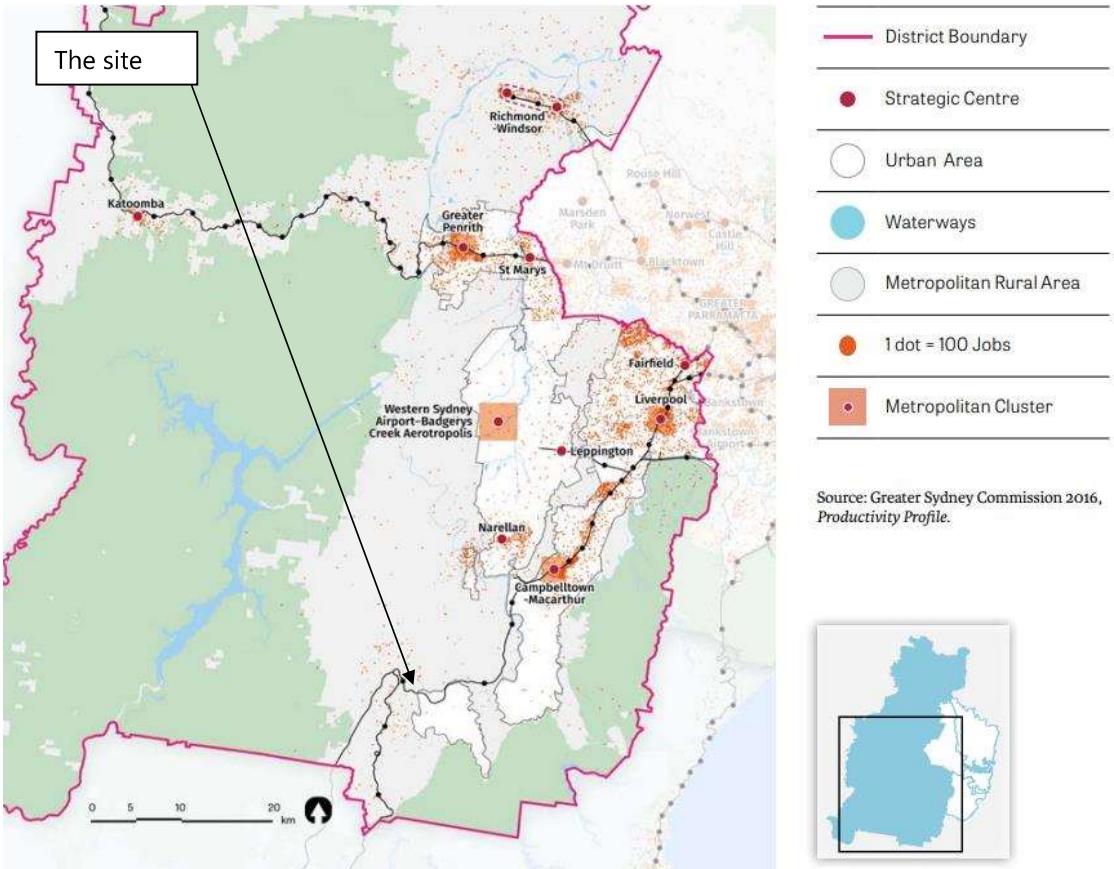


Figure 18: The Plan – Job Density locations pg.58

PAGE 14

Table 2 Assessment against Greater Sydney Regional Plan

Key Directions and Planning Priorities		
Greater Sydney Region Plan	Consistent	Response
Infrastructure and Collaboration		
A City supported by Infrastructure		
• Infrastructure supports the three Cities • Infrastructure aligns with forecasted growth • Infrastructure adapts to meet future needs • Infrastructure use is optimised	Yes	The proposal will integrate within the existing infrastructure and any future infrastructure upgrades of Bridge Street. It would not impede on any future demands of the road network.
A Collaborative City		
Benefits of growth realised by collaboration of governments, community, and business	Yes	The proposal is required to have collaboration with various government agencies, Council, and the community. Upon the issuance of Gateway Determination, public consultation will be undertaken to seek feedback associated with the Proposal.
Productivity		
Jobs and Skills for the City		
• Industrial and Urban Services Land is planned, retained, and managed • Economic Sectors are targeted for Success	Yes	The proposal intents to bring forth more employment generating land to Picton's Industrial Estate. Through the provision of additional job opportunities to the residents of the Wollondilly LGA, through the retainment and management of existing industrial land at 120 Bridge Street, and assisting in the expansion of an Industrial Business
Sustainability		
A City in its landscape		
• Biodiversity is protected, urban bushland and remnant vegetation is enhanced • Scenic and cultural landscapes are protected • Environmental, social, and economic values in rural areas are protected and enhanced	Yes	The site seeks to rezone the land at 120 and 140 Bridge Street from RU2 to IN2. This in turn alters the nature of the site. Whilst the site does contain minor vegetation, any future development should be consisted with the recommendations and conclusions of the Ecology Report submitted with this application. The proposal would not exhibit any significant impacts on flora and fauna habitats located on site.

5.2.1.2 Western City District Plan

The Western City District Plan (District Plan) sets out in more detail the intended employment growth within the Western District of the Greater Sydney Region.

The District Pan identifies Wilton as the nearest land release area within the Greater Macarthur Growth area, with the majority of new communities in the land release areas located within precincts contained in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006.* Whilst Picton is not specifically identified within the Plan, it is within the vicinity. Furthermore, the plan identifies Picton as an area to manage and retain industrial land uses.

Table 3 Assessment against Western City District Plan

Key Directions and Planning Priorities		
Western City District Plan	Consistent	Response
Infrastructure and Collaboration		
A City supported by Infrastructure		
Planning for a City supported by Infrastructure	Yes	The proposal will integrate within the existing infrastructure. It would not impede on any future demands of the road network.
A Collaborative City		
Working through collaboration	Yes	The proposal is required to have collaboration with various government agencies, Council, and the community. Upon the issuance of Gateway Determination, public consultation will be undertaken to seek feedback associated with the Proposal.
Productivity		
Jobs and Skills for the City		
• Maximising freight and logistics opportunities, planning and managing industrial urban services land • Growing investment, business opportunities and jobs in strategic centres	Yes	The proposal intents to bring forth more employment generating land to Picton's Industrial Estate. It endeavours to continue the growing investment and business opportunity, whilst maximising opportunities for planning and managing industrial urban services land.
Sustainability		
A City in its landscape		
• Protecting and improving the health and enjoyment of the district's waterways • Protecting and enhancing scenic and cultural landscapes	Yes	The site seeks to rezone the land at 120 and 140 Bridge Street from RU2 to IN2. This in turn alters the nature of the site. Whilst the site does contain minor vegetation, any future development should be consisted with the recommendations and conclusions of the Ecology Report submitted with this application. The proposal would not exhibit any significant impacts on flora and fauna habitats located on site.

In terms of agricultural / rural lands considerations, Planning Priority W17 of the District Plan (Better Managing Rural Areas) has the objective, Objective 29, that environmental, social and economic values in rural areas are protected and enhanced. Actions to deliver this objective (Actions 78 & 79 of the District Plan) are:

> *78. Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.*
>
> *79. Limit urban development to within the Urban Area, except for the investigation areas at Horsley Park, Orchard Hills, and east of The Northern Road, Luddenham.*

A Planning Proposal to rezone the site for light industrial purposes would be inconsistent with the above objective / actions for Planning Priority W17. However, it is considered this inconsistency can be justified due to the minor significance of the Planning Proposal in terms of rural land loss and agricultural potential.

IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL PLANS?

5.2.1.3 Local Strategic Planning Statement

The Wollondilly 2040 Local Strategic Planning Statement ('LSPS') came into effect on the 27th of March 2020. The LSPS provides context and direction for land use decision making within the Wollondilly Shire Local Government Area. The LSPS is a response to the District and Regional plan, establishing planning priorities to ensure the LGA thrives and remains prosperous through the development of local centres.

The LSPS has a range of objectives to achieve specific outcomes for the area. The objectives are:

- *A quality lifestyle in a rural setting.*
- *Prosperous towns and villages that maintain a rural*
- *Character and community spirit.*
- *Better roads, infrastructure, and transport options.*
- *A wider range of local services, facilities,*
- *Community events and activities.*
- *A growing economy with more local jobs and*
- *Secondary and tertiary education facilities.*
- *A protected and enhanced natural environment.*
- *Identification of a future health precinct.*
- *Sustainable and productive agriculture*

The LSPS has four key planning priorities:

- Infrastructure and Collaboration
- Liveability
- Productivity
- Sustainability

Under these priorities, the proposal endeavours to provide a balanced outcome through growing local jobs, leveraging greater investment and business opportunities through the provision of additional industrial zoned land, and the sustainable management of land by providing a connected interface with existing industrial land uses.

Such priorities the proposal aligns with under the LSPS are as follows:

- Planning Priority 3 – Establishing a framework for sustainable managed growth
- Planning Priority 10 – Attracting investment and growing local jobs
- Planning Priority 16 – enhancing and protecting the diverse values of the MRA.

  Action pertaining to achieve consistency with Planning Priority 16 include:

  - reviewing the LEP & DCP to (i) help increase agriculture and horticulture; and (ii) determine if sufficient protection (including buffers) is provided for agricultural & key industries,
  - completing the Rural Land Strategy
  - Preparing a Scenic Landscape Study

Council has exhibited and adopted a Rural Land Strategy. Part 2 of the Strategy (Direction for Rural Land) identifies six (6) focus areas, with those relevant to this Planning Proposal being Managing Rural Lands. The relevant strategic aim of this focus area is Safeguard rural land which can support agricultural land use and primary production,

recognising the economic, social and historical significance of these industries in Wollondilly. For the reasons outlined previously it is considered the minor significance of this Planning Proposal in terms of impact on land of agricultural value does not undermine the overall intent sought by this focus area.

Council has also completed and exhibited a Draft Scenic and Cultural Landscape Study. The subject site, along with the adjoining Picton Industrial Area, is located within the *Picton Hills Landscape Unit* of the draft study. It is not considered the subject site is a key element to this Landscape Unit as it is not located within a Recommended Scenic Protection Area by the Study. Its location at the end of / abutting the Picton Industrial Area and being physically and visually separated from rural lands on all other boundaries lends itself to defining the western boundary of the industrial area, with the railway line and Bridge separating it from the rural areas nearby.

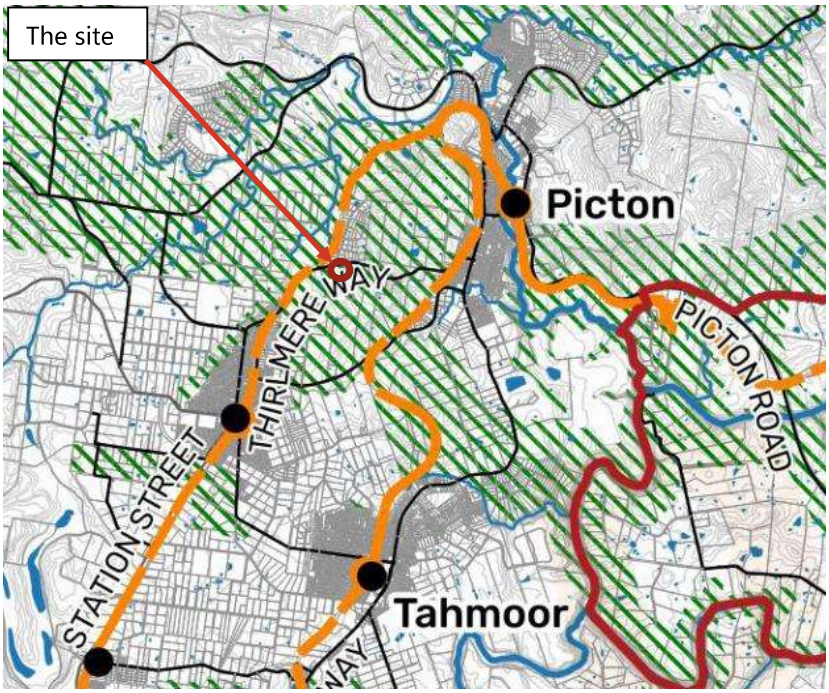
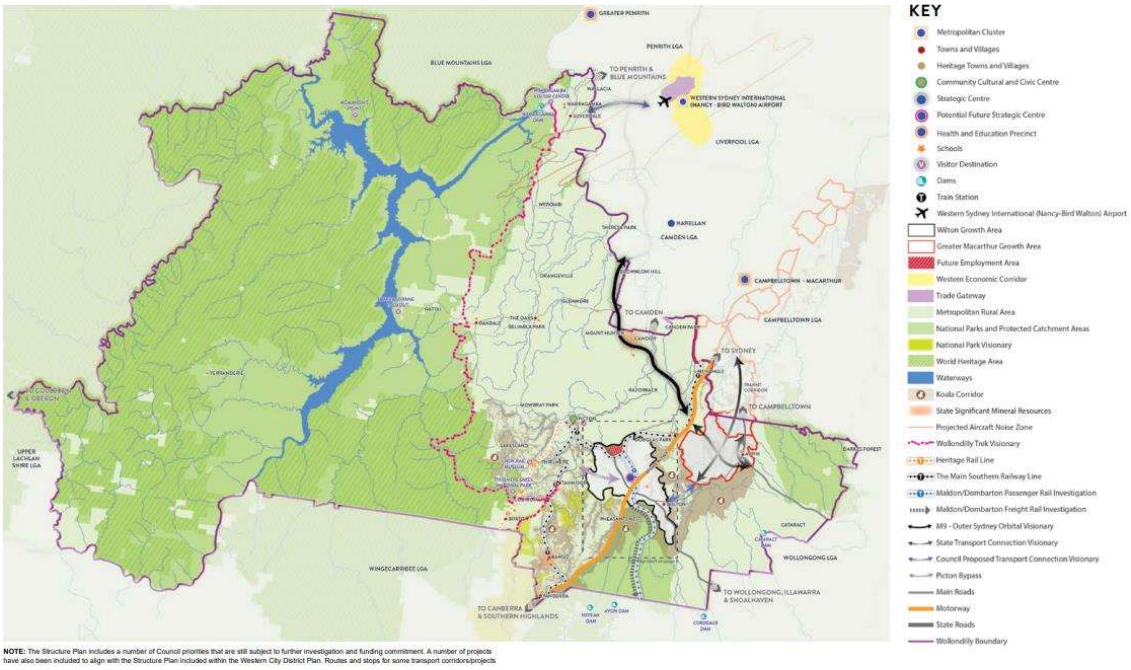


Figure 13: Figure 128 (Recommended Scenic Protection Areas) of the Draft Scenic and Cultural Landscape study

Based on the above findings, it is considered retention of the site as rural zoned land as part of the LEP/DCP review would be of little to no benefit in increasing agricultural and horticulture or as a buffer for agricultural or key rural industries.



NOTE: The Structure Plan includes a number of Council priorities that are still subject to further investigation and funding commitment. A number of projects have also been included to align with the Structure Plan included within the Western City District Plan. Routes and stops for some transport corridors/projects

Figure 20: Wollondilly Strategic Outline Plan

5.2.1.4 Wollondilly Community Strategic Plan – 2033

The Wollondilly Community Strategic Plan ('CSP') is a long-term strategic plan which sets out priorities through community consultation. It identifies the main priorities and aspirations for the future of the Wollondilly LGA. The CSP acknowledges the limited provision of employment opportunities, infrastructure, and services. It is expected the Wollondilly region will see an expansion of growth over the coming years, and Council have implemented strategies to manage the growth and ensure it is consistent with the LSPS, State Strategic documents and the CSP.

An assessment of the Proposal against the CSP Strategies is demonstrated in **Table 3** below.

Table 4 Assessment against CSP Outcomes

CSP Outcomes	Statement of Consistency
Sustainable and Balanced Growth	
Strategy GR1 - Growth	The proposal will achieve a positive social and economic benefit to the region, as it provides additional employment generating land uses.
Strategy GR3- Economic Development and Tourism	The proposal would provide additional economic development through the expansion of an existing business located within Picton, which will increase employment opportunities to locals whilst ensuring it meets the Employment Lands strategy.
Caring for the Environment	
Strategy EN3 – Vegetation management	The proposal would not impact upon vegetation with is under the EPBC Act, trigger a BDAR report or the BOS. It would also not impact local koala communities or fauna communities. The

Looking after the Community	
Strategy CO3- Social Planning	The proposal will assist in providing additional employment opportunities to the growing area, responding to the needs to local jobs within the Picton region.

WOLLONDILLY EMPLOYMENT LAND STRATEGY

The Wollondilly *Employment Land Strategy* (ELS) was considered at Council meetings in February 2021 and May 2021. The May 2021 meeting discussed the public exhibition of the ELS and its outcomes. At that meeting Council resolved to adopt the ELS.

The five key strategies identified within the ELS are to:

1. *Unlock an immediate supply of employment precinct land to support the expansion of existing businesses and attraction of new businesses.*
2. *Secure a sustainable pipeline of employment land to meet future population demand*
3. *Identify development barriers and work to remove them to support employment precinct sequencing and delivery*
4. *Create transparency and clarity in the planning system*
5. *Promote Wollondilly as an employment and industry destination of choice*

The increase of the population of Wollondilly over the next 20years is set to increase the demand for industrial and urban services located within the region. The creational of additional industrial and urban services land where it does not compromise existing rural landscapes would assist in meeting this demand.

The ELS investigated areas within Wollondilly for potential light industrial and compatible uses for potential new business opportunities. Action 1.2 investigated areas within Picton, specifically the Picton Employment Precinct, between Stilton Lane and Remembrance Drive as a high priority for potential employment land.

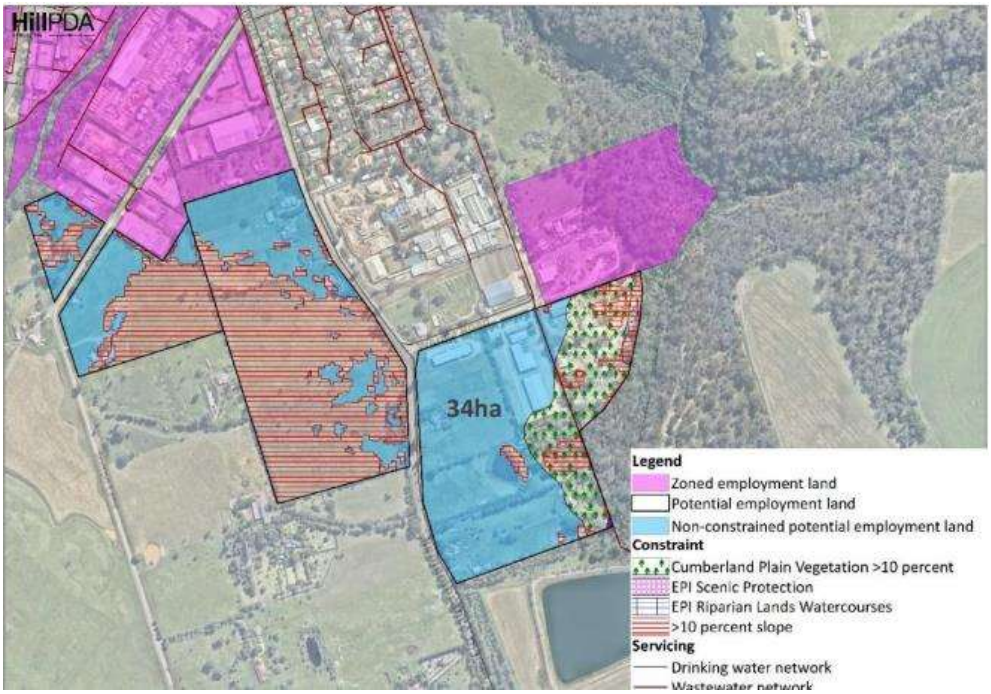


Figure 14:Picton proposed expansion area (pg23)

The site is within 700m Northwest of Stilton Lane. The site is a logical extension of the IN2 Light Industrial Zone and Picton Industrial Estate due to it being defined by the rail corridor, the bridge, and Bridge Street, including the separation from residential and sensitive receivers. Tebco Industries are seeking long term expansion of its existing operations on the adjacent land. It is a missed opportunity for the site to not be included within the identified land for potential employment land under the ELS.

IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

State Environmental Planning Policies (SEPP's) considered relevant to the Proposal along with an assessment against them is provided in **Table 5** below.

Table 5 Assessment against current SEPPS

Name of SEPP	Comment	Consistency
SEPP (Biodiversity and Conservation) 2021	The Biodiversity and Conservation SEPP was gazetted on the 1st of March 2022 and consolidated 11 SEPPs into One. Chapter 2 – Vegetation in Non-rural areas aim to protect biodiversity values of trees and other vegetation. The site contains native vegetation, an Ecology Report has been prepared and is submitted along with this statement concludes the site would not be likely to impose a significant impact on flora listed under the EPBC Act, BC Act and BC Regulation. Chapter 3 – Koala habitat protection 2020 aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline— (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones. The site is identified as being located on land subject to this chapter. The Ecology report submitted along with this proposal identifies the proposal would have a minimal impact on koala's or koala habitat. A Koala Assessment Report is not required. Chapter 4 – Koala habitat protection 2021, as stated above, the ecology report identifies the proposed would have minimal impact on koala's or their habitat. Chapter 5 – River Murray Lands – the site is not located within the River Murray Lands. Chapter 6 – Bushland in urban areas – the site does not contain bushland.	Yes

	Chapter 7 – Canal Estate development, the site is not located within a canal estate development. Chapter 8 – Sydney Drinking water catchment - the site is not located within the Sydney drinking water catchment Chapter 9 – Hawkesbury-Nepean River – the site is located within the Hawkesbury-Nepean River. The proposal would have minimal impact upon the regional context of the river system. Further, any future development application would be required to consider Chapter 9 and clause 9.4 with any submission. Chapter 10 – Sydney Harbour Catchment – the site is not located within the Sydney Harbour catchment. Chapter 11 – Georges River Catchment – the site is not located within the Georges River Catchment. Chapter 12 – Willandra Lakes Region World Heritage Property – the site is not located within Willandra Lakes.	
SEPP (Building Sustainability Index: BASIX) 2004	The proposal would not be inconsistent with future development meeting the requirements under this SEPP.	N/A..
SEPP (Exempt and Complying Development Codes) 2008	The policy aims to provide development which complies with specified standards, in particular Part 5 Commercial and Industrial Alterations Code. The proposal would not prevent future development under this SEPP, where applicable.	Consistent.
SEPP (Housing) 2021	The aims of the policy encourage the provision of diverse housing types, and affordable rental housing. The proposal does not include the provision of built to rent housing, housing for the vulnerable or short-term rental accommodation.	N/A
SEPP (Industry and Employment) 2021	The Industry and Employment SEPP was gazetted on the 1st of March 2022 and consolidated two SEPPs.	N/A
SEPP 65 – Design Quality of Residential Apartment Development	The policy aims to improve the design quality of residential apartments. The proposal does not intend to construct a residential flat building.	N/A
SEPP (Planning Systems) 2021	The Planning Systems SEPP was gazetted o the 1st of March 2022 and consolidated Three (3) SEPPs. Chapter 2 – State and Regional Development – the proposal does not meet the triggers for state or regional development. Chapter 3 – Aboriginal Land – The site is not owned by the local aboriginal land council. Chapter 4 – Concurrences and consents – the proposal would not interfere with the application of the concurrence authority.	N/A
SEPP (Precincts – Central River City) 2021	The Precincts – Central River City SEPP consolidated Six (6) SEPPS. The site is not located within the Central River City precincts.	N/A

SEPP (Precincts – Eastern Harbour City) 2021	The Precincts – Eastern Harbour City SEPP consolidated seven (7) SEPPS. The site is not located within the Eastern Harbour City precincts.	N/A
SEPP (Precincts – Regional) 2021	The Precincts – Regional SEPP consolidated five (5) SEPPS. The site is not located within the Regional precincts.	N/A
SEPP (Precincts – Western Parkland City) 2021	The Precincts – Western Parkland City SEPP consolidated seven (7) SEPPS. The site is not located within the Western Parkland City precincts.	N/A
SEPP (Primary Production) 2021	The Primary Production SEPP gazetted on the 1st of March 2022 consolidated two (2) SEPPs. Chapter 2 – Primary production and rural development – the chapter aims to facilitate the orderly economic use and development of rural and primary production land. Whilst the proposal aims to rezone rural land to Industrial, the spot rezoning would not sterilise surrounding primary production land due to its location and separation. The site is currently approved and utilised as a depot and previously was vacant land adjoining light industrial land. Chapter 3 – Central Coast Plateau areas - The site is not located within the central coast plateau areas.	Inconsistent, but justified
SEPP (Resilience and Hazards) 2021	The Resilience and Hazards SEPP gazetted on the 1st of March 2022 consolidated Four (4) SEPPs. Chapter 2 – Coastal Management – the site is not located in an area identified as costal management. Chapter 3 – Hazardous and offensive development – the proposal does not include development which would be identified as hazardous or offensive development. Chapter 4 – Remediation of Land – The chapter aims to promote the remediation of contaminated land for the purpose of reducing risk to harm to human health. A preliminary site investigation to guide any required further detailed site investigations or remediation will be undertaken as part of this process.	Yes
SEPP (Resources and Energy) 2021	The Resources and Energy SEPP 2021 gazetted on the 1st of March 2022 consolidated two (2) SEPPS. Chapter 2 – Mining, petroleum production and extractive industries – the proposal is for rezoning land to light industrial. The future land use would not be for mining, petroleum production or extractive industries. Chapter 3 – Extractive industries in Sydney area – The site would not be utilised for extractive industries.	N/A
SEPP (Transport and Infrastructure) 2021	The Transport and Infrastructure SEPP 2021 gazetted on the 1st of March 2022 consolidated four (4) SEPPS. Chapter 2 – Infrastructure – the proposal would not result in a development which would be antipathetic to the aims of this chapter. Chapter 3 – Education establishments and childcare facilities – the proposal does not include the provision of an education establishment or	N/A

	childcare facility. Any future development is required to address the requirements under this chapter if they are applicable. Chapter 4 – Major Infrastructure Corridors – the site does not include major infrastructure corridors. Chapter 5 – Three ports – the site is not located within the three ports of Newcastle, Botany or Port Kembla.

IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS?

The current Ministerial Directions along with an assessment against them is provided in **Table 6** below:

Table 6 Assessment against current Ministerial Directions.

Ministerial Principles	Direction	Commentary
1. Planning Systems		
1.1 Implementation of Regional Plans	(1) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces	The proposal has taken into consideration the Regional Plans applicable to the site.
1.2 Development of Aboriginal Land Council Land	(1) When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account: (a) any applicable development delivery plan made under the chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021; or (b) if no applicable development delivery plan has been published, the interim development delivery plan published on the Department's website on the making of this direction	This Ministerial Direction is not relevant to the proposal.
1.3 Approval and Referral Requirements	(1) A planning proposal to which this direction applies must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: i. the appropriate Minister or public authority, and ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and (c) not identify development as designated development unless the relevant planning authority: i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act	The proposal: - Would not increase the provision requiring concurrence or referral. - Does not contain provisions requiring concurrence unless approval is obtained. - is not identified as being designated development.
1.4 Site Specific Provisions	(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or	The proposal would not cause any unnecessary restrictive site planning controls.

	(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (2) A planning proposal must not contain or refer to drawings that show details of the proposed development.	
1.5 Parramatta Road Corridor Urban Transformation Strategy	(1) A planning proposal that applies to land in the nominated local government areas within the Parramatta Road Corridor must: (a) give effect to the objectives of this direction, (b) be consistent with the Strategic Actions within the Parramatta Road Corridor Urban Transformation Strategy (November 2016), (c) be consistent with the Parramatta Road Corridor Planning and Design Guidelines (November 2016) and particularly the requirements set out in Section 3 Corridor-wide Guidelines and the relevant Precinct Guidelines, (d) be consistent with the staging and other identified thresholds for land use change identified in the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November 2016), and the Parramatta Road Corridor Urban Transformation Implementation Update 2021, as applicable, (e) contain a requirement that development is not permitted until land is adequately serviced (or arrangements satisfactory to the relevant planning authority, or other appropriate authority, have been made to service it) consistent with the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November 2016), (f) be consistent with the relevant District Plan.	The site is not located within he Paramatta Road Corridor, therefore consideration of this Direction if not applicable.
1.6 Implementation of Northwest Priority Growth Area Land Use and Infrastructure Implementation Plan	(1) Planning proposals to which this direction applies shall be consistent with the Northwest Priority Growth Area Land Use and Infrastructure Strategy.	The site is not located within the Northwest Priority Growth Area, therefore consideration of this Direction if not applicable.
1.7 Implementation of the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	(1) Planning proposals shall be consistent with the interim Plan published in July 2017.	The site is not located within he Greater Paramatta Priority Growth Area, therefore consideration of this Direction if not applicable.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	(1) A planning proposal is to be consistent with the Interim Land Use and Infrastructure Implementation Plan and Background Analysis, approved by the Minister for Planning and Public Spaces and as published on 5 August 2017 on the website of the Department of Planning, Industry and Environment (Implementation Plan).	This Ministerial Direction is not relevant to the proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	(1) A planning proposal is to be consistent with the precinct plans approved by the Minister for Planning and Public Spaces and published on the Department's website on 22 December 2017	This Ministerial Direction is not relevant to the proposal.
1.10 Implementation of the Western Sydney Aerotropolis Plan	(1) A planning proposal is to be consistent with the Western Sydney Aerotropolis Plan approved by the Minister for Planning and Public Spaces and as published on 10 September 2020 on the website of the Department of Planning, Industry and Environment.	This Ministerial Direction is not relevant to the proposal.

1.11 Implementation of Bayside West Precincts 2026 Plan	(1) A planning proposal authority must ensure that a planning proposal is consistent with the Bayside West Precincts 2036 Plan, approved by the Minister for Planning and Public Spaces and published on the Department of Planning, Industry and Environment website in September 2018	This Ministerial Direction is not relevant to the proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	(1) A planning proposal authority must ensure that a planning proposal is consistent with the following principles: (a) Enable the environmental repair of the site and provide for new recreation opportunities. (b) Not compromise future transport links (such as the South-East Mass Transit link identified in Future Transport 2056 and the Greater Sydney Region Plan) that will include the consideration of the preserved surface infrastructure corridor, noting constraints, including the Cooks River, geology, Sydney Airport, and existing infrastructure will likely necessitate consideration of future sub-surface solutions and potential surface support uses. (c) Create a highly liveable community that provides choice for the needs of residents, workers, and visitors to Cooks Cove. (d) Ensure best practice design and a high-quality amenity with reference to the NSW design policy Better Placed. (e) Deliver an enhanced, attractive, connected and publicly accessible foreshore and public open space network and protect and enhance the existing market garden. (f) Safeguard the ongoing operation of Sydney Airport. (g) Enhance walking and cycling connectivity and the use of public transport to encourage and support a healthy and diverse community and help deliver a 30-minute city. (h) Deliver a safe road network that balances movement and place, provides connections to the immediate and surrounding areas, and is cognisant of the traffic conditions in this area; and (i) Enhance the environmental attributes of the site, including protected flora and fauna, riparian areas and wetlands and heritage	This Ministerial Direction is not relevant to the proposal.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	(1) A planning proposal authority must ensure that a planning proposal is consistent with the St Leonards and Crows Nest 2036 Plan, approved by the Minister for Planning and Public Spaces and published on the Department of Planning, Industry and Environment website on 29 August 2020.	This Ministerial Direction is not relevant to the proposal.
1.14 Implementation of Greater Macarthur 2040	(1) A planning proposal authority must ensure that a planning proposal is consistent with Greater Macarthur 2040, approved by the Minister for Planning and Public Spaces and as published on 19 November 2018 on the website of the Department of Planning, Industry and Environment.	
1.15 Implementation of the Pyrmont Peninsula Place Strategy	(1) A planning proposal authority must ensure that a planning proposal is consistent with the Pyrmont Peninsula Place Strategy, approved by the Minister for Planning and Public Spaces and published on the Department of Planning, Industry and Environment website on 11 December 2020, including that it:	This Ministerial Direction is not relevant to the proposal.

	(a) gives effect to the objectives of this direction and the Vision (Part 5) of the Pyrmont Peninsula Place Strategy, (b) is consistent with the 10 directions (Part 6) and Structure Plan (Part 8) in the Pyrmont Peninsula Place Strategy, (c) delivers on envisaged future character for sub-precincts (Part 9), including relevant place priorities in the Pyrmont Peninsula Place Strategy, and (d) supports the delivery of the Big Moves (Part 7) in the Pyrmont Peninsula Place Strategy	
1.16 North West Rail Link Corridor Strategy	(1) A planning proposal that applies to land located within the NWRL Corridor must: (a) give effect to the objectives of this direction (b) be consistent with the proposals of the NWRL Corridor Strategy, including the growth projections and proposed future character for each of the NWRL precincts (c) promote the principles of transit-oriented development (TOD) of the NWRL Corridor Strategy	This Ministerial Direction is not relevant to the proposal.
1.17 Implementation of the Bays west Place Strategy	(1) A planning proposal authority must ensure that a planning proposal is consistent with the Bays West Place Strategy, approved by the Minister for Planning and published on the Department of Planning and Environment website on 15 November 2021, including that it: (a) gives effect to the objectives of this Direction and the Vision of the Bays West Place Strategy, (b) is consistent with the 14 Directions and Structure Plan(s) in the Bays West Place Strategy, (c) delivers on envisaged future character for sub-precincts, and (d) supports the delivery of the Big Moves in the Bays West Place Strategy	This Ministerial Direction is not relevant to the proposal.
3. Biodiversity and Conservation		
3.1 Conservation Zones	(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.3 (2) of "Rural Lands".	This Ministerial Direction is not relevant to the proposal.
3.2 Heritage Conservation	(1) A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public	This Ministerial Direction is not relevant to the proposal.

	authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	
3.3 Sydney Drinking Water Catchments	(1) A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles: (a) new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality, and (b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and (c) the ecological values of land within a Special Area that is: i. reserved as national park, nature reserve or state conservation area under the National Parks and Wildlife Act 1974, or ii. declared as a wilderness area under the Wilderness Act 1987, or iii. owned or under the care control and management of the Sydney Catchment Authority, should be maintained. (2) When preparing a planning proposal that applies to land within the Sydney drinking water catchment, the relevant planning authority must: (a) ensure that the proposal is consistent with chapter 9 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021, and (b) give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority, and (c) zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority generally in accordance with the following:	This Ministerial Direction is not relevant to the proposal.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPS 26	(1) A planning proposal that introduces or alters an C2 Environmental Conservation or C3 Environmental Management zone or an overlay and associated clause must apply that proposed C2 Environmental Conservation or C3 Environmental Management zone, or the overlay and associated clause, in line with the Northern Councils C Zone Review Final Recommendations.	This Ministerial Direction is not relevant to the proposal.
3.5 Recreation Vehicle Areas	(1) A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983): (a) where the land is within a conservation zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration: i. the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September 1985, and	This Ministerial Direction is not relevant to the proposal.

	ii. the provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.	
4. Resilience and Hazards		
4.1 Flooding	(1) A planning proposal must include provisions that give effect to and are consistent with: (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. (2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones. (3) A planning proposal must not contain provisions that apply to the flood planning area which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event. (4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the dwelling density of that land,	The proposal has taken into consideration any proposed flooding applicable to the site. A Flood report has been prepared by D&M Consulting in relation to the site. The report concludes the rezoning would not impact on flooding or increase flooding within the area.

	(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (e) are likely to affect the safe occupation of and efficient evacuation of the lot, or (f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities. (5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.	
4.2 Coastal Management	(1) A planning proposal must include provisions that give effect to and are consistent with: (a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas. (b) the NSW Coastal Management Manual and associated Toolkit. (c) NSW Coastal Design Guidelines 2003; and (d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land. (2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land: (a) within a coastal vulnerability area identified by the State Environmental Planning Policy (Coastal Management) 2018; or (b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken: i. by or on behalf of the relevant planning authority and the planning proposal authority, or ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority. (3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*. (4) A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the State Environmental Planning Policy (Coastal Management) 2018: (a) Coastal wetlands and littoral rainforests area map. (b) Coastal vulnerability area map. (c) Coastal environment area map; and (d) Coastal use area map. Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a Coastal Zone	This Ministerial Direction is not relevant to the proposal.

	Management Plan under the *Coastal Protection Act 1979 that* continues to have effect under clause 4 of Schedule 3 to the *Coastal Management Act 2016*.	
4.3 Planning for Bushfire Protection	(1) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made. (2) A planning proposal must: (a) have regard to Planning for Bushfire Protection 2019, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ). (3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area	A Bushfire Impact Assessment has been prepared and submitted along with the proposal. The reports consider Planning for Bushfire Protection 2019 and the appropriate provision applicable. The findings of the report found the proposal would be suitable to the area, provide adequate services of water protection for any proposed development on site, and any future redevelopment of the site would need to take into consideration the BCA bushfire performance requirements along with Planning for Bushfire Protection 2019.
4.4 Remediation of Contaminated Land	(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless: (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so	A preliminary site investigation to guide any required further detailed site investigations or remediation will be undertaken as part of this process.

	remediated before the land is used for that purpose. In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan. (2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.	
4.5 Acid Sulfate Soils	(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. (2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or (b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines. (3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act. (4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).	This Ministerial Direction is not relevant to the proposal.
4.6 Mine Subsidence and Unstable Land	(1) When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must: (a) consult Subsidence Advisory NSW to ascertain: i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and (b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and	The site is identified as being located within the Picton Mine Subsidence district. Any future development of the site would seek concurrence with Subsidence Advisory.

	(c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act. (2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction.	
5. Transport and Infrastructure		
5.1 Integrating Land Use and Transport	(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	This Ministerial Direction is not relevant to the proposal.
5.2 Reserving Land for Public Purposes	(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary). (2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must: (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and (c) identify the relevant acquiring authority for the land. (3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: (a) include the requested provisions, or (b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired. (4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.	This Ministerial Direction is not relevant to the proposal.
5.3 Development Near Regulated Airports and Defence Airfields	1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must: (a) consult with the lessee/operator of that airport. (b) take into consideration the operational airspace and any advice from the lessee/operator of that airport.	This Ministerial Direction is not relevant to the proposal.

	(c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls. (d) not allow development types that are incompatible with the current and future operation of that airport. (2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must: (a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport. (b) for land affected by the prescribed airspace (as defined in clause 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls. (c) not allow development types that are incompatible with the current and future operation of that airport. (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. (3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must: (a) consult with the Department of Defence if: i. the planning proposal seeks to exceed the height provisions contained in the Defence Regulations 2016 – Defence Aviation Areas for that airfield; or ii. no height provisions exist in the Defence Regulations 2016 – Defence Aviation Areas for the airfield and the proposal is within 15km of the airfield. (b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls. (c) not allow development types that are incompatible with the current and future operation of that airfield. (4) A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic- Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land: (a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or (c) for commercial or industrial purposes where the ANEF is above 30. (5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.

5.4 Shooting Ranges	(4) A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic- Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land: (a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or (c) for commercial or industrial purposes where the ANEF is above 30. (5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.	This Ministerial Direction is not relevant to the proposal.
6. Housing		
6.1 Residential Zones	(1) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (2) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	This Ministerial Direction is not relevant to the proposal.
6.2 Caravan Parks and Manufactured Home Estates	(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must: (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park. (2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must: (a) take into account the categories of land set out in Schedule 6 of State Environmental Planning Policy (Housing) 2021 as to where MHEs should not be located, (b) take into account the principles listed in clause 125 of State Environmental Planning Policy (Housing) 2021 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and	This Ministerial Direction is not relevant to the proposal.

	(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent	
7. Industry and Employment		
7.1 Business and Industrial Zones	(1) A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary	The proposal extends the need to industrial land uses within Picton and would not reduce the potential for Floor Space or industrial uses, instead, intends to increase the availability of industrial floor space.
7.2 Reduction in non-hosted short-term rented accommodation period	(1) The council must include provisions which give effect to the following principles in a planning proposal to which this direction applies: (a) non-hosted short term rental accommodation periods must not be reduced to be less than 90 days (b) the reasons for changing the non-hosted short-term rental accommodation period should be clearly articulated (c) there should be a sound evidence base for the proposed change, including evidence of the availability of short-term rental accommodation in the area (or parts of the area) in the 12 months preceding the proposal, relative to the amount of housing in the area, and trend data on the availability of short-term rental accommodation over the past 5 years. (d) the impact of reducing the non-hosted short-term rental accommodation period should be analysed and explained, including social and economic impacts for the community in general, and impacted property owners specifically.	This Ministerial Direction is not relevant to the proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	(1) A planning proposal that applies to land located on "within town" segments of the Pacific Highway must provide that: (a) new commercial or retail development must be concentrated within distinct centres rather than spread along the highway. (b) development with frontage to the Pacific Highway must consider impact the development has on the safety and efficiency of the highway; and (c) for the purposes of this paragraph, "within town" means areas which, prior to the draft local environmental plan, have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc) and where the Pacific Highway speed limit is less than 80km/hour. (2) A planning proposal that applies to land located on "out-of-town" segments of the Pacific Highway must provide that: (a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this direction.	This Ministerial Direction is not relevant to the proposal.

	(b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway; and (c) for the purposes of this paragraph, "out-of-town" means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc) or are in areas where the Pacific Highway speed limit is 80km/hour or greater. (3) Notwithstanding the requirements of paragraphs (1) and (2), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that Roads and Maritime Services is satisfied that the highway service centre(s) can be safely and efficiently integrated into the Highway interchange(s) at those localities. For the purposes of this paragraph, a highway service centre has the same meaning as is contained in the Standard Instrument (Local Environmental Plans) Order 2006.	
8. Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	(1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must: (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any: i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and (b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: i. development of resources identified under (1)(a)(i), or ii. existing development identified under (1)(a)(ii). (2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must: (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.	This Ministerial Direction is not relevant to the proposal.

9. Primary Production		
9.1 Rural Zones	(1) A planning proposal must: (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	Item (a) above is relevant to this Planning Proposal. The Planning Proposal is inconsistent with the above Direction; however, the direction permits it to be inconsistent where its provisions are of minor significance. It is considered that this Planning Proposal is of minor significance for the following reasons: - The site is not currently used for agriculture and primary production, with development consent granted for the current use of 140 Bridge Street as a depot. - Its site area of 1ha provides highly restricted opportunity for agricultural production of any vale. - It is physically disconnected from rural land holdings, being abutted by the Picton Industrial Area to the east, Main Southern Railway Line to the north and Bridge Street to the south and west. It is considered this minor significance does not undermine the overall objective of the direction of protecting the agricultural production value of rural land.
9.2 Rural Lands	(1) A planning proposal must: (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement	The relevant plans are the Western City District Plan & Wollondilly 2040 – Local Strategic Planning Statement. These are discussed in detail at Section 5.2.1 of this report. In summary, any inconsistencies are of

		a minor nature given the site characteristics and context.
	(b) consider the significance of agriculture and primary production to the State and rural communities	The site is not currently used for agriculture and primary production, with development consent granted for the current use of 140 Bridge Street as a depot. Given the current use of the land, the site area of 1ha and its physical disconnection from rural land holdings, the planning proposal would have no significant impact on agriculture and primary production to the State and rural communities.
	(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources	An Ecology Report prepared by Hayes Environmental outlines the site has predominately been cleared, with a small area of native vegetation within the steep-sided gully and riparian corridor associated within the 2nd order stream traversing the Site. The report concludes that the planning proposal would not be likely to impose a significant impact upon any matter of National Environmental Significance, offsetting of impacts under the Biodiversity Conservation Act is not required and a Koala Assessment Report is not required.
	(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions	Future land use as intended by the Planning Proposal would not be constrained due to topography, size, location, water availability and ground and soil conditions.
	(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities	The Planning Proposal would not promote opportunities for investment in productive, diversified, innovative and sustainable rural

		economic activities. The inconsistency is considered justified – see below.
	(f) support farmers in exercising their right to farm	The making of the Planning Proposal would have no effect in respect to 'right to farm'.
	(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use	The Planning Proposal does not seek to introduce residential land use. The site is adjoined by the Picton Industrial Area and Main Southern Railway Line. It therefore will not lead to fragmentation of rural land or the potential for land use conflict.
	(h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land	Given the site's context and current condition it is considered that:
	(i) consider the social, economic and environmental interests of the community.	(i) The Planning Proposal would not lead to unacceptable social impacts. (ii) It would lead to positive economic impacts by enabling the expansion of an existing local business (Tebco Industries) with associated employment opportunities. (iii) Development of the site as enabled by the Planning Proposal would not lead to unacceptable environmental impacts
	(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:	The Planning Proposal includes a change to the minimum lot size applicable to the subject site, consistent with that for IN2 Zoned land in the Picton Industrial Area, i.e., 1,500m2. In other words, the minimum lot size change is consequential to the change of land use zone. To that extent, consistency with Direction 9.2(2) is not relevant. Notwithstanding, an assessment against considerations (a) & (b) is

	(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses	provided below. Consideration (c) does not apply as it relates a Planning Proposal for rural residential purposes
	(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains	The Planning Proposal would be of no consequence in terms of rural land fragmentation or land use conflict, given the circumstances and context. Inconsistent in terms of land fragmentation, but of minor significance.
	(c) where it is for rural residential purposes: i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres ii. is necessary taking account of existing and future demand and supply of rural residential land. *Note: where a planning authority seeks to vary an existing minimum lot size within a rural or conservation zone, it must also do so in accordance with the Rural Subdivision Principles in clause 5.16 of the relevant Local Environmental Plan.*	The Planning Proposal would be of no consequence here. There is no existing rural land use enterprise on the subject site, its very limited agricultural viability presents little to no opportunity for rural land uses and enterprises. Nor would it affect existing or potential future rural land uses and related enterprises nearby. Not Applicable.
9.3 Oyster Aquacultural	(1) In the preparation of a planning proposal the relevant planning authority must: (a) identify any 'Priority Oyster Aquaculture Areas' and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply, (b) identify any proposed land uses which could result in any adverse impact on a 'Priority Oyster Aquaculture Area' or oyster aquaculture leases outside such an area, (c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility, (d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and (e) ensure the planning proposal is consistent with the Strategy. (2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must: (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,	This Ministerial Direction is not relevant to the proposal.

	(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.	
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	(1) A planning proposal must not: (a) rezone land identified as "State Significant Farmland" for urban or rural residential purposes. (b) rezone land identified as "Regionally Significant Farmland" for urban or rural residential purposes. (c) rezone land identified as "significant non-contiguous farmland" for urban or rural residential purposes.	This Ministerial Direction is not relevant to the proposal.

5.3 ENVIRONMENTAL, SOCIAL OR ECONOMIC IMPACT

IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATION OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS WILL BE ADVERSELY AFFFECTED AS A RESULT OF THE PROPOSAL?

WLEP 2011 does not identify the site as containing any areas of terrestrial biodiversity significance. The exhibited draft Cumberland Plain Conservation Plan does identify any native vegetation and Koala habitat within the site. An Ecology Report has been prepared and concludes the impact of the proposal is minimal impact on Koalas or their habitat, including the proposal not requiring a Biodiversity Development Assessment Report (BDAR) as it would not impose a significant impact on any matter of National Environmental Significance under the Commonwealth EPBC Act.

ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

This section outlines relevant environmental considerations resulting from the Proposal and how they would be addressed.

FLORA AND FAUNA

An Ecology Report prepared by Hayes Environmental outlines the site has predominately been cleared, with a small area of native vegetation within the steep-sided gully and riparian corridor associated within the 2nd order stream traversing the Site.

The report found the following:

- No threatened fauna species are known to occur on or use the site. Twenty-two (22) threatened fauna species are assumed to use vegetation present within the site on occasions. Potential impacts upon these species have been assessed as required under the BC Act and Commonwealth EPBC Act

The following conclusions were reached:

- National
    - The proposed development would not be likely to impose a significant impact upon any matter o f National Environmental Significance listed under the Commonwealth EPBC Act. Referral of the proposal to the commonwealth minister for Environment is not required.
- State
    - BC Act - The Biodiversity Offset Scheme does not apply. Further assessment of the project using the Biodiversity Assessment Method (BAM) is not require d. A Biodiversity Development Assessment Report (BDAR) is not required. Offsetting of impacts under the Biodiversity Offsets Scheme (BOS) is not required.
    - SEPP (Koala Habitat Protection) 2021 applies to the land. Part 2 Development control of koala habitats applies to the proposed development. The proposed development would have a minimal impact on koalas or koala habitat. A Koala Assessment Report is not required.

STORMWATER DRAINAGE & FLOODING

A Flood Report has been prepared by D&M Consulting. The report investigated the extend of flooding impacts upon 120 and 140 Bridge Street. A water course is identified to traverse through the western boundary of 120 Bridge

Street and into 140 Bridge Street. The stream is identified as a 2nd Order Stream, which drains an upstream catchment.

The modelling has classified the flood impacts upon the site as medium to low flood risk. The area localised to the flooding on 120 Bridge Street, is small in area compared to the flood impact upon 140 Bridge Street. The flood impact would not impact upon the rezoning of the land to IN2 Light Industrial, nor would the rezoning increase the flooding within the floodplain.

The site is subject to flooding in the form of the mainstream flooding during a 1% AEP. The report recommendations include an easement over the Sites to ensure overland flow from upstream properties is not impeded upon with any future redevelopment.

HERITAGE

A Preliminary Historical Heritage Assessment has been prepared by Austral Archaeology. A review of the site and confirms no areas of historical archaeological potential are located on site. However, during any redevelopment o the site and unintentional disturbance of archaeological relics, both European and Aboriginal, notification to Heritage Council and the Aboriginal Land Council is required.

CONTAMINATION

A review of the EPA Contaminated Lands Register did not find the site or sites within a 5km radius being subject to notices.

Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of future a development application/s. The site is considered suitable for the intended uses under an IN2 zoning.

A Desktop Preliminary Site Investigation (PSI) Report will be undertaken to demonstrate the site is suitable for redevelopment for industrial purposes.

BUSHFIRE RISK

A Bushfire Impact Assessment Report has been prepared by Harris Environmental and outlines the proposed rezoning and future redevelopment of the site can adequately meet the objectives in relation to compliance within Section 8.3.8 of *Planning for Bush Fire Protection 2019* (PBP) which was developed by the NSW Rural Fire Service (NSW RFS) to provide development standards for building in bush fire prone areas.

The report finds the site can adequately provided water for fire fighting and the site can connect to local reticulate town water supply. Any future development applications would be required to provide additional fire hydrants on the site. Furthermore, is the report recommending that the future redevelopment of the site be accompanied by a Fire Safety Study which will identify mitigations measures.

ACOUSTIC / VIBRATION IMPACTS

The Site adjoins the Main Southern Railway corridor. The future industrial development of the site as intended by this Planning Proposal would be nearby to the Main Southern Railway Line. The trains that use this section of the railway corridor are passenger trains on the Southern Highlands line, XPT Regional trains and freight trains.

The future industrial development as intended by this Planning Proposal would see an industrial building constructed, adjacent to the train line and existing industrial buildings.

Section 3.5 of the NSW Department of Planning's *Development near Rail Corridors and Busy Roads (Interim Guideline)* states:

"The following provides an overall summary of the assessment procedures to meet the requirements of clauses 87 and 102 of the Infrastructure SEPP. The procedure covers noise at developments for both Road and Rail.

Whilst the proposal is for industrial land use purpose, and not for residential use, any future development of the site must take into consideration procedures to mitigate any noise impacts associated with the Railway corridor.

Specific and detailed assessment of rail noise impacts can be dealt with either as post-gateway requirements or (preferably) at development application stage when detailed design is available to determine noise levels and any required noise attenuation measures more accurately.

Further, Trains induce ground borne vibration that is transmitted through the subsoil. These vibrations can be perceptible close to railways, meaning the future development in may be subject to rail vibration impacts from passing trains.

As with rail noise, specific and detailed assessment of rail vibration impact can be dealt with either as post-gateway requirements or (preferably) at development application stage when detailed design is available to determine any required measures.

SERVICES AND UTILITES

Sewer

The Site is within the servicing boundary of the Picton Sewerage Scheme. It is understood that inflows to the treatment plant currently exceed its capacity to reuse all the water, impacting the ability to allow new housing and growth connections. Sydney Water are currently planning to increase the capacity of the Picton Scheme. This includes consulting with the Environmental Protection Agency (EPA) and Wollondilly Council to identify options that (i) enable development; (ii) are cost effective and (iii) maintain local waterway health. It is understood Sydney Water are currently awaiting an EPA License amendment, which will enable additional operating capacity.

Electrical Reticulation

A transmission line traverses the Southern boundary of 120 Bridge Street. This may be extended to assist in services 140 Bridge Street at redevelopment stage. On this basis it is understood that sufficient power will be available to service a future development resulting from this Planning Proposal. Services investigation can form part of the post-gateway determination.

Telecommunications

Existing telecommunication reticulation in the locality, can be extended to service a future development resulting from this Planning Proposal. This can be confirmed as part of investigations post-Gateway determination.

Water

The site is able to connect to existing local reticulate town water supply. This will be augmented as part of any future development applications for the site. Any further investigations can be formed as part of post-gateway determination response.

TRAFFIC

A Traffic and Parking Impact Assessment has been prepared by Positive Traffic Engineering. The Assessment assessed the existing road network and traffic flows in relation to the proposed alteration to the zoning to the sites.

The site has direct vehicular access to Bridge Street, which intersects with main access route through Picton, Argyle Street (Old Hume Highway). Preliminary modelling has been undertaken of the site with a potential light industrial building being 3500sqm in GFA. The potential traffic generation impacts of the potential redevelopment have been undertaken through the utilisation of Roads and Traffic Authority Guide to Traffic Generating Development. The modelling concluded the Bridge Street/ Argyle Street (Old Hume Highway) intersection would still operate at a satisfactory level, and no future upgrades of the intersection to accommodate the additional traffic demands would be required.

Future development of the site as a result of this Planning Proposal would ultimately maintain all existing vehicular access points.

The future development of the Site as a result of this Planning Proposal, in the context of the overall development yield and traffic implications is relatively minor.

HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?

The Proposal will contribute to the social and economic benefit of the wider precinct. The provision of additional employment land responds to the Plan, District Plan and local strategic documents which identified the Site as an urban release area.

Through the amendments of the WLEP2011 they key social and economic impacts the proposal would provide are:

- Access to additional employment opportunities within a growing local centre.
- The expansion of Picton Industrial Estate.
- Support business development and investment within the Wollondilly LGA.
- Sympathetic integration of rural and industrial land uses which would not impact upon current land users to the North of the site.

5.4 STATE AND COMMONWEALTH INTEREST

IS THERE ADEQUATE PUBLIC INFRAUSTRUCTURE FOR THE PLANNING PROPOSAL

The future development of the site as a result of this Planning Proposal would marginally increase the demand for public infrastructure. Services infrastructure demand has been addressed previously in this report (see Services and Utilities discussion). Other public infrastructure considerations would be managed through local developer contributions, proposed State Infrastructure Contributions or under possible VPA arrangements.

WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTATED IN ACCORDANCE WITH GATEWAY DETERMINATION?

No consultation with Commonwealth authorities have been conducted to date.

It is anticipated that the following public authorities / state agencies following a Gateway determination to proceed:

- NSW Department of Natural Resources Access Regulator
- Transport NSW
- Subsidence Advisory NSW
- Sydney Water
- Endeavour Energy

6. COMMUNITY CONSULTATION

In accordance with Section 3.34 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated the Proposal will be required to be publicly exhibited for a minimum of 28 days in accordance with the requirements of the Department of Planning and Environment guidelines '*A guide to preparing local environmental plans*. It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on Wollondilly Shire Council website.
- Written correspondence to adjoining and surrounding landowners.

The Gateway determination, Proposal and any further specialist studies required would be publicly exhibited by Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

7. CONCLUSION AND RECOMMENDATIONS

The proposed amendments to WLEP2011 would enable greater opportunity for positive outcomes resulting from the future development of the site. They are consistent with surrounding land use context and character, with the development aligning with the key strategic directions for the locality.

In summary, the proposed amendments to the WLEP2011, is considered appropriate for the following reasons:

- The Proposal would contribute to the provision of additional land used for employment generating services, within a growing local centre. It would support the long-term expansion and retention of Tebco Industries operations – a locally established business in the Picton Industrial Area.
- The Proposal is consistent with the State, Regional and Local strategic planning framework. As described through this report, the proposed development is consistent with the priorities and directions of Greater Sydney Region Plan, the Western City District Plan, and Council's *Employment Lands Strategy*.
- It is either consistent with the relevant Ministerial Directions or where inconsistent is justified.
- The existing and future planned infrastructure and services for Picton have the capability to effectively service demand from development under this Proposal; and
- Overall, there are no anticipated adverse social or economic impacts which would arise from the proposal.

Overall, the Proposal will result in appropriate urban development outcomes. The Proposal therefore warrants the support of Council to proceed to Gateway Determination by the Department of Planning & Environment.

ATTACHMENT 2 - ASSESSMENT AGAINST LOCAL AND STATE DOCUMENTS

This document includes an assessment of the planning proposal against the following Local and State Legislation and Planning Documents:

1. Western City District Plan 2018
2. Wollondilly 2040: Local Strategic Planning Statement (LSPS)

1. Assessment against the 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 proposal is deemed to be **consistent** with the District Plan.

The below table provides an assessment of the planning proposal against relevant priorities in the plan:

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
W1 Planning for a city supported by infrastructure.	Consistent	This priority of the District Plan encourages to better align growth with infrastructure. This planning proposal is an opportunity for the site to be included for potential employment land identified under the *Wollondilly Employment Land Strategy* to accommodate future growth. The proponent is seeking long term expansion of its existing operations on the adjacent land. The scale of future development would be moderate and is generally considered compatible with existing infrastructure provision. Sydney Water has indicated that it cannot support any additional urban growth in the Picton area resulting from a change to the local environmental plan. While this will constrain the future development of the site in the short term it is considered the site could still be utilised for employment land uses without the need for wastewater infrastructure.
W2 Working through collaboration.	Consistent	This priority of the district plan encourages collaboration between government and stakeholders in planning to deliver improved planning outcomes that support growth and change.

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
		The draft planning proposal is not inconsistent with this priority.
W3 Providing services and social infrastructure to meet people's changing needs.	Consistent	This priority of the district plan encourages improving liveability by creating the 30-minute city aspiration. The subject site is considered to be an appropriate location for the type of industrial development proposed. The site is located with short distance to Picton Train Station, town centre, shopping centre, schools, library and parklands. The development of the site will facilitate the co-location of infrastructure, businesses, housing, open spaces and public transport in Picton where people can easily access new jobs and employment opportunities as well as food, education and housing.
W4 Fostering healthy, creative, culturally rich and socially connected communities.	Consistent	This priority of the district plan emphases on better utilisation of land within the commercial and industrial area. Targeted delivery of services and infrastructure is needed to support growth and socially connected communities. Accessible jobs and employment services are important for all people across the District. This planning proposal facilitates the long-term and sustainable use of the site for employment purposes. It helps sustain and grow our existing communities and protects the viability of existing businesses. It maintains and enhances liveability by enabling residents to work and live in Wollondilly.
W5 Providing housing supply, choice and affordability with access to jobs, services and public transport	Not applicable	This planning proposal is not applicable to this strategy as it is not providing housing supply.
W6 Creating and renewing great places and local centres, and	Consistent	This priority of the district plan focusses on liveability by creating and renewing great places, neighbourhoods and centres. It

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
respecting the District's heritage		encourages place-based planning/design excellence that builds on local strengths and celebrate the local character of the place and its people. This planning proposal is located in Picton Industrial Estate and redevelopment of the site will endeavour to continue the growing investment and business opportunity for the area, which will create a sense of place within the community.
W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	Consistent	The vision for Greater Sydney as a *metropolis of three cities* seeks to deliver a more productive region. This will be achieved by supporting economic diversity and to ensure people have access to a range of jobs and services; delivering a well-connected city – a 30-minute city. Currently, more than 65% of residents in Wollondilly (Id Profile 2016) travel outside the area to work. The proposed development has the potential contribute to improved job accessibility with the Picton District and reduce travel time.
W8 Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis	Consistent	Jobs growth in the Western City District has not matched population growth over the last 10 years – jobs growth in the District has averaged 0.8 per cent annually, compared to 1.7 per cent annually for Greater Sydney. The expansion of Picton Industrial Estate will contribute to the economic benefit of the wider precinct by supporting business development and investment within the Wollondilly LGA. The provision of additional employment opportunities responds to the District Plan strategic direction including industry skills and capacity building, and investment attraction.
W9 Growing and strengthening the metropolitan cluster	Consistent	Central to the concept of a metropolis of three cities is the urban structure to ensure people have access to a large number and range of jobs and services delivering a well-connected city – a 30-minute city. By delivering the North South Rail Link, future jobs and a wide range of goods and services will be clustered around 4 centres including Western Sydney Airport and Badgerys Creek Aerotropolis, Liverpool, Greater Penrith and Campbelltown-Macarthur. The

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
		planning proposal facilitates jobs closer to home and Strategic Centres identified in the district plan including Campbelltown-Macarthur.
W10 Maximising freight and logistics opportunities and planning and managing industrial and urban services land	Consistent	The district plan supports safeguarding the existing industrial and urban services land from competing pressure to rezone to residential uses. In addition, the district plan emphases the need for additional industrial and urban services land. Future employment growth across all industries and urban services will require additional floor space, additional land or both. The planning proposal aims to provide more industrial land and will retain and grow the existing employment provision
W11 Growing investment, business opportunities and jobs in strategic centres	Consistent	The district plan support delivering 30-minute cities through integrated land use and transport planning; better connected and more competitive economic corridors. The vision for Greater Sydney is one where people can access jobs and services in their nearest metropolitan and strategic centre. This planning proposal will be increasing the employment capacity in already established Picton industrial Estate. As such, redevelopment of the subject site will contribute towards sustainable growth where residents could live within 30 minutes of their jobs and employment services
W12 Protecting and improving the health and enjoyment of the District's waterways	Consistent	More than 75% of the District's population lives within a kilometre of a waterway and this District Plan aims to protect and improve the environmental health of waterways. The planning proposal would not be likely to impose a significant impact upon any matter of National Environmental Significance including bushland and biodiversity as the site has predominately been cleared. However, there is a small area of native vegetation associated within the 2nd order stream traversing the Site. The rezoning of the area to *Zone C2 Environmental Conservation* by Council will ensure to protect the vegetation and the

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
		habitat features within the riparian corridor. Therefore, the area would be excluded and retained from any future development.
W13 Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	Not applicable	*A Metropolis of Three Cities'* vision for South Creek Corridor is to transform its water management by creating a green corridor that provides sites for parks, walking and cycling trails, community facilities, and ecological services including urban cooling, and local habitat. This planning proposal is not applicable to this strategy as it does not incorporate specific landscape and waterway features into the design of new urban communities.
W14 Protection and enhancing bushland and biodiversity	Consistent	The district plan's aims to protect the biodiversity in the Western City District by investing in connected bushland corridors and protecting larger pockets of remnant vegetation. This report recommends amendments to the draft proposal to protect an area of native vegetation within the site.
W15 Increasing urban tree canopy cover and delivering Green Grid connections	Not applicable	The district plan has identified that 19% of the District's Urban Area has tree canopy cover – lower than some other Districts in Greater Sydney. The NSW Government has set a target to increase tree canopy cover across Greater Sydney to 40%. This planning proposal is not applicable to this strategy as it does not increase urban tree canopy cover within the area. However, *Wollondilly Urban Tree Canopy Plan and Landscape Strategy* provides guidance on enhancing tree canopy and tree cover in the urban environment for future development of the site if planning proposal supported.
W16 Protecting and enhancing scenic and cultural landscapes	Not applicable	The district plan emphases on the protection of the Western City District's scenic and cultural landscapes for the sustainability, liveability and productivity of the District. Wollondilly benefits from substantial areas of protected national parks, rivers and creeks, and water catchments that provide outstanding landscapes and views. The planning proposal is not located in any Landscape Conservation Area and has no significant impact on the scenic and cultural quality at both a local and district level.

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
W17 Better Managing Rural Areas	Inconsistent but justified	A key direction in the District Plan for Wollondilly is the need to better manage rural areas. The site is within the Metropolitan Rural Area (MRA) which seeks to protect and enhance the environmental, social and economic values of rural areas. The District Plan indicates that urban development within the MRA will only be considered in the urban investigation areas identified in the Metropolis of Three Cities. The planning proposal is inconsistent with the provisions of the MRA as it represents urban development on the urban edge of Picton which is not considered to be an urban investigation area. However, it is noted that this direction appears to be weighted towards residential and district scale growth. A degree of flexibility is considered to be justified in order to balance rural values with the objectives of greater economic participation. The proposal is considered to be consistent with the adopted Wollondilly Employment Land Strategy and could deliver targeted economic outcomes to respond to an identified local demand for employment land growth. On balance, any conflicts with the MRA are considered to be justified.
W18 Delivering high quality open space	Not applicable	The district plan supports developing innovative ways to optimise open space areas for recreation, sport and social activities. This planning proposal is not applicable to this strategy as it does not deliver any open spaces.
W19 Reducing carbon emissions and managing energy, water and waste efficiently	Consistence	The district plan supports more efficient use of energy and water to reduce impacts on the environment and the greenhouse gas emissions. This planning proposal improves accessibility to local jobs for residents. Generally increasing the number of work

PLANNING PRIORITY	CONSISTENCY	COUNCIL ASSESSMENT COMMENT
		opportunities in Picton and in neighbouring towns could reduce the number of people moving north to areas such as Camden, Campbelltown and Wollongong to work. Coupled with a Picton By Pass this could further reduce the impact on the regions road network, energy and carbon emission in the future. Reduced cars on the main freeways and roads, which means less travel time, noise and air pollution, and risk of collision. It also has the opportunity to reduce driver stress in moving in and out of the town to access various services.
W20 Adapting to the impacts of urban and natural hazards and climate change	Consistence	The District's climate and natural landscape can create natural hazards such as heatwaves, bushfire, flooding and storms. The district plan warns against placing developments in hazardous areas or increasing the density of development in areas with limited evacuation options increases risk to people and property. This planning proposal to increase the population in this area will not exacerbate flooding and bushfire impacts and is consistent with this priority.
W21 Preparing local strategic planning statements informed by local strategic planning	Consistent	Successful implementation of the district plans requires councils to prepare and implement local strategic planning statements, private sector investment in line with the expectations and targets for housing and jobs including commercial, retail and industrial and ongoing engagement to inform implementation developments. This planning proposal is consistent with all relevant Council's local strategic planning priorities, *Wollondilly Employment Land Strategy* and is therefore consistent with priority W21.
W22 Monitoring and reporting on the delivery of the plan	Not applicable	The draft planning proposal is not applicable to this strategy.

2. Assessment against Wollondilly 2040 Local Strategic Planning Statement (LSPS)

The *Wollondilly 2040 Local Strategic Planning Statement* (LSPS) is a 20-year land use vision for Wollondilly. It identifies four (4) 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.

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

The below table provides an assessment of the planning proposal 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: **Consistent** Wollondilly LSPS's **Planning Priority 3** supports planning proposals that fit within a sustainable framework for growth informed by Wollondilly's Housing, Employment, Rural and Centres Strategies. The *Wollondilly Employment Lands Strategy* identifies a need for additional employment lands stocks in Picton, the priority has been highlighted as high and short time. Picton has been identified a suitable location for rezoning land for light industrial and compatible uses to enable new business opportunities in an already established industrial estate. Rezoning for this site would assist in sustainable growth by addressing the employment shortage in Picton as well as Wollondilly in both short and long term.
LIVEABILITY
Planning Priorities: 4. Creating vibrant, healthy and sustainable communities in our new town in Wilton. 5. Providing housing options that meet local needs and match the local character of towns and villages. 6. Embedding health and wellbeing considerations in land use planning for healthy places. 7. Cultivating a creative and cultural destination connecting people with place. 8. Enhancing vibrant, healthy and sustainable local towns and villages.
Assessment against Theme: **Consistent** Planning Priority 6 & 8 identify Wollondilly's towns and villages such as Picton hubs for retail, health, cultural, education and recreational opportunities. Picton is relatively small town with residential lands, tourism and visitor services, schools, Library, Sports fields,

natural areas, parks and playgrounds, bowling club, the railway station, Police and ambulance station. However, employment opportunities are limited, and most people depend on their cars for travel.

The future liveability and vitality of Picton centre will be enhanced by the implementation of local and regional scale employment which this development proposes. This planning proposal gives effect to the liveability strategic planning priorities including 'local jobs for residents within 30-minute of where the live'.

PRODUCTIVITY

Planning Priorities:

9. Developing the visitor experience and economy by increasing access to natural areas and rural landscapes.
10. Attracting investment and growing local jobs.
11. Leveraging greater investment and business opportunities from Western Sydney International (Nancy-Bird Walton) Airport.

Assessment against Theme:

Consistent

As states in Priority 10 of the LSPS, Council's committed to promote Wollondilly as a business and investment destination. However, Wollondilly does not have strong brand recognition and industrial and urban services land makes up only 1.15% of the Shire (2.9km2), due mainly to natural constraints, limited heavy industry and smaller villages that have not been large enough to warrant supporting services.

As the population grows Wollondilly will need to retain and manage existing industrial and urban services land and plan for more to reduce the number of people who leave Wollondilly every day for work; towns such as Picton has stronger potential above others to make that happen.

Picton town centre has a wide variety of administrative/governance, commercial, retail, entertainment and professional services. The town also benefits from a diversity of recreational and open spaces adjacent to the commercial areas. Picton has already established industrial area in the Wollondilly LGA, and the industrial precinct provides around 30.5 hectares of IN2 – Light Industrial zoned land. The draft planning proposal seeks to provide additional industrial land in Picton to support the expansion of a local business.
It gives effect to the following productivity strategic planning priorities:

- Develop and strengthen the Wollondilly brand to encourage investment in towns and villages.
- Explore opportunities for clusters that will encourage industry and infrastructure development and an increase in jobs.
- Foster relationships with potential investors and operators that lead to tangible outcomes in reasonable timeframes.

Wollondilly Economic Development Strategy (EDS)

The EDS aims to create an aspirational 15,000 new local jobs for local residents and to support specific industry growth opportunities.

The EDS indicates that the Wollondilly economy is dominated by small businesses and recognises that supporting these businesses to grow can contribute to increasing local jobs. Particularly as, in advanced economies such as Australia, new jobs and investment will predominantly come from existing businesses.

Land use planning is identified as having a key role in supporting economic development and one of the strategic initiatives is to facilitate more employment generating land in the Shire.

If supported, the draft planning proposal will contribute to facilitating more employment land and local jobs in Wollondilly.

Employment Land Strategy (ELS)

The ELS provides a strategic planning framework to guide the future development of employment lands within Wollondilly.

The background report prepared to inform the EDS found that there is a present undersupply of employment land of around 45-60 hectares in Wollondilly and this is expected to increase if no intervention is identified. In response, the Strategy concludes that there is an immediate need to investigate existing zoned employment land and determine if there are opportunities for incremental expansion on the periphery of these locations.

Strategy 1 of the EDS seeks to unlock an immediate supply of employment precinct land to support the expansion of existing businesses and attraction of new businesses.

Action 1.2 identifies the Picton Proposed Expansion Area as an area to be investigated for rezoning land for light industrial and compatible uses to enable new business opportunities and existing business expansion. Action 1.2 is noted as a short-term action with high priority.

The identified expansion area encompasses approximately 34 hectares of land adjoining the existing established industrial area. Although it does not include the subject site, this is likely due to the fact that the site does not sit within a larger area or precinct of relatively unconstrained land that could facilitate broader strategic growth in local jobs.

Notwithstanding, the sites location is consistent with the underlying objective of Strategy 1 and Action 1.2.

SUSTAINABILITY

Planning Priorities:

12. Valuing the ecological health of Wollondilly's waterways
13. Protecting biodiversity and koala habitat corridors
14. Planning high quality well connected open spaces
15. Delivering an urban tree canopy
16. Enhancing and protecting the diverse values of the Metropolitan Rural Area
17. Planning resource recovery options to serve local and district needs in appropriate strategic locations
18. Living with climate impacts and contributing to the broader resilience of Greater Sydney

Assessment against Theme:
Consistent

Planning Priority 13 highlights Biodiversity & Koala Habitat Corridors. A major feature of Wollondilly is an expanding and healthy population of koalas and extensive areas of bushland that provide habitat corridors for food and movement.

The planning proposal is considered to have no impact on koala habitat and is unlikely to significantly affect threatened species, ecological communities and their habitats. However, there are native vegetation and the habitat features on the site which need to be retained and protected. It is recommended that environmentally sensitive land within the site should be rezoned to *C2 Environmental Conservation.*

Planning Priority 16 provides supporting directions for the diverse values of the Metropolitan Rural Area (MRA). Much of the land in Wollondilly – other than growth areas and protected natural areas – is identified as Metropolitan Rural Area for its agricultural, environmental and scenic values.

The proposal seeks to rezone land within the Metropolitan Rural Area (MRA) from a rural zone to an industrial zone. It is inconsistent with the provisions of the MRA as it represents urban development on the urban edge of Picton which is not considered to be an urban investigation area. A degree of flexibility is considered to be justified in order to balance rural values with the objectives of greater economic participation. Support for the proposal is considered to enhance the MRA by protecting biodiversity and sustaining local jobs in Picton and beyond.

Wollondilly Rural Lands Strategy (RLS)

The RLS provides a framework for managing growth, change and development for rural land in Wollondilly.

Although the draft proposal would result in the loss of rural land, it is not considered to be inconsistent with the RLS for the following reasons:

- The land is not identified in the RLS as having unique value for an agricultural purpose or having special landscape or scenic value.
- The site is physically disconnected from rural land holdings, being abutted by the Picton Industrial Area to the east, Main Southern Railway Line to the north and Bridge Street to the south and west. The site is not currently used for agriculture and primary production, with development consent granted for the current use of No 140 Bridge Street as a depot.
- It is considered unlikely that rezoning the land to an industrial zone would affect any existing agricultural uses within proximity to the site.
- Its site area of 1ha provides highly restricted opportunity for agricultural production of any value. The Wollondilly Rural Lands Strategy Findings Report identifies that as a general rule, anything under 2 hectares cannot sustain economically viable agriculture.
- Although the proposal would result in the loss of rural zoned land, rezoning the land to IN2 Light Industrial may not necessarily lead to a total loss in the opportunity to undertake some small-scale agriculture or related uses on the land. For example, some agricultural and related uses are permitted in the IN2 zone with consent including Intensive Plant Agriculture, Plant Nurseries and Artisan Food and Drink Industry.

Planning Priority 18 requires building resilient against the climate change impacts including Flooding and Bushfire.

Wollondilly has an extensive bushfire hazard interface and areas such as Wallacia, Picton and Menangle have a long history of infrequent, but sometimes serious, flooding. The LSPS also ensures new communities are designed and built to be more resilient including BASIX certification.

The site is mapped as being bushfire prone land and future development will consider design standards for building in bush fire prone areas.

The Flood Report for the site identified a Medium to low flood risk. The draft study for the Wollondilly Shire-wide flood study and Stonequarry Creek floodplain risk management plan identified no significant risk to the subject site.

Flood risk management, evacuation capacity and flood affectation up to the Probable Maximum Flood (PMF) will be considered in the design to reduce the potential risk to life at the future development.

Attachment 3 - Assessment against Section 9.1(2) Ministerial Directions

	Ministerial Direction	Objective	Consistent	Assessment
FOCUS AREA 1: Planning Systems				
1.1	**Implementation of Regional Plans**	To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	Consistent	On balance the draft planning proposal is considered to be predominantly consistent with the District Plan. A more detailed assessment of the proposal against the Strategic Planning Framework is provided in a separate attachment.
1.2	**Development of Aboriginal Land Council land**	To provide for the consideration of development delivery plans prepared under chapter 3 of the *State Environmental Planning Policy (Planning Systems) 2021* when planning proposals are prepared by a planning authority.	Not applicable.	The planning proposal is not located on land shown on the Land Application Map of chapter 3 of the *State Environmental Planning Policy (Planning Systems)* 2021. This direction does not apply.
1.3	**Approval and Referral Requirements**	To ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent	The planning proposal is consistent with this direction as it does not alter the provisions relating to approval and referral requirements.
1.4	**Site Specific Provisions**	To discourage unnecessarily restrictive site-specific planning controls.	Consistent	The planning proposal is consistent with this direction as it proposes to rezone the site to an existing zone and does not have any site-specific provisions.
FOCUS AREA 1: Planning Systems – Place-based				
1.5	**Parramatta Road Corridor Urban Transformation Strategy**	To facilitate development within the Parramatta Road Corridor	Not applicable	The site is not located within the Paramatta Road Corridor and direction is not relevant.
1.6	**Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan**	To ensure development within the North West Priority Growth Area is consistent with the *North West Priority Growth Area Land Use and Infrastructure Strategy*.	Not applicable	The site is not located within the Northwest Priority Growth Area and direction is not relevant.
1.7	**Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan**	To ensure development within the Greater Parramatta Priority Growth Area is consistent with the *Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan* dated July 2017.	Not applicable	The site is not located within the Greater Parramatta Priority Growth Area and direction is not relevant.
1.8	**Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan**	To ensure development within the Wilton Priority Growth Area is consistent with *the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis*.	Not applicable	The site is not located within the Wilton Priority Growth Area and direction is not relevant.
1.9	**Implementation of Glenfield to Macarthur Urban Renewal Corridor**	To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.	Not applicable	The site is not located within the precincts between Glenfield and Macarthur and direction is not relevant.
1.10	**Implementation of the Western Sydney Aerotropolis Plan**	To ensure development within the Western Sydney Aerotropolis is consistent with the *Western Sydney Aerotropolis Plan* dated September 2020.	Not applicable	The site is not located within the Western Sydney Aerotropolis and direction is not relevant.
1.11	**Implementation of Bayside West Precincts 2036 Plan**	To ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with *the Bayside West Precincts 2036 Plan*.	Not applicable	The site is not located within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) and direction is not relevant.

Assessment against Section 9.1(2) Ministerial Directions – Draft Planning Proposal; 120 & 140 Bridge St, Picton (Employment Land)

	Ministerial Direction	Objective	Consistent	Assessment
1.12	**Implementation of Planning Principles for Cooks Cove Precinct**	To ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.	Not applicable	The site is not located within the Cooks Cove Precinct and direction is not relevant.
1.13	**Implementation of St Leonards and Crows Nest 2036 Plan**	To ensure development within the St Leonards and Crows Nest Precinct is consistent with the *St Leonards and Crows Nest 2036 Plan*.	Not applicable	The site is not located within the St Leonards and Crows Nest Precinct and direction is not relevant.
1.14	**Implementation of Greater Macarthur 2040**	To ensure development within the Greater Macarthur Growth Area is consistent with *Greater Macarthur 2040* dated November 2018.	Not applicable	The site is not located within the Greater Macarthur Growth Area and direction is not relevant.
1.15	**Implementation of the Pyrmont Peninsula Place Strategy**	To facilitate development within the Pyrmont Peninsula that is consistent with the *Pyrmont Peninsula Place Strategy* and the *Economic Development Strategy*, and align the planning framework with the *Eastern City District Plan*.	Not applicable	The site is not located within the Pyrmont Peninsula and direction is not relevant.
1.16	**North West Rail Link Corridor Strategy**	To promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link and ensure development within the corridor is consistent with the proposals set out in the *NWRL Corridor Strategy* and precinct Structure Plans.	Not applicable	The site is not located in the Hornsby, The Hills and Blacktown within the North West Rail Link Corridor and direction is not relevant.
1.17	**Implementation of the Bays West Place Strategy**	To facilitate development within the Bays West precinct that is consistent with the Bays West Place Strategy and the Urban Design Framework.	Not applicable	The site is not located within the Bays West precinct and direction is not relevant.
FOCUS AREA 2: Design and Place (There are currently no design and place directions to consider)				
There are no Ministerial Directions under Focus Area 2 at present.				
FOCUS AREA 3: Biodiversity and Conservation				
3.1	**Conservation Zones**	To protect and conserve environmentally sensitive areas.	Inconsistent	The draft planning proposal in the form submitted by the proponent is considered to be inconsistent with the objective of this direction as the proposal does not include provisions that facilitate the protection and conservation of environmentally sensitive areas. The site includes a small area (approximately 0.24ha) of native vegetation that has been identified as part of the Cumberland Plain Woodland in the Sydney Basin Bioregion which is a listed 'critically endangered' under both the state and federal legislation. The Flora and Fauna Assessment report submitted to inform the planning proposal excludes the vegetated area from development. It is recommended that the vegetated area is zoned C2 Environmental Conservation. If amended as recommended, the planning proposal would be considered consistent with the Ministerial Direction.
3.2	**Heritage Conservation**	To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent	The planning proposal has no significant impact on items, areas, objects and places of environmental and indigenous heritage at both State and Local level.

Assessment against Section 9.1(2) Ministerial Directions – Draft Planning Proposal; 120 & 140 Bridge St, Picton (Employment Land)

	Ministerial Direction	Objective	Consistent	Assessment
3.3	**Sydney Drinking Water Catchments**	To protect water quality in the Sydney drinking water catchment.	Not applicable	The site is not located within the Sydney drinking water catchment and direction is not relevant. Water NSW have made a submission and confirmed that the the Ministerial Direction is not relevant.
3.4	**Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26**	To ensure that a balanced and consistent approach is taken when applying conservation zones and overlays to land on the NSW Far North Coast.	Not applicable	The site is not located within the Ballina, Byron, Kyogle, Lismore and Tweed local government areas that introduces or alters an overlay and associated clause.
3.5	**Recreation Vehicle Areas**	To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not applicable	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.
3.6	**Strategic Conservation Planning**	The objective of this direction is to protect, conserve or enhance areas with high biodiversity value.	Consistent	The subject land is not identified as avoided land or a strategic conservation area. C2 Zone Environmental Conservation for the environmentally sensitive area, including the Cumberland Plain Woodland, will be excluded from future development. The planning proposal is consistent with the objectives of this direction.
FOCUS AREA 4: Resilience and Hazards				
4.1	**Flooding**	• To ensure development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005.* • To ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.	Consistent	The planning proposal is consistent with the objectives of this direction. The Flood Report prepared by *D & M Consulting Engineers* suggested that the site is subject to medium to low flooding during a 1% AEP. The State Emergency Service (SES) has also provided general guidelines regarding flood risk assessment and flood risk management including consideration of Probable Maximum Flood (PMF) in the design. These constraints need to be addressed when a DA is submitted to Council. Council has provided a copy of conditions provided by NSW State Emergency Service (SES) to the proponent should the planning proposal progress.
4.2	**Coastal Management**	To protect and manage coastal areas of NSW.	Not applicable	The site is not located within the coastal zone and direction is not relevant.
4.3	**Planning for Bushfire Protection**	• To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas • To encourage the sound management of bush fire prone areas.	Consistent	The planning proposal is consistent with the objectives of this direction. The subject land is located in the Bushfire Prone Land and the Bushfire Impact Assessment prepared by *Harris Environmental Consulting*, consider Planning for Bushfire Protection 2019 and the appropriate provision applicable. The findings of the report found the proposal would be suitable to the area, provide adequate services of water protection and safe access to/from the public road for any proposed development on site. For future Development Applications, the assessment required the applicant to provide the development standards for building in bush fire prone areas including emergency /evacuation plan, and Fire Safety Study.
4.4	**Remediation of Contaminated Land**	To reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	Consistent	The planning proposal is consistent with the objectives of this direction. The planning proposal applies to land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is, or may be, known to have been carried out. This includes activities such as agricultural/horticultural activities, metal treatment and mining and extractive industries.

Assessment against Section 9.1(2) Ministerial Directions – Draft Planning Proposal; 120 & 140 Bridge St, Picton (Employment Land)

	Ministerial Direction	Objective	Consistent	Assessment
				The proponent has submitted a Preliminary Site Investigation (PSI) and the report concluded the land did not identify any obvious activities which are likely to have resulted in significant or widespread contamination of natural soils. It is however noted that an appropriate level Detailed Site Investigation (DSI) is recommended to be undertaken as a prerequisite of any future DA submitted post-gazettal of the Planning Proposal.
4.5	**Acid Sulfate Soils**	To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Not applicable	The planning proposal does not have significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils and direction is not relevant.
4.6	**Mine Subsidence and Unstable Land**	To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Consistent	The planning proposal is consistent with the objectives of this direction. The site is located within the Picton Mine Subsidence District and overlies a mining lease held by SIMEC Tahmoor Coal Pty Ltd (Tahmoor Coal). Subsidence Advisory NSW has advised that future mining is unlikely.
FOCUS AREA 5: Transport and Infrastructure				
5.1	**Integrating Land Use and Transport**	To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) Improving access to housing, jobs and services by walking, cycling and public transport, and (b) Increasing the choice of available transport and reducing dependence on cars, and (c) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Consistent	The planning proposal is consistent with the objectives of this direction and it improves access to jobs and employment within the Picton District. More than 65% of working residents in Wollondilly travel outside the area to work. The development will reduce the time travel by car for residents/employees working and living in this area. Transport for NSW (TfNSW) has no objection to the planning proposal from a transport infrastructure perspective. The Traffic and Parking Assessment Report prepared by *Positive Traffic Engineering* concludes that the work generating from the site is unlikely to result in congestion or delays to the existing road infrastructure. The potential traffic generation impacts of the potential redevelopment have been undertaken and concluded the Bridge Street/ Argyle Street (Old Hume Highway) intersection would still operate at a satisfactory level, and no future upgrades of the intersection to accommodate the additional traffic demands would be required.
5.2	**Reserving Land for Public Purposes**	To facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Not applicable	The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes and direction is not relevant.
5.3	**Development Near Regulated Airports and Defence Airfields**	• To ensure the effective and safe operation of regulated airports and defence airfields. • To ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft in the vicinity. • To ensure development situated on noise sensitive land incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	Not applicable	The planning proposal does not create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield and direction is not relevant.

Assessment against Section 9.1(2) Ministerial Directions – Draft Planning Proposal; 120 & 140 Bridge St, Picton (Employment Land)

	Ministerial Direction	Objective	Consistent	Assessment
5.4	**Shooting Ranges**	To maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land and identify issues that must be addressed when considering rezoning land adjacent to an existing shooting range.	Not applicable	The planning proposal does not affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range and direction is not relevant.
FOCUS AREA 6: Housing				
6.1	**Residential Zones**	To encourage a variety and choice of housing types to provide for existing and future housing needs and make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services and minimise the impact of residential development on the environment and resource lands.	Not applicable	The planning proposal does not affect land within an existing or proposed residential zone and direction is not relevant.
6.2	**Caravan Parks and Manufactured Home Estates**	To provide for a variety of housing types, and provide opportunities for caravan parks and manufactured home estates.	Not applicable	The planning proposal does not provide opportunities for a variety of housing types or caravan parks and manufactured home estates and direction is not relevant.
FOCUS AREA 7: Industry and Employment				
7.1	**Business and Industrial Zones**	To encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres.	Consistent	The planning proposal is consistent with the objectives of this direction as it seeks to expand the existing industrial zone boundary for the Picton Industrial area. The future liveability and vitality of Picton town centre will be greatly enhanced by the implementation of local and regional scale employment which this development proposes.
7.2	**Reduction in non-hosted short-term rental accommodation period**	To mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and ensure the impacts of short-term rental accommodation and views of the community are considered.	Not applicable	The planning proposal does not cause reduction in non-hosted short-term rental accommodation period and direction is not relevant.
7.3	**Commercial and Retail Development along the Pacific Highway, North Coast**	• To protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route, • To prevent inappropriate development fronting the highway, • To protect public expenditure invested in the Pacific Highway, • To protect and improve highway safety and highway efficiency, • To provide for the food, vehicle service and rest needs of travellers on the highway, and • To reinforce the role of retail and commercial	Not applicable	The planning proposal does not provide commercial and retail development along the Pacific Highway, North Coast and direction is not relevant.
FOCUS AREA 8: Resources and Energy				
8.1	**Mining, Petroleum Production and Extractive Industries**	• Prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or	Consistent	The planning proposal is consistent with the objectives of this direction. The subject land is located in the Picton Mine Subsidence District and overlies a mining lease held by SIMEC Tahmoor Coal Pty Ltd (Tahmoor Coal). NSW Subsidence Advisory has advised that any future mining is unlikely.

Assessment against Section 9.1(2) Ministerial Directions – Draft Planning Proposal; 120 & 140 Bridge St, Picton (Employment Land)

	Ministerial Direction	Objective	Consistent	Assessment
		• Restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.		
FOCUS AREA 9: Primary Production				
9.1	**Rural Zones**	The objective of this direction is to protect the agricultural production value of rural land.	Inconsistent but justified	The draft planning proposal is considered to be inconsistent with the objectives of these directions as the proposal will rezone the land from a rural zone to an industrial zone and will not protect the agricultural production value of rural land. When considering the outcomes of the *Rural Lands Strategy* and *Employment Land Strategy* the inconsistency is considered to be justified. In particular, support for the proposal is not considered to be inconsistent with the adopted Rural Lands Strategy when considering the site-specific characteristics. The rural zoned portion of the site is relatively small and irregular in shape. It is physically disconnected by rural land holdings, road and rail infrastructure, and existing urban development. The site is not known to be associated with MRA values in terms of scenic land, productive agriculture, or mineral and energy resources. However, the proposal has the opportunity to enhance the values of the MRA by protecting biodiversity and sustaining local jobs in Picton and beyond.
9.2	**Rural Lands**	• To protect the agricultural production value of rural land, • To facilitate the orderly and economic use and development of rural lands for rural and related purposes, • To assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State, • To minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses, • To encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land, • To support the delivery of the actions outlined in the NSW Right to Farm Policy.	Inconsistent but justified	
9.3	**Oyster Aquaculture**	• To ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and • To protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.	Not applicable	The planning proposal does not provide opportunities for oyster aquaculture and direction is not relevant.
9.4	**Farmland of State and Regional Significance on the NSW Far North Coast**	• To ensure that the best agricultural land will be available for current and future generations to grow food and fibre, • To provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and • To reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.	Not applicable	The site is not located within the farmland of State and Regional Significance on the NSW Far North Coast and direction is not relevant.

Attachment 4: Assessment against State Environmental Planning Policies (SEPPs)

SEPP	Consistency	Assessment
Housing *State Environmental Planning Policy (Housing) 2021*	Not applicable	The draft planning proposal is not providing housing supply.
Transport and Infrastructure *State Environmental Planning Policy (Transport and Infrastructure) 2021*	Consistent	The planning proposal is considered to be consistent with the aims of the SEPP as follows; ***Division 15 – Development adjacent to rail corridors:*** *(a) is likely to have an adverse effect on rail safety, or* *(b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or* *(c) involves the use of a crane in air space above any rail corridor, or* *(d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.* The proposed site is located adjacent to an existing Sydney Trains railway corridor and land owned by Transport Asset Holding Entity (TAHE). The planning proposal was referred to Transport for NSW (TfNSW) for further directions. Recommendations were provided and would be applicable for when the site is being developed, and not relevant to rezoning.
Primary Production *State Environmental Planning Policy (Primary Production) 2021*	Not applicable	The draft planning proposal is not developing lands for primary production,
Biodiversity and Conservation *State Environmental Planning Policy (Biodiversity and Conservation) 2021*	Consistent	The planning proposal is considered to be consistent with the aims of the SEPP as follows;

Assessment against State Environmental Planning Policies (SEPPs)

SEPP	Consistency	Assessment
		Chapter 3 Koala habitat protection 2020 **3.1 Aims of Chapter** This Chapter aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline— (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones. **Chapter 4 Koala habitat protection 2021** **4.1 Aim of Chapter** This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. The site is identified as being located on land subject to Koala habitat and Part 2 Development control of koala habitats applies to the proposed development. The Flora and Fauna Assessment developed by *Hayes Environmental* concluded that the site does not contain breeding habitat for Koalas, is not likely to be part of a movement route. The planning proposal has no impact on koala habitat and is unlikely to significantly affect threatened species, ecological communities and their habitats. However, there are native vegetation and the habitat features on the site which need to be retained and protected. This report recommends that environmentally sensitive land within the site should be rezoned to *C2 Environmental Conservation*.

Assessment against State Environmental Planning Policies (SEPPs)

SEPP	Consistency	Assessment
		Part 10.5 Heritage provisions **10.51 Objectives** 1. The objectives of this Chapter in relation to heritage are— (a) to conserve the environmental heritage of the land to which this Part applies, and (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items, and (c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and (d) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items. A Preliminary Historical Heritage Assessment confirms no areas of historical archaeological potential are located on site. Council local heritage assessment identified there is no heritage impediment to the proposal. **Chapter 13 Strategic conservation planning** (a) to ensure development in the nominated areas is consistent with the biodiversity certification under the Biodiversity Conservation Act 2016, Part 8 and strategic assessment under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth, Part 10, (b) to facilitate appropriate development on biodiversity certified areas, (c) to identify and protect areas with high biodiversity value or regionally significant biodiversity that can support ecological functions, including threatened ecological communities, species and areas with important connectivity or ecological restoration potential, (d) to avoid or minimise impacts from future development on biodiversity values in areas with high biodiversity value, (e) to support the acquisition of priority areas with high biodiversity value as conservation lands in perpetuity.

Assessment against State Environmental Planning Policies (SEPPs)

SEPP	Consistency	Assessment
		The subject land is not identified as avoided land or a strategic conservation area. C2 Environmental Conservation for the environmentally sensitive area, including the Cumberland Plain Woodland, is to be excluded from future development. The draft planning proposal is considered to be consistent with the SEPP.
Resilience and Hazards *State Environmental Planning Policy (Resilience and Hazards) 2021*	Consistent	Chapter 4 Remediation of land, seeks to provide a State-wide planning approach to the remediation of contaminated land. The SEPP aims to specify the necessary considerations that are relevant in rezoning land, however, it is noted that there are none specifically identified for rezoning. Notwithstanding this, the broad intention is to ensure that the consideration is given to whether the land is contaminated, and it the land is contaminated, whether it required remediation to be made suitable for the purpose for which development is proposed. A Preliminary Site Investigation (PSI) has been prepared to inform the planning proposal to determine whether a detailed site investigation and/or remediation action plan is to be developed prior to future uses. The report concluded the land did not identify any obvious activities which are likely to have resulted in significant or widespread contamination of natural soils. It is however noted that an appropriate level Detailed Site Investigation (DSI) is recommended to be undertaken as a prerequisite of any future DA submitted post-gazettal of the Planning Proposal. The draft planning proposal is considered to be consistent with the SEPP.
Industry and Employment *State Environmental Planning Policy (Industry and Employment) 2021*	Not applicable	The planning proposal is not providing economic or employment development in the Western Sydney Employment Area.
Resources and Energy *State Environmental Planning Policy (Resources and Energy) 2021*	Consistent	The planning proposal is considered to be consistent with the aims of the SEPP as follows;

Assessment against State Environmental Planning Policies (SEPPs)

SEPP	Consistency	Assessment
		Mining, petroleum production and extractive industries **2.1 Aims of Chapter** The aims of this Chapter are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries— (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and (c) to promote the development of significant mineral resources, and **3.1 Aims, objectives etc** This Chapter aims— (c) to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential. The site is located within the Picton mine subsidence district and as such future development on the subject land will require approval by NSW Substance Advisory in accordance with the Coal Mine Subsidence Compensation Act (2017). The site overlies a mining lease held by SIMEC Tahmoor Coal Pty Ltd (Tahmoor Coal) and Council has been advised that future mining is unlikely.
Planning Systems		
State Environmental Planning Policy (Planning Systems) 2021	Not applicable	The planning proposal is not identified as State or Regionally Significant development.
State Environmental Planning Policy (Precincts - Regional) 2021	Not applicable	Not applicable to Wollondilly.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	Not applicable	Not applicable to Wollondilly.
State Environmental Planning Policy (Precincts – Central River City) 2021	Not applicable	Not applicable to Wollondilly.

Assessment against State Environmental Planning Policies (SEPPs)

SEPP	Consistency	Assessment
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Not applicable	Not applicable to this planning proposal.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not applicable	The draft planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
BASIX SEPP *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*	Not applicable	The draft planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP 65 *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development*	Not applicable	The draft planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.

Attachment 5: TABLE SUMMARISING MATTERS RAISED IN COMMUNITY SUBMISSIONS

Key Issue Raised in Submissions	Submission reference	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
Site is a logical location for additional industrial land • This area is already well established and used for industrial purposes. • The area has been already well activated for Industrial use.	004, 005, 012, 018, 019, 020 **Total 6**	• Noted.	No changes proposed.	None required.
Need for more industrial land and employment opportunities • More employment land is required in the Wollondilly catchment. • There is a shortage of industrial land in Picton. • The is a need for industrial land to support the commercial sector in Wollondilly. • Wollondilly needs more local jobs. • More land is required to reduce fluctuations in industrial land pricing. • More industrial land is required to ensure we keep local tradies in Wollongong. • Need of more of proactive planning to introduce industrial zone in Picton.	002,003,004, 005, 006, 007,008,009, 010,011, 012, 013, 015,017, 018, 019,020 **Total 17**	• Noted.	No changes proposed.	None required.
The site is not suitable for alternative uses • The location of site does not suit primary and farming. • Close approximately to the railway and other industrial activities makes it difficult to use the site for residential purposes.	004, 013 **Total 2**	• Noted.	No changes proposed.	None required.
Concerns for poor conditions of the road • The upgrading of the road will make the life safer and easier for all the motorist passing and working in the area. • Bridge Street needs to be upgraded and speed limit reduction needs to be considered.	003,009, 016 **Total 3**	• It is noted that the traffic assessment submitted to inform the draft planning proposal identified that the additional traffic generated by a potential development would be generally low and would not impact to a point of detriment on the surrounding road network. • Where appropriate, essential local infrastructure to service the development would need to be introduced/upgraded to service the development and would be considered as part of any future development application to develop the site.	No changes proposed.	None required.
Adverse impacts from heavy trucks • Damage to the Bridge St by heavy trucks. • Trucks have difficulty at times entering and leaving a number of premises on Bridge St. • Greater noise and traffic (both cars and trucks) as a result of industrial activities from the site. • Ongoing traffic and heavy trucks on the Bridge St.	001, 003, 009,014 **Total 4**	The proposed rezoning is not considered to be significant in terms of size and it is expected that Bridge Street can accommodate additional traffic, including truck movements that may be generated as a result of any future development on the site. It is also noted that the traffic assessment submitted to inform the draft planning proposal identified that the additional traffic generated by a potential development would be generally low and would not impact to a point of detriment on the surrounding	No changes proposed.	None required.

Table Summarising Matters Raised in Community & Stakeholder Submissions

Key Issue Raised in Submissions	Submission reference	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
		road network. The traffic assessment also highlighted the additional traffic will remain below the mid-block lane capacity during AM and PM peak periods.		
Potential noise impacts • Greater noise and traffic (both cars and trucks) as a result of industrial activities from the site.	014 **Total 1**	Where appropriate, essential studies and assessment including noise and visual assessment would be considered as part of any future development application to develop the site.	No changes proposed.	None required.
Limited road capacity and carpark spaces within/around the site • The property is quite skinny, the street is narrow and there is no turning circle on the road, chances of a car hitting the reversing truck. • There will be a lack of off-street car parking for new employees and visitors.	001, 014 **Total 2**	The proposed development has proposed a truck only entry (near railway overpass), car entry/exit, and light vehicle entry/exit which can maximise safety. In addition, the proposed development has proposed an onsite parking provision for a total 37 space.	No changes proposed.	None required.
Poor drainage infrastructure • Road next to the site is not properly guttered.	001 **Total 1**	Where appropriate, essential local infrastructure to service the development would need to be introduced/upgraded to service the development and would be considered as part of any future development application to develop the site.	No changes proposed	None required.
Visual Impact of Industrial Land • Acknowledges that there is existing industrial activity on the site which is low impact. • Concerned that the proposed land use zone change could enable a more intensive use of the site with highly visible factory units and the associated increase in noise and traffic. • Rural land is not favourable to be zoned Industrial, particularly when there are still pockets of undeveloped industrial land on Bridge Street.	014 **Total 1**	• On balance, it is considered that rezoning the site for an industrial use would provide a modest increase in the supply of employment land within Wollondilly without a significant impact on rural land. This position is covered in greater detail in the accompanying report. • The approximate distance to the closest dwelling to the site is 200m and the development site is not significant to visually impacts the character of the area. • Wollondilly Development Control Plan 2016 will guide any future development on the site to ensure no apparent visual impact issues.	No changes proposed.	None required.

ATTACHMENT 6: TABLE SUMMARISING MATTERS RAISED IN SUBMISSIONS FROM PUBLIC AGENCIES

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
Endeavour Energy			
Required easement and restriction not yet finalised • Advise that an easement and restriction for fire rating benefitting Endeavour Energy for padmount station no. 55311 which is located on the site still needs to be created.	The submission does not include sufficient information to understand the history to this request. In any case, the submission requests that the applicant contact Endeavour Energy's Property Branch to resolve the matter and does not mention any other action in terms of the planning proposal. On this basis, the request is noted and will be passed onto the proponent.	No changes proposed.	A copy of Endeavour Energy's submission will be provided to the proponent.
Service Availability • Confirms that electricity services are available and adequate for the proposed development. However, also notes that an extension and/or augmentation to the existing local network may be required. • General advice for any future development	Noted.	No changes proposed.	A copy of Endeavour Energy's submission will be provided to the proponent.
Standard Conditions for Planning Proposal Review • Nominates that the following issues as relevant: - Adjoining Sites; *Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.* - Asset Planning; *Applicants should not assume adequate supply is immediately available to facilitate their proposed development.* - Bushfire; *Risk needs to be managed to maintain the safety of customers and the communities served by the network.* - Dial Before You Dig; *Before commencing any underground activity the applicant must obtain advice from the Dial Before You Dig 1100 service.* - Earthing; *The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.* - Easement Management; *Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.* - Emergency Contact; *Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.* - Flooding; *Electricity infrastructure should not be subject to flood inundation or stormwater runoff.* - Network Access; *Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.* - Network Asset Design; *Design electricity infrastructure for safety and environmental*	The nominated issues are general and more relevant to the development application stage. The submission is accompanied by a number of documents including Code of Practice, Standard Conditions for Development Applications and Planning Proposals, Information sheets/documents, and Design Instructions. It is noted that there is no mechanism as part of the local environmental plan making process to apply standard conditions. None of the issues are considered to warrant further investigation as part of the plan making process. However, the submission and accompanying documents will be provided to the proponent.	No changes proposed.	A copy of Endeavour Energy's submission will be provided to the proponent.

Table Summarising Matters Raised from Public Agency Submissions

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
compliance consistent with safe design lifecycle principles. - Network Connection; *Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.* - Public Safety; *Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.* - Safety Clearances; *Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.* - Service Conductors; *Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.* - Streetlighting; *Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.* - Sustainability; *Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.* - Vegetation Management; *Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.*			
Department of Primary Industries – Agriculture (DPI)			
Inconsistent with Strategic Planning Framework • Inconsistent as the site is located within the Metropolitan Rural Area and has not been included in the Picton Employment land investigation area identified in the Wollondilly Employment Land Strategy.	It is considered that rezoning the land is consistent with the underlying objective of the adopted Wollondilly Employment Land Strategy. Further justification is provided within the report.	No changes proposed.	None required.
Mapped as state significant agricultural land (SSAL) • Notes that part of the site is mapped as SSAL on the preliminary draft State Significant Agricultural Land Map. However, acknowledges that the SSAL designation for small non-contiguous areas of SSAL will be reviewed for the second version of the draft SSAL Map. • Given the circumstances of the site, notes that the draft SSAL designation should not preclude consideration of this particularly site for industrial land uses. • Has no objection to Council considering the proposal on its merits.	In principle, the preparation of a State Significant Agricultural Land (SSAL) Map to inform planning decisions and provide protection to the most valuable agricultural land across the state is supported. However, it is noted that the way in which the map will be used is not yet determined and there is a need for the map to be incorporated into broader policy once it has been finalised. Council made a submission to the draft mapping in January 2022 which acknowledged this position and raised a number of shortcomings with the draft mapping. DPI's submission acknowledges the site's characteristic and appears to suggest that direction for 'small non-contiguous areas' require further review.	No changes proposed.	None required.

Table Summarising Matters Raised from Public Agency Submissions

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
	It is agreed that rezoning land from a rural zone should be given careful consideration. In this case, on balance, it is considered that there is merit to rezoning the land.		
Environment and Heritage Group – Department of Planning and Environment (EHG)			
Scope of comments • EHG's submission did not consider the potential for impacts to indigenous cultural or historic heritage.	Noted. Heritage NSW has also separately provided comments.	No changes proposed.	None required.
Biodiversity; Missing data and information in the appendices/typos • Adequacy of the threatened species surveys cannot be determined due to missing figure and referenced report. • Notes a number of typos and omissions appear in the planning proposal and supporting Flora and Fauna assessment	The missing data, information and any typos can be corrected as part of the required updates to the flora and fauna assessment (see below).	No changes proposed at this stage.	Provide a copy of EHG's submission to the proponent.
Biodiversity; Biodiversity Values Map • The planning proposal needs to show how impacts to biodiversity values have been avoided – there is an area mapped on the Biodiversity Values Map, if the land is rezoned, subsequent development occurs on that area, the Biodiversity Offset Strategy (BOS) would apply. • Questions a number of findings within the report due on the basis of work undertaken to date: - The survey is regarded as adequate for Pimelea spicata on this site and Pimelea spicata is not likely to be present. However, given the species is associated with PCT 850, is inconspicuous, and its flowering is unpredictable and rain dependent, the conclusions that the survey effort was adequate, and that the species is unlikely to be present in the subject site cannot be supported based upon the provided information. - Not enough information has been given in the biodiversity report to determine if Green and Golden Bell Frog (Ranoidea aurea) is 'Absent – not suitable habitat'. - Does not support the statement 'Absent – not suitable habitat' regarding the presence of Southern Myotis, Cumberland Plain Land Snail (Meridolum corneovirens) and prescribed impacts within the development site. - does not support the statement about Cumberland Plain Land Snail and its presence within the	EHG's feedback has been considered in collaboration with Council's Environmental Services Team who have specialist knowledge in this area. It is agreed that further investigation would be required to address the matters raised if the draft planning proposal was to proceed. However, given that the area of native vegetation on the site is to be retained it is considered that the outstanding investigation could be required and undertaken as part of any Gateway determination.	No changes proposed at this stage.	Provide a copy of EHG's submission to the proponent. Proponent to undertake required investigations and update flora and fauna assessment.

Table Summarising Matters Raised from Public Agency Submissions

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
development site was 'Absent – field survey and unsuitable habitat (lack of coarse woody debris)'. - Consideration for indirect impacts o There are no targeted surveys for threatened fauna and prescribed impacts are not clear. o The adequacy of the targeted surveys cannot be fully determined. o The targeted survey for Pimelea spicata did not follow the guidelines in BioNet. o Further consideration should be given to the potential indirect impacts of light spill on any retained vegetation on-site, and on any adjacent vegetation associated with Redbank Creek.			
Biodiversity; Area excluded from development • Supports the protection of vegetation and habitat features likely to be provided by the development exclusion zone. • If this area is not intended to be developed as part of the preferred design and is intended to be considered as part of the avoidance, minimisation and mitigation measures for this planning proposal and subsequent development, considers that the rezoning of this portion of the subject site be reconsidered and amended to a more compatible zoning category.	The preliminary assessment of the draft planning proposal has considered this matter and recommends that the area of native vegetation should be protected with a Conservation Zone.	It is recommended that the area to be excluded from development is rezoned to C2 Environmental Conservation.	None required.
Flooding; • The flood report is reasonable for this planning stage. • Notes that the flooding report should not conclude 'the proposed redevelopment will not impact on the flooding or increase flooding within the floodplain'. This assessment should be undertaken at the development application stage.	Noted.	No changes proposed.	None required.
Heritage NSW			
Impacts on heritage • There are no identified impacts on any items listed on the State Heritage Register. • Notes that the proposal is located near to (with 500m) three local heritage items listed under the *Wollondilly Local Environmental Plan 2011*. The assessment and consideration of any impacts on local items rests with Council.	Noted. The draft planning proposal has been informed by the preparation of a preliminary historical heritage assessment prepared by a suitably qualified independent consultant. The proposed development is not considered to have any significant impacts on local heritage items.	No changes proposed.	None required.
• Does not require further referral/consultation on this planning proposal.	Noted.	No changes proposed.	None required.

Table Summarising Matters Raised from Public Agency Submissions

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
NSW State Emergency Service (SES)			
Hazard risk to site • The proposed development site and surrounding roads may be susceptible to inundation which would limit evacuation. Evacuation capacity and flood affectation up to the Probable Maximum Flood (PMF) should be a consideration the design to reduce the potential risk to life.	The draft planning proposal has been informed by the preparation of a flood report prepared by a suitably qualified independent consultant. The flood report suggested the site is subject to medium to low flooding during a 1% AEP. An easement may need to be placed within future development of the site. The flood study also suggested future development will not impact on the flooding or increase flooding within the area. The flood report has been referred to and considered by Council's Property and Project Delivery team. It is also noted that the NSW Government's Environment and Heritage Group have reviewed the draft planning proposal and advised that the flood report is reasonable for this planning stage.	No change proposed.	None required.
Limiting potential incompatible uses on the site • Potential future use of the site should be considered as some specific uses within IN2 (light Industrial) zoning are not suitable for this location due to flood affectation, such as Emergency service facilities or other critical facilities. Consideration should be given to limiting uses within the zoning map for this site to prevent significant changes to the land use in the future.	It is not possible to remove development types that are permissible with consent from the IN2 Light Industrial zone Land Use Table as this would also make these development types prohibited in an IN2 zone in other areas of the Shire. Although it may be possible to accommodate this through a local provision, this would not be a desirable outcome and may not be supported by the NSW Government if the planning proposal was to progress. In any case, it is not considered that the risk level substantiates a standalone approach in the local environmental plan for this site. Although a development may be permissible with consent in principle, it is still subject to a merit-based assessment to determine its suitability for the site.	No changes proposed.	None required.
Ensuring approach consideration under the strategic planning framework • The submission highlights the need for the planning proposal to be considered against the relevant Ministerial Directions, including 4.3 – Flood prone Land and the need to be consistent with the NSW Flood Prone Land Policy. The submission identifies the relevant principles outline in	An assessment of the draft planning proposal against the relevant ministerial directions has been undertaken.	No changes proposed.	None required.

Table Summarising Matters Raised from Public Agency Submissions

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
the NSW Floodplain Development Manual which are important to the NSW SES role.			
Subsidence Advisory NSW			
• The site is located within a declared mine subsidence district and as such future development on the subject land will require approval by SA NSW in accordance with the Coal Mine Subsidence Compensation Act (2017). • The site overlies a mining lease held by SIMEC Tahmoor Coal Pty Ltd (Tahmoor Coal) and Tahmoor Coal has advised that future mining is unlikely.	Noted.	No changes proposed.	None required.
Sydney Water			
Capacity to service future development • The site is not located within the current Picton Sewer Catchment area and Sydney Water does not usually provide a wastewater service to rural-zoned properties. • Cannot currently support any additional urban growth in this area resulting from a change to the local environmental plan until the capacity of the Picton Water Recycling Plan can be upgraded. • Objects to the planning proposal. • Suggests that the proponent may wish to consider alternative solutions.	Noted. This is a significant objection and will constrain the future development of the site. However, the site could still be utilised for employment land uses without the need for wastewater infrastructure. The proponent has indicated that, in the short term, the site is to be used as a storage area to support the existing business. Given, rezoning the land can deliver immediate benefits without the need for additional wastewater infrastructure it is not considered that Sydney Water's objection justifies refusal of the proposal.	No changes proposed.	Provide a copy of Sydney Water's submission to the proponent.
Transport for NSW			
Development near railway corridor • The proposed site is adjacent to Sydney Trains rail corridor and adequate setback must be maintained across the entire length of new developments. • Consistency with the *State Environment Planning Policy (Transport and Infrastructure) 2021, 'Development Near Rail Corridors and Busy Roads – Interim Guidelines'*, Asset Standards Authority etc. • Consideration should given to how the site will be serviced as TfNSW does not allow private party (i.e. developer/land owner) services to utilise its corridor. • Access onto land owned by Transport Asset Holding Entity (TAHE) (including any pedestrian access) must not be obstructed.	The matters raised are predominantly relevant to the design process for any development of the site in the future. None of the matters raised conflicts with the proposed rezoning of the land in principle. It is noted that no concerns or objection have been raised to the proposal.	No changes proposed.	Provide a copy of TfNSW's submission to the proponent.
Water NSW			
Relevance to Sydney Drinking Water Catchment • No comment to make on the Proposal. • The site lies outside the Sydney Drinking Water Catchment and therefore outside the water quality protection requirements of s 9.1 Ministerial Direction 3.3.	Noted.	No changes proposed.	None required.

Table Summarising Matters Raised from Public Agency Submissions

Key Issue Raised in Submissions	Response to issues raised	Any changes proposed to the Planning Proposal in response	Any other actions required in response
• No WaterNSW land or assets adjoin the land or area otherwise affected by the Proposal.			

ASSESSMENT AGAINST WILTON DEVELOPMENT CONTROL PLAN 2021

A Neighbourhood Plan is required to be consistent with the South East Wilton Structure Plan for the South East Wilton Precinct and the South East Wilton Precinct Schedule 1.

This Assessment is completed with the knowledge of the proposed Structure Plan amendments being exhibited by the Department of Planning and Environment from 12 October to 26 October 2022

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
1	The detailed location of land uses including residential development (low and medium density), schools, community facilities, utilities, centres and employment land.	Yes	A detailed Neighbourhood Plan map (Figure 2) is provided on page 4 of the draft DCP Amendment which illustrates the following: • the distribution of low and medium density housing across Stages 2 and 3. • proposed school location • location of Open spaces • local centre • employment lands (Enterprise Area)
2	The context of the neighbourhood in relation to the strategic transport network and key connections.	Yes	The key road network for the entire Wilton Growth Area has been planned and how that critical infrastructure will be delivered in Wilton over 20 years has been provided in the document “Wilton: Building a great new town” prepared by DPE. Section 2.4 Grey Grid imbeds objectives regarding transport within the Neighbourhood Plan area. Figure 4, Grey Grid (page 9) provides an indicative road network which includes: • the bus routes/stops and 400m bus catchments • primary pedestrian and cycle pathways • key local roads • collector roads • connections through to Janderra Lane Overpass, Pembroke/Picton Road Intersection upgrade and Almond Street upgrade and connection to Picton Road.
3	The housing typologies that are proposed in various parts of the neighbourhood,	Yes	Figure 12 of the draft DCP identifies indicative residential density. The supporting Urban Design Reports provides for the following lot mix:

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
	including a fine-grain density plan demonstrating how a diversity of housing types will be delivered.		• 248m² - 10% total lot yield • 310m² – 15% total lot yield • 372m² – 25% total lot yield • 434m² – 25% total lot yield • 496m² – 15% total lot yield • 558m² – 10% total lot yield The density map shows the distribution of lots in three groupings: • Medium density being lots 248-310m² • Low density standard being lots 310-496m² • Low density large lot being lots 558m² Larger lots have been provided along the interface of the site with the catchment land (southern boundary). This will support the delivery of the necessary APZs, respond to the topography of the land and aid in creating a transition from urban to environmental land. The medium density land is clustered in areas that benefit from additional amenity such as around open space and/or in proximity to the local centre. Housing typologies (e.g. detached dwellings, rear loaded product, attached, multi-dwelling etc.) have not been provided. For the NP, it is considered appropriate at this stage to identify lot typology as the dwelling types are not yet known and subject to decisions made by future lot owner. Council is in discussion with the DPE regarding the effectiveness of a fine grain density plan at the NP stage and whether this type of detail could predetermine a development outcome that has not been able to be fully considered alongside other more detailed factors in a development application process.
4	An assessment of the number of dwellings (indicative lot yield) to be delivered in the neighbourhood against the overall Precinct dwelling	Yes	SEPP PWCP includes a dwelling cap for South East Wilton of 3,600. An indicative lot yield of 1,286 lots across the neighbourhood plan area has been provided. This accounts for approximately 564 lots within Stage 2 and 722 lots within Stage 3. Stage 1 (outside of the NP area) has an existing development approval for 696 residential lots.

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
	cap in the Growth Centre SEPP (now SEPP PWPC).		In summary Stages 1 to 3 account for approximately 1,892 lots or 55% of the overall dwelling cap. This assumes one dwelling per lot. The draft DCP amendment includes a control relating to residential development which will assist in tracking development yield across the neighbourhood plan area. The lot yield for each stage may change slightly as finer grain planning occurs at development application stage, however the information provided and the controls will assist in keeping track of the overall dwelling cap for South East Wilton.
5	An Urban Design Concept for Centres	Yes	Figure 13 provides an indicative of the layout of the proposed local centre accounting for active frontages and key locations. The draft DCP also includes objectives and controls to support future detailed design of the local centre.
6	Identify any steep or unstable land	Yes	The site is characterised by a high ridgeline along the southern border and gentle to moderate slopes and valleys with undulating surfaces. Steep land and the ridgeline have been identified on Figure 11, supported by objectives and controls. The objectives and controls seek to mitigate the visual impact of the development and ensure development considers and responds to the natural contours as much as practicable.
7	Visual character assessment and retention of landscape features and vegetation	Yes	The Urban Design report includes and site analysis which has been used to inform the objectives and controls within the draft DCP. Figure 3 illustrates the green corridors and the landscape features across the site. Objectives and controls have been included within the draft DCP (see Section 2.6.4 “Development along ridgelines and prominent Sites”) to support good built form outcomes in more sensitive locations the planning principles acknowledge the environmentally sensitive and water catchment lands that adjoin the neighbourhood plan area.
8	The strategy to deliver 40% tree canopy across the public and/or private lands within the low density	Yes	It is expected the detailed delivery strategy for the provision of trees to meet the 40% tree canopy targets would be provided through the development application. This will include street trees, private open space and the public open space network. Section 2.3.1 of the draft

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
	residential areas of neighbourhoods and / or precincts.		DCP outlines the approach to meet 40% tree canopy cover. The controls include a tree canopy cover analysis plan over a 5, 10, 15 and 20 year period. The NP satisfies the tree canopy requirement at this stage. A Landscape Principles Report was provided which demonstrated an example of how canopy can be delivered, using a section of the development as an example and assumptions based on existing DCP controls. The exact location of tree planting and the relevant conditions of consent will be part of the development assessment process and negotiated to ensure minimal impact on infrastructure, driveway crossovers, footpaths and water sensitive urban design measure. Future development will be guided by the tree canopy controls stipulated in the Wilton DCP 2021 and Wilton Complying Development Code (once made) to further support the urban canopy to private lands
9	The open space network and contribution to the blue/green grid (including the Greater Sydney Green Grid) incorporating retention of trees, native vegetation and vegetation forming part of the landscape.	Yes	Section 2.3 (pg. 5) includes objective and controls relating to the Blue and Green Grid, and is supported by a Blue and Green Grid plan (Figure 3). The plan identifies the location and size of open space, open space catchment areas, and indicative stormwater infrastructure locations. Due to historic agricultural uses the site is predominately clear of trees, however a control to support the retention of remaining mature trees has been included. Specific controls relating the treatment of the gas easement that transects the precinct have been included. The controls refer to the relevant guidelines for development within a gas easement, which limits the level of embellishment and landscaping. However, the easement will provide additional amenity and contribute to the green grid throughout the site. The WSUD principles are incorporated into the design approach with specific references in Section 2.3.2.
10	Measures to achieve protection of environmental conservation areas and the Metropolitan Special Area, enhancement of biodiversity, ecological	Yes	The Cumberland Plain Conservation Area was finalised in August 2022. The South East Wilton Structure Plan and draft Neighbourhood broadly align with the environmental boundaries and certified urban capable land identified by the CPCP. Future development will need to be consistent with the planning framework set out by Cumberland Plan Conservation Plan.

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
	restoration and management of habitats including koala habitat and fencing strategies.		In addition, any future development will need to be consistent with the relevant Koala Plan of Management associated with the South East Wilton Precinct. Section 2.3.1 includes an objective to support the Preservation and enhancement local bushland to protect local native plants and animals.
11	A report specifying the findings of a preliminary investigation of the land in the neighbourhood carried out in accordance with the current contaminated land planning guidelines under State Environmental Planning Policy No. 55 – Remediation of Land.	Yes	A Preliminary Site Investigation (PSI) (SLR, 2021) report was provided as part of the neighbourhood plan package. The report identified areas of potential interest. These areas have been mapped in Figure 9 and supported by objectives and controls to ensure it is considered as part of future development application.
12	Any land nominated for public ownership	Yes	The neighbourhood identifies land for public ownership. **However, the NP does not approve the dedication of land and is only intended to reflect the proposed roll out and structure.** Should the dedication of land not be supported the remaining option is for the proponent to pay development contributions in accordance with the Contributions Plan. The Planning report as part of the submitted NP package noted that an infrastructure dedication plan has been prepared to identify the various pieces of infrastructure within the Neighbourhood Plan that are proposed to be dedicated to Council. The plan identifies both section 7.11 local contributions and regional State Infrastructure Contributions (SIC) infrastructure to be dedicated, as well as infrastructure included as part of the Wilton Junction Planning Agreement. <u>Stormwater infrastructure</u> Risland has confirmed land for stormwater infrastructure has not been included in any open space calculations calculated as part of any open space area. It is acknowledged that if stormwater detention basins are intended to be dedicated to Council. Under the Dedication of Land Policy, any Planning Agreement a monetary

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
			contribution to Council for 30-years maintenance of each stormwater facility and that the developer carries out the first 5-years maintenance of the land. Risland have indicated they will seek to commence negotiations with Council as development of the Neighbourhood progresses. <u>Open Space</u> Passive and active open space has been identified on the neighbourhood plan. The proposed areas shown are larger than what is accounted for within the Wollondilly Contribution Plan 2022. A developer can, if they chose dedicate land for open space over and above what is identified in a contributions plan, however it cannot be automatically assumed that they will receive a credit against the contributions plan for the purpose of open space. Such arrangements might be negotiated via a planning agreement. <u>Gas Easement</u> If intended to be dedicated to Council it would be considered for dedication as long as the land is fit for its intended infrastructure purpose, can be fully embellished for low maintenance, traversable by the public, and forms part of a planning agreement which makes a monetary contribution to Council for 30-years maintenance and that the developer carries out the first 5-years maintenance of the land. The Gas easement does not contribute to any open space calculation. <u>Community Facility</u> CP2020 identifies a community facility (CF5) on 1,200m^2 in a location in close proximity to the neighbourhood centre, primary school site and playing field. This is to be identified within the Neighbourhood Plan
13	The road network and hierarchy, including sub-arterial, collector and major	Yes	Section 2.4 Figure 4 provides an indicative road network.

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
	local roads and road connections between neighbourhoods and to adjoining precincts.		The Road network seeks to align with the natural topography of the land and promote safe and legible road design. Section 2.4.1 road transitions - provide key consideration to the connection of road reserve between Stage 1 and Stage 3. The road transitions designs are illustrated in Figure 5. These connections are important to facilitate transport between stages. The design responses provided are in recognition of Stage 1 having received approval prior to the road cross section being established in the Wilton DCP.
14	The public transport corridors, bicycle and pedestrian network.	Yes	Section 2.4 Figure 4 illustrates the public and active transport networks. The transport links are considered appropriate and connect key points of interests such as the local centre, open space areas and the potential school sites. The plan also identifies walking catchments to bus stops and open space areas.
15	The management of the water cycle, including storm water drainage and riparian areas.	Yes	Water Cycle Management is addressed in conjunction with open space. It identifies indicative drainage locations. It is noted that storm water infrastructure is not levied under the Contribution Plan and is subject to the Dedication of Land Policy. This would require a suitable arrangement if Council ownership was proposed, this will be negotiated under a separate process. The function and form of stormwater features will be explored in greater detail through future development application and in line with the integrated water management strategy.
16	Measures to protect Aboriginal cultural heritage areas and sites and post-contact heritage sites, including buffers to heritage items.	Yes	Aboriginal Cultural Heritage Stage 2 of the neighbourhood and future development will need to be conducted in accordance with the existing AHIP. The Aboriginal Heritage and Cultural due diligence assessment submitted with the neighbourhood plan package identified areas of high archaeological value and additional controls have been added to manage these areas. Post-Contact Heritage There is one local and one state heritage item located within the site.

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
			The Upper Nepean Canal Corridor is State Heritage Listed is identified on the relevant maps (Figures 1, 2, 8) and is held in separate ownership. Local heritage item I275 Cottage - located at 1090 Argyle Street Wilton is identified on Figure 2 and 8. Controls related to the management of heritage items are included in the Wilton DCP with additional consideration included in the draft DCP Amendment.
17	Bushfire Asset Protection Zones (APZs), safe refuge areas, and neighbourhood bushfire evacuation routes.	Yes	The draft DCP amendments Figure 8 include indicative APZ and evacuation routes and requires perimeter roads to be provided adjacent to environmental lands. An indicative perimeter road cross section is provided in Figure 7. The final extent of the APZ will be determined at the DA stage. The Bushfire Early Development Areas report prepared by BlackAsh July 2021, seeks to identify lower bushfire risk areas that can be developed prior to the Evacuation and Access report being finalised. The neighbourhood plan area appears to fall outside the high-risk areas. The report notes that in general any planning proposals, Neighbourhood Plan or Development Applications can proceed in areas not identified as being higher bushfire risk areas without requiring an evacuation and Access study. Noting all future development is still subject to design compliance with Planning for Bushfire Protection
18	Mitigation measures such as buffers for noise impacts and air emissions (from arterial and sub-arterial roads, the Maldon-Dombarton rail freight corridor, and industrial areas)	Yes	Picton Road The neighbourhood plan identifies an indicative noise mitigation area where additional acoustic requirements will need to be addressed at the development application phase, in consultation with council and TfNSW. Maldon-Dombarton rail freight corridor The neighbourhood plan identifies an indicative noise mitigation area where additional acoustic requirements will need to be addressed at the development application phase, in consultation with council and relevant authorities. Sub arterial The Neighbourhood plan does not adjoin or include any sub arterial roads.

#	2.6 Neighbourhood Plan Content	Complies Yes/No	Assessment Comments
			Industrial Land The Neighbourhood plan does not include or identify any industrial land. The neighbourhood plan does however include a local centre and enterprise lands. Council is working with DPE to finalise DCP chapters for employment and centres.
19	Design responses to constraints related to infrastructure easements, transport corridors and contaminated land. Restrictions on development of sensitive land uses or medium and high density residential land uses adjoining the gas pipeline easement should be determined in consultation with the pipeline operator and by reference to the requirements of AS2885	Yes	APA who is pipeline operator has outlined the restrictions to sensitive uses as they apply to the pipeline easement that transects the site. Further consultation with the pipeline operator will occur during the development phase. The neighbourhood plan identifies the 30m no build corridor which has been earmarked as green corridor for public ownership. Final ownership arrangements are subject to separate council processes, and this plan does not determine final ownership arrangements. A road cross section has been provided (Figure 10) for the provision of roads adjacent to the Gas easement which is supported by APA. The easements will be utilised as part of the Green Grid with light landscaping, as well as cycle/ footpaths incorporated into each corridor, providing additional connectivity across the neighbourhood. Any embellishment of the easement will need to be in accordance with the relevant APA guidelines. Within Schedule 1 of the DCP the larger buffer that restricts sensitive uses is identified and appears consistent with advice from APA. Wilton DCP includes numerous controls relating to development near the gas pipeline easement.
20	Co-ordination actions with adjoining land owners to ensure cross precinct boundary links are planned for movement networks, conservation and water management	Yes	Risland is responsible for the majority of the South East Wilton Precinct. It is noted that within the Neighbourhood Plan area, there are some parcels held in separate ownership. Future neighbourhood plans will need to demonstrate integration with NP no.1.

Assessment against South East Wilton Precinct Planning Principles

The Wilton Growth Area Precinct Planning Principles contained in Wilton 2040 - A Plan for the Wilton Growth Area (28 September 2018) should inform the preparation of the NP. The assessment of the South East Wilton NP has considered the following principles:

PLANNING PRINCIPLES	ASSESSMENT
Social Infrastructure	The potential school site is located adjacent to the active open space and local centre
Green Tree Canopy / Corridors	The Neighbourhood Plan contains objectives and controls to support the delivery of 40% canopy cover. It also identifies walking, cycling and public transport links to help support healthy and liveable places.
Heritage	The local and state heritage items have been identified and additional controls added to the DCP amendment. Controls have been added in response to the Aboriginal Cultural Heritage Due Diligence report, to ensure appropriate consideration a development application stage. The existing AHIP which applies to Stage 1 and 2 has also been referenced.
Landscape: Protecting and Enhancing Important Habitats	The Neighbourhood Plan are is considered consistent with the Cumberland Plain Conservation Plan. A control has been included to ensure the boundaries of the environmental land are confirmed at development application phase, to mitigate risk of any unintentional encroachment. Larger lots have been provided at the interface of environmental and urban land to help mitigate edge effects, provide and transition and support bushfire protection measure when combined with perimeter roads. A KPoM also applies to the South East Wilton Precinct.
Landscape: Wilton Green Plan	The NP has been assessed against the Green Principles in Appendix E of Wilton DCP. <u>Principle 1- Connect the Community:</u> The NP satisfies the objectives of this design principle through establishing a network of open spaces co-located with pedestrian and bicycle lanes to connect the community to destinations in Wilton. Green Links are located in existing vegetated areas and along the proposed bushland interface to the C2 conservation boundary which will further support the principle to connect the community with the surrounding nature. <u>Principle 2 – Mitigate Bushfire Risk:</u> The NP supports this design principle through the activation of the APZ (Bushland Interface) areas. The Bushland Interface aims to co-locate the APZ with open space and Green Path Network intended for pedestrian and cycle use. Perimeter roads have been identified to maximize the APZ buffer. RFS is likely to

PLANNING PRINCIPLES	ASSESSMENT
	have comments in relation to APZ and Fire Protection when the development application for subdivision is lodged as part of its concurrence roles. Principle 3 – Apply Koala Sensitive Urban Design (KSUD): The NP of the South East Wilton Precinct aligns with the Cumberland Plain Conservation Plan mapping and directions. Under the CPCP the NP has been classified as urban capable land and is not located within existing koala corridors. Koala fencing has been identified where there is an interface with conservation land to maintain a separation of the urban areas and koala habitat. Principle 4 – Leverage the existing Character and Heritage: There is one local and one state heritage items identified within the neighbourhood plan area. The Aboriginal Heritage and Cultural due diligence assessment submitted with the neighbourhood plan package identified areas of high archaeological value and additional controls have been added to manage these areas. Principle 5 – Provide Equal Distribution of Active and Passive Recreational Facilities: Open space is proposed as per the Open Space Plan provided in the NP. Local passive open spaces are provided within 400m walking catchments, demonstrating accessible and equitable distribution of open space. The size and type of open space will need assessment against the Wollondilly Contributions Plan 2020 as part of a separate process. The proposed retention of existing vegetation and accessible Bushland Interface areas will also help to link green corridors to new open space in the neighbourhood in line with the aim of this design principle. Principle 6 – Apply Water Sensitive Urban Design (WSUD): The NP incorporates WSUD principles into open space areas. The Water Cycle Management Strategy (WCMS) proposes the provision of a rain gardens and other measures for water quality treatment prior to discharge. This strategy supports the aims of the Green Principle. It is noted that assessment concerning the functionality and effectiveness of the water quality treatment has not been considered for this item as this is appropriate as part of the development assessment process for subdivision as the NP is not a statutory process that can approve design detail nor condition it. Principle 7 - Cooling Wilton:

PLANNING PRINCIPLES	ASSESSMENT
	The NP aligns with this design principle in its identified approach to mitigate against the urban heat island effect through enhanced tree canopy Sustainability Principle. Typical road configurations have been provided that indicate tree planting will be included in the street design. The NP is considered consistent with the Green Principles
Landscape: Waterway Health	Detailed planning to occur at the DA stage in accordance with the integrated water management strategy. Land has been identified on the neighbourhood plan for stormwater infrastructure. Potable and wastewater servicing strategy is led by Sydney Water, ultimate solution yet to be formalised however it's likely to include a recycled water network. Any future DA will need to comply with the relevant legislation, Council policy and best practice principles at time of lodgement.
Landscape: Bushfire Protection	Indicative APZs and perimeter roads have been identified where necessary. The final extent of the APZ will be determined at development application stage. The Evacuation routes onto Picton Road have been included on figure 9, further engagement with the relevant authorities is required to formalize these routes.
Land Use: Managing land Use Activities	Sensitive interfaces will need to managed to mitigate impacts on these areas. The NP aligns with managing land use activities planning principles by use of the following strategies: • Bushland interface between residential and C2 bushfire prone land • Indicative areas of noise mitigation • Provided larger lots along the environmental land interface • Design treatments for land around the Gas easement
Built Form	The built form of the local centre is evident through the illustrations presented in figure 12. The Precinct Schedule and Neighbourhood Plans must: • Adopt the objectives from the NSW Government Architect's "Better Placed – An integrated Design Policy for the Built Environment of New South Wales" (September 2017) • "Design with Country" to provide for Aboriginal and Torres Strait Islander peoples' knowledge of Country, and the knowledge held within Country, to bring together all the complex elements of place

PLANNING PRINCIPLES	ASSESSMENT
	into a holistic understanding. The sharing of knowledge between peoples offers an opportunity to find common ground to support the health and wellbeing of Country. • plan for diverse typologies to suit a range of ages • integrate technology that contributes to and promotes achievement of the NSW Government's target of net-zero carbon emissions by 2050 • introduce opportunities for sustainable and efficient use of resources to minimise waste, water and energy from development • consider process and principles contained in Crime Prevention and The Assessment of Development Applications Guidelines (NSW Minister for Planning, 2001) The level of detail required to ascertain compliance with the above documents is considered too detailed for a neighbourhood plan and would be best determined at the DA stage.
Residential Density	The information provided and the controls will assist in keeping track of the overall dwelling cap for South East Wilton, being 3,600 dwellings
Movement	Movement planning principles seeks to improve connectivity through public and active transport networks and increased walkability within the local area. The NP reflects these principles in the section relating to Movement and Connectivity and corresponding Road Hierarchy Plan. Indicative bus stops have been placed within 400m walking catchments of residential areas to which will provide equitable access of public transport is provided across the neighbourhood. The road hierarchy allows for improved connectivity through share-paths proposed for high level road network to allow for greater access to key destinations in the neighbourhood. The proposed plan is considered conducive to facilitating increased movement and functionality across the neighbourhood.
Wilton Town Centre	Not applicable.